2020 NYSAC Legislative Conference Resolutions

Albany County, New York
January 27-29, 2020

Hon. Jack F. Marren, President
Stephen J. Acquario, Executive Director
2020 NYSAC Legislative Conference Resolutions

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2020 NYSAC Legislative Conference
Albany County, NY

Standing Committee on Agriculture & Rural Affairs

Hon. Douglas Berwanger (Wyoming County) – Chair
Hon. Terry Wilbur (Oswego County) – Vice Chair
Hon. Paul Ruszkiewicz (Orange County) – Vice Chair
Resolution to Support Funding for Farmland Preservation and Agriculture Local Assistance Programs

WHEREAS, the agriculture industry remains a top contributor to the New York State economy, providing critical jobs, revenues and food for our residents in state and beyond; and

WHEREAS, the enacted 2019/20 budget allocated $20 million to farmland protection and $33,243,000 to agriculture local assistance programs; and

WHEREAS, the Governor's 2020/21 proposed budget, released on January 21, allocated $20 million to farmland preservation and $27,408,000 to agriculture local assistance programs; and

WHEREAS, New York's farmland protection and agriculture assistance programs help sustain this vital industry; and

WHEREAS, while funding for farmland protection and agriculture assistance has grown, there is no guarantee that this level of funding will be continued in future years; and

WHEREAS, more than 30 percent of the farmers in New York State, who cultivate two million acres of land, are 65 years of age or older; and

WHEREAS, research shows that over 90 percent of these senior farmers do not have a young farmer working alongside them to help manage their business; and

WHEREAS, farmland in transition is most vulnerable to being sold out of farming; and

WHEREAS, access to affordable land suitable to starting a new farm operation is the number one barrier new and beginning farmers face when trying to get started; and

WHEREAS, there were 30 percent fewer young farmers in New York in 2012 than in 2002; and

WHEREAS, farmland protection is an important contributor to successful farmland transition and affordable farmland access.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) calls upon Governor Andrew M. Cuomo and New York State Legislature to continue New York’s commitment to local farms and the agricultural
sector by maintaining funding for farmland protection from the State Environmental
Protection Fund at $20 million and agriculture local assistance programs at
$33,243,000 in the FY 2020/21 budget; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties
of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to
Governor Andrew M. Cuomo, the New York State Legislature, the Commissioner of
Agriculture and Markets, and all others deemed necessary and proper.
2020 NYSAC Legislative Conference
Standing Committee on Agriculture & Rural Affairs
Resolution #2

Calling on the State of New York to Study and Find Solutions to the Growing Invasive Eurasian Boar Population

WHEREAS, Eurasian boar, otherwise known as feral swine/pig or wild boar is an invasive species that causes prolific damage to the agriculture crops, wildlife, local ecosystems, including water supplies; and

WHEREAS, the damage to farming land by the Eurasian boar can be long lasting as they not only consume the crop, but will also unearth and eat the root of the plants; and

WHEREAS, the Eurasian boar is considered by experts to be the country’s most destructive invasive species causing an estimated $1.5 billion to $2.5 billion in annual damage in the U.S. alone; and¹

WHEREAS, while a common misperception is that the Eurasian boar can only proliferate in southern states, they are in fact common in New York, especially in the Southern Tier; and²

WHEREAS, the Eurasian boar population appears to be spreading more towards the Northeastern State’s such as New York, and will only add to the need to address this issue; and³

WHEREAS, the state has already put in place some laws to slow the Eurasian boar population increase, including making it illegal to import, possess, sell, distribute, trade, breed, or release them within New York State; and

WHEREAS, however, even with these State restrictions the population continues to increase, signaling more must be done.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) does hereby call on the Governor and State Legislature to provide a directive and funding to the State DEC to further study and provide solutions for the growing Eurasian boar population problem; and

² Id
³ Id
BE IT FURTHER RESOLVED, one such solution should be to provide local
resources and home rule authority to regions being hardest hit by this invasive species; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties
of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, the New York State Association of Counties shall
forward copies of this resolution to Governor Andrew M. Cuomo, the New York State
Legislature and all others deemed necessary.
2020 NYSAC Legislative Conference
Albany County, New York

Standing Committee on Children with Special Needs

Lisa Chester, Niagara County, Chair
Rita Wood, Ulster County, Vice–Chair
Elizabeth O’Neil, Albany County, Vice–Chair
Dr. Wanda McQueen, Orange County, Vice–Chair
Resolution Requesting the State Legislature to Change the Title of Chapter 23 of the Laws of 1989 from the Preschool Program for Children with Handicapping Conditions to the Preschool Program for Children with Disabilities

WHEREAS, Chapter 23 of the Laws of 1989, titled “Preschool Program for Children with Handicapping Conditions” does not appropriately address this population within New York State; and

WHEREAS, a more suitable name for this program should remove the word handicapping and replace it with “disabilities.”

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls on the Governor and the State of New York to amend the title of this statute from “the Preschool Program for Children with Handicapping Conditions” to “the Preschool Program for Children with Disabilities;” and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, the New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary.
Resolution Urging the Department of Health and the Division of Budget to Require Providers to Maximize Reimbursement from All Third-Party Payers

WHEREAS, prior to 2013, counties funded 100% of the cost of the state’s Early Intervention Program and then sought reimbursement beginning in the following county fiscal year as required under state law; and

WHEREAS, the state implemented a State Fiscal Agent administrative model in April 2013 that centralized billing and contracting at the state level, rather than at the county level; and

WHEREAS, the State Fiscal Agent used their own administrative and reimbursement information technology system to collect funds from counties and make payments to providers due to limitations with the New York State Department of Health’s Early Intervention System (NYEIS); and

WHEREAS, recent problems have arisen under the State Fiscal Agent platform related to service providers filing for payment from insurance companies in the first instance as the law requires providers, service coordinators and the state fiscal agent when insurers ask for more information; and

WHEREAS, any extensive delay in providing such information to insurance companies can result in a denial by the insurance company due to untimely filing, causing these claims to fall to the state and counties to pay; and

WHEREAS, we continue to support proposals from the Governor that prioritize and require providers to enforce current insurance regulations regarding payment of Early Intervention service claims in an attempt to increase commercial insurance collections; and

WHEREAS, the State has implemented health insurance benefit changes in its Child Health Plus program that will likely reduce third party billing opportunities, resulting in higher costs for counties in the Early Intervention Program; and

WHEREAS, under the statewide fiscal agent model counties remain concerned about program integrity efforts pursued by the fiscal agent and the Department of Health (DOH) through audits, and believe that third party collections are not being maximized based on the increasing drawdown of funds out of the escrow for many counties far in excess of what has been budgeted or caseload changes suggest should be the case; and

WHEREAS, while counties have been advised by DOH that they can pursue their own audits and collections to ensure program integrity, counties have no effective mechanism under the law, or leverage with providers or the State Fiscal Agent, to
recoup any audit findings as counties do not hold the provider contracts or have the ability to withhold payments as a way to recoup funds.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls on the Governor and the State Legislature to implement policies and procedures to ensure that provider claims are filed in a timely manner to commercial insurance providers and Medicaid; and

BE IT FURTHER RESOLVED, we also ask that as part of these system enhancement proposals, Medicaid revisit the Retro Re-Billing Process where the State identifies all claims that the counties and state pay including but not limited to waivered services and resubmit those to Medicaid to identify if a child’s coverage changed. We ask that Medicaid instead pay the claims in first instance, so that counties don’t have to pay upfront and then receive these monies many years later; and

BE IT FURTHER RESOLVED, the State Fiscal Agent must implement systematic changes to the billing system to track claims and, as outlined in the Governor’s Budget for 2016-17, ensure the state’s fiscal agent help providers exhaust all appeals in a timely manner before moving on to the next payer of record; and

BE IT FURTHER RESOLVED, the State should carefully review all benefit changes in state supported public health insurance programs such as Medicaid and Child Health Plus to ensure new costs are not shifted to county public health programs when current benefits are eliminated or modified; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, the New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary.
Resolution #3

Resolution Urging New York State to Permanently Extend the Medicaid Managed Care Carveout and Expand the Grant Funding Pool for School-Based Health Centers

WHEREAS, 20 Counties and New York City operate 255 school-based health centers across the state, serving over 200,000 students; and

WHEREAS, school-based health centers provide cost-effective comprehensive primary medical care, dental, vision and mental health services at no out-of-pocket cost to all students, regardless of insurance status; and

WHEREAS, school-based health centers increase access to health care, prevent unnecessary hospitalizations, and reduce emergency room visits; and

WHEREAS, school-based health centers are a vehicle for eliminating racial, ethnic, and economic health disparities in the communities that they serve and foster health equity in low-income communities and communities of color; and

WHEREAS, the carveout for all school-based health centers from a move to mandatory Medicaid Managed Care health care delivery model expires in January 2021; and

WHEREAS, the state fiscal year 18 budget reduced State grant funding to school-based health centers by 20 percent statewide, and over 60 percent for individual school-based health center sponsors; and

WHEREAS, the state fiscal year 2020 budget restored nearly all of these cuts, but previous funding cuts and grant pool consolidations have left school-based health centers operating with less funds than in prior years; and

WHEREAS, some school-based health centers have been forced to close due to financial constraints; and

WHEREAS, without a permanent carveout from Medicaid managed care, inadequate managed care capitation rates will result in funding shortfalls and leave many school-based health centers’ costs uncovered; and

WHEREAS, it is estimated that the transition to Medicaid Managed Care will result in a loss of over $16 million in funds to these centers, which could force a reduction in essential services, and the closure of these vital service locations in the neighborhoods that need them the most; and

WHEREAS, in the event of closure of school-based health centers, in order to ensure continued provision of health services mandated by law, counties and New York City
would be required, at a substantial cost, to provide nurses and equivalent staff at every school.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) calls on the State to maintain their commitment to school-based health centers, permanently extend their carveout from Medicaid Managed Care, and maintain funding levels in the grant pool at fiscal year 2020 levels; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, the New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary.
Resolution Urging the Governor and State Legislature to Adjust the Early
Intervention Rate Structure to Improve Access to these Services for
Children Who Live in Poverty and Rural Areas

WHEREAS, the structure of the Early Intervention rate methodology promotes
inequitable availability of Early Intervention services across the state; and

WHEREAS, because Early Intervention rates are set for entire counties, and there are
no requirements in the New York State Early Intervention Provider Agreement for
providers to serve the entire county that they have identified in their catchment area,
providers are free to choose which neighborhoods to provide Early Intervention services
in; and

WHEREAS, since the rates are flat across each county, there is no incentive for
providers to serve children in poverty, children who live in rural areas, or communities
of color.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of
Counties calls on the Governor and State Legislature to allocate State funding for a 10%
rate increase for services provided to children in zip codes where the percentage of the
population below poverty is 15% or higher; and in rural areas; and

BE IT FURTHER RESOLVED, that any provider rate increase will be administered
using State funding to ensure localities are not subject to additional EI program
expenses; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties
of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, the New York State Association of Counties shall
forward copies of this resolution to Governor Andrew M. Cuomo, the New York State
Legislature and all others deemed necessary.
Resolution Urging the New York State Bureau of Early Intervention to withdraw SPA#18-0017 until a Task Force of the Early Intervention Coordinating Council is Created

WHEREAS, the Early Intervention Program in New York State serves infants and toddlers having or suspected of having a developmental or a diagnosed physical or mental condition that has a high probability of resulting in a development delay; and

WHEREAS, the infant or toddler is referred to the local Early Intervention Program as defined in Public Health Law Title II-A of Article 25 and set forth in 10 NYCRR section 69.3; and

WHEREAS, the county requires the Early Intervention official to promptly assign an Initial Service Coordinator; and

WHEREAS, the Initial Service Coordinator then performs all billable and non-billable activities relative to regulatory requirements; and

WHEREAS, the family selects an Ongoing Service Coordinator from a list provided them by the Early Intervention Office at the time of the Individualized Family Service Plan meeting; and

WHEREAS, the Ongoing Service Coordinator performs all billable and non-billable activities relative to the regulatory requirements of that title; and

WHEREAS, the State Plan Amendment #18-0017 changed the payment methodology for service coordination services from an hourly rate billed in 15-minute increments to two separate fixed rates for Initial Service Coordination and a monthly fixed rate for Ongoing Service Coordination; and

WHEREAS, payment will be made based on meeting minimum time requirements; and

WHEREAS, no payment will be made if minimum requirements are not met; and

WHEREAS, counties were not involved in the decision to move service coordination functions to fixed rates; and

WHEREAS, initial review of both Initial Service Coordination and Ongoing Service Coordination time spent on billable services indicate that it will be difficult to meet the minimum time requirements.
NOW, THEREFORE, BE IT RESOLVED, the New York State Bureau of Early Intervention (BEI) withdraw SPA#18-0017 until a Task Force of the Early Intervention Coordinating Council is created; and

BE IT FURTHER RESOLVED, that Task Force will be comprised of all stakeholders to include parents, providers, municipality and BEI staff; and

BE IT FURTHER RESOLVED, that the Task Force review current data in NYEIS and early intervention billing relative to initial and ongoing service coordination to determine an average of minimum time spent providing these billable services; and

BE IT FURTHER RESOLVED, that the Task Force make recommendations to BEI on realistic minimum time requirements for these billable coordination services; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, the New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary.
Resolution Urging the Governor and State Legislature to Expand the 2019-2020 Five Percent Rate Increase for Targeted Providers to Ensure Inclusivity of all Early Intervention Service Providers

WHEREAS, Early Intervention (EI) therapists, service coordinators, teachers and evaluators provide crucial services to children with disabilities and developmental delays; and

WHEREAS, many areas of the State are facing EI provider shortages and the existing number of providers is inadequate to meet the needs of the currently enrolled EI program children and their families; and

WHEREAS, EI providers have not received a rate increase in 13 years and EI rates were cut twice since 2010; and

WHEREAS, counties providing EI services are facing detrimental fiscal impacts related to costs associated with the program; and

WHEREAS, in 2013, EI providers took on the responsibility of commercial insurance billing with no rate increase to cover their administrative costs; and

WHEREAS, the New York State Department of Health 2019 measure to increase rates for Occupational Therapy (OT), Physical Therapy (PT) and Speech Language Pathology (SLP) did not fully address the problem that Early Intervention rates had not been increased in over a decade; and

WHEREAS, providers, particularly those outside of the OT, PT, SLP professions are leaving the EI program due to perceived lack of recognition received from being excluded from the five percent rate increase during the 2019-2020 SFY budget.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties calls on the Governor and State Legislature to expand the five percent provider rate increase to include all Early Intervention service provider types using State invested dollars, while ensuring counties are held free from fiscal impact caused by such a rate increase; and

BE IT FURTHER RESOLVED, that any provider rate increase will be administered using State funding to ensure localities are not subject to additional EI program expenses; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.
2020 NYSAC Legislative Conference
Albany County, NY

Standing Committee on Economic Development, Environment & Energy

Hon. William Farber (Hamilton County) – Chair
Hon. Rebecca Ryan (Wyoming County) – Vice Chair
William Rabia (Oneida County) – Vice Chair
Resolution in Support of S.5655 (Metzger)/A.7561-A (Woerner) to Increase the Rebate for the Purchase of Electric Vehicles

WHEREAS, the NYS Department of Environmental Conservation (NYSDEC)'s Zero Emission Vehicle (ZEV) rebate program is designed to assist and incentivize municipalities with the purchase of electric vehicles or hybrid vehicles; and

WHEREAS, many counties are interested in purchasing ZEVs to save taxpayers money, reduce their carbon footprint, and cut down on greenhouse gas emissions; and

WHEREAS, the current rebate structure does not allow enough flexibility and financial incentive to encourage counties to switch their fleets from gas-powered vehicles to eligible vehicles; and

WHEREAS, municipalities are currently ineligible for federal tax incentives for the purchase of zero-emission or hybrid vehicles; and

WHEREAS, Senate Bill 5655/Assembly Bill 7561A, introduced by Senator Jen Metzger and Assemblymember Carrie Woerner, would increase the municipal rebate for zero-emission vehicles from a minimum of $750 to $1,500 and a maximum rebate from $5,000 to $7,500; and

WHEREAS, the rebate program is already funded as part of the Environmental Protection Fund (EPF) and this legislation will help to make ZEVs more affordable for counties and municipalities without changing the current allocation; and

WHEREAS, converting fleets to electric vehicles supports New York State's greenhouse gas emission (GHG) reduction goals under the Climate Leadership and Community Protection Act (CLCPA); and

WHEREAS, increasing the rebate will also help counties to achieve Climate Smart Community designation through the NYSDEC and Clean Energy Community status through the NYS Energy, Research, and Development Authority (NYSERDA).

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties calls on the Legislature to pass and the Governor to sign S.5655 (Metzger)/A.7561-A (Woerner) to increase the rebate for the purchase of electric vehicles; and

BE IT FURTHER RESOLVED, that copies of this resolution shall be sent to member counties for their consideration; and

BE IT FURTHER RESOLVED, that the New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.
2020 NYSAC Legislative Conference
Albany County, NY

Standing Committee on Intergovernmental Affairs

Robert Hagemann, III (Jefferson County) – Chair
Jack Wheeler (Steuben County) – Vice Chair
Cheryl Ketchum (Wyoming County) – Vice Chair
Resolution #1

Resolution Urging Governor Andrew M. Cuomo and the State Legislature to Continue the Funding Commitment for all Costs Associated with Early Voting Reforms Implemented at the County Level

WHEREAS, counties through local Boards of Elections are responsible for managing election operations, and paying for all or most of the costs associated with these operations; and

WHEREAS, the 2019 State Legislative Session included many election reforms, including the authorization of electronic poll books and provisions for early voting; and

WHEREAS, the State’s new early voting law required counties to open polling sites for early voting for 10 days prior to the 2019 general election; and

WHEREAS, there are three elections in 2020 that will require counties to provide opportunities for early voting: the presidential primary, the June primary, and the general election in November, and

WHEREAS, the enacted SFY 2020 State Budget included $14.7 million in capital equipment aid and $10 million in operational aid support to assist counties with implementing these election law reforms; and

WHEREAS, the Executive SFY 2021 State Budget proposal includes no funding for early voting; and

WHEREAS, counties are grateful for the state assistance in 2020, but without continued state financial assistance, these costs will be borne by county property taxpayers.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties urges the Governor and State Legislature to continue to fund election law reforms at SFY 2020 levels; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, the New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the Board of Elections, and all others deemed necessary.
Resolution Applauding Efforts to Allocate State Resources and Funding to Counties for Promoting a Full 2020 Census Count

WHEREAS, the U.S. Census Bureau is preparing for the 2020 decennial census; and

WHEREAS, decennial census counts help the federal government distribute more than $400 billion in funds annually for infrastructure, programs and services; and

WHEREAS, the decennial census helps communities plan for future needs and deal with population-based programs; and

WHEREAS, decennial population counts also affect state and federal congressional representation and redistricting; and

WHEREAS, New York State and county governments are committed to ensuring that every resident in the state is counted in the 2020 Census; and

WHEREAS, in December 2019, New York State announced that it will distribute up to $15 million of the $20 million census count allocation from last year’s budget to counties and the four largest cities; and

WHEREAS, the funding formula was based on several factors, including population, broadband access, proximity to a public library, as well as others; and

WHEREAS, this was a voluntary program and counties that wish to participate need to submit a full proposed plan of action including community agency partners.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) commends the Governor for providing counties with a fiscal incentive to promote a complete 2020 census count in New York State; and

BE IT FURTHER RESOLVED, that NYSAC urges the Division of Budget to allocate these funds as soon as possible so counties can successfully implement their census count plans; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, the New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary.
Urging the Governor and State Legislature to Pass Legislation that Allows
School Districts to Permit Home-schooled Students to Participate in
District Interscholastic Sports

WHEREAS, participation in athletics has the intrinsic value of increased physical and mental health; and

WHEREAS, participation in athletics is one of the most effective ways for students in the United States to develop leadership skills, self-discipline, initiative, and dedication; and

WHEREAS, the communication and cooperation skills learned through athletic experience play a key role in the contributions of athletes to the home, school, and community; and

WHEREAS, the additional benefits of athletics participation, including social interaction and teamwork, could be considered more vital for home-schooled students, who often lack the opportunity to otherwise enjoy those benefits due to the nature of their educational environment; and

WHEREAS, the current regulations of the New York State Public High School Athletics Association (NYSPHSAA) prohibit participation in high school athletics by home-school students; and

WHEREAS, those regulations run counter to the NYSPHSAA’s stated objective to encourage as many students as possible to participate in athletic games; and

WHEREAS, public schools in New York enjoy the benefits of funding through taxation, which enables them to provide expensive athletic programming that home schooled students are unable to fund independently; and

WHEREAS, the families of home-schooled children contribute to the funding of public-school athletics programs at the same rate as other taxpayers.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) urges the Governor and Legislature to pass legislation that would allow school districts to permit home-schooled students to participate in district interscholastic sports; and

BE IT FURTHER RESOLVED, any district opting to permit these student athletes to participate must require them to be vaccinated as required by the State of New York; and
BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and,

BE IT FURTHER RESOLVED that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Public High School Athletic Association, the New York State School Boards Association, and all others deemed necessary and proper.
Resolution Urging the Governor and State Legislature to Make Investments in Veteran Services

WHEREAS, counties provide important services for the 900,000 veterans living in our State; and

WHEREAS, counties take pride in this service and believe we have a duty to provide support to those who sacrificed so much for our State and country; and

WHEREAS, the New York State Division of Veterans’ Affairs and County Veteran Service Agencies have been working in conjunction with counties for decades to support and provide needed services to our veterans; and

WHEREAS, citing state budget concerns, the New York State Division of Veteran Affairs has historically underfunded some of its local government support; and

WHEREAS, counties are interested in developing unique incentives to continue to recruit and retain our state’s veteran population.

NOW, THEREFORE BE IT RESOLVED, the New York State Association of Counties calls upon the Governor and the New York State Legislature to increase funding to support local veteran service; and

BE IT FURTHER RESOLVED, the New York State Association of Counties calls upon the Governor and the New York State Legislature to take the following actions to make investments in veteran services:

- Include additional funding for veterans’ affairs so that counties can provide additional resources and services to our veterans; and
- Require the NYS Division of Veteran Affairs to share the DD-214 form with county veteran service agencies; and
- Expand the definition of “veteran” to recognize the service of reserve or national guard service members who have completed 20 years of service; and
- Authorize local governments to allow veterans to receive exemptions from paying hotel/motel occupancy taxes; and
- Expand the NYS Department of Environmental Conservation veterans’ discounts on hunting and fishing licenses; and
- Expand the discount on state park entrance fees; and
- Create a veteran green energy jobs program to train and link veterans with sustainable, environmentally friendly jobs to meet the goals set forth in the Climate Leadership and Community Protection Act; and
• Mandate all public institutions of higher education to participate in the American Council on Education (ACE) so our veterans can gain college credit for military experience; and
• Expand veteran court availability throughout New York State; and
• Provide counties with the flexibility to enact at local option, a local sales tax exemption on vehicles for veterans who are partially disabled; and
• Provide local sales tax exemptions for vehicle purchases and adaptations and allow counties to enact similar local laws to provide this benefit as well; and
• Provide counties who create veteran trust funds at local option a one-time seed fund equal to $1/ per veteran as of the last U.S. Census. This targeted investment will help aid the continued operational success of the Trust Fund.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.
2020 NYSAC Legislative Conference
Albany County, NY

Standing Committee on Medicaid and Human Services Resolutions

Kira Pospesel (Greene County) - Chair
Mike Fitzgerald (Madison County) - Vice Chair
Resolution Calling on the Governor and New York State Legislature to
Preserve the Zero Percent Medicaid Growth Cap for All Counties and New
York City

WHEREAS, spending in New York state for Medicaid is the single largest expense in
the State budget; and

WHEREAS, the funding to support the Medicaid program is provided by a
combination of federal, state and local resources; and

WHEREAS, the required county and New York City contribution is $7.6 billion
annually; and

WHEREAS, the local share of Medicaid funding paid in New York is the highest of any
state in the country and is more than what 43 individual states pay in state share for
their Medicaid programs; and

WHEREAS, this large local funding share for Medicaid and other state programs is a
major contributor to New York’s high local tax burden compared to other states; and

WHEREAS, the Governor and legislative leaders recognize the fiscal burden the
financing of Medicaid is for local taxpayers and initiated steps to relieve part of that
burden by capping the growth in local costs in this program; and

WHEREAS, one of the most prominent property tax reduction and mandate relief
initiatives in state history was Governor Cuomo’s establishment of the zero percent
Medicaid growth cap; and

WHEREAS, this zero percent growth cap enables counties to keep funding for the
growing cost of many vital state programs and services, while continuing local quality of
life services demanded by taxpayers; and

WHEREAS, the Medicaid budget is facing billions of dollars in annual deficits over the
next several years; and

WHEREAS, these Medicaid deficits are contributing to the largest budget deficit the
state has faced since the Great Recession; and

WHEREAS, the Governor’s Executive Budget Recommendation is proposing a variety
of ways to address these combined fiscal shortfalls; and

WHEREAS, budget proposals advanced by the Governor rely on $150 million in
Medicaid program costs assumed by local taxpayers; and include:
• Using county government federal enhanced medicaid match savings;
• Losing state Medicaid growth cap if counties breach the state property tax cap;
• Shifting the local share of Medicaid growth above 3% to counties, if counties
  cannot contain costs under 3%; and

WHEREAS, counties do not have tools to control the Medicaid program growth; some
of these limitations include:
  • The ability to audit the Medicaid program;
  • The ability to control the cost of prescription drugs;
  • The ability to set provider reimbursement rates;
  • The ability to modify eligibility and benefit levels for Medicaid recipients;
  • The ability to control changing demographics across the state;
  • The ability to control provider contracts; and

WHEREAS, if state experts in the Medicaid program are unable to develop solutions to
control growth in the Medicaid program, it will be difficult for counties to do so, since
they do not have this authority to control costs.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of
Counties (NYSAC) urges the Governor and legislative leaders to maintain the zero
percent Medicaid growth cap for counties and New York City as they address state
budget shortfalls in order to keep downward pressure on the local tax burden; and

BE IT FURTHER RESOLVED that NYSAC shall forward copies of this resolution to
Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed
necessary and proper.
Resolution Urging the Governor and Legislature to Make Permanent Housing the Central Focus of Its Homelessness Prevention Goals

WHEREAS, homelessness continues to be a major concern across the state; and

WHEREAS, the Governor and Legislature continue to prioritize finding solutions to the affordable housing crisis; and

WHEREAS, the level of homelessness is occurring in an environment where the New York economy is strong, the number of private sector jobs is the highest in state history, the state is experiencing near record lows in unemployment, and wage growth is the strongest it has been in over a decade; and

WHEREAS, the entrenched nature of homelessness in New York in this environment highlights that overall housing affordability remains a key problem that still must be addressed more ardently; and the amount and type of state, federal and local resources and services need to be realigned to better serve the homeless and to prevent homelessness in the first instance; and

WHEREAS, regardless of family size and demographics, many of those facing homelessness or seeking emergency shelter can have challenging medical needs, mental health and substance abuse issues, or are former foster children, veterans, registered sex offenders, state prison parolees, or on probation, with many facing several of these challenges at the same time; for many others it is simply an economic issue of not being able to find safe housing they can afford; and

WHEREAS, local social service districts focus scarce resources on achieving permanent housing, preventing homelessness, and providing temporary placement; and

WHEREAS, local resources are stretched thin due to revenue limitations placed on counties by the State and the requirement to fund a wide variety of other state programs; and

WHEREAS, insufficient state shelter reimbursements are compounded by no increase in a decade, even as housing costs have soared; and

WHEREAS, counties have also experienced significant state funding cuts in a wide array of social services programs over the last decade that have restricted counties’ ability to pursue more aggressive assistance efforts that can prevent homelessness in the first instance.
NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls on the Governor and Legislature to make permanent and stable housing the central focus of homelessness policy in New York State; and

BE IT FURTHER RESOLVED, State leaders should target supportive housing overseen by OMH, OASAS, DOH and OPWDD to efforts that prevent homelessness and quickly re-house people that become homeless; and

BE IT FURTHER RESOLVED, OMH, OASAS, DOH, OPWDD and DOCCS should focus efforts on services to prevent people from becoming homeless and for rapid re-housing by providing necessary clinical services, supports and after-care during the transition period to permanent housing; and

BE IT FURTHER RESOLVED, the State should utilize mobile mental health and alcohol treatment services that will take people from shelters and motels to their appointments or bring services directly to them; and

BE IT FURTHER RESOLVED, the State should ensure that existing funds for improving housing stock target low income housing in communities across the state (urban, rural and suburban) and is linked to a larger effort to prevent homelessness; and

BE IT FURTHER RESOLVED, State funding should target rental assistance to prevent evictions and to provide transition funding for people moving out of shelters and motels to more permanent housing in order to achieve stable housing; and

BE IT FURTHER RESOLVED, the State should expand existing shelter supplement plans and approve plans that require more state money, instead of insisting on savings or cost neutrality criteria, which limits the ability to reduce homelessness; and

BE IT FURTHER RESOLVED, the State should support efforts to use safety net assistance funding for stable housing so counties can be less reliant on shelters and motels; and

BE IT FURTHER RESOLVED, the state should encourage innovation and approve local waivers that propose new approaches; and

BE IT FURTHER RESOLVED, the state should develop a public relations campaign to convey how everyone in the community benefits when we achieve stable housing for those most in need; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.
Resolution Calling on the Governor and State Legislature to Not Shift More Costs to Counties and New York City for State Controlled Non-Health Care Related Social Service Programs

WHEREAS, the State has indicated it is facing a $6 billion budget deficit in 2021, which will grow to $8.5 billion by 2023 if no actions are taken; and

WHEREAS, over the last decade the state has devolved away from their historic and constitutional responsibilities of providing social services and support for low income families and individuals, as demonstrated through significant reductions in state financial support for these programs, thereby shifting these costs to counties and New York City; and

WHEREAS, these state funding shifts have increased county and New York City social services costs by hundreds of millions of dollars annually because the state requires that all services still be provided, but with less state resources; and

WHEREAS, New York City has been targeted with additional social services and public health cost shifts by the state that have increased the City’s costs by hundreds of millions of dollars more each year, on top of the other cuts mentioned; and

WHEREAS, the steady pullback in State funding support has been expansive and includes cuts to child welfare, adoption subsidies, food stamp administration, Family Assistance, Safety Net, youth detention and treatment, and foster care; and

WHEREAS, the state has also increased regulatory burdens for local social service districts during the last decade, that include new administrative responsibilities and often duplicative and needless reporting requirements which divert scarce resources from critically needed services; and

WHEREAS, the net effect of these practices is that it forces local property taxes to be higher than they should because of the additional costs borne by counties and New York City; and

WHEREAS, most other states do not require counties to fund such a large share of public assistance costs; and

WHEREAS, the current strong economy and low unemployment provide significant opportunities for recipients to connect with employment and gain valuable work skills that can lead to self-sufficiency and family independence; and
WHEREAS, local Departments of Social Services have demonstrated significant success in achieving self-sufficiency when program resources are dedicated to employment and supporting the needs of individuals and families as they return, or connect, to the workforce.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls on the Governor and State Legislature to not impose new costs shifts on counties and develop a multi-year plan to reverse the numerous state funding cuts that have occurred in public assistance programs and administration; and

BE IT FURTHER RESOLVED, the state should focus on reforming state social service programs by prioritizing employment as a key to achieving self-sufficiency and long-term independence for residents receiving Family Assistance, Safety Net Assistance and other programs; and

BE IT FURTHER RESOLVED, the counties of New York are calling on the Governor and State Legislature to recognize that effective public assistance policies are grounded in accountability, integrity and supporting the needs of recipients in entering the workforce; and

BE IT FURTHER RESOLVED, the counties of New York are calling on the Governor and State Legislature to limit new legislation and regulations that reduce accountability for recipients in gaining employment, self-sufficiency and long-term independence from public assistance as we believe this can ultimately hinder the success of these recipients in achieving self-sufficiency; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.
2020 NYSAC Legislative Conference
Albany County, NY

Standing Committee on Native American Affairs & Gaming

Hon. Keith Batman (Cayuga County) – Chair
Hon. Elizabeth Larkin (Cortland County) – Vice Chair
Hon. John Becker (Madison County) – Vice Chair
Resolution # 1

Resolution Calling on the State to Equitably Distribute Gaming Revenue to all New York Counties

WHEREAS, in 2020 potential changes to the New York gaming industry could impact the current local government revenue sharing system; and

WHEREAS, these changes include but are not limited to: 1) mobile sports gaming; 2) State and Seneca Nation compact settlements; 3) allowing for private casino licensing in downstate New York/NYC; and 4) local government VLT revenue swept by the State in the proposed Executive Budget; and

WHEREAS, under the current revenue sharing system, New York State receives funding from gaming facilities and a portion of this funding is passed to local governments; and

WHEREAS, depending on where the county is located, this local gaming revenue share can come from one or a combination of the following entities: private commercial casinos, Native American casinos, racinos, horse and harness raceways, and Off-Track Betting Corporations (OTBs); and

WHEREAS, this gaming revenue sharing system brings hundreds of millions of dollars to local governments providing crucial support for needed services throughout the state; and

WHEREAS, with the expansion of casino gaming in New York State and the potential increase from sports gaming, there will be a significant realignment of gaming spending throughout the State; and

WHEREAS, considerate planning with the goal of equitable statewide distribution by the State Legislative and the Executive Chamber must occur prior to gaming expansion in order to ensure a fair, equitable and reliable revenue sharing system, upon which counties can plan workable budgets for the provision of local services.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls on the State, when changing and expanding the State's gaming market, to distribute an equitable percentage of income and gaming revenues to local governments and to consider a method where preexisting gaming facilities will retain revenue locally, keep and create local jobs, and to ensure needed local government revenue; and

BE IT FURTHER RESOLVED, that the development, discussion and codification of any such system include direct, substantial and meaningful input from county representatives and that such representatives be formally included in any working group designated by the State Legislature and Executive Chamber; and
BE IT FURTHER RESOLVED, at least one-third of any State designated working group or taskforce be comprised of members designated by NYSAC; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact a similar resolution; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.
2020 NYSAC Legislative Conference
Albany County, NY

Standing Committee on Public Employee Relations

Mary Krause (Ontario County) – Chair
Julie Carr (Cattaraugus County) – Vice Chair
Brayton Connard (Monroe County) – Vice Chair
Resolution Calling Upon the Governor and the New York State Legislature
to Refrain from Enacting New Public Employee Benefits Mandates

Whereas, New York State has one of the highest state and local tax burdens in the
nation; and

Whereas, the Governor and legislative leaders have all pledged on numerous
occasions to reduce the burden of local property taxes on businesses and home owners,
as a way to stimulate the state’s economy; and

Whereas, in 2012 the State enacted a property tax cap in order to help reduce and
maintain tax levels throughout the State and in 2019 the Governor and legislature made
that tax cap permanent; and

Whereas, New York counties have stepped up to meet the challenge with the vast
majority staying under the cap level every budget year, but it is becoming increasingly
more difficult to do so; and

Whereas, the provisions of the Taylor Law and the Triborough Amendment, and
mandates for new employee leave benefits contribute to higher personnel costs to
counties; and

Whereas, in 2019 the State enacted sweeping reforms to the criminal justice system
that impacts county departments (DSS, District Attorney, Public Defender, Probation,
and Sheriff) which directly required counties from across the State to immediately
increase staffing; and

Whereas, NYSAC supports statewide policy changes that are in the best interest of
the residents in our communities, and counties take pride in executing such service
changes for our residents, however costs associated with proper implementation should
be met by the State; and

Whereas, the New York State Association of Counties recognizes and supports
recent efforts by the Governor to decrease the costs associated with binding arbitration;
and

Whereas, mandated personnel cost increases directly lead to budget increases for
counties and translate to added burdens to local taxpayers who must pay the costs of
these new benefits.

Now, therefore, be it resolved, the New York State Association of
Counties calls on the State to refrain from creating any new public employee benefits
that would result in increased county costs unless these changes are fully funded by the State; and

BE IT FURTHER RESOLVED, the New York State Association of Counties hereby calls upon the Legislature not to enact and the Governor not to approve any new local government personnel cost mandates without first performing and making public a state and local fiscal cost analysis; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.
Standing Committee on Public Health & Mental Health

Joseph Todora (Sullivan County) – Chair
Hon. Michael Amo (Orange County) – Vice Chair
Linda Beers (Essex County) – Vice Chair
WHEREAS, of the 58 local health departments (LHDs) in New York State, 36 of these counties and the City of New York provide environmental health services in their communities; and

WHEREAS, twenty-one rural LHDs are considered partial service counties, where the environmental health services are provided by the New York State Department of Health (NYSDOH) through state district and regional offices; and

WHEREAS, full service LHDs and those NYSDOH offices conduct oversight and monitoring activities and provide technical assistance to ensure that public water supply operations achieve and maintain compliance with all state and federal laws and regulations; and

WHEREAS, environmental activities led by the State and counties include carrying out sanitary surveys, providing notice and reminders to public water supply operators regarding testing and reporting requirements, creating annual sampling schedules through New York’s Safe Drinking Water Information System (SDWIS), and monitoring to ensure that testing is performed at the appropriate times throughout the year; and

WHEREAS, environmental health staff employed at full-service LHDs work hard to ensure the quality of drinking water and routinely face emerging issues that pose significant threats to water quality, including road salt contamination; the emergence of unregulated chemicals in drinking water; water main breaks and infrastructure damage; extreme weather conditions; agricultural impacts; and harmful algal blooms; and

WHEREAS, in the face of these threats to our drinking water, LHDs continue to face ongoing resource limitations that undermine their capacity to respond; and

WHEREAS, the two percent property tax cap constrains local government budgets; and

WHEREAS, when coupled with stagnant state funding and the imposition of new unfunded public health mandates, the result is that LHDs too often struggle to maintain current programs, much less enhance their ability to respond to the growing challenges of providing safe water for drinking and recreation; and

WHEREAS, extraordinary events, such as those faced in Hoosick Falls, stretch LHD resources and threaten to erode our already limited capacity to maintain other critical public health services; and
WHEREAS, at both the federal and state levels, when a new public health threat emerges, there is a scramble to identify emergency funding for response, and, while emergency funding is helpful, it does not address the long-term need for sufficient and stable funding to maintain a high-quality public health infrastructure and workforce, ready and trained to respond to new threats as they emerge; and

WHEREAS, while New York State has made significant fiscal and programmatic enhancements to assist municipalities in protecting drinking water, the same cannot be said for support for the county-level role of monitoring and regulation of drinking water supplies; and

WHEREAS, New York State invested $2.5 billion in Clean Water Infrastructure and Water Quality Protection in 2017-18 state fiscal year and increased appropriations by $500 million in the 2019-20 SFY budget; and

WHEREAS, the total investment for Drinking Water Enhancement grants is only 0.2% of the entire appropriation for Clean Water Infrastructure and Water Quality Protection; and

WHEREAS, the original appropriation for Drinking Water Enhancement grants was $6m, but between the 2009-2010 SFY and 2013-14 SFY, grants were cut by a cumulative 16%, and then have remained flat since 2013-14 despite growing public health needs and mandates.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties calls on the Governor and State Legislature to take the following actions in the coming fiscal year to protect and enhance public water supply:

1. Restore drinking water enhancement grant funding to $6 million;
2. Increase drinking water enhancement grant funding to equal one percent of clean water infrastructure act appropriations, totaling $30 million;
3. Consider policy recommendations that strengthen and facilitate partnerships across state agencies and between those state and local government entities that share primary responsibility for assuring access to safe drinking water;
4. Recognize the negative impact the last several years of funding constraints have had on both the local and state public health workforce and work together to identify ways to maintain and enhance the capacity of our public health infrastructure; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.
Resolution in Support Increasing Funding Levels for Local Public Health Programs

WHEREAS, local health departments (LHDs) are New York State’s partners and operational extensions, working in the forefront of communities, addressing public health issues, and serving as the first line of defense against all public health crises by protecting communities and residents; and

WHEREAS, activities led by the 58 LHDs are paramount to our collective ability to achieve Prevention Agenda goals, address health disparities, improve health outcomes and ensure community safety and stability; and

WHEREAS, counties have not received an increase in core public health aid in more than six years, nor have they received adequate compensation to respond to expanded state mandates and emerging health issues; and

WHEREAS, state budget appropriations for public health spending have been reduced year after year, including in the 2019-2020 State Budget, which reduced New York City’s Article 6 reimbursement from 36% to 20%; and

WHEREAS, cuts to public health funding in any form impact millions of New Yorkers and perpetuate health disparities, particularly in our children and elderly residents; and

WHEREAS, New York State’s budget shortfall cannot prevent local health departments from providing mandated public health services. For example, those related to lead, ebola, corona virus, and water contamination; and

WHEREAS, pooling public health categorical spending would decrease transparency of the public health programs funded by the state’s limited aid to localities.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties calls on the Governor and State Legislature to increase funding for public health services and retain separate appropriations so important health interventions can continue in the upcoming year; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.
2020 NYSAC Legislative Conference
Albany County, NY

Standing Committee on Public Safety

Hon. Sheriff Ron Spike (Yates County) – Chair
Hon. Matthew Veitch (Saratoga County) – Vice Chair
Hon. Martha Robertson (Tompkins County) – Vice Chair
Resolution in Support of State Legislation Addressing the Volunteer Firefighter and EMS Recruitment and Retention Crisis

WHEREAS, throughout the state, counties are grappling with a shortage of volunteer firefighter and EMS personnel in their communities. Regardless of location, every county outside of New York City is contending with this issue; and

WHEREAS, the shortage of available personnel is both an issue within volunteer fire companies as well as community ambulance corps; and

WHEREAS, according to a 2015 study by the Firemen’s Association of the State of New York (FASNY), volunteer firefighters alone save New York State more than $3 billion each year; and

WHEREAS, as training requirements and call volumes have increased, it has become harder for volunteers to make the time commitment departments need; and

WHEREAS, according to FASNY, the number of volunteer firefighters in New York State has dropped from 110,000 in 1990 to fewer than 100,000 today; and

WHEREAS, volunteer firefighters and members of ambulance corps do not receive any direct monetary compensation for their service; and

WHEREAS, counties across the state have been working on this issue for decades; and

WHEREAS, in 2008, Westchester County passed a local law to provide a real property tax exemption to volunteer firefighters and volunteer ambulance service members and to continue this exemption in the case of certain un-remarried spouses of deceased volunteers; and

WHEREAS, Nassau County also provides a property tax exemption for volunteer firefighters and ambulance workers and offers a lifetime exemption to members with over 20 years of volunteer service; and

WHEREAS, Suffolk County has also passed similar legislation in 2003: real property owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, or such enrolled member and spouse, or such deceased enrolled member’s un-remarried spouse, shall be exempt from taxation to the extent of 10% of the assessed value of such property for county purposes, exclusive of special assessments; and

WHEREAS, since 2010, a number of additional counties have followed suit; and
WHEREAS, Columbia County was successful in obtaining a countywide certificate of need for all of their ambulance providers (both paid and volunteer), allowing each responding agency the authority to respond to a crisis within the county, whereby each agency maintains primary responsibility for their own territory and each agency subsequently contracts with the county for participation in the system, and in return, the county gives them payment for standby assignments and 911 calls outside their jurisdiction and access to the ePCR system.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) supports state legislation and programs, including:

- S.3525 (Breslin)/A.3721 (Pretlow) that requires insurers to issue reimbursement directly to ambulance providers if the insured has filed an assignment of benefits for ambulance services;
- S.6802 (Felder)/A.8817 (Gunther) to increase the volunteer firefighter and EMS state income tax credit to $500 for eligible individuals and $1000 for eligible married joint filers, beginning in 2020;
- S.3526 (Breslin)/A.6211 (Magnarelli) to ensure that responding ambulance service companies receive direct payment for all ambulance service transports upon submission of an invoice to the insurance company without the need for responding ambulance company to be a preferred provider;
- S.577 (Kennedy)/A.4423 (DenDekker) to allow counties to establish a local tuition grants program for active volunteer firefighters and EMS personnel at state operated institutions, up to fifty percent of tuition required at state operated institutions or community colleges. This legislation also provides that, where a county has created a tuition grants program, the state would reimburse the county at one-half the actual tuition grant established by the county for each eligible volunteer;
- S.1222 (Ritchie)/A.3479 (Zebrowski) give a credit on the New York State income tax for all volunteer firefighters and volunteer ambulance corps members who are active. In order to be active, the individual would have to attend more than 40% of the company's activities per year. This plan calls for giving $200 a year for service credit up to a maximum of 10 years, or a maximum of a $1,100 credit.
- Creation of a statewide task force to investigate, promote, and identify funding for the recruitment and retention of volunteer EMS and firefighter personnel;
- S.3685B (Brooks) / A.1778A (Jones) authorizing volunteer fire departments or volunteer fire companies to collect fees and charges for advanced life support services;
- S.1381 (Ritchie)/A.1582 (Jones) to amends the general municipal law, in relation to classifying emergency medical services provided by municipalities as essential services for the purposes of applying for and receiving state aid;
- Grants for volunteer firefighters and emergency services personnel recruitment and retention; and
BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to the Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.
Resolution in Support of Funding for Hazardous Dam Remediation

WHEREAS, New York State has at least 5,352 functioning dams, 861 of which are owned or co-owned by local governments; and

WHEREAS, the New York State Department of Environmental Conservation, Division of Water, Bureau of Flood Protection and Dam Safety, is responsible for the protection of the health, safety and welfare of the people of the State of New York and the conservation and protection of its natural resources; and

WHEREAS, Title 6 of New York Code of Rules and Regulations, Part 673 (“Part 673”), Section 673.5, provides regulations regarding dam hazard classifications. This technical guidance provides greater detail regarding various potential impacts typically seen by New York State Department of Environmental Conservation staff, and their implication for hazard classification of a dam; and

WHEREAS, the New York State Department of Environmental Conservation, through its Dam Safety Section within the Bureau of Flood Protection and Dam Safety in the Division of Water (“DSS”), assigns hazard classifications to dams to reflect its best understanding of the potential impacts of dam failures; and

WHEREAS, the Department may change a dam’s hazard classification at any time to reflect changed conditions and/or to reflect changes in the Department’s understanding of the potential impact of a dam failure; and

WHEREAS, the DSS assigns a hazard classification to a dam based on the best information available to it regarding conditions at the dam and its downstream area; and

WHEREAS, any person may provide the DSS with information relevant to the assignment of a Hazard Classification to a dam; and

WHEREAS, water stored behind a dam represents potential energy which can create a hazard to life and property located downstream of a dam; and

WHEREAS, in order for a dam to safely fulfill its intended function, it must be constructed, operated and maintained properly; and

WHEREAS, the New York State Comptroller published a report in 2018, “Dam Infrastructure: Understanding and Managing the Risks” noting that local governments own or co-own 213 of New York’s 407 high-hazard dams; and

WHEREAS, the Comptroller’s analysis indicated that to repair locally owned high-hazard and intermediate-hazard dams in New York State would cost $360 million according to the Association of State Dam Safety Officials; and
WHEREAS, counties throughout the State are concerned with the safety of all dams, particularly given the challenges with extreme weather events, such as strong rainstorms, floods and hurricanes; and

WHEREAS, the United States Department of Agriculture (USDA) has watershed protection programs that may be used for dam projects (as well as many other types of projects). Both public and private landowners are eligible for assistance, but the project sponsor must be a local or tribal government; and

WHEREAS, a new federal program that could help dams – the High Hazard Potential Dam Rehabilitation Program, authorized under the Water Infrastructure Improvements for the Nation (WIIN) Act of 2016 – would provide federal grants for the rehabilitation, repair or removal of nonfederal high-hazard potential dams. However, that program has not yet been funded; and

WHEREAS, dam projects are generally not eligible for funding through the EPA’s Drinking Water State Revolving Fund Program, even though many dams are used to create and manage reservoirs that supply drinking water.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) supports direct state funding and assistance to help local governments and private landowners remediate these high-hazard dams; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to the Department of Environmental Conservation, Governor Andrew M. Cuomo, the New York State Congressional Delegation, the New York State Legislature, and all others deemed necessary and proper.
Resolution in Support of Efforts to Improve Probation and Alternatives to Incarceration In New York State in Order to Protect the Public and Reduce Reliance on Prisons, Jails and Detention

WHEREAS, county probation departments are an integral part of the Criminal Justice System and operate within the legal framework of the Criminal Procedure Law, the Penal Law and the Family Court Act; and

WHEREAS, it is the mission of probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

WHEREAS, State funding for probation was drastically reduced between 1990 and 2015 from a 46.5 percent State share in 1990 to less than 10 percent in 2020, putting a huge strain on counties and new costs to county property taxpayers; and

WHEREAS, at the same time there have been increases in the number of mandated programs and services that county probation departments are required to provide; and

WHEREAS, the New York State Council of Probation Administrators, representing NYS Probation Directors, Administrators and Commissioners has diligently worked with NYSAC and State leaders to bring more awareness to the important work that probation does to protect the public.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) supports proposals put forward by the Governor to immediately enact statutory and regulatory changes that improve Probation and Alternatives to Incarceration in the following ways:

- Raise the minimum age that a youth can be charged as a Juvenile Delinquent from seven to twelve years old.
- Mandate that the state’s evidence-based criteria should account for existing local best practice programs.
- Allow local probation departments the ability to make an application for a temporary order of protection as a part of the adjustment process.
- Authorize law enforcement agencies to issue appearance tickets if deemed appropriate by the arresting officer, instead of physical arrest, when Adolescent Offenders and Juvenile Offenders are charged with most D felonies.
- Allow law enforcement agencies to deliver Adolescent Offenders and Juvenile Offenders to detention facilities after hours without a securing order until the Youth Part is in session.
• Establish a dedicated funding stream through DCJS/OPCA for 100% of all local probation costs including but not limited to probation personnel and evidence-based programming associated with Raise the Age Legislation.

• Eliminate the requirement of a sentence of a conditional discharge or probation for Leandra Law cases when a defendant has been sentenced to a definite jail term or a term of imprisonment.

• Ensure local probation departments or other appropriate agency receive 100 percent of all pre-trial services costs including but not limited to probation personnel associated with Bail Reform.

• Eliminate the mandate that pre-sentence investigations must be conducted when a sentence of up to one year in jail has been negotiated.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.
2020 NYSAC Legislative Conference
Albany County, NY

Standing Committee on Taxation & Finance

Hon. Ruth Doyle (St. Lawrence County) – Chair
Hon. Terri Ross (Alleghany County) – Vice Chair
Thomas Bloodgood (Schuyler County) – Vice Chair
Resolution Calling on the Governor and State Legislative Leaders to Provide Counties with Permanent Local Authority Over Existing Sales Tax Rates

WHEREAS, counties continue to face significant challenges in balancing their budgets while also meeting the goals of the state-imposed property tax cap; and

WHEREAS, growing state and federal budget deficits subject all downstream local governments to funding cuts and cost shifts, fostering uncertainty and instability for local budgets and taxpayers; and

WHEREAS, the two primary revenue sources for counties are the property tax and local sales tax; and

WHEREAS, it is critically important for counties to have confidence and stability in their revenue projections to efficiently and prudently manage their annual operating budgets, and this stability is even more critical for counties to develop and implement long-term capital and infrastructure plans; and

WHEREAS, the State has made the property tax cap permanent, therefore limiting a key county revenue in the face of rising costs and service needs in our communities; and

WHEREAS, in recent years, five counties have seen their home rule revenue authority held hostage in unrelated state policy fights, resulting in the temporary lapse of local tax revenues; and

WHEREAS, the loss of these revenues caused fiscal stress and budget uncertainty for these counties while increasing pressure on property taxes, and this threat extends to all counties under the current state sales tax renewal process; and

WHEREAS, counties, in addition to addressing local quality of life services expected by taxpayers, must also administer and pay for more than 40 state and federal programs that can consume up to 80% of a county’s entire budget; and

WHEREAS, local elected officials rely on their home rule authority to determine what balance of local taxes works best in their community; and

WHEREAS, New York City was granted permanent local authority over their sales tax rate a decade ago, while county requests for the same authority have been repeatedly denied; and

WHEREAS, in the case of sales tax, counties often share the revenues with cities, towns, villages and school districts to help pay for services delivered by these municipalities, or to directly lower the amount of property taxes levied in these jurisdictions; and
WHEREAS, the pass-through of local sales tax revenue from counties to other municipalities will likely exceed $2 billion in 2019; and

WHEREAS, making existing local sales tax rates permanent still allows for appropriate state legislative review in the future upon any rate change; and

WHEREAS, permanent home rule sales tax authority will provide more budget certainty and stability for counties and local taxpayers; and

WHEREAS, providing counties permanent home rule sales tax authority at existing rates will eliminate numerous administrative and duplicative requirements for paperwork, forms, legislative hearings, filings and public notices, resulting in improved government operations and fiscal savings at both the state and local levels.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls upon the Governor and State Legislature to provide parity with New York City by granting permanent home rule sales tax authority to counties at their current tax rates; and

BE IT FURTHER RESOLVED, the home rule process should be reformed so it works as efficiently as possible for local taxpayers, eliminates unnecessary and duplicative legislative activity at the state and local level, while retaining state legislative review for future amendments; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.
Resolution in Opposition to State Legislative Proposals that Undermine the Careful Balance that Exists in State Law Related to the Tax Foreclosure Process in New York State

WHEREAS, the current real property tax law process to ensure tax compliance and limit tax foreclosure has been on the books for decades; and

WHEREAS, the real property tax foreclosure process is designed to strike a balance for a strong enforcement mechanism to ensure critical property tax revenues are protected in order to provide vital state mandated and local services in our communities, while providing property owners important alternatives and additional time to make payments to avoid foreclosure; and

WHEREAS, a recent state legislative initiative proposed to eliminate certain tax enforcement fees and penalties, allow for varying interest rates in tax delinquencies, and eliminate the current law “reverse chronological order” of satisfying tax liens; and

WHEREAS, reducing these fee, penalty and interest tax enforcement measures will likely reduce the effectiveness and balance of the current system, and sow confusion among taxpayers across the state; and

WHEREAS, eliminating the current law “reverse chronological order” provisions will allow property owners to potentially abuse the system and remain perpetually in arrears on multiple years of their property taxes, significantly damaging tax compliance; and

WHEREAS, reduced tax compliance will jeopardize the delivery of critical state and local services in the community, and will unfairly shift the burden of these unpaid property taxes to other property owners; and

WHEREAS, county government is the primary governmental unit, along with some cities and other municipalities, charged by the State with ensuring real property tax law compliance and enforcement at the local level; and

WHEREAS, under this charge, counties are required to fully reimburse all school districts and most towns and villages for any property taxes they cannot collect in the first instance, which often requires counties to borrow tens of millions of dollars annually while tax recoupment is commenced, all with the primary goal of ensuring fairness for taxpayers and avoiding tax foreclosure; and

WHEREAS, the real property tax law provides an extensive notification process for property owners that fall into arrears to help them understand what is happening and their options; and

WHEREAS, the real property tax law also allows installment payment plans for up to 36 months for tax delinquency to ease the burden, and provides special allowances for
farm property and military personnel – combined, these items can prevent tax
foreclosure or extend the timeline for several years; and

WHEREAS, while many counties use these statutory allowances to ease the tax
foreclosure process and burden, they also provide additional help including:

- Allowing partial payments for the initial property taxes due to ease the payment
  burden;
- Encouraging property owners to seek legal advice and other options so they can
  retain their property;
- Engaging family members, especially senior citizens, to allow for these relatives
  to receive duplicate copies of property tax bills, delinquency notices and other
  real property items;
- Guiding property owners to local and state programs that may offer them
  assistance to clear up their delinquent taxes; and
- Allowing property owners to repurchase their property in cases of tax foreclosure,
  under specified timelines and parameters, among other help.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of
Counties opposes state legislation that can undermine the careful balance that exists in
state law related to the tax foreclosure process in New York State; and

BE IT FURTHER RESOLVED, counties are especially concerned of the unintended
consequences this broadly drafted legislation will cause by eliminating the current law
reverse chronological order for paying tax liens, which would allow taxpayers to delay
paying their property taxes for years, shifting the burden to their neighbors, and
jeopardizing the delivery of state and local services; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties
of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to
Governor Andrew M. Cuomo, the New York State Legislature and all others deemed
necessary and proper.
Resolution #3

Resolution Urging Governor Andrew M. Cuomo and the State Legislature to Continue to Support the Repeal or Modification of Federal Cap on the Deductibility of State and Local Taxes and Engage the New York State Congressional Delegation to Support These Efforts in 2020

WHEREAS, in 2017, Congress enacted comprehensive federal tax reforms that capped the deductibility of state and local taxes (SALT) at $10,000, among other items; and

WHEREAS, capping SALT deductibility impacted New York taxpayers (especially homeowners) much more than taxpayers in other states because of our higher home prices and tax rates; and

WHEREAS, many in Congress targeted New York and other similarly situated states as being unfairly subsidized by taxpayers in other states because of the full deductibility of SALT; and

WHEREAS, this viewpoint failed to recognize that New York State has been a consistent “donor” state to the federal government because of our long history of being home to many high wealth individuals and higher than average income earners; and

WHEREAS, this results in New York contributing tens of billions of dollars more each year to the federal government than we receive back in payments or grants and this has been occurring for decades; and

WHEREAS, the consistent “donor” status is the result of a plethora of federal funding formulas where income is often used as a basis for distributing those dollars; and

WHEREAS, since the state receives fewer federal grants and payments than other states from income-based federal formulas, New York must raise more local taxes to fulfill federal mandates and regulations for K-12 education, health and social services, environmental and labor protections, as well as provide local quality of life services including fire and police protection, higher education, and emergency preparedness and response, among others; and

WHEREAS, the deductibility of SALT was one of six original federal tax deductions established when the federal income tax was created in 1913; and

WHEREAS, the SALT deduction was implemented to prevent double taxation and to encourage states and local government to invest in their communities, infrastructure and people – often because the federal government recognized they could not make these investments; and

WHEREAS, the House of Representatives recently passed the “Restoring Tax Fairness for State and Localities Act” which will raise the cap on the deductibility of SALT from $10,000 to $20,000 for one year and then suspend the cap for the following two years; and
WHEREAS, enactment of this legislation, or similar legislation, can correct the inequities created by the SALT deductibility cap.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties urges the Governor and State Legislature to work closely with the New York state congressional delegation in the coming year to help garner additional support for these changes in Congress; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.
2020 NYSAC Legislative Conference
Albany County, NY

Standing Committee on Transportation & Public Works

Hon. Dwight Fanton (Alleghany County) – Chair
Sandra Fusco (Putnam County) – Vice Chair
Hon. Nance Arquiett (St. Lawrence County) – Vice Chair
2020 Legislative Conference
NYSAC Standing Committee on Transportation and Public Works
Resolution #1

Calling on the State to Provide a New, Robust 2-Year Capital Program that Recognizes the State Funding Needs of Locally Owned Transportation Infrastructure

WHEREAS, the New York State Department of Transportation’s 20-Year Transportation Needs Assessment (2010-2030) released at the end of 2007 outlined the transportation challenges facing New York State during the covered decades and presented NYSDOT recommendations for new capital investment policies and strategies to better meet these challenges facing state and local highways, bridges and culverts, airports, intercity passenger and freight rail, suburban and upstate transit and ports; and

WHEREAS, the NYSDOT Assessment warned at the time that the statewide transportation systems were under stress from age, heavy use and deferred maintenance due to underfunding, and that the condition of the system’s infrastructure is deteriorating, and reversing this downward trend will require new investment strategies and a dedicated, sustained, long-term effort; and

WHEREAS, according to the Office of the State Comptroller, transportation has long been the largest infrastructure spending category, but transportation’s share of capital spending is expected to drop from 47.5 percent over the previous decade to 38.4 percent in the current five-year plan period; and

WHEREAS, the Comptroller further finds that clearly, New York needs robust capital investment for transportation, environmental protection, resiliency and other essential needs, yet the current capital planning process falls short with respect to setting priorities among competing demands and in assessing the cost-effectiveness of public investments; and

WHEREAS, the Executive Budget proposes a 2-year transportation capital plan and increases the NYSDOT capital program by $3 billion over the next two years, an increase of 33% over the last two years of the current 5-Year Transportation Capital Program; and

WHEREAS, of this $3 billion increase, CHIPS funding is frozen at $438 million for what will be the eighth and ninth year, and other state aid to local road and bridge programs are proposed to have no increases, and the Extreme Winter Recovery program cut to zero over the next two years—this despite local governments being responsible for 87% of the road mileage in the state and over 50% of the bridges; and

WHEREAS, to create a faster, more accessible, more reliable public transportation system for downstate New York, the Metropolitan Transportation Authority (MTA) approved a historic 2020-2024 Capital Program totaling $51.5 billion that provides a 70% increase to capital investments for subways, buses, Metro-North Railroad and Long Island Railroad over the previous five-year program; and
WHEREAS, New York elected officials must make a similar commitment to roads, bridges and culverts and other critical local transportation infrastructure by similarly increasing funding for the next NYSDOT 5-Year Transportation Capital Program to address the annual unmet needs of the entire state and local transportation system; and

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties calls on the Governor and the State Legislature to develop a Transportation Capital Program that meets the needs of the local transportation; and

BE IT FURTHER RESOLVED, that the final adopted budget includes major enhancements to state aid to local transportation programs including CHIPS, PAVE NY, BRIDGE NY, Extreme Winter Recovery, Aviation Capital Grant Program and the Airport Economic Development and Revitalization Competition Initiative at funding levels that close the current and future funding gaps between the needs of our aging and ailing local transportation infrastructure and what is proposed by the Executive Budget; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.
NYSAC Standing Committee on Transportation and Public Works
2020 Legislative Conference
Resolution #2

Urging the Governor and State Legislature to Increase State Operating Assistance and Capital Support for Transit Systems Owned by Counties, as Well as All Transit Systems in Urban and Rural Areas Throughout the State

WHEREAS, urban, suburban and rural transit services are vital to providing mobility in communities across New York State; and

WHEREAS, transit service provides access to jobs, healthcare, education, training, shopping and recreation, which supports the growth of local and state economies; and

WHEREAS, counties and their residents contribute financially to support local transit services and many counties own and operate their local transit system; and

WHEREAS, customers, businesses and communities are demanding more extensive and frequent transit service and additional travel options; and

WHEREAS, transit systems need to replace aging vehicles, modernize outdated facilities and implement new technology that makes transit easier to use; and

WHEREAS, the New York Public Transit Association has inventoried the infrastructure needs and resources of upstate and downstate transit systems other than the MTA, and found a funding gap of $1 billion over the next five-year period; and,

WHEREAS, past state investment has allowed transit systems to begin to replace over-age buses, modernize outdated passenger and maintenance facilities and begin to increase service to meet growing demands, but there are still substantial unmet needs; and,

WHEREAS, the current state five-year transportation capital plan ends on March 31, 2020; and

WHEREAS, adequate, predictable and sustainable state funding is critical both to maintain and expand transit services and to improve transit infrastructure; and

WHEREAS, the 2020 SFY Executive Budget provides $236 million in operating support for Upstate transit, for a 4 percent increase year over year, and $394 million for downstate systems, representing a year over year increase of 16 percent; and

WHEREAS, other downstate transit aid includes $11 million to continue to fund the Lower Hudson Transit Link serving the Mario M. Cuomo Bridge and parts of Rockland and Westchester counties; and

WHEREAS, the Executive Budget also provides non-MTA transit systems with an additional $20 million in capital assistance this year, the first year of a $100 million five-year program to aid local transit agencies in the transition to electric buses.
NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) hereby commends Governor Cuomo and the Legislature for the state investment in transit operations and infrastructure; and

BE IT FURTHER RESOLVED, that NYSAC urges the Governor and Legislature to continue these past state investments and enact new multiyear financial plans and a 2020-21 state budget that increases state operating assistance and capital support for transit systems owned by counties, as well as all transit systems in urban and rural areas throughout the state; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and,

BE IT FURTHER RESOLVED that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.
Resolution Urging State Action on a Chapter Amendment to Assure Effective Control of Wildlife Populations at Airports

WHEREAS, wildlife populations can pose a threat to aviation operations in and around airports and cause significant damage to aircraft, lengthy flight delays and threats to the safety of passengers and residents of surrounding communities; and

WHEREAS, airports employ best humane practices to keep wildlife populations at bay by erecting fences, building walls, constructing stormwater ponds, using pulsating lights and other mechanisms; and

WHEREAS, despite these efforts, deer, birds, coyote and other wildlife still make their way onto runways, tarmacs and into flight paths; and

WHEREAS, according to FAA data, about 90% of bird strikes take place at or near airports, usually while taking off or landing, and there were 898 collisions between aircraft and white-tailed deer in the United States over a 10-year period; and

WHEREAS, wildlife strikes to U.S. civil aircraft cost about $718 million in damage to aircraft and about 567,000 hours of civil aircraft down time annually, and result in injuries to pilots and passengers; and

WHEREAS, the NYS Department of Environmental Conservation (DEC) recognizes that wildlife population reduction is necessary at airports and other public facilities and issues permits to authorized persons to use certain firearms and techniques to remove from these aviation properties deer and other wildlife that pose a threat; and

WHEREAS, some previously permitted wildlife management methods are now no longer available with the potential for negative impacts on the safety of airport operations, making it more difficult for airports to effectively keep the runways and facilities clear of animal obstructions and interference and safe for aircraft and passengers and airport communities; and

WHEREAS, a bill, A.1599 (Hunter)/S.5849 (May), passed both houses of the legislature intended to partially restore prior practices by DEC of issuing special wildlife management permits; and

WHEREAS, Governor Cuomo vetoed this bill in December 2019; and

WHEREAS, new legislation needs to be reintroduced to include provisions critical to protecting New York’s airports and aviation operations from the threat of wildlife.

NOW, THEREFORE, BE IT RESOLVED, that controlling wildlife populations around airports is critical to ensuring the safety of travelers, aircraft crews and surrounding neighborhoods; and
BE IT FURTHER RESOLVED, that the New York State Association of Counties urges the Governor and Legislature to agree to a bill to fully reinstate the authorization and use of certain successful wildlife management techniques in a strictly controlled manner by government employees acting in an official capacity or persons acting pursuant to a permit to continue to effectively control wildlife populations at airports and surrounding areas; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York Legislature, the NY Airport Managers Association, and all others deemed necessary and proper.