



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

2023 NYSAC Fall Seminar Resolutions

**Oneida County
September 13 – 15, 2023**

Hon. Daniel P. McCoy, President

Stephen J. Acquario, Executive Director

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— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2023 NYSAC Fall Seminar
Oneida County**

NYSAC Board of Directors

Hon. Daniel P. McCoy, President

1 **2023 NYSAC Fall Seminar**
2 **NYSAC Board of Directors**
3 **Resolution #1**

4 **Resolution Demanding New York State Reduce the Cost of State-Mandated**
5 **Programs on Local Taxpayers**

6 **WHEREAS**, despite the state capping the local share of Medicaid — and assuming the
7 growth — New York State continues to rely on county taxpayers to balance its books;
8 and

9
10 **WHEREAS**, even with this Medicaid growth cap in place the 57 counties and New York
11 City have provided \$139 billion in local taxes to pay for the state designed and controlled
12 program since 2005. Each year going forward counties will need to raise \$7.6 billion in
13 local taxes to pay a share of the costs of the state’s Medicaid program that is growing at
14 an unsustainable rate and has been for many years; and

15
16 **WHEREAS**, this state mandated local share is unprecedented nationwide and more
17 than all counties in the country combined are forced to pay for general Medicaid
18 program costs; and

19
20 **WHEREAS**, New York State is one of only a few that require counties to pay the bulk of
21 the costs of the state general assistance program (Safety Net). Since 2005, counties and
22 New York City have provided \$25.2 billion in local tax revenues to support the state’s
23 Safety Net Program; and

24
25 **WHEREAS**, since 2005 counties and New York City have provided \$7.5 billion in local
26 taxes to support indigent defense services, a federal and state constitutional
27 requirement the state has shifted to counties and New York City; and

28
29 **WHEREAS**, only 15 states require their counties to pay a significant share of indigent
30 defense costs, and few come close to the share and amount of local funds required of
31 New York counties; and

32
33 **WHEREAS**, since 2005 counties and New York City have provided \$12.6 billion in
34 local tax revenues to support the state’s Preschool special education program. Counties
35 pay just over 40 percent of Preschool Special Education costs for 3–5-year-olds, in
36 addition to 10 percent of summer school special education services for k-12 students.
37 Few counties nationwide pay for or provide educational services; and

38
39 **WHEREAS**, counties and New York City also provide local tax revenues in support of
40 the state budget for dozens of other programs, many of which have seen lower state
41 funding matches since the Great Recession; and

42
43 **WHEREAS**, the state legislature and Governor have shifted a record amount of new
44 costs to county taxpayers in the last few years, forcing local taxpayers to spend \$14

1 billion in locally raised taxes this year to pay for a significant portion of the costs of state
2 designed and controlled programs, a 17 percent increase since SFY 2021; and

3
4 **WHEREAS**, the record amount of locally generated taxes paid by New Yorkers that
5 directly fund state programs each year is more than the entire general fund spending of
6 29 individual states; and

7
8 **WHEREAS**, for the 57 counties outside of New York City the new cost shifts and added
9 spending requirements imposed over the last two years by the state will approach \$600
10 million annually. These recurring costs include the intercept of federal Medicaid funding
11 that for 20 years has been set aside by congress for county fiscal relief, state imposed
12 double digit rate increases for preschool special education and foster care programs, a
13 doubling of rates for criminal indigent defense costs, and higher pension costs; and

14
15 **WHEREAS**, these increases are equal to 11 percent of the entire county property tax
16 levy for SFY 2023 and will have to be supported with higher local taxes or service cuts;
17 and

18
19 **WHEREAS**, as recent as 2021, New York State has shifted the entire cost of Criminal
20 Procedure Law (CPL) 730 exams and placements onto county taxpayers; and

21
22 **WHEREAS**, since 2005, counties and New York City have been required under state
23 law to raise over \$184 billion in local taxes to pay for state programs that most counties
24 across the country do not fund, hindering New York's economic competitiveness,
25 driving significant job and population loss that has been accelerating in recent years,
26 and fueled New York's housing affordability crisis; and

27
28 **WHEREAS**, all of these cost shifts have been used to provide relief to the state
29 financial plan but does so by essentially substituting more regressive local taxes for the
30 more progressive state tax structure which has a direct and negative impact on local
31 taxpayers and affordability in New York State.

32
33 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
34 Counties (NYSAC) urges the State Legislature and Governor Hochul, at minimum, to
35 freeze local costs for all state mandated programs, and further, to include significant
36 new funding to reduce or eliminate the \$14 billion in annual payments counties make
37 for state-mandated programs as part of the SFY 2024-25 Budget and beyond; and

38
39 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
40 of New York State encouraging member counties to enact similar resolutions; and

41
42 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
43 Governor Kathy Hochul, the New York State Legislature and all others deemed
44 necessary and proper.

1 **2023 NYSAC Fall Seminar**
2 **NYSAC Board of Directors**
3 **Resolution #2**

4
5 **Resolution Urging the Federal Government and State of New York to**
6 **Provide Immediate Assistance to Local Governments to Address the**
7 **Migrant Crisis**

8 **WHEREAS**, the New York State Association of Counties (NYSAC) recognizes that the
9 issue of immigration falls under the primary jurisdiction of the federal government,
10 which is responsible for crafting and implementing immigration policies that govern the
11 entry and residency of individuals into the United States; and

12
13 **WHEREAS**, addressing immigration-related issues requires comprehensive federal
14 solutions that consider the complexities of immigration, border security, and the rights
15 and well-being of individuals and families; and

16
17 **WHEREAS**, the ongoing global migrant crisis has led to an increased number of
18 migrants, refugees, and asylum seekers arriving in New York State, and particularly in
19 New York City, presenting unprecedented challenges for local governments; and

20
21 **WHEREAS**, New York State's counties are already grappling with significant capacity
22 problems, including a homelessness and affordability crisis that affects communities
23 across the state; and

24
25 **WHEREAS**, the influx of migrants into New York State has the potential to further
26 exacerbate the existing homelessness crisis, placing additional stress on already
27 overburdened local governments, many of which already house migrants from countries
28 around the world; and

29
30 **WHEREAS**, since the spring of 2022, over 100,000 migrants have arrived in New York
31 State, and thousands more arrive each week; and

32
33 **WHEREAS**, counties and municipalities across the state have faced significant
34 challenges in providing essential services, shelter, and support to migrants due to
35 increased numbers, strained resources, and a lack of infrastructure; and

36
37 **WHEREAS**, NYSAC recognizes that the current situation is unsustainable and requires
38 cooperation between the federal, state, and local governments to effectively address the
39 consequences of migration on New York State's communities; and

40
41 **WHEREAS**, on May 9, 2023, Governor Hochul issued an Executive Order recognizing
42 that “the arrival of increased numbers of migrants seeking shelter in the City and State
43 of New York is expected to exacerbate an already large-scale humanitarian crisis and
44 create a disaster emergency to which local governments are unable to adequately
45 respond, creating a threat to health and safety, which could result in the loss of life or
46 property”; and

1
2 **WHEREAS**, the City of New York, in particular, has provided substantial humanitarian
3 assistance, shelter, and care to the arriving migrants; and

4
5 **WHEREAS**, the cost of housing and services the City has provided was approximately
6 \$40 million (adjusted for inflation) in 1981 and has now ballooned to \$4 billion per year,
7 an unsustainable amount for New York City to manage without heavily impacting the
8 delivery of other essential services; and

9
10 **WHEREAS**, the State of New York has tried to alleviate some of the overflow of
11 migrant services by making State-owned properties available to house migrants,
12 deploying the National Guard, and committing \$1.5 billion in financial assistance; and

13
14 **WHEREAS**, this aid, while appreciated, falls woefully short of the \$12 billion cost that
15 New York City projects will be necessary to support arriving asylum seekers and
16 migrants absent additional state and federal support; and

17
18 **WHEREAS**, immigration and asylee policies are federal responsibilities, and local
19 governments cannot be expected to shoulder the costs of the migrant crisis without any
20 capacity or responsibility to manage the nation's borders; and

21
22 **WHEREAS**, additional financial and logistical support from both the federal
23 government and State of New York are critical to ensure the City of New York and other
24 local governments can respond to the migrant crisis in a sustainable, compassionate,
25 and dignified manner.

26
27 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
28 Counties (NYSAC) demands the State of New York and the federal government provide
29 immediate financial, logistical, and resource assistance to counties and municipalities,
30 specifically New York City, to assist in responding to the migrant crisis; and

31
32 **BE IT FURTHER RESOLVED**, that the federal government expedite work
33 authorizations to enable asylum seekers and migrants to resettle in communities more
34 quickly and reduce the need for future shelter and financial assistance; and

35
36 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
37 of New York State encouraging member counties to enact similar resolutions; and

38
39 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
40 President Joseph Biden, Governor Kathy Hochul, the New York Congressional
41 Delegation, the New York State Legislature, and all others deemed necessary and
42 proper.

1 **2023 NYSAC Fall Seminar**
2 **NYSAC Board of Directors**
3 **Resolution #3**

4
5 **Resolution Expressing Gratitude to Oneida County, Madison County, and**
6 **the Oneida Indian Nation for Hosting the 2023 NYSAC Fall Seminar at**
7 **Turning Stone**

8 **WHEREAS**, the New York State Association of Counties (NYSAC)'s mission is to unite
9 the voice of New York's county leaders and foster excellence in county government; and

10
11 **WHEREAS**, NYSAC is dedicated to keeping members informed of current issues facing
12 counties and up-to-date on the latest local government innovations; and

13
14 **WHEREAS**, the annual NYSAC Fall Seminar plays a crucial role in facilitating
15 collaboration, professional development, and the exchange of ideas among county
16 officials, thereby enhancing the quality of local government throughout the state; and

17
18 **WHEREAS**, NYSAC held its 2023 Fall Seminar at Turning Stone Resort Casino from
19 September 13 to 15; and

20
21 **WHEREAS**, the Fall Seminar provided an invaluable opportunity for county officials
22 and stakeholders from across New York State to convene, collaborate, and discuss
23 matters of critical importance to counties and their residents; and

24
25 **WHEREAS**, the event showcased the cultural heritage and natural beauty of Central
26 New York; and

27
28 **WHEREAS**, the success of the 2023 NYSAC Fall Seminar would not have been
29 possible without the hospitality and generous contributions of Oneida County, Madison
30 County, and the Oneida Indian Nation; and

31
32 **WHEREAS**, the exceptional facilities and world-class accommodations contributed
33 significantly to the overall success of the conference; and

34
35 **WHEREAS**, the collaborative efforts of all parties involved in planning, organizing,
36 and executing the Fall Seminar reflected positively on our Association and its
37 commitment to promoting excellence in governance.

38
39 **NOW, THEREFORE, BE IT RESOLVED**, that the NYSAC Board of Directors
40 hereby expresses its deep gratitude and appreciation to Oneida County, Madison
41 County, and the Oneida Indian Nation for their outstanding contributions to the success
42 of the 2023 NYSAC Fall Seminar at Turning Stone Resort Casino; and

43
44 **BE IT FURTHER RESOLVED**, that we commend the generosity, dedication to
45 excellence, and attention to detail displayed by all parties involved; and
46

1 **BE IT FURTHER RESOLVED**, that copies this resolution be sent to Oneida County,
2 Madison County, the Oneida Indian Nation, and all others deemed necessary and
3 proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2023 NYSAC Fall Seminar
Oneida County**

**Standing Committee on Agriculture & Rural
Affairs Resolutions**

Hon. A. Douglas Berwanger (Wyoming County) – Chair
Hon. Paul Ruskiewicz (Orange County) – Vice Chair
Hon. Terry Wilbur (Oswego County) – Vice Chair

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Agriculture & Rural Affairs**
3 **Resolution #1**

4
5 **Resolution in Support of Securing Key County Priorities in the 2023 Farm**
6 **Bill**

7 **WHEREAS**, the U.S. Farm Bill helps New York counties make critical investments in
8 infrastructure, economic development, workforce training, nutrition and conservation
9 in some of our most underserved communities; and

10
11 **WHEREAS**, preserving the law’s programs is key to the strength and stability of our
12 local, regional, state and national economies; and

13
14 **WHEREAS**, the New York State Association of Counties (NYSAC) supports the
15 following priorities in the 2023 Farm Bill:

- 16 1.) ***Improve ease of access and flexibility of Farm Bill programs*** –
17 Cumbersome regulations and statutory requirements restrict rural communities
18 from accessing the resources they desperately need to thrive. Counties support
19 legislative action to streamline application processes and reporting requirements
20 for Farm Bill programs such as the ReConnect Program and the Rural Innovation
21 Stronger Economy (RISE) Grant Program. Counties also support efforts to add
22 additional flexibility for federal match requirements that force rural communities
23 to secure additional funding before unlocking much-needed resources.
24
25
26 2.) ***Maintain and expand Farm Bill conservation programs*** – The
27 protection of our state’s ecosystems starts with the conservation efforts of our
28 rural communities by our farmers. Counties support the reauthorization of
29 producer-led voluntary conservation programs administrated by USDA,
30 including the Environmental Quality Incentives Program (EQIP), Conservation
31 Stewardship Program (CSP) and the Agricultural Conservation Easements
32 Program (ACEP).
33
34 3.) ***Invest in the capacity of rural counties*** – Robust investment in the
35 expertise and capacity of rural counties will empower rural policymakers to plan
36 and execute local-led community development strategies. NYSAC calls on
37 congress to include at least \$1 billion in mandatory funding for grants-based
38 rural capacity-building programs in the 2023 Farm Bill. NYSAC also supports
39 extending eligibility for the Community Facilities Direct Loan & Grant Program
40 to rural governments to provide financial assistance to county operated facilities.
41 In turn, population thresholds should be increased where possible when
42 considering eligibility for rural development programs, while inserting language
43 that would prioritize low-population counties.
44

1 4.) **Invest in high-speed internet access** – According to the Federal
2 Communications Commission (FCC), 14.5 million Americans lack quality
3 broadband internet access. NYSAC supports authorizing the ReConnect Program
4 through the Farm Bill. NYSAC also supports reauthorizing the Distance Learning
5 & Telemedicine Program, which would increase the quality of life and help rural
6 New York thrive. Finally, NYSAC supports reauthorizing the Community Connect
7 Grant program, which will continue to invest in community orientated
8 connectivity that supports economic growth, education, healthcare and public
9 safety in rural New York.

10
11 5.) **Expand Opportunities for the rural economy** – NYSAC supports
12 reauthorizing the Rural Business Development Grants Program and the Rural
13 Investment Stronger Economy (RISE) Grant Program to provide enhanced
14 opportunities for rural businesses and create good-paying jobs.

15
16 6.) **Strengthen the Supplemental Nutrition Assistance Program (SNAP)**
17 – New York Counties are on the front lines for the development, implementation
18 and administration of food and nutrition programs that combat hunger at the
19 local level through partnerships with the Federal government. NYSAC supports
20 maintaining and enhancing the Supplemental Nutrition Assistance Program
21 (SNAP), including increasing the options available to State and local
22 governments to streamline SNAP applications and administrative processes,
23 combat food insecurity among active-duty service members by excluding the
24 Basic Allowance for Housing from income eligibility and supporting the
25 promotion of healthy diets by offering incentives and the infrastructure to
26 encourage more local fruit/vegetable production and consumption.

27
28 7.) **Provide stronger support for small and mid-size producers** – small
29 farms constitute a large portion of new york state farms. Nysac supports
30 reauthorization of the farming opportunities training and outreach (foto)
31 program and increased funding for local agriculture market program (lamp).
32 Nysac also supports maintaining and improving farm safety net programs
33 targeting new, beginning, and underserved producers.

34
35 8.) **Maintain and expand support for farmers** – Agriculture is the backbone
36 of New York’s economy and subsequently has a major impact on county
37 economies. Some programs that are important to counties include the
38 Agricultural Risk Coverage (ARC) Program, the Price Loss Coverage (PLC)
39 Program, the Livestock Indemnity Program (LIP), the Federal Crop Insurance
40 Program (FCIP), Dairy Margin Coverage (DMC), Specialty Crop Block Grant,
41 Whole Farm Revenue Protection, and Non-Insured Assistance Program

42 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
43 Counties (NYSAC) calls on our federal representatives to include all twelve titles of the
44 Farm Bill and fully fund them as they are vital to the strength of county economies
45 across New York; and
46

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

3

4 **BE IT FURTHER RESOLVED** that NYSAC shall forward copies of this resolution to
5 the New York State Congressional Delegation, members of the NYS Assembly and
6 Senate Agricultural Committees, and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2023 NYSAC Fall Seminar
Oneida County**

**Standing Committee on Climate Action
Resolutions**

Hon. Jen Metzger (Ulster County) – Chair
Bonnie Lange Lawrence (Erie County) – Vice Chair
Heather Brown (Sullivan County) – Vice Chair
Peter McCartt (Westchester County) – Vice Chair

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Climate Action**
3 **Resolution #1**

4 **Resolution Urging the Expeditious Establishment of a New York State**
5 **Stewardship Program that Includes Both Packaging and Printed Paper**

6
7 **WHEREAS**, in New York State, more than 18 million tons of municipal solid waste is
8 generated each year, or about five pounds per day for every person who lives in the
9 state; and

10
11 **WHEREAS**, half of all plastic items are single-use, and less than nine percent of plastic
12 waste is recycled; and

13
14 **WHEREAS**, greenhouse gas (GHG) emissions from the waste sector represent about
15 12 percent of statewide emissions; and

16
17 **WHEREAS**, the most significant GHG emissions impact during the lifecycle of
18 products and packaging result not from disposal but from the production of products
19 and packaging that eventually become waste; and

20
21 **WHEREAS**, in addition to the climate impacts of waste, the costs associated with its
22 recycling and disposal impose a significant burden on local governments and taxpayers;
23 and

24
25 **WHEREAS**, an Extended Producer Responsibility (EPR) program for packaging and
26 printed paper would significantly reduce waste and single-use plastic packaging and
27 would rightly require producers to take responsibility for the end-of-life management of
28 their own packaging and invest in modernizing the operations at local recycling
29 facilities; and

30
31 **WHEREAS**, the Climate Action Council’s Scoping Plan recommends New York State
32 enact legislation to create an EPR framework or a targeted EPR program for products
33 with the greatest GHG impact, including packaging and printed paper; and

34
35 **WHEREAS**, at its 2023 Legislative Conference, the New York State Association of
36 Counties (NYSAC) unanimously adopted a resolution in support of EPR as a policy tool
37 to make producers legally and financially responsible for mitigating the environmental
38 impacts of their products and packaging; and

39
40 **WHEREAS**, this resolution also urged the Governor and Legislature to enact
41 legislation creating an EPR program for packaging and paper in 2023, consistent with
42 the Scoping Plan’s recommendation; and

43
44 **WHEREAS**, a bill to create an EPR program for packaging and printed paper was
45 introduced by Senator Peter Harckham (S.4246) and was subsequently amended

1 (S.4246-A) to not include printed paper in order to match an Assembly version of the
2 bill introduced by Assemblymember Deborah Glick (A.5352); and

3
4 **WHEREAS**, paper makes up fully one-third of municipal solid waste, and its
5 decomposition in landfills generates climate-damaging methane emissions; and

6
7 **WHEREAS**, a life cycle study on the paper industry, cited in the Scoping Plan, found
8 that recycling paper and using that recycled paper in production reduces the greenhouse
9 impacts of paper manufacturing by two to six times compared to virgin manufacturing
10 and landfilling or combustion; and

11 **WHEREAS**, the lack of a robust recycling market for printed paper poses major
12 challenges to reducing paper waste and necessitates its inclusion in an EPR program
13 with packaging, consistent with the Scoping Plan’s recommendations.

14
15 **NOW THEREFORE BE IT RESOLVED**, NYSAC urges that S.4246-A
16 (Harckham)/A.5352 (Glick) be amended to include printed paper and that this
17 legislation be passed and signed into law no later than the 2024 Legislative Session,
18 which is already a delay of one year beyond what has been recommended by the Scoping
19 Plan; and

20
21 **BE IT FURTHER RESOLVED**, that the EPR program establishes a sustainable
22 funding source for counties, municipalities, and solid waste authorities; and

23
24 **BE IT FURTHER RESOLVED**, that NYSAC reaffirms its support for an EPR
25 program that:

- 26 1. Clearly defines the roles and responsibilities of local governments, including the
27 option to maintain their current operations and elect for reimbursement, elect
28 not to participate, or discontinue services and leave the Producer Responsibility
29 Organization (PRO) to ensure services are provided; and
- 30 2. Includes a clearly defined reimbursement mechanism to provide local
31 governments that participate in the program with full and timely reimbursement;
- 32 3. Designates a recycling inspector general to enforce program requirements and
33 ensure fees are sufficient to fully reimburse local governments for the costs they
34 incur;
- 35 4. Requires reuse and recycling of a minimum of 50 percent of packaging and paper
36 waste by 2035 and a minimum of 75 percent of packaging and paper waste by
37 2050;
- 38 5. Prohibits the toxic and dangerous chemicals in packaging, as listed in s.4246-
39 a/a.5352, to protect public health and safety and avoid costs associated with their
40 production, transport, use, and disposal, including public health costs, costs of
41 environmental remediation, and costs of responding to such accidents as the
42 2023 derailment in east palestine, ohio of a train carrying vinyl chloride; and

43
44 **BE IT FURTHER RESOLVED**, the Governor and State Legislature equip the New
45 York State Department of Environmental Conservation (NYSDEC) with sufficient staff
46 to administer an EPR program; and

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15

BE IT FURTHER RESOLVED, that NYSAC urges county representation on the advisory council created to implement and oversee the program; and

BE IT FURTHER RESOLVED, NYSAC again urges the Governor and Legislature to also create an EPR framework to enable the State to create stewardship requirements for additional products with significant GHG impacts, such as solar panels; and

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

BE IT FURTHER RESOLVED, NYSAC shall forward copies of this resolution to Governor Kathy Hochul, the New York State Legislature, NYSDEC Commissioner Basil Seggos, New York State Energy Research and Development Authority (NYSERDA) President and CEO Doreen Harris, and all others deemed necessary and proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Climate Action**
3 **Resolution #2**

4
5 **Resolution Urging NYSERDA to Expediently Implement and Promote the**
6 **Incentives and Rebates Created by the Inflation Reduction Act to Enhance**
7 **Energy Efficiency and Climate Mitigation in New York State**

8
9 **WHEREAS**, the Inflation Reduction Act (IRA) passed by Congress and signed into law
10 on August 16, 2022, authorizes a historic \$370 billion federal investment to fight climate
11 change, including new tax incentives and rebates to help homeowners and renters make
12 cost-saving energy improvements to their homes and purchase energy-efficient heating
13 and hot water systems and appliances; and

14
15 **WHEREAS**, buildings account for the largest share of New York's greenhouse gas
16 emissions at 32 percent of total emissions, and the IRA's energy rebates and incentives
17 will greatly facilitate emissions reductions consistent with New York's Climate
18 Leadership and Community Protection Act at lower cost; and

19
20 **WHEREAS**, according to the New York State Energy Research and Development
21 Authority (NYSERDA), New York has over five million single-family homes and among
22 the oldest building stock in the nation; and

23
24 **WHEREAS**, energy-efficiency improvements to homes and installation of modern,
25 energy-efficient appliances and systems improve comfort and air quality and reduce
26 energy use and costs, benefiting the health, quality of life, and well-being of residents;
27 and

28
29 **WHEREAS**, under the IRA, all residents are now eligible for a 30 percent tax credit for
30 home investments in rooftop solar, battery storage, energy-efficiency improvements to
31 the building envelope, energy-efficient heat pumps, and home electric-vehicle charging;
32 and

33
34 **WHEREAS**, the IRA also authorizes a rebate program under which low- and
35 moderate-income households are to receive rebates for home energy-efficiency
36 improvements covering 80 percent of the costs up to \$8,000, depending on the level of
37 predicted energy savings, and all other households are eligible for rebates of 50 percent
38 of project costs up to \$4,000, depending on predicted energy savings; and

39
40 **WHEREAS**, rebates of up to \$14,000 per household are also to be made available for
41 the purchase of energy-efficient electric systems and appliances, including heat pumps
42 for space and water heating, heat-pump clothes dryers, and induction stoves, as well as
43 for related electric wiring and load service upgrades, covering up to 100 percent of the
44 costs for low- and moderate-income households and up to 50 percent of the costs for
45 middle-income households earning up to 150 percent of Area Median Income; and
46

1 **WHEREAS**, these rebates can be stacked with IRA tax incentives, which further reduce
2 the upfront cost of these energy-saving investments for residents; and
3
4 **WHEREAS**, New York State's share of residential energy rebate funds includes
5 approximately \$159.3 million for Home Efficiency rebates and \$158.4 million for Home
6 Electrification and Appliance rebates; and
7
8 **WHEREAS**, states are responsible for designing and administering rebate programs
9 with IRA funding.
10
11 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
12 Counties (NYSAC) supports the tax incentives and rebates authorized by the Inflation
13 Reduction Act to assist residents in making energy-saving and cost-saving
14 improvements to their homes that also reduce climate-damaging greenhouse gas
15 emissions; and
16
17 **BE IT FURTHER RESOLVED**, that NYSAC urges NYSERDA to make IRA-funded
18 rebates available as soon as possible and no later than November 2023; and
19
20 **BE IT FURTHER RESOLVED**, that NYSAC urges NYSERDA to ensure that IRA-
21 funded rebates not only benefit homeowners but also renters and manufactured home
22 residents; and
23
24 **BE IT FURTHER RESOLVED**, that rebates should be easily accessible and
25 convenient to obtain; and
26
27 **BE IT FURTHER RESOLVED**, that NYSERDA should undertake a statewide
28 educational and marketing campaign to alert New Yorkers to the availability of tax
29 incentives and rebates through the IRA and to the importance of weatherizing homes
30 and tightening the building envelope prior to, or in conjunction with, the installation of
31 heat pumps in order to maximize cost and energy savings; and
32
33 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
34 New York encouraging member counties to enact similar resolutions; and
35
36 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
37 Governor Kathy Hochul, NYSERDA President and CEO Doreen Harris, New York State
38 Public Service Commission (PSC) Chair Rory Christian, New York State Department of
39 Environmental Conservation (NYSDEC) Commissioner Basil Seggos, and all others
40 deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2023 NYSAC Fall Seminar
Albany County**

**Standing Committee on Children with Special
Needs Resolutions**

Heidi Bond (Otsego County), Chair
Sara Boerenko (Montgomery County), Vice Chair
Elizabeth O’Neil (Albany County), Vice Chair
Rita Wood (Ulster County), Vice Chair

1 **NYSAC 2023 Fall Seminar**
2 **Standing Committee on Children with Special Health Care Needs**
3 **Resolution #1**

4
5 **Resolution Urging the Governor and State Legislature to Allow Speech-**
6 **Language Pathologist Assistants and Aides to Practice via License,**
7 **Registration, or Certification in New York State’s Early Intervention**
8 **Program to Expand Capacity for Children in Need of Services**
9

10 **WHEREAS**, according to the American Speech-Language-Hearing Association, a
11 speech-language pathology assistant (SLPA) is support personnel who, following
12 academic coursework, fieldwork, and on-the-job training, performs tasks that are
13 prescribed, directed, and supervised by a certified and/or licensed speech-language
14 pathologist; and

15
16 **WHEREAS**, SLPAs may have the opportunity to work in a variety of settings including
17 schools, home health, clinics, private practice, and Early Intervention, as determined by
18 state laws and regulations; and

19
20 **WHEREAS**, currently in New York State, Speech Language Pathologists (SLPs) are
21 required to perform all evaluations and services for speech/language in the Early
22 Intervention Program (EIP); and

23
24 **WHEREAS**, speech services are repeatedly the number one referred service for Early
25 Intervention across New York State; and

26
27 **WHEREAS**, New York State is experiencing dire shortages of qualified professionals to
28 provide speech-language pathology and audiology services to children with
29 developmental delays and disabilities in the EIP; and

30
31 **WHEREAS**, children in the EIP are going unserved or underserved due to the shortage
32 of SLPs available to provide services; and

33
34 **WHEREAS**, according to a survey of 48 county health departments, over 2,000
35 children were waiting for speech services in the summer of 2022; and

36
37 **WHEREAS**, at least 40 other states allow SLPAs to practice via license, registration, or
38 certification; and

39
40 **WHEREAS**, Occupational Therapist Assistants (OTAs) have an existing structure to
41 provide services under a licensed OT in NYS, as well as a billing structure in place; and

42
43 **WHEREAS**, shifting service delivery for some of the most common speech issues to
44 qualified assistants would result in a more effective use of limited SLPs by allowing SLPs
45 to work at the top of their license and focus on services that only they are qualified to
46 provide, such as feeding services and other services for high needs children;

1
2 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
3 Counties (NYSAC) calls upon the Governor and the New York State Legislature to pass
4 legislation that will allow SLPAs to practice via license, registration, or certification in
5 the EIP when working under supervision and oversight of a licensed SLP to help expand
6 speech service availability for children with developmental delays and disabilities in
7 New York State; and
8

9 **BE IT FURTHER RESOLVED**, the New York State Department of Health be tasked
10 with identifying any barriers to EIP services provided by SLPAs working under a plan of
11 supervision being reimbursed by Medicaid and move forward with actions to ensure
12 such services are Medicaid reimbursable; and
13

14 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
15 of New York encouraging member counties to enact similar resolutions; and
16

17 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
18 Governor Kathy Hochul, the New York State Legislature and all others deemed
19 necessary and proper.

1 **2023 NYSAC Legislative Conference**
2 **Standing Committee on Children with Special Health Care Needs**
3 **Resolution # 2**

4
5 **Resolution Urging the Governor and State Legislature to Move the**
6 **Administrative Responsibility for Preschool Special Education**
7 **Transportation Services to Local School Districts**

8
9 **WHEREAS**, Section 200.16(e)(5) of the Regulations of the Commissioner of Education
10 requires the municipality in which a Preschool Special Education Program (Pre-K SEP)
11 student resides to provide suitable transportation, as determined by the board of
12 education, to services developed in an Individual Education Plans (IEP), as needed; and

13
14 **WHEREAS**, municipalities contract with third-party transportation vendors to provide
15 transportation services to children in the Pre-K SEP to and from necessary services; and

16
17 **WHEREAS**, coordinating with bus companies is a significant administrative burden on
18 municipalities, particularly on already overburdened local health departments; and

19
20 **WHEREAS**, according to a survey of 51 county local health departments, county Pre-K
21 SEP transportation costs from utilizing third-party transportation vendors have been
22 increasing for years, with overall statewide costs being 90% higher in 2022 than they
23 were in 2020; and

24
25 **WHEREAS**, Pre-K SEP transportation costs per child are consistently highest for
26 small, rural counties due to limited choices for transportation vendors; and

27
28 **WHEREAS**, Section 4401(4) of the New York State Education Law requires all school
29 districts to provide transportation for all pupils, defined as children enrolled in any
30 public or nonpublic elementary, middle or secondary school, with disabilities residing in
31 the district for whom such services are specified in their IEP; and

32
33 **WHEREAS**, local school districts either own, operate, and maintain buses or have
34 systems in place to contract with bus companies to transport pupils with disabilities to
35 and from special classes; and

36
37 **WHEREAS**, local school districts have existing systems in place to ensure that bus
38 drivers, monitors, and attendants are properly trained and qualified to transport pupils,
39 including those in Pre-K and with disabilities, safely to and from school; and

40
41 **WHEREAS**, local school districts have experience and processes in place to coordinate
42 frequently changing bus routes and receive State aid for the costs of transportation
43 services; and

1 **WHEREAS**, Pre-K SEP transportation costs for localities contracting with local school
2 districts to provide transportation to and from services are significantly lower than costs
3 incurred from utilizing third-party transportation vendors; and
4

5 **WHEREAS**; localities utilizing school districts to provide transportation to Pre-K SEP
6 services spent 78% less on transportation costs per child in 2022 compared to localities
7 utilizing third-party transportation vendors, equaling millions of dollars in cost savings
8 for localities annually; and
9

10 **WHEREAS**, the disparity in cost for Pre-K SEP transportation per child from utilizing
11 third-party vendors versus school districts has been getting wider since 2019, especially
12 in small counties; and
13

14 **WHEREAS**, county taxpayer dollars are utilized to pay for Pre-K SEP transportation
15 services regardless of who administers such services; and
16

17 **WHEREAS**, this action could also allow counties and school districts to take advantage
18 of the countywide shared services initiative (CWSSI) further providing localities with
19 cost savings; and
20

21 **WHEREAS**, both school districts and municipal government have the fiduciary
22 responsibility to be good stewards of local taxpayer money.
23

24 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
25 Counties calls upon the Governor and the New York State Legislature to shift the
26 responsibility for the administration of Pre-K-SEP transportation services to local
27 school districts, commensurate with their experience transporting other pupils with
28 disabilities residing in their districts to and from special services and the cost savings for
29 localities associated with school districts providing these services versus third-party
30 vendors; and
31

32 **BE IT FURTHER RESOLVED**, that localities maintain the fiscal responsibility for
33 providing these services; and
34

35 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
36 of New York encouraging member counties to enact similar resolutions; and
37

38 **BE IT FURTHER RESOLVED**, that the New York State Association of Counties shall
39 forward copies of this resolution to Governor Kathy Hochul, the New York State
40 Legislature and all others deemed necessary and proper.

1 **2023 NYSAC Legislative Conference**
2 **Standing Committee on Children with Special Health Care Needs**
3 **Resolution # 3**
4

5 **Resolution Urging the Governor and State Legislature to Implement a Rate**
6 **Increase for Early Intervention Providers With No Increase Cost to**
7 **Counties**

8 **WHEREAS**, the Early Intervention Program (EIP) provides critical developmental
9 services to infants and toddlers (ages 0-3 years) with developmental delays or
10 disabilities and their families at a time when these services can have the greatest impact;
11 and

12
13 **WHEREAS**, reimbursement rates for Early Intervention providers are lower now than
14 20 years ago; and

15
16 **WHEREAS**, stagnant and inadequate service rates have produced major provider
17 capacity issues in the EIP; and

18
19 **WHEREAS**, provider capacity issues often pose barriers to infants and toddlers with
20 special needs receiving critical services; and

21
22 **WHEREAS**, from 2020 to 2022 there was a more than 400 percent increase in the
23 number of children on Early Intervention waitlists, equaling thousands of children
24 waiting to receive services across New York State and further there was another 28%
25 wait list increase from 2022 - 2023; and

26
27 **WHEREAS**, the availability of in-person services is an equity issue in the EIP, with
28 children living in the highest poverty rural and urban areas being the most unlikely to
29 receive in-person service delivery.

30
31 **WHEREAS**, municipal/county data indicate that, relative to other children, children in
32 neighborhoods where more than 20 percent of residents live under the Federal Poverty
33 Level (FPL) wait an average of 3 days longer to receive their first service than children in
34 wealthier neighborhoods, and an average of 4 days longer to receive all of their
35 mandated services compared to children living in wealthier neighborhoods; the
36 difference can be as great as 9 versus 12 days for time to first service and 14 versus 19
37 days for receipt of all services, respectively; for time to first service, this is an increase of
38 more than 40 percent since 2017 while, for receipt of all services, it is an increase of 11
39 percent.

40
41 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
42 Counties calls on the Governor and State Legislature to increase Early Intervention
43 reimbursement rates by 11 percent for all services, including evaluations, to improve
44 provider recruitment and retention to the EIP; and

45
46 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of

1 Counties (NYSAC) calls on the Governor and State Legislature to allocate State funding
2 for a fifteen percent rate increase for services provided to children in census tracts
3 where the percentage of the population below poverty is 20 percent or higher; and in
4 areas that require service providers to travel more than 30 minutes between sessions to
5 provide services for children; and
6

7 **BE IT FURTHER RESOLVED**, the 11 percent rate increase should be fully borne by
8 the State of New York as the State of New York has not fully funded early intervention
9 services since the enactment of the federal IDEA Act; and
10

11 **BE IT FURTHER RESOLVED**, the Governor and State Legislature could pay for this
12 increase by enacting A.921 (Conrad) which funds the 11 percent increase by increasing
13 the covered lives assessment fee on commercial insurance; and
14

15 **BE IT FURTHER RESOLVED**, that the State shall remove the travel reimbursement
16 rate modifier for telehealth services to address the lack of in-person providers; and
17

18 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
19 of New York encouraging member counties to enact similar resolutions; and
20

21 **BE IT FURTHER RESOLVED**, that New York State Association of Counties shall
22 forward copies of this resolution to Governor Kathy Hochul, the New York State
23 Legislature and all others deemed necessary and proper.

1 **2023 NYSAC Legislative Conference**
2 **Standing Committee on Children with Special Health Care Needs**
3 **Resolution # 4**

4
5 **Resolution Urging the Governor and State Legislature to Expedite the**
6 **Release of Covered Lives Implementation Guidance and Funds to Counties**

7
8 **WHEREAS**, on December 29, 2021, Governor Kathy Hochul signed A.5339/S.5560-A
9 into law, establishing an Early Intervention Program (EIP) Covered Lives pool funded
10 by an assessment on insurance plans; and

11
12 **WHEREAS**, this legislation, intended to assure a reliable revenue stream for New
13 York’s EIP, went into effect on January 1, 2022; and

14
15 **WHEREAS**, the New York State Department of Health, Bureau of Early Intervention
16 stopped submitting claims to third party insurers for Early Intervention services on
17 January 1, 2022; and

18
19 **WHEREAS**, the purpose of this legislation is to relieve the EIP’s heavy fiscal burden on
20 municipalities/counties and the State that resulted from high rates of commercial
21 insurance denials for EI service claims, to improve the EIP for children and families,
22 and to assist providers by relieving some of their administrative duties during service
23 delivery; and

24
25 **WHEREAS**, prior to the covered lives assessment going into effect, Early Intervention
26 (EI) service claims were paid through three revenue streams--either commercial
27 insurance, Medicaid, or out of escrow--depending on the child receiving the service’s
28 insurance coverage; and

29
30 **WHEREAS**, municipalities/counties were responsible for paying 100 percent of the
31 upfront costs of EIP services, not covered by Medicaid or commercial insurance, out of
32 county escrow, with State reimbursement for 49 percent of escrow costs provided at a
33 later date; and

34
35 **WHEREAS**, since the assessment went into effect, providers are no longer billing
36 commercial insurance for services provided; and

37
38 **WHEREAS**, municipalities/counties are now responsible for paying upfront costs for
39 all EIP services not covered by Medicaid, including for services provided to children
40 with commercial insurance, out of county escrow; and

41
42 **WHEREAS**, the EIP pool funding is intended to offset both the municipal and State
43 share of EIP services, not covered by Medicaid; and

44
45 **WHEREAS**, the 2023 enacted budget included \$40 million in assessment revenues in
46 the New York State Department of Health Early Intervention Program budget; and

1
2 **WHEREAS**, the 2024 enacted budget amended the New York State Health Care
3 Reform Act to make covered lives funding available annually from January 1, 2023,
4 through December 31, 2026; and
5
6 **WHEREAS**, revenues from the covered lives assessment have still not yet been fully
7 distributed to municipalities/counties for 2022; and
8
9 **WHEREAS**, municipalities/counties have received limited guidance on how these
10 funds will be distributed; and
11
12 **WHEREAS**, since the covered lives assessment went into effect,
13 municipalities/counties have been experiencing increases to their upfront escrow costs.
14
15 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
16 Counties (NYSAC) calls upon the Governor and the New York State Legislature to take
17 measures to expedite the release of the balance of the covered lives revenues to
18 municipalities/counties for the time period covering January 1, 2022, through December
19 31, 2022; and
20
21 **BE IT FURTHER RESOLVED**, the State continue their commitment to this critical
22 program, which benefits children with developmental delays and disabilities, being a
23 shared cost between the State and municipalities/counties; and
24
25 **BE IT FURTHER RESOLVED**, the New York State Department of Health, Bureau of
26 Early Intervention and New York State Division of the Budget provide
27 municipalities/counties with a schedule as to when the State will issue payments
28 annually from January 1, 2023, through December 31, 2026; and
29
30 **BE IT FURTHER RESOLVED**, the New York State Department of Health, Bureau of
31 Early Intervention establish a mechanism other than the county escrow account to remit
32 payments to municipalities/counties; and
33
34 **BE IT FURTHER RESOLVED**, the New York State Department of Health, Bureau of
35 Early Intervention change the payment process, so the State provides
36 municipalities/counties with their covered lives share of revenues at the beginning of
37 the State fiscal year; and
38
39 **BE IT FURTHER RESOLVED**, the New York State Department of Health, Bureau of
40 Early Intervention provide information on how insurance, service claim, and cost data
41 will be maintained at the child level to ensure funds are being applied fairly across
42 municipalities/counties; and
43
44 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
45 New York encouraging member counties to enact similar resolutions; and
46

1 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
2 Governor Kathy Hochul, the New York State Legislature and all others deemed
3 necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2023 NYSAC Fall Seminar
Oneida County**

**Standing Committee on Economic Development,
Environment, and Energy Resolutions**

Hon. William Farber (Hamilton County) – Chair
Hon. Rebecca Ryan (Wyoming County) –Vice Chair
William Rabbia (Oneida County) –Vice Chair

2023 NYSAC Fall Seminar

**Standing Committee on Economic Development, Environment & Energy
Resolution #1**

Resolution Asking for the Assistance of the ConnectALL Office, Public Service Commission, and Federal Communications Commission in Dealing with the Uncertainty of Planning for Broadband With and Around Frontier Communications' Service Area

WHEREAS, broadband coverage is of paramount importance in ensuring equitable access to information and resources for all New Yorkers; and

WHEREAS, Frontier Communications is a significant provider of broadband service in numerous communities across various counties in New York State; and

WHEREAS, Frontier Communications has been awarded grants through the Rural Digital Opportunity Fund (RDOF) in multiple communities across the state to enhance broadband infrastructure; and

WHEREAS, through the RDOF, the Federal Communications Commission (FCC) will disburse up to \$20.4 billion over 10 years to bring fixed broadband and voice service to millions of unserved homes and small businesses in rural America; and

WHEREAS, there is a pressing need to address the lack of progress in implementing RDOF projects in awarded areas across multiple counties; and

WHEREAS, the excess amount of time allowed for construction under the RDOF program creates significant challenges when our residents, children, and schools have immediate needs; and

WHEREAS, comprehensive efforts have been undertaken by all counties to assess and expand broadband coverage, including through the New York State Public Service Commission (PSC)'s and FCC's mapping initiatives; and

WHEREAS, counties recognize the importance of collaborating with the New York State ConnectALL Office, PSC, and FCC to secure funding to bridge existing broadband gaps and to ensure a productive partnership with service providers; and

WHEREAS, transparent communication and cooperation with broadband service providers are crucial to effectively planning for broadband expansion, including but not limited to providers like Frontier Communications; and

WHEREAS, the extended timeline for construction under the RDOF program poses challenges for counties to plan effectively.

1 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
2 Counties (NYSAC) calls upon New York State’s ConnectALL Office, PSC, and FCC to
3 facilitate collaborative planning meetings with broadband service providers, including
4 Frontier Communications, to address the following:

- 5 • The status and expected completion timelines of RDOF projects;
- 6 • Plans for system improvements and broadband expansion initiatives;
- 7 • A viable framework for addressing broadband gaps that counties and customers
8 have identified; and

9
10 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
11 New York encouraging member counties to enact similar resolutions; and

12
13 **BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to
14 Governor Kathy Hochul, ConnectALL Senior Vice President Joshua Breitbart, PSC Chair
15 and CEO Rory Christian, FCC Chairwoman Jessica Rosenworcel, and all others deemed
16 necessary and proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Economic Development, Environment, and Energy**
3 **Resolution #2**

4
5 **Calling on the State of New York to Develop a Comprehensive Approach to**
6 **Regulating PFAS and Holding Manufacturers Accountable for PFAS Use**
7 **and Treatment Costs**

8
9 **WHEREAS**, counties recognize the importance of managing per- and polyfluoroalkyl
10 substances (PFAS) in the environment due to their widespread presence in consumer
11 products and the public health risks they pose; and

12
13 **WHEREAS**, the ubiquity of PFAS in the environment necessitates a comprehensive
14 approach to mitigate their impacts, including holding manufacturers accountable for
15 PFAS use and treatment costs and implementing measures to prevent the introduction
16 of PFAS into waste management facilities; and

17
18 **WHEREAS**, the New York State Department of Environmental Conservation (DEC)
19 introduced Draft Program Policy 7 (DMM7) to establish interim PFOS and PFOA
20 criteria for biosolids that are recycled in New York State and actions that will be taken
21 based on those results; and

22
23 **WHEREAS**, counties commend DEC for its efforts to address PFAS concerns through
24 DMM7 yet believe that stronger measures are necessary to prevent PFAS from entering
25 landfills and to ensure manufacturers are held responsible for treatment costs; and

26
27 **WHEREAS**, DEC's emphasis on end-of-the-line treatment facilities in the current
28 approach is less effective than preventing PFAS entry at the source and warrants a
29 stronger stance to prevent PFAS from entering landfills; and

30
31 **WHEREAS**, additionally, the DMM7's proposal to restrict the beneficial uses of
32 biosolids could result in increased landfill disposal, exacerbating the PFAS issue within
33 landfills already grappling with contaminated leachate; and

34
35 **WHEREAS**, New York State's promotion of new organics diversion facilities, including
36 anaerobic digesters and food waste composting facilities, raises additional concerns
37 related to PFAS management that have not been adequately considered.

38
39 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
40 Counties (NYSAC) calls upon the State of New York to adopt a comprehensive approach
41 to regulating PFAS that prioritizes public health and environmental protection and
42 promotes a fair distribution of responsibilities and costs associated with PFAS
43 management and remediation; and
44

1 **BE IT FURTHER RESOLVED**, DEC shift its focus from end-of-the-line treatment
2 facilities to source reduction and prevention in order to prevent the introduction of
3 PFAS into waste management facilities; and

4 **BE IT FURTHER RESOLVED**, DEC carefully consider the PFAS ramifications of
5 organics diversion initiatives prior to their widespread implementation; and

6 **BE IT FURTHER RESOLVED**, that Governor Hochul and the New York State
7 Legislature establish mechanisms to hold manufacturers – not local taxpayers –
8 accountable for PFAS use and treatment costs; and

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

11
12 **BE IT FURTHER RESOLVED**, copies of this resolution be forwarded to Governor
13 Kathy Hochul, the New York State Legislature, DEC Commissioner Basil Seggos, Acting
14 DOH Commissioner James V. McDonald, and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2023 NYSAC Fall Seminar
Oneida County**

**Standing Committee on Intergovernmental
Affairs Resolutions**

Robert Hagemann (Jefferson County) – Chair
Cheryl Ketchum (Wyoming County) – Vice Chair
Jack Wheeler (Steuben County) – Vice Chair

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Intergovernmental Affairs**
3 **Resolution #1**

4
5 **Resolution Encouraging Governor Kathy Hochul to Veto Legislation**
6 **Requiring that Local Elections be held in Even-Numbered Years**

7
8 **WHEREAS**, the vast majority of New York State’s local government elections are
9 currently held in odd-numbered years; and

10
11 **WHEREAS**, odd-year election cycles allow for local issues to be debated and discussed
12 in the local sphere so that voters and community members have an opportunity to learn
13 about and voice their concerns about these community-based issues through a local
14 democratic process; and

15
16 **WHEREAS**, the New York State Senate and Assembly this year passed legislation,
17 A.4282-B (Paulin)/S.3505-B (Skoufis), requiring that local elections held outside of New
18 York City shall be held in even-numbered years; and

19
20 **WHEREAS**, this requirement would apply to the elections of any county or town
21 official, with the exception of constitutionally elected officers like county clerks, district
22 attorneys, and sheriffs; and

23
24 **WHEREAS**, holding local elections during gubernatorial and presidential election
25 years, there will be less of an opportunity for local issues to be discussed and debated, as
26 statewide and national issues will consume most of the election cycle news; and

27
28 **WHEREAS**, the intent of this legislation is to increase voter turnout in local elections
29 as, traditionally, in even number years have higher rates due to the interest in federal
30 and statewide elections; and

31
32 **WHEREAS**, by moving some but not all local elections, those that remain in odd
33 number years (including, but not limited to, city, village, county constitutional officers,
34 judges, and school board members), there will be less, not more, awareness of these
35 elections that remain and, therefore, will result in lower turnout; and

36
37 **WHEREAS**, regardless of increased or decreased turnout, the legislation violates
38 constitutionally protected home rule powers by preempting county charters, local laws,
39 local referenda, and forcing short-term changes to the term of an elected official; and

40
41 **WHEREAS**, this legislation also runs counter to the spirit of home rule authority,
42 which allows counties and local governments the ability to adopt provisions relating to
43 their "affairs or government"; and

1 **WHEREAS**, our statutes, as they have evolved, now allow counties considerable
2 latitude to choose the structure of local government which is best tailored to serve
3 particular community needs; and

4
5 **WHEREAS**, the narrow scope of this bill, which only impacts county executives,
6 county legislators, county board of supervisors, and town officials, usurps the home rule
7 authority of local governments to establish a governance structure that is best suited for
8 their community.

9
10 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
11 Counties (NYSAC) hereby calls on Governor Hochul to veto A.4282-B (Paulin)/S.3505-
12 B (Skoufis), which would require local elections to be held in even-numbered years; and

13
14 **BE IT FURTHER RESOLVED**, NYSAC suggests the Governor and State Legislature
15 allow counties to put this proposal on the ballot to allow local voters the opportunity to
16 choose when their local elections should be held; and

17
18 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
19 New York State and encourage them to enact similar resolutions; and

20
21 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
22 the Governor, the New York State Legislature and all others deemed necessary and
23 proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Intergovernmental Affairs**
3 **Resolution #2**

4
5 **Resolution Encouraging SUNY to Consider Modifications to Their Proposed**
6 **Rule Change on the Certificate of Residence Process for Community College**
7 **Admissions**
8

9 **WHEREAS**, SUNY has proposed updating regulations to streamline and clarify the
10 Certificate of Residence (COR) process with a goal of reducing confusion for students
11 and providing administrative relieve for county officials; and

12
13 **WHEREAS**, the proposed rule would add clarifications to certain definitions,
14 timelines, create uniform notifications to students across the system, standardize forms,
15 and allow for electronic submissions; and

16
17 **WHEREAS**, counties support a more streamlined and uniform COR process that is
18 easily accessible to students and county officials; and

19
20 **WHEREAS**, the proposed rule will also require community colleges to take additional
21 steps to notify students of procedures necessary to procure a COR, including enhanced
22 website features to inform students about the process; and

23
24 **WHEREAS**, easing the application process for students includes not requiring a social
25 security number, notarization of documents and at least one online-only method of
26 applying.

27
28 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
29 Counties (NYSAC) is encouraged that SUNY is working to streamline administrative
30 processes and it is our objective to partner SUNY throughout the process; and

31
32 **BE IT FURTHER RESOLVED**, NYSAC has concerns about a county's legal recourse
33 when the application requires no notarization and can be submitted completely
34 electronically, as verifying an affidavit will become more difficult especially if it is later
35 discovered fraud did occur. Counties want to ensure to their taxpayers that they can
36 monitor the accuracy of the payments they make and hope SUNY can make
37 accommodation in the rule to ensure counties have legal protections to correct, or
38 pursue reimbursement, for invalid payments; and

39
40 **BE IT FURTHER RESOLVED**, further clarification, or information, may be needed
41 to assist counties regarding the language that the distribution of a valid certificate may
42 be issued no earlier than two months prior to the student's registration date, including
43 whether the valid certificate is physical (raised stamp) or electronic, and sharing the
44 registration start dates for each college if they are not currently the same; and

45
46 **BE IT FURTHER RESOLVED**, it is not clear under the proposed rule if CUNY
47 schools will be subject to the single SUNY COR standard or will have a separate system.

1 The Regulatory Flexibility Analysis section refers to the 30 SUNY community colleges
2 and all 62 counties, but the seven CUNY schools appear to be omitted from the text of
3 the rule; and

4
5 **BE IT FURTHER RESOLVED**, it is the goal of the counties that this transition to a
6 more streamlined, accessible and online COR process for students will include options
7 for counties to pay chargebacks directly through a secure online portal maintained by
8 SUNY as student, campus and chargeback data can be centralized in one place; and

9
10 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
11 New York State and encourage them to enact similar resolutions; and

12
13 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
14 SUNY Chancellor John B. King Jr., and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2023 NYSAC Fall Seminar
Albany County**

**Standing Committee on Medicaid and Human
Services Resolutions**

Kira Pospesel (Greene County) - Chair
Mike Fitzgerald (Madison County) - Vice Chair
Robert Franklin (Monroe County) - Vice Chair

1 **NYSAC 2023 Fall Seminar**
2 **Standing Committee on Medicaid and Human Services**
3 **Resolution #1**

4
5 **Resolution Urging the Governor and New York State Legislature to Become**
6 **a True Partner by Focusing on Rent Allowance and Standard of Need Which**
7 **Must Include the Restoration of 50/50 Cost Sharing for Safety Net**
8 **Programs, and Provide Actual Brick and Mortar Solutions by Making**
9 **Permanent Housing the Central Focus**

10
11 **WHEREAS**, homelessness and housing affordability continue to be major concerns
12 across the state; and

13
14 **WHEREAS**, the COVID-19 pandemic made the situation worse through increased
15 rental rates, decreased housing supply and an increased reliance on temporary housing
16 assistance in shelters and motels; and

17
18 **WHEREAS**, the influx of over 100,000 migrant asylum seekers over the last 18 months
19 has pushed the already overburden statewide shelter system beyond the brink; and

20
21 **WHEREAS**, many areas of the state are seeing increases in homelessness even without
22 the addition of asylum seekers due to shortages in affordable housing and increases in
23 evictions; and

24
25 **WHEREAS**, the state's unprecedented reduction in fiscal support implemented over a
26 decade ago when the state reduced its Safety Net program support from 50 percent to 29
27 percent has only made the situation worse; and

28
29 **WHEREAS**, the homeless population is facing new problems as the needs of families
30 have become more complicated; and

31
32 **WHEREAS**, regardless of family size and demographics, many of those facing
33 homelessness or seeking emergency shelter can have challenging medical needs, mental
34 health and substance abuse issues, some are registered sex offenders, and still others are
35 state prison parolees or on probation; with some facing several of these challenges at the
36 same time; and

37
38 **WHEREAS**, the state requires counties to fund 71 percent of costs for Safety Net
39 individuals and 100 percent of the costs of administering these programs; and

40
41 **WHEREAS**, local social service districts focus scarce resources on achieving
42 permanent housing, preventing homelessness and providing temporary placement; and

43
44 **WHEREAS**, counties maintain that preventing homelessness in the first place is the
45 best way to keep families safe and secure; and

46

1 **WHEREAS**, counties maintain that while it is important to provide help in a crisis, it is
2 better policy to maintain stability and prevent emergencies by providing sufficient
3 resources up front.

4
5 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
6 Counties (NYSAC) calls on the Governor and state legislature to prioritize permanency
7 in housing and to update rental allowances and the standard of need which have not
8 been properly updated in decades to fully address the dramatic growth in housing,
9 energy, and food costs; and

10
11 **BE IT FURTHER RESOLVED**, as part of the effort, the State must restore the Safety
12 Net state share to 50 percent; and

13
14 **BE IT FURTHER RESOLVED**, counties need brick and mortar solutions to existing
15 housing problems; and

16
17 **BE IT FURTHER RESOLVED**, the State should coordinate a timely transition to
18 supportive housing for the highest need individuals with mental health and substance
19 abuse issues in collaboration with OTDA, other state agencies, and local social services
20 districts; especially those that have been repeatedly homeless and in need of supportive
21 placements overseen by OMH, OASAS, OPWDD and DOCCS; and

22
23 **BE IT FURTHER RESOLVED**, the State should target funding to counties that
24 allows them to work with community partners to develop service models that achieve
25 permanency through innovative and flexible approaches that meet local needs; and

26
27 **BE IT FURTHER RESOLVED**, the State should work with counties in developing a
28 public education campaign to ensure people better understand the plight of families and
29 individuals struggling with homelessness and how everyone can benefit by helping them
30 achieve stable housing in our communities; and

31
32 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
33 of New York State encouraging member counties to enact a similar resolution; and

34
35 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
36 Governor Kathy Hochul, the Office for Temporary Disability Assistance and all others
37 deemed necessary and proper.

38

1 **NYSAC 2023 Fall Seminar**
2 **Standing Committee on Medicaid and Human Services**
3 **Resolution #2**

4 **Resolution Urging the New York State Congressional Delegation to Clarify**
5 **the Distribution Model of Affordable Care Act Enhanced Federal Medical**
6 **Assistance Percentage Funding**

7 **WHEREAS**, the Affordable Care Act (ACA) provides an enhanced federal Medicaid
8 match to encourage states to participate in expanding health coverage to the uninsured,
9 as well as provide fiscal savings to states like New York that had already covered many
10 uninsured people using Medicaid prior to the enactment of the ACA; and

11 **WHEREAS**, the ACA has been highly successful in reducing the number of uninsured
12 New Yorkers, cutting the rate in half to below six percent; and

13 **WHEREAS**, the enhanced federal Medicaid match under the ACA has provided
14 significant savings to county property taxpayers because the New York State
15 congressional delegation insisted the federal savings be shared with the counties and
16 New York City because of the large percentage they are forced to pay of the nonfederal
17 share of the state's Medicaid program costs; and

18 **WHEREAS**, these savings equaled about \$623 million for the counties and New York
19 City in SFY 2023; and

20 **WHEREAS**, congressional actions have required the State of New York to share these
21 savings proportional to the amount counties paid of the nonfederal share dating back to
22 2003; and

23 **WHEREAS**, this year, Governor Hochul took administrative action to intercept the
24 federal savings provided by the ACA that have been passed through to counties and New
25 York City since signed into law over a decade ago; and

26 **WHEREAS**, for the 57 counties outside of NYS, the intercept of these federal savings
27 equates to a 5.2 percent property tax increase, on average, and will exceed 10 percent for
28 some counties.

29 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
30 Counties (NYSAC) calls on the New York State congressional delegation to clarify in
31 statute the sharing of federal savings provided by the ACA between the state and its
32 counties (social service districts) is to be based on the proportionate share of Medicaid
33 that each county pays of the nonfederal share of the program's costs; and

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

- 1 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution to the
- 2 New York State Congressional Delegation.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2023 NYSAC Fall Seminar
Oneida County**

**Standing Committee on Native American Affairs &
Gaming Resolutions**

Ashley Smith (Cattaraugus County) - Chair
Hon. John Becker (Madison County) - Vice Chair

1 **NYSAC 2023 Fall Seminar**
2 **Standing Committee on Native American Affairs and Gaming**
3 **Resolution #1**
4

5 **Resolution Calling on the State of New York to Equitably Enter into**
6 **Compact Agreement with Seneca Nation of Indians and Distribute Gaming**
7 **Revenue to the Western Counties of New York**

8
9 **WHEREAS**, since 2002, the State of New York and the Seneca Nation have agreed to a
10 compact with a provision that gaming revenue would be shared with the State in return
11 for certain gaming exclusivity rights in Western New York; and
12

13 **WHEREAS**, the State of New York shares with local governments, including 16
14 counties in Western New York, a portion of revenue they receive from the Seneca
15 Nation; and
16

17 **WHEREAS**, the counties rely on that revenue to maintain infrastructure, such as road
18 maintenance, and provide public safety for all residents, such social services, public
19 health and safety; and
20

21 **WHEREAS**, in December 2023, this Compact expires and without a negotiated
22 equitable extension agreement between the State of New York and the Seneca Nation,
23 revenue payments to the local government may cease to exist; and
24

25 **WHEREAS**, this gaming revenue amounts to approximately \$50 million annually to
26 the 16 counties in Western New York and is vital to fund needed services and lower
27 property taxes; and
28

29 **WHEREAS**, local governments have already seen the negative impact losing this
30 revenue has on their ability to provide needed local services when, in 2017, a dispute
31 between the Seneca Nation and the State arose over the language within the compact,
32 leading the Nation to stop revenue sharing payments to the State; and
33

34 **WHEREAS**, the Seneca Nation and the counties of New York have a long history of
35 productive partnerships and respect, and the Nation leaders have expressed in the past
36 they would be open to direct fiscal support to local governments.
37

38 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
39 Counties (NYSAC) calls on the State of New York to come to an equitable agreement and
40 continue a Compact with the Seneca Nation; and
41

42 **BE IT FURTHER RESOLVED**, the outcome of the Compact negotiation must result
43 in county and local government continuing to receive at least the same annual revenue
44 to avoid harm to public safety and county services; and
45

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

3
4 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution to
5 Governor Kathy Hochul, the New York State Legislature, Seneca Nation of Indians, and
6 all others deemed necessary and proper.

NYSAC 2023 Fall Seminar

**Standing Committee on Native American Affairs and Gaming
Resolution #2**

**Resolution Calling on the State of New York to Make All Municipalities
Whole in the Saint Regis Mohawk Tribal Gaming Region that Have Been
Impacted by the State’s Lack of Payment**

WHEREAS, On October 15, 1993, the St. Regis Mohawk Tribe and the State of New York signed a compact paving the way for casino gaming, and the Akwesasne Mohawk Casino opened on April 12, 1999; and

WHEREAS, under agreement and codification in New York law, the St. Regis Mohawk Tribe pays 25 percent of all gaming revenue to the State of New York in return for, in part, exclusivity in regional gaming rights; and

WHEREAS, under the agreement, the State of New York shares with local governments, including counties and numerous towns in Northern New York, a portion of revenue they receive from the St. Regis Mohawk Tribe; and

WHEREAS, the counties and local governments rely on that revenue to maintain infrastructure and provide public safety for all residents, as well as provide services needed to help support this growing gaming industry; and

WHEREAS, in March 2020, the State of New York, under a State of Emergency, closed many businesses, especially ones where crowds gathered, including casinos, resulting in revenue losses for the Akwesasne Mohawk Casino; and

WHEREAS, in August 2020, casinos, including the Akwesasne Mohawk Casino, were allowed to, and did, reopen with a limited capacity and began making revenue once again that should have been shared with the State and local governments; and

WHEREAS, on December 11, 2022, the State made partial payments of gaming revenue to two of the seven counties and the towns within; however, these payments did not continue; and

WHEREAS, to date, there have been no payments by the State to the remaining five region counties since the third quarter of 2019; and

WHEREAS, this funding is needed by the counties to fix roads, support social services, and provide for public health and safety; and

WHEREAS, the St. Regis Mohawk Tribe and the counties of New York have a long history of productive partnerships and respect; and

1 **WHEREAS**, while New York State has helped to get two of the region’s counties
2 needed gaming funding, they have not eased the financial burden on the remaining five
3 counties is an inequitable solution that needs to be fixed; and

4
5 **WHEREAS**, the State of New York has created a system by which vital local services
6 are dependent on continued revenue being received and distributed to local
7 governments through casino gaming, yet the State has not made a contingency plan
8 and/or ignored the needs of local governments when this revenue is lowered or
9 withheld; and

10
11 **WHEREAS**, in Western New York, Governor Hochul and the Seneca Nation resolved a
12 non-payment to the State issue last year, understanding the importance of the
13 continued funding for these local services.

14
15 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
16 Counties (NYSAC) calls on the State of New York to immediately make all municipalities
17 whole for the funding being withheld by the State by either lack of collection from the St.
18 Regis Mohawk Tribe or collected and not passed through in a timely manner; and

19
20 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
21 New York State encouraging member counties to enact similar resolutions; and

22
23 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
24 Governor Kathy Hochul, the New York State Legislature, the St. Regis Mohawk Tribe,
25 and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2023 NYSAC Fall Seminar
Oneida County**

**Standing Committee on Public Health and Mental
Health Resolutions**

Linda Beers (Essex County) – Chair
Hon. Michael Amo (Orange County) – Vice Chair
Laura Kelemen (Niagara County) – Vice Chair

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Public Health/Mental Health**
3 **Resolution #1**

4 **Resolution in Support of Adult Vaccine Entry through NYSIIS and CIR**

5
6 **WHEREAS**, vaccines are essential for preventing and controlling infectious diseases in
7 both children and adults; and

8
9 **WHEREAS**, the New York State Immunization Information System (NYSIIS) and the
10 Citywide Immunization Registry (CIR) have proven to be effective tools in monitoring
11 and improving vaccination rates among children, as childrens' vaccines are required to
12 be entered into both systems; and

13
14 **WHEREAS**, data on adult immunization rates in NYSIIS and CIR is currently limited,
15 hindering public health efforts to track and manage vaccination coverage; and

16
17 **WHEREAS**, universal reporting of all adult vaccines, as is already required under the
18 Vaccines For Adults (VFA) program, enables health departments and public health
19 officials to have accurate community-wide data to identify disparities in vaccine access
20 and barriers to address; and

21
22 **WHEREAS**, in response to the COVID-19 pandemic, Executive Order (EO) 202.82 was
23 issued to require the reporting of COVID-19 and Influenza vaccinations given to adults
24 and to allow the reporting of other vaccines to the registries without special permission;
25 and

26
27 **WHEREAS**, EO 202.82 has expired, but the measure should be made permanent to
28 continue adult vaccine reporting in perpetuity for an accurate and robust registry unless
29 an individual opts out; and

30
31 **WHEREAS**, enhancing the tracking and reporting of adult vaccines can lead to better
32 public health outcomes, prevent duplicate vaccinations, ease the burden of providing
33 proof of vaccination status, and contribute to the prevention of vaccine-preventable
34 diseases.

35
36 **NOW, THEREFORE, BE IT RESOLVED**, New York State and New York City shall
37 implement measures to require healthcare providers and facilities to enter all
38 administered adult vaccines into the NYSIIS and CIR databases; and

39
40 **BE IT FURTHER RESOLVED**, New York State and New York City shall establish
41 clear guidelines and procedures for healthcare providers and facilities on reporting adult
42 vaccination data to the NYSIIS and CIR, including the use of standardized codes and
43 data formats; and

1 **BE IT FURTHER RESOLVED**, New York State and New York City shall provide
2 resources and support to healthcare providers and facilities to facilitate the integration
3 of adult vaccination data into the NYSIIS and CIR, including training on data entry and
4 reporting processes; and

5
6 **BE IT FURTHER RESOLVED**, New York State and New York City shall ensure that
7 patient privacy and confidentiality are maintained in accordance with all applicable laws
8 and regulations; and

9
10 **BE IT FURTHER RESOLVED**, the New York State Department of Health and New
11 York City shall conduct regular audits and assessments to monitor compliance with the
12 reporting requirements and to evaluate the effectiveness of the NYSIIS and CIR in
13 improving adult vaccination rates; and

14
15 **BE IT FURTHER RESOLVED**, the New York State Department of Health and New
16 York City shall notify all authorized vaccine providers, including healthcare providers,
17 healthcare facilities, and community organizations, of new requirements, the
18 importance of recording adult vaccinations, and the benefits of participating in the
19 NYSIIS and CIR; and

20
21 **BE IT FURTHER RESOLVED**, the New York State Department of Health and New
22 York City shall regularly publish and disseminate reports on adult vaccination rates
23 based on data collected from the NYSIIS and CIR to inform the public and healthcare
24 stakeholders about progress and challenges in achieving vaccination goals; and

25
26
27 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
28 of New York encouraging member counties to enact similar resolutions; and

29
30 **BE IT FURTHER RESOLVED**, that New York State Association of Counties shall
31 forward copies of this resolution to Governor Kathy Hochul, the New York State
32 Legislature, the New York State Department of Education, and all others deemed
33 necessary and proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Public Health and Mental Health**
3 **Resolution #2**

4
5 **Resolution in Support of Making Chickenpox a Reportable Vaccine-**
6 **Preventable Disease**

7
8 **WHEREAS**, chickenpox (varicella) is a highly contagious viral infection that poses
9 significant health risks, particularly to vulnerable populations, such as infants, pregnant
10 women, immunocompromised individuals, and adults at higher risk for complications;
11 and

12
13 **WHEREAS**, vaccination is a safe and effective method for preventing chickenpox and
14 its associated complications; and

15
16 **WHEREAS**, robust public health surveillance is essential for monitoring disease
17 incidence, identifying outbreaks, and evaluating the effectiveness of vaccination efforts.

18
19 **NOW, THEREFORE, BE IT RESOLVED**, New York State shall amend the list of
20 reportable diseases to include chickenpox (varicella) as a reportable vaccine-preventable
21 disease; and

22
23 **BE IT FURTHER RESOLVED**, healthcare providers, laboratories, and other entities
24 involved in diagnosing and treating cases of chickenpox shall be required to report all
25 confirmed and suspected cases to New York State Department of Health promptly upon
26 diagnosis; and

27
28 **BE IT FURTHER RESOLVED**, the reporting requirements shall include relevant
29 data necessary for public health surveillance and monitoring; and

30
31 **BE IT FURTHER RESOLVED**, the New York State Department of Health
32 (NYSDOH) shall establish clear guidelines and procedures for reporting chickenpox
33 cases, including the use of standardized case definitions and reporting formats; and

34
35 **BE IT FURTHER RESOLVED**, that NYSDOH shall ensure the confidentiality and
36 privacy of individuals whose information is reported in accordance with all applicable
37 laws and regulations; and

38
39 **BE IT FURTHER RESOLVED**, that NYSDOH shall provide training and resources to
40 healthcare providers, laboratories, and other relevant stakeholders to facilitate
41 compliance with the reporting requirements; and

42
43 **BE IT FURTHER RESOLVED**, that New York State Department of Health shall
44 notify all authorized vaccine providers, including healthcare providers, healthcare
45 facilities, and community organizations, of new requirements, the importance of

1 recording adult vaccinations, and the benefits of participating in the NYSIIS and CIR;
2 and

3
4 **BE IT FURTHER RESOLVED**, that NYSDOH shall regularly analyze and publish
5 reports on chickenpox incidence and vaccination coverage based on the data collected
6 from the reporting system to inform the public and healthcare stakeholders about
7 disease trends and vaccination efforts; and

8
9 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
10 of New York encouraging member counties to enact similar resolutions; and

11
12 **BE IT FURTHER RESOLVED**, that New York State Association of Counties shall
13 forward copies of this resolution to Governor Kathy Hochul, the New York State
14 Legislature, NYSDOH Acting Commissioner James McDonald, and all others deemed
15 necessary and proper.
16

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Public Health and Mental Health**
3 **Resolution #3**

4
5 **Resolution Urging New York State to Increase Doula Reimbursement Rates**

6
7 **WHEREAS**, across New York State, pervasive disparities in access to respectful, high-
8 quality, patient-centered, and trauma-informed maternity services drive high rates of
9 severe maternal morbidity (SMM) and mortality (MM); and

10
11 **WHEREAS**, New York State ranks in the highest quartile for SMM nationally; and

12
13 **WHEREAS**, the New York City SMM rate is more than two times the national average
14 and 3.6 times higher than other regions of the state; and

15
16 **WHEREAS**, Black individuals in NYC experience a MM rate 8 times that of white
17 individuals, and SMM rates are also higher for Black (2.3x) and Hispanic (1.7x)
18 individuals; and

19
20 **WHEREAS**, one promising strategy for improving birth outcomes and reducing costs
21 (in reduced rates of Caesarean birth and other pregnancy complications) is doula
22 support; and

23
24 **WHEREAS**, because doula services are not currently covered statewide through
25 Medicaid, they remain out of reach for underserved communities that are at higher risk
26 of poor outcomes and would benefit the most; and

27
28 **WHEREAS**, access to doula care is critical for Medicaid enrollees, who often have a
29 greater need for additional support, coordination of care, and connection to resources;
30 and

31
32 **WHEREAS**, an equitable Medicaid reimbursement rate for doula care will help New
33 York save lives, reduce healthcare costs, and ensure that doula work offers a sustainable
34 livelihood.

35
36 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
37 Counties (NYSAC) supports an increase of \$1,930 to doula reimbursement rates, based
38 on the rate initially proposed by the New York Coalition for Doula Access (NYCDA), a
39 statewide collaboration of doulas and allies that is co-led by the New York City
40 Department of Health and Mental Hygiene; and

41
42 **BE IT FURTHER RESOLVED**, it is estimated that New York’s Medicaid program
43 would see \$6.9 million in savings annually if just 6 percent of all pregnant Medicaid
44 recipients were supported by doulas; and

45

1 **BE IT FURTHER RESOLVED**, that doula care not only advances maternal
2 healthcare quality but also provides significant cost savings; and
3
4 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution to
5 Governor Kathy Hochul, Acting Health Commissioner James McDonald, the New York
6 State Legislature, and all others deemed necessary and proper.

1 **2023 NYSAC Legislative Conference**
2 **Standing Committee on Public Health/Mental Health**
3 **Resolution #4**

4
5 **Resolution to Permanently Carve Out School-Based Health Center (SBHC)**
6 **Services from the Medicaid Managed Care (MMC) Benefit Package and Into**
7 **a Fee-For-Service Model**

8 **WHEREAS**, SBHCs provide cost-effective comprehensive primary medical care,
9 dental, vision, and mental health services at no out-of-pocket cost to all students,
10 regardless of insurance status or ability to pay; and

11
12 **WHEREAS**, SBHCs are a proven model for increasing access to health and mental
13 health services and a vehicle for eliminating racial and ethnic health disparities in
14 communities they serve, fostering health equity for low-income and minority youth; and

15
16 **WHEREAS**, SBHCs have been “carved-out” of the Medicaid Managed Care program
17 since 1985, enabling them to receive reimbursement directly from the New York State
18 Department of Health (NYSDOH) on a fee-for-service basis; and

19
20 **WHEREAS**, NYSDOH is planning to end the carve-out for SBHCs, which would
21 require them to negotiate the terms and conditions of reimbursement with the MMC
22 health plans and receive payment from the health plans; and

23
24 **WHEREAS**, it is estimated that the transition to MMC will result in a loss of over \$16
25 million in funds to SBHCs, which could force a reduction in essential services and the
26 closure of these vital centers in the neighborhoods that need them the most; and

27
28 **WHEREAS**, during the 2023 Legislative Session, the Senate and Assembly
29 unanimously passed A.6029 (Paulin)/S.2339 (Rivera) to permit SBHCs to choose to
30 remain out of MMC.

31
32 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
33 Counties (NYSAC) calls on Governor Hochul to sign A.6029 (Paulin)/S.2339 (Rivera) to
34 create a permanent carve-out for SBHCs from the MMC program to enable SBHCs to
35 receive reimbursement directly from NYSDOH; and

36
37 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
38 of New York encouraging member counties to enact similar resolutions; and

39
40 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
41 Governor Kathy Hochul, the New York State Legislature, NYSDOH Acting
42 Commissioner James McDonald, and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

2023 NYSAC Fall Seminar Oneida County

Standing Committee on Public Employee Relations Resolutions

Mark Scimone (Madison County) – Chair
Langdon Chapman (Orange County) – Vice Chair
Paul Eldridge (Putnam County) – Vice Chair

1 **2023 NYSAC Fall Seminar**

2 **Standing Committee on Public Employee Relations**

3 **Resolution #1**

4 **Resolution Calling for the State of New York to Allow for County Home Rule**
5 **Authority Regarding Employment Residency Requirements**

6
7 **WHEREAS**, New York’s Public Officers Law §3 requires certain employees reside in
8 the political subdivision or municipality in which he or she holds such public office; and

9
10 **WHEREAS**, this law has a worthy intent, which is to promote local officials to interact
11 with the community in which they serve, even in off hours, as well as to keep local tax
12 funded salaries within the community; and

13
14 **WHEREAS**, since the 1970’s, the State has authorized over 70 exceptions to POL
15 residency requirements, including for police officers, in recognition that for some job
16 specifications it is important to increase the potential hiring pool to obtain highly skilled
17 employees; and

18
19 **WHEREAS**, in recent years, the population of upstate New York has declined,
20 shrinking the potential hiring pool; and

21
22 **WHEREAS**, in this same period, the state has forced county governments to vastly
23 increase skilled labor hires in order to implement new state reforms such as raising the
24 age of criminal responsibility, expansion of indigent public defense services and
25 criminal justice reforms such as bail, speedy trial, and discovery; and

26
27 **WHEREAS**, critical county positions that require special backgrounds especially in the
28 fields of healthcare and social services are becoming more necessary than ever, and to
29 obtain and retain quality employees in these fields means at times providing the
30 flexibility of hiring outside the county district; and

31
32 **WHEREAS**, county officials from all areas of the state are reporting difficulties finding
33 and hiring employees to perform vital government services; and

34
35 **WHEREAS**, county governments are best situated to know what job titles should have
36 residency requirements and which should have flexibility to ensure efficient and quality
37 county services; and

38
39 **NOW, THEREFORE, BE IT RESOLVED**, the New York State of Association of
40 Counties (NYSAC) calls for the State of New York to amend Public Officers Law §3 and
41 allow for full Home Rule Authority to determine county employee residency
42 requirements; and

43
44 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
45 New York State encouraging member counties to enact similar resolutions; and

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BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Kathy Hochul, the New York State Legislature, New York State Department of Civil Service and all others deemed necessary and proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Public Employee Relations**
3 **Resolution #2**
4

5 **Resolution Calling on the State of New York to Continue a Fair and**
6 **Equitable Public Employee Discipline Process**

7 **WHEREAS**, New York Civil Service Law Section 75 governs the discipline and
8 termination process for a segment of public employees that are not covered directly by
9 collective bargaining agreements (CBAs); and

10
11 **WHEREAS**, for public employees not under a CBA discipline process, Section 75
12 provides due process protections to individuals holding permanent appointments in
13 competitive class, non-competitive class, and labor class positions; and

14
15 **WHEREAS**, the current State law allows these employees the right to written notice of
16 any entitlement to representation prior to questioning about matters that may lead to
17 discipline; the right to written disciplinary charges; and a hearing before the imposition
18 of any discipline; and

19
20 **WHEREAS**, through Section 75 and CBA protections, New York public employees are
21 granted a fair process to hear and address any workplace disciplinary charges against
22 them, a process that is a balance by which a public employee cannot be unfairly
23 disciplined, while at the same time, public management is provided the ability to
24 address and correct misconduct in the workplace when necessary; and

25
26 **WHEREAS**, in the 2022/2023 State legislative session, S.1039-A (Jackson) / A.3748-A
27 (Pheffer-Amato) was passed that if signed would amending Section 75, curtailing
28 management's powers when seeking to correct improper workplace conduct; and

29
30 **WHEREAS**, this proposed law would change Section 75 by: 1) restricting management
31 to suspensions of 30 days or less while the hearing is pending; 2) no longer allowing
32 suspension without pay and; 3) giving more control to the employee in the process of
33 picking the hearing officer; and

34
35 **WHEREAS**, New York residents need efficient and effective services provided by our
36 dedicated public workforce and in the rare instances that workplace maleficence occurs,
37 management needs a fair process to properly investigate and bring disciplinary charges
38 that will affect meaningful change; and

39
40 **WHEREAS**, the equitable already process exists in the current Section 75 form, one
41 that ensures our public will receive needed services; and for safety and fairness, the vast
42 majority of the public workforce is working in a professional manner.

43
44 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
45 Counties (NYSAC) calls on Governor Kathy Hochul to maintain the equitable public

1 employee discipline process within Civil Service Law Section 75 by vetoing S.1039-A
2 (Jackson) / A.3748-A (Pheffer-Amato); and

3
4 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
5 New York State encouraging member counties to enact similar resolutions; and

6
7 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
8 Governor Kathy Hochul, the New York State Legislature, and all others deemed
9 necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

2023 NYSAC Fall Seminar Oneida County

Standing Committee on Public Safety Resolutions

Hon. Sheriff Ron Spike (Yates County) – Chair
Hon. Sheriff Juan Figueroa (Ulster County) – Vice Chair
Hon. Kathy Stegenga (Orange County) – Vice Chair
Hon. Matthew Veitch (Saratoga County) – Vice Chair

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #1**

4
5 **Resolution Supporting and Improving Rural EMS Needs (SIREN) Act**

6 **WHEREAS**, rural fire and emergency medical services (EMS) agencies currently
7 struggle to fund their EMS operations. As a result, many agencies experience difficulties
8 recruiting personnel, providing EMS licensure classes, obtaining sufficient medications
9 and medical supplies; and

10
11 **WHEREAS**, fire departments and other EMS agencies play an important role in the
12 provision of healthcare in rural communities. Fire/EMS agencies routinely respond to a
13 wide variety of emergency calls for assistance for critically ill and injured patients. Given
14 the long transport time for patients in rural communities, firefighters and EMS
15 personnel may be the first and only healthcare provider a patient sees in the first hour or
16 two of their medical emergency; and

17
18 **WHEREAS**, the costs associated with providing EMS care in a community can be
19 significant. The cost of medical supplies, vehicles, training programs, and personnel
20 recruitment campaigns can be formidable challenges for rural communities; and

21
22 **WHEREAS**, the lack of consistent and complete reimbursements from the Centers for
23 Medicare and Medicaid Services further exacerbates the cost of providing EMS care
24 unfairly forcing fire/EMS agencies to absorb a significant share of the costs; and

25
26 **WHEREAS**, the price of medications has proven to be one of the fastest-growing costs
27 associated with providing emergency medical care in a community. Many commonly
28 used medications have been, and currently are, in shortage. Naloxone, an opioid
29 overdose reversal drug, is an example of a medication that has experienced a significant
30 increase in cost. Some communities have seen the cost of naloxone increase by more
31 than 700%; and

32
33 **WHEREAS**, the COVID-19 pandemic worsened the financial challenges facing rural
34 fire and EMS agencies. Stay-at-home and social distancing orders have forced many
35 agencies to cancel their community-based fundraisers which are typically used to fund
36 their operations. Additionally, decreasing numbers of patients sought transportation to
37 hospitals due to fears of contracting COVID-19. These decreased transportations directly
38 resulted in less reimbursements from Medicare and Medicaid; and

39
40 **WHEREAS**, the National Association of Counties has worked closely with several
41 national fire and EMS organizations to create the SIREN grant in 2018. Congress
42 provided \$5 million as an initial appropriation for the grants in FFY 2020, which has
43 steadily increased to \$7.5 million in FY 2022, and \$10.5 million in FFY23. Expanding
44 this appropriation to \$20 million for FY 24 will enable more rural EMS agencies to
45 receive assistance and recover from the financial impacts of the COVID-19 pandemic;
46 and

1
2 **WHEREAS**, funding the SIREN grants will strengthen rural fire/EMS agencies by
3 expanding the funding available for these agencies. These funds will be essential in
4 supporting, and potentially expanding, the emergency medical services which are
5 available in rural communities.

6
7 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
8 Counties (NYSAC) urges Congress to appropriate \$20 million for the SIREN grant
9 program in FY 2024; and

10
11 **BE IT FURTHER RESOLVED**, the SIREN grants provide funding for rural fire and
12 EMS agencies to recruit personnel, procure emergency medical supplies, and provide
13 EMS training classes; and

14
15 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
16 of New York State encouraging member counties to enact similar resolutions; and

17
18 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
19 Governor Kathy Hochul, the New York Congressional Delegation and all others deemed
20 necessary and proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #2**

4
5 **Resolution in Support of S.4020-A (Mayer) / A.3392-A (Otis) to Grant**
6 **Counties and Municipalities the Ability to Establish Joint EMS Taxing**
7 **Districts**

8 **WHEREAS**, Emergency Medical Service (EMS) is a vital resource, necessary to the
9 health and well-being of communities across New York; and

10
11 **WHEREAS**, as a system that provides a wide range of prehospital medical care to sick
12 or injured people in emergency situations, the difference between a municipality that
13 provides for EMS and one that does not can often make the difference between life and
14 death; and

15
16 **WHEREAS**, despite its vast importance, there is an ongoing EMS crisis in this state,
17 particularly in how it is funded, staffed, and operated; and

18
19 **WHEREAS**, much of this stems from a fundamental misconception about EMS vis-a-
20 vis other critical services like police and fire. This is reflected in New York State law,
21 which fails to recognize the essential nature of EMS; and

22
23 **WHEREAS**, as a result EMS providers are often undervalued and under-respected,
24 creating a disparity between the immense work EMS workers and volunteers provide
25 and the manner in which they are considered in public life; and

26
27 **WHEREAS**, a second issue is the existing framework for the provision of EMS. In New
28 York, private, public, or not-for-profit providers have expanded across the state in a
29 scattered, patchwork approach leaving many New York residents uncertain whether an
30 EMS provider will be available in their locality, let alone in a time of need. Creating
31 greater flexibility for municipalities to facilitate EMS to meet unique local challenges
32 represents a critical next step in the provision of EMS; and

33
34 **WHEREAS**, this legislation addresses the EMS crisis by:

- 35
- 36 • Declaring general ambulance service as an “essential” service.
 - 37 • Requiring every county, city, town and village, acting individually or jointly, in
38 conjunction with a special district, to ensure that EMS, general ambulance
39 service, or a combination of such services are provided thereof.
 - 40 • Granting counties, or other municipalities the ability to establish independent or
41 joint taxing districts for the financing and operation of general ambulance
42 services.

43 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
44 Counties (NYSAC) hereby urges the State Legislature to pass an amended version of
45 S.4020-A / A.3392-A to remove the requirement that every municipality have an EMS
46 district; and

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BE IT FURTHER RESOLVED, that NYSAC encourages Governor Kathy Hochul to sign this legislation at the earliest possible juncture; 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 Kathy Hochul, the New York State Legislature and all others deemed necessary and proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #3**

4
5 **Resolution in Support of Efforts to Improve Probation and Alternatives to**
6 **Incarceration in New York State in Order to Protect the Public and Reduce**
7 **Reliance on Prisons, Jails and Detention**

8
9 **WHEREAS**, county probation departments are an integral part of the criminal justice
10 system and operate within the legal framework of the Criminal Procedure Law, the
11 Penal Law and the Family Court Act; and

12
13 **WHEREAS**, it is the mission of Probation to protect the community through
14 intervention in the lives of those under supervision by facilitating compliance with court
15 orders and serving as a catalyst for positive change; and

16
17 **WHEREAS**, State funding for Probation was drastically reduced between 1990 and
18 2015 from a 46.5 percent State share in 1990 to less than 10 percent in 2023, putting a
19 huge strain on counties and cost to county property taxpayers; and

20
21 **WHEREAS**, at the same time there have been increases in the number of mandated
22 programs and services county probation departments are required to provide from the
23 1990's where core services of Intake, Pre-Sentence/Pre-Dispositional Investigations and
24 Supervision were the norm to the current enhanced services that are provided by local
25 probation departments including but not limited to the following:

- 26 • Specialized caseloads to handle specific types of individuals such as sex offenders,
27 DWI, mental health, domestic violence, and gang members;
- 28 • Probation department's involvement with specialized treatment courts (drug,
29 domestic violence, mental health, veterans);
- 30 • Community service programming;
- 31 • School-based probation officers;
- 32 • Warrant squads for apprehension and return of offenders;
- 33 • DNA collection;
- 34 • Ignition interlock device monitoring;
- 35 • Expanded pretrial release programs to deal with the increased RUS cases
36 resulting from bail reform;
- 37 • Expanded electronic monitoring to deal with both bail reform and lack of
38 detention beds caused by increased juvenile crime;
- 39 • Increased probation officer time to search for specialized detention beds
40 occurring from RTA;
- 41 • Increased administrative tasks that probation staff are now responsible for
42 including populating case management system and various risk assessments;
- 43 • Increased responsibilities for collections and disbursement of funds in
44 connection to financial obligations including restitution, fines and fees;
- 45 • Sex offender verification;

- 1 • Administering cognitive behavioral interventions;
- 2 • Increased training regarding the delivery of evidence-based programs;
- 3 • Increased time and cost resulting from new hires completing the basic course for
- 4 peace officers (BCPO);
- 5 • Increased protocol for GIVE counties including higher supervision levels and
- 6 GPS for a minimum of 6 months; and

7
8 **WHEREAS**, the New York State Council of Probation Administrators, representing
9 NYS probation directors, administrators and commissioners, has diligently worked with
10 NYSAC and State leaders to bring more awareness to the important work that Probation
11 does to protect the public.

12
13 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
14 Counties (NYSAC) supports proposals put forward by the Governor to immediately
15 enact statutory and regulatory changes that improve probation and alternatives to
16 Incarceration in the following ways:

- 17 1. In response to Raise the Age Legislation:
 - 18 • Mandate that the state’s evidence-based criteria should account for existing
 - 19 local best practice programs;
 - 20 • Allow probation the ability to make an application for a temporary order of
 - 21 protection as a part of the adjustment process;
 - 22 • Authorize law enforcement agencies to issue appearance tickets if deemed
 - 23 appropriate by the arresting officer, instead of physical arrest, when
 - 24 Adolescent Offenders and Juvenile Offenders are charged with most D
 - 25 felonies; and
 - 26 • Allow law enforcement agencies to deliver Adolescent Offenders and Juvenile
 - 27 Offenders to be held in detention facilities after hours without a securing
 - 28 order until the Youth Part is in session.
- 29 2. Establish a dedicated funding stream through DCJS/OPCA for 100 percent of all
- 30 local probation costs including but not limited to probation personnel and
- 31 evidence-based programming associated with Raise the Age Legislation.
- 32 3. Eliminate the requirement of a sentence of a conditional discharge or probation
- 33 for Leandra Law cases when a defendant has been sentenced to a definite jail
- 34 term or a term of imprisonment.
- 35 4. That local probation departments receive 100 percent of all Pre-Trial Services
- 36 cost including but not limited to probation personnel associated with Bail
- 37 Reform.
- 38 5. That the Executive Chamber and the Office of Children and Families (OCFS)
- 39 work towards transitioning some of the closed OCFS or Department of
- 40 Correctional and Community Supervision facilities to accommodate the lack of
- 41
- 42
- 43
- 44
- 45

1 specialized secure detention beds as well as allowing county consortiums to open
2 specialized secure detention facilities if desired.

3
4 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
5 of New York State encouraging member counties to enact similar resolutions; and

6
7 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this Resolution to
8 Governor Kathy Hochul, Deputy Secretary for Public Safety Marcos Gonzalez Soler, the
9 New York State Legislature and all others deemed necessary and proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #4**

4
5 **Resolution calling on the Legislature to pass S.4560 (Martinez)/A.6290**
6 **(Jean-Pierre) Amending the Tax Law in relation to the Public Safety**
7 **Surcharge Fund and for Governor Kathy Hochul to sign into Law**

8
9 **WHEREAS**, today’s cell phone bills have a Public Safety Surcharge of \$1.20 on each
10 contract cellphone device. At the inception of this surcharge, the legislative intent was
11 for revenues to cover all costs associated with providing 9-1-1 services and operating
12 PSAPs; and

13
14 **WHEREAS**, the fee is now known as the “Public Safety Surcharge”. Under Section 186-
15 f of the NYS Tax Law, \$.50 of this \$1.20 is swept into the state’s general fund and isn’t
16 dedicated to public safety. The remaining \$.70 goes to a variety of public safety
17 programs, including state agencies, to supplant general fund appropriations; and
18

19 **WHEREAS**, due to the state sweeping public safety funds – we as a state are
20 prohibited from applying for any 911 funding that may be available at the federal level;
21 and
22

23 **WHEREAS**, in 2021 the state collected over \$247 million dollars for the Public Safety
24 Surcharge – from the \$247 million counties only see \$75 million of that broken down
25 into two formula-based grants: The Statewide Interoperable Communications Grant
26 which provides \$65,000,000 and the Public Safety Answering Points Grants which
27 provides \$10,000,000; and
28

29 **WHEREAS**, this funding is expected to be provided annually, however, it has been
30 historically delayed over a year and a half and counties have been required to stretch out
31 this funding to support 911 services; and
32

33 **WHEREAS**, S.4560 (Martinez)/A.6290 (Jean-Pierre) would prohibit the state from
34 moving public safety surcharge funds into the state general fund and increase the \$75
35 million currently available to \$100 million for grants or reimbursements to counties for
36 the development, consolidation, or operation of public safety communications systems
37 or networks designed to support statewide interoperable communications for first
38 responders; and
39

40 **WHEREAS**, today, 911 centers face a wide range of challenges, including funding,
41 hiring staff, high call volumes, helping people with special needs and the proliferation of
42 the use of new communications technologies, all without adequate state funding; and
43

44 **WHEREAS**, it is expected the FCC will soon mandate 911 centers to support Next
45 Generation 911 (NG911). NG911 involves the latest 911 technology, including upgrades
46 for pinpointing the exact location of cell phone callers, translating text messages at a 911

1 Center, and ensuring counties have back up resources with other similar counties. The
2 estimated price tag in New York State for NG 911 is expected to be upwards of \$2 billion
3 over the next 10 years.

4
5 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
6 Counties (NYSAC) hereby urges the State Legislature to enact S.4560 (Martinez) /
7 A.6290 (Jean-Pierre) to provide additional resources from the public safety surcharge to
8 counties; and

9
10 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
11 of New York State encouraging member counties to enact similar resolutions; and

12
13 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
14 Governor Kathy Hochul, the New York State Legislature and all others deemed
15 necessary and proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #5**

4
5 **Resolution calling on the Legislature to pass S.4583A (Martinez) A.5942A**
6 **(Jean-Pierre) amending the County Law, in relation to the Next Generation**
7 **911 System, an emergency services Internet Protocol network and for**
8 **Governor Kathy Hochul to sign into law**

9
10 **WHEREAS**, Next Generation (NG) 911 (commonly referred to as NG911) is a digital
11 internet protocol (IP)-based system that will replace the analog 911 infrastructure that's
12 been in place for decades and it is expected that the FCC will soon mandate 911 Public
13 Safety Answering Point (PSAP), to support NG911; and

14
15 **WHEREAS**, NG911 involves the latest 911 technology, including upgrades for
16 pinpointing the exact location of cell phone callers, translating text messages at a 911
17 PSAP, and ensuring counties have back up resources with other similar counties. NG 911
18 also requires an ESInet; and

19
20 **WHEREAS**, while the technology to implement these new IP-based 911 systems is
21 available, the transition to NG911 involves much more than just new computer hardware
22 and software; and

23
24 **WHEREAS**, implementing NG911 in states and counties nationwide will require the
25 coordination of resources and support of a variety of emergency communication, public
26 safety, legislative, and governing entities; and

27
28 **WHEREAS**, according to the federal government back in 2018, the cost to deploy
29 NG911 across the nation is estimated to be \$9.5 billion to \$12.7 billion. The full 10-year
30 complete lifecycle cost estimate to deploy and operate NG911 nationwide is between
31 \$13.5 billion and \$16.1billion; and

32
33 **WHEREAS**, the estimated price tag in New York State for NG 911 is expected to be \$2
34 billion over the next 10 years. County 911 departments do NOT have the adequate
35 funding to take on the task of building their own ESInet and risk having a patchwork
36 system that does not properly follow the intent of NextGen 911 or provide the necessary
37 safety upgrades to the 911 system and the people of New York; and

38
39 **WHEREAS**, today, 911 centers face a wide range of challenges, including funding,
40 hiring staff, high call volumes, to helping people with special needs and the proliferation
41 of the use of new communications technologies, all with an inadequate amount of
42 funding; and

43
44 **WHEREAS**, S.4583A (Martinez) A.5942A (Jean-Pierre) would codify into law the
45 requirements for Next Generation 911 and require the state to build the Next Generation

1 Emergency Services Internet Protocol Network (ESINet) which is a network capable of
2 connecting calls, texts, and other forms of media from the public to 911 PSAPs.

3
4 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
5 Counties (NYSAC) hereby urges the State Legislature to enact S.4583A (Martinez)
6 A.5942A (Jean-Pierre) to remove the requirement that every municipality have an EMS
7 district; and

8
9 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the sixty-two
10 counties of New York State encouraging member counties to enact similar resolutions;
11 and

12
13 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
14 Governor Kathy Hochul, the New York State Legislature and all others deemed
15 necessary and proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution # 6**

4 **Resolution Encouraging Governor Hochul to Sign A.250-A (Magnarelli) /**
5 **S.1466 (Breslin) Authorizing Payments to Non-participating or Non-**
6 **preferred Providers of Emergency Medical Services Licensed Under Article**
7 **30 of the Public Health Law**

8
9 **WHEREAS**, legislation authorizing payment to non-participating or non-preferred
10 providers of Emergency Medical Services (EMS) licensed under article 30 of the public
11 health law, has been introduced and passed both the New York State Assembly and the
12 New York State Senate; and

13
14 **WHEREAS**, currently, payments for services rendered by non-participating and non-
15 preferred EMS providers are made from health insurers to the user of EMS services
16 which requires EMS agencies to collect payment from the user for said services instead
17 of directly from the insurance provider; and

18
19 **WHEREAS**, often, users of EMS services fail to turn over said payment requiring EMS
20 agencies to incur additional costs in the collection process or writing off the revenue as
21 uncollectable; and

22
23 **WHEREAS**, this practice has significantly contributed to the financial strain faced by
24 EMS agencies operating throughout New York State; and

25
26 **WHEREAS**, if signed, the legislation will amend sections 3224-a, 3216, 3221 and 4303
27 of the New York State Insurance Law and ensure that EMS agencies receive direct
28 payment for all appropriate EMS services upon submission of an invoice to the
29 insurance company without the need for the EMS agency to be a preferred provider.

30
31 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
32 Counties (NYSAC) applauds the New York State Assembly and New York State Senate
33 for the passage of A.250A/S.1466 and encourages Governor Hochul to sign this
34 important legislation into law; and

35
36 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
37 New York State encouraging member counties to enact similar resolutions; and

38
39 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
40 the Governor Kathy Hochul, the New York State Legislature, and all others deemed
41 necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2023 NYSAC Fall Seminar
Oneida County**

**Standing Committee on Taxation and Finance
Resolutions**

Ruth A. Doyle (St. Lawrence) - Chair
Hon. Terri L. Ross (Allegany County) - Vice Chair
Hon. Patrick Schmitt (Wayne County) - Vice Chair

1 **NYSAC 2023 Fall Seminar**
2 **Standing Committee on Taxation and Finance**
3 **Resolution #1**

4
5 **Resolution Supporting Proposals to Modernize State Tax Laws to Include**
6 **the Short-Term Rental Industry and Ensure These Changes are**
7 **Appropriately Tailored for the Needs of Local Communities**

8
9 **WHEREAS**, the Internet and numerous platforms that help facilitate retail
10 transactions electronically have provided a boost for many sectors of the economy and
11 made it easier for consumers to purchase goods and services; and

12
13 **WHEREAS**, electronic commerce continues to be one of the fastest growing retail
14 sectors over the past two decades; and

15
16 **WHEREAS**, this form of commerce has opened up opportunities for an entirely new
17 group of retailers and entrepreneurs; and

18
19 **WHEREAS**, with this growth many states have realized their tax systems need to be
20 updated to accommodate the new modalities of retail activity; and

21
22 **WHEREAS**, a sizable number of new vendors and owners that use these platforms, or
23 sell directly over the Internet, do not always understand their responsibility to collect
24 state and local sales tax on taxable transactions; and

25
26 **WHEREAS**, the growth in online platforms that facilitate vacation rentals is in need of
27 modernization and simplification to ease the burden on small vendors, ensure taxes
28 owed are collected and remitted to the state and local governments, and to make sure
29 there is a level playing field among marketplace participants and operators that provide
30 short-term lodging (such as online vacation rentals, hotels, bed and breakfasts, etc.);
31 and

32
33 **WHEREAS**, New York governors have proposed to update sales tax laws to define
34 marketplace providers that facilitate vacation rentals (such as Airbnb and VRBO, among
35 others) as persons required to collect tax on such sales, but the state legislature has not
36 yet supported these proposals; and

37
38 **WHEREAS**, 35 counties and one city have entered voluntary local occupancy tax
39 collection agreements with Airbnb as of August 2023, and now counties are working
40 with VRBO to do the same; and

41
42 **WHEREAS**, these voluntary agreements only call for the collection of local occupancy
43 taxes with the knowledge that additional state legislation is necessary to expand these
44 collection responsibilities to state and local sales tax for short term rentals that do not
45 currently meet state sales tax law definitions; and

1 **WHEREAS**, Vrbo collects state and/or local sales tax or local occupancy taxes in 44
2 states, the District of Columbia and Puerto Rico, and has done so for years; and

3
4 **WHEREAS**, Airbnb also collects state and/or local sales or occupancy taxes in 42
5 states; and

6
7 **WHEREAS**, the state Division of Budget estimates that modernizing this section of
8 sales tax law could bring in tens of millions of dollars annually in local sales tax; and

9
10 **WHEREAS**, counties, New York City and a variety of other municipalities have local
11 occupancy taxes, but also have unique non-tax related needs and concerns regarding
12 short term vacation rentals.

13
14 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
15 Counties (NYSAC) supports proposals to ensure short term rental platforms collect state
16 and local sales tax on unit rentals utilizing their platforms; and

17
18 **BE IT FURTHER RESOLVED**, NYSAC supports that such statewide actions to
19 collect sales tax also allow for the collection of local occupancy taxes at local option; and

20
21 **BE IT FURTHER RESOLVED**, because certain jurisdictions have unique needs and
22 local laws regarding short term rentals that may not be fully addressed in this legislation
23 that a local opt out be included; and

24
25 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
26 of New York State encouraging member counties to enact similar resolutions; and

27
28 **BE IT FURTHER RESOLVED**, the New York State Association of Counties shall
29 forward copies of this resolution to Governor Kathy Hochul, the New York State
30 Legislature and all others deemed necessary and proper.

1 **NYSAC 2023 Fall Seminar**
2 **Standing Committee on Taxation and Finance**
3 **Resolution #2**

4
5 **Resolution In Support of Modernizing New York State’s In Rem Tax**
6 **Delinquency Foreclosure Process to Comply with the Tyler vs. Hennepin**
7 **County Supreme Court Decision and Prioritizes the Needs of All Property**
8 **Taxpayers**

9
10 **WHEREAS**, on May 25, the U.S. Supreme Court ruled in *Tyler v. Hennepin County,*
11 *MN*, that certain property tax enforcement provisions carried out by some states will
12 need to change, specifically, returning any surplus (described “just compensation”
13 under the *Decision*) to the prior owner after appropriate delinquent taxes, penalties, fees
14 and administrative expenses are reimbursed to the enforcing entity; and

15
16 **WHEREAS**, New York state officials, county and other local government tax
17 enforcement officers are reviewing the implications of the Court’s decision, we must
18 ensure any redrafting of current state laws meet the standards set by the decision and
19 that we preserve the procedures and systems in place today that work well and will
20 facilitate the critical task of tax enforcement for the benefit of all taxpayers; and

21
22 **WHEREAS**, county property tax enforcement responsibilities are required under state
23 law with counties following the complex and regimented rules and procedures of the
24 state; and

25
26 **WHEREAS**, under current state law counties are financially liable to hold school
27 districts and towns (and often villages and some cities) harmless from any delinquent
28 property taxes that they assess and are unpaid; and

29
30 **WHEREAS**, these hold harmless responsibilities often extend for many years as
31 defined under state law and practice; and

32
33 **WHEREAS**, the majority of locally levied county taxes are used to pay for state
34 mandated services and programs, but the state currently provides no financial
35 assistance or liability protections to counties under this state defined tax enforcement
36 process; and

37
38 **WHEREAS**, in any economic downturn, or unfavorable real estate market, the liability
39 and expense for county taxpayers will grow immensely in the absence of state financing
40 and protections; and

41
42 **WHEREAS**, the U.S. Supreme Court decision requires counties to return any surplus
43 to the prior owner and will eliminate a key funding offset for counties as surpluses
44 derived from some tax foreclosure auctions are used to offset losses on other parcels and
45 to hold other taxing jurisdictions harmless during the multi-year tax foreclosure
46 process; and

1
2 **WHEREAS**, in subsequent years the increased revenue loss for counties from current
3 state law and the U.S. Supreme Court decision will need to be levied again and spread
4 out among all other property owners that pay their property taxes increasing their costs
5 and worsening the housing affordability crisis for all; and
6

7 **WHEREAS**, some counties and other tax enforcement jurisdictions also provide
8 financial assistance to landbanks by transferring tax foreclosed properties for minimal
9 cost which appears to not satisfy the Supreme Court decision; and
10

11 **WHEREAS**, the primary role of landbanks is to stabilize neighborhoods, prevent
12 blight, provide affordable housing opportunities, and return tax delinquent properties to
13 the tax rolls; and
14

15 **WHEREAS**, some In Rem reform proposals proposed in New York have sought to
16 replace current privately funded lienholders administrative and legal staff with publicly
17 funded county administrative and legal staff, which could lead to the unjust enrichment
18 of for-profit banks and other lienholders that currently administer, fund and enforce
19 their own property lien rights.
20

21 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
22 Counties (NYSAC) supports In Rem tax foreclosure reforms that:

- 23 • Require the state to become the guarantor of unpaid taxes for all taxing
24 jurisdictions that experience tax delinquencies under the new process,
- 25 • Ensure reforms include robust and flexible definitions of administrative
26 expenses,
- 27 • Provide liability protections to counties and tax enforcement officials that are
28 carrying out state property tax enforcement laws,
- 29 • Do not include provisions that require tax enforcement officials to settle all
30 outstanding liens as it forces a public servant to act as an agent of what is usually
31 a for-profit entity that has its own existing staff to settle liens,
- 32 • Require the court system to distribute any surplus funds to prior owner(s) under
33 a specified timetable,
- 34 • Ensure the state provides direct fiscal assistance to landbanks so they can
35 maintain their primary housing goals under state law; and
36

37 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
38 New York State encouraging member counties to enact similar resolutions; and
39

40 **BE IT FURTHER RESOLVED**, the New York State Association of Counties shall
41 forward copies of this resolution to Governor Kathy Hochul, the New York State
42 Legislature and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2023 NYSAC Fall Seminar
Oneida County**

**Standing Committee on Transportation and Public
Works Resolutions**

Deborah Donohue (Washington County) – Chair
Phil Reed (Jefferson County) – Vice Chair

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution #1**

4
5 **Resolution Urging the Governor and State Lawmakers to Grant Design-**
6 **Build Construction Authority to Counties and New York City**

7
8 **WHEREAS**, current road, bridge, building, and infrastructure construction projects
9 are cumbersome and expensive for local governments and taxpayers in New York State;
10 and

11
12 **WHEREAS**, design-build contracting saves time and money by eliminating time in
13 procuring design services separately from construction services, and by making a single
14 entity responsible for a project, reducing the possibility of contract claims related to
15 design errors or omissions; and

16
17 **WHEREAS**, design-build is a method of construction project delivery in which one
18 entity works under a single contract to provide design and construction services; and

19
20 **WHEREAS**, design-build projects minimize project risk for the owner, increase the
21 accountability of contractors and streamlines the delivery schedule by compressing two
22 procurements into one, eliminating one full procurement cycle; and

23
24 **WHEREAS**, design-build further streamlines the delivery schedule by overlapping the
25 design and construction phases of a project; and

26
27 **WHEREAS**, Governor Andrew Cuomo signed into law the New York City Public Works
28 Investment Act, which authorizes some New York City agencies to use the design-build
29 delivery method for certain capital projects over a specified dollar threshold amount;
30 and

31
32 **WHEREAS**, New York State has granted design-build authority to itself and to New
33 York City with great success and the same authority should be granted to counties; and

34
35 **WHEREAS**, the State has proven this method saves both time and taxpayer money all
36 while minimizing project risk.

37
38 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
39 Counties hereby calls on the Governor and State Lawmakers to grant county
40 governments the authority to use design-build construction to achieve these needed
41 construction project results; and

42
43 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
44 of New York State encouraging member counties to enact similar resolutions; and

1 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
2 Governor Kathy Hochul, the New York Legislature and all others deemed necessary and
3 proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution #2**
4

5 **Resolution Urging the Governor and State Legislators to Enact Increases**
6 **for Local Highway, Bridge and Culvert Programs to Compensate for**
7 **Construction Cost Inflation**

8
9 **WHEREAS**, historic inflationary impacts continue to place enormous pressure on local
10 governments to maintain existing levels of transportation construction, maintenance,
11 and service; and
12

13 **WHEREAS**, the State’s 5-year State Transportation Capital Plan provides significant
14 support for local governments to maintain and improve roads and bridges highlighted
15 by the Consolidated Local Streets and Highway Improvement Program (CHIPS),
16 BRIDGE-NY, PAVE-NY, Extreme Winter Recovery, State Touring Routes, and
17 Operation Pave Our Potholes (POP) programs; and
18

19 **WHEREAS**, these levels of resources for counties, towns, cities, and villages are
20 severely impacted by overall inflation and the continuing rising costs of construction
21 inputs; and
22

23 **WHEREAS**, the real value of local highway and bridge funding has been reduced by a
24 22 percent increase in construction costs in 2022 - 2023, according to the US Bureau of
25 Labor Statistics; and
26

27 **WHEREAS**, the total 22 percent inflation-induced impact translates to a stunning
28 \$270 million reduction in state aid to municipalities throughout the state for critical
29 highway maintenance and payment rehabilitation, and bridge and culvert projects; and
30

31 **WHEREAS**, the State’s enacted property tax cap and new state cost shifts to counties
32 eliminates any possibility that counties can make up these devastating cuts in the value
33 of transportation spending power; and
34

35 **WHEREAS**, the Federal Highway Administration recently released its updated index
36 of highway construction costs for the July-September 2022 quarter, and it shows that
37 inflation in this sector is more extreme than in the general economy – construction costs
38 have increased 50 percent since December 2020; and
39

40 **WHEREAS**, this erosion of federal transportation funding is also having an impact on
41 local projects that are eligible for these federal funds; and
42

43 **WHEREAS**, locally owned roads and bridges account for 87 percent of the State’s
44 110,000 miles of roadways and 50 percent of the State’s 18,000 bridges and 46 percent
45 of the vehicle miles travelled in New York are on local roads so the state’s contribution

1 to funding is a vital part of assuring the condition and resiliency of our transportation
2 systems; and

3
4 **WHEREAS**, this vast system of local roads, bridges and culverts is in need of a
5 sustained high level of funding in the future to continue to reverse the deterioration of
6 our aging transportation infrastructure, account for inflation and build up its resistance
7 to natural disasters; and

8
9 **WHEREAS**, a safe and efficient transportation infrastructure is necessary for trade,
10 economic development and revitalization, job creation and retention, schools,
11 agriculture, businesses, health and hospital facilities and emergency responders, as well
12 as the general traveling public.

13
14 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
15 Counties (NYSAC) commends Governor Kathy Hochul and the legislature for their
16 ongoing commitment to assuring appropriate state investments in local roads, bridges,
17 and culverts; and

18
19 **BE IT FURTHER RESOLVED**, that recognizing the impacts of inflation for local
20 highway construction inputs as steel, fuel and asphalt reduces the value of state funding
21 to local transportation programs, meaning fewer critical road, bridge, and culvert
22 projects are able to be undertaken; and

23
24 **BE IT FURTHER RESOLVED**, that NYSAC looks forward to working with Governor
25 Hochul and the Legislature on significantly increasing state aid to local road and bridge
26 projects as deliberations begin on the 2024-2025 state budget and adjustments to the
27 Transportation Capital Plan are contemplated; and

28
29 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
30 of New York State encouraging member counties to enact similar resolutions; and

31
32 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
33 Governor Kathy Hochul, the New York State Legislature and all others deemed
34 necessary and proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution #3**

4
5 **Resolution Supporting the Creation of a Joint State Agency-Local Highway**
6 **Department Advisory Group to Prepare for the Transition to a Zero- or**
7 **Low-Carbon Transportation Sector**

8
9 **WHEREAS**, the Climate Leadership and Community Protection Act (CLCPA) was
10 signed into law in 2019 requires New York to reduce economy-wide greenhouse gas
11 emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels;
12 and

13
14 **WHEREAS**, the CLCPA also calls for 70 percent of New York State’s electricity to come
15 from renewables by 2030 and 100 percent zero emissions electricity by 2040; and

16
17 **WHEREAS**, the CLCPA directs the development of performance-based standards for
18 sources of greenhouse gas emissions, including but not limited to: transportation,
19 building, industrial, commercial, and agricultural sectors; land-use and transportation
20 planning measures aimed at reducing greenhouse gas emissions from motor vehicles;
21 measures to promote the beneficial electrification of personal and freight transport; and
22 other strategies to reduce greenhouse gas emissions from the transportation sector; and

23
24 **WHEREAS**, the path to transition the state and local highway departments’
25 construction equipment, vehicles, and snowplows to run on electricity is at this juncture
26 unknown, but expected to encounter implementation hurdles and to exceed the ability
27 to be financed locally without substantial sources of new revenues directed for the
28 retrofit and/or procurement of such electric equipment and vehicles; and

29
30 **WHEREAS**, costs will be a particular concern as sources of revenues to the Dedicated
31 Highway and Bridge Trust Fund (DHBTF), particularly gasoline and diesel fuel taxes,
32 continue to decrease as cars become more fuel efficient and EVs begin to replace fossil
33 fuel vehicles, eroding funding for highway and bridge construction and maintenance;
34 and

35
36 **WHEREAS**, new dedicated revenue sources will need to be identified to contribute to
37 the DHBTF such as EV fees, funding generated by the Cap and Invest program, and
38 other initiatives to support a functional, safe, and well-maintained system of roads and
39 bridges for all motorists and commercial users; and

40
41 **WHEREAS** governments at all levels are moving to accelerate the transition to zero
42 emissions electric and low-carbon alternative fuel vehicles through such actions by New
43 York to mandate all medium and heavy-duty truck sales in the state be EV by 2045, the
44 adoption by the New York State Department of Environmental Conservation (NYSDEC)
45 of the Medium- and Heavy-Duty Diesel Vehicle Emission Standards, and the enactment

1 of the Federal Environmental Protection Agency’s Clean Trucks Plan that will apply to
2 heavy-duty engines and vehicles beginning in model year 2027; and

3
4 **WHEREAS**, as commercial production of medium and heavy-duty large-scale, electric
5 construction vehicles is today an essentially fledgling industry, the ability of local
6 highway departments to plan for this transition, with its concomitant mandates that fuel
7 and electricity charging sources be renewable, is of tremendous concern considering
8 that transportation at all levels of New York government is significantly underfunded
9 every year; and

10
11 **WHEREAS**, the procurement of these vehicles and equipment by highway
12 departments will be constrained by the lack of a charging network that is widely
13 available, safe, and effective in recharging large vehicles and heavy equipment timely,
14 and have its power sourced from renewable energy; and

15
16 **WHEREAS**, the state and municipalities must make significant investments to install
17 and maintain the necessary electric truck charging and refueling infrastructure that is
18 necessary, yet the focus of investment is currently car and light-duty vehicle charging
19 infrastructure that cannot satisfy the need for construction grade equipment since the
20 technology and designs are different, and are not interchangeable; and

21
22 **WHEREAS**, recognizing these potential barriers facing local governments trying to
23 navigate the transition of their highway department equipment and operations to
24 electric or low carbon alternatives to diesel and gasoline, it is vital that state elected
25 representatives and state agencies assist local highway departments in assuring the
26 development of the state’s strategies for achieving these aggressive greenhouse gas
27 emissions reduction goals and procurement standards consider these market and fiscal
28 barriers to transition; and

29
30 **WHEREAS**, all levels of government need to work together, especially throughout the
31 on-going state regulatory process, to assure strategies and mandates put in place to
32 meet the CLCPA goals for the transportation sector are readily achievable, assure service
33 reliability and affordability, and will benefit the environment.

34
35 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
36 Counties (NYSAC) calls on the Governor, the NYSDOT, New York State Department of
37 Environmental Conservation (NYSDEC) and the New York State Energy Research and
38 Development Authority (NYSERDA), and legislative leaders to commit to providing
39 technical support for addressing these concerns in the regulatory process and to
40 dedicate the funding necessary to cover the counties’ costs of complying with the state
41 mandates under the CLCPA; and

42
43 **BE IT FURTHER RESOLVED**, that recognizing the expertise of local highway
44 professionals, an advisory group be established jointly by NYSDOT, NYSDEC and
45 NYSERDA made up of representatives of the municipal highway superintendents’ and
46 commissioners of public works’ organizations to review and recommend proposals and

1 policies for meeting the goals of the CLCPA before they are implemented or published in
2 the State Register; and

3
4 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
5 of New York State encouraging member counties to enact similar resolutions; and

6
7 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
8 Governor Kathy Hochul, the New York State Department of Transportation, the New
9 York State Department of Environmental Conservation, the New York State Energy
10 Research and Development Authority, and the New York State Legislature and all others
11 deemed necessary and proper.

1 **2023 NYSAC Fall Seminar**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution #4**
4

5 **Resolution Supporting a New Round of Capital Funding for New York**
6 **Airports in the SFY 2024-25 Executive Budget Proposal**
7

8 **WHEREAS**, New York recently completed a \$250 million program to transform and
9 modernize fourteen airports in Upstate New York, fostering regional economic
10 development and helping the state meet the goals of the Climate Leadership and
11 Community Protection Act; and

12
13 **WHEREAS**, this initiative included \$230 million through the Upstate Airport
14 Economic Development and Revitalization Initiative for projects that promote and
15 accelerate improvements at upstate commercial passenger service airports, and another
16 \$20 million to be allocated through the Aviation Capital Grant Program to support
17 safety, infrastructure, economic development, and environmental projects at airports
18 throughout the state; and

19
20 **WHEREAS**, going forward, the State’s 5-Year Transportation Capital Plan allocates
21 merely \$12.5 million per year for the Aviation Capital Grant Program over the remaining
22 three years of the plan for the support of New York airports; and

23
24 **WHEREAS**, the previous programs’ funding levels were extremely successful in
25 revitalizing the upstate airports that were the recipients of awards, and compliments the
26 ongoing work to transform LaGuardia and John F. Kennedy airports into world class
27 travel hubs; and

28
29 **WHEREAS**, according to data from the New York State Department of Transportation
30 and updated figures from the Port Authority of NY-NJ, the aviation industry contributes
31 over \$72.3 billion in annual economic activity in New York State and more than 506,372
32 NY based jobs in aviation or aviation-related industries, generates \$25.8 billion in
33 payroll and well over \$6 billion in state and local tax revenue annually; and

34
35 **WHEREAS**, the state has promoted economic development and generated tax
36 revenues by enacting the Aviation Jobs Act (AJA), which resulted in the location at New
37 York airports of numerous additional revenue-producing and job creating aircraft and
38 their aviation-related activities, according to NYSDOT data, and contributes to the
39 economic benefits to New York of public investment in aviation; and

40
41 **WHEREAS**, New York airports are at the forefront of efforts to reduce GHG emissions,
42 from installing rooftop solar energy generation and energy efficient lighting, to
43 converting operations that generate emissions to electric or other alternative clean fuels
44 where possible; and
45

1 **WHEREAS**, enhanced state funding will promote more of these climate initiatives and
2 assist airports in financing other vital environmental projects like those needed to
3 accommodate the transitioning by airlines to sustainable aviation fuels and support the
4 efforts by companies to develop electric aircraft; and

5
6 **WHEREAS**, airports are the front doors to our state, driving business and attracting
7 tourists from all around the world. The rebuilding and modernization of New York
8 airports with a new round of robust aviation capital investment funding will allow for
9 the continued transformation of more of our airports into 21st century facilities, fueling
10 economic development, job growth and environmental sustainability for decades to
11 come.

12
13 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
14 Counties (NYSAC) urges the inclusion in the SFY 2024-25 Executive Budget an
15 appropriation commensurate with the level of funding for the previous airport economic
16 development and revitalization initiatives and accompanying increases over the next
17 three years for the Aviation Capital Grant Program, and the ultimate adoption of these
18 aviation investment levels in the final state budget; and

19
20 **BE IT FURTHER RESOLVED**, that copies of this resolution shall be sent to the
21 counties of New York encouraging them to enact a similar resolution; and

22
23 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
24 Governor Kathy Hochul, the New York State Legislature and all others deemed
25 necessary and proper.