

County of Albany

Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207



Meeting Agenda

Wednesday, July 30, 2025

6:00 PM

**Harold L. Joyce Albany County Office Building
Cahill Room - First Floor**

Law Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES
2. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "E" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 146 OF THE ALBANY COUNTY CODE TO INCLUDE A PROHIBITION ON THE USAGE OF HAZARDOUS WASTE ASH IN PRODUCTS
3. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "L" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ESTABLISHING CHAPTER 112 OF THE ALBANY COUNTY CODE TO CREATE A PUBLIC ART FUND
4. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "N" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED
5. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "T" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 288 OF THE ALBANY COUNTY CODE, ESTABLISHING A MINIMUM PASSING DISTANCE FOR MOTOR VEHICLES
6. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "U" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, PROVIDING FOR A CHANGE IN THE SALARY OF A COUNTY OFFICER DURING THEIR TERM OF OFFICE
7. AMENDING THE ALBANY COUNTY CODE TO REQUIRE A TWO-THIRDS MAJORITY TO ADOPT A TAX INCREASE
8. AMENDING VARIOUS RESOLUTIONS FOR THE PURPOSE OF REVISING THE COMPOSITION OF CERTAIN BOARDS
9. LOCAL LAW NO. "E" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 146 OF THE ALBANY COUNTY CODE TO INCLUDE A PROHIBITION ON THE USAGE OF HAZARDOUS WASTE ASH IN PRODUCTS

10. LOCAL LAW NO. "L" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ESTABLISHING CHAPTER 112 OF THE ALBANY COUNTY CODE TO CREATE A PUBLIC ART FUND
11. LOCAL LAW NO. "N" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED
12. LOCAL LAW NO. "P" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 242 OF THE ALBANY COUNTY CODE TO PROVIDE A LOCAL LICENSING SYSTEM FOR TOBACCO AND RELATED PRODUCTS
13. LOCAL LAW NO. "Q" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER ____ OF THE ALBANY COUNTY CODE, REGARDING THE CREATION OF THE ALBANY COUNTY OFFICE OF ASSIGNED COUNSEL
14. LOCAL LAW NO. "T" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 288 OF THE ALBANY COUNTY CODE, ESTABLISHING A MINIMUM PASSING DISTANCE FOR MOTOR VEHICLES
15. LOCAL LAW NO. "U" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, PROVIDING FOR A CHANGE IN THE SALARY OF A COUNTY OFFICER DURING THEIR TERM OF OFFICE
16. LOCAL LAW NO. "C" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 270 OF THE ALBANY COUNTY CODE REGARDING CREATING A REAL PROPERTY TAX EXEMPTION FOR CONSTRUCTION OF ACCESSORY DWELLING UNITS ON EXISTING RESIDENTIAL PARCELS
17. LOCAL LAW NO. "D" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK MAKING A DETERMINATION THAT PROMOTING OR ENCOURAGING THE UNDERTAKING OF CONVENTION FACILITY PROJECTS BY THE ALBANY CONVENTION CENTER AUTHORITY IS A GOVERNMENTAL AND PUBLIC PURPOSE OF THE COUNTY OF ALBANY, NEW YORK

18. LOCAL LAW NO. "E" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, IMPOSING AN ADDITIONAL ONE PERCENT RATE OF TAX ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK
19. LOCAL LAW NO. "F" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ENACTING A MORTGAGE RECORDING TAX PURSUANT TO SECTION 253-p OF THE TAX LAW OF THE STATE OF NEW YORK

CURRENT BUSINESS:

20. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "G" FOR 2025: A LOCAL LAW DESIGNATING THE DEVELOPMENT OF AFFORDABLE HOUSING AS A GOVERNMENTAL AND PUBLIC PURPOSE OF THE COUNTY OF ALBANY, NEW YORK
21. LOCAL LAW NO. "G" FOR 2025: A LOCAL LAW DESIGNATING THE DEVELOPMENT OF AFFORDABLE HOUSING AS A GOVERNMENTAL AND PUBLIC PURPOSE OF THE COUNTY OF ALBANY, NEW YORK
22. AUTHORIZING AGREEMENTS REGARDING ALBANY COUNTY INSURANCE COVERAGE
23. AUTHORIZING AN AGREEMENT WITH WEST PUBLISHING CORPORATION REGARDING WESTLAW LEGAL RESEARCH SERVICES SOFTWARE

County of Albany

*Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207*



Meeting Minutes

Wednesday, June 25, 2025

6:00 PM

**Harold L. Joyce Albany County Office Building
Cahill Room - First Floor**

Law Committee

PREVIOUS BUSINESS:

Present: Jeffrey D. Kuhn, Dustin M. Reidy, Dennis A. Feeney,
Susan C. Laurilliard, Carolyn McLaughlin, Victoria Plotsky,
Bill L. Ricard, Paul J. Burgdorf and Jeff S. Perlee

1. APPROVING PREVIOUS MEETING MINUTES

A motion was made that the previous meeting minutes be approved. The motion carried by a unanimous vote.

2. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "E" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 146 OF THE ALBANY COUNTY CODE TO INCLUDE A PROHIBITION ON THE USAGE OF HAZARDOUS WASTE ASH IN PRODUCTS

This proposal was tabled at the request of the Sponsor.

3. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "L" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ESTABLISHING CHAPTER 112 OF THE ALBANY COUNTY CODE TO CREATE A PUBLIC ART FUND

This proposal was tabled at the request of the Sponsor.

4. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "N" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED

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5. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "T" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 288 OF THE ALBANY COUNTY CODE, ESTABLISHING A MINIMUM PASSING DISTANCE FOR MOTOR VEHICLES

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6. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "U" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, PROVIDING FOR A CHANGE IN THE SALARY OF A COUNTY OFFICER DURING THEIR TERM OF OFFICE

This proposal was tabled at the request of the Sponsor.

7. AMENDING THE ALBANY COUNTY CODE TO REQUIRE A TWO-THIRDS MAJORITY TO ADOPT A TAX INCREASE

This proposal was tabled at the request of the Sponsor.

8. AMENDING VARIOUS RESOLUTIONS FOR THE PURPOSE OF REVISING THE COMPOSITION OF CERTAIN BOARDS

This proposal was tabled at the request of the Sponsor.

9. LOCAL LAW NO. "E" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 146 OF THE ALBANY COUNTY CODE TO INCLUDE A PROHIBITION ON THE USAGE OF HAZARDOUS WASTE ASH IN PRODUCTS

This Local Law was tabled at the request of the Sponsor.

10. LOCAL LAW NO. "L" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ESTABLISHING CHAPTER 112 OF THE ALBANY COUNTY CODE TO CREATE A PUBLIC ART FUND

This Local Law was tabled at the request of the Sponsor.

11. LOCAL LAW NO. "N" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED

This Local Law was tabled at the request of the Sponsor.

12. LOCAL LAW NO. "P" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 242 OF THE ALBANY COUNTY CODE TO PROVIDE A LOCAL LICENSING SYSTEM FOR TOBACCO AND RELATED PRODUCTS

This Local Law was tabled at the request of the Sponsor.

13. LOCAL LAW NO. "Q" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER ___ OF THE ALBANY COUNTY CODE, REGARDING THE CREATION OF THE ALBANY COUNTY OFFICE OF ASSIGNED COUNSEL

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14. LOCAL LAW NO. "T" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 288 OF THE ALBANY COUNTY CODE, ESTABLISHING A MINIMUM PASSING DISTANCE FOR MOTOR VEHICLES

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16. LOCAL LAW NO. "C" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 270 OF THE ALBANY COUNTY CODE REGARDING CREATING A REAL PROPERTY TAX EXEMPTION FOR CONSTRUCTION OF ACCESSORY DWELLING UNITS ON EXISTING RESIDENTIAL PARCELS

This Local Law was tabled at the request of the Sponsor.

17. LOCAL LAW NO. "D" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK [AUTHORIZING APPROPRIATION OF FUNDS TO] MAKING A DETERMINATION THAT PROMOTING OR ENCOURAGING THE UNDERTAKING OF CONVENTION FACILITY PROJECTS BY THE ALBANY CONVENTION CENTER AUTHORITY IS A GOVERNMENTAL AND PUBLIC PURPOSE OF THE COUNTY OF ALBANY, NEW YORK

This Local Law was tabled at the request of the Sponsor.

CURRENT BUSINESS:

18. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "E" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, IMPOSING AN ADDITIONAL ONE PERCENT RATE OF TAX ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

19. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "F" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ENACTING A MORTGAGE RECORDING TAX PURSUANT TO SECTION 253-p OF THE TAX LAW OF THE STATE OF NEW YORK

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

- 20. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "Q" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER ____ OF THE ALBANY COUNTY CODE, REGARDING THE CREATION OF THE ALBANY COUNTY OFFICE OF ASSIGNED COUNSEL**

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

- 21. RESOLUTION OF THE COUNTY OF ALBANY, NEW YORK, AUTHORIZING THE EXECUTION OF A RESERVE FUND REPLENISHMENT AGREEMENT BY AND BETWEEN THE COUNTY AND THE ALBANY CONVENTION CENTER AUTHORITY**

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

- 22. RESOLUTION OF THE COUNTY OF ALBANY, NEW YORK, AUTHORIZING THE EXECUTION OF AN ADMINISTRATIVE SERVICES FUNDING AGREEMENT BY AND BETWEEN THE COUNTY AND THE ALBANY CONVENTION CENTER AUTHORITY**

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

- 23. LOCAL LAW NO. "E" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, IMPOSING AN ADDITIONAL ONE PERCENT RATE OF TAX ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

This Local Law was tabled at the request of the Sponsor.

- 24. LOCAL LAW NO. "F" FOR 2025: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ENACTING A MORTGAGE RECORDING TAX PURSUANT TO SECTION 253-p OF THE TAX LAW OF THE STATE OF NEW YORK**

This Local Law was tabled at the request of the Sponsor.

25. AUTHORIZING AN AGREEMENT WITH BUILDING BRIDGES SUPERVISION, LLC REGARDING SUPERVISED VISITATION SERVICES AND AMENDING THE 2025 PUBLIC DEFENDER'S OFFICE BUDGET

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

26. AMENDING RESOLUTION NO. 612 FOR 2024 REGARDING PREVENTION EDUCATION AND AMENDING THE 2025 CRIME VICTIM AND SEXUAL VIOLENCE CENTER BUDGET

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

27. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING SEXUAL ASSAULT CRISIS AND PREVENTION SERVICES AND AMENDING THE 2025 CRIME VICTIM AND SEXUAL VIOLENCE CENTER BUDGET

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

28. AMENDING THE 2025 CRIME VICTIM AND SEXUAL VIOLENCE CENTER BUDGET: PREVENTION EDUCATION

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

29. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING THE STATEWIDE TARGETED REDUCTIONS IN INTIMATE VIOLENCE GRANT AND AMENDING THE 2025 DISTRICT ATTORNEY'S OFFICE BUDGET

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

LOCAL LAW “E” FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 146 OF THE ALBANY COUNTY CODE TO INCLUDE A PROHIBITION ON THE USAGE OF HAZARDOUS WASTE ASH IN PRODUCTS

Introduced: 4/8/24

By Reinhardt, Simpson and Fein:

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. § 146-34 – Title.

This local law hereby creates Chapter 146, Article 5, **Prohibition on Usage of Hazardous Waste Ash.**

Section 2. § 146-35 - Legislative Purpose and Intent.

The Albany County Legislature hereby finds and determines that the incineration of hazardous waste produces fly ash, flue gas emission control waste, and slag (hereinafter collectively as "hazardous waste ash"). Hazardous waste ash may contain chemicals and heavy metals such as arsenic, barium, cadmium, chromium, lead, mercury, and nickel, which are all potentially toxic to humans and are known to cause or contribute to cancer, lung and heart ailments, liver and kidney damage, neurological damage, and premature mortality.

Hazardous waste ash may also contain mineralogical toxins such as fine crystalline when the feedstock to the industrial process contain silica. Fine particulate crystalline silica induces silicosis when inhaled and is a known respiratory health risk. Hazardous waste ash may be inhaled and become lodged in the deepest parts of the human respiratory system, leading to potentially fatal inflammation and immunological reactions. Fine particulate crystalline silica can induce silicosis and lung cancer separate from silicosis and smoking when inhaled and is a known health risk for chronic obstructive pulmonary disease (COPD) and kidney disease.

Under certain existing commercial practices, hazardous waste ash is included in aggregate material used to formulate commonly encountered compounds such as concrete, pavement, and other compounds found in commerce. The inclusion of hazardous waste ash in aggregate material and commonly encountered compounds exposes the public to potentially toxic substances and endangers public health.

Section 3. § 146-36 – Definitions.

"Aggregate" -- any natural or artificial mixture typically consisting of but not limited to sand, gravel, crushed stone, vermiculite, clinker, expanded or sintered clay or shale, foamed slag, or recycled concrete or asphalt that is used as an ingredient in compound materials.

"Product" -- any aggregate, compound, item, substance, material, component, system, or subsystem sold or traded or produced for sale or trade to the general public in the course of normal business operations.

"Compound" -- asphalt concrete, portland cement concrete, concrete block, structural concrete, unreinforced or lightweight concrete, or any other substance composed of aggregate that is used in construction and engineering applications.

"Fine-Particle Control Device" -- any apparatus, structure, or method of filtration that falls into any of the following general categories:

- (i) fabric filters, also known as baghouses or bag filters;
- (ii) electrostatic collectors, including dry and wet electrostatic precipitators and ionizing wet scrubbers;
- (iii) wet inertial-impaction collectors, including venturi scrubbers and advanced designs that use flux-force condensation-enhancement techniques; or
- (iv) cyclone separators or any other apparatus, structure, or method that is capable of separating fine particles from gas.

"Flue Gas Emission Control Waste" -- the particulates recovered from fine-particle control devices and other receptacles during the treatment of flue gas.

"Fly Ash" -- the fine, lightweight particulates that are transported from the combustion chamber by flue gases into exhaust stacks or other receptacles.

"Hazardous Waste Ash" -- fly ash, flue gas emission control waste, and slag produced as a byproduct of incineration of hazardous waste.

"Slag" -- the molten or once-molten ash that collects on fine-particle control devices or other receptacles as well as chunks in bottom ash.

"Person" -- any individual, public or private corporation, industry, co-partnership, association, firm, trust, estate or private legal entity.

Section 4. § 146-37 - Prohibition on Usage of Hazardous Waste Ash in Products.

No person shall mix, combine or blend hazardous waste ash with any product. This prohibition shall also apply to any material collected from fine-particle control devices

serving as pollution control or containment systems at any hazardous waste incinerator or kiln that is permitted by the department to receive and combust hazardous waste with or without energy recovery.

This prohibition shall not apply to the use or reuse of hazardous waste materials by any Department or Division of Albany County. Specifically, ash product that is produced through the incineration of wastewater sludge at the Albany County Water Purification District is not considered a hazardous material pursuant to this Local Law and is thereby exempt from the provisions of this legislation.

Section 5. § 146-38 - Enforcement.

Any person or entity who violates the provisions of this Local Law shall be subject to the imposition of a civil penalty by the Commissioner of Health of not more than \$5,000 for a first violation, \$10,000 for a second violation, and \$20,000 for each violation thereafter.

The civil penalties provided by this section shall be recoverable in an action instituted in the name of the County of Albany. The County of Albany may also institute a suit in equity where unlawful conduct exists for an injunction to restrain a violation of this Local Law.

Section 6. Severability

The provisions of this Act shall be severable, and if any phrase, clause, sentence or provision is declared to be invalid or is preempted by Federal or State law or regulation, the validity of the remainder of this Act shall not be affected.

Section 7. SEQRA Compliance.

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 8. Effective Date.

This Local Law act shall take effect on the ninetieth day after it shall have become a law.

*Referred to Conservation, Sustainability, and Green Initiatives and Law
Committees – 4/8/24*

RESOLUTION NO. 215

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “E” FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 146 OF THE ALBANY COUNTY CODE TO INCLUDE A PROHIBITION ON THE USAGE OF HAZARDOUS WASTE ASH IN PRODUCTS

Introduced: 4/8/24

By Reinhardt and Simpson:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “E” for 2024, “A Local Law of the County of Albany, New York Amending Chapter 146 of the Albany County Code to Include a Prohibition on the Usage of Hazardous Waste Ash in Products” to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, April 23, 2024, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

Referred to Conservation, Sustainability, and Green Initiatives and Law Committees – 4/8/24

Favorable Recommendation Rules Review and Legislative Modernization Committee – 6/25/24

LOCAL LAW NO. “L” FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ESTABLISHING CHAPTER 112 OF THE ALBANY COUNTY CODE TO CREATE A PUBLIC ART FUND

Introduced: 7/8/24

By Reidy:

A Local Law creating Chapter 112 of the Code of the County of Albany, entitled **Arts and Culture**, and Article 1 of such Chapter, entitled **Public Art Fund**, to provide public financial support for public art in Albany County.

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Chapter Creation.

Chapter 112, **Arts and Culture** is hereby created.

Chapter 112, Article I, **Public Art Fund**, is hereby created.

Section 2. § 112-1, Title.

This Local Law shall be known as the “Albany County Matthew Peter Public Art Law.”

Section 3. § 112-2, Legislative Intent.

The Albany County Legislature hereby finds and determines that art is essential to the human experience and should be accessible to all County residents.

The Legislature further finds and determines that, in addition to aesthetic value, public art installations provide a community-building effect that evoke empathy, understanding, identity, and a sense of belonging.

The Legislature further finds and determines that public art is an indispensable tool combat blight, promote mental and physical health, deter criminal activity, and increase public safety in communities.

The Legislature further finds and determines that public art allows the community to participate in the creation of public spaces and is a powerful way to increase neighborhood pride and identity, foster social bonds, and provide access to art for all people regardless of their circumstance.

The Legislature further finds and determines that public art brings economic benefits such as increased tourism and new jobs by encouraging pedestrian activity, improving the viability of local businesses, and stimulating the local creative economy.

The Legislature further finds and determines that local artists should be valued for their work and provided opportunities to use their essential talents and skills to better the County in exchange for fair compensation.

The Legislature further finds and determines that due to the aforementioned reasons, Albany County would benefit greatly from the creation of a funding mechanism for public art related to certain County capital construction projects.

Section 4. § 112-3, Definitions.

“Public Art” includes any application of artistic skill to the production of tangible objects according to aesthetic principles. “Public Art” includes, but is not limited to, paintings, sculptures, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs, fountains, streetscapes, drawings, ceramics, topiary, and other decorative public use features.

“Capital Projects” includes:

- (a) New construction of a building or of additional space added to a building; and/or
- (b) Any reconstruction or renovation of a building or part of a building, whether financed through the issuance of bonds, pay-as-you-go funding, or other non-County funding sources.

“Projects” shall not include those which are solely for rehabilitation of equipment.

“Cost of a Project” includes design, architectural and engineering fees, site work, construction, and contingency allowances for a project.

“Public Art Fund” means a fund to which 1 percent of the value of a new capital project, up to a maximum of \$10,000 for each capital project, will be allocated to fund public art initiatives in Albany County.

“Board” refers to the Public Art Board of Directors.

“Master Public Art Plan” means the annual plan drafted by the Public Art Committee to ensure a transparent, culturally-competent acquisition program and clear implementation guidelines.

Section 5. § 112-4, Public Art Fund.

Capital projects that are \$250,000 or greater, whether funded by capital funds or operating funds, shall include the appropriation of funds equal to 1 percent of the cost of the project, with said funds to be appropriated for the acquisition, maintenance, and management of public art, except where the appropriating resolution, bond resolution, or budget may provide otherwise; provided, however, that, where applicable, such amount shall be reduced to the extent that state funds, Federal funds, and funding derived from water rates, water quality treatment charges, sewer rents and sewage, wastewater and refuse collection charges in the County, are not authorized to be used for such purpose. The maximum allocated for public art shall be \$10,000 from each eligible capital project.

A public art fund shall be created by the Department of Management and Budget to hold funds for implementation of the projects finalized in the Master Public Art Plan and/or projects chosen by the Public Art Board of Directors. The fund shall be known as the “Matthew Peter Public Art Fund” in memory of the late Legislator Matthew Peter who championed public art projects in the City of Albany.

The use of any funds appropriated for any project for public art purposes shall be in accordance with the Master Public Art Plan, except that any such funds provided from the proceeds of County serial bonds or notes shall be used only for public art purposes related to the project for which such bonds or notes were authorized. To the extent the total appropriation of a project is not used for the acquisition of works of art for said project, upon the approval of the County Legislature, the remainder may be used for:

- (a) Arts program administrative costs, insurance costs, or the repair and maintenance of any artwork acquired under this law; or
- (b) Supplementing other appropriations for the acquisition of artwork under this law or to place artwork in or near government facilities which have already been constructed.

Section 6. § 112-5, Public Art Board of Directors.

- A. There shall be Public Art Board of Directors, henceforth referred to as the Board, consisting of five voting members. The County Executive shall appoint one member, the Majority Leader of the Legislature shall appoint two members, the Chair of the Legislative Black Caucus shall appoint one member, and the full County Legislature shall appoint one member. All five members shall be subject to confirmation by the Legislature. The Board shall appoint a Chair from its membership to serve a one-year term.
- B. All Board members shall be experts in the fields of art, art history, architecture, or architectural history. Members must be residents of Albany County and may not be a County employee or officer or serve on any other

County advisory boards. Members shall be professionally associated with local visual arts groups, such as art galleries or art schools, or have at least 10 years of experience creating professional art.

- C. In addition to the five voting Board members, the County Executive, the Chair of the Legislature, the Chair of the Legislature's Public Works Committee, and the Majority Leader of the Legislature, or their designees, shall serve as ex officio members of the Board.
- D. The Board shall choose the method of acquisition of public art for each project. Methods of acquisition may include, but are not limited to, projects of preexisting art, direct commission, art competition, request for proposals, or acceptance of donations.
- E. For each project, the Board may convene a panel comprised of at least three Board members, one of whom shall be designated panel Chair. The Board may also appoint additional art experts to serve as members of the project panel. The Board may appoint additional members to the panel to serve as advisors, such as community representatives, County employees, project managers, or others who will have frequent contact with the public art when it is completed. An architect or engineer shall be an ex officio member of each panel. The panel shall review the scope of each project and shall make recommendations to the Board on the nature of the public art to be considered for the project, the method of acquisition for each project, the specific artist and the specific art for each project, and what portion of the budget for each project shall be used for refurbishing or restoring existing works of art or to be set aside for the maintenance of a work of art.
- F. The acquisition and siting of all artwork shall be subject to legislative approval.
- G. Ownership and title of all works of public art acquired by the County under this Local Law shall be vested in the County of Albany.
- H. The Board shall create by-laws, subject to legislative approval, which will govern the conduct and operations of the Board.
- I. The Albany County Department of Economic Development and Planning shall serve as coordinator for the program and provide staff support to the Board.
- J. The Board shall deliver an annual report to the County Legislature detailing its operations, Master Public Art Plan, and art created under its authority.

Section 7. § 112-6, Master Public Art Plan.

The Board shall prepare an annual Master Public Art Plan (“Plan”), subject to legislative approval, to ensure a transparent, culturally-competent acquisition program and clear implementation guidelines. The Board shall hold a public hearing on the Master Public Art Plan prior to its approval. The Master Public Art Plan shall be approved by the Board and submitted to the legislature annually by March 1.

- (a) All acquisitions and sales of public art shall be in accordance with the Master Public Art Plan. The Board shall recommend acquisitions and the hiring of artists in addition to overseeing the public education and curatorial aspects of the acquisition program.
- (b) The Plan shall make all efforts to be equitable and include artists from a variety of different backgrounds for public art projects. The siting of these projects shall be County-wide, but shall include efforts to place art in underserved areas.
- (c) The Plan shall make all efforts to utilize artists who are County residents.
- (d) The Plan shall emphasize the importance of fair and adequate compensation for artists.
- (e) The Plan shall be voted on by the Legislature and presented to the Department of Economic Development and Planning by May 1st each year.
- (f) The Board shall, through the Plan and its acquisition program, make best efforts to call for artist submissions and publicize the intention to find appropriate art within 30 days of the Plan’s approval each year.
- (g) Final contracts to authorize public art contracts and the hiring of artists are subject to approval by the Albany County Legislature.

Section 8. Severability.

If any clause, sentence, paragraph, section, subdivision, or other part of this Local Law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the Local Law which shall remain in full force and effect except as limited by such order or judgment.

Section 9. SEQRA Compliance.

This County Legislature determines that this Local Law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 10. Effective Date.

This Local Law shall take effect immediately following its filing with the Office of the Secretary of State.

RESOLUTION NO. 420

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “L” FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ESTABLISHING CHAPTER 112 OF THE ALBANY COUNTY CODE TO CREATE A PUBLIC ART FUND

Introduced: 7/8/24

By Reidy:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “L” for 2024, “A Local Law of the County of Albany, New York Establishing Chapter 112 of the Albany County Code to Create a Public Art Fund” to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, July 23, 2024, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

RESOLUTION NO. 576

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “N” FOR 2024 A
LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE
ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS
AMENDED**

Introduced: 9/9/24

By Cunningham:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “N” for 2024, “A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED” to be held by the Albany County Legislature at 7:15 p.m. on Tuesday, October 29, 2024, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

*Referred to Law and Rules Review and Legislative Modernization Committees
– 9/9/24*

LOCAL LAW NO. N FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED TO PROVIDE FOR AN OFFICE OF MEDICAL EXAMINER

Introduced: 9/9/24

By Cunningham, Willingham:

PURSUANT TO SECTIONS 10 AND 33 OF THE MUNICIPAL HOME RULE LAW, COUNTY LAW SECTION 400 AND SECTION 2702 OF THE ALBANY COUNTY CHARTER:

Be it enacted by the Legislature of the County of Albany as follows:

SECTION I. Legislative Intent:

In 2012, a Charter Review Commission was formed by this Honorable Body to determine what, if any, changes could be made to the then decade's old charter. The Commission met routinely over the course of a year and published recommended changes to the Charter, many of which sought to streamline processes or modernize the County's operations. To date, many of the proposed changes have been adopted, but a various substantive changes have evaded adoption. One major proposal by the Charter Review Commission was to replace the County's four, part-time Coroners with a single full-time Medical Examiner. This change would modernize death investigations in the County, a change that many other counties have adopted over the years.

[A second major proposal from the Charter Review Commission is to expand the governance of the Board of Contract Administration. The Board's authority was established in 1993, and provided oversight of contracts less than \$100,000. The Charter Review Commission suggested increasing that amount based on inflation, which would have been \$155,000 at the time of the Charter Review Commission's proposal. Today, that amount, adjusted for inflation, is approximately \$215,000. The recommendation of the Charter Review Commission should be adopted to reflect the fact that the Board of Contract Administration is operating in 2024, and not 1993.

Finally, part of the recommendations of the Charter Review Commission was to incorporate various departments into the Charter, departments that were absent (or not yet in existence) in the original document. These proposed changes do just that, with the Division of Information Services and the newly retitled Department of Parks and Recreation.]

SECTION II. [Article 5 of the Albany County Charter is hereby amended to create the following sections:

Section 504: Information Services.

There shall be within the Department of Management and Budget an independent Division of Information Services headed by a Chief Information Officer. The Chief Information Officer shall be appointed by the County Executive, subject to confirmation by the County Legislature as provided in Section 302(c) of this Charter, and serve at the pleasure of the County Executive. The Chief Information Officer and staff shall be charged with providing information, technology and computer systems services in support of the county's departments and administrative units. The Chief Information Officer shall perform such other and related duties as shall be required or delegated to her by the County Executive or the County Legislature.

SECTION III. Article 13 of the Albany County Charter is hereby amended as follows:

Section 1301: Board of Contract Administration; powers and duties.

For the purpose of simplifying, clarifying and centralizing the approval process for contracts, there is hereby established a Board of Contract Administration. The Board shall be composed of the County Executive, the Chairperson of the County Legislature and the County Clerk. The Board of Contract Administration is empowered to approve contracts for execution by the County Executive in amounts of not less than twenty thousand dollars (\$20,000), and, not more than [one] two hundred fifteen thousand dollars (\$[100]215,000), or such higher amount as may be established by local law. The Board shall report [periodically] quarterly to the County Legislature, detailing the contracts approved by it.

Section 1302: Other contract approvals.

The County Executive shall be empowered to approve and execute contracts in an amount less than twenty thousand dollars (\$20,000). The County Legislature shall be empowered to approve contracts for execution by the County Executive in amounts over [one] two hundred fifteen thousand dollars (\$[100]215,000), in addition to those mentioned in Section 204(m) of this Charter. The County Executive shall not, through change orders, amendments, renewals, or any other method or device, exceed such twenty thousand dollar (\$20,000) limit with respect to any vendor or subject matter, without approval of the County Legislature.

Section 1303: Annual Adjusted Amount

The dollar amounts set forth above in sections 1301 and 1302 of this Article shall be adjusted annually on the first day of January each year by the Consumer Price Index ("CPI") to keep pace with inflation. The County's Department of Management and Budget shall use the annual CPI data for adjustment. The annual adjusted dollar amount shall be provided to the Clerk of the Legislature by the Commissioner of Management and Budget upon it being determined.

SECTION IV.] Article 19 of the Albany County Charter is hereby repealed entirely.

Article 9: Department of Health is hereby amended by adding the following subsections:

Section 905: Office of Medical Examiner; Appointment; Qualifications

- (a) There shall be an Office of Medical Examiner, a division of the Albany County Department of Health. The Office shall be headed by a Chief Medical Examiner who shall be appointed by the County Executive for a six-year term, subject to confirmation by the County Legislature. At the time of their appointment, and throughout their appointment, the Medical Examiner shall be and remain duly licensed and entitled to practice medicine in the State of New York and shall have an expertise in forensic pathology and such other qualifications for the responsibilities of the Office as determined by the Commissioner of Health. Notwithstanding the provisions of Public Officer's Law Section 38 and County Law Section 400, if the Office of Chief Medical Examiner becomes vacant other than by expiration of term, the vacancy shall be filled by appointment by the County Executive for a five-year term, subject to confirmation by the County Legislature.
- (b) The Chief Medical Examiner, within the appropriations made therefor, shall appoint a Chief Deputy Medical Examiner, who shall also be a physician licensed to practice medicine in the State of New York. In addition to such other duties as may be assigned by the Chief Medical Examiner, the Chief Deputy Medical Examiner shall possess the powers and perform the duties of the Medical Examiner during his absence or inability to act.
- (c) The Chief Medical Examiner, within the appropriations made therefor, may, in conformity with the rules and regulations applicable to the civil service, appoint such forensic investigators and deputy medical examiners as may be authorized by the County Legislature. Forensic investigators and deputy medical examiners shall assist the Chief Medical Examiner in the conduct of investigations and the discharge of his other duties and responsibilities; shall conduct tests and examinations and furnish forensic, medical, investigative and technical services; and shall possess such qualifications and perform such other duties as may be determined by the Chief Medical Examiner.

[SECTION VI. Article 20 of the Albany County Charter is hereby repealed entirely and replaced as follows:

Article 20: Parks and Recreation.

There shall be a Parks and Recreation Department which shall be responsible for providing recreation programs and opportunities for the Albany County community that develops fundamental social, emotional, physical, and cognitive skills that promote a higher quality of life. The department head shall be the Commissioner of Parks and Recreation. The Commissioner of Parks and Recreation shall be appointed by the County Executive, subject to confirmation by the County Legislature as provided in Section 302(c) of this Charter, and serve at the pleasure of the County

Executive. The Commissioner of Parks and Recreation shall perform such other and related duties as shall be required or delegated to her by the County Executive or the County Legislature.]

SECTION [V]III. SEQRA Compliance

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required

SECTION IV[III]. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State if it is approved by a affirmative vote of the qualified electors of the County of Albany voting upon a proposition for its approval at the next general election in conformity with the provisions of Section 34 of the New York Municipal Home Rule Law and Section 2702 of the Albany County Charter.

LOCAL LAW NO. FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED TO PROVIDE FOR AN OFFICE OF MEDICAL EXAMINER

Introduced: 9/9/24

By Cunningham, Willingham:

PURSUANT TO SECTIONS 10 AND 33 OF THE MUNICIPAL HOME RULE LAW, COUNTY LAW SECTION 400 AND SECTION 2702 OF THE ALBANY COUNTY CHARTER:

Be it enacted by the Legislature of the County of Albany as follows:

SECTION I. Legislative Intent:

In 2012, a Charter Review Commission was formed by this Honorable Body to determine what, if any, changes could be made to the then decade's old charter. The Commission met routinely over the course of a year and published recommended changes to the Charter, many of which sought to streamline processes or modernize the County's operations. To date, many of the proposed changes have been adopted, but a various substantive changes have evaded adoption. One major proposal by the Charter Review Commission was to replace the County's four, part-time Coroners with a single full-time Medical Examiner. This change would modernize death investigations in the County, a change that many other counties have adopted over the years.

SECTION II

Article 19 of the Albany County Charter is hereby repealed entirely.

Article 9: Department of Health is hereby amended by adding the following subsections:

Section 905: Office of Medical Examiner; Appointment; Qualifications

- (a) There shall be an Office of Medical Examiner, a division of the Albany County Department of Health. The Office shall be headed by a Chief Medical Examiner who shall be appointed by the County Executive for a six-year term, subject to confirmation by the County Legislature. At the time of their appointment, and throughout their appointment, the Medical Examiner shall be and remain duly licensed and entitled to practice medicine in the State of New York and shall have an expertise in forensic pathology and such other qualifications for the responsibilities of the Office as determined by the Commissioner of Health. Notwithstanding the provisions of Public Officer's Law Section 38 and County Law Section 400, if the Office of Chief Medical Examiner becomes vacant other

than by expiration of term, the vacancy shall be filled by appointment by the County Executive for a five-year term, subject to confirmation by the County Legislature.

- (b) The Chief Medical Examiner, within the appropriations made therefor, shall appoint a Chief Deputy Medical Examiner, who shall also be a physician licensed to practice medicine in the State of New York. In addition to such other duties as may be assigned by the Chief Medical Examiner, the Chief Deputy Medical Examiner shall possess the powers and perform the duties of the Medical Examiner during his absence or inability to act.
- (c) The Chief Medical Examiner, within the appropriations made therefor, may, in conformity with the rules and regulations applicable to the civil service, appoint such forensic investigators and deputy medical examiners as may be authorized by the County Legislature. Forensic investigators and deputy medical examiners shall assist the Chief Medical Examiner in the conduct of investigations and the discharge of his other duties and responsibilities; shall conduct tests and examinations and furnish forensic, medical, investigative and technical services; and shall possess such qualifications and perform such other duties as may be determined by the Chief Medical Examiner.

SECTION III. SEQRA Compliance

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required

SECTION IV. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State if it is approved by a affirmative vote of the qualified electors of the County of Albany voting upon a proposition for its approval at the next general election in conformity with the provisions of Section 34 of the New York Municipal Home Rule Law and Section 2702 of the Albany County Charter.

LOCAL LAW NO. “T” FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 288 OF THE ALBANY COUNTY CODE, ESTABLISHING A MINIMUM PASSING DISTANCE FOR MOTOR VEHICLES

Introduced: 12/2/24

By Fein, Laurilliard, A. Joyce and Miller:

A local law amending Chapter 288 of the Albany County Code, entitled **Vehicles**, to create Article IV of such Chapter, entitled **Minimum Passing Distance Requirements for Motor Vehicles**, to establish a minimum passing distance for motor vehicles.

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Article Creation.

Chapter 288, Article IV, **Minimum Passing Distance Requirements for Motor Vehicles**, is hereby created.

Section 2. §288-26, Title.

This local law shall be known as the “Albany County Safe Passing Law.”

Section 3. § 288-27, Legislative Intent.

The Albany County Legislature recognizes that bicyclists, pedestrians, and other vulnerable road users often need to share roadways with motor vehicles out of necessity.

The Legislature also acknowledges that in these situations, vulnerable road users are susceptible to the actions of motor vehicle operators who can pose a threat to their health and safety if passing too closely.

Therefore, this Legislature finds it necessary to establish a minimum passing distance for motor vehicles approaching or passing vulnerable road users.

Section 4. § 288-28, Vulnerable Road User.

“Vulnerable road user” means any pedestrian; person operating a wheelchair or other personal mobility device regardless of motorization; person operating a bicycle or other non-motorized mode of transportation such as roller skates, rollerblades, roller skis, skateboard, longboard, or unicycle; operator of roadway

construction, repair, or maintenance equipment; utility worker; construction worker; roadside assistance worker; operator of agricultural equipment; person riding, driving, or herding an animal; law enforcement officer; firefighter; emergency medical technician; or first responder.

Section 5. § 288-29, Minimum Distance Requirements for Motor Vehicles.

The operator of a motor vehicle that is approaching or passing vulnerable road user shall do so at a distance of at least three feet until safely clear thereof. The three-foot distance requirement shall not apply on roads with clearly-marked bicycle lanes as defined by New York Vehicle and Traffic Law § 102-a.

Section 6. § 288-30, Compliance with New York Vehicle and Traffic Law.

The operator of a motor vehicle that is approaching or passing a vulnerable road user shall not violate New York Vehicle and Traffic Law §§ 1122-a, 1124, 1125, 1126, or any other section pertaining to overtaking and passing.

Section 7. § 288-31, Penalties.

1. Any person committing the above-referenced offense shall be guilty of a violation and subject to a fine not to exceed \$225 for a first offense, \$325 for a second offense and \$425 for any third or subsequent offense(s).
2. This section does not preclude a person from being charged with, convicted of, or punished for any other violation of law.

Section 8. § 288-32, Applicability.

This law shall apply to all actions occurring on or after the effective date.

Section 9. § 288-33, Severability.

If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited by such order or judgment.

Section 10. § 288-34, SEQRA Compliance.

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 11. Effective Date.

This local law shall take effect immediately following its filing with the Office of the Secretary of State.

Referred to Law and Public Safety Committees – 12/02/24

RESOLUTION NO. 823

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “T” FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 288 OF THE ALBANY COUNTY CODE, ESTABLISHING A MINIMUM PASSING DISTANCE FOR MOTOR VEHICLES

Introduced: 12/2/24

By Fein, Laurilliard, A. Joyce and Miller:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “T” for 2024, “A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 288 OF THE ALBANY COUNTY CODE, ESTABLISHING A MINIMUM PASSING DISTANCE FOR MOTOR VEHICLES” be held by the Albany County Legislature at 7:15 p.m. on Tuesday, February 25, 2025, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

LOCAL LAW NO. U FOR 2024

**A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, PROVIDING
FOR A CHANGE IN THE SALARY OF A COUNTY OFFICER DURING THEIR
TERM OF OFFICE**

Introduced: 12/2/24

By Cunningham:

PURSUANT TO SECTIONS 24 AND 27 OF THE MUNICIPAL HOME RULE LAW,

Be it enacted by the Legislature of the County of Albany as follows:

SECTION I.

By Local Law No. 7 for 2024, this Honorable Body provided for the creation of the position of Deputy Chairperson for the Albany County Legislature. Compensation commensurate with the duties of the Deputy Chairperson is warranted.

SECTION II.

The annual salary of the Deputy Chairperson shall be \$37,405 effective January 1, 2025.

SECTION III.

If any clause, sentence or provision of this local law or the application thereof to any person or circumstance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity thereof shall not affect, impair or invalidate the remainder of the provisions of this local law or the application thereof to other persons and circumstances.

SECTION IV.

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required

SECTION V.

This Local Law is adopted subject to permissive referendum pursuant to Section 24 of the New York State Municipal Home Rule Law.

RESOLUTION NO. 827

PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “U” FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, PROVIDING FOR A CHANGE IN THE SALARY OF A COUNTY OFFICER DURING THEIR TERM OF OFFICE

Introduced: 12/2/24

By Cunningham:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “U” for 2024, “A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, PROVIDING FOR A CHANGE IN THE SALARY OF A COUNTY OFFICER DURING THEIR TERM OF OFFICE” be held by the County Legislature in the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York at 7:15 p.m. on Tuesday, January 28, 2025, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

RESOLUTION NO. 93

AMENDING VARIOUS RESOLUTIONS FOR THE PURPOSE OF REVISING THE COMPOSITION OF CERTAIN BOARDS

Introduced: 3/10/25

By: Mauriello

WHEREAS, Albany County has a large number of development corporations and other organizations with boards of directors or otherwise composed of boards, and

WHEREAS, Many boards and boards of directors are comprised, either partly or fully, by legislative appointees, though in many instances these boards do not include participation by appointees of the Minority Conference of the Albany County Legislature, and

WHEREAS, As of February 2025, the Minority Conference of the Albany County Legislature represents more than 70,000 Albany County residents, and

WHEREAS, A large number of Albany County boards and boards of directors already include an appointee by the Minority Leader of the Albany County Legislature, and

WHEREAS, Regardless of political party affiliation, the Minority Conference of the Albany County Legislature should be included in the determination of board memberships as it relates to the administration of Albany County, now, therefore be it

RESOLVED, By the Albany County Legislature that Section 346-5 of the Albany County Code is amended to read as follows:

§ 346-5 Board of Directors.

A. The Board of Directors shall consist of seven members to be appointed by the Albany County Legislature, one of which shall be on the recommendation of the Majority Leader of the County Legislature and one of which shall be on the recommendation of the Minority Leader of the County Legislature. Said members shall represent areas of interest or expertise, including, but not limited to: the building industry; architectural/planning and/or design industry; financial services; law enforcement; property management; municipal affairs; buildings and codes; real estate; building demolition industry; and historical renovation services.

B. All members of the Board shall be residents or have their primary place of business in the County of Albany, and said directors shall serve at the pleasure of the Legislature.

and, be it further

RESOLVED, That Section 320-2 of the Albany County Code is amended to read as follows:

§ 320-2 Composition.

The Committee shall be comprised of the County Superintendent of Highways, one member of the County Legislature designated by the Chair of the County Legislature, one member of the County Legislature designated by the Majority Leader of the County Legislature, one member of the County Legislature designated by the Minority Leader of the County Legislature, and [five] three members who shall be residents of the County, representing a cross-section of civic and business interests, and who shall be appointed by the Chair of the County Legislature. Vacancies shall be filled in the same manner as original appointments.

and, be it further

RESOLVED, That Section 320-19 of the Albany County Code is amended to read as follows:

§ 320-19 Establishment; purpose; members.

The Human Services Advisory Board authorized by Article 21 of the Albany County Charter is established for the purposes set forth in said Article 21 and the County Legislature shall appoint members to the Human Services Advisory Board from time to time, with said individuals to serve thereon at the pleasure of the County Legislature[.] provided, however, that one member shall serve on the recommendation of the Majority Leader of the County Legislature and one member shall serve on the recommendation of the Minority Leader of the County Legislature.

and, be it further

RESOLVED, That Section 320-21 of the Albany County Code is amended to read as follows:

§ 320-21 Increase in membership.

The Legislature finds it is in the best interest of Albany County to expand the membership of the Albany County Industrial Development Agency to seven

members[.] provided, however, that one member shall serve on the recommendation of the Majority Leader of the County Legislature and one member shall serve on the recommendation of the Minority Leader of the County Legislature.

and, be it further

RESOLVED, That this resolution shall take effect on January 1st, 2026, and shall be considered for the appointment of board members for all boards amended under this resolution beginning on that date, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

LOCAL LAW “E” FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 146 OF THE ALBANY COUNTY CODE TO INCLUDE A PROHIBITION ON THE USAGE OF HAZARDOUS WASTE ASH IN PRODUCTS

Introduced: 4/8/24

By Reinhardt, Simpson and Fein:

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. § 146-34 – Title.

This local law hereby creates Chapter 146, Article 5, **Prohibition on Usage of Hazardous Waste Ash.**

Section 2. § 146-35 - Legislative Purpose and Intent.

The Albany County Legislature hereby finds and determines that the incineration of hazardous waste produces fly ash, flue gas emission control waste, and slag (hereinafter collectively as "hazardous waste ash"). Hazardous waste ash may contain chemicals and heavy metals such as arsenic, barium, cadmium, chromium, lead, mercury, and nickel, which are all potentially toxic to humans and are known to cause or contribute to cancer, lung and heart ailments, liver and kidney damage, neurological damage, and premature mortality.

Hazardous waste ash may also contain mineralogical toxins such as fine crystalline when the feedstock to the industrial process contain silica. Fine particulate crystalline silica induces silicosis when inhaled and is a known respiratory health risk. Hazardous waste ash may be inhaled and become lodged in the deepest parts of the human respiratory system, leading to potentially fatal inflammation and immunological reactions. Fine particulate crystalline silica can induce silicosis and lung cancer separate from silicosis and smoking when inhaled and is a known health risk for chronic obstructive pulmonary disease (COPD) and kidney disease.

Under certain existing commercial practices, hazardous waste ash is included in aggregate material used to formulate commonly encountered compounds such as concrete, pavement, and other compounds found in commerce. The inclusion of hazardous waste ash in aggregate material and commonly encountered compounds exposes the public to potentially toxic substances and endangers public health.

Section 3. § 146-36 – Definitions.

"Aggregate" -- any natural or artificial mixture typically consisting of but not limited to sand, gravel, crushed stone, vermiculite, clinker, expanded or sintered clay or shale, foamed slag, or recycled concrete or asphalt that is used as an ingredient in compound materials.

"Product" -- any aggregate, compound, item, substance, material, component, system, or subsystem sold or traded or produced for sale or trade to the general public in the course of normal business operations.

"Compound" -- asphalt concrete, portland cement concrete, concrete block, structural concrete, unreinforced or lightweight concrete, or any other substance composed of aggregate that is used in construction and engineering applications.

"Fine-Particle Control Device" -- any apparatus, structure, or method of filtration that falls into any of the following general categories:

- (i) fabric filters, also known as baghouses or bag filters;
- (ii) electrostatic collectors, including dry and wet electrostatic precipitators and ionizing wet scrubbers;
- (iii) wet inertial-impaction collectors, including venturi scrubbers and advanced designs that use flux-force condensation-enhancement techniques; or
- (iv) cyclone separators or any other apparatus, structure, or method that is capable of separating fine particles from gas.

"Flue Gas Emission Control Waste" -- the particulates recovered from fine-particle control devices and other receptacles during the treatment of flue gas.

"Fly Ash" -- the fine, lightweight particulates that are transported from the combustion chamber by flue gases into exhaust stacks or other receptacles.

"Hazardous Waste Ash" -- fly ash, flue gas emission control waste, and slag produced as a byproduct of incineration of hazardous waste.

"Slag" -- the molten or once-molten ash that collects on fine-particle control devices or other receptacles as well as chunks in bottom ash.

"Person" -- any individual, public or private corporation, industry, co-partnership, association, firm, trust, estate or private legal entity.

Section 4. § 146-37 - Prohibition on Usage of Hazardous Waste Ash in Products.

No person shall mix, combine or blend hazardous waste ash with any product. This prohibition shall also apply to any material collected from fine-particle control devices

serving as pollution control or containment systems at any hazardous waste incinerator or kiln that is permitted by the department to receive and combust hazardous waste with or without energy recovery.

This prohibition shall not apply to the use or reuse of hazardous waste materials by any Department or Division of Albany County. Specifically, ash product that is produced through the incineration of wastewater sludge at the Albany County Water Purification District is not considered a hazardous material pursuant to this Local Law and is thereby exempt from the provisions of this legislation.

Section 5. § 146-38 - Enforcement.

Any person or entity who violates the provisions of this Local Law shall be subject to the imposition of a civil penalty by the Commissioner of Health of not more than \$5,000 for a first violation, \$10,000 for a second violation, and \$20,000 for each violation thereafter.

The civil penalties provided by this section shall be recoverable in an action instituted in the name of the County of Albany. The County of Albany may also institute a suit in equity where unlawful conduct exists for an injunction to restrain a violation of this Local Law.

Section 6. Severability

The provisions of this Act shall be severable, and if any phrase, clause, sentence or provision is declared to be invalid or is preempted by Federal or State law or regulation, the validity of the remainder of this Act shall not be affected.

Section 7. SEQRA Compliance.

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 8. Effective Date.

This Local Law act shall take effect on the ninetieth day after it shall have become a law.

*Referred to Conservation, Sustainability, and Green Initiatives and Law
Committees – 4/8/24*

LOCAL LAW NO. FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED TO PROVIDE FOR AN OFFICE OF MEDICAL EXAMINER

Introduced: 9/9/24

By Cunningham, Willingham:

PURSUANT TO SECTIONS 10 AND 33 OF THE MUNICIPAL HOME RULE LAW, COUNTY LAW SECTION 400 AND SECTION 2702 OF THE ALBANY COUNTY CHARTER:

Be it enacted by the Legislature of the County of Albany as follows:

SECTION I. Legislative Intent:

In 2012, a Charter Review Commission was formed by this Honorable Body to determine what, if any, changes could be made to the then decade's old charter. The Commission met routinely over the course of a year and published recommended changes to the Charter, many of which sought to streamline processes or modernize the County's operations. To date, many of the proposed changes have been adopted, but a various substantive changes have evaded adoption. One major proposal by the Charter Review Commission was to replace the County's four, part-time Coroners with a single full-time Medical Examiner. This change would modernize death investigations in the County, a change that many other counties have adopted over the years.

[A second major proposal from the Charter Review Commission is to expand the governance of the Board of Contract Administration. The Board's authority was established in 1993, and provided oversight of contracts less than \$100,000. The Charter Review Commission suggested increasing that amount based on inflation, which would have been \$155,000 at the time of the Charter Review Commission's proposal. Today, that amount, adjusted for inflation, is approximately \$215,000. The recommendation of the Charter Review Commission should be adopted to reflect the fact that the Board of Contract Administration is operating in 2024, and not 1993.

Finally, part of the recommendations of the Charter Review Commission was to incorporate various departments into the Charter, departments that were absent (or not yet in existence) in the original document. These proposed changes do just that, with the Division of Information Services and the newly retitled Department of Parks and Recreation.]

SECTION II. [Article 5 of the Albany County Charter is hereby amended to create the following sections:

Section 504: Information Services.

There shall be within the Department of Management and Budget an independent Division of Information Services headed by a Chief Information Officer. The Chief Information Officer shall be appointed by the County Executive, subject to confirmation by the County Legislature as provided in Section 302(c) of this Charter, and serve at the pleasure of the County Executive. The Chief Information Officer and staff shall be charged with providing information, technology and computer systems services in support of the county's departments and administrative units. The Chief Information Officer shall perform such other and related duties as shall be required or delegated to her by the County Executive or the County Legislature.

SECTION III. Article 13 of the Albany County Charter is hereby amended as follows:

Section 1301: Board of Contract Administration; powers and duties.

For the purpose of simplifying, clarifying and centralizing the approval process for contracts, there is hereby established a Board of Contract Administration. The Board shall be composed of the County Executive, the Chairperson of the County Legislature and the County Clerk. The Board of Contract Administration is empowered to approve contracts for execution by the County Executive in amounts of not less than twenty thousand dollars (\$20,000), and, not more than [one] two hundred fifteen thousand dollars (\$[100]215,000), or such higher amount as may be established by local law. The Board shall report [periodically] quarterly to the County Legislature, detailing the contracts approved by it.

Section 1302: Other contract approvals.

The County Executive shall be empowered to approve and execute contracts in an amount less than twenty thousand dollars (\$20,000). The County Legislature shall be empowered to approve contracts for execution by the County Executive in amounts over [one] two hundred fifteen thousand dollars (\$[100]215,000), in addition to those mentioned in Section 204(m) of this Charter. The County Executive shall not, through change orders, amendments, renewals, or any other method or device, exceed such twenty thousand dollar (\$20,000) limit with respect to any vendor or subject matter, without approval of the County Legislature.

Section 1303: Annual Adjusted Amount

The dollar amounts set forth above in sections 1301 and 1302 of this Article shall be adjusted annually on the first day of January each year by the Consumer Price Index ("CPI") to keep pace with inflation. The County's Department of Management and Budget shall sue the annual CPI data for adjustment. The annual adjusted dollar amount shall be provided to the Clerk of the Legislature by the Commissioner of Management and Budget upon it being determined.

SECTION IV.] Article 19 of the Albany County Charter is hereby repealed entirely.

Article 9: Department of Health is hereby amended by adding the following subsections:

Section 905: Office of Medical Examiner; Appointment; Qualifications

- (a) There shall be an Office of Medical Examiner, a division of the Albany County Department of Health. The Office shall be headed by a Chief Medical Examiner who shall be appointed by the County Executive for a six-year term, subject to confirmation by the County Legislature. At the time of their appointment, and throughout their appointment, the Medical Examiner shall be and remain duly licensed and entitled to practice medicine in the State of New York and shall have an expertise in forensic pathology and such other qualifications for the responsibilities of the Office as determined by the Commissioner of Health. Notwithstanding the provisions of Public Officer's Law Section 38 and County Law Section 400, if the Office of Chief Medical Examiner becomes vacant other than by expiration of term, the vacancy shall be filled by appointment by the County Executive for a five-year term, subject to confirmation by the County Legislature.
- (b) The Chief Medical Examiner, within the appropriations made therefor, shall appoint a Chief Deputy Medical Examiner, who shall also be a physician licensed to practice medicine in the State of New York. In addition to such other duties as may be assigned by the Chief Medical Examiner, the Chief Deputy Medical Examiner shall possess the powers and perform the duties of the Medical Examiner during his absence or inability to act.
- (c) The Chief Medical Examiner, within the appropriations made therefor, may, in conformity with the rules and regulations applicable to the civil service, appoint such forensic investigators and deputy medical examiners as may be authorized by the County Legislature. Forensic investigators and deputy medical examiners shall assist the Chief Medical Examiner in the conduct of investigations and the discharge of his other duties and responsibilities; shall conduct tests and examinations and furnish forensic, medical, investigative and technical services; and shall possess such qualifications and perform such other duties as may be determined by the Chief Medical Examiner.

[SECTION VI. Article 20 of the Albany County Charter is hereby repealed entirely and replaced as follows:

Article 20: Parks and Recreation.

There shall be a Parks and Recreation Department which shall be responsible for providing recreation programs and opportunities for the Albany County community that develops fundamental social, emotional, physical, and cognitive skills that promote a higher quality of life. The department head shall be the Commissioner of Parks and Recreation. The Commissioner of Parks and Recreation shall be appointed by the County Executive, subject to confirmation by the County Legislature as provided in Section 302(c) of this Charter, and serve at the pleasure of the County

Executive. The Commissioner of Parks and Recreation shall perform such other and related duties as shall be required or delegated to her by the County Executive or the County Legislature.]

SECTION [V]III. SEQRA Compliance

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required

SECTION IV[III]. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State if it is approved by a affirmative vote of the qualified electors of the County of Albany voting upon a proposition for its approval at the next general election in conformity with the provisions of Section 34 of the New York Municipal Home Rule Law and Section 2702 of the Albany County Charter.

LOCAL LAW NO. FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS AMENDED TO PROVIDE FOR AN OFFICE OF MEDICAL EXAMINER

Introduced: 9/9/24

By Cunningham, Willingham:

PURSUANT TO SECTIONS 10 AND 33 OF THE MUNICIPAL HOME RULE LAW, COUNTY LAW SECTION 400 AND SECTION 2702 OF THE ALBANY COUNTY CHARTER:

Be it enacted by the Legislature of the County of Albany as follows:

SECTION I. Legislative Intent:

In 2012, a Charter Review Commission was formed by this Honorable Body to determine what, if any, changes could be made to the then decade's old charter. The Commission met routinely over the course of a year and published recommended changes to the Charter, many of which sought to streamline processes or modernize the County's operations. To date, many of the proposed changes have been adopted, but a various substantive changes have evaded adoption. One major proposal by the Charter Review Commission was to replace the County's four, part-time Coroners with a single full-time Medical Examiner. This change would modernize death investigations in the County, a change that many other counties have adopted over the years.

SECTION II

Article 19 of the Albany County Charter is hereby repealed entirely.

Article 9: Department of Health is hereby amended by adding the following subsections:

Section 905: Office of Medical Examiner; Appointment; Qualifications

- (a) There shall be an Office of Medical Examiner, a division of the Albany County Department of Health. The Office shall be headed by a Chief Medical Examiner who shall be appointed by the County Executive for a six-year term, subject to confirmation by the County Legislature. At the time of their appointment, and throughout their appointment, the Medical Examiner shall be and remain duly licensed and entitled to practice medicine in the State of New York and shall have an expertise in forensic pathology and such other qualifications for the responsibilities of the Office as determined by the Commissioner of Health. Notwithstanding the provisions of Public Officer's Law Section 38 and County Law Section 400, if the Office of Chief Medical Examiner becomes vacant other

than by expiration of term, the vacancy shall be filled by appointment by the County Executive for a five-year term, subject to confirmation by the County Legislature.

- (b) The Chief Medical Examiner, within the appropriations made therefor, shall appoint a Chief Deputy Medical Examiner, who shall also be a physician licensed to practice medicine in the State of New York. In addition to such other duties as may be assigned by the Chief Medical Examiner, the Chief Deputy Medical Examiner shall possess the powers and perform the duties of the Medical Examiner during his absence or inability to act.
- (c) The Chief Medical Examiner, within the appropriations made therefor, may, in conformity with the rules and regulations applicable to the civil service, appoint such forensic investigators and deputy medical examiners as may be authorized by the County Legislature. Forensic investigators and deputy medical examiners shall assist the Chief Medical Examiner in the conduct of investigations and the discharge of his other duties and responsibilities; shall conduct tests and examinations and furnish forensic, medical, investigative and technical services; and shall possess such qualifications and perform such other duties as may be determined by the Chief Medical Examiner.

SECTION III. SEQRA Compliance

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required

SECTION IV. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State if it is approved by a affirmative vote of the qualified electors of the County of Albany voting upon a proposition for its approval at the next general election in conformity with the provisions of Section 34 of the New York Municipal Home Rule Law and Section 2702 of the Albany County Charter.

LOCAL LAW NO. P FOR 2024

**A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING
CHAPTER 242 OF THE ALBANY COUNTY CODE TO PROVIDE A LOCAL
LICENSING SYSTEM FOR TOBACCO AND RELATED PRODUCTS**

Introduced: 9/9/24

By: Cunningham, Willingham, McLean Lane, McLaughlin, Miller

BE IT ENACTED by the Legislature of the County of Albany as follows:

SECTION I. Article Creation.

Chapter 242, Article VI, Tobacco Retail Licensing, is hereby created

SECTION II. Title

This law shall be known as the “Quit Using Inhalants & Tobacco (QUIT Act).

SECTION III. § 242-32 Legislative Intent and Purpose

In accordance with New York State Public Health Law § 1399-ii, the County of Albany intends to limit the concentration of smoke shops and tobacco retailers within the County. The regulations herein are intended to further the goals of New York State's tobacco use prevention and control program, due to the known adverse impacts of tobacco and nicotine use. In furtherance of the state's goals, the County finds that:

- a. Smoke shop and tobacco retailer density is associated with higher rates of tobacco use in both youth and adult populations; and
- b. Adolescent brains are vulnerable to the effects of nicotine and to nicotine dependency; and
- c. Tobacco use leads to preventable death and disease in New York State; and
- d. The County of Albany has a substantial interest in reducing the number of individuals of all ages who use cigarettes and other tobacco products, and a particular interest in protecting adolescents from tobacco dependence and the illnesses and premature death associated with tobacco use, and
- e. The restriction of increasing smoke shop and tobacco retailer density will reduce the availability of nicotine products to residents, and in particular young residents, thus reducing risk to the public's health, safety, and wellbeing.

SECTION IV. § 242-33 Authority

This article is enacted by the Albany County Legislature pursuant to its authority to adopt local laws under the New York State Constitution Article IX and Municipal Home Rule Law § 10.

SECTION V. § 242-34 Definitions

As used in this article, the following terms shall have the meanings indicated:

Accessory: as defined in Chapter 242 §242-20.

Component or Part: as defined in Chapter 242 §242-20.

Constituent: An ingredient, substance, chemical, or compound, other than tobacco, water, reconstituted tobacco sheet, or propylene glycol or vegetable glycerin that is added by the manufacturer to a covered product during the processing, manufacture, or packing of the covered product.

Covered Product: A tobacco product, electronic aerosol delivery system, or another or product regulated by Article 13-F of the Public Health Law.

Department: as defined in Chapter 242 §242-20.

Commissioner: as defined in Chapter 242 §242-20.

Electronic Aerosol Delivery System: as defined in Chapter 242 §242-20.

New Tobacco Retail License: a tobacco retail license that is not a renewed tobacco retail license.

Person: as defined in Chapter 242 §242-3

Renewed Tobacco Retail License: A tobacco retail license issued to an applicant for the same location at which the applicant possessed a valid tobacco retail license during the previous 12 months.

Sell: Shall mean to sell, exchange, give or dispose of to another or offer to or agree to do the same.

School: A public or independent kindergarten, elementary, middle, junior high, or high school.

Tobacco Product: as defined in Chapter 242 §242-20

Tobacco Retailer: A retailer licensed pursuant to this chapter.

Tobacco Retail License: A license issued pursuant to Chapter 242 §242-35 by the Department to a person to engage in the retail sale in the County of Albany of a covered product.

SECTION VI. §242-35 Tobacco Retail License Required.

- a. No person shall sell, offer for sale, or permit the sale of a covered product by retail within the County of Albany without a valid tobacco retail license. A tobacco retail license is not required for a wholesale dealer who sells products to retail dealers for the purpose of resale only and does not sell a covered product directly to consumers.
- b. Notwithstanding the requirements set forth in Subsection A, this chapter shall not apply to registered organizations pursuant to § 3364 of the Public Health Law.
- c. A tobacco retail license issued pursuant to this chapter is nontransferable and non-assignable and valid only for the applicant and the specific address indicated on the tobacco retail license. A separate tobacco retail license is required for each address where a covered product is sold or offered for sale. A change in business ownership or business address requires a new tobacco retail license.

SECTION VII. §242-36 License Application and Application Fee

- a. An application for a new tobacco retail license or a renewed tobacco retail license shall be submitted to the Department in writing upon a form provided by the Department and shall contain information as required by the Department. The Department may require the forms to be signed and verified by the applicant or an authorized agent thereof.
- b. Each application for a tobacco retail license shall be accompanied by a non-refundable application fee of \$240.
- c. Upon the receipt of a completed application for a tobacco retail license and the application fee required by Subsection B, the Department may inspect the location at which sales of a covered product are to be permitted. The Department may ask the applicant to provide additional information that is reasonably related to the determination of whether a tobacco retail license may issue.

SECTION VIII. §242-37 Issuance of Licenses

- a. No tobacco retail license shall be issued to a seller of a covered product that is not in a fixed, permanent location.

- b. The issuance of a tobacco retail license pursuant to this chapter is done in the Department's discretion and shall not confer upon licensee any property rights in the continued possession of the license.
- c. The Department shall collect from the applicant the tobacco retail license fee prescribed by §242-36(b); §242-38(b) prior to issuing a tobacco retail license.
- d. The Department may refuse to issue a tobacco retail license to an applicant if it finds that one or more of the following bases for denial exists:
 - 1. The information presented in the application is incomplete, inaccurate, false, or misleading;
 - 2. The fee for the application has not been paid as required;
 - 3. The applicant does not possess a valid certificate of registration required by state or federal law for the sale of a covered product;
 - 4. The Department has previously revoked a tobacco retail license issued under this chapter to the applicant;
 - 5. The Department has previously revoked a tobacco retail license issued under this chapter for the same address or location;
 - 6. The applicant has been found by a court of law or administrative body to have violated a federal, state, or local law pertaining to:
 - i. Trafficking in contraband tobacco products or illegal drugs;
 - ii. The payment or collection of taxes on a covered product
 - iii. The display of a covered product or of health warnings pertaining to a covered product; or
 - iv. The sale of a covered product.
 - 7. The applicant has not paid to the Count of Albany outstanding fees, fines, penalties, or other charges owed to the Count of Albany, including the fee for the tobacco retail license required by §242-36(b); §242-389(b)§ 114-7; or
 - 8. The Department determines, in accordance with written criteria established to further the purposes of this chapter, that the applicant is otherwise not fit to hold a tobacco retail license.

SECTION IX. §242-38 License Term and Annual Fee

- a. A tobacco retail license issued pursuant to this chapter shall be valid for no more than one year and shall expire on December 31. As set forth in § 114-12 revocation of licenses, a tobacco retail license may be revoked for cause by the Department prior to its expiration.
- b. The tobacco retailer shall pay an annual tobacco retail license fee of \$240.
- c. The Director may discount the tobacco retail license fee required by §242-36(b); §242-38(b) for an application received within six months of the expiration date.

SECTION X: §242-39 Display of License

- a. A tobacco retail license issued pursuant to this chapter shall be conspicuously displayed at the location where a covered product is sold so that it is readily visible to customers.
- b. Selling, offering for sale, or permitting the sale of a covered product without a valid tobacco retail license displayed in accordance with Subsection (a) constitutes a violation of this chapter.

SECTION XI: §242-40 Number of Licenses Issued

- a. For the first year after the effective date of this chapter, the Department shall accept an application for a tobacco retail license only from an applicant for the same location at which the applicant possessed a valid certificate of registration as a tobacco retail dealer or electronic aerosol delivery system (vapor) products dealer from the New York State Department of Taxation and Finance 180 days prior to the effective date of this chapter.
- b. Beginning one year after the effective date of this chapter, the Department shall issue a renewed tobacco retail license to eligible applicants.
- c. Thereafter, the Department shall issue only one new tobacco retail license for every two tobacco retail licenses that are not renewed, until a floor of one hundred fifty (150) is reached. Thereafter, the Department shall evaluate the effect of this local law on reducing tobacco usage by reducing the density of tobacco retailers.
- d. Whenever the number of valid applications for a new tobacco retail license exceeds the maximum number of new tobacco retail licenses that may be issued pursuant to this section, the Department shall grant new tobacco retail licenses using the following priorities:
 - 1. A new tobacco retail license shall be granted, first, to an applicant for an establishment whose property line is located 1,000 feet or more from the nearest point of the property line of a school who holds but does not seek to renew a valid tobacco retail license for an establishment whose property line is within 1,000 feet of the nearest point of the property line of a school. If there are more valid applications from these applicants than the number of available new tobacco retail licenses, the new tobacco retail license(s) shall be granted to these applicants by lottery;
 - 2. A new tobacco retail license shall be granted, second, to an applicant whose property line is located 1,000 feet or more from the nearest point of the property line of a school. If there are more valid applications from these applicants than the number of available new tobacco retail licenses, the new tobacco retail license(s) shall be granted to these applicants by lottery;
 - 3. A new tobacco retail license shall be granted, third, to an applicant who will sell a covered product at an establishment where the operator restricts entry to persons 21 years and older. If there are more valid applications from these applicants than the number of available new

tobacco retail licenses, the new tobacco retail license(s) shall be granted to these applicants by lottery;

4. Any remaining new tobacco retail licenses shall be granted to applicants by lottery.

SECTION XII: §242-41 Sales of Electronic Aerosol Delivery Systems

No tobacco retailer whose property line is located within 1,000 feet of the nearest point of the property line of a school shall distribute without charge, sell, offer for sale, or possess with intent to sell an electronic aerosol delivery system, commonly known as vapor products or electronic cigarettes.

SECTION XIII: §242-42 Violation and Penalties; Enforcement

- a. The Department or its authorized designee(s) shall enforce the provisions of this chapter. The Department may conduct periodic inspections to ensure compliance with this chapter.
- b. In addition to the penalties provided for in § 114-12, a person found to be in violation of this chapter shall be liable for a civil penalty of not more than \$500 for the first violation, not more than \$750 for the second violation within a two-year period, and not more than \$1,000 for the third and each subsequent violation within a two-year period, or as determined by the Director. Each day on which a violation occurs shall be considered a separate and distinct violation.

SECTION XIV. § 242-43 Revocation of Licenses

- a. The Department may suspend or revoke a tobacco retail license issued pursuant to this chapter for violations of the terms and conditions of this chapter or for violation of a federal, state, or local law or regulation pertaining to:
 1. Trafficking a contraband covered product or illegal drug;
 2. The payment or collection of taxes on a covered product;
 3. The display of a covered product or of health warnings pertaining to a covered product; or
 4. The sale of a covered product.
- b. The Department may revoke a tobacco retail license if the Department finds that one or more of the bases for denial of a license under §242-37 existed at the time application was made or at any time before the license issued.

SECTION XV. §242-44 Rules and Regulations

The Department may issue and amend rules, regulations, standards, guidelines, or conditions to implement and enforce this chapter.

SECTION XVI. Severability

If any part or provision of this local law, or the application thereof to any individual or circumstance, is held invalid, the remainder of the local law shall not be affected thereby and shall continue in force and effect.

SECTION XVII. Effective Date

This Local Law shall take effect on January 1, 2025 and its filing with the Secretary of State as required by §27 of the New York State Municipal Home Rule Law.

Referred to Law and Health Committees – 9/9/24

LOCAL LAW NO. “Q” FOR 2024

**A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING
CHAPTER ____ OF THE ALBANY COUNTY CODE, REGARDING THE
CREATION OF THE ALBANY COUNTY OFFICE OF ASSIGNED COUNSEL**

Introduced: 10/15/24

By: Kuhn

A LOCAL LAW amending the Laws of Albany County by adding a new Chapter XXX relating to the creation of the Albany County Office of Assigned Counsel.

BE IT ENACTED By the County Legislature of the County of Albany as follows:

Section 1. A new Chapter is hereby added to the Laws of Albany County to read as follows:

Chapter XXX

ALBANY COUNTY OFFICE OF ASSIGNED COUNSEL

Sec. XXX—101. Short Title

Sec. XXX—102. Purpose

Sec. XXX—103. Definitions

Sec. XXX—104. Board of Directors, Membership

Sec. XXX—105. Board of Directors, Powers and Duties

Sec. XXX—106. Assigned Counsel Administrator, Appointment, Term.

Sec. XXX—107. Operation of Program

Sec. XXX—108. Rules and Regulations

Sec. XXX---109. Severability

Sec. XXX—101. Short Title.

This Chapter shall be known as and cited as “The Albany County Office of Assigned Counsel.”

Sec. XXX—102. Establishment, Purpose.

Pursuant to New York State County Law Article 18-B, §722(3)(a)(b) there shall be an Office of Assigned Counsel, which shall operate as an independent office separate from the Albany County Office of the Public Defender and the Albany

County Office of the Alternate Public Defender. The purpose of said office is to maintain an Assigned Counsel Program in the County by establishing protocols and policies for assigning attorneys to indigent clients in both family court and the criminal court(s) to ensure the provision of professional, skilled, ethical and client-centered legal representation of such indigent clients. The Assigned Counsel Program shall operate in compliance with the Standards for establishing and Administering Assigned Counsel Programs promulgated by the New York State Office of Indigent Legal Services pursuant to New York State Executive Law §832 (the “Standards”).

Further, the development and creation of this plan is done in conjunction with the recent provision of funding dedicated to providing defense to persons unable to afford counsel as established [to indigent defense provided] by the State of New York via the Hurrell-Herring Settlement. This Plan shall remain in force and effect unless and until those resources are extinguished.

Sec. XXX—103. Definitions

- a. Administrator—the person who administers the Assigned Counsel Program in the County and ensures that all appropriate Standards are met;
- b. Assigned Counsel—A private attorney or attorneys, other than an attorney or attorneys employed by the Public or Alternate Public Defender’s Offices, paid by the government at an hourly rate established under New York State County Law Article 18-B to represent eligible clients;
- c. Assigned Counsel Program—An entity within the County of Albany that sets forth protocols and policies for the assignment of attorneys to public defense clients and ensures that those attorneys provide quality representation; [private attorney or attorneys, other than an attorney or attorneys employed by Public or Alternate Public Defender’s Office(s), paid by the government at an hourly rate established under New York State County Law 18-B to represent eligible clients;]
- d. Clients—Persons entitled to representation in criminal defense and family law matters under County Law, Article 18-B, as determined in accordance with applicable standards set by the New York State Office of Indigent Legal Services (hereinafter referred to as “NYS ILS”); [Indigent persons entitled to

mandated representation in criminal defense and family law matters under New York State County Law 18-B;]

- e. County—The County of Albany;
- f. Independent—Freedom from improper influence and control by any outside entity to ensure that the Assigned Counsel Program and assigned counsel make decisions based solely on the interests of their clients;
- g. [Indigent—Individual(s) who do not possess the means to adequately finance their own defense. Indigent status will be determined in accordance with the applicable standards set by the New York State Office of Indigent Legal Services;] Judge(s)—Judges, magistrates, and any other persons with adjudicative powers over clients eligible for mandated representation;
- h. Mandated Representation—Government-funded legal representation that is constitutionally or statutorily required including, but not limited to, representation in criminal matters pursuant to New York State County Law Article 18-B, family court proceedings, and appellate representation;
- i. Mentor(s), Mentoring Attorney(s), Resource Attorney(s)—An experienced attorney who provides training, consultation, and guidance to other attorneys on the Panel;
- j. Office of the Assigned Counsel Program—The office responsible for administering the Assigned Counsel program in Albany County;
- k. Panel—The Assigned Counsel Program’s list of attorneys eligible to receive assignments in the County, which should be limited to those in good standing and with the requisite skills and training. The Assigned Counsel Program shall develop regulations and requirements for representation that comport with applicable guidelines provided by the New York State Office of Indigent Legal Services.
- l. Panel Attorney—An attorney who has been evaluated by the Albany County Assigned Counsel Program, and is rendering services to eligible persons in family and criminal court(s);
- m. Quality Representation—Representation of clients in a professional, skilled, ethical and client-centered manner, consistent with best practices as defined by the Standards;

- n. Standards—Standards for Establishing and Administering Assigned Counsel Programs in New York State promulgated by the New York State Office of Indigent Legal Services pursuant to New York State Executive Law §832;
- o. Supervising Attorney—An attorney, selected by the Assigned Counsel program administrator who assists the Administrator in the execution of the tasks necessary to operate the Assigned Counsel Program and ensure that its responsibilities are executed in compliance with the Standards and all other applicable law;
- p. Vouchers—Document(s) supplied by a Panel Attorney which details an assigned counsel matter, the fees for representation and disbursements that were incurred by a Panel Attorney during their representation of a person unable to afford counsel. [an indigent client.] Completed and accurate Vouchers are necessary in order to secure payment.

Sec. XXX-104. Assigned Counsel Board of Directors

- a. There shall be an Assigned Counsel Board of Directors, which shall consist of seven (7) members. [~~five (5) members. Three (3)~~] Five (5) members shall be appointed by the County Executive, one (1) shall be appointed by the Chairperson of the Albany County Legislature, and one (1) shall be appointed by the Majority Leader of the Albany County Legislature. The Board shall consist of the following:
 - (i) Three (3) members chosen by the County Executive, shall be chosen from among those individuals recommended to the County Executive by the following: one (1) member recommended from the Albany County Bar Association; one (1) member recommended by the Albany County Women's Bar Association; and one (1) member recommended by the Capital District Black and Hispanic Bar Association; [One (1) member chosen by the County Executive shall be from among the individuals recommended to the Board of Directors by the Albany County Bar Association;]
 - (ii) One (1) member chosen by the County Executive shall be an attorney who actively practices criminal or family law;
 - (iii) One (1) member chosen by the County Executive shall be a member of the general public who is not a member of the legal profession;
 - (iv) One (1) member chosen by the Majority Leader shall be a former assigned counsel attorney who has practiced family law; and

- (v) One (1) member chosen by the Chairperson of the Legislature who shall be a former assigned counsel attorney who has practiced criminal law;
- (vi) One (1) member shall be the Chairperson of the Law Committee of the Albany County Legislature, who shall serve as an *ex officio*, non-voting member of the Board.

Upon making their formal recommendation, the County Executive, the Chairperson of the Legislature and the Majority Leader shall notify each of the respective offices regarding their appointments. Each appointment shall be filed with the Clerk of the Albany County Legislature within forty-five (45) days of their recommendation.

- b. When a vacancy occurs in the membership of the Assigned Counsel Board of Directors, the vacancy shall, within forty-five (45) days, be filled for the unexpired portion of the term in the same manner as the original appointment.
- c. The majority of the Board's members shall be attorneys who are not judges. No member of the board of Directors shall hold a position as a prosecutor, a member of law enforcement or any other government official whose duties may be adversarial to clients receiving mandated representation.
- d. There shall be a Chair of the Board of Directors. Such individual shall be chosen from among the members of the Board of Directors upon a majority vote. The Chair shall serve for a two (2) year term, but in no instance shall said term extend beyond the member's term of appointment as a member of the Board of Directors. No member shall be eligible to serve as Chair for consecutive terms. No judge shall serve as the Chair of the Board of Directors.
- e. The members of the Board of Directors shall be appointed for a term of two (2) years, except as indicated below, beginning on January 1 and ending on December 31 of the following calendar year, terms for the inaugural Board of Directors shall be as follows:
 - a. The members appointed by the County Executive, as recommended by, the Albany County Bar Association, the Albany County Women's Bar Association, and the Capital District Black and Hispanic Bar Association shall serve from January 1, 2025 through December 31, 2025;
 - b. The member appointed by the County Executive who actively practices criminal or family law shall serve from January 1, 2025 through December 31, 2026;

- c. The member appointed by the County Executive who is a member of the general public and not a member of the legal profession shall serve from January 1, 2025 through December 31, 2025;
 - d. The member appointed by the Majority Leader of the Legislature shall serve from January 1, 2025 through December 31, 2025; and,
 - e. The member appointed by the Chairperson of the Legislature shall serve from January 1, 2025 through December 31, 2026.
- f. No person shall serve as a member of the Board of Directors for more than three (3) consecutive two (2) year terms. Members of the Board of Directors shall continue to serve until their successors have been appointed.
- g. Any individual chosen to fill a vacancy created otherwise than by expiration of a term shall be appointed in the same manner in which their successor was appointed and for the unexpired term of the member whom he or she is to succeed.
- h. In all instances, the Board of Directors shall require an affirmative vote of at least **three (3) members** of the Board to take any official action, or to exercise any of the powers and duties authorized by this law.
- i. No member of the Board of Directors shall be compensated for the services to be provided but may be reimbursed for any reasonable expenses that may be incurred in the conduct of their official duties as Board [of such] members.

Sec. XXX—105. Board of Directors, powers and duties

The Board of Directors shall have the following powers and duties:

- a. Provide guidance and advice on the operation of the Assigned Counsel Program in the County;
- b. Appoint the Assigned Counsel Program Administrator in consultation with the New York State Office of Indigent Legal Services and subject to approval by the Albany County Executive and confirmation of the Albany County Legislature;
- c. Study and review the existing program under Article 18-B of the New York State County Law for provisions of [indigent] representation in the courts for

persons unable to afford counsel, and recommend any appropriate modifications to the program;

- d. Establish and implement uniform rules and regulations in compliance with the Standards for creation and administration of the Assigned Counsel Program to enable the effective provision of [indigent] legal services for persons unable to afford counsel in Albany County;
- e. Review the annual Budget request from the Assigned Counsel Program Administrator for submission to the Albany County Commissioner of Management and Budget in compliance with County budgetary law and procedures;
- f. Consult with the New York State Office of Indigent Legal Services, the Judiciary, and community groups regarding the provisions of [indigent] legal services for persons unable to afford counsel in the County;
- g. Prepare and review an Annual Report for submission to the County Executive and County Legislature by December 31st of each year regarding the services provided by the Assigned Counsel Program including but not limited to: numbers and types of cases, attorney caseloads, and Office expenditures;
- h. Meet on at least a biannual basis in order to ensure that all the responsibilities and duties of the Assigned Counsel Program are executed in a prompt and efficient manner.

Sec. XXX—106. Assigned Counsel Program Administrator; appointment, qualifications, term

- a. The Board of Directors shall nominate [appoint] an Assigned Counsel Program Administrator subject to the approval of the Albany County Executive and confirmation by the Albany County Legislature. Any person so nominated shall be an attorney in good standing, licensed in State of New York, possess administrative experience, be well-versed in Criminal and/or Family law matters, and demonstrate integrity and commitment to quality representation of [indigent clients] persons unable to afford counsel;
- b. The Administrator shall serve full-time and shall not engage in the private practice of law during their appointment.

- c. The Administrator shall serve a term of five (5) ~~[two (2)]~~ years subject to another nomination at the discretion of the Board of Directors and the approval of the County Executive and confirmation by the Albany County Legislature.
- d. The Administrator serves, pursuant to § 2507 of the Albany County Charter, and may be removed for cause, after notice and opportunity to be heard in compliance with procedures established by the Board of Directors.

Sec. XXX—107. Assigned Counsel Program Administrator; Powers and Duties.

- a. The Administrator shall be the administrative head of the office, and shall have the duty to ensure to the extent possible that all ~~[indigent]~~ persons unable to afford counsel are provided with quality legal representation as soon as feasible after arrest, detention or after they request ~~[requires for]~~ counsel in a criminal case, and at the earliest possible stage of a state intervention case in family court;
- b. Develop and monitor program policies, standards, and operational procedures of the Assigned Counsel Program regarding qualifications for appointment to each panel, recruitment of attorneys to serve on each panel, limitations on attorney caseloads, guidelines for administrative responsibilities of panel attorneys and supervision and review of attorney caseloads and quality of legal representation;
- c. Maintain panels of attorneys eligible to receive assignments for ~~[indigent representations]~~ representation of persons unable to afford counsel based upon sufficient knowledge and experience. These panels are required to be subdivided into categories commensurate with the experience of each respective panel attorney and consistent with the Standards. The Administrator shall be responsible for establishing the requirements and conditions necessary for attorneys to be assigned more complex matters.
- d. Establish qualifications and standards for certification of attorneys to become members of the panels. All determinations on applications for certification to the panels shall be made by the Assigned Counsel Program Administrator. Any attorney aggrieved by the determination of the Administrator may seek review of the determination by the Board of Directors.

- e. Establish procedures and standards for a recertification program. Upon review of recertification applications and any other relevant information provided, the Assigned Counsel Administrator shall make determinations regarding all applications. All determinations regarding applications for recertification to the panels shall be made by the Administrator. Any Attorney aggrieved by the determination of the Administrator may seek review of the determination by the Board of Directors.
- f. Ensure adequate participation on the panels and that training for assigned counsel is provided.
- g. Oversee the rotation and coordination of Panel Attorneys, implement a fair and prompt process for assignment of Panel Attorneys to all matters, ensure that the ability, training and experience of panel attorneys are matched to the complexity of the cases to which they are assigned, and timely assignments of counsel to persons unable to afford counsel [indigent clients] **an** soon as feasible after arrest, detention or after a request [requires] for counsel in a criminal case is made, and at the earliest possible stage of a state intervention case in family court;
- h. Review all vouchers for services provided through the Assigned Counsel Program including attorney vouchers to ensure proper payment for services performed;
- i. Prepare any and all Budget proposal for the Office of the Assigned Counsel Program for review by the Board of Directors and County Department pursuant to County law and policy.
- j. Maintain records of accounts and expenditures of the Office of Assigned Counsel Program in compliance with all applicable law and County policy;
- k. Serve as an information resource to the Board of Directors and the attorneys on each assigned counsel panel;
- l. Establish procedures for submission, investigation, and resolution of complaints from clients, client family members, co-counsel, opposing counsel, and the judiciary regarding legal representation;
- m. Conduct a periodic evaluation and review of the Assigned Counsel Program budget and communicate fiscal and programmatic needs of the program to the New York State Office of Indigent Legal Services to obtain state funding;

- n. Prepare contracts with appropriate legal organizations such as the Albany County Bar Association and other Assigned Counsel Programs to perform certain services required by the Assigned Counsel Program enumerated in this Chapter in compliance with all legal and budgetary mandates;
- o. Attend meeting(s) of the Board of Directors and provide the annual reports as requested by the Board of Directors on the Assigned Counsel Program which shall include number of cases assigned, attorneys assigned, services provided to the Panels and office expenditures;
- p. Ensure compliance with County Law, policies, and procedures;
- q. Approve requests by panel attorneys of use of funding issued by the New York State Office of Indigent Legal Services for any non-attorney professional services such as investigators, expert witnesses, social workers, interpreters, mental health, supervised visitation or any other professional services as required to provide quality representation.
- r. Remove or suspend for a definite period of time, an attorney from the panel for cause, upon notice and opportunity to be heard, subject to review by the Board of Directors pursuant to procedures established by the Assigned Counsel Program.
- s. Make applications for other sources of state and federal funding to meet the budgetary and programmatic needs of the Assigned Counsel Program;
- t. Ensure that data is collected and reported to the New York State Office of Indigent Legal Services (“NYS ILS”) as required by County Law § 722-f, and in accordance with all valid NYS ILS contracts.
- u. Any other duties necessary to carry out the purposes of this Chapter.

Sec. XXX—108. Assignment of Defense Counsel

- a. Order of Assignment—The Albany County Public Defender’s Office has the primary responsibility for providing services for [indigent] the defense/representation of persons unable to afford counsel in a particular matter. In the event that the Albany County Public Defender’s Office is determined to have a conflict, this responsibility will pass to the Albany County Alternate Public Defender’s Office. The Albany County Alternate Public

Defender's Office has the secondary responsibility for [indigent the defense/representation of persons unable to afford counsel in a particular matter[s]]. If the Alternate Public Defender's Office is determined to have a conflict, then the Assigned Counsel Program will have the responsibility to assign counsel to persons unable to afford counsel [an indigent person] pursuant to the provisions of the Plan. The Court may, utilizing its inherent powers, appoint an attorney from the Assigned Counsel Program's list of Panel Attorneys to a case involving persons unable to afford counsel [an indigent client] if circumstances require an immediate appointment, and the Court is unable to contact the Assigned Counsel Program to make such an appointment. If the Court makes such an appointment, they shall notify the Assigned Counsel Program within two (2) days of the assignment. Such notification shall be in a manner which ensures that the Assigned Counsel Program is informed of the Court's appointment as soon as practicable..

- b. Counsel at First Appearance (CAFA) Program--The Albany County Public Defender's Office and Alternate Public Defender's Office administer a program to provide representation to persons unable to afford counsel at that persons [indigent people counsel at] first appearance and arraignment. In the event that the Public Defender's Office and Alternate Public Defender's Office cannot provide representation to an eligible person who is unable to afford counsel, [indigent person,] the Court may assign a Panel Attorney to represent the person eligible for assigned counsel [indigent person] from a list provided by the Assigned Counsel Program.
- c. Acceptance—Attorneys may be asked to accept assignment in emergencies or on very short notice. While acceptance of such assignments is not required, it is strongly encouraged.
- d. Non-Criminal Matters—The Administrator shall assign counsel to any person legally entitled to representation in family court or other matters constitutionally or statutorily eligible for representation. The Administrator may assign counsel at earliest stage possible. In family law matters, this includes the assignment of counsel to parents and other legally responsible adults, as those terms are defined by relevant law, during a child welfare investigation. The Assigned Counsel Administrator shall develop rules and regulations for the assignment of counsel to persons unable to afford counsel [indigents] in all other legally eligible matters.
- e. Manner of Assignment—The Administrator shall make assignment on a rotating basis from a list of all eligible participating attorneys. In assigning

counsel, due regard shall be given to the following factors: (1) Potential conflict(s) of interest; (2) Geographic proximity; (3) Prior representation (continuity of counsel); (4) Attorney caseload; and (5) Applicable expertise and experience with the type of case involved.

- f. Second Chair, Resource Attorneys—Pursuant to the rules and regulations developed by the Assigned Counsel Program, the Administrator may require (or Panel Attorneys may request) that the Panel Attorney consult a Resource Attorney or 2nd Chair Attorney as appropriate.
- g. Amendments—The Assigned Counsel Program may, with a majority vote of the Board of Directors and the written approval of the New York State Office of Indigent Legal Services, make such amendments to this assignment process as are necessary and proper .

Sec. XXX—109. Responsibilities of Assigned Counsel Program

- a. The Assigned Counsel Program shall ensure that Panel Attorneys have access to non-attorney professional services such as investigative, expert witnesses, social workers, interpreters, mental health professionals, supervised visitation or any other professional service, as required, to provide quality representation;
- b. The work of assigned counsel shall be periodically evaluated based upon objective criteria developed and published by the Assigned Counsel Program;
- c. Each attorney new to the representation of a[n indigent client] person unable to afford counsel may receive a mentor to assist the attorney to provide quality representation;
- d. All assigned counsel shall have access to appropriate substantive, procedural, and practical training programs through the Albany County Bar Association and other organizations that provide legal training as well as Resource Attorneys who are available for private consultation on case related matters;
- e. Ensure the creation of a “2nd Chair Program” for the criminal panel whereby [a less experienced] attorneys [is] are paired on more complex cases in order to obtain more litigation and more [with a more knowledgeable attorney to obtain necessary] trial experience;

- f. Undertake effort to ensure provision of adequate facilities for client meetings, equipment, and legal research programs for Panel Attorneys[. The Office of the Assigned Counsel Program may work in conjunction with the Albany County Bar Association and County of Albany to provide these services];
- g. Develop appropriate resources for Panel Attorneys who may be handling complex litigation including matters requiring forensic expertise;
- h. Ensure that any attorney seeking appointment to the Panel through initial certification or recertification carries professional liability insurance.

Sec. XXX—110. Rules and Regulations

The Administrator, with the support of the Board of Directors, shall establish rules and regulations for the administration of the Assigned Counsel Program, and update them as necessary. A copy of such rules and regulations so established shall be filed with the Clerk of the Albany County Legislature and the Office of the Albany County Attorney.

Sec. XXX—111. Severability

If any clause, sentence, paragraph, subdivision, section, or part of this ordinance or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this ordinance, or in its applications to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

This Local Law shall take effect _____ days after its filing with the Secretary of State.

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Referred to Law Committee – 10/15/24

Favorable Recommendation Law Committee – 12/2/24



New York State Office of
Indigent Legal Services

80 S Swan Street, Suite 1147, Albany, NY 12210
Tel: (518) 486-2028 Fax: (518) 474-0505
E-Mail: info@ils.ny.gov www.ils.ny.gov

Kathy Hochul
Governor

Patricia J. Warth
Director

Burton Phillips
Counsel

June 5, 2025

Via email

Kevin M. Cannizzaro, Esq.
First Assistant Albany County Attorney
Albany County Department of Law
112 State Street, Room 600
Albany, NY 12207

RE: Albany Assigned Counsel Program Plan

Dear Mr. Cannizzaro:

This letter is a follow-up to my January 31, 2025 letter approving the Albany County Bar Association's Assigned Counsel Program Plan ("Albany ACP Plan") pursuant to New York State County Law § 722(3). I have recently been informed that since, there have been some minor updates to the Albany ACP Plan. I have reviewed the updated Albany ACP Plan (dated May 2025 and attached). On behalf of the New York State Office of Indigent Legal Services ("ILS"), I approve this updated Albany ACP Plan.

We look forward to continuing the work with Albany County to improve the quality of mandated representation pursuant to County Law Article 18-B.

Very truly yours,

Patricia Warth
Director

Enc. ILS approved Albany ACP Plan (updated May 2025)

cc: Shane Hug
Administrator, Albany County Assigned Counsel Program

Local Law Intro. No. ____

A LOCAL LAW amending the Laws of Albany County by adding a new Chapter XXX relating to the creation of the Albany County Office of Assigned Counsel.

BE IT ENACTED by the County Legislature of the County of Albany as follows:

Section 1. A new Chapter is hereby added to the Laws of Albany County to read as follows:

Chapter XXX

ALBANY COUNTY OFFICE OF ASSIGNED COUNSEL

Sec. XXX—101. Short Title

Sec. XXX—102. Purpose

Sec. XXX—103. Definitions

Sec. XXX—104. Board of Directors, Membership

Sec. XXX—105. Board of Directors, Powers and Duties

Sec. XXX—106. Assigned Counsel Administrator, Appointment, Term.

Sec. XXX—107. Operation of Program

Sec. XXX—108. Rules and Regulations

Sec. XXX---109. Severability

Sec. XXX—101. Short Title.

This Chapter shall be known as and cited as “The Albany County Office of Assigned Counsel.”

Sec. XXX--102. Establishment, Purpose.

Pursuant to New York State County Law Article 18-B, §722(3)(a)(b) there shall be an Office of Assigned Counsel, which shall operate as an independent office separate from the Albany County Office of the Public Defender and the Albany County Office of the Alternate Public Defender. The purpose of said office is to maintain an Assigned Counsel Program in the County by establishing protocols and policies for assigning attorneys to persons unable to afford counsel in both family court and the criminal court(s) to ensure the provision of professional, skilled, ethical and client-centered legal representation of such similarly situated clients. The Assigned Counsel Program shall operate in compliance with the Standards for establishing and Administering Assigned Counsel Programs promulgated by the New York State Office of Indigent Legal Services pursuant to New York State Executive Law §832 (the “Standards”).

Further, the development and creation of this plan is done in conjunction with the recent provision of funding dedicated to providing defense to persons unable to afford counsel as established by the State of New York via the Hurrell-Herring Settlement. This Plan shall remain in force and effect unless and until those resources are extinguished.

Sec. XXX—103. Definitions

- a. Administrator—the person who administers the Assigned Counsel Program in the County and ensures that all appropriate Standards are met;
- b. Assigned Counsel—A private attorney or attorneys, other than an attorney or attorneys employed by the Public or Alternate Public Defender’s Offices, paid by the government at an hourly rate established under New York State County Law Article 18-B to represent eligible clients;
- c. Assigned Counsel Program— An entity within the County of Albany that sets forth protocols and policies for the assignment of attorneys to public defense clients and ensures that those attorneys provide quality representation.;
- d. Clients— Persons entitled to representation in criminal defense and family law matters under County Law, Article 18-B, as determined in accordance with applicable standards set by the New York State Office of Indigent Legal Services (hereinafter referred to as “NYS ILS”) ;
- e. County—The County of Albany;
- f. Independent—Freedom from improper influence and control by any outside entity to ensure that the Assigned Counsel Program and assigned counsel make decisions based solely on the interests of their clients;
- g. Judge(s)—Judges, magistrates, and any other persons with adjudicative powers over clients eligible for mandated representation;
- h. Mandated Representation—Government-funded legal representation that is constitutionally or statutorily required including, but not limited to, representation in criminal matters pursuant to New York State County Law Article 18-B, family court proceedings, and appellate representation;
- i. Mentor(s), Mentoring Attorney(s), Resource Attorney(s)—An experienced attorney who provides training, consultation, and guidance to other attorneys on the Panel;

- j. Office of the Assigned Counsel Program—The office responsible for administering the Assigned Counsel program in Albany County;
- k. Panel—The Assigned Counsel Program’s list of attorneys eligible to receive assignments in the County, which should be limited to those in good standing and with the requisite skills and training. The Assigned Counsel Program shall develop regulations and requirements for representation that comport with applicable guidelines provided by the New York State Office of Indigent Legal Services.
- l. Panel Attorney—An attorney who has been evaluated by the Albany County Assigned Counsel Program, and is rendering services to eligible persons in family and criminal court(s);
- m. Quality Representation—Representation of clients in a professional, skilled, ethical and client-centered manner, consistent with best practices as defined by the Standards;
- n. Standards—Standards for Establishing and Administering Assigned Counsel Programs in New York State promulgated by the New York State Office of Indigent Legal Services pursuant to New York State Executive Law §832;
- o. Supervising Attorney—An attorney, selected by the Assigned Counsel program administrator, who assists the Administrator in the execution of the tasks necessary to operate the Assigned Counsel Program and ensure that its responsibilities are executed in compliance with the Standards and all other applicable law;
- p. Vouchers—Document(s) supplied by a Panel Attorney which details an assigned counsel matter, the fees for representation and disbursements that were incurred by a Panel Attorney during their representation of a person unable to afford counsel . Completed and accurate Vouchers are necessary in order to secure payment.

Sec. XXX-104. Assigned Counsel Board of Directors

- a. There shall be an Assigned Counsel Board of Directors, which shall consist of seven (7) members. Five (5) members shall be appointed by the County Executive, one (1) shall be appointed by the Chairperson of the Albany County Legislature, and one (1) shall be appointed by the Majority Leader of the Albany County Legislature. The Board shall consist of the following:
 - (i) Three (3) members chosen by the County Executive, shall be chosen from among those individuals recommended to the County Executive by the following: one (1) member recommended from the Albany County Bar Association; one (1) member recommended by the Albany County Women’s Bar Association; and one (1) member recommended by the Capital District Black and Hispanic Bar Association;

- (ii) One (1) member chosen by the County Executive shall be an attorney who actively practices criminal or family law;
- (iii) One (1) member chosen by the County Executive shall be a member of the general public who is not a member of the legal profession;
- (iv) One (1) member chosen by the Majority Leader shall be a former assigned counsel attorney who has practiced family law; and
- (v) One (1) member chosen by the Chairperson of the Legislature who shall be a former assigned counsel attorney who has practiced criminal law;
- (vi) One (1) member shall be the Chairperson of the Law Committee of the Albany County Legislature, who shall serve as an *ex officio*, non-voting member of the Board.

Upon making their formal recommendation, the County Executive, the Chairperson of the Legislature, and the Majority Leader shall notify each of the respective offices regarding their appointments. Each appointment shall be filed with the Clerk of the Albany County Legislature within forty-five (45) days of their recommendation.

- b. When a vacancy occurs in the membership of the Assigned Counsel Board of Directors, the vacancy shall, within forty-five (45) days, be filled for the unexpired portion of the term in the same manner as the original appointment.
- c. The majority of the Board's members shall be attorneys who are not judges. No member of the board of Directors shall hold a position as a prosecutor, a member of law enforcement or any other government official whose duties may be adversarial to clients receiving mandated representation.
- d. There shall be a Chair of the Board of Directors. Such individual shall be chosen from among the members of the Board of Directors upon a majority vote. The Chair shall serve for a two (2) year term, but in no instance shall said term extend beyond the member's term of appointment as a member of the Board of Directors. No member shall be eligible to serve as Chair for consecutive terms. No judge shall serve as the Chair of the Board of Directors.
- e. The members of the Board of Directors shall be appointed for a term of two (2) years, except as indicated below, beginning on January 1 and ending on December 31 of the following calendar year, terms for the inaugural Board of Directors shall be as follows:
 - a. The members appointed by the County Executive, as recommended by, the Albany County Bar Association, the Albany County Women's Bar Association, and the Capital District Black and Hispanic Bar Association shall serve from January 1, 2025 through December 31, 2025;
 - b. The member appointed by the County Executive who actively practices criminal or family law shall serve from January 1, 2025 through December 31, 2026;

- c. The member appointed by the County Executive who is a member of the general public and not a member of the legal profession shall serve from January 1, 2025 through December 31, 2025;
 - d. The member appointed by the Majority Leader of the Legislature shall serve from January 1, 2025 through December 31, 2025; and,
 - e. The member appointed by the Chairperson of the Legislature shall serve from January 1, 2025 through December 31, 2026.
- f. No person shall serve as a member of the Board of Directors for more than three (3) consecutive two (2) year terms. Members of the Board of Directors shall continue to serve until their successors have been appointed.
 - g. Any individual chosen to fill a vacancy created otherwise than by expiration of a term shall be appointed in the same manner in which their successor was appointed and for the unexpired term of the member whom he or she is to succeed.
 - h. In all instances, the Board of Directors shall require an affirmative vote of at least three (3) members of the Board to take any official action, or to exercise any of the powers and duties authorized by this law.
 - i. No member of the Board of Directors shall be compensated for the services to be provided, but may be reimbursed for any reasonable expenses that may be incurred in the conduct of their official duties as Board members.

Sec. XXX—105. Board of Directors, powers and duties

The Board of Directors shall have the following powers and duties:

- a. Provide guidance and advice on the operation of the Assigned Counsel Program in the County;
- b. Appoint the Assigned Counsel Program Administrator in consultation with the New York State Office of Indigent Legal Services and subject to approval by the Albany County Executive and confirmation of the Albany County Legislature;
- c. Study and review the existing program under Article 18-B of the New York State County Law for provision of representation in the courts for persons unable to afford counsel, and recommend any appropriate modifications to the program;
- d. Establish and implement uniform rules and regulations in compliance with the Standards for creation and administration of the Assigned Counsel Program to enable the effective provision of legal services for persons unable to afford counsel in Albany County;

- e. Review the annual Budget request from the Assigned Counsel Program Administrator for submission to the Albany County Commissioner of Management and Budget in compliance with County budgetary law and procedures;
- f. Consult with the New York State Office of Indigent Legal Services, the Judiciary, and community groups regarding the provisions of legal services for persons unable to afford counsel in the County;
- g. Prepare and review an Annual Report for submission to the County Executive and County Legislature by December 31st of each year regarding the services provided by the Assigned Counsel Program including but not limited to: numbers and types of cases, attorney caseloads, and Office expenditures;
- h. Meet on at least a biannual basis in order to ensure that all the responsibilities and duties of the Assigned Counsel Program are executed in a prompt and efficient manner.

Sec. XXX—106. Assigned Counsel Program Administrator; appointment, qualifications, term

- a. The Board of Directors shall nominate an Assigned Counsel Program Administrator subject to the approval of the Albany County Executive and confirmation by the Albany County Legislature. Any person so nominated shall be an attorney in good standing, licensed in State of New York, possess administrative experience, be well-versed in Criminal and/or Family law matters, and demonstrate integrity and commitment to quality representation of persons unable to afford counsel;
- b. The Administrator shall serve full-time and shall not engage in the private practice of law during their appointment.
- c. The Administrator shall serve a term of five (5) years subject to another nomination at the discretion of the Board of Directors and the approval of the County Executive and confirmation by the Albany County Legislature.
- d. The Administrator serves, pursuant to §2507 of the Albany County Charter, and may be removed for cause, after notice and opportunity to be heard in compliance with procedures established by the Board of Directors.

Sec. XXX—107. Assigned Counsel Program Administrator; Powers and Duties.

- a. The Administrator shall be the administrative head of the office, and shall have the duty to ensure to the extent possible that all persons unable to afford counsel are provided with quality legal representation as soon as feasible after arrest, detention or after they request

counsel in a criminal case, and at the earliest possible stage of a state intervention case in family court;

- b. Develop and monitor program policies, standards, and operational procedures of the Assigned Counsel Program regarding qualifications for appointment to each panel, recruitment of attorneys to serve on each panel, limitations on attorney caseloads, guidelines for administrative responsibilities of panel attorneys and supervision and review of attorney caseloads and quality of legal representation;
- c. Maintain panels of attorneys eligible to receive assignments for representation of persons unable to afford counsel based upon sufficient knowledge and experience. These panels are required to be subdivided into categories commensurate with the experience of each respective panel attorney and consistent with the Standards. The Administrator shall be responsible for establishing the requirements and conditions necessary for attorneys to be assigned more complex matters.
- d. Establish qualifications and standards for certification of attorneys to become members of the panels. All determinations on applications for certification to the panels shall be made by the Assigned Counsel Program Administrator. Any attorney aggrieved by the determination of the Administrator may seek review of the determination by the Board of Directors.
- e. Establish procedures and standards for a recertification program. Upon review of recertification applications and any other relevant information provided, the Assigned Counsel Administrator shall make determinations regarding all applications. All determinations regarding applications for recertification to the panels shall be made by the Administrator. Any Attorney aggrieved by the determination of the Administrator may seek review of the determination by the Board of Directors.
- f. Ensure adequate participation on the panels and that training for assigned counsel is provided.
- g. Oversee the rotation and coordination of Panel Attorneys, implement a fair and prompt process for assignment of Panel Attorneys to all matters, ensure that the ability, training and experience of panel attorneys are matched to the complexity of the cases to which they are assigned, and timely assignments of counsel to persons unable to afford counsel as soon as feasible after arrest, detention or after a request for counsel in a criminal case is made, and at the earliest possible stage of a state intervention case in family court;
- h. Review all vouchers for services provided through the Assigned Counsel Program including attorney vouchers to ensure proper payment for services performed;

- i. Prepare any and all Budget proposal for the Office of the Assigned Counsel Program for review by the Board of Directors and County Department pursuant to County law and policy.
- j. Maintain records of accounts and expenditures of the Office of Assigned Counsel Program in compliance with all applicable law and County policy;
- k. Serve as an information resource to the Board of Directors and the attorneys on each assigned counsel panel;
- l. Establish procedures for submission, investigation, and resolution of complaints from clients, client family members, co-counsel, opposing counsel, and the judiciary regarding legal representation;
- m. Conduct a periodic evaluation and review of the Assigned Counsel Program budget and communicate fiscal and programmatic needs of the program to the New York State Office of Indigent Legal Services to obtain state funding;
- n. Prepare contracts with appropriate legal organizations such as the Albany County Bar Association and other Assigned Counsel Programs to perform certain services required by the Assigned Counsel Program enumerated in this Chapter in compliance with all legal and budgetary mandates;
- o. Attend meeting(s) of the Board of Directors and provide the annual reports as requested by the Board of Directors on the Assigned Counsel Program which shall include number of cases assigned, attorneys assigned, services provided to the Panels and office expenditures;
- p. Ensure compliance with County Law, policies, and procedures;
- q. Approve requests by panel attorneys of use of funding issued by the New York State Office of Indigent Legal Services for any non-attorney professional services such as investigators, expert witnesses, social workers, interpreters, mental health, supervised visitation or any other professional services as required to provide quality representation.
- r. Remove or suspend for a definite period of time, an attorney from the panel for cause, upon notice and opportunity to be heard, subject to review by the Board of Directors pursuant to procedures established by the Assigned Counsel Program.
- s. Make applications for other sources of state and federal funding to meet the budgetary and programmatic needs of the Assigned Counsel Program;

- t. Ensure that data is collected and reported to the New York State Office of Indigent Legal Services (“NYS ILS”) as required by County Law §722-f, and in accordance with all valid NYS ILS contracts.
- u. Any other duties necessary to carry out the purposes of this Chapter.

Sec. XXX—108. Assignment of Defense Counsel

- a. Order of Assignment—The Albany County Public Defender’s Office has the primary responsibility for providing services for the defense/representation of persons unable to afford counsel in a particular matter. In the event that the Albany County Public Defender’s Office is determined to have a conflict, this responsibility will pass to the Albany County Alternate Public Defender’s Office. The Albany County Alternate Public Defender’s Office has the secondary responsibility for the defense/representation of persons unable to afford counsel in a particular matter. If the Alternate Public Defender’s Office is determined to have a conflict, then the Assigned Counsel Program will have the responsibility to assign counsel to persons unable to afford counsel pursuant to the provisions of this Plan. The Court may, utilizing its inherent powers, appoint an attorney from the Assigned Counsel Program’s list of Panel Attorneys to a case involving persons unable to afford counsel if circumstances require an immediate appointment, and the Court is unable to contact the Assigned Counsel Program to make such an appointment. If the Court makes such an appointment, they shall notify the Assigned Counsel Program within two (2) days of the assignment. Such notification shall be in a manner which ensures that the Assigned Counsel Program is informed of the Court’s appointment as soon as practicable.
- b. Counsel at First Appearance (CAFA) Program--The Albany County Public Defender’s Office and Alternate Public Defender’s Office administer a program to provide representation to persons unable to afford counsel at that persons first appearance and arraignment. In the event that the Public Defender’s Office and Alternate Public Defender’s Office cannot provide representation to an eligible person who is unable to afford counsel , the Court may assign a Panel Attorney to represent the person eligible for assigned counsel from a list provided by this Assigned Counsel Program.
- c. Acceptance—Attorneys may be asked to accept assignment in emergencies or on very short notice. While acceptance of such assignments is not required, it is strongly encouraged.
- d. Non-Criminal Matters—The Administrator shall assign counsel to any person legally entitled to representation in family court or other matters constitutionally or statutorily eligible for representation. The Administrator may assign counsel at the earliest stage possible. In family law matters this includes the assignment of counsel to parents and other legally responsible adults, as those terms are defined by relevant law, during a child welfare

investigation. The Assigned Counsel Administrator shall develop rules and regulations for the assignment of counsel to persons unable to afford counsel in all other legally eligible matters.

- e. Manner of Assignment—The Administrator shall make assignment on a rotating basis from a list of all eligible participating attorneys. In assigning counsel, due regard shall be given to the following factors: (1) Potential conflict(s) of interest; (2) Geographic proximity; (3) Prior representation (continuity of counsel); (4) Attorney caseload; and (5) Applicable expertise and experience with the type of case involved.
- f. Second Chair, Resource Attorneys—Pursuant to the rules and regulations developed by the Assigned Counsel Program, the Administrator may require (or Panel Attorneys may request) that the Panel Attorney consult a Resource Attorney or 2nd Chair Attorney as appropriate.
- g. Amendments—The Assigned Counsel Program may, with a majority vote of the Board of Directors and the written approval of the New York State Office of Indigent Legal Services, make such amendments to this assignment process as are necessary and proper .

Sec. XXX—109. Responsibilities of Assigned Counsel Program

- a. The Assigned Counsel Program shall ensure that Panel Attorneys have access to non-attorney professional services such as investigative, expert witnesses, social workers, interpreters, mental health professionals, supervised visitation or any other professional service, as required, to provide quality representation;
- b. The work of assigned counsel shall be periodically evaluated based upon objective criteria developed and published by the Assigned Counsel Program;
- c. Each attorney new to the representation of a of person unable to afford counsel may receive a mentor to assist the attorney to provide quality representation;
- d. All assigned counsel shall have access to appropriate substantive, procedural, and practical training programs through the Albany County Bar Association and other organizations that provide legal training as well as Resource Attorneys who are available for private consultation on case related matters;
- e. Ensure the creation of a “2nd Chair Program” for the criminal panel whereby attorneys are paired on more complex cases in order to obtain more litigation and more trial experience;
- f. Undertake effort to ensure provision of adequate facilities for client meetings, equipment, and legal research programs for Panel Attorneys;

- g. Develop appropriate resources for Panel Attorneys who may be handling complex litigation including matters requiring forensic expertise;
- h. Ensure that any attorney seeking appointment to the Panel through initial certification or recertification carries professional liability insurance.

Sec. XXX—110. Rules and Regulations

The Administrator, with the support of the Board of Directors, shall establish rules and regulations for the administration of the Assigned Counsel Program, and update them as necessary. A copy of such rules and regulations so established shall be filed with the Clerk of the Albany County Legislature and the Office of the Albany County Attorney..

Sec. XXX—111. Severability

If any clause, sentence, paragraph, subdivision, section, or part of this ordinance or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this ordinance, or in its applications to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

This Local Law shall take effect _____ after enactment.

LOCAL LAW NO. “T” FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 288 OF THE ALBANY COUNTY CODE, ESTABLISHING A MINIMUM PASSING DISTANCE FOR MOTOR VEHICLES

Introduced: 12/2/24

By Fein, Laurilliard, A. Joyce and Miller:

A local law amending Chapter 288 of the Albany County Code, entitled **Vehicles**, to create Article IV of such Chapter, entitled **Minimum Passing Distance Requirements for Motor Vehicles**, to establish a minimum passing distance for motor vehicles.

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. Article Creation.

Chapter 288, Article IV, **Minimum Passing Distance Requirements for Motor Vehicles**, is hereby created.

Section 2. §288-26, Title.

This local law shall be known as the “Albany County Safe Passing Law.”

Section 3. § 288-27, Legislative Intent.

The Albany County Legislature recognizes that bicyclists, pedestrians, and other vulnerable road users often need to share roadways with motor vehicles out of necessity.

The Legislature also acknowledges that in these situations, vulnerable road users are susceptible to the actions of motor vehicle operators who can pose a threat to their health and safety if passing too closely.

Therefore, this Legislature finds it necessary to establish a minimum passing distance for motor vehicles approaching or passing vulnerable road users.

Section 4. § 288-28, Vulnerable Road User.

“Vulnerable road user” means any pedestrian; person operating a wheelchair or other personal mobility device regardless of motorization; person operating a bicycle or other non-motorized mode of transportation such as roller skates, rollerblades, roller skis, skateboard, longboard, or unicycle; operator of roadway

construction, repair, or maintenance equipment; utility worker; construction worker; roadside assistance worker; operator of agricultural equipment; person riding, driving, or herding an animal; law enforcement officer; firefighter; emergency medical technician; or first responder.

Section 5. § 288-29, Minimum Distance Requirements for Motor Vehicles.

The operator of a motor vehicle that is approaching or passing vulnerable road user shall do so at a distance of at least three feet until safely clear thereof. The three-foot distance requirement shall not apply on roads with clearly-marked bicycle lanes as defined by New York Vehicle and Traffic Law § 102-a.

Section 6. § 288-30, Compliance with New York Vehicle and Traffic Law.

The operator of a motor vehicle that is approaching or passing a vulnerable road user shall not violate New York Vehicle and Traffic Law §§ 1122-a, 1124, 1125, 1126, or any other section pertaining to overtaking and passing.

Section 7. § 288-31, Penalties.

1. Any person committing the above-referenced offense shall be guilty of a violation and subject to a fine not to exceed \$225 for a first offense, \$325 for a second offense and \$425 for any third or subsequent offense(s).
2. This section does not preclude a person from being charged with, convicted of, or punished for any other violation of law.

Section 8. § 288-32, Applicability.

This law shall apply to all actions occurring on or after the effective date.

Section 9. § 288-33, Severability.

If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited by such order or judgment.

Section 10. § 288-34, SEQRA Compliance.

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 11. Effective Date.

This local law shall take effect immediately following its filing with the Office of the Secretary of State.

Referred to Law and Public Safety Committees – 12/02/24

LOCAL LAW NO. “U” FOR 2024

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, PROVIDING FOR A CHANGE IN THE SALARY OF A COUNTY OFFICER DURING THEIR TERM OF OFFICE

Introduced: 12/2/24

By Cunningham:

PURSUANT TO SECTIONS 24 AND 27 OF THE MUNICIPAL HOME RULE LAW,

Be it enacted by the Legislature of the County of Albany as follows:

SECTION I.

By Local Law No. 7 for 2024, this Honorable Body provided for the creation of the position of Deputy Chairperson for the Albany County Legislature. Compensation commensurate with the duties of the Deputy Chairperson is warranted.

SECTION II.

The annual salary of the Deputy Chairperson shall be \$37,405 effective January 1, 2025.

SECTION III.

If any clause, sentence or provision of this local law or the application thereof to any person or circumstance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity thereof shall not affect, impair or invalidate the remainder of the provisions of this local law or the application thereof to other persons and circumstances.

SECTION IV.

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required

SECTION V.

This Local Law is adopted subject to permissive referendum pursuant to Section 24 of the New York State Municipal Home Rule Law.

LOCAL LAW NO. “C” FOR 2025

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 270 OF THE ALBANY COUNTY CODE REGARDING CREATING A REAL PROPERTY TAX EXEMPTION FOR CONSTRUCTION OF ACCESSORY DWELLING UNITS ON EXISTING RESIDENTIAL PARCELS

Introduced: 5/12/25

By Cunningham and Willingham:

A Local Law amending Chapter 270 of the Albany County Code to create a real property tax exemption for the increase in assessed value of a parcel which has a pre-existing residential building, and where one or more accessory dwelling units has been added.

BE IT ENACTED by the Albany County Legislature as follows:

Section 1. New Article Added.

This Local Law hereby amends Chapter 270 by adding a new Article XX, titled “Real Property Exemption for Accessory Dwelling Unit(s)”

Section 2., Title.

This Local Law shall be known as the “Albany County Accessory Dwelling Unit Tax Exemption.”

Section 3. § 270-166, Legislative Purpose and Intent.

In April 2024, the New York State Legislature adopted a law, codified at Real Property Tax Law (RPTL) § 421-p, to allow local governments to adopt a partial exemption from taxes for the increase in assessed value of a parcel having a pre-existing one- or two-family residential building thereon, resulting from construction, reconstruction, alteration, and/or improvement on the parcel to create one or more accessory dwelling units.

The Albany County Legislature finds that it is in the best interests of the residents of Albany County to adopt this partial exemption for those interested in improving their properties with one or more accessory dwelling units. This exemption shall not apply to any accessory dwelling unit which is used for rentals of any period less than 29 days.

Section 4. § 270-167, Definitions.

Accessory Dwelling Unit – any attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons which is located on a lot with provisions for living, sleeping, eating, cooking, and sanitation on the same lot as the single-family or multi-family dwelling.

Section 5. § 270-168, Exemption for the Improvement of Certain Residential Property to Add One or More Accessory Dwelling Unit(s).

Exemption Granted. Pursuant to RPTL § 421-p, there shall be a partial exemption from Albany County real property taxation for the increase in assessed value of a parcel which has a pre-existing one- or two-family residential building thereon, as a result of construction, reconstruction, alteration, or improvement on the parcel to create one or more accessory dwelling units. Such exemption shall be provided in accordance with and subject to all eligibility criteria and limitations set forth in the foregoing state law, provided however that no exemption shall be granted when the accessory dwelling unit is rented for periods of 29 days or less.

Exemption Limit. Such exemption shall be limited to two hundred thousand dollars in increased market value of the property attributable to such reconstruction, alteration, improvement, or new construction and any increase in market value greater than such amount shall not be eligible for the exemption pursuant to this local law.

Section 6. Severability.

If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited by such order or judgment.

Section 7. SEQRA Compliance.

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 8. Effective Date.

This local law shall take effect on January 1, 2026.

LOCAL LAW NO. “D” FOR 2025

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK [AUTHORIZING APPROPRIATION OF FUNDS TO] MAKING A DETERMINATION THAT PROMOTING OR ENCOURAGING THE UNDERTAKING OF CONVENTION FACILITY PROJECTS BY THE ALBANY CONVENTION CENTER AUTHORITY IS A GOVERNMENTAL AND PUBLIC PURPOSE OF THE COUNTY OF ALBANY, NEW YORK

Introduced: 5/12/25

By: Cunningham, Feeney, Willingham, and Domalewicz:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

Section 1. Article Creation.

Chapter 135, Article 2, **Albany County Convention Center Authority Project**, is hereby created.

Section 2. § 135-6 -- Legislative Intent and Purpose.

It is declared to be the intent and purpose of this local law (the “Local Law”) to enable Albany County, New York (the “County”), as one of its public or municipal purposes, to publicize the advantages of the County and the greater Capital District Region by promoting or encouraging the undertaking of certain projects (each a “Convention Facility Project”) in the County involving the acquisition, construction, reconstruction, renovation, improvement, maintenance, equipment and/or furnishment of new and/or existing facilities for a convention center (each, a “Convention Facility”). Convention Facilities may include, but not be limited to, facilities consisting of trade exhibition, hotel accommodations, transportation infrastructure, parking, tourism, theatre facilities, retail business, commercial office space or sports facilities, including services for the operation and maintenance thereof.

Section 2. § 135-7 -- Public Purposes.

The promotion or encouragement of Convention Facility Projects in the County constitutes a governmental and public purpose for the benefit of the people of the County and the greater Capital District Region for which the County shall have the power to appropriate public funds of the County for the purpose of making, and shall have the power to make advances, loans, subsidies, or contributions to the Albany Convention Center Authority (the “Authority”) for any of the following objects or

purposes, each of which is found and determined to be a governmental and public purpose of the County:

- (a) The undertaking of various Convention Facility Projects; and
- (b) The planning, design, development, siting, effectuation, financing, operation, maintenance, administration or other implementation of Convention Facility Projects.

The promotion or encouragement of any Convention Facility Project assisted by the County under this Local Law shall be deemed to be the performance of an essential governmental function by the County acting in its governmental capacity.

Section 3. § 135-8 -- Procedure for Authorization.

Each advance, loan, subsidy, or contribution to be made by the County to the Authority pursuant to this Local Law shall be conditioned upon approval by the County Legislature of the terms and conditions of such advance, loan, subsidy, or contribution. Each advance, loan, subsidy, or contribution to be made by the County to the Authority pursuant to this Local Law may further be conditioned by the County Legislature upon the approval by the County Legislature of such agreement as may be necessary or convenient to accomplish the purposes of this Local Law and set forth, among other things, the terms and conditions of any such advance, loan, subsidy, or contribution. The preparation, creation, negotiation, finalization, approval and execution and delivery of any such agreement is hereby authorized by this Local Law. The County may determine pursuant to such agreement if the monies appropriated pursuant to this Local Law shall be subject to offset by the County to the Authority [repayment by the Authority to the County and, in such event, the manner and time or times for such repayment]. The approval of such agreement shall be evidenced by a resolution adopted by the County Legislature indicating its approval of the terms and conditions contained in such agreement. No such authorization shall provide for the funding of any such advance, loan, subsidy, or contribution out of proceeds of obligations issued by the County pursuant to the Local Finance Law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual, firm, corporation or circumstance directly involved in the controversy in which such judgment or order may be rendered.

Section 5. Inconsistent Enactments.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 6. Effective Date

This Local Law shall take effect immediately upon its filing with the Secretary of State.

LOCAL LAW NO. “D” FOR 2025

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK MAKING A DETERMINATION THAT PROMOTING OR ENCOURAGING THE UNDERTAKING OF CONVENTION FACILITY PROJECTS BY THE ALBANY CONVENTION CENTER AUTHORITY IS A GOVERNMENTAL AND PUBLIC PURPOSE OF THE COUNTY OF ALBANY, NEW YORK

Introduced: 5/12/25

By Cunningham, Feeney, Willingham, Domalewicz, Alix, Beston, Cleary, Ethier, Gillespie, Laurilliard, Lekakis, McLaughlin, Pedo, Plotsky, Ricard, Rosano, Whalen and Efekoro:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

Section 1. Article Creation.

Chapter 135, Article 2, **Albany County Convention Center Authority Project**, is hereby created.

Section 2. § 135-6 -- Legislative Intent and Purpose.

It is declared to be the intent and purpose of this local law (the “Local Law”) to enable Albany County, New York (the “County”), as one of its public or municipal purposes, to publicize the advantages of the County and the greater Capital District Region by promoting or encouraging the undertaking of certain projects (each a “Convention Facility Project”) in the County involving the acquisition, construction, reconstruction, renovation, improvement, maintenance, equipment and/or furnishment of new and/or existing facilities for a convention center (each, a “Convention Facility”). Convention Facilities may include, but not be limited to, facilities consisting of trade exhibition, hotel accommodations, transportation infrastructure, parking, tourism, theatre facilities, retail business, commercial office space or sports facilities, including services for the operation and maintenance thereof.

Section 2. § 135-7 -- Public Purposes.

The promotion or encouragement of Convention Facility Projects in the County constitutes a governmental and public purpose for the benefit of the people of the County and the greater Capital District Region for which the County shall have the power to appropriate public funds of the County for the purpose of making, and shall have the power to make advances, loans, subsidies, or contributions to the Albany Convention Center Authority (the “Authority”) for any of the following objects or

purposes, each of which is found and determined to be a governmental and public purpose of the County:

- (a) The undertaking of various Convention Facility Projects; and
- (b) The planning, design, development, siting, effectuation, financing, operation, maintenance, administration or other implementation of Convention Facility Projects.

The promotion or encouragement of any Convention Facility Project assisted by the County under this Local Law shall be deemed to be the performance of an essential governmental function by the County acting in its governmental capacity.

Section 3. § 135-8 -- Procedure for Authorization.

Each advance, loan, subsidy, or contribution to be made by the County to the Authority pursuant to this Local Law shall be conditioned upon approval by the County Legislature of the terms and conditions of such advance, loan, subsidy, or contribution. Each advance, loan, subsidy, or contribution to be made by the County to the Authority pursuant to this Local Law may further be conditioned by the County Legislature upon the approval by the County Legislature of such agreement as may be necessary or convenient to accomplish the purposes of this Local Law and set forth, among other things, the terms and conditions of any such advance, loan, subsidy, or contribution. The preparation, creation, negotiation, finalization, approval and execution and delivery of any such agreement is hereby authorized by this Local Law. The County may determine pursuant to such agreement if the monies appropriated pursuant to this Local Law shall be subject to offset by the County to the Authority. The approval of such agreement shall be evidenced by a resolution adopted by the County Legislature indicating its approval of the terms and conditions contained in such agreement. No such authorization shall provide for the funding of any such advance, loan, subsidy, or contribution out of proceeds of obligations issued by the County pursuant to the Local Finance Law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual, firm, corporation or circumstance directly involved in the controversy in which such judgment or order may be rendered.

Section 5. Inconsistent Enactments.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 6. Effective Date

This Local Law shall take effect immediately upon its filing with the Secretary of State.

LOCAL LAW NO. "E" FOR 2025

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, IMPOSING AN ADDITIONAL ONE PERCENT RATE OF TAX ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Introduced: 6/9/25

By Cunningham:

BE IT ENACTED by the County Legislature of the County of Albany, as follows:

SECTION 1. The first sentence of Section 2 of Local Law No. 3 for 1967, entitled "A Local Law of the County of Albany in relation to the imposition of a County Sales and Use Tax", as amended, is amended to read as follows:

"SECTION 2. Imposition of sales tax. On and after March 1, 1970, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing September 1, 1992, and ending November 30, 2027, there is hereby imposed and there shall be paid an additional tax at the rate of one percent upon:"

SECTION 2. Section 2-B of such Local Law No. 3 for 1967, as amended, is amended to read as follows:

"SECTION 2-B. Exemption of certain energy sources and related services from additional one percent rate of tax.

Notwithstanding any inconsistent provision of this Local Law, receipts from the sale of property and services described in Section 2-A of this Local Law and consideration given or contracted to be given for such property and services shall be exempt from the additional one percent rate of sales and compensating use taxes imposed by Sections 2 and 4, respectively, of this Local Law for the period commencing September 1, 1992, and ending November 30, 2027."

SECTION 3. Subdivision (g) of Section 3 of such Local Law No. 3 for 1967, as amended, is amended to read as follows:

"(g) With respect to the additional tax of one percent imposed for the period commencing September 1, 1992, and ending November 30, 2027, the provisions of subdivisions (a), (b), (c), (d) and (e) of this Section apply,

except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to September 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to May 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to August 31, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to September 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.”

SECTION 4. Section 4 of such Local Law No. 3 for 1967, as amended, is amended to read as follows:

“SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after September 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractors, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of Section Two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of Section Two have been performed, (E) of any telephone answering service described in subdivision (b) of Section Two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this Section, for the period commencing September 1, 1992, and ending November 30,

2027, the tax shall be at the rate of four percent, and on and after December 1, 2027, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of Section One, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2027, the tax shall be at the rate of four percent, and on and after December 1, 2027, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2027, the tax shall be at the rate of four percent, and on and after December 1, 2027, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of Section One.

(e) Notwithstanding the foregoing provision of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2027, the tax shall be at the rate of four percent, and on

and after December 1, 2027, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of Section One.

(g) For purposes of clause (F) of subdivision (a) of this Section, for the period commencing September 1, 1992, and ending November 30, 2027, the tax shall be at the rate of four percent, and on and after December 1, 2027, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.”

SECTION 5. Paragraph (B) of subdivision (1) of Section 11 of such Local Law No. 3 for 1967, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning September 1, 1992, and ending November 30, 2027, in respect to the use of property used by the purchaser in this County prior to September 1, 1992.”

SECTION 6. A new subdivision (s) of section 14 of such Local Law No. 3 for 1967, as amended, is added to read as follows:

“(s) Notwithstanding any inconsistent provision of law, the County shall allocate and distribute quarterly to the cities and the area in the County outside the cities the same proportion of net collections attributable to the additional one percent rate of taxes imposed by sections two and four of this Local Law for the period commencing December 1, 2025 and ending November 30, 2027, as the County allocates and distributes the net collections from the County’s three percent rate of such taxes, as of July 20, 2025, and such portion of net collections attributable to such additional one percent rate of such taxes shall be allocated and distributed to the towns and villages in the County in the same manner as the net collections attributable to the County’s three percent rate of such taxes are allocated and distributed to such towns and villages as of July 20, 2025. In the event that any city

in the County exercises its prior right to impose tax pursuant to Section 1224 of the New York Tax Law, then the County shall not allocate and distribute net collections in accordance with the previous sentence for any period of time during which any such city tax is in effect, and the County shall instead set aside net collections attributable to such additional one percent rate of such taxes for County purposes for any such period that any such city tax is in effect.

SECTION 7. This enactment shall take effect December 1, 2025.

Referred to Law and Audit and Finance Committees – 6/9/25

LOCAL LAW NO. “F” FOR 2025

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ENACTING A MORTGAGE RECORDING TAX PURSUANT TO SECTION 253-p OF THE TAX LAW OF THE STATE OF NEW YORK

Introduced: 6/9/25

By Cunningham:

BE IT ENACTED by the County Legislature of the County of Albany, as follows:

SECTION 1. Pursuant to the provision of Section 253-p of the Tax Law of the State of New York, there is hereby imposed in the County of Albany, New York a tax of twenty-five cents for each one hundred dollars and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within Albany County and recorded on or after October 31, 2008 and a tax of twenty-five cents on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars.

SECTION 2. The tax imposed by this local law shall be administered and collected in the same manner as the taxes imposed under subdivision one of section two hundred fifty three and paragraph (b) of subdivision one of section two hundred fifty-five of Article 11 of the Tax Law and shall be paid as provided in Section 253-p of the Tax Law and shall be in addition to the taxes imposed by Section 253 of the Tax Law.

SECTION 3. This local law shall expire December 1, 2027, provided further, however, that such expiration shall not preclude the adoption and enactment of additional local laws by the County of Albany pursuant to the provisions of Section 253-p of the Tax Law upon the expiration of this local law or any subsequent local law adopted and enacted pursuant to the provisions thereof.

SECTION 4. Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the County of Albany during each month upon account of the tax imposed pursuant to this local law, after deduction of the necessary expenses of the recording officer's office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this local law or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth day of each succeeding month to the Albany County Director of Finance and, after the deduction by the Director of Finance

of the necessary expenses as provided in Section 262 of the Tax Law, shall be deposited in the General Fund of the County of Albany for expenditure on County purposes. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this local law or Section 260 of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of the Commissioner.

SECTION 5. This local law shall take effect on December 1, 2025, provided that the Clerk of this Legislature shall mail a certified copy hereof by registered or certified mail to the Commissioner of the New York State Department of Taxation and Finance at least 30 days prior to such date. The Clerk of this Legislature shall also file certified copies hereof with the County Clerk of the County of Albany, the Secretary of State of the State of New York and the State Comptroller within five days after the enactment of this local law.

Referred to Law and Audit and Finance Committees – 6/9/25

LOCAL LAW NO. “G” FOR 2025

A LOCAL LAW DESIGNATING THE DEVELOPMENT OF AFFORDABLE HOUSING AS A GOVERNMENTAL AND PUBLIC PURPOSE OF THE COUNTY OF ALBANY, NEW YORK

Introduced: 7/14/25

By Cunningham and Willingham:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

Section 1. Title.

The Albany County Affordable Housing Initiatives, is hereby created.

Section 2. Legislative Findings and Intent.

Affordable housing is one of the greatest challenges throughout New York State, and Albany County is no different. It is traditionally accepted that people should pay no more than thirty percent (30%) of the area’s median income for housing. But nearly fifty percent (41%) of Albany County renters are spending over 30% of their income on housing. Annually, renters’ purchasing power fails to keep up with increasing rent. From 2022 to 2023, renter’s wages increased by an average of 3.3%, while apartment rents increased by an average of 8.8%. As rents continue to climb, this crisis continues to grow.

Beyond renting, individuals making the median income in Albany County cannot afford homeownership either. Single-income households with median incomes face a significant shortfall on their annual mortgage, even under generous interest and loan terms, a shortfall that wouldn’t be fully bridged in a multi-income household. Too many residents in Albany County are financially unable to purchase homes within the County. With homeownership directly tied to the growth of generational wealth, educational attainment, and family stability, it is imperative that this crisis is addressed.

An increase in housing supply, both in the rental and ownership markets, will aid in easing the financial burden on renters and owners in the County. However, affordable housing development faces substantial challenges. Interested parties struggle to secure the necessary investment to rehabilitate or construct housing in the urban and rural areas where housing is most needed and effective. Decades of residential flight, neglect, and blight have created a financing environment where predevelopment funding for architectural or engineering needs is hard to acquire. As investment continues to lag behind development, the crisis exacerbates.

To respond to these crises, and pursuant to Article IX of the New York State Constitution and Municipal Home Rule Law Section 10, Albany County may exercise its broad police powers to provide for comprehensive affordable housing initiatives.

Based upon the critical shortage of affordable housing confronting Albany County, the Albany County Legislature finds that creating affordable housing initiatives serves a valid governmental and public purpose.

Section 3. Definitions.

- A. Affordable Housing: shall be generally defined as housing in which the occupant is paying no more than thirty (30%) percent of their gross income for housing costs, including utilities for persons or families deemed to be or eligible to be deemed to be of extremely low, very low, low, or moderate income by any federal or state housing program. Nothing in the definition shall prevent the County from funding housing services either above or below this affordability level when such funding is in keeping with federal or state programs providing housing assistance or where any income restricted housing, whether intended for rental or homeownership, is subject to a regulatory agreement with a local, state, or federal governmental entity.
- B. Housing Accommodation: shall be defined as any building, structure, or portion thereof that is occupied as or intended for occupancy as a residency by one or more families and any vacant land that is offered for sale or lease for the construction thereon of any building, structure, or portion thereof intended to be so occupied.
- C. Housing: shall be defined as and include all Housing Accommodations as herein defined.

Section 4. Public Purpose.

- A. The Albany County Legislature hereby determines that the development, maintenance, management, and/or provision of Affordable Housing is a public purpose in accordance with the New York State Constitution Section IX and Municipal Home Rule Law Section 10.
- B. To address the housing supply, housing affordability, and housing development challenges in Albany County, this Local Law authorizes, pursuant to rules and regulations adopted by the Legislature:

- i. The creation of a Committee, housed within the Advance Albany County Alliance, empowered to address Affordable Housing;
- ii. The development of a revolving loan fund to connect developers with financial, advisory, or educational assistance for the development of Affordable Housing;
- iii. The undertaking and creation of grants, loans, and/or other support services tailored to expanding Affordable Housing;
- iv. Efforts to expand the housing supply by the provision of financial, educational, and advisory services to developers of Affordable Housing; and
- v. The establishment of a reserve fund and/or the use of a portion of the unassigned fund balance to support the provision of the above initiatives.

C. This Local Law and the designations set forth herein shall apply to all housing initiatives within Albany County.

Section 5. Procedure for Authorization.

Any grant, loan, support service or development fund initiative made by the County may be further conditioned by the County Legislature on its approval of a subsequent agreement as may be necessary or convenient to accomplish the purposes of this Local Law and set forth the terms and conditions of any such grant, loan, support service, or development fund initiative. The preparation, creation, negotiation, finalization, approval, execution, and delivery of any such agreement is hereby authorized by this Local Law. No such authorization shall provide for the funding of any such advance, grant, loan, subsidy, or contribution out of proceeds of obligations issued by the County pursuant to the New York State Finance Law.

Section 6. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual, firm, corporation or circumstance directly involved in the controversy in which such judgment or order may be rendered.

Section 7. SEQRA Compliance.

This County Legislature determines that this Local Law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

Section 8. Effective Date.

The Local Law shall take effect immediately upon its filing with the Secretary of State.

RESOLUTION NO. 284

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “G” FOR 2025: A
LOCAL LAW DESIGNATING THE DEVELOPMENT OF AFFORDABLE
HOUSING AS A GOVERNMENTAL AND PUBLIC PURPOSE OF THE
COUNTY OF ALBANY, NEW YORK**

Introduced: 7/14/25

By Cunningham and Willingham:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “G” for 2025, “A LOCAL LAW DESIGNATING THE DEVELOPMENT OF AFFORDABLE HOUSING AS A GOVERNMENTAL AND PUBLIC PURPOSE OF THE COUNTY OF ALBANY, NEW YORK” to be held by the Albany County Legislature at 7:00 p.m. on Tuesday, August 26, 2025, with participation information to be made available on the Albany County website, and the Clerk of the County Legislature is directed to cause notice of such hearing to be published containing the necessary information in accordance with the applicable provisions of law.

LOCAL LAW NO. “G” FOR 2025

A LOCAL LAW DESIGNATING THE DEVELOPMENT OF AFFORDABLE HOUSING AS A GOVERNMENTAL AND PUBLIC PURPOSE OF THE COUNTY OF ALBANY, NEW YORK

Introduced: 7/14/25

By Cunningham, Willingham, Feeney, Alix, Beston, Cleary, Efekoro, Ethier, Gillespie, Lane, Laurilliard, Lekakis, Miller, Pedo, Plotsky, Ricard, Rosano and Whalen:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

Section 1. Title.

The Albany County Affordable Housing Initiatives, is hereby created.

Section 2. Legislative Findings and Intent.

Affordable housing is one of the greatest challenges throughout New York State, and Albany County is no different. It is traditionally accepted that people should pay no more than thirty percent (30%) of the area’s median income for housing. But nearly fifty percent (41%) of Albany County renters are spending over 30% of their income on housing. Annually, renters’ purchasing power fails to keep up with increasing rent. From 2022 to 2023, renter’s wages increased by an average of 3.3%, while apartment rents increased by an average of 8.8%. As rents continue to climb, this crisis continues to grow.

Beyond renting, individuals making the median income in Albany County cannot afford homeownership either. Single-income households with median incomes face a significant shortfall on their annual mortgage, even under generous interest and loan terms, a shortfall that wouldn’t be fully bridged in a multi-income household. Too many residents in Albany County are financially unable to purchase homes within the County. With homeownership directly tied to the growth of generational wealth, educational attainment, and family stability, it is imperative that this crisis is addressed.

An increase in housing supply, both in the rental and ownership markets, will aid in easing the financial burden on renters and owners in the County. However, affordable housing development faces substantial challenges. Interested parties struggle to secure the necessary investment to rehabilitate or construct housing in the urban and rural areas where housing is most needed and effective. Decades of residential flight, neglect, and blight have created a financing environment where predevelopment

funding for architectural or engineering needs is hard to acquire. As investment continues to lag behind development, the crisis exacerbates.

To respond to these crises, and pursuant to Article IX of the New York State Constitution and Municipal Home Rule Law Section 10, Albany County may exercise its broad police powers to provide for comprehensive affordable housing initiatives.

Based upon the critical shortage of affordable housing confronting Albany County, the Albany County Legislature finds that creating affordable housing initiatives serves a valid governmental and public purpose.

Section 3. Definitions.

- A. Affordable Housing: shall be generally defined as housing in which the occupant is paying no more than thirty (30%) percent of their gross income for housing costs, including utilities for persons or families deemed to be or eligible to be deemed to be of extremely low, very low, low, or moderate income by any federal or state housing program. Nothing in the definition shall prevent the County from funding housing services either above or below this affordability level when such funding is in keeping with federal or state programs providing housing assistance or where any income restricted housing, whether intended for rental or homeownership, is subject to a regulatory agreement with a local, state, or federal governmental entity.
- B. Housing Accommodation: shall be defined as any building, structure, or portion thereof that is occupied as or intended for occupancy as a residency by one or more families and any vacant land that is offered for sale or lease for the construction thereon of any building, structure, or portion thereof intended to be so occupied.
- C. Housing: shall be defined as and include all Housing Accommodations as herein defined.

Section 4. Public Purpose.

- A. The Albany County Legislature hereby determines that the development, maintenance, management, and/or provision of Affordable Housing is a public purpose in accordance with the New York State Constitution Section IX and Municipal Home Rule Law Section 10.
- B. To address the housing supply, housing affordability, and housing development challenges in Albany County, this Local Law authorizes, pursuant to rules and regulations adopted by the Legislature:

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Section 7. SEQRA Compliance.

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Section 8. Effective Date.

The Local Law shall take effect immediately upon its filing with the Secretary of State.

DANIEL P. MCCOY
COUNTY EXECUTIVE



JEFFREY V. JAMISON
COUNTY ATTORNEY

COUNTY OF ALBANY
OFFICE OF THE COUNTY ATTORNEY
COUNTY OFFICE BUILDING
112 STATE STREET, ROOM 600
ALBANY, NEW YORK 12207-2021
PHONE (518) 447-7110 | FAX (518) 447-5564
WWW.ALBANYCOUNTY.COM

YORDEN C. HUBAN
DEPUTY COUNTY ATTORNEY

MEMORANDUM

TO: Hon. Joanne Cunningham
Chair, County Legislature

FROM: Jeffery V. Jamison, Esq.
County Attorney

DATE: June 17, 2025

RE: Request for Legislative Action
Award of Liability and Casualty Insurance
Policy Period: 8/15/25 – 8/15/26

Enclosed is a completed Request for Legislative Action relative to the award of the County's liability and related insurance coverage for the policy period August 15, 2025 to August 15, 2026. I am requesting that this matter be placed on the agenda for the August Legislative meeting. **PLEASE NOTE, THE BROKER IS STILL OBTAINING QUOTES FOR THE INSURANCE. THIS REQUEST IS BEING SUBMITTED AS A PLACEHOLDER AT THIS TIME AND WILL BE SUPPLEMENTED ONCE THE FINAL QUOTES ARE OBTAINED.**

The County's broker of record, Arthur J. Gallagher Risk Management Services sought renewal quotes for the County's insurance coverage. They are recommending that we proceed with the insurance set forth below.

The specific insurance in question are the County's general liability, automobile, law enforcement, police professional, property, public official's and employee

liability, crime, boiler and machinery, excess, umbrella and medical malpractice insurance coverage. The recommended awards are as follows:

Excess Commercial/General/Automobile/Law Enforcement Package and Public Official's and Employment Practices Coverage:

Carriers:

Premiums:

Expiring: \$561,568.00
Carrier: Safety National
Policy Limits: \$5M/\$5M/ GL
\$5M Auto
Includes DMV Fees

FIRST \$5M LAYER

Excess: Arch
Expiring: \$377,520.00
(\$5 M x \$5 M)

Excess: Bowhead
Expiring: \$315,000
(\$5 M x \$10 M)

Property:

Carrier:

Premium:

Expiring: Carrier: Traveler's
Premium: \$454,204 + \$1,531 Fire Fee
Deductible: \$250,000
(Insured Values of \$710,304,132)

Boiler and Machinery:

Carrier:

Premium:

Expiring: \$56,315.00
Carrier: Greenwich

Crime:

**Carrier:
Premium:**

Expiring: \$4,514.00
Carrier: Traveler's

Medical Liability:

**Carrier:
Premium: \$**

Expiring:
Carrier: National Fire & Marine (Med Pro Group)
Premium: \$447,258.99 Nursing Home (Senior Care)
Surplus Lines Tax: \$15,519.35
Stamping Fee: \$646.64
Limits: \$1M/\$3M

Carrier: MedPro RRG Risk Retention Group
Premium: \$167,267.00 (Clinical)
Limits: \$1M/\$3M

Cyber Liability:

Carrier:
Premium: \$

Expiring: \$79,473
Carrier: Chubb
\$1 Million limit

Water Purification District – Pollution Coverage

Carrier:
Premium:
Expiring:
Carrier: Navigators
Premium: \$81,698
***Three Year Policy**

Enclosed is back-up documentation, including the premium summary and marketing summary.

Please note, all premiums include Terrorism Coverage at the rate of 1% of premium.

The proposed awards result in combined premiums of \$, which includes the mandatory New York State Fire Fee. All coverages were significantly enhanced in 2013 and have been enhanced on a per coverage basis as needed. The liability and related coverages have been extensively marketed this year due to increases in our premiums over the last several years as a result of hardening of the markets as well as increases to our risks. We are awaiting quotes.

THIS INFORMATION WILL BE UPDATED AS PRICE QUOTES ARE RECEIVED.

If you have any questions, please advise me. Thank you for your attention to this matter.

Enclosures

Cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
James Curran, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-6666, Version: 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Authorization for Professional Insurance Services with Arthur J. Gallagher

Date: 06/17/2025
Department: Law
Attending Meeting: Jeffrey Jamison
Submitted By: Stefanie Thomas
Title: Legislative and Policy Coordinator
Phone: 447-5680

Purpose of Request: Contract Authorization Enter text.

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses:

Arthur J Gallagher Risk Management Systems, 30 Century Hill Drive Latham NY 12210

Term: (Start/end date or duration) 8/15/2025-8/15/2026
Amount/Raise Schedule/Fee: Enter text.

BUDGET INFORMATION:

Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Budget: Yes ☒ No ☐
Spreadsheet attached: Yes ☐ No ☒

Source of Funding - (Percentages)

Federal: Enter text. County: 100
State: Enter text. Local: Enter text.

County Budget Accounts:

Revenue Account and Line: Enter text.
Revenue Amount: Enter text.
Appropriation Account and Line: Various departmental insurances lines (44037)
Appropriation Amount: Enter text.

ADDITIONAL INFORMATION:

Mandated Program/Service: Yes ☐ No ☒
If Mandated, Cite Authority: Enter text.
Request for Bids / Proposals:

Competitive Bidding Exempt:	Yes ☐ No ☒
# of Response(s):	Enter text.
# of MWBE:	Enter text.
# of Veteran Business:	Enter text.
Bond Resolution No.:	Enter text.
Apprenticeship Program	Yes ☐ No ☒

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: 24-465

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

Award of liability, property, medical, malpractice and similar insurances for the period August 15, 2025 to August 15, 2026. The county's broker of record, Arthur J. Gallagher Risk Management Service marked the insurance packages on the county's behalf

DANIEL P. MCCOY
COUNTY EXECUTIVE

JEFFERY V. JAMISON, ESQ.
COUNTY ATTORNEY

MICHAEL P. McLAUGHLIN, JR.
DEPUTY COUNTY EXECUTIVE

YORDEN C. HUBAN
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WWW.ALBANYCOUNTYNY.GOV

KEVIN M. CANNIZZARO
FIRST ASSISTANT COUNTY ATTORNEY

July 1, 2025

Dear Legislators,

The Department of Law seeks legislative approval to enter into a new agreement with Thompson Reuters for the Westlaw legal research tool. The new agreement will be a substantial upgrade from our existing services. Further, the upgrade is necessary to be in step with the tools available to the Courts and with opposing counsel. It is expected that full utilization of the new Westlaw Precision AI and CoCounsel Core will lead to thousands of hours a year saved in legal research, document preparation and discovery review.

This upgrade is for services County-wide. I have reached out to the District Attorney's Office, the Conflict Defender's Office, Assigned Counsel, Public Defender's Office and the Counsel to the Chair of the Legislature to discuss the changes and all are "onboard" with the upgrade.

Further, I have negotiated a free upgrade from now until the end of the year with our existing contract in place. The new agreement being proposed will begin in January of 2026. However, if we can get approval now for the change to occur to our contract next year, Thompson Reuter has agreed to provide the enhanced services for the remainder of the year at our existing contract rate.

Thank you for your courtesies and consideration in this matter.

Very truly yours,

JEFFERY V. JAMISON, Esq.
Albany County Attorney



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-6670, Version: 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Authorization for Thompson Reuter's Legal Research and continuing legal education for County Attorney, District Attorney, Public Defenders, Alternate Public Defender, Assigned Counsel Program/18-B and Regional Immigration Assistance Center.

Date: 6/27/2025

Department: Law

Attending Meeting: Jeffery Jamison

Submitted By: Joshua Beams

Title: Sr. Policy Analyst

Phone: 518-447-7110

Purpose of Request: Contract Authorization Enter text.

CONTRACT TERMS/CONDITIONS:

Party Names and Addresses: West Publishing Corporation 29000 Ames Crossing Rd., Egan MN 55121

Enter text.

Term: (Start/end date or duration)

January 1, 2026 - 12/31/2026

Amount/Raise Schedule/Fee:

Enter text.

BUDGET INFORMATION:

Is there a Fiscal Impact:

Yes ☒ No ☐

Anticipated in Budget:

Yes ☒ No ☐

Spreadsheet attached:

Yes ☐ No ☒

Source of Funding - (Percentages)

Federal: Enter text. County:

100%

State: Enter text. Local:

Enter text.

County Budget Accounts:

Revenue Account and Line:

Enter text.

Revenue Amount:

Enter text.

Appropriation Account and Line:

A91420-44040

Appropriation Amount:

\$239,880.00

ADDITIONAL INFORMATION:

Mandated Program/Service:

Yes ☐ No ☒

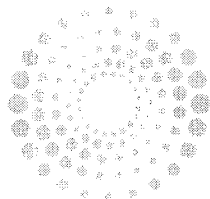
If Mandated, Cite Authority:	Enter text.
Request for Bids / Proposals:	
Competitive Bidding Exempt:	Yes ☐ No ☒
# of Response(s):	Enter text.
# of MWBE:	Enter text.
# of Veteran Business:	Enter text.
Bond Resolution No.:	Enter text.
Apprenticeship Program	Yes ☐ No ☒

Previous requests for Identical or Similar Action:

Resolution/Law Number and Date: 20-459, 21-457, 22-483, 23-563, 24-760

DESCRIPTION OF REQUEST: (state briefly why legislative action is requested)

This agreement with Thompson Reuters's Westlaw provides for a license to conduct legal research for every attorney in county government as determined by the department head. This is for an upgraded version of Westlaw with several additional features compared to our current version. This amount is for 147 licenses.



THOMSON REUTERS

Westlaw Precision AI with CoCounsel Proposal

SUBMITTED: May 21, 2025

EXPIRES: July 31, 2025

SUBMITTED TO

Albany County

Attn: Jeffery Jamison, County Attorney

SUBMITTED BY

Yvonne Guillotte

Government Account Executive

PH: 518-265-3071

Email: yvonne.guillotte@tr.com

Contractor Information

Legal Contracting Entity	West Publishing Corporation
Doing Business As (DBA)	West, a Thomson Reuters business
Corporate Address	2900 Ames Crossing Rd., Eagan MN 55121
Remittance Address	P.O. Box 6292, Carol Stream, IL 60197-6292
Federal Tax ID #	41-1426973
SAM Unique Entity ID #	L997DB4PEJL8
DUNS #	14-850-8286
Cage Code	89101
Company Size	Large
SAM Registration	Current (see: https://www.sam.gov/)
Representations and Certifications	Current (see: https://www.sam.gov/)
GSA Contract #	GS-02F-026DA
FEDLINK Contract #	LCFDL23D0027

Content

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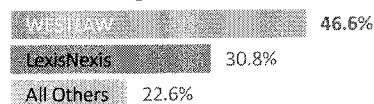
Overview

Westlaw is our online legal, news, and business information research service. Westlaw provides editorially enhanced legal research materials; unparalleled coverage of news, business, financial, and general information; and a comprehensive collection of public records.

- **Westlaw is comprehensive**—Coverage includes legal information (e.g., state and federal case law, statutes, regulations, administrative codes, law reviews), news and business information (e.g., newspapers, newswires, magazines), and extensive and well-organized public records, courthouse documents, and private-vendor sources.
- **Westlaw is current**—Westlaw resources are updated frequently so that information is kept current. For example, full-text U.S. Supreme Court opinions, including concurrences or dissents, are generally available on Westlaw within five minutes of the time they are issued.
- **Westlaw is accurate and reliable**—We employ a rigorous editorial process to ensure every opinion available on Westlaw is correct and properly classified. Our attorney editors use consistent language when writing synopses and headnotes. They also add synonyms, acronyms, terms of art, names of acts, generic names, and other research terms to ensure that Westlaw searches retrieve relevant cases that might otherwise be missed by searching just the text of the court opinion.
- **Westlaw is powerful**—More than 650 million links are added every year to documents on Westlaw, and nearly every word in Westlaw documents is a possible search indexing term. WestSearch Plus, a search engine designed specifically for law, incorporates more than a century of proprietary analysis of the law and exclusive tools like the West Key Number System, KeyCite, headnotes, Notes of Decisions, indexes, and secondary sources to deliver documents relevant to a search query.
- **Westlaw is precise**—Westlaw Precision – the latest evolution in legal research – is powered by trusted content, exclusive editorial enhancements, and cutting-edge technology that enables you to research over twice as fast without sacrificing confidence in your results.
- **Westlaw is intelligent**—Westlaw Precision provides legal professionals with AI-Assisted Research, our recently introduced legally focused generative AI capability that searches Westlaw’s trusted database of proven, reliable content and returns an overview with detailed insights from top results, along with a list of key cases, statutes, and regulations. Both Westlaw Precision and Westlaw Edge provide legal professionals with exclusive new warnings for law that is no longer valid, unrivaled litigation analytics, and sophisticated research tools that help legal professionals deliver results to clients faster and more accurately.
- **Westlaw is preferred**—Thomson Reuters has earned highest accolades from the 2023 Best of *The National Law Journal* Readers Rankings, including first-place awards for Westlaw in four legal research categories: Online Research Provider, Legal Research Provider, Solo Firm / Solo Practitioner Research Provider, and Legal Research App / Service.

ABA Legal Technology Survey—Q4 2023

“Which one fee-based online service do you use most often overall for legal research?”



Westlaw: Best-in-Class

The standard for legal research

Only Westlaw combines editorial excellence with innovative technology and human intelligence so legal professionals can work smarter, more efficiently, and with greater confidence. The people, process, and technology behind Westlaw is what sets us apart.



People: Attorney editors analyze, summarize, and classify the law, creating editorial enhancements that make it easier to find the information you need. You can trust your research is supported by real people with real world legal experience, extensive training, and passion for serving the legal community.



Process: For more than 150 years, we have been gathering the law and creating exclusive editorial advantages designed to help researchers find needed information. Our superior editorial processes make it easier for researchers to find, validate, and interpret the law.



Technology: Our unwavering commitment to advancing legal research is the force behind our best-in-class technological innovation. Advanced capabilities allow researchers to get their work done in less time and with more accuracy.

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Westlaw Content

WESTLAW NATIONAL PRIMARY

The National Primary Collection contains a deep base of foundational content offerings consistently identified by libraries as must-have content.

- **All 50-State and Federal Primary Law**—Provides access to the comprehensive Westlaw collection of primary law with exclusive access to our editorial enhancements, including cases summarized and organized with headnotes and Key Numbers, annotated statutes that link to cross-references and notes of decisions, annotated *Code of Federal Regulations*, administrative materials, proposed and enacted legislation, proposed and adopted regulations, attorney general opinions, administrative materials, court rules, and more.
- **Legislative History**—Provides an intuitive graphical timeline to gather key insight into the legislative intent behind the words of the law.
- **Graphical Statutes**—Charts legislative changes and linking related documents in an easy-to-read graphical interface. Federal and State access
- **Bill and Regulation Tracking**—Provides a single comprehensive source for bill and regulation tracking across the 50 states and federal government.
- **KeyCite**—Access the industry's most accurate, up-to-the-minute citation service to instantly verify whether a case, statute, regulation or administrative decision is good law, and find citing references to expand your research.

Westlaw Precision

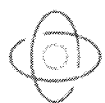
THE FASTEST WAY TO FIND WHAT YOU NEED

Westlaw Precision – the latest evolution in legal research – is powered by trusted content, exclusive editorial enhancements, and cutting-edge technology that enables you to research over twice as fast without sacrificing confidence in your results.

And now, our legally focused generative AI provides relevant answers to legal research questions with links to supporting authority, so you can make better-informed decisions and more efficiently complete the remainder of your research. AI-Assisted Research on Westlaw Precision is built on our market-leading content, utilizing our long history and expertise in AI.

While legal technology has rapidly evolved over the past decade, it can still be a challenge to look for cases with specific attributes while also searching the best authority for an argument, drafting outlines and briefs, checking the validity of cited law, crafting litigation strategy, and answering client questions. The powerful capabilities of Westlaw Precision can elevate the way you conduct legal research.

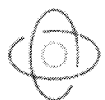
AI-ASSISTED RESEARCH - New



Ask a legal question in everyday language, including key facts, procedural details, or legal theories, and AI-Assisted Research searches Westlaw's trusted database of proven, reliable content to return a summarized response with detailed insights from top results, along with a list of key cases, statutes, and regulations.

- Get a jumpstart on your research with faster answers to legal questions.
- Cut down time spent sifting through search results and having to read and summarize results yourself. The AI does that for you.
- Easily access supporting authority for verification and follow-up research.
- Refine and hone your results in a conversational manner.
- Feel more confident you are taking your research in the right direction.

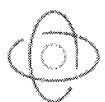
AI-JURISDICTIONAL SURVEY - New



Ask a legal question in everyday language, including key facts, details and pick the states you want to curate your survey. The AI-Assisted Jurisdictional Survey will allow you to expedite the long process of creating a survey and be able to get back to the client by the end of the day.

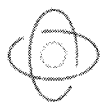
- AI Jurisdictional Survey summarizes all 50 states statutes, providing a starting point in a fraction of the time it would have taken with traditional research methods.
- The survey provides the most up-to-date content on Westlaw, as it correctly identifies and summarizes statutes that went into effect as recently as July 2024.

PARALLEL SEARCH - New



Parallel Search is a new way to search case law on Westlaw Precision that focuses on finding conceptually similar sentences to your query. Parallel Search understands synonyms and relationships between words and ideas. Thus, it finds cases even if the cases do not use your exact words.

CLAIMS EXPLORER - New



For legal professionals filing a lawsuit, defending a lawsuit, or advising clients on potential liability, often their first step is to identify applicable claims or counterclaims. Yet not all claims are equal. Some causes of action have a lower threshold to achieve, some provide for attorneys' fees or higher damages, and some fit better with the facts of a particular case. Claim Explorer, a new generative AI skill enables legal professionals to enter facts and identify applicable claims or counterclaims. Using generative AI to simplify claims research by entering the facts and quickly receive a list of applicable claims.

PRECISION RESEARCH - New



Search, filter, browse, and find on-point cases with unmatched precision and efficiency. See cases that actually address a particular legal issue, resolve a particular cause of action or motion type and corresponding outcomes, involve a particular fact pattern, or are decided a particular way.

- Find legally and factually similar cases with unparalleled speed and accuracy.
- With knowledge that variation in language is accounted for, feel more confident important cases haven't been missed due to a query that doesn't include a certain word or phrase.
- Use Browse Boxes to quickly determine whether case is relevant to the issue directly from search results.

KEYCITE CITED WITH - New



Feel more confident your research is accurate and complete. View cases frequently cited together even if neither cites the other, making it easier to find connections between cases and identify changes in how the law has developed.

- Quickly find connections between cases that would traditionally be difficult to uncover.
- Find regularly cited law for a specific rule or issue.
- Find additional relevant cases that can be used to strengthen an argument.
- Feel more confident research is accurate and complete.

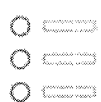
KEYCITE OVERRULED IN PART - New



Easily identify the specific point of law in a case that has been invalidated so other valid points of law aren't missed. Look for a red-striped flag to indicate a case has been overruled in part. Quickly jump to the impacted text to view the relevant language from the overruling case.

- Trust you are relying on good law during legal research.
- Quickly and easily determine when a case has been overruled only on grounds that don't impact the authority of the points of law you care about most.
- Save time by avoiding the need to manually review each case to determine whether the authority related to your issue is still valid law.

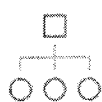
OUTLINE BUILDER - New



- Quickly and easily build, edit, and review outlines without ever needing to leave Westlaw Precision. Use
- Outline Builder side-by-side with a document while researching, then drag and drop important text or
- citations directly into an outline.
- Save time spent switching back and forth between Westlaw Precision and your word processing document.

- Minimize disruption to research workflow when you build an outline directly in Westlaw Precision.
- Easily submit an outline to Quick Check to view recommendations for additional relevant authority.

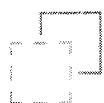
GRAPHICAL VIEW OF HISTORY - New



See a graphical visualization of research history, mapping out the steps taken and the searches and documents with which you had more interaction. Easily return to a successful query without needing to remember the exact search terms.

- Quickly jump back into a previous research session and pick up where you left off.
- Return to a successful query without needing to remember the exact search terms.
- Easily identify previously viewed documents you deemed important.

KEEP LIST/HIDE DETAILS - New



Save potentially useful materials and hide materials you don't want to inadvertently re-review. Both Keep and Hide persists across multiple searches in the same session, to make research even more efficient.

- Save/Keep documents of interest to easily return to them later.
- Hide/Collapse documents deemed irrelevant or those you don't want to inadvertently re-review.
- Use Keep/Hide functionality to easily navigate multiple searches across the same research session.

QUICK CHECK (Mischaracterization Identification) - New



Quick Check securely analyzes your briefs to suggest highly relevant authority and ensure you haven't missed anything important. Rely on Quick Check to save time and find authority that traditional research may have missed. Now, take advantage of using new Mischaracterization Identification are substantial for legal professionals and the judiciary. In terms of speed of review and quality of work product.

Mischaracterization Identification will help you efficiently and accurately make contextual misstatement and omission determinations for your opponents' and your own quotations and the context surrounding those quotations. The fear of missing your own mistakes is very real for attorneys, but the possibility of missing the opportunity to capitalize on your opponents' mistakes is an even larger concern. This new enhancement reduces both of those worries and will help attorneys be even better advocates for their clients.

Judges will also be able to effectively review the filings of parties in matters before them much faster. Attorneys owe a duty of candor to the judiciary and the Mischaracterization Identification feature will help flag any potential issues quickly. An added benefit, which members of the judiciary or their staff perhaps haven't considered, is the ability to analyze their own orders and opinions to ensure that they haven't made mistakes that could be appealed. This new enhancement will help alert judges and law clerks to potential issues before they finalize their opinions.

- Filter out citations you've viewed in the past 30 days and what you've already save to a folder.
- See time-saving details for why a suggested authority might be important.
- Review differences between case, statute, and regulation quotes in an uploaded document to the relevant language and context in the source document.
- Receive recommendations from the largest collection of secondary sources, briefs, and memoranda.
- Jumpstart your research directly from millions of state and federal appellate briefs and trial court filings

without needing to download the brief or interrupt your research

- Process documents without citations, such as pleadings, draft briefs, and emails from opposing counsel, allowing researchers to more easily get focused caselaw recommendations. (*Westlaw Precision only*)

WESTSEARCH PLUS



WestSearch Plus leverages sophisticated type-ahead functionality to anticipate which topics users are searching and then delivers responsive text from relevant documents to the top of their result list. This helps decrease their time spent looking and researching for a given topic or answer and is an essential time-saver, especially when researching unfamiliar areas of law.

- Take advantage of the most powerful legal search engine, designed by attorneys for attorneys.
- Find answers to legal questions that can be answered in a sentence or two—within seconds.
- Connect directly to the relevant underlying authority.

KEYCITE OVERRULING RISK



KeyCite Overruling Risk builds upon the capabilities of our current KeyCite service, identifying cases that contain implicitly overruled or invalidated law. Quickly ensure you are citing good law.

- Get warnings on implicitly overruled or abrogated points of law.
- See an orange warning icon, similar to red and yellow flags, integrated into your research.
- Avoid reviewing each case manually to determine whether it cites an implicitly overruled point of law.
- Leverage AI to identify bad law that has no direct citations pointing to its validity.

LITIGATION ANALYTICS

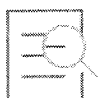
□ □ □ Litigation Analytics leverages the most state and federal dockets to deliver clear and relevant data-driven insights and trends on judges, companies, industries, attorneys, law firms, courts, damages, and case types to help you build your strongest case strategy.

- Set and manage client expectations for outcomes, timelines, and cost.
- Understand your assigned judge, including familiarity with a subject matter based on past cases, their record on appeal, approach to expert witnesses, the authority they tend to cite, and tested and proven arguments that have persuaded your judge in the past.
- Assess how often your judge has admitted or excluded expert testimony and whether your expert has appeared before your judge.
- Understand your opposing party; see how they have handled similar litigation and the counsel they have hired and glean their litigation strategy. Evaluate opposing counsel's experience.
- Evaluate potential settlements and award with damages analytics.
- Find new clients in the industries you represent and build evidence-based pitches and win RFPs with company analytics.
- Identify areas of growth for your firm by viewing trends for companies and industries.
- Recruit lateral hires to staff practice areas where you have identified growth opportunities.

PRECEDENT ANALYTICS

Make stronger arguments and quickly uncover key insights based on topics, by seeing the cases a judge regularly relies on, and other judges frequently cited.

STATUTES COMPARE AND REGULATIONS COMPARE



Statutes Compare and Regulations Compare are intelligent comparison tools that instantly show users precisely how a statute or regulation has changed over time, the authority behind the changes, and

allow the users to compare two versions to show where they differ.

- Get coverage across all practice areas for all statutory and regulatory content with different versions, including when statutes and regulations have changed multiple times within the same year.
- Quickly see how any two versions of a statute and regulation have changed over time, right from the History tab.
- With the Compare Text tool, compare the language of documents across many content sets.

JURISDICTIONAL SURVEYS



Jurisdictional Surveys allows you to quickly retrieve a customized and relevant compilation of laws across all US jurisdictions on virtually any topic. Jurisdictional Surveys accounts for variances of terminology needed to ensure a comprehensive and accurate starting point.

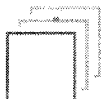
- Assess laws across jurisdictions to help establish a litigation strategy.
- Understand jurisdictional variances as they relate to compliance activities.
- Refine a legal argument based on how other jurisdictions have handled an issue.
- Identify new or emerging policy trends (e.g., immigration, cybersecurity).

Practical Law Dynamic Toolset - AI

GET QUICK, EXPERT ANSWERS FOR YOUR LEGAL QUESTIONS

Dynamic Tool Set - AI, users can navigate Practical Law resources to discover and visualize content in new ways; find the most relevant answers and know-how – like practice notes, checklists and articles – more quickly; compare content across multiple jurisdictions; analyze market trends at a glance; and plan and manage matters with quick customizable views of the work to be done.

PRACTICAL LAW DYNAMIC - AI



With Ask Practical Law AI on Practical Law, simply ask a question in everyday language and get a summarized answer grounded in content expertly written and maintained by 650+ attorney-editors. Produce quality work in less time using Ask Practical Law AI on Practical Law — generative AI providing answers from best-in-class content.

KNOWLEDGE MAP



Visually navigate through Practical Law's collection. Get the complete picture of your matter and identify issues you may have missed so you can complete your research faster.

QUICK COMPARE



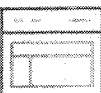
Identify local laws faster using Quick Compare. With just a few clicks, create custom charts that answer key questions across states, so you can explore the topics and data points that matters most to you.

WHAT'S MARKET ANALYTICS



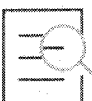
Create data-driven insights and visualizations with What's Market Analytics, so you can analyze and share market trends and deal terms in a fraction of the time.

INTERACTIVE MATTER MAPS



Matter Maps give you an overview of the core phases and tasks in a legal matter with links to key resources at each phase. Now they're also interactive, allowing you to customize the map to your needs.

DYNAMIC SEARCH



Transform your traditional search with Dynamic Search – harnessing the power of technology and Practical Law's attorney-editor expertise, to receive answers based on your question, with links to relevant Practical Law content.

PRACTICE AREAS AND TOPICS

In law, the rules are constantly changing, and you never know when you'll find yourself on unfamiliar ground. Thomson Reuters® Practical Law gets you up to speed quickly with always-updated resources that provide the answers to your how-do-I questions with practical guidance and wisdom to propel your research into action.

ANTITRUST

- Antitrust Compliance
- Antitrust Litigation
- Cartels
- Horizontal Agreements
- Merger Control
- Unilateral Conduct
- Vertical Agreements
- General Antitrust

ARBITRATION

- Arbitral Awards and Challenges
- Arbitration Agreements
- Arbitrators and Appointments
- Commencing an Arbitration
- Conflicts of Law Issues
- Costs and Funding
- Enforcement
- Institutional and Ad-hoc Arbitration
- Interim Measures
- Investment Treaty Arbitration
- Jurisdictional Issues
- Multiparty Arbitration
- Procedure and Evidence
- Remedies

BANKRUPTCY & RESTRUCTURING

- Bankruptcy Committees
- Bankruptcy Litigation
- Chapter 11: Commencing a Case
- Chapter 11: Case Administration
- Chapter 11: Exiting a Case
- Creditor and Inter-Creditor Issues in Bankruptcy
- Cross-Border: Chapter 15
- General Bankruptcy
- Individual Bankruptcy
- Municipal Bankruptcy: Chapter 9
- Out of Court Restructuring
- Prepacks in Bankruptcy
- Purchasing Distressed Assets and Claims in Bankruptcy
- Small Business Bankruptcy

CAPITAL MARKETS & CORPORATE GOVERNANCE

- Broker-Dealer
- Corporate Governance & Continuous Disclosure
- Market Regulation

- Non-US Issuers
- Registered Offerings
- Unregistered Offerings

COMMERCIAL TRANSACTIONS

- Advertising and Marketing
- Agency, Distribution & Franchising
- Bribery and Corruption
- Confidentiality
- Consumer
- General Commercial
- General Contract and Boilerplate
- Insurance Claims and Coverage
- International Trade & Customs
- Joint Ventures
- Outsourcing
- Supply of Goods and Services

CORPORATE AND M&A

- Corporations
- Joint Ventures
- Limited Liability Companies
- Private M&A
- Public M&A
- Private Equity
- Tax

EMPLOYEE BENEFITS & EXECUTIVE COMPENSATION

- Executive Compensation
- Retirement Plans
- Health & Welfare Plans
- Employee Benefit Plans: Administration and Compliance
- Employee Benefit Plans and the Employment Relationship
- Equity Compensation

FINANCE

- Acquisition Finance
- Asset-Based Lending
- Bankruptcy in Finance
- Debt Capital Markets
- Quarantiles
- Islamic Finance
- Lending: General
- Project Finance and Development
- Real Estate Finance
- Regulatory: Finance
- Securitization and Structured Finance
- Security
- Swaps and Derivatives

GOVERNMENT PRACTICE: FEDERAL

- General Federal Practice
- Information Law
- Labor & Employment
- Procurement & Fiscal Law

GOVERNMENT PRACTICE: STATE & LOCAL

- Government Administration
- Liability & Litigation
- Public Finance & Economic Development
- Regulations & Zoning

HEALTH CARE

- Clinical Trials & Research
- Fraud, Abuse & Compliance
- Payment & Reimbursement
- Patient Privacy & Security
- Health Care Entity Formation & Governance
- General Health Care

INTELLECTUAL PROPERTY & TECHNOLOGY

- Copyright
- General IP
- Information Technology
- Internet
- IP and IT in Corporate Transactions
- Patent Counseling & Transactions
- Patent Litigation
- Privacy and Data Security
- Right of Publicity
- Trademarks
- Trade Secrets

LABOR & EMPLOYMENT

- Contracts
- Corporate Transactions and Bankruptcy
- Immigration
- Discipline and Internal Investigations
- Discrimination, Harassment and Retaliation
- Employee Data, Monitoring and Privacy
- Employment Litigation
- Health and Safety
- Leave Law
- Policies and Procedures
- Recruitment and Hiring

- Restrictive Covenants, Confidentiality and IP
- Termination, Layoffs and Plant Closings
- Unions
- Wage and Hour Law

LITIGATION

- Antitrust Litigation
- Appeals
- Arbitration
- Class Actions
- Commencement and Pleadings
- Discovery and Evidence
- Employment Litigation
- General Litigation
- Intellectual Property Litigation
- Judgment
- Motions
- Other Specialist Litigation
- Removal
- Securities Litigation and Enforcement
- Trial and Post-Trial
- White Collar Crime & Investigations

REAL ESTATE

- Commercial Finance
- Commercial Leasing
- Commercial Ownership
- Construction
- Real Estate Finance
- Real Estate in Corporate Transactions
- Residential Leasing
- Residential Ownership

TRUSTS & ESTATES

- Wills
- Revocable Trusts
- Irrevocable Trusts
- Trust Administration
- Taxation of Trusts & Estates
- Special Needs Planning
- Charitable Planning
- Powers of Attorney for Property
- Health Care Planning
- General Trusts & Estates

CROSS-PRACTICE COLLECTIONS

- Financial Services
- Life Sciences
- Startups & Small Businesses

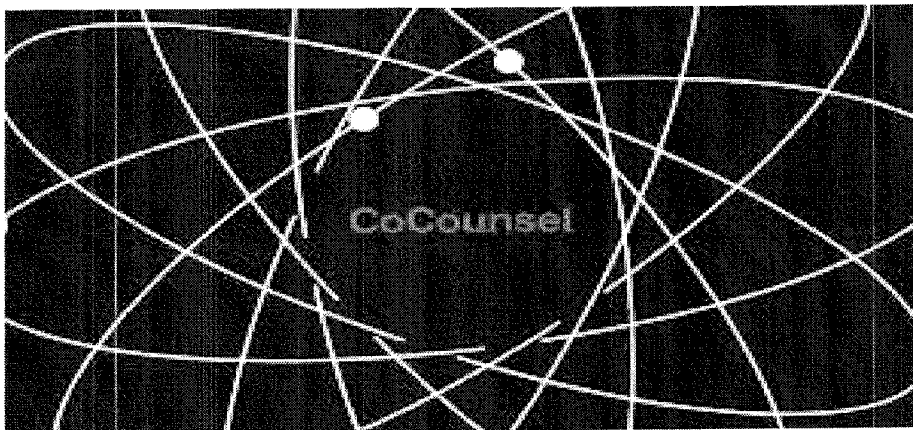
☆ Practical Law Government Resource Center

Substantive Law Toolkits

Antitrust Basics for State and Local Government
 Asserting Eminent Domain
 Bankruptcy Basics for Government
 Capital Improvement Project Construction
 Commercial Contracts for State and Local Government
 Coronavirus Response for Government
 Employee Handbook for State and Local Government Employers
 Federal Antidiscrimination Laws for State and Local Government Employers
 Federal Fiscal Law Appropriations Basics **NEW!**
 Federal Public Sector Employment Law
 First Amendment Compliance for Government Attorneys
 Freedom of Information Act Toolkit
 Ground Leasing for State and Local Government
 HIPAA for Public Sector Entities
 Intellectual Property Basics for Government
 Legal Aid Practice Toolkit
 Local Government Ordinances
 New Local Government Attorneys **NEW!**
 Privacy and Data Security for Government Agencies
 Public Protest and Demonstration Response and Regulation **NEW!**
 Purchasing and Selling Real Estate for State and Local Government

Litigation Toolkits

Attorney-Client Privilege and Work Product Doctrine: Public-Sector Litigation
 Bifurcation, Consolidation, Joinder, and Transfer
 Commencing a Federal Lawsuit
 Depositions
 Document Discovery
 Document Requests in Federal Court
 Document Review and Production in Federal Court
 E-Discovery
 Engaging and Managing Outside Counsel
 Expert Witnesses
 Injunctive Relief
 Interrogatories in Federal Court
 Litigation Holds
 Motions - Discovery
 Motions - Dispositive
 Motions - Non-Dispositive
 Post-Judgment Motion
 Practice Area Essentials: Litigation
 Preserving Documents and Electronically Stored Information **NEW!**
 Requests for Admission in Federal Court
 Responding to a Complaint



Overview of CoCounsel

CoCounsel Core for government legal departments is the only cutting-edge “professional grade” generative AI legal assistant in the market crafted by Thomson Reuters. Our professional-grade assistant brings the power of generative AI to complete the task at hand, from within the products you use every day. It’s at your side every step of the way, ready to perform sophisticated research, analyze dense and voluminous information, and produce a variety of content—in minutes. Think of CoCounsel as a trusted colleague to whom you can confidently delegate complex work, ready to help 24/7/365.

Most important for a solution professionals can count on—and what we mean by “professional-grade”—is that it addresses concerns regarding the safe and responsible use of generative AI in their work. CoCounsel is rooted in our market-leading, verified databases of content, understands professional standards, and can deliver reliable results at superhuman speed. And most important, it’s encrypted end-to-end, so your data—and your client’s data—remains private and secure. This is professional-grade generative AI.

CoCounsel KEY SKILL CAPABILITIES:

TIMELINE CREATION

CoCounsel’s skills empower it to read through emails, letters, filings and other documents to quickly to create a timeline of events complete with links to the source documents. Saving hours on typically painstaking, manual work by automating the timeline creation.

COMPARE DOCUMENTS

Identify similarities, differences, and favorability across multiple documents. CoCounsel can focus on various aspects of the documents and generates a table of answers with supporting citations. Compare Document is a particularly valuable skill to help you quickly analyze dense, long documents. For example, determine favorability between different agreements, contracts and settlement option. Assess version changes between policies, contracts, etc. as they go through revisions. It will help you gain critical insights in the documents and make recommendations to stakeholders more quickly and with confidence.

SUMMARIZE DOCUMENTS

Delivers concise summaries of complex documents, allowing government legal professionals to understand and digest large volumes of information rapidly. Explain complex or lengthy filings and legislation to stakeholders. Be prepared and work with confidence by being able to understand lengthy complex documents quickly.

SEARCH A DATABASE

Upload a database of files – for example, a repository of emails, a brief bank, discovery documents or set of contracts. Enter request into the search bar and find any document within the database that's responsive to the request. CoCounsel will find the needle in the haystack faster by looking for synonyms and related legal concepts.

REVIEW DOCUMENTS

Rapidly analyzes uploaded documents, CoCounsel will provide specific answers with page citations. CoCounsel will read every word in the document, this is not a key word search. Search transcripts and statements for inconsistencies. Ensure increase accuracy by examining every word to capture critical information.

CONTRACT DATA EXTRACTION

CoCounsel allows users to ask questions about set of contracts and quickly receive answers and find relevant clause. It performs a word-by-word review of every contract in a set and provides the language and hyperlink to the answer. Track critical deadlines, commercial terms and important dates. Identify any red flags or potential unfair provision in the contract. Pinpoint coverage within insurance policy and more. Optimize workflows by streamlining contract review processes for faster work product turnaround.

CONTRACT POLICY COMPLIANCE

Efficiently identifies and highlights conflicts, explains disparities and suggest edited versions to align clauses to bring a contract into alignment with the customer's policies. Identify contracts that do not comply with the policies from a playbook. Find and fix risks in a set of contracts based on policies or rules they should follow. Boost precision and expedite work while reducing errors and inconsistencies.

DRAFT DEPOSITION QUESTIONS

CoCounsel helps you identify topics and questions to prepare for upcoming depositions, interview and other investigative projects. Gain a strategic edge by considering all angles on how to approach depositions and negotiations.

DRAFT A CORRESPONDENCE

CoCounsel will help you draft emails, internal or external memos, letters to opposing counsel, and demand letters in a legal professional unique tone and word choices. Feel reassured that your correspondence's is saying exactly what it needs to be said.

WESTLAW PRECISION AI RESEARCH

While on CoCounsel you can ask it a legal question and it will work with Westlaw Precision AI to bring back answer with hyperlinks to where Westlaw Precision AI found its information. Save time by not having to jump back and forth from one platform to another platform. **Legal professional must have a subscription to Westlaw Precision AI.*

CoCounsel DRAFTING KEY SKILL CAPABILITIES:

CoCounsel LITIGATION

CoCounsel Drafting for litigators skills will enable attorneys to upload their own documents directly at the point of review in Word. CoCounsel Drafting will use those uploaded documents to provide suggested Interrogatories, Requests for Production of Documents, Requests for Admission, or Responses in the form of objections in a matter of minutes. Saving the attorney time and giving them a great start to complying with discovery obligations.

MANAGE AND FINALIZE CITATIONS

Automatically identify and organize legal authority citations from your text to ensure accuracy and efficiency in legal document preparation. Format and add links to citations with confidence, quickly validate authorities and build a table of authorities in minutes, not hours.

CoCounsel TRANSACTION

CoCounsel Drafting will revolutionize your drafting process with a comprehensive end-to-end solution. Easily find the best starting point, confidently use generative AI within your drafting workflow, quickly be able to draft a full contract (coming 2025), detect document changes, and format and finalize documents with ease.

FIND A STARTING POINT

Find the best starting point by searching across your own repositories or SharePoint to find your template directly from with CoCounsel Drafting.

CLAUSE FINDER

Access the best gold standard clause language drafted and kept current from Practical Law. Find relevant clause drawn from SEC agreements and get recent examples of how companies have represented their interests or deal terms similar clauses or agreements. * *Legal professional must have a subscription to Westlaw Practical Law Dynamic.*

DRAFT AND MODIFY CLAUSES

Draft and modify clauses throughout your drafting process with your own created playbook. *See below.* Use generative AI paired with Practical Law content within the CoCounsel AI assistant to improve your clause language.

* *Legal professional must have a subscription to Westlaw Practical Law Dynamic.*

CREATE AND MANAGE PLAYBOOKS

Easily create preferred and required clause language and negotiation guidance to be used throughout your agency. The playbooks can be shared throughout the agency that contain master policies and clauses.

CONTRACT COMPARISON WITH DEVIATION DETECTION

Automate redlining by comparing contracts to find deviations. Utilize against created playbooks to spot missing clause language. Quickly and easily find tracked and untracked changes from others.

ANALYZE DOCUMENT FOR ERROR

Runs the document against a programmatic set of rules that detects the structure of a transactional document to determine common transactional drafting errors.

FORMAT

Checking the document's formatting, such as fonts, spacing, and margins, against an organization's particular style.

PRICING - OFFER DETAILS

Option 1: Westlaw Precision AI Research with CoCounsel Core

Proposed Solution: Westlaw National Primary Precision AI Research with <u>CoCounsel Core</u> , Analytical Plus Collection, Litigation Collection	
Number of Users: 147 Attorneys, up to 147 non-Attorneys	
Period of Performance	Monthly Charge
*Promotion: From date of process thru 12/31/2025	\$0.00 per month
Year 1	\$20,237 per month

*Agreement must be signed by July 31, 2025

Option 2: Westlaw Precision AI Research with CoCounsel Core and CoCounsel Drafting

Proposed Solution: Westlaw National Primary Precision AI Research with <u>CoCounsel Core</u> , <u>CoCounsel Drafting</u> , Analytical Plus Collection, and Litigation Collection	
Number of Users: 147 Attorneys, up to 147 non-Attorneys	
Period of Performance	Monthly Charge
*Promotion: From date of process thru 12/31/2025	\$0.00 per month
Year 1	\$25,694 per month

*Agreement must be signed by July 31, 2025

Option 3: Westlaw Precision AI Research with CoCounsel Core, CoCounsel Drafting and Practical Law Dynamic

Proposed Solution: Westlaw National Primary Precision AI Research with <u>CoCounsel Core</u> , <u>CoCounsel Drafting</u> , <u>Practical Law Dynamic</u> , Analytical Plus Collection and Litigation Collection	
Number of Users: 147 Attorneys, up to 147 non-Attorneys	
Period of Performance	Monthly Charge
*Promotion: From date of process thru 12/31/2025	\$0.00 per month
Year 1	\$26,784 per month

*Agreement must be signed by July 31, 2025

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New ☐				
Existing with no changes ☐		Existing with changes ☐ (Permanent name change must attach a Customer Name Change Form)		
Acct #	<u>1000681530</u>	Quote #		
		PO #		
		Date	<u>6/9/2025</u>	
Name/Customer <u>ALBANY COUNTY ATTORNEY</u>		Bill To Acct #		
Order Confirmation Contact Name <u>Jeffery Jamison</u>				
E-Mail <u>jeffery.jamison@albanycountyny.gov</u>				
Password Contact Name (for password delivery) <u>Jeffery Jamison</u>				
E-Mail <u>jeffery.jamison@albanycountyny.gov</u>				I F N E E D E D
Time and Billing Contact Name				
E-Mail				
MSA Jurisdiction		Contract #	Option #	
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		Zip		

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ProFlex Products						
Full Svc #	ProFlex, WestlawPRO, Software and Practice Solutions Products	Quantity *	Monthly Banded Rate	Other	Total Monthly Charges	Minimum Term (Months)
40757482	ProFlex	147			\$19,990.00	12
Notes:						

* Fill in the maximum number of Passwords, Users, Seats, FTEs, Students, Terminals, CD/Conc. Patron Users, Active Legal Holds, and Quantity of Additional Storage.

Total Monthly Charges (initial Term) \$ \$19,990.00

Your subscription is effective upon the date we process your order ("Effective Date") and Monthly Charges will be prorated for the number of days remaining in that month, if any. Your subscription will continue for the number of months listed in the Minimum Term column above counting from the first day of the month following the Effective Date. Your Monthly Charges during the first twelve (12) months of the Minimum Term are as set forth above. If your Minimum Term is longer than 12 months, then your Monthly Charges for each year of the Minimum Term are displayed in the Pricing Attachment (#1113) to the Order Form. You are also responsible for all Excluded Charges as defined below.

If you previously subscribed under a Special Offer Amendment/Exhibit the effective date of this Order Form is the first day of the month following the date we process your order.

If you elect to terminate any of your ProFlex Products and/or locations, the Total Monthly Charges will not be adjusted.

Your subscription will automatically renew at the end of the Minimum Term. Each Automatic Renewal Term will be 12 months in length ("Automatic Renewal Term"), and we will notify you of any change in the Monthly Charges at least 60 days before each Automatic Renewal Term begins. You are also responsible for all Excluded Charges. Either of us may cancel the Automatic Renewal Term by sending notice in writing at least 30 days before an Automatic Renewal Term begins. Submit your notice of cancellation to: <https://www.thomsonreuters.com/en-us/help/account-management/legal/orders/request-a-subscription-cancellation.html> or via postal mail to Customer Service, 2900 Ames Crossing Rd, Eagan, MN 55121.

The ProFlex Addendum/Attachment includes a list of your ProFlex Products, billing allocation method, and applicable locations you elected. Additional attachments include the list of your personnel to whom passwords are to be issued and other data applicable to your order. For concurrent Patron Access customers at multiple locations, the concurrent access will be limited by the quantity of Patron Access users by location, as identified on the ProFlex Addendum/Attachment.

	Banded Products Subscriptions	
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You certify your total number of attorneys (partners, shareholders, associates, contract or staff attorneys, of counsel, and the like), corporate users, personnel or full-time-equivalent students is indicated in this Order Form. Our pricing for banded products is made in reliance upon your certification. If we learn that the actual number is greater or increases at any time, we reserve the right to increase your charges as applicable.

Internal Corporate Use Only		BND
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Technical Contact for Westlaw Patron Access

Technical Contact Name (please print): _____

Telephone: _____

E-Mail Address: _____

Current Account #: _____

Patron Access: IP Address: _____

One IP Address per terminal. Additional pages may be attached if needed.

IP Address Range: _____

* Orders submitted without IP Address information may delay set up and access

For Internal Office Use Only

OF Instructions: Max Concu = # of terms/Eml to WTC/Blk Ancil/1 term = 5 atty = 1 pw/Tech cont = 59

	ProFlex Renewals	
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Sub Matl #	ProFlex, WestlawPRO, Software and Practice Solutions Products	Initial Renewal Year Monthly Charges	Renewal Effective Date	Renewal Term (Months)

Monthly Charges for the Initial Renewal Year are set forth above, and begin on your Renewal Effective Date. The Renewal Term will continue for the number of months identified in the Renewal Term column above. If your Renewal Term is longer than 12 months, then your Monthly Charges for each year of the Renewal Term are displayed in the Pricing Attachment (Form #1113) to the Order Form.

Your subscription will automatically renew at the end of the Renewal Term. Each Automatic Renewal Term will be 12 months in length ("Automatic Renewal Term"), and we will notify you of any change in the Monthly Charges at least 60 days before each Automatic Renewal Term begins. You are also responsible for all Excluded Charges. Either of us may cancel the Automatic Renewal Term by sending notice in writing at least 30 days before an Automatic Renewal Term begins. Send your notice of cancellation to Customer Service, 610 Opperman Drive., P.O. Box 64833, Eagan, MN 55123-1803.

	Online/CD-ROM Products to be Lapsed	
Full Svc #	Online/CD-ROM Products	Account #/Location
See ProFlex Attachment		

	Westlaw Roaming	
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If you access Westlaw regulated data, you receive roaming access by default. Roaming access permits users located outside your designated IP address range to access Westlaw regulated data. We may block roaming access at our option. You may choose to block roaming access by initialing below.

Initial to block roaming access

	Miscellaneous	
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1. **Applicable Law.** If you are a state or local governmental entity, your state's law will apply and any claim may be brought in the state or federal courts located in your state. If you are a non-governmental entity, this Order Form will be interpreted under Minnesota state law and any claim by one of us may be brought in the state or federal courts in Minnesota. If you are a United States Federal Government customer, United States federal law will apply and any claim may be brought in any federal court.

2. **Excluded Charges.** If you access Westlaw data or Practice Solutions services that are not included in your subscription you will be charged our then current rate. Excluded Charges will be invoiced and due with your next payment. For your reference, the current Excluded Charges schedules are located at <http://static.legalsolutions.thomsonreuters.com/static/agreement/schedule-a-westlaw.pdf> and <http://legalsolutions.com/schedule-a-concourse-case-notebook-hosted>. Excluded Charges may change after at least 30 days written or online notice.

3. **Charges, Payments & Taxes.** You agree to pay all charges in full within 30 days of the date of invoice. You are responsible for any applicable sales, use, value added tax (VAT), etc. unless you are tax exempt. If you are a non-government customer and fail to pay your invoiced charges, you are responsible for collection costs including attorneys' fees.

4. **Credit Verification.** If you are applying for credit as an individual, we may request a consumer credit report to determine your creditworthiness. If we obtain a consumer credit report, you may request the name, address and telephone number of the agency that supplied the credit report. If you are applying for credit on behalf of a business, we may request a current business financial statement from you to consider your request.

5. **Returns and Refunds.** You may return a print or CD-ROM product to us within 45 days of the original shipment date if you are not completely satisfied. Assured Print Pricing, Library Savings Plan, West Complete, Library Maintenance Agreements, ePack, WestPack, Westlaw, CLEAR, Monitor Suite, ProView eBook, Software, West LegalEdcenter, Practice Solutions, TREWS, Peer Monitor and Data Privacy Advisor charges are not refundable. Please see <http://static.legalsolutions.thomsonreuters.com/static/returns-refunds.pdf> or contact Customer Service at 1-800-328-4880 for additional details regarding our policies on returns and refunds.

6. **Cancellation Notice.** Submit your notice of cancellation to: <https://www.thomsonreuters.com/en-us/help/account-management/legal/orders/request-a-subscription-cancellation.html> or via postal mail to Customer Service, 2900 Ames Crossing Rd, Eagan, MN 55121.

7. **Transportation Charges.** Print and CD-ROM Products are shipped F.O.B. origin. Transportation charges will be added for expedited shipments made at your request and for international product delivery. Expedited shipments and international product shipments will be charged at our then current carrier rate.

	Product Specific Terms	
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8. **Additional Terms for Services with Generative AI Skills:** The following additional terms shall apply to Thomson Reuters Products with Generative AI Skills (including but not limited to all CoCounsel branded Products; all Products with AI Assisted Research; Practical Law or Practical Law Connect, with Dynamic Tool Set; Practical Law UK Premium; Practical Law Global Premium), listed on this order form, and are incorporated into this order form by reference: <http://tr.com/genai-terms>.

9. **CoCounsel Core and CoCounsel Drafting Product Specific Terms:** The following product specific terms shall apply to CoCounsel Core and CoCounsel Drafting and are incorporated into this order form by reference: <http://tr.com/cocounselcore-and-drafting-product-specific-terms>.

10. **Product Specific Terms.** The following products have specific terms which are incorporated by reference and made part of this Order Form if they apply to your order. They can be found at legalsolutions.com/ThomsonReuters-General-Terms-Conditions-PST.pdf. If the product is not part of your order, the product specific terms do not apply. If there is a conflict between product specific terms and the Order Form, the product specific terms control.

- Campus Research
- CD-ROM
- Contract Express
- Hosted Practice Solutions
- ProView eBooks
- Time and Billing
- West km software
- West LegalEdcenter
- Westlaw
- Westlaw Doc & Form Builder
- Westlaw Paralegal
- Westlaw Patron Access
- Westlaw Public Records

11. **Drafting Tools Product Specific Terms.** The following product specific terms shall apply to the Drafting Tools products (Drafting Assistant, Clause Finder, Clause Finder: Internal Agreements) on this order form, and are incorporated by reference: <http://tr.com/drafting-tools-product-specific-terms>.

ACKNOWLEDGMENT

I warrant that I am authorized to accept these terms and conditions on behalf of Customer.

Printed Name _____

Title _____

Date _____

Signature X _____

West/CLEAR PROFLEX Attachment



Thomson Reuters™

Locations

Account #	Name	Address	City, State Zip	Allocation
1000681530***	ALBANY COUNTY ATTORNEY JEFFERY V JAMISON ESQ	112 STATE ST RM 600	ALBANY, NEW YORK 12207	22.1000
1000007135	ALBANY COUNTY OFFICE ALTERNATIVE PUBLIC DEFENDER	112 STATE ST RM 720	ALBANY, NEW YORK 12207	7.9300
1000009350	ALBANY COUNTY REGIONAL IMMIGRATION ASSISTANCE CENTER	112 STATE ST RM 830	ALBANY, NEW YORK 12207	1.4400
1000023662	ALBANY COUNTY ASSIGNED COUNSEL PROGRAM	112 STATE ST RM 720	ALBANY, NEW YORK 12207	2.1700
1000559056	ALBANY COUNTY PUBLIC DEFENDER STEPHEN W HERRICK	112 STATE ST FL 2	ALBANY, NEW YORK 12207	27.4800
1000681524	ALBANY COUNTY DISTRICT ATTORNEY ALBANY COUNTY JUDICIAL CTR	6 LODGE ST RM 401	ALBANY, NEW YORK 12207	38.8800

*** denotes primary location

West PROFLEX Products and Components

Service Number	Product Name	Quantity	User Type
43412997	CoCounsel 400 V2, Enterprise Access, Government	147	Attorney
42077755	Gvt - Analytical Plus for Government	147	Attorney
41933475	Westlaw Litigation Collection, Enterprise	147	Attorney
42074924	Drafting Assistant	6	Per Seat

Total Monthly Charge: \$19,990.00

Lapsed Online/CD by Location

Account #	Service Number	Product Name
1000681530	40757481	West Proflex
1000681530	30916878	CCSL PRO COCOUNSEL CORE V2 SEAT

Billing Method

Decentralized Billing by Customer Defined Allocation

Each participating account location with the subscriber firm/organization will receive a monthly invoice and usage report. Each location identified per the West PROFLEX Addendum will be invoiced based on a percentage allocation of the monthly rate assigned per the allocation indicated below.