

# **County of Albany**

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



## **Meeting Agenda**

**Wednesday, June 26, 2024**

**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. "D" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS
3. 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
4. REQUIRING PROGRAMMATIC INFORMATION IN REQUESTS FOR LEGISLATIVE ACTION AND CODIFYING EXISTING PRACTICES
5. LOCAL LAW NO. "D" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS
6. 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
7. LOCAL LAW NO. "G" 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, FOR THE PURPOSE OF CREATING THE POSITION OF DEPUTY CHAIRPERSON OF THE ALBANY COUNTY LEGISLATURE

**CURRENT BUSINESS:**

8. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "I" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 265 OF THE ALBANY COUNTY CODE TO UPDATE THE TATTOO CODE PROVISIONS

9. LOCAL LAW NO. "I" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 265 OF THE ALBANY COUNTY CODE TO UPDATE THE TATTOO CODE PROVISIONS
10. LOCAL LAW NO. "J" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK IMPOSING A TAX ON THE OCCUPANCY OF HOTEL ROOMS IN ALBANY COUNTY
11. AUTHORIZING AN AGREEMENT REGARDING PROPERTY INSURANCE COVERAGE FOR THE MVP ARENA

# County of Albany

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



## Meeting Minutes

**Monday, May 13, 2024**

**6:00 PM**

**William J. Conboy II Legislative Chambers**  
**Albany County Courthouse**

### 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 Jennifer A. Whalen

1. LOCAL LAW NO. "A" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 106 OF THE ALBANY COUNTY CODE, SETTING FORTH REQUIREMENTS FOR FACILITIES WITHIN ALBANY COUNTY WHERE THE LOCAL GOVERNMENTAL UNIT IDENTIFIED BY NEW YORK STATE IS THE ALBANY COUNTY DEPARTMENT OF MENTAL HEALTH

A motion was made to move this Local Law forward with a positive recommendation. The motion carried by a unanimous vote.

# County of Albany

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



## Meeting Minutes

**Wednesday, May 29, 2024**

**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, Bill L. Ricard and Paul J. Burgdorf

**Excused:** Victoria Plotsky and Jennifer A. Whalen

**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. "D" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS**

This proposal was tabled at the request of the Sponsor.

**3. 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.

**4. LOCAL LAW NO. "D" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS**

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

**5. 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.

6. LOCAL LAW NO. "F" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 270 OF THE ALBANY COUNTY CODE TO PROVIDE A REAL PROPERTY TAX EXEMPTION FOR LIVING QUARTERS FOR PARENT OR GRANDPARENT

A motion was made to move this Local Law forward with a positive recommendation. The motion carried by a unanimous vote.

**CURRENT BUSINESS:**

7. REQUIRING PROGRAMMATIC INFORMATION IN REQUESTS FOR LEGISLATIVE ACTION AND CODIFYING EXISTING PRACTICES

This proposal was tabled at the request of the Sponsor.

8. PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "G" 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, FOR THE PURPOSE OF CREATING THE POSITION OF DEPUTY CHAIRPERSON OF THE ALBANY COUNTY LEGISLATURE

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

9. LOCAL LAW NO. "G" 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, FOR THE PURPOSE OF CREATING THE POSITION OF DEPUTY CHAIRPERSON OF THE ALBANY COUNTY LEGISLATURE

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

10. LOCAL LAW NO. "H" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, IMPOSING ADDITIONAL WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW § 186-G

A motion was made to move this Local Law forward with a positive recommendation. The motion carried by a unanimous vote.

11. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES REGARDING THE FOURTH UPSTATE QUALITY IMPROVEMENT AND CASELOAD REDUCTION GRANT

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



## LOCAL LAW “D” FOR 2024

### A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS

Introduced: 4/8/24

By Plotsky, Reidy, McLean Lane, Cunningham, McLaughlin, Lekakis and Pedo:

A local law creating Chapter 182 (Healthcare) of the Albany County Code to prohibit inaccurate and misleading statements and advertising by crisis pregnancy centers in Albany County.

BE IT ENACTED by the Albany County Legislature as follows:

#### **Section 1. Title.**

This local law hereby creates Chapter 182, **Healthcare**.

#### **Section 2. Crisis Pregnancy Centers**

This local law hereby creates Chapter 182, Article 1, **Crisis Pregnancy Centers**.

#### **Section 3. § 182-1 - Legislative Purpose and Intent.**

New York has traditionally protected access to reproductive services, including abortion care. In 2022, the United States Supreme Court overturned Roe v. Wade, ending legal abortion in states throughout the country. However, over the years, anti-abortion facilities often affiliated with religious groups have appeared throughout New York. These facilities are often referred to as crisis pregnancy centers (CPCs).

In New York, crisis pregnancy centers outnumber abortion clinics – there are 120 of these crisis pregnancy centers compared with 74 abortion clinics, with 8 crisis pregnancy centers located in Albany County. None of these crisis pregnancy centers are licensed medical facilities, and their staff are not licensed medical professionals. These facilities attempt to convey the impression that they are medical clinics – often dressing staff in scrubs and lab coats and setting the centers up with “exam rooms” with medical equipment, where staff perform ultrasounds – yet the facilities and their staff are exempt from the regulatory, licensure, credentialing and ethical oversight that applies to health care facilities and professionals, and are also not subject to rules related to informed consent, client confidentiality, or the privacy provisions of the Health Insurance Portability and Accountability Act (HIPAA).

In 2022, a study of CPCs in New York State by a team of researchers at Albany Medical Center found that, in an initial call to CPCs to explore options for an unplanned pregnancy, 76% percent of CPCs provided medically-inaccurate

information about the precision of urine pregnancy tests and ultrasound testing, the safety of various abortion options and possibility of “abortion reversal”, and/or gave inflammatory misinformation about abortion procedures. Pregnant women have been told that abortions can cause breast cancer, mental health issues and infertility, and that abortion is dangerous or even deadly – all of which have been medically disproven.

These levels of inaccuracy and misinformation are lower than in other states where abortion rights are not protected, but remain unacceptably high for Albany County residents. The actions of these non-medical facilities and non-medical professionals directly impacts the ability of Albany County women to obtain accurate, non-coercive health care information and timely access to available reproductive and sexual health care services. As such, this Legislature finds that there is a clear need to regulate false and misleading statements and advertising by crisis pregnancy centers in Albany County.

#### **Section 4. § 182-2 - Definitions.**

1) “Abortion” and/or “Abortion care” means any intervention intended to terminate a pregnancy so that it does not result in a live birth.

2) “Client” means an individual who is inquiring about or seeking services at a pregnancy services center, whether in person, via the internet, or via telephone or text communication.

3) “Health information” means any oral or written information in any form or medium that relates to health insurance and/or the past, present, or future physical or mental health or condition of a client.

4) “Crisis pregnancy center” means a facility or entity, including a mobile facility, the primary purpose of which is to provide services to clients who are or may be pregnant, that:

A) Either

(1) is not a health care facility licensed by the State of New York under Article 28 of the Public Health Law or Articles 31 and 32 of the Mental Hygiene Law; or

(2) is not providing services under the direction of a health care provider licensed under Title 8 of the Education Law who is acting within his or her scope of practice; and

B) Either

(1) offers obstetric ultrasounds, obstetric sonograms, and/or prenatal care to pregnant women; or

(2) has the appearance of a medical facility; and

C) fails to provide or refer for the full range of comprehensive reproductive and sexual health care services reimbursed under the New York's Medicaid

program including, but not limited to contraception, testing and treatment of sexually transmitted infections, abortion care, and prenatal care.

A facility or entity has the appearance of a medical facility if two or more of the following factors are present:

- a) The facility offers pregnancy testing and/or pregnancy diagnosis;
- b) The facility has staff or volunteers who wear medical attire or uniforms, including but not limited to scrubs or lab coats;
- c) The facility contains one or more examination tables;
- d) The facility contains a private or semi-private room or area containing medical supplies and/or medical instruments;
- e) The facility has staff or volunteers who collect health information from clients; or
- f) The facility is located on the same premises as a state-licensed medical facility or provider or shares facility space with a state-licensed medical provider.

5) “Medically-inaccurate information” means information which contravenes medically-accurate information.

6) “Medically-accurate information” means information which is verified or supported by research conducted in compliance with scientific methods and published in peer-reviewed journals, where appropriate, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the federal Centers for Disease Control and Prevention, the American Public Health Association, and the American College of Obstetricians and Gynecologists.

**Section 5. § 182-3 – Prohibition on False Advertising.**

A. It shall be unlawful for any crisis pregnancy center to disseminate or cause to be disseminated to Albany County residents or visitors, or to disseminate to the public anywhere from Albany County, any advertising about the services or proposed services performed at that center if the management and/or staff of the center knows or, by the exercise of reasonable care, ought to know such information is untrue or is clearly designed to mislead the public about the nature of services provided at the facility.

B. Advertising shall include representations made directly to consumers; marketing practices; communication in any print medium such as newspapers, magazines, mailers or handouts; any broadcast medium such as television or radio, telephone marketing; and/or advertising over the Internet such as through websites, web ads and search engine results.

**Section 6. § 182-4 – Prohibition on Inaccurate and Fraudulent Statements to Clients.**



A. It shall be unlawful for any crisis pregnancy center to disseminate or cause to be disseminated to Albany County clients or those clients who have travelled to Albany County:

- a. any medically-inaccurate information about the accuracy or precision of urine pregnancy tests and ultrasound testing;
- b. any medically-inaccurate information about the client's then current pregnancy status, including the then current length or date of the pregnancy;
- c. any medically-inaccurate information about the possibility of medically disproven cancers, mental health issues and/or infertility or sterility due to undergoing legal abortion procedures and care;
- d. any medically-inaccurate information about the procedures of legal abortion procedures and care;
- e. any medically-inaccurate information about the safety of legal abortion procedures and care;
- f. and any medically-inaccurate information about the possibility of "abortion reversal treatment"

if the owner, operator, management and/or staff of the center knows or, by the exercise of reasonable care, ought to know that such information is untrue or is clearly designed to mislead clients about their medical options and the nature of services provided at the facility, and if the owner, operator, management and/or staff of the center intends for clients to rely on such information.

B. It shall be unlawful for any crisis pregnancy center to disseminate or cause to be disseminated to Albany County clients or those clients who have travelled to Albany County any medically-inaccurate information or legally-inaccurate information about the timing or gestational age of a pregnancy as it relates to the ability of a client to obtain abortion care in New York State if the owner, operator, management and/or staff of the center intends for clients to rely on such information.

C. Intent requirements under this Local Law shall be defined as state in Penal Law § 15.05.

### **Section 7. § 182-5 – Notice Requirement.**

All crisis pregnancy centers located within Albany County must post a notice on the premises, in a location clearly noticeable from the waiting area(s) and examination area(s), stating:

- i. That the facility is not a medical facility.
- ii. That there is not a licensed medical doctor, registered nurse, or other licensed medical practitioner on regular staff at the center directing the medical care of clients; and

iii. Whether abortion care, emergency contraception, or referrals for abortion care and/or emergency contraception are available at or provided by the center; and

iv. That abortion care, emergency contraception, and referrals for abortion care or emergency contraception are legal pursuant to New York law.

### **Section 8. § 182-6 - Enforcement.**

A. Albany County may apply to any court of competent jurisdiction for injunctive relief compelling compliance with any provision of this Local Law and correcting the effects of the false, misleading, and/or deceptive statements or advertising.

B. Such an injunction may require a crisis pregnancy center to:

a) Pay for and disseminate appropriate corrective statements to clients including medically accurate information provided by a licensed medical professional.

b) Pay for and disseminate appropriate corrective advertising in the same form as the false, misleading, or deceptive advertising.

c) Any other relief that the court deems necessary to remedy the adverse effects of the false, misleading, or deceptive advertising on clients seeking pregnancy-related services.

C. Upon a finding by a court of competent jurisdiction that a crisis pregnancy center has violated this Local Law, Albany County shall be entitled to recover civil penalties from each party responsible for the violation of not less than \$500 and not more than \$5,000 per violation. In addition, if Albany County prevails it shall be entitled to reasonable attorney's fees and costs pursuant to order of the court.

D. Nothing in this section shall be interpreted as restricting, precluding or otherwise limiting a separate or concurrent criminal prosecution under New York State Penal Law § 190.20.

### **Section 9. 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 10. 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 after its filing with the Secretary of State.

*Referred to Law and Health Committees – 4/8/24*

**RESOLUTION NO. 214**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. “D” FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS**

Introduced: 4/8/24

By Plotsky, Reidy, McLean Lane, Cunningham, McLaughlin, Lekakis and Pedo:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. “D” for 2024, “A Local Law of the County of Albany, New York creating Chapter 182 of the Albany County Code, Prohibiting False and Misleading Statements by Crisis Pregnancy Centers” 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 Law and Health Committees – 4/8/24*

## 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 and Simpson:

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.

**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*

**RESOLUTION NO. 311**

**REQUIRING PROGRAMMATIC INFORMATION IN REQUESTS FOR LEGISLATIVE ACTION AND CODIFYING EXISTING PRACTICES**

Introduced: 5/13/24

By: Conway, Burgdorf, Collins, Drake, Grimm, Lockart, Mauriello, Perlee, Whalen

WHEREAS, The Albany County Legislature is responsible for the approval of Albany County’s contracting and procurement above a \$100,000 threshold; and

WHEREAS, In the course of its business, the Legislature considers many different contracts which relate to the direct provision of services to individuals, with services covering a wide range of areas including provision of warm shelter to the homeless, rehabilitation, workforce training, and many other types of programs; and

WHEREAS, In order to fully consider the impact of aforementioned programming, as well as the fitness of existing contractors to continue to provide those programs, County Legislators must often ask many additional questions in committee meetings in order to establish a basic framework for the operation and scope of the programs; and

WHEREAS, The aforementioned programmatic legislative items are submitted to the Legislature as “Requests for Legislative Action” from the executive branch of Albany County’s government; and

WHEREAS, Requests for Legislative Action are not presently codified within the Legislature’s Rules of Order or in the Albany County Charter, instead existing as convention reliant on the directive of the sitting County Executive; and

WHEREAS, Best practices suggest a basic codification of the form of Requests for Legislative Action would ensure the efficient consideration and passage of these items beyond the terms of existing officials; and

WHEREAS, Requests for Legislative Action should include additional detail regarding the efficacy and scope of direct service programs in order to allow legislators to consider the whole effect of a proposal prior to committee meetings, now, therefore be it

RESOLVED, By the Albany County Legislature, that Rule 11 of the Legislative Rules of Order shall be amended to read as follows:

**RULE 11 - LEGISLATION PROCEDURE**



Each resolution shall be consecutively numbered and the title shall state concisely the subject matter thereof. All resolutions and local laws which are to be presented to the Legislature for its consideration shall be delivered to the office of the Clerk of the Legislature, County Attorney and Majority and Minority Counsels, by 12:00 noon on the second Wednesday preceding the date of the organizational meeting, annual meeting or each regular monthly meeting of the Legislature, and by 12:00 noon two (2) business days prior to any special meeting that may be called. Any proposal submitted by the County Executive or any department, agency, office, or any other part of the executive branch, or by any other countywide elected official, shall include a cover letter and form detailing the following information, if applicable:

1. Purpose of request and/or type of contract;
2. Budgetary impact, including the amount increased or decreased in a specific budget line, any applicable bond resolutions, as well as a description of the source of funding divided by Federal, State, County, and Local shares;
3. Whether the requested action is required by mandate, and, if so, by what authority;
4. Previous legislative history, including similar items;
5. Term of contract;
6. Potential impact on pending litigation;
7. For programs, including contracted programs, providing direct services, products or other benefits to county residents: the number of persons to be served; the number of persons served in prior years (if applicable); and, if measured, quantifiable benefits to those benefiting from the program/service/products; and
8. Justification in support of the requested action.

These proposals shall be known as a Request for Legislative Action (“RLA”). The Clerk may reject any RLA that does not include the submissions required under this Rule. The Clerk shall include all such resolutions and proposed local laws in the agenda to be distributed as herein set forth and make available to each legislator such agenda by 4:00 p.m. on the Tuesday preceding such meetings, exclusive of special meetings. The Clerk shall make the agenda for special meetings available one business day prior to the special meeting. Resolutions and local laws not contained in the printed agenda, but which require immediate attention, may be introduced with the consent of the majority of the Legislature with copies provided to members of the Legislature, the County Attorney, Majority and Minority Counsels and the Clerk of the Legislature prior to the start of the Legislative meeting at which the proposed Rule 11 is being offered. Legislation offered under Rule 11 should be of the

type where timely passage is of the essence, and legislation offered under lesser circumstances may not be allowed.

Each resolution shall be numbered in consecutive order beginning with number one each year. A resolution shall retain its number throughout the legislative process. However, if a resolution is amended, the letter A for the first time amended, the letter B for the second time amended, and so on shall be added to the resolution number to signify each amendment(s).

Each local law shall be assigned a letter for introduction purposes in consecutive order beginning with the letter A each year. Once duly adopted, a local law shall be assigned a number and numbered in consecutive order starting with the number one beginning with the first local law adopted each year.

Each resolution or local law shall have a title which shall concisely state the subject matter thereof.

Resolutions and local laws not contained in the printed agenda may only be introduced after all other printed agenda items have been addressed, and only with the consent of the majority of the Legislature, and only if complete copies thereof are provided to each member, the County Attorney, Majority and Minority Counsels and the Legislative Clerk prior to the introduction of said proposed Legislation.

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 “D” FOR 2024

### A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK CREATING CHAPTER 182 OF THE ALBANY COUNTY CODE, PROHIBITING FALSE AND MISLEADING STATEMENTS BY CRISIS PREGNANCY CENTERS

Introduced: 4/8/24

By Plotsky, Reidy, McLean Lane, Cunningham, McLaughlin, Lekakis and Pedo:

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#### **Section 3. § 182-1 - Legislative Purpose and Intent.**

New York has traditionally protected access to reproductive services, including abortion care. In 2022, the United States Supreme Court overturned Roe v. Wade, ending legal abortion in states throughout the country. However, over the years, anti-abortion facilities often affiliated with religious groups have appeared throughout New York. These facilities are often referred to as crisis pregnancy centers (CPCs).

In New York, crisis pregnancy centers outnumber abortion clinics – there are 120 of these crisis pregnancy centers compared with 74 abortion clinics, with 8 crisis pregnancy centers located in Albany County. None of these crisis pregnancy centers are licensed medical facilities, and their staff are not licensed medical professionals. These facilities attempt to convey the impression that they are medical clinics – often dressing staff in scrubs and lab coats and setting the centers up with “exam rooms” with medical equipment, where staff perform ultrasounds – yet the facilities and their staff are exempt from the regulatory, licensure, credentialing and ethical oversight that applies to health care facilities and professionals, and are also not subject to rules related to informed consent, client confidentiality, or the privacy provisions of the Health Insurance Portability and Accountability Act (HIPAA).

In 2022, a study of CPCs in New York State by a team of researchers at Albany Medical Center found that, in an initial call to CPCs to explore options for an unplanned pregnancy, 76% percent of CPCs provided medically-inaccurate

information about the precision of urine pregnancy tests and ultrasound testing, the safety of various abortion options and possibility of “abortion reversal”, and/or gave inflammatory misinformation about abortion procedures. Pregnant women have been told that abortions can cause breast cancer, mental health issues and infertility, and that abortion is dangerous or even deadly – all of which have been medically disproven.

These levels of inaccuracy and misinformation are lower than in other states where abortion rights are not protected, but remain unacceptably high for Albany County residents. The actions of these non-medical facilities and non-medical professionals directly impacts the ability of Albany County women to obtain accurate, non-coercive health care information and timely access to available reproductive and sexual health care services. As such, this Legislature finds that there is a clear need to regulate false and misleading statements and advertising by crisis pregnancy centers in Albany County.

**Section 4. § 182-2 - Definitions.**

1) “Abortion” and/or “Abortion care” means any intervention intended to terminate a pregnancy so that it does not result in a live birth.

2) “Client” means an individual who is inquiring about or seeking services at a pregnancy services center, whether in person, via the internet, or via telephone or text communication.

3) “Health information” means any oral or written information in any form or medium that relates to health insurance and/or the past, present, or future physical or mental health or condition of a client.

4) “Crisis pregnancy center” means a facility or entity, including a mobile facility, the primary purpose of which is to provide services to clients who are or may be pregnant, that:

A) Either

(1) is not a health care facility licensed by the State of New York under Article 28 of the Public Health Law or Articles 31 and 32 of the Mental Hygiene Law; or

(2) is not providing services under the direction of a health care provider licensed under Title 8 of the Education Law who is acting within his or her scope of practice; and

B) Either

(1) offers obstetric ultrasounds, obstetric sonograms, and/or prenatal care to pregnant women; or

(2) has the appearance of a medical facility; and

C) fails to provide or refer for the full range of comprehensive reproductive and sexual health care services reimbursed under the New York's Medicaid

program including, but not limited to contraception, testing and treatment of sexually transmitted infections, abortion care, and prenatal care.

A facility or entity has the appearance of a medical facility if two or more of the following factors are present:

- a) The facility offers pregnancy testing and/or pregnancy diagnosis;
- b) The facility has staff or volunteers who wear medical attire or uniforms, including but not limited to scrubs or lab coats;
- c) The facility contains one or more examination tables;
- d) The facility contains a private or semi-private room or area containing medical supplies and/or medical instruments;
- e) The facility has staff or volunteers who collect health information from clients; or
- f) The facility is located on the same premises as a state-licensed medical facility or provider or shares facility space with a state-licensed medical provider.

5) “Medically-inaccurate information” means information which contravenes medically-accurate information.

6) “Medically-accurate information” means information which is verified or supported by research conducted in compliance with scientific methods and published in peer-reviewed journals, where appropriate, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the federal Centers for Disease Control and Prevention, the American Public Health Association, and the American College of Obstetricians and Gynecologists.

#### **Section 5. § 182-3 – Prohibition on False Advertising.**

A. It shall be unlawful for any crisis pregnancy center to disseminate or cause to be disseminated to Albany County residents or visitors, or to disseminate to the public anywhere from Albany County, any advertising about the services or proposed services performed at that center if the management and/or staff of the center knows or, by the exercise of reasonable care, ought to know such information is untrue or is clearly designed to mislead the public about the nature of services provided at the facility.

B. Advertising shall include representations made directly to consumers; marketing practices; communication in any print medium such as newspapers, magazines, mailers or handouts; any broadcast medium such as television or radio, telephone marketing; and/or advertising over the Internet such as through websites, web ads and search engine results.

#### **Section 6. § 182-4 – Prohibition on Inaccurate and Fraudulent Statements to Clients.**

A. It shall be unlawful for any crisis pregnancy center to disseminate or cause to be disseminated to Albany County clients or those clients who have travelled to Albany County:

- a. any medically-inaccurate information about the accuracy or precision of urine pregnancy tests and ultrasound testing;
- b. any medically-inaccurate information about the client's then current pregnancy status, including the then current length or date of the pregnancy;
- c. any medically-inaccurate information about the possibility of medically disproven cancers, mental health issues and/or infertility or sterility due to undergoing legal abortion procedures and care;
- d. any medically-inaccurate information about the procedures of legal abortion procedures and care;
- e. any medically-inaccurate information about the safety of legal abortion procedures and care;
- f. and any medically-inaccurate information about the possibility of "abortion reversal treatment"

if the owner, operator, management and/or staff of the center knows or, by the exercise of reasonable care, ought to know that such information is untrue or is clearly designed to mislead clients about their medical options and the nature of services provided at the facility, and if the owner, operator, management and/or staff of the center intends for clients to rely on such information.

B. It shall be unlawful for any crisis pregnancy center to disseminate or cause to be disseminated to Albany County clients or those clients who have travelled to Albany County any medically-inaccurate information or legally-inaccurate information about the timing or gestational age of a pregnancy as it relates to the ability of a client to obtain abortion care in New York State if the owner, operator, management and/or staff of the center intends for clients to rely on such information.

C. Intent requirements under this Local Law shall be defined as state in Penal Law § 15.05.

### **Section 7. § 182-5 – Notice Requirement.**

All crisis pregnancy centers located within Albany County must post a notice on the premises, in a location clearly noticeable from the waiting area(s) and examination area(s), stating:

- i. That the facility is not a medical facility.
- ii. That there is not a licensed medical doctor, registered nurse, or other licensed medical practitioner on regular staff at the center directing the medical care of clients; and

iii. Whether abortion care, emergency contraception, or referrals for abortion care and/or emergency contraception are available at or provided by the center; and

iv. That abortion care, emergency contraception, and referrals for abortion care or emergency contraception are legal pursuant to New York law.

### **Section 8. § 182-6 - Enforcement.**

A. Albany County may apply to any court of competent jurisdiction for injunctive relief compelling compliance with any provision of this Local Law and correcting the effects of the false, misleading, and/or deceptive statements or advertising.

B. Such an injunction may require a crisis pregnancy center to:

a) Pay for and disseminate appropriate corrective statements to clients including medically accurate information provided by a licensed medical professional.

b) Pay for and disseminate appropriate corrective advertising in the same form as the false, misleading, or deceptive advertising.

c) Any other relief that the court deems necessary to remedy the adverse effects of the false, misleading, or deceptive advertising on clients seeking pregnancy-related services.

C. Upon a finding by a court of competent jurisdiction that a crisis pregnancy center has violated this Local Law, Albany County shall be entitled to recover civil penalties from each party responsible for the violation of not less than \$500 and not more than \$5,000 per violation. In addition, if Albany County prevails it shall be entitled to reasonable attorney's fees and costs pursuant to order of the court.

D. Nothing in this section shall be interpreted as restricting, precluding or otherwise limiting a separate or concurrent criminal prosecution under New York State Penal Law § 190.20.

### **Section 9. 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 10. 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 after its filing with the Secretary of State.

## 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. "G" 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, FOR THE PURPOSE OF CREATING THE POSITION OF DEPUTY CHAIRPERSON OF THE ALBANY COUNTY LEGISLATURE**

Introduced: 5/13/24  
By Cunningham:

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

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

SECTION I. Section 203 of the Albany County Charter is hereby amended to create the following subsections:

(d) The Chairperson within 20 days of having been elected as Chairperson of the Legislature, or within 20 days of the effective date of the amendment creating subsection (d) of Section 203 of the Albany County Charter, shall appoint a Deputy Chairperson from the membership of the Legislature, to serve at the pleasure of the Chairperson of the Legislature, but in no instance longer than the next Organizational Meeting of the Legislature. The Deputy Chairperson shall, in the absence of the Chairperson, preside over each duly constituted meeting of the Legislature and have and exercise all of the powers and duties of the Chairperson at any meeting over which the Deputy Chairperson is called to preside.

[(e) The Deputy Chairperson, except as herein limited and/or provided, shall have and exercise those additional powers and duties as may be authorized by Resolution of the Legislature.]

(e) The Deputy Chairperson shall at no time appoint or remove a person to or from an office or position of employment with the County. The Deputy Chairperson may, in the absence of the Chairperson from the County, or upon the Chairperson's authorization, execute all agreements on behalf of the County which the Legislature authorized the Chairperson to execute.

## SECTION II.

Subsections (d), (e), (f), and (g) of Section 203 shall be reordered to reflect the inclusion of the above amendments.

## SECTION III. Effective Date.

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

**LOCAL LAW NO. "I" FOR 2024**

**A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 265 OF THE ALBANY COUNTY CODE TO UPDATE THE TATTOO CODE PROVISIONS**

Introduced: 6/10/24

By Fein and R. Joyce:

BE IT ENACTED by the Albany County Legislature as follows:

**Section 1. Amending § 265-3, Tattoo and/or body piercing artist certification.**

§ 265-3 (E) - The applicant must be 18 years of age and shall be required to demonstrate, by examination, knowledge of the provisions of this chapter, including those relating to aseptic technique designed to prevent the spread of infection and contagious disease by tattooing or body piercing practices.

§ 265-3 (G) - A tattoo and/or body piercing artist certification shall expire on July 31 of each year, renewable annually in July for the period next commencing August 1.

**Section 2. Amending § 265-4, Shop certificate of sanitation.**

§ 265-4 (C) - The shop certificate of sanitation shall expire on July 31 of each year, renewable annually in July for the period next commencing August 1.

**Section 3. Amending § 265-6, Work room.**

§ 265-6 (A) - Each tattoo and/or body piercing shop shall have a work room separate and apart from a waiting room or any room or rooms used as such. [The work room shall not be used as a corridor for access to other rooms.] Patrons or customers shall be tattooed and/or body pierced only in said work room.

§ 265-6 (B) - The work room shall be equipped with hot and cold running water and necessary sinks and basins, or if sinks are unavailable, FDA approved antiseptic rub also known as waterless surgical scrub. For permanent tattoo and/or body piercing shops, self-dispensing waterless scrub stations with motion detection or foot pedal activation shall be required if sinks are unavailable.

**Section 4. Amending § 265-7, Recordkeeping and information requirements.**

§ 265-7 (A) - The records shall be maintained, whether by electronic means or by traditional methods such as ink or indelible pencil, in a dedicated electronic database

or bound book kept solely for this purpose. This book shall be available at a reasonable time for examination by the Health Officer and shall be preserved for at least three years from the date of the last entry therein. The signature of the patron shall be in the bound book record.

#### **Section 5. Amending § 265-8, Operating standards; consent.**

§ 265-8 (A) - Written consent for [tattooing or] body piercing of minors, when legally permissible, shall be obtained from at least one parent or legal guardian. The writing shall be notarized and filed in person at the tattoo and/or body piercing shop. Proof of age shall be determined upon presentation of two forms of valid identification. Valid identification shall include: a picture driver's license, picture sheriff's identification or birth certificate.

#### **Section 6. Amending § 265-9, Operating procedures and restrictions.**

§ 265-9 (A) - There shall be printed [or mimeographed] instructions, as approved by the Department, given to each patron or customer on the care of the skin after tattooing or body piercing as a precaution to prevent infection.

§ 265-9 (F) - Before working on each patron, the fingernails of the tattoo and/or body piercing artist shall be cleaned with an individual nail file and the hands thoroughly disinfected by scrubbing the hands with a brush, soap, and washing with warm water or using a FDA approved antiseptic rub also known as waterless surgical scrub. Hands that are visibly soiled should be washed prior to the application of a waterless scrub. Subsequent hand washing should be done by washing with warm water and soap using a hand brush, or by utilizing a FDA-approved antiseptic rub, also known as a waterless surgical scrub.

§ 265-9 (I) - Following the cleaning and shaving of the patron's skin, the hands of the tattoo and/or body piercing artist shall again be disinfected as described by Subsection F of this section. Disposable gloves shall then be worn by the tattoo and/or body piercing artist.

#### **Section 7. 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 8. 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 9. Effective Date.**

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



**RESOLUTION NO. 373**

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. "I" FOR 2024: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 265 OF THE ALBANY COUNTY CODE TO UPDATE THE TATTOO CODE PROVISIONS**

Introduced: 6/10/24

By Fein and R. Joyce:

RESOLVED, By the County Legislature of the County of Albany that a public hearing on proposed Local Law No. "I" for 2024, "A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 265 OF THE ALBANY COUNTY CODE TO UPDATE THE TATTOO CODE PROVISIONS" 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 Monday, June 24, 2024, 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. "I" FOR 2024**

**A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 265 OF THE ALBANY COUNTY CODE TO UPDATE THE TATTOO CODE PROVISIONS**

Introduced: 6/10/24

By Fein and R. Joyce:

BE IT ENACTED by the Albany County Legislature as follows:

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§ 265-3 (G) - A tattoo and/or body piercing artist certification shall expire on July 31 of each year, renewable annually in July for the period next commencing August 1.

**Section 2. Amending § 265-4, Shop certificate of sanitation.**

§ 265-4 (C) - The shop certificate of sanitation shall expire on July 31 of each year, renewable annually in July for the period next commencing August 1.

**Section 3. Amending § 265-6, Work room.**

§ 265-6 (A) - Each tattoo and/or body piercing shop shall have a work room separate and apart from a waiting room or any room or rooms used as such. [The work room shall not be used as a corridor for access to other rooms.] Patrons or customers shall be tattooed and/or body pierced only in said work room.

§ 265-6 (B) - The work room shall be equipped with hot and cold running water and necessary sinks and basins, or if sinks are unavailable, FDA approved antiseptic rub also known as waterless surgical scrub. For permanent tattoo and/or body piercing shops, self-dispensing waterless scrub stations with motion detection or foot pedal activation shall be required if sinks are unavailable.

**Section 4. Amending § 265-7, Recordkeeping and information requirements.**

§ 265-7 (A) - The records shall be maintained, whether by electronic means or by traditional methods such as ink or indelible pencil, in a dedicated electronic database

or bound book kept solely for this purpose. This book shall be available at a reasonable time for examination by the Health Officer and shall be preserved for at least three years from the date of the last entry therein. The signature of the patron shall be in the bound book record.

**Section 5. Amending § 265-8, Operating standards; consent.**

§ 265-8 (A) - Written consent for [tattooing or] body piercing of minors, when legally permissible, shall be obtained from at least one parent or legal guardian. The writing shall be notarized and filed in person at the tattoo and/or body piercing shop. Proof of age shall be determined upon presentation of two forms of valid identification. Valid identification shall include: a picture driver's license, picture sheriff's identification or birth certificate.

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§ 265-9 (A) - There shall be printed [or mimeographed] instructions, as approved by the Department, given to each patron or customer on the care of the skin after tattooing or body piercing as a precaution to prevent infection.

§ 265-9 (F) - Before working on each patron, the fingernails of the tattoo and/or body piercing artist shall be cleaned with an individual nail file and the hands thoroughly disinfected by scrubbing the hands with a brush, soap, and washing with warm water or using a FDA approved antiseptic rub also known as waterless surgical scrub. Hands that are visibly soiled should be washed prior to the application of a waterless scrub. Subsequent hand washing should be done by washing with warm water and soap using a hand brush, or by utilizing a FDA-approved antiseptic rub, also known as a waterless surgical scrub.

§ 265-9 (I) - Following the cleaning and shaving of the patron's skin, the hands of the tattoo and/or body piercing artist shall again be disinfected as described by Subsection F of this section. Disposable gloves shall then be worn by the tattoo and/or body piercing artist.

**Section 7. 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 8. 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 9. Effective Date.**

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

# MVP ARENA

Albany, New York

MVP ARENA – PROPERTY INSURANCE RENEWAL

REQUEST FOR APPROVAL

ALBANY COUNTY

To: Honorable Albany County Executive - Daniel McCoy  
Honorable Members of the Albany County Legislature

From: Bob Belber  
Regional General Manager

Date: June 1, 2024

Re: MVP Arena – Property Insurance Policy  
Currently expires June 30, 2024

REQUEST FOR APPROVAL – TO RENEW AND ACCEPT THE PROPOSAL AS  
SUBMITTED FROM...

TRAVELERS INSURANCE COMPANY - \$114,537

PLUS, NY STATE FIRE FEE - \$689

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TOTAL PREMIUM COST - - \$115,226



Covers -	Property	0.068
	Mechanical Breakdown	0.101
	Acts of Terrorism	0.071

Comparison of Premiums:

Property Insurance Coverage	2023-2024	2024 – 2025
	\$101,730	\$115,226

This proposal was obtained by Walsh Duffield Companies, Inc., which is the insurance broker that is under contract for the purpose of shopping for best policies with lowest premiums. We are asking if the Public Works Committee can approve this insurance policy renewal with the understanding that such approval will enable the insurance to continue uninterrupted beyond the June 30, 2024 expiration with the understanding that the full Albany County Legislature will vote on the measure in early July to reconfirm the approval.

This is the same process that took place last year at this time.

Thank you for your assistance with this important issue.





# County of Albany

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

## Legislation Text

**File #:** TMP-5594, **Version:** 1

### **REQUEST FOR LEGISLATIVE ACTION**

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

Contract Authorization for property insurance policy renewal for MVP Arena

Date: 6/5/2024  
Department: Civic Center - MVP Arena  
Attending Meeting: Bob Belber  
Submitted By: Christine Hayes  
Title: Human Resource Mgr.  
Phone: 518-487-2011

Purpose of Request: Contract Authorization    Enter text.

### **CONTRACT TERMS/CONDITIONS:**

Party Names and Addresses:

Walsh - Duffield - Travelers Insurance Company

Term: (Start/end date or duration) 7/1/2024 - 7/1/2025  
Amount/Raise Schedule/Fee: \$115,226

### **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: A97128  
Appropriation Amount: \$115,226

### **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: Enter text.

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

This request is for a renewal contract with Walsh Duffield for the MVP Arena property insurance that is being supplied by Travelers Insurance. The cost for this property insurance coverage supplied by Travelers Insurance in 2023-2024 was \$101,730 for the year. There was a 3% increase on the building values along with the overall rate increase which resulted in the renewal premium coming in at \$115,226. The annual cost of the property insurance is covered within the MVP Arena's budget for 2024-2025. This issue is very time sensitive as we don't want the coverage to cease on June 30, 2024.





**Walsh Duffield Companies, Inc.**

*Insurance since 1860*

**7/1/2024 - 7/1/2025**

**Insurance Proposal Prepared for:**

**SMG as Agent for the County of Albany dba  
MVP Arena**

Presented By:

Donna J. Bryk, MBA  
Vice President  
Walsh Duffield Companies, Inc.  
801 Main Street  
Buffalo, New York 14203-1215

Phone: 716-362-7393

Fax: 716-847-1360

E-mail: [dbryk@walshins.com](mailto:dbryk@walshins.com)

Website: [www.walshins.com](http://www.walshins.com)

## Who is Walsh Duffield?

Walsh Duffield Companies, Inc. has been a trusted insurance advisor to individuals and businesses since 1860. This 5th generation family owned business operates with offices in Buffalo, Rochester and Medina. Our organization is made up of 105 associates, across four divisions: Commercial Insurance, Personal Insurance, Group Benefits and Individual Life Insurance. We are an independent agent, which means that we represent many of the leading insurance carriers that enable us to provide our clients with the broadest range of coverage, competitively priced products, along with loss control and claims services tailored to your business.

## Our Mission is to create solutions that keep you safe & well.

We do this by providing you with access to group benefits, personal and commercial insurance products from the nation's leading carriers. As a partner, we're here to listen and discover what makes your business unique. We continually strive to provide advice, education and the guidance necessary to manage risk and help you make the best decisions regarding your insurance coverage options.

## Our Values

- **Integrity** - Our associates are treated fairly, play by the rules and always operate honestly and ethically.
- **Wellness** - With the support of our leadership, our associates show awareness and strive to take control of all dimensions of their wellness: physical, emotional and financial.
- **Teamwork** - Our associates are expected to take personal responsibility and fully support each other as members of a team.
- **Innovation** - Our associates will always be creative and innovative in pursuit of constant quality improvement.
- **Performance** - Our associates are profit and performance driven based on good data, goals and incentives.

### **Commercial Insurance**

Our Commercial Division services 2,300 policyholders across the United States. Our process begins with a review of your business operations, which allows us to identify exposures and evaluate the appropriate methods of assumption of risk or loss transfer. Our program includes a comparison of existing coverage with recommendations to best protect your assets and business exposures.

### **Group Benefits**

Employee benefits help to define you as an employer, and we know that happy and healthy employees can positively impact your bottom-line. Walsh Duffield is a partner who can help ensure the package you offer is not only comprehensive, but also helps you attract and retain a quality workforce. The Group Benefits Division will help you develop and manage your employee benefits packages such as health insurance, ancillary products and voluntary benefits. Our holistic approach includes a strong focus on analysis, administration, compliance and employee education.

### **Wellness Services**

At Walsh Duffield, we have three full time wellness coordinators on-staff to assist clients in developing proactive wellness programs for employees. On top of playing an active role in our clients' wellness programs, our wellness coordinators also participate in community events to promote general wellness initiatives. At Walsh, we not only talk the talk, we walk the walk. We've taken great strides to be a front-runner in the corporate wellness arena.

### **Retirement Plan Services**

As a plan sponsor, you have several fiduciary responsibilities. With us, your accountabilities are simplified because you have a dedicated plan advocate to support you. As your co-fiduciary and a member of the Retirement Plan Advisory Group, you receive specialized retirement plan guidance and plan coordinator for compliance, investments, plan design and education. We offer plan-level oversight, participant education and emphasis on retirement outcomes.

### **Personal Insurance**

Our insurance professionals will work directly with you to review your unique needs and develop a tailored solution designed to protect you, your family, and your assets. We provide insurance products including auto, homeowners, renters and umbrella coverage just to name a few.

### **Individual Life Insurance**

Many financial experts consider life insurance to be the cornerstone of sound financial planning. At Walsh Duffield, our professional staff can work with you to customize a plan and determine an amount that's right for you and your family. Because we are independent agents, we represent many life insurance companies and can therefore offer you a variety of options.

SMG as Agent for the County of Albany dba  
MVP Arena

Service Team

Individual/Title	Functional Position
Donna J. Bryk, MBA Vice President	Responsible for coordination of all client services E-mail: <a href="mailto:dbryk@walshduffield.com">dbryk@walshduffield.com</a> Phone: 716-362-7393
Elizabeth Miller, ACSR Client Relationship Manager	Responsible for day-to-day service coverage questions, correspondence, billing, etc. E-mail: <a href="mailto:emiller@walshduffield.com">emiller@walshduffield.com</a> Phone: 716-362-7374
Charmaine Derenda AIC Claims Representative	Contact person for claims reporting/ follow-up with insurance company claims personnel E-mail: <a href="mailto:cderenda@walshduffield.com">cderenda@walshduffield.com</a> Phone: 716-362-7336

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Address:	801 Main Street Buffalo, New York 14203	155 Culver Road, Suite 220 Rochester, New York 14620
Phone:	716-853-3820	585-586-8000
Fax:	716-847-1360	844-847-1360
	Website: <a href="http://www.walshduffield.com">www.walshduffield.com</a>	

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## Important Notice

To assist you in your evaluation and selection of insurance carriers, we have provided you with the ratings assigned by the independent reviewing organization of A.M. Best Company. Best's financial stability ratings range from A++ to C- with A++ being the most financially stable.

Insurance Company	A.M. Best Company Rating
Travelers Insurance Company	A++ XV

The information contained herein is intended to serve only as a brief outline of the various insurance coverages. To avoid misunderstanding or misinterpretation as to the full scope of protection afforded, reference must be made to the respective policies for complete coverage detail. The information contained herein is intended to serve only as a brief outline of the various insurance coverages. To avoid misunderstanding or misinterpretation as to the full scope of protection afforded, reference must be made to the respective policies for complete coverage details, exclusions, terms and conditions or, address questions to:

Walsh Duffield Companies, Inc.  
801 Main Street  
Buffalo, New York 14203  
716-853-3820  
[www.walshins.com](http://www.walshins.com)

7/1/2024 - 7/1/2025

Coverage	2023-2024 Travelers	2024-2025 Travelers
Property NYS Fire Fee	\$101,123 \$607.00	\$114,537 \$689.00
Rate	2023-2024 Travelers	2024-2025 Travelers
Building	0.062	0.068
Business Personal Property	0.095	0.101
Business Income	0.063	0.071

Payment Terms

Direct Billed

Quarterly

This is not a substitute for your insurance policies. Determination and/or application of coverage is totally dependent upon the circumstances surrounding the occurrence and the allegations within the claim and/or lawsuit.

7/1/2024 - 7/1/2025

Scheduled Named Insured(s)
SMG as Agent for the County of Albany dba MVP Arena
MVP Arena
The County of Albany, NY
The New York State Urban Development Corporation
MVP Healthcare & their respective offices, agents, employees, representatives, partners & affiliates

Location(s)
51 South Pearl Street, Albany NY 12207

*Please review the Named Insured & Location Schedule file and advise on any necessary changes*

7/1/2024 - 7/1/2025  
Commercial Property Coverage

Coverage	2023-2024 Travelers	2024-2025 Travelers
Blanket Real Property & Personal Property	129,735,200	134,759,200
Loss of Business Income	\$6,428,000	\$6,016,741
Equipment Breakdown	Included	Included
Earth Movement	\$25,000,000	\$25,000,000
Flood	\$25,000,000	\$25,000,000

Coverage: Deluxe Property Coverage Form  
Business Income & Extra Expense  
Rental Value included; Ordinary Payroll Excluded  
Broad Form Flood  
Equipment Breakdown  
Earthquake

Valuation: Replacement Cost  
Co-Insurance not applicable

Additional Covered Property	Limit
Personal Property at Undescribed Premise	\$100,000
At any "exhibition" premises	\$100,000
At any installation premises or temporary storage premises	\$100,000
At any other not owned, leased or regularly operated premises	
Sales Representative Property	\$100,000
Personal Property in Transit	\$100,000

Utility Services	Limit
Combined Direct Damage & Time Element - any one occurrence for	\$1,000,000
Water Supply	
Communication Supply	
Power Supply	
Coverage for Overhead Transmission Lines	Excluded



7/1/2024 - 7/1/2025  
**Commercial Property Coverage**

*Included means included in applicable Covered Property Limit of Insurance*

Additional Coverages & Coverage Extensions	Limit
Accounts Receivable	
At all described premises	\$250,000
In Transit or at undescribed premises	\$250,000
Appurtenant Buildings & Structures	\$100,000
Claim Data Expense	\$25,000
Covered Leasehold Interest-Undamaged Improvements & Betterments Lessor of Your Business Personal Property limit or	\$100,000
Debris Removal	\$2,500,000
Deferred Payments	\$25,000
Duplicate Electronic Data Processing Data & Media	\$50,000
Electronic Data Processing Data & Media at described premises	\$250,000
Employee Tools	
In any one occurrence	\$25,000
Any one item	\$2,500
Expediting Expenses	\$1,000,000
Extra Expense	\$25,000
Fine Arts	
At all described premises	\$100,000
In transit	\$25,000
Fire Department Service Charge	Included
Fire Protective Equipment Discharge	Included
Green Building Alternatives - Increased Cost	
Percentage	1%
Maximum amount - each building	\$100,000
Green Building Reengineering and Recertification Expense	\$25,000
Limited Coverage for Fungus, Wet Rot or Dry Rot - Annual Aggregate	\$25,000
Loss of Master Key	\$25,000
Newly Constructed or Acquired Property	
Buildings - each	\$2,000,000
Personal Property at each premises	\$1,000,000

7/1/2024 - 7/1/2025  
**Commercial Property Coverage**

*Included means included in applicable Covered Property Limit of Insurance*

Additional Coverages & Coverage Extensions	Limit
Non-Owned Detached Trailers	\$25,000
Ordinance or Law Coverage	\$10,000,000
Outdoor Property	\$100,000
Any one tree, shrub, plant	\$2,500
Outside signs	\$100,000
At all described premises	\$100,000
At all undescribed premises	\$5,000
Personal Effects	\$25,000
Personal Property	
At Premises outside of the coverage territory	\$50,000
In Transit outside of the coverage territory	\$25,000
Pollutant Cleanup & Removal - Annual Aggregate	\$500,000
Preservation of Property	
Expenses to move & temporarily stored property	\$250,000
Direct loss or damage to moved property	Included
Reward Coverage - 25% of covered loss up to a maximum of	\$25,000
Store Water	\$25,000
Theft of Damage to Rented Property	Included
Undamaged Parts of stock in process	\$50,000
Valuable Papers & Records - Cost of Research	
At all described premises	\$50,000
In transit or at all undescribed premises	\$25,000
Water or other substance loss - Tear out & replacement expense	Included
Equipment Breakdown Coverage Extension	Limits
Ammonia Contamination	\$250,000
Hazardous Substance Expenses	\$250,000
Spoilage	\$250,000

7/1/2024 - 7/1/2025

## Commercial Property Coverage

*Included means included in applicable Covered Property Limit of Insurance*

Business Income Additional Coverages & Coverage Extensions	Limits
Business Income from Dependent property	
At Premises within the Coverage Territory	\$100,000
At Premises outside of the Coverage Territory	\$100,000
Civil Authority	
Coverage Period	30 days
Coverage Radius	100 Miles
Claim Data Expense	\$25,000
Contract Penalties	\$25,000
Extended Business Income Coverage Period	180 days
Fungus, Wet or Dry Rot - Restoration Coverage Period	30 days
Green Building Alternatives - Increased Period of Restoration	30 days
Ingress or Egress Coverage Radius	1 mile
Newly Acquired Locations	\$500,000
Ordinance or Law - Increased Period of Restoration	\$250,000
Pollution Cleanup and Removal - Annual Aggregate	\$25,000
Transit Business Income	\$25,000
Undescribed Premises	\$25,000

Deductible - Per Occurrence	Amount
Business Income & Extra Expense	24 Hours
Earthquake	\$100,000
Business Income	72 Hours
Flood	\$100,000
Business Income	72 Hours
Personal Property in Transit	\$5,000
Utility Services	
Direct Damage	\$50,000
Time Element	72 Hours
Any other covered loss	\$25,000

## Brief Description of Miscellaneous Coverages/Terms

This section is intended to provide a brief highlight of various coverage issues. Please review the forms specifically being offered for details.

### **Agreed Amount -**

Suspends the coinsurance clause eliminating the penalty for under-insurance normally contained in property policies. This endorsement usually requires verification of values through appraisal or recognized valuation methods.

### **Ordinance or Law -**

#### **Undamaged Portion:**

Covers loss of value to the undamaged portion of an existing building that an ordinance or law requires to be demolished.

**Demolition Cost -** Covers the cost to demolish the undamaged portion.

#### **Increased Cost of Construction -**

Covers increases in expense to repair or replace the building arising from requirements to bring it up to code or conform in other ways to current laws, such as ADA accessibility requirements.

### **Business Income / Extra Expense -**

Provides money for lost income, should your business suffer a covered loss that prevents you from operating. An extended period of indemnity endorsement will continue to pay loss of income from the time your operations begin again until the specified time period is over. This allows you time to rebuild your clientele to the point you were at before the loss.

### **Service Interruption Coverage -**

Can be on a direct damage basis (covering damage to your property) or on an indirect damage basis (covering your loss of income) which results from damage to properties that provide water, communications or power supply services. A broader form covers damage to overhead power transmission and communication lines. Needs to be considered for property and boiler / machinery perils.

### **Boiler & Machinery Coverage**

Provides coverage for boilers and other machinery used to service the building. The policy can be broadened to include production machinery as well. Coverage is provided for damage due to explosion or breakdown of machinery, however, wear and tear losses are excluded.

### ***30.3(a) Disclosure***

The following disclosure is provided pursuant to Insurance Department Regulation No. 194 (11 NYCRR 30.1 et seq.):

Walsh Duffield Companies, Inc. (“the producer”) is an insurance producer licensed by the State of New York. Insurance producers are authorized by their license to confer with insurance purchasers about the benefits, terms and conditions of insurance contracts; to offer advice concerning the substantive benefits of particular insurance contracts; to sell insurance; and to obtain insurance for purchasers. The role of the producer in any particular transaction typically involves one or more of these activities.

Compensation will be paid to the producer based on the insurance contract the producer sells. Depending on the insurer(s) and insurance contract(s) the purchaser selects, compensation will be paid by the insurer(s) selling the insurance contract or by another third party. Such compensation may vary depending on a number of factors, including the insurance contract(s) and the insurer(s) the purchaser selects. In some cases, other factors such as the volume of business a producer provides to an insurer or the profitability of insurance contracts a producer provides to an insurer also may affect compensation.

The insurance purchaser may obtain information about compensation expected to be received by the producer based in whole or in part on the sale of insurance to the purchaser, and (if applicable) compensation expected to be received based in whole or in part on any alternative quotes presented to the purchaser by the producer, by requesting such information from the producer.

*Thank you for your business.*

*If you are satisfied with our service, please tell others.  
If we can improve in some way, please tell us.*

*We appreciate our relationship with  
SMG as Agent for the County of Albany dba  
MVP Arena*

Discussed With: \_\_\_\_\_

Company Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## STATEMENT OF VALUES

SMG As Agent for the county of Albany dba MVP Arena

POLICY TERM: 7/1/24 - 7/1/25

Bldg #	Street Address	City	ST	Zip Code	Description	Construction	Year Built	Year Renovated	Area/ Sq Feet	Max Stories	% Sprinklered	Building	BPP	Loss of Business Income
1	51 S Pearl St	Albany	NY	12207	Arena	NC	1990	2014	197,654	3	100	123,418,145	4,135,200	6,016,741
2	51 S Pearl St	Albany	NY	12207	Pedestrian bridge	NC	1990	2017	28,850	2	49	7,205,855	-	-
												\$ 130,624,000	\$4,135,200	\$ 6,016,741

\_\_\_\_\_  
Signature, Title, Date

## Jenifer Cioffi

---

**From:** Donna J. Bryk <DBryk@WalshDuffield.com> on behalf of Donna J. Bryk  
**Sent:** Monday, June 3, 2024 9:00 AM  
**To:** Jenifer Cioffi  
**Subject:** Commercial Property Renewal - Travelers Insurance  
**Attachments:** 2024-25 SOV.xls; 2024 SMG Proposal.doc

Good morning Jenifer, I hope you had a terrific weekend! Can't believe June is here and how quickly the days are passing. With that being said, I am so sorry for missing the target date of 5/30 requested by Bob 😞

Per our earlier discussion, we approached another carrier for a competitive solution on this year's renewal – Cincinnati Insurance Company who declined to offer a formal proposal. Their pricing would be in the \$140k range with limitations on coverage terms and conditions so we suggested that they close their file.

We are pleased to enclose the renewal terms and conditions from Travelers Insurance along with an updated Property Statement of Values. There was a 3% increase on your building values along with an overall rate increase which resulted in the renewal premium coming in at \$114,537 from \$101,123.

Please review the attached and let me know if you and Bob would like to schedule a time to review in greater detail.

**Donna J. Bryk, ARM**  
**Vice President**  
**Walsh Duffield Companies, Inc.**  
801 Main Street | Buffalo, NY 14203  
155 Culver Road, Rochester, NY 14620  
Direct Line: 716-362-7393 | Cell: 716-432-1507 Fax: 716-847-1360

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**[Register for the 2024 Benefits Seminar Today!](#)**

Please note, coverage cannot be bound or amended without written verification by an agency representative.