



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

2026 NYSAC Fall Seminar Resolutions

**Onondaga County
September 28-30, 2026**

Dr. Kevin D. Watkins, President

Stephen J. Acquario, Executive Director

NYSAC 2026 Fall Seminar Resolutions

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NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2026 NYSAC Fall Seminar
Onondaga County**

NYSAC Board of Directors

Philip R. Church, President

**2026 NYSAC Fall Seminar
NYSAC Board of Directors
Resolution #1**

**Resolution Recognizing Onondaga County for Hosting the NYSAC
Delegation at the Annual Fall Seminar in Onondaga County**

1 **WHEREAS**, the New York State Association of Counties (NYSAC) is convening its
2 2026 annual meeting in Onondaga County; and
3

4 **WHEREAS**, the Fall Seminar brings together hundreds of elected and appointed
5 officials from counties across New York State to share ideas, examine emerging
6 challenges, and strengthen the practice of county government through professional
7 education and peer exchange; and
8

9 **WHEREAS**, Onondaga County exemplifies the innovation, service, and community
10 stewardship that define effective county government, and its willingness to host reflects
11 the collaborative spirit that unites NYSAC's membership; and
12

13 **WHEREAS**, gathering in person allows county leaders to build relationships, exchange
14 best practices, and return home better equipped to serve their residents.
15

16 **NOW, THEREFORE, BE IT RESOLVED**, that the membership, Board of Directors,
17 and staff of the New York State Association of Counties wish to extend sincere
18 appreciation to County Executive Ryan McMahon and the entire Onondaga County
19 Legislature for supporting and hosting the NYSAC delegation at its annual Fall Seminar;
20 and
21

22 **BE IT FURTHER RESOLVED**, that NYSAC commends Onondaga County for its
23 partnership and leadership and wishes its officials continued success in serving their
24 community; and
25

26 **BE IT FURTHER RESOLVED**, that this resolution be sent to the Onondaga County
27 Executive and Legislature.

**2026 NYSAC Fall Seminar
NYSAC Board of Directors
Resolution #2**

**Resolution Commemorating the Twenty-Fifth Anniversary of the
September 11, 2001 Terrorist Attacks**

1 **WHEREAS**, on September 11, 2001, the United States of America suffered the
2 deadliest terrorist attack in its history, including the attack on the World Trade Center
3 in New York City; and
4

5 **WHEREAS**, nearly 3,000 innocent people were murdered, including New Yorkers,
6 Americans, and citizens of nations around the world, leaving families, friends,
7 coworkers, communities, and a nation forever changed; and
8

9 **WHEREAS**, in the immediate aftermath of the attacks, the counties of New York State
10 stood in solidarity with the people of New York City and mobilized personnel,
11 equipment, resources, emergency services, public-health support, logistics, and
12 compassionate assistance for response and recovery operations; and
13

14 **WHEREAS**, county governments worked alongside the New York City Fire
15 Department, the New York City Police Department, the New York State Office of
16 Emergency Management, the administration of Governor George E. Pataki, the
17 administration of Mayor Rudolph W. Giuliani, and subsequently the administration of
18 Mayor Michael R. Bloomberg, among countless public, private, nonprofit, and volunteer
19 partners, to assist victims, families, first responders, and the continued operations of
20 New York City; and
21

22 **WHEREAS**, firefighters, police officers, medical personnel, public employees,
23 construction workers, volunteers, military personnel, clergy, nonprofit workers, and
24 ordinary civilians performed extraordinary acts of courage, compassion, and selflessness
25 in the face of unimaginable danger and devastation; and
26

27 **WHEREAS**, the heroism displayed on September 11 and in the days, months, and
28 years that followed saved lives, brought comfort to families, restored essential services,
29 strengthened communities, and demonstrated the enduring resilience of the people of
30 New York; and
31

32 **WHEREAS**, we honor those who were lost; those who rushed toward danger so others
33 could live; those who survived; those who have since suffered illness or died as a result
34 of their service at the World Trade Center, the Pentagon, and Shanksville; and the
35 families whose lives continue to bear the weight of that day; and
36

37 **WHEREAS**, the twenty-fifth anniversary of September 11, 2001 calls upon all New
38 Yorkers to remember the victims, recognize the courage of the responders and civilians
39 who acted with extraordinary heroism, and renew our commitment to unity, public
40 service, preparedness, and mutual aid.

1 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
2 Counties (NYSAC), on behalf of the 62 counties of New York State, solemnly
3 commemorates the twenty-fifth anniversary of the terrorist attacks of September 11,
4 2001; and
5

6 **BE IT FURTHER RESOLVED**, that NYSAC and New York's counties extend their
7 enduring sympathy, gratitude, and support to the families of those killed and injured, to
8 survivors, and to all first responders, recovery workers, public servants, volunteers, and
9 civilians whose bravery and service embodied the highest ideals of humanity; and
10

11 **BE IT FURTHER RESOLVED**, that New York's counties reaffirm their commitment
12 to standing together in times of crisis, supporting emergency responders and public
13 servants, and preserving for future generations the memory of those lost and the lessons
14 of courage and unity demonstrated on September 11, 2001.

**2026 NYSAC Fall Seminar
NYSAC Board of Directors
Resolution #3**

**Resolution Urging Governor Kathy Hochul to Sign Legislation Reforming
the Mental Health Competency Restoration Process (CPL § 730) and
Establishing a Statewide Competency Restoration Workgroup**

1 **WHEREAS**, Section 730 of the Criminal Procedure Law (CPL) provides that
2 defendants charged with felonies who are mentally ill and/or developmentally disabled,
3 and who are found by a court to be unable to understand the charges against them or
4 participate in their own defense (often called “730s”), are sent to New York State-
5 operated forensic hospitals solely to attempt to restore them to competency to stand
6 trial; and

7
8 **WHEREAS**, competency restoration provides necessary medications but consists
9 primarily of services such as courtroom training to familiarize the defendant with
10 courtroom procedures—not mental health treatment aimed at recovery; and

11
12 **WHEREAS**, in cases where restoration is appropriate, most defendants can generally
13 be restored within 90 to 120 days, yet defendants have been kept in restoration for
14 periods of three, six, or even ten years; and

15
16 **WHEREAS**, these lengthy confinements have been declared unconstitutional by the
17 United States Supreme Court in *Jackson v. Indiana* (1972), which held that states may
18 not indefinitely confine criminal defendants solely on the basis of incompetence to stand
19 trial; and

20
21 **WHEREAS**, the FY 2021 State Budget shifted 100 percent of the cost of court-ordered
22 competency restoration at State-operated forensic psychiatric centers onto counties,
23 even though counties have no control over which defendants are ordered into
24 restoration, the services they receive, or how long they remain; and

25
26 **WHEREAS**, the county cost of restoration exceeds \$1,300 per day per defendant and
27 can reach hundreds of thousands of dollars per year for a single individual; and

28
29 **WHEREAS**, statewide costs were approximately \$50 million in 2020 under an even
30 State-county split, but by 2025, with counties bearing the full cost, reporting counties
31 outside New York City alone accounted for approximately \$67 million; and

32
33 **WHEREAS**, some counties experienced restoration cost increases of more than 6,000
34 percent between 2019 and 2024, and collectively these costs have diverted hundreds of
35 millions of dollars away from critical community-based behavioral health programming;
36 and

37
38 **WHEREAS**, as the full payors of these services, counties frequently lack timely access
39 to the client information they need to manage their responsibilities under the Mental

1 Hygiene Law and have little ability to provide meaningful oversight of the care being
2 delivered; and
3

4 **WHEREAS**, public safety, due process, and access to appropriate treatment are not
5 mutually exclusive, and continuing to hold individuals in restoration for years when
6 there is no reasonable likelihood they can be restored does not make communities safer,
7 nor does it ensure that individuals receive the care best suited to their needs; and
8

9 **WHEREAS**, after years of advocacy by NYSAC and the Conference of Local Mental
10 Hygiene Directors (CLMHD), the New York State Legislature has now passed two
11 measures to modernize this archaic system—a comprehensive reform bill, S.1004-B
12 (Brouk)/A.5567-B (Simon), and a companion measure establishing a statewide
13 competency restoration workgroup, A.11024 (Simon)/S.10309 (Brouk)—both of which
14 now await the Governor’s signature.
15

16 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
17 Counties (NYSAC) urges Governor Kathy Hochul to sign S.1004-B (Brouk)/A.5567-B
18 (Simon) into law to define restoration services in statute, clarify that restoration is not
19 mental health treatment aimed at recovery, direct the Office of Mental Health (OMH)
20 and the Office for People With Developmental Disabilities (OPWDD) to set the
21 standards examiners must use, require examiners to opine on whether a defendant can
22 reasonably be restored within a reasonable period so that courts can divert appropriate
23 individuals to community-based treatment, limit the length and frequency of restoration
24 commitments consistent with *Jackson v. Indiana*, and ensure that defendants
25 transferred to civil hospitalization receive credit for time served; and
26

27 **BE IT FURTHER RESOLVED**, NYSAC urges Governor Kathy Hochul to sign
28 A.11024 (Simon)/S.10309 (Brouk) into law, establishing a nineteen-member statewide
29 competency restoration workgroup—convening State agencies, the judiciary, counties,
30 district attorneys, defenders, sheriffs, and mental health professionals—to evaluate New
31 York’s competency restoration system under CPL § 730 and recommend reforms that
32 reduce lengths of stay, expand community-based treatment options, and ensure that
33 restoration costs are appropriately allocated between the State and counties; and
34

35 **BE IT FURTHER RESOLVED**, NYSAC urges the Governor and the State Legislature
36 to build on these reforms by relieving counties of the unsustainable and unpredictable
37 cost of competency restoration and ensuring that these costs are equitably shared
38 between the State and counties; and
39

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

43 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
44 Governor Kathy C. Hochul, the New York State Legislature, the Commissioner of the
45 Office of Mental Health (OMH), the Commissioner of the Office for People with
46 Developmental Disabilities (OPWDD), and all others deemed necessary and proper.

**2026 NYSAC Fall Seminar
NYSAC Board of Directors
Resolution #4**

**Resolution Urging the New York State Legislature and Governor Hochul to
Protect Local Taxpayers from Significant Increased Costs and/or Service
Reductions Due to Federal SNAP Changes**

1 **WHEREAS**, federal law changes enacted under the "One Big Beautiful Bill Act" (H.R.1)
2 shift significant federal costs to the states for the administration of the Supplemental
3 Nutrition Assistance Program (SNAP), as well as requiring states for the first time in the
4 history of the program to pay a share of the benefit costs if certain error rate measures
5 are above newly established federal levels; and
6

7 **WHEREAS**, these federal changes halve the federal share of state SNAP administrative
8 costs—from 50 percent to 25 percent—shifting the balance onto states; and
9

10 **WHEREAS**, New York State is one of only three states that requires their local social
11 service districts (the 57 counties and the City of New York) to pay the state share of
12 SNAP administrative costs using local revenues; and
13

14 **WHEREAS**, this federal cost shift under New York State law will force \$168 million in
15 higher costs on counties and New York City on a full annual basis, with an expectation
16 that amount will grow in future years; and
17

18 **WHEREAS**, another major change requires states to pay for a portion of federal SNAP
19 benefits if payment error rates are above six percent; and
20

21 **WHEREAS**, these payment error rates do not necessarily signify fraud has occurred or
22 that recipients are ineligible; and
23

24 **WHEREAS**, the payment error rate penalty ranges from five percent to fifteen percent
25 of total benefits provided, with the lowest payment rate starting when the error measure
26 exceeds six percent, and the maximum penalty payable when the error rate is above ten
27 percent; and
28

29 **WHEREAS**, New York State's current payment error rate exceeds ten percent with
30 little hope of lowering that rate far enough to avoid the highest penalty starting October
31 1, 2027; and
32

33 **WHEREAS**, counties and New York City must follow state laws and administrative
34 procedures, and must use state IT systems to determine eligibility for SNAP; and
35

36 **WHEREAS**, components of the state's IT infrastructure do not allow counties to
37 reliably access required information in a timely manner to identify overdue reports and
38 close non-responsive cases which increase the state's payment error rate; and

1 **WHEREAS**, current cost estimates for the SNAP payment error rate penalty for New
2 York exceed \$1.1 billion.

3
4 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
5 Counties (NYSAC) calls on Governor Hochul and the New York State Legislature to
6 protect local taxpayers from higher costs and lost services by fully funding the costs of
7 any federal SNAP error rate penalties and help offset the increased administrative SNAP
8 cost shift imposed under H.R.1; and

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

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

**2026 NYSAC Fall Seminar
Board of Directors
Resolution #5**

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

1 **WHEREAS**, Section 200.16(e)(5) of the Regulations of the Commissioner of Education
2 requires the municipality in which a Preschool Special Education Program (Pre-K SEP)
3 student resides to provide suitable transportation, as determined by the board of
4 education, to services developed in an Individual Education Plans (IEP), as needed;
5 and
6

7 **WHEREAS**, municipalities contract with third-party transportation vendors to provide
8 transportation services to children in the Pre-K SEP to and from necessary services;
9 and
10

11 **WHEREAS**, these third-party transportation vendors have varying health and safety
12 procedures; and
13

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

17 **WHEREAS**, data from 51 county local health departments demonstrated that county
18 Pre-K SEP transportation costs that utilize third-party transportation vendors have been
19 increasing with overall statewide costs being 90 percent higher in 2022 than they were
20 in 2020; and
21

22 **WHEREAS**, municipalities spend, on average, \$17.4 million annually on Pre-K SEP,
23 with 35 percent of that budget spent exclusively on transportation; 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 own, operate, and maintain buses or have systems in
34 place to contract with bus companies to transport pupils with disabilities to and from
35 special classes; and
36

37 **WHEREAS**; local school districts have well-established systems and infrastructure in
38 place to ensure that bus drivers, monitors, and attendants are properly trained and

1 qualified to transport pupils, including those in Pre-K and with disabilities, safely to and
2 from school; and

3
4 **WHEREAS**, local school districts have experience and processes in place to coordinate
5 frequently changing bus routes and receive State aid for the costs of transportation
6 services; and

7
8 **WHEREAS**, Pre-K SEP transportation costs for localities contracting with local school
9 districts to provide transportation to and from services are significantly lower than costs
10 incurred from utilizing third-party transportation vendors; and

11
12 **WHEREAS**, localities utilizing school districts to provide transportation to Pre-K SEP
13 services spent 78 percent less on transportation costs per child in 2022 compared to
14 localities utilizing third-party transportation vendors, equaling millions of dollars in
15 cost savings for localities annually; and

16
17 **WHEREAS**, the disparity in cost for Pre-K SEP transportation per child from utilizing
18 third-party vendors versus school districts has been getting wider since 2019, especially
19 in small counties; and

20
21 **WHEREAS**, county taxpayer dollars are utilized to pay for Pre-K SEP transportation
22 services regardless of who administers such services; and

23
24 **WHEREAS**, in counties successfully contracting with their school districts to provide
25 Pre-K SEP transportation, it has been proven to significantly reduce the amount of local
26 taxpayer dollars being spent towards Pre-K SEP transportation; and

27
28 **WHEREAS**, both school districts and municipal government have the fiduciary
29 responsibility to be good stewards of local taxpayer money.

30
31 **NOW, THEREFORE, BE IT RESOLVED** the New York State Association of
32 Counties (NYSAC) calls upon the Governor and the New York State Legislature to shift
33 the responsibility for the administration of Pre-K-SEP transportation services to local
34 school districts, commensurate with their experience transporting other pupils with
35 disabilities residing in their districts to and from needed services and the cost savings
36 for localities associated with school districts providing these services versus third-party
37 vendors; and

38
39 **BE IT FURTHER RESOLVED**, that localities maintain the fiscal responsibility for
40 providing these services; and

41
42 **BE IT FURTHER RESOLVED**, that an inter-agency task force involving both the
43 New York State Department of Health and the New York State Education Department
44 be convened to evaluate the current structure of the Pre-K SEP and consider best
45 practices and cost saving mechanisms for Pre-K SEP transportation services and the
46 appropriate roles of school districts and local health departments moving forward; and

1 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
2 of New York 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, New York State Department of
6 Health, New York State Education Department, and all others deemed necessary and
7 proper.

**2026 NYSAC Fall Seminar
NYSAC Board of Directors
Resolution #6**

**Resolution Urging Governor Hochul and the New York State Legislature to
Reduce State Imposed Mandates on Counties and New York City in
Recognition of Continuing Cost Pressures from Expanding State and
Federal Mandates, and General Operational Cost Growth that Far Exceeds
Inflation and Allowable Tax Cap Growth**

1 **WHEREAS**, New York counties and New York City are required to contribute more
2 than \$14 billion each year in locally raised revenues to support state-and federally
3 designed and controlled programs such as Medicaid, Safety Net, SNAP, Child Welfare,
4 Preschool Special Education, Early Intervention, Probation, Indigent Legal Services,
5 Pensions, among dozens of others; and
6

7 **WHEREAS**, counties' costs for health insurance and pensions have each grown by
8 more than 10 percent in recent years, adding hundreds of millions in new expenses; and
9

10 **WHEREAS**, recent federal law changes under H.R.1, combined with existing state
11 policies, are adding new fiscal pressures requiring counties and New York City to incur
12 new costs approaching \$170 million per year, at a minimum, going forward; and
13

14 **WHEREAS**, in 2025, the State Legislature and Governor phased out the sharing of
15 enhanced Federal Medical Assistance Percentage (eFMAP) revenues with counties and
16 New York City increasing local costs by approximately \$625 million annually; and
17

18 **WHEREAS**, other state-imposed spending increases and mandates related to foster
19 care reimbursement rates, 18-b attorney hourly rates, preschool special education rates,
20 shifting more costs to counties for Safety Net programs, among others, has added more
21 than \$400 million in higher costs for counties each year; and
22

23 **WHEREAS**, enhanced federal funding to counties and New York City for COVID
24 activities have largely been exhausted; and
25

26 **WHEREAS**, continued elevated inflation levels above the Federal Reserve's two
27 percent target rate across a wide spectrum of products and services have made the
28 delivery of many county and New York City services, as well as construction projects and
29 capital expenditures, far more expensive than local revenues can support; and
30

31 **WHEREAS**, in 2026, 12 counties exceeded the state-imposed two percent property tax
32 cap, with an average levy increase across these counties of 11 percent; and
33

34 **WHEREAS**, this is the largest number of counties exceeding the property tax cap since
35 the initial years of the tax cap's enactment nearly 15 years ago; and

1 **WHEREAS**, the building and sustained cost pressures are not abating, which will likely
2 lead to a significant number of counties exceeding the property tax cap again for 2027,
3 putting further pressure on affordability concerns facing so many New Yorkers.
4

5 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
6 Counties urge the New York State Legislature and Governor Hochul to reduce the cost of
7 existing state and federal mandates on counties, refrain from implementing new
8 mandates, and maintain the Medicaid zero percent growth cap that has provided an
9 essential financial support for counties and New York City since enactment in 2012; and
10

11 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
12 New York State encouraging member counties to enact similar resolutions; and
13

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



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2026 NYSAC Fall Seminar
Onondaga County**

**Standing Committee on Agriculture, Economic
Development & Rural Affairs Resolutions**

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

**2026 NYSAC Fall Seminar
Standing Committee on Agriculture, Economic Development & Rural
Affairs
Resolution #1**

**Resolution Strengthening the County Infrastructure Grant Program to
Support Housing and Economic Development**

1 **WHEREAS**, New York's counties play an essential role in supporting housing
2 development and economic growth by investing in the roads, water and sewer systems,
3 utilities, site preparation, and other public infrastructure necessary to make private and
4 public development possible; and
5

6 **WHEREAS**, the County Infrastructure Grant Program, established in the SFY 2025
7 Enacted State Budget and administered by Empire State Development (ESD), provides
8 flexible capital funding for county-led infrastructure projects that support housing
9 development, economic growth, placemaking, and tourism; and
10

11 **WHEREAS**, the State has demonstrated a continued commitment to this county-
12 focused program by providing \$50 million in funding in each enacted State Budget since
13 its creation; and
14

15 **WHEREAS**, eligible investments include construction, reconstruction, renovation, site
16 preparation, demolition, land acquisition, design and engineering, and other capital
17 improvements that enable counties to address local infrastructure barriers and advance
18 development-ready projects; and
19

20 **WHEREAS**, counties across New York have demonstrated significant demand for and
21 effective use of the program, with more than \$36 million awarded to 48 projects in the
22 first round and more than \$38 million awarded to 49 projects in the second round; and
23

24 **WHEREAS**, through the first two rounds, the County Infrastructure Grant Program
25 has awarded more than \$74 million to nearly 100 projects across New York State,
26 supporting investments in water and sewer systems, roads and utilities, redevelopment
27 of vacant and blighted properties, tourism and placemaking assets, and other
28 infrastructure necessary for housing and economic growth; and
29

30 **WHEREAS**, the second round of funding alone will support infrastructure necessary
31 for the construction of more than 3,200 new homes, demonstrating the ability of
32 relatively modest state investments in county infrastructure to leverage substantial
33 housing development and private investment; and
34

35 **WHEREAS**, recognizing the success of the program and the increasing cost of
36 infrastructure projects, the SFY 2027 Enacted State Budget continued \$50 million in
37 funding and increased the maximum grant award to \$1.5 million; and
38

39 **WHEREAS**, despite the program's success, its accessibility and impact remain
40 constrained by the requirement that counties provide a minimum 50 percent non-ESD
41 match, which can prevent otherwise viable projects from moving forward; and

1 **WHEREAS**, this matching requirement presents a particular challenge for smaller and
2 rural counties with limited fiscal capacity, especially as counties confront rising
3 construction and operating costs, growing demands for essential public services, and
4 reductions in federal funding; and
5

6 **WHEREAS**, reducing the required county match would allow more counties to
7 participate in the program and enable state funding to reach communities where
8 infrastructure needs and barriers to new housing and economic development are often
9 greatest; and
10

11 **WHEREAS**, increasing the maximum grant award would further recognize the rising
12 cost of infrastructure and allow counties to advance larger and more transformative
13 projects capable of unlocking significant housing production and economic
14 development.
15

16 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
17 Counties (NYSAC) calls upon the Governor and State Legislature to continue funding
18 the County Infrastructure Grant Program at no less than \$50 million in the SFY 2028
19 Enacted State Budget; and
20

21 **BE IT FURTHER RESOLVED**, that NYSAC urges the State to increase the maximum
22 County Infrastructure Grant Program award to \$2 million, building upon the increase
23 provided in the SFY 2027 Enacted State Budget and allowing counties to undertake
24 larger, higher-impact housing and economic development projects; and
25

26 **BE IT FURTHER RESOLVED**, that NYSAC urges the State and Empire State
27 Development to reduce the minimum non-ESD match requirement from 50 percent to
28 25 percent, removing a significant barrier to participation for fiscally constrained
29 counties and particularly for smaller and rural communities; and
30

31 **BE IT FURTHER RESOLVED**, that NYSAC supports maintaining the County
32 Infrastructure Grant Program as a flexible, county-driven funding source that empowers
33 local leaders to identify and advance the infrastructure investments best suited to the
34 housing, economic development, placemaking, and community needs of their residents;
35 and
36

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

40 **BE IT FURTHER RESOLVED**, that copies of this resolution be transmitted to the
41 Governor of the State of New York, the Temporary President and Majority Leader of the
42 New York State Senate, the Speaker of the New York State Assembly, the Minority
43 Leaders of the New York State Senate and Assembly, the Commissioner of Empire State
44 Development, and all others deemed necessary and proper.

2026 NYSAC Fall Seminar
Standing Committee on Agriculture, Economic Development & Rural Affairs
Resolution #2

Resolution Endorsing Recommendations of NYSAC's Steering Committee on Energy Siting and Farmland Protection to Protect New York Farmland and Strengthen the Farm Economy

1 **WHEREAS**, agriculture is a cornerstone of New York's rural economy and food
2 system, generating approximately \$47 billion in economic activity and supporting
3 approximately 160,000 jobs statewide; and
4

5 **WHEREAS**, between 2017 and 2022, New York lost approximately 363,885 acres of
6 farmland and 2,788 farms as farmers and agricultural communities face growing
7 pressure from residential and commercial development, farm succession challenges,
8 thin commodity margins, rising operating costs, and increasing competition for land;
9 and
10

11 **WHEREAS**, New York State is simultaneously pursuing ambitious renewable energy
12 goals that will require significant new energy generation and infrastructure, and New
13 York's counties support responsible renewable energy development while protecting the
14 state's agricultural land base and rural economies; and
15

16 **WHEREAS**, prime agricultural land is particularly attractive for large-scale solar
17 development because it is often flat, well-drained, contiguous, and located near existing
18 infrastructure, creating development pressure on some of New York's most productive
19 farmland; and
20

21 **WHEREAS**, solar development currently represents a relatively small share of overall
22 farmland loss statewide, but counties are concerned that accelerating development on
23 highly productive agricultural soils could result in irreversible losses at a pace that
24 existing farmland protection programs cannot match; and
25

26 **WHEREAS**, farmland protection is not solely a land-use issue but an economic
27 development imperative, because New York's agricultural economy depends upon a
28 critical mass of working farms that sustain processors, equipment dealers, suppliers,
29 distributors, food manufacturers, and other businesses throughout rural communities;
30 and
31

32 **WHEREAS**, the loss of agricultural acreage can therefore have economic impacts
33 extending well beyond an individual farm, weakening the supply chains and agricultural
34 infrastructure necessary to sustain farming and food production within a region; and
35

36 **WHEREAS**, the economics of renewable energy development can place farmers in a
37 difficult position, with solar lease payments in some cases substantially exceeding the

1 income available from agricultural production, particularly for farms facing thin
2 margins or uncertainty about succession; and
3

4 **WHEREAS**, New York’s Farmland Protection Implementation Grant (FPIG) program
5 is one of the state’s principal tools for permanently preserving farmland through
6 agricultural conservation easements and has helped protect approximately 130,000
7 acres statewide; and
8

9 **WHEREAS**, approval delays, outdated funding caps, rising land values, and
10 geographic disparities have limited the FPIG program’s ability to respond to current
11 development pressures, with the program’s \$3 million per-application cap failing to
12 keep pace with farmland values that have risen between 40 and 150 percent depending
13 on the region, while 27 of New York’s 62 counties have never received an FPIG grant;
14 and
15

16 **WHEREAS**, farmland preservation programs must be capable of moving at a pace that
17 allows counties, land trusts, and farmers to protect agricultural land before development
18 agreements foreclose conservation opportunities; and
19

20 **WHEREAS**, New York can reduce development pressure on farmland by making
21 greater use of brownfields, marginal lands, rooftops, parking areas, state-owned and
22 publicly controlled properties, and other previously developed or non-agricultural sites
23 for renewable energy generation; and
24

25 **WHEREAS**, farmland protection must also address the underlying economics of
26 farming, because permanently protecting agricultural acreage will not preserve New
27 York’s agricultural economy if farmers cannot earn a sustainable living from working
28 that land; and
29

30 **WHEREAS**, farm succession represents a particularly important opportunity for state
31 action because farmland is especially vulnerable to conversion when an owner retires,
32 and programs that facilitate transfers to beginning and next-generation farmers can
33 preserve both farmland and agricultural production; and
34

35 **WHEREAS**, recognizing the need to balance New York State’s renewable energy goals
36 with the preservation of productive agricultural lands and economically viable farms,
37 NYSAC’s Standing Committees on Agriculture, Economic Development and Rural
38 Affairs and Climate Action, Energy and Environment established a Steering Committee
39 on Energy Siting and Farmland Protection in 2025 to develop actionable policy
40 recommendations that advance both goals; and
41

42 **WHEREAS**, the Steering Committee, co-chaired by Ulster County Executive Jen
43 Metzger and Wyoming County Supervisor Doug Berwanger, conducted a statewide
44 member survey, convened an Energy Siting and Farmland Protection Summit of county
45 officials, planning professionals, agricultural leaders, and other stakeholders, and
46 synthesized the findings into the report “Balancing Renewable Energy Siting and
47 Farmland Protection in New York State,” and

1 **WHEREAS**, the report concludes that protecting farmland acreage is not sufficient if
2 the underlying economics of farming are not also addressed and calls for farm economic
3 viability, farmland protection, and the state's energy goals to be treated as co-equal
4 priorities; and

5
6 **WHEREAS**, among its recommendations, the report calls for a comprehensive strategy
7 to take pressure off farmland, protect farmland directly, and protect the farm economy,
8 including greater use of non-agricultural sites for renewable energy development,
9 stronger farmland protection programs, farmland conversion mitigation, and greater
10 investment in farm viability and succession; and

11
12 **WHEREAS**, these recommendations provide a framework for protecting New York's
13 agricultural land base, strengthening rural economies, and ensuring that agriculture
14 remains a viable use of land for generations to come.

15
16 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
17 Counties (NYSAC) endorses the recommendations of its Steering Committee on Energy
18 Siting and Farmland Protection related to taking pressure off farmland, directly
19 protecting agricultural lands, and strengthening New York's farm economy, as outlined
20 in "Balancing Renewable Energy Siting and Farmland Protection in New York State,"
21 and urges the Governor and New York State Legislature to advance policies consistent
22 with those recommendations; and

23
24 **BE IT FURTHER RESOLVED**, that NYSAC urges the Governor and Legislature to
25 substantially increase funding for the Farmland Protection Implementation Grant
26 program, increase its per-application funding cap to reflect rising farmland values,
27 streamline and accelerate the application and award process, address geographic
28 disparities in awards, and expand the program's ability to serve farmers who rent rather
29 than own the land they farm; and

30
31 **BE IT FURTHER RESOLVED**, that NYSAC urges the State to establish a rapid-
32 response farmland conservation mechanism that allows counties and qualified land
33 trusts to act quickly when high-priority agricultural land faces imminent development
34 or conversion; and

35
36 **BE IT FURTHER RESOLVED**, that NYSAC supports establishment of a farmland
37 conversion mitigation framework under which renewable energy development on
38 actively farmed, high-quality agricultural soils contributes toward the permanent
39 protection of farmland, with mitigation requirements tied to the actual regional cost of
40 farmland conservation and structured to provide a meaningful financial incentive to
41 avoid prime agricultural land; and

42
43 **BE IT FURTHER RESOLVED**, that NYSAC supports the principle that renewable
44 energy development resulting in the conversion of prime agricultural land should be
45 accompanied by permanent protection of farmland of equivalent quality within the
46 same county or agricultural region, helping ensure that energy development does not
47 result in the continued net erosion of New York's productive agricultural land base; and

1 **BE IT FURTHER RESOLVED**, that NYSAC urges the State to reduce development
2 pressure on productive farmland by prioritizing renewable energy development on
3 brownfields, marginal and previously developed lands, state-owned and publicly
4 controlled properties, rooftops, parking areas, and other sites that do not displace active
5 agricultural production; and
6

7 **BE IT FURTHER RESOLVED**, that NYSAC urges the Governor and Legislature to
8 remove unnecessary statutory and regulatory barriers to solar development on the built
9 environment and establish policies and incentives that encourage greater use of
10 rooftops, parking areas, warehouses, distribution centers, large commercial buildings,
11 schools, and other suitable facilities for renewable energy generation; and
12

13 **BE IT FURTHER RESOLVED**, that NYSAC urges the Governor and Legislature to
14 substantially expand investments in farm viability, farm succession, and beginning-
15 farmer programs, including programs that facilitate the transfer of retiring farmland to
16 the next generation of farmers and provide farmers with economically competitive
17 alternatives to permanent conversion of agricultural land; and
18

19 **BE IT FURTHER RESOLVED**, that NYSAC urges the State to recognize farmland
20 preservation and farm viability as essential components of New York's economic
21 development strategy, including the preservation of the agricultural supply chains,
22 processors, manufacturers, and rural businesses that depend upon a sufficient and
23 productive agricultural land base; 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**, that NYSAC shall forward copies of this resolution to
29 Governor Kathy Hochul, the New York State Legislature, the New York State
30 Department of Agriculture and Markets, the New York State Department of Economic
31 Development, the New York State Energy Research and Development Authority, and all
32 others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2026 NYSAC Fall Seminar
Onondaga County**

**Standing Committee on Climate Action, Energy &
Environment 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

**2026 NYSAC Fall Seminar
Standing Committee on Climate Action, Energy & Environment
Resolution #1**

**Resolution Urging the Governor and Legislature to Establish a Multi-Year
Capital Investment in Trail and Greenway Connectivity through the New
York Greenway Network**

1 **WHEREAS**, the Empire State Trail—a 750-mile route completed in 2020 and the
2 longest single-state multi-use trail in the nation, connecting 26 counties from New York
3 City to the Canadian border and Buffalo to Albany—has demonstrated the power of
4 connected greenway infrastructure to strengthen local economies, attract visitors,
5 improve public health, and expand safe transportation options; and
6

7 **WHEREAS**, a June 2026 Parks & Trails New York economic impact report found that
8 the Empire State Trail generates \$1.87 billion in annual economic output, supports
9 nearly 9,700 jobs, produces more than \$640 million in employee earnings, and
10 generates more than \$206 million in annual state and local tax revenue; and
11

12 **WHEREAS**, every dollar invested in the Empire State Trail returns an estimated \$5.43
13 in economic output, making trail and greenway infrastructure a high-return investment
14 for the State; and
15

16 **WHEREAS**, these benefits reach urban, suburban, and rural communities alike—
17 including many places that traditional economic development programs struggle to
18 serve, with roughly two-thirds of the Trail serving economically distressed communities;
19 and
20

21 **WHEREAS**, beyond economic returns, the Trail generates an estimated \$78 million in
22 annual health-related savings and gives millions of New Yorkers safe, car-free routes for
23 recreation and everyday travel; and
24

25 **WHEREAS**, despite these benefits, many communities remain disconnected from the
26 statewide network by missing trail links, unsafe roadway segments, and a lack of local
27 connections between downtowns, neighborhoods, schools, parks, and existing trails;
28 and
29

30 **WHEREAS**, there is now an unprecedented pipeline of greenway and trail projects
31 ready to advance, representing more than \$2.7 billion in potential investment and more
32 than 960 miles of new and improved greenway connections; and
33

34 **WHEREAS**, a significant, multi-year capital commitment would help counties and
35 local communities move these projects from planning to construction, leverage federal
36 and local funding, improve safety, and ensure that every region of New York can share
37 in the benefits of a connected greenway system.

1 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
2 Counties (NYSAC) commends the Governor and Legislature for their continued support
3 of the Empire State Trail and New York’s growing network of trails and greenways; and
4

5 **BE IT FURTHER RESOLVED**, that NYSAC urges the Governor and Legislature to
6 establish a significant, multi-year capital commitment dedicated to greenway
7 connectivity and trail infrastructure through the proposed New York Greenway Network
8 in the upcoming State Budget; and
9

10 **BE IT FURTHER RESOLVED**, that NYSAC urges such investment to prioritize
11 closing critical gaps, improving safety, leveraging available federal and local funding,
12 and ensuring that every region of the State shares in the benefits; and
13

14 **BE IT FURTHER RESOLVED**, that counties stand ready to partner with the State to
15 move trail and greenway projects from planning to construction; and
16

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

20 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
21 Governor Kathy Hochul, the New York State Legislature, the Commissioner of the Office
22 of Parks, Recreation and Historic Preservation, the Commissioner of the Department of
23 Transportation, the Executive Director of the Hudson River Valley Greenway, and all
24 others deemed necessary and proper.

**2026 NYSAC Fall Seminar
Standing Committee on Climate Action, Energy & Environment
Resolution #2**

**Resolution Urging Governor Hochul to Sign the Solar Up Now New York
(SUNNY) Act (S.8512-C Krueger / A.9111-C Gallagher) to Remove
Regulatory Barriers to Plug-In Solar**

1 **WHEREAS**, under the Climate Leadership and Community Protection Act (CLCPA),
2 New York has committed to reducing greenhouse gas emissions and expanding
3 renewable energy, with distributed solar playing a central role; and
4

5 **WHEREAS**, with New Yorkers facing rising energy costs, residents who wish to lower
6 their own utility bills should not be blocked from doing so by unnecessary regulatory
7 barriers; and
8

9 **WHEREAS**, portable “plug-in” solar devices are small photovoltaic systems that can be
10 installed easily on decks, balconies, patios, or in backyards at a fraction of the cost of a
11 rooftop array, saving residents hundreds of dollars annually while reducing emissions;
12 and
13

14 **WHEREAS**, plug-in solar expands equitable access to the solar economy for renters
15 and others who cannot install rooftop systems but have suitable outdoor space; and
16

17 **WHEREAS**, plug-in solar reduces strain on the grid during peak summer demand,
18 improving reliability and lowering costs for all ratepayers; and
19

20 **WHEREAS**, because plug-in solar adds clean energy within the built environment
21 without converting a single acre of land, it helps direct solar to the right places and
22 relieves the mounting pressure that large-scale, ground-mounted solar places on New
23 York’s prime farmland; and
24

25 **WHEREAS**, New York’s one-size-fits-all interconnection rules currently subject a
26 single plug-in panel to the same complex, costly process required for a full rooftop
27 installation, effectively preventing adoption of this technology; and
28

29 **WHEREAS**, millions of plug-in units are already in safe use in countries such as
30 Germany and Canada, and eight governors have signed legislation in the past year to cut
31 red tape for plug-in solar; and
32

33 **WHEREAS**, the Solar Up Now New York (SUNNY) Act, S.8512-C (Krueger)/A.9111-C
34 (Gallagher), establishes a clear safety and regulatory framework for portable solar
35 generation devices and exempts them from the interconnection and net metering
36 requirements designed for full-scale systems; and
37

38 **WHEREAS**, the SUNNY Act passed both houses of the Legislature during the 2026
39 Legislative Session and now awaits action by Governor Hochul.

1 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
2 Counties (NYSAC) commends Senator Liz Krueger and Assemblymember Emily
3 Gallagher for sponsoring the SUNNY Act and calls on Governor Kathy Hochul to sign it
4 into law; and

5
6 **BE IT FURTHER RESOLVED**, that NYSAC urges the State Fire Prevention and
7 Building Code Council and the Department of Public Service to implement the Act
8 promptly so its benefits reach New Yorkers without delay; and

9
10 **BE IT FURTHER RESOLVED**, that NYSAC encourages a chapter amendment to
11 provide for an end-of-life management strategy for these systems; and

12
13 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
14 of New York State encouraging member counties to enact similar resolutions; and

15
16 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
17 Governor Kathy Hochul, the New York State Legislature, Senator Liz Krueger,
18 Assemblymember Emily Gallagher, the Chair of the Department of Public Service, the
19 President and CEO of the New York State Energy Research and Development Authority
20 (NYSERDA), and all others deemed necessary and proper.

**2026 NYSAC Fall Seminar
Standing Committee on Climate Action, Energy & Environment
Resolution #3**

**Resolution Urging the Legislature and Governor to Enact the Grid
Reliability and Energy Affordability Transition (GREAT) Act to Lower
Energy Costs and Strengthen Grid Reliability**

WHEREAS, New Yorkers face rising energy costs and growing grid reliability risks driven by extreme weather, aging infrastructure, and reliance on expensive, polluting fossil-fuel plants to meet peak demand; and

WHEREAS, a virtual power plant is a coordinated network of customer-owned distributed energy resources—such as batteries, electric vehicles, and smart thermostats—that work together to support the electric grid; and

WHEREAS, during periods of peak demand, virtual power plants can reduce demand and supply electricity, preventing blackouts and reducing the need for costly utility infrastructure upgrades that are ultimately paid for by ratepayers; and

WHEREAS, virtual power plants can lower electric bills for all ratepayers while paying participating households for supporting the grid, giving customers new tools to manage their own energy costs; and

WHEREAS, the U.S. Department of Energy estimates the nation could deploy 80 to 160 gigawatts of virtual power plant capacity by 2030—roughly triple current levels—yielding on the order of \$10 billion in annual ratepayer savings; and

WHEREAS, current market rules, complex program structures, and inadequate compensation for participants are preventing New York from using virtual power plants at scale, leaving significant ratepayer savings and reliability benefits untapped; and

WHEREAS, greater use of virtual power plants can reduce reliance on aging “peaker plants”—many of which are located in or near disadvantaged communities—delivering targeted cost and air-quality benefits where they are needed most; and

WHEREAS, the GREAT Act, A.10354-B (Kelles)/S.9500-A(Hinchey), would establish a statewide virtual power plant program directing utilities and the Public Service Commission to reduce participation barriers, fairly compensate customers for the grid services they provide, and ensure substantial benefits for disadvantaged and low- and moderate-income households; and

WHEREAS, by addressing energy affordability and grid reliability together while expanding customer-sited clean energy, the GREAT Act advances priorities shared by counties and the residents they serve.

1 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
2 Counties (NYSAC) commends Assemblymember Anna Kelles for sponsoring the Grid
3 Reliability and Energy Affordability Transition Act; and
4

5 **BE IT FURTHER RESOLVED**, that NYSAC calls on the New York State Legislature
6 to pass, and the Governor to sign, the GREAT Act to establish a statewide virtual power
7 plant program; and
8

9 **BE IT FURTHER RESOLVED**, that NYSAC urges the Public Service Commission
10 and the state's utilities to implement the program in a manner that maximizes ratepayer
11 savings, minimizes participation barriers, and directs substantial benefits to
12 disadvantaged and low- and moderate-income communities; and
13

14 **BE IT FURTHER RESOLVED**, that counties stand ready to partner with the State to
15 help educate residents about opportunities to participate in and benefit from the
16 program; and
17

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

21 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
22 Governor Kathy Hochul, the New York State Legislature, Assemblymember Anna Kelles,
23 the Chair of the Department of Public Service, the President and CEO of the New York
24 State Energy Research and Development Authority (NYSERDA), and all others deemed
25 necessary and proper.

**2026 NYSAC Fall Seminar
Standing Committee on Climate Action, Energy & Environment
Resolution #4**

Resolution Urging New York State to Build Upon the SFY 2027 Ratepayer Protection Plan by Strengthening Ratepayer Affordability, Independent Consumer Representation, and Accountability in Public Utility Regulation

1 **WHEREAS**, safe, reliable and resilient electric and gas service is essential to public
2 health, economic stability and quality of life, but rapidly increasing utility costs are
3 placing significant pressure on households, seniors, renters, homeowners, small
4 businesses, nonprofit organizations and local governments across New York State; and
5

6 **WHEREAS**, utility affordability is also a county concern because unaffordable energy
7 bills can contribute to household financial instability, arrears, service terminations,
8 housing insecurity and increased demand for social services and emergency assistance,
9 meaning that a rate increase approved at the state level can create financial and human
10 consequences in counties across New York; and
11

12 **WHEREAS**, the SFY 2027 State Budget took important steps toward addressing these
13 concerns through the \$1 billion POWER rebate program, a Ratepayer Protection Plan,
14 development of an energy affordability index and Affordability Monitor, creation of the
15 RATES Commission, continued support for energy efficiency and affordability programs
16 including EmPower+, and additional review of utility expenditures and rate proposals;
17 and
18

19 **WHEREAS**, these measures represent meaningful progress, but temporary rebates and
20 administrative reforms should be accompanied by permanent statutory protections that
21 make affordability, consumer representation, transparency and accountability integral
22 parts of utility regulation, while preserving the investments necessary to maintain safe,
23 reliable and resilient service; and
24

25 **WHEREAS**, the Public Service Commission (PSC) exercises substantial authority over
26 utility rates and investments, and its decision-making should expressly consider not
27 only whether proposed expenditures are technically justified but also their cumulative
28 economic impact on ratepayers and communities, with commissioners whose
29 qualifications collectively include meaningful experience in consumer advocacy,
30 affordability, public interest regulation, and the challenges facing everyday New
31 Yorkers; and
32

33 **WHEREAS**, consumers currently participate in a highly technical regulatory process in
34 which utilities possess extensive legal, financial and technical resources, supporting the
35 need for a sufficiently funded and genuinely independent statewide utility consumer
36 advocate capable of representing residential and small-business ratepayers before the
37 PSC and in other appropriate proceedings; and

1 **WHEREAS**, legislative proposals including S.7328-B/A.10993-A, A.2400-A/S.1847-A,
2 S.9199/A.9548, S.10214/A.11021, S.8915/A.9426, S.9342, and S.5518/A.2470, or
3 successor legislation, reflect growing interest in affordability standards, consumer
4 representation, economic-impact review, transparency, PSC accountability, safeguards
5 against regulatory conflicts and stronger oversight of significant utility-rate increases.
6

7 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
8 Counties (NYSAC) commends the Governor and Legislature for the ratepayer
9 protections included in the SFY 2027 Budget and urges New York State to build upon
10 those reforms by establishing utility affordability as an express and continuing
11 consideration in PSC decision-making, including evaluation of household energy
12 burden, cumulative rate increases, arrears and ability to pay, while maintaining the safe,
13 reliable and resilient utility system upon which residents and businesses depend; and
14

15 **BE IT FURTHER RESOLVED**, that NYSAC urges the Governor and Legislature to
16 enact legislation consistent with the principles of this resolution, including the measures
17 referenced above or successor legislation that would:

- 18 • establish a well-resourced, independent Office of Utility Consumer Advocate
19 empowered to represent residential and small-business ratepayers in PSC rate
20 cases and other significant utility proceedings, separate from and complementary
21 to the State's Affordability Monitor and other existing consumer-protection
22 functions;
- 23 • strengthen the qualifications and independence of the PSC by ensuring
24 meaningful consumer, affordability and public-interest experience among
25 commissioners and establishing appropriate anti-revolving-door safeguards
26 between regulated utilities and the Commission;
- 27 • require meaningful economic and affordability impact assessments before
28 approval of major rate increases, including consideration of cumulative increases
29 and effects on low- and moderate-income households, seniors, fixed-income
30 residents, small businesses, nonprofits, and local governments;
- 31 • require greater transparency and scrutiny of costs proposed for recovery from
32 ratepayers, including whether expenditures are necessary, reasonable and
33 appropriately borne by customers rather than shareholders, together with
34 accessible public reporting concerning major rate drivers and utility financial
35 performance; and
- 36 • provide for meaningful legislative review and oversight of extraordinary or
37 unusually burdensome rate increases, while respecting the PSC's technical
38 regulatory responsibilities and avoiding unnecessary delay in investments
39 required for safety and reliability; and
- 40 • provide sufficient intervenor funds for stakeholder organizations to afford to
41 meaningfully participate in rate cases and other proceedings; and
42

43 **BE IT FURTHER RESOLVED**, that NYSAC urges the State to ensure the newly
44 created RATES Commission, Affordability Monitor, energy affordability index, and
45 related SFY 2027 reforms result in measurable and publicly accessible
46 recommendations and outcomes, including examination of cumulative rate pressures,

1 utility capital spending, affordability programs, and opportunities to reduce
2 unnecessary costs before they are shifted to ratepayers; and
3

4 **BE IT FURTHER RESOLVED**, that in evaluating utility-rate proposals and statewide
5 energy policy, New York should recognize that affordability is itself an essential
6 component of utility service: energy cannot meaningfully be considered accessible when
7 households cannot reasonably afford to keep the lights on, heat their homes, and meet
8 other basic necessities; 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 copies of this resolution be forwarded to the
14 Governor of the State of New York, the Temporary President and Majority Leader of the
15 New York State Senate, the Speaker of the New York State Assembly, the New York State
16 Public Service Commission, the Department of Public Service, appropriate legislative
17 committee chairs, and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2026 NYSAC Fall Seminar
Onondaga County**

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

Heidi Bond (Otsego County), Chair
Sara Boerenko (Montgomery County), Vice Chair
Rita Wood (Ulster County), Vice Chair

**2026 NYSAC Fall Seminar
Standing Committee on Children with Special Needs
Resolution #1**

**Resolution Urging the New York State Division of Budget to Release Owed
Early Intervention Medicaid Retroactive Payments to Counties**

1 **WHEREAS**, the New York State Department of Health (NYSDOH) Bureau of Early
2 Intervention enacted regulations which allow County Early Intervention Officials to
3 authorize waivers to established Medicaid billing rules; and
4

5 **WHEREAS**, the Bureau of Early Intervention recommends that, based on clinical
6 need, children be authorized services that exceed Medicaid billing rules including for
7 children who have complex behavioral diagnoses such as autism spectrum disorder; and
8

9 **WHEREAS**, the NYSDOH Office of Health Insurance Programs has not made the
10 necessary modifications in the Medicaid billing system, E-MEDNY, to pay for such
11 waived claims on an ongoing basis, and Medicaid has denied covered Early
12 Intervention (EI) claims for payment resulting in a county paying out of their escrow
13 account for what should be covered by Medicaid; and
14

15 **WHEREAS**, the Bureau of Early Intervention and the Office of Health Insurance
16 Programs periodically pull all Early Intervention (EI) claims that were denied due to
17 this Medicaid billing limitation, resulting in counties receiving regular ‘Retroactive’
18 payments to reimburse escrow for overpayment; and
19

20 **WHEREAS**, since 2018, the New York State Department of Health, Bureau of Early
21 Intervention and the Office of Health Insurance Programs have not disbursed Medicaid
22 retroactive payments owed to counties through this process; and
23

24 **WHEREAS**, counties estimate that approximately \$170 million is owed to counties for
25 the period of 2013-2018; and
26

27 **WHEREAS**, counties estimate that approximately \$230 million is owed to counties for
28 the time period spanning 2019-2025 resulting in ongoing disproportionate payment by
29 counties for Early Intervention services delivered to children with the most complex
30 disabilities in New York State; and
31

32 **WHEREAS**, the Medicaid retroactive process is significantly behind the expected two-
33 year payment cycle; and
34

35 **WHEREAS**, not releasing the funds owed and restoring the two-year payment cycle
36 simply shifts these costs to county taxpayers.
37

38 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
39 Counties (NYSAC) calls upon the New York State Division of the Budget to take

1 measures to expedite the release of these Medicaid Retroactive funds to
2 municipalities/counties; and
3

4 **BE IT FURTHER RESOLVED**, NYSAC calls upon the New York State Department of
5 Health, Bureau of Early Intervention and the Office of Health Insurance Programs to
6 resume their regular flagging of claims and scheduled bi-annual payment of Medicaid
7 retroactive claims to counties; and
8

9 **BE IT FURTHER RESOLVED**, NYSAC calls upon the New York State Department of
10 Health and New York State Division of the Budget to provide municipalities/counties
11 with guidance on how the State plans to issue overdue payments, and the schedule at
12 which new payments will be made; and
13

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

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

**2026 NYSAC Fall Seminar
Standing Committee on Children with Special Needs
Resolution #2**

**Resolution Urging NYSDOH, NYSED, SUNY and CUNY Colleges and other
Private and Public Institutes of Higher Education in New York to Develop
Additional Pathways to Expand and Enhance the Early Intervention
Workforce**

WHEREAS, provider capacity issues often pose barriers to receiving Early Intervention (EI) services for medically fragile children and/or to infants and toddlers with special needs; and

WHEREAS, the current regulations for EI providers in New York State, set by the NYSED Office of Professions, do not require early intervention providers to learn about Early Intervention core competencies or to engage in clinical experience with individuals in the Early Intervention program or with infants and toddlers in other community-based settings; and

WHEREAS, a report by the City University of New York Brooklyn College and the New York Institute of Technology School of Health Professions makes three core recommendations for expanding and enhancing New York State's Early Intervention workforce; and

WHEREAS, the first of these recommendations is to consider amending NYSED regulations and requirements. Specifically, consider:

- Updating NYSED regulations and requirements to incorporate the New York State Department of Health's (NYSDOH) five Early Intervention competencies into the Teaching Students with Disabilities in Early Childhood (SWD-EC), Birth to Grade Two certification, and requiring fieldwork with infants and toddlers; and
- Incorporating Early Intervention competencies into New York State Regulations Part 156.2 for occupational therapists; Part 77, 2a. for physical therapists; and Part 8209 for speech-language pathologists and audiologists, as well as developing recommendations for memoranda to the Office of the Professions regarding the provision of services from birth to age three across these disciplines; and

WHEREAS, the second of these recommendations is to consider developing the following three cross-disciplinary pathways to becoming a provider of Early Intervention in New York State, including:

- Having NYSDOH develop a "Dear Colleague" memorandum clarifying existing policy and informing prospective Early Intervention providers of the requirements to become New York State approved;
- Creating an interdisciplinary extension in Early Intervention, similar to existing programs such as the Bilingual Extension, through NYSED and/or establishing an annotation for teaching and supporting infants and toddlers with disabilities

1 in Early Intervention, similar to the existing NYSED annotation for teaching
2 students with severe and multiple disabilities; and

- 3 • Developing individual evaluation pathways for professionals to access and learn
4 the specific Early Intervention competencies necessary to become an Early
5 Intervention provider, including NYSED credit-bearing Early Intervention/Early
6 Childhood Special Education courses or programs, continuing education courses
7 (including Continuing Education Units (CEUs) and Continuing Teacher and
8 Leader Education (CTLE) credits), and/or NYSDOH modules or trainings; and
9

10 **WHEREAS**, following these recommendations has the potential to develop and
11 increase a diverse EI workforce across a relatively large existing pool of
12 licensed/certified professionals across disciplines who are not currently working in EI
13 and may not have training in best practices for working with infants and toddlers and
14 their families; and
15

16 **WHEREAS**, these recommendations have the potential to increase fieldwork
17 placements and supervisors, which will create additional opportunities for entry-level
18 practitioners to join the EI workforce and to increase the number of early
19 interventionists throughout communities—reducing EI shortages and decreasing wait
20 time for services for children with disabilities and their families.
21

22 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
23 Counties (NYSAC) calls upon the Governor and the New York State Legislature to make
24 investments in the structural development of the Early Intervention workforce by
25 providing incentives for academic programs to integrate early intervention core
26 competencies into existing graduate and undergraduate curricula to build EI workforce
27 capacity; and
28

29 **BE IT FURTHER RESOLVED**, calls upon the New York State Department of Health,
30 Bureau of Early Intervention and the New York State Education Department (NYSED)
31 to examine the licensure and credentialing requirements for Early Childhood Special
32 Education, speech language pathology, occupational therapy and physical therapy to
33 build the Early Intervention workforce by addressing structural barriers in licensure and
34 credentialing requirements; and
35

36 **BE IT FURTHER RESOLVED**, NYSAC calls upon NYSED to modify licensure and
37 credentialing requirements or clarify that current licensure and credentialing
38 requirements allow for the competency areas issued by the New York State Department
39 of Health for the delivery of Early Intervention evaluations and services to be integrated
40 into curricula for Early Childhood Special Education, speech language pathology,
41 occupational therapy and physical therapy under current NYSED licensure and
42 credentialing requirements for each profession; and
43

44 **BE IT FURTHER RESOLVED**, NYSAC calls upon NYSED to modify licensure and
45 credentialing requirements or clarify that current licensure and credentialing
46 requirements allow for fieldwork hours delivered under the supervision of Early
47 Intervention providers providing facility, group, home, and community services to count

1 towards licensure and credentialing requirements for Early Childhood Special
2 Education, speech language pathology, occupational therapy and physical therapy; and
3

4 **BE IT FURTHER RESOLVED**, NYSAC calls upon NYSED to Amend Articles 156,
5 159, and 77 of NYS Education Law to incorporate Early Intervention competency
6 language into continuing education requirements for occupational therapists, physical
7 therapists and speech language pathologists; and
8

9 **BE IT FURTHER RESOLVED**, that NYSAC urges NYSDOH, NYSED, institutes of
10 higher education in New York State, including SUNY and CUNY colleges, and any other
11 applicable agencies or organizations, support the development of the above pathways to
12 demonstrate competency for provider eligibility in early intervention in order to expand
13 and enhance the early intervention workforce in New York State; and
14

15 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
16 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 the New York State Department of Health, the New York State Education Department
20 and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2026 NYSAC Fall Seminar
Onondaga County**

**Standing Committee on Intergovernmental
Relations, General Government & Public
Employee Relations Resolutions**

Mark Scimone (Madison County) – Chair
Cheryl Ketchum (Wyoming County) – Vice Chair
Langdon Chapman (Orange County) – Vice Chair

**2026 NYSAC Fall Seminar
Standing Committee on Intergovernmental Relations, General Government
& Public Employee Relations
Resolution #1**

**Resolution Urging State Assumption of the Costs of Court Facilities and
Maintenance**

1 **WHEREAS**, under the New York State Unified Court System administration,
2 operation, judicial personnel, and nonjudicial personnel of the State's courts are
3 substantially controlled and funded by the State; and
4

5 **WHEREAS**, in 1976, the New York State Legislature enacted the Unified Court Budget
6 Act, Chapter 966 of the Laws of 1976, which fundamentally changed the manner in
7 which New York's court system was administered and financed, with the State assuming
8 responsibility for the operation of the State's courts effective April 1, 1977; and
9

10 **WHEREAS**, pursuant to Judiciary Law § 39, effective April 1, 1977, judges, justices,
11 and nonjudicial officers and employees of the Unified Court System became employees
12 of the State of New York, and the State assumed responsibility for the expenses of
13 operating the courts and court-related agencies identified in the statute; and
14

15 **WHEREAS**, notwithstanding the State's assumption of responsibility for the operation
16 and personnel of the Unified Court System, Judiciary Law § 39(3)(a) continued to
17 require counties to furnish certain goods, services, and facilities for the courts that had
18 previously been provided locally, including facilities necessary and sufficient for the
19 transaction of court business; and
20

21 **WHEREAS**, this statutory structure has resulted in an incongruity whereby the State
22 determines the operation, staffing, judicial assignments, workload, administrative
23 requirements, and physical needs of State courts, while counties remain responsible for
24 substantial costs associated with providing, operating, maintaining, renovating, and
25 expanding the physical facilities in which those State functions are performed including
26 courtrooms, chambers, jury rooms, offices, and other spaces necessary for the conduct
27 of court business; and
28

29 **WHEREAS**, counties are therefore required to finance significant expenditures
30 associated with court facilities, including building operations, utilities, repairs,
31 maintenance, renovations, capital improvements, space modifications, furniture and
32 equipment, and the construction or expansion of judicial chambers and other spaces
33 required by the State's court system; and
34

35 **WHEREAS**, the financial burden imposed on counties by these responsibilities has
36 increased substantially as a result of inflation, higher construction costs, increased labor
37 costs, rising utility and insurance expenses, aging public infrastructure, and increasingly
38 stringent building, security, accessibility, technology, and operational requirements; and

1 **WHEREAS**, unlike many ordinary county programs, counties do not determine the
2 number, location, workload, or operational requirements of State courts and generally
3 cannot reduce the level of service or physical infrastructure required when the State
4 expands its judicial operations; and

5
6 **WHEREAS**, the State has in recent years increased the number of judges and
7 expanded the physical footprint required to accommodate the Unified Court System,
8 thereby creating new and substantial fiscal obligations for counties; and

9
10 **WHEREAS**, in 2021, the State created fourteen additional Supreme Court judgeships,
11 with the Office of Court Administration estimating that the additional judgeships would
12 require approximately \$14 million in county costs for facilities and judicial chambers;
13 and

14
15 **WHEREAS**, in 2022, the State enacted legislation creating another fourteen Supreme
16 Court judgeships and seven additional Family Court judgeships, with the Office of Court
17 Administration estimating approximately \$21 million in additional county costs
18 associated with judicial chamber construction; and

19
20 **WHEREAS**, the State's continuing expansion and modernization of its court system
21 demonstrates that the financial burden on counties is not a static or historical
22 obligation, but rather an ongoing and growing fiscal responsibility that will increase
23 whenever the State establishes additional judgeships, expands court operations, changes
24 judicial requirements, or requires additional or upgraded court facilities; and

25
26 **WHEREAS**, the New York State Unified Court System has undertaken a statewide
27 modernization effort encompassing more than 2,000 courtrooms, jury rooms, and other
28 court spaces across New York's 62 counties, further demonstrating the significant scale
29 and continuing physical infrastructure needs of the State-operated court system; and

30
31 **WHEREAS**, counties are already confronting unprecedented fiscal pressures involving
32 property tax limitations, inflation, public safety, health and human services,
33 infrastructure, labor costs, and other mandated programs, making it increasingly
34 unreasonable for county taxpayers to subsidize facilities and infrastructure required for
35 functions that are State responsibilities; and

36
37 **WHEREAS**, the continued requirement that counties finance significant portions of
38 the physical infrastructure of the State's court system is inconsistent with the principle
39 established by the Unified Court Budget Act that a State-operated court system should
40 be funded by the State who is capable of allocating resources based upon statewide
41 judicial needs rather than upon the differing fiscal capacities of individual counties.

42
43 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
44 Counties (NYSAC) urges the Governor and the New York State Legislature to amend the
45 Judiciary Law, including Judiciary Law § 39 and related provisions governing court
46 facilities, to provide for the full assumption by the State of New York of the costs

1 associated with State court facilities and the operation and maintenance of those
2 facilities; and
3

4 **BE IT FURTHER RESOLVED**, that NYSAC supports a funding structure in which
5 the governmental entity responsible for administering and directing the State's court
6 system is also responsible for funding the facilities and infrastructure necessary to
7 operate that system; and
8

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**, NYSAC shall forward copies of this resolution to
13 Governor Kathy Hochul, the New York State Legislature and all others deemed
14 necessary and proper.

**2026 NYSAC Fall Seminar
Standing Committee on Intergovernmental Relations, General Government
& Public Employee Relations
Resolution #2**

**Resolution Calling on the State to Increase the Salary Cap for Retired Public
Employees Seeking Public Employment**

1 **WHEREAS**, under current state law a retired public employee under the age of 65 may
2 only earn up to \$35,000 annually when retained/rehired to a state or local government
3 position, without this salary impacting their retirement benefits; and
4

5 **WHEREAS**, any retired public employee salary amount over \$35,000 will result in a
6 decrease in pension payments for the employee; and
7

8 **WHEREAS**, this \$35,000 earnings cap for retired public employees seeking to return
9 to government service has become a significant barrier to addressing staffing shortages;
10 and
11

12 **WHEREAS**, local governments across New York State are grappling with significant
13 workforce challenges across all areas of public service; and
14

15 **WHEREAS**, the ability to recruit and retain qualified employees for positions ranging
16 from public health nurses to assessors and municipal finance officers has become
17 increasingly difficult, particularly in rural areas where specialized expertise is at a
18 premium; and
19

20 **WHEREAS**, this salary cap limitation has been adjusted only once since 2007 and has
21 not kept pace with inflation; and
22

23 **WHEREAS**, in 2025 a bill was introduced to help increase staffing shortages, S.6956-B
24 (Ryan)/A.8720-A (Stirpe) would increase the earnings limitation from \$35,000 to
25 \$50,000, providing local governments with the flexibility to address urgent staffing
26 needs while ensuring that seasoned professionals can afford to return to public service
27 roles without devastating impacts to their retirement benefits; and
28

29 **WHEREAS**, this bill passed unanimously in 2025 in the Senate and did not advance in
30 the Assembly; and
31

32 **WHEREAS**, the importance of this reform was demonstrated during the COVID -19
33 pandemic, when an Executive Order temporarily removed the earnings cap to support
34 staffing continuity and this temporary measure proved vital to maintaining essential
35 services; and
36

37 **WHEREAS**, other public positions have increased this cap for the same reason, such as
38 the State Legislature suspending the cap for retirees working in schools and BOCES
39 through 2027—recognizing the urgent need to expand the public workforce.

1 **NOW, THEREFORE, BE IT RESOLVED**, S.6956-B (Ryan)/A.8720-A (Stirpe)
2 represents more than just a salary adjustment—it is an essential step toward addressing
3 local government staffing challenges that will enable counties, cities, towns, and villages
4 to recruit experienced professionals for hard-to-fill positions in specialized fields like
5 public health, finance, corrections, and social services; and
6

7 **BE IT FURTHER RESOLVED**, the New York State Association of Counties (NYSAC)
8 hereby calls on the Governor and the State Legislature to enact legislation supporting an
9 increase in this earnings rate as part of their SFY 2028 budget negotiations; and
10

11 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
12 New York encouraging member counties to enact similar resolutions; and
13

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

**2026 NYSAC Fall Seminar
Standing Committee on Intergovernmental Relations, General Government
& Public Employee Relations
Resolution #3**

**Resolution Urging Congress to Protect the Integrity, Predictability and
Lawful Administration of Federal Financial Assistance**

1 **WHEREAS**, federal financial assistance is essential to the federal-state-local
2 partnership and supports core county responsibilities including public health, mental
3 health, public safety, housing, transportation, emergency management, human services,
4 workforce development, environmental programs, infrastructure, and nonprofit
5 partnerships; and
6

7 **WHEREAS**, Congress establishes and funds federal programs and may delegate
8 appropriate discretion to federal agencies to select recipients and administer awards,
9 while the Executive Branch remains responsible for carrying out those programs
10 consistent with governing law and congressional authority; and
11

12 **WHEREAS**, the Office of Management and Budget (OMB) has an important and
13 longstanding role in establishing government-wide requirements for accounting,
14 auditing, reporting, internal controls, financial management, program integrity, and the
15 prevention of waste, fraud, abuse, and noncompliance; and
16

17 **WHEREAS**, on May 29, 2026, OMB and federal award-making agencies proposed a
18 sweeping revision of regulations governing federal financial assistance that will impact
19 \$1 trillion in grant awards annually; and
20

21 **WHEREAS**, the proposal includes having senior political appointees review
22 discretionary awards for consistency with presidential policy priorities, expanded
23 payment and administrative requirements, and authority, to the extent allowed by law,
24 to terminate awards that no longer advance program goals, agency priorities, or the
25 “national interest” as those considerations exist at the time of termination; and
26

27 **WHEREAS**, the proposed rule provided a 45-day public-comment period and
28 contemplated an October 1, 2026, effective date for a government-wide rewrite affecting
29 federal agencies, states, counties, pass-through entities, nonprofit partners, and sub-
30 recipients; and a change of this scope warrants additional time for meaningful review,
31 intergovernmental consultation, operational planning, and consideration of reliance
32 interests before broad implementation; and
33

34 **WHEREAS**, counties routinely make substantial commitments in reliance upon lawful
35 federal awards, including hiring personnel, entering contracts, issuing subawards,
36 committing local matching funds, and undertaking multi-year programs and capital
37 projects, and abrupt changes to award conditions or administrative systems can result
38 in stranded costs, service disruptions, contractual liabilities, and increased burdens
39 upon local taxpayers; and

1
2 **WHEREAS**, materially consequential standards in the proposal, including terms such
3 as “national interest,” “agency priorities,” and other broad or undefined standards, may
4 create uncertainty when used to determine eligibility, payment, suspension,
5 modification, or termination; such terms should be clearly defined, objectively
6 administered, narrowly tailored to the governing statute and the specific federal
7 program, and limited so they do not create open-ended authority beyond that granted
8 by Congress; and
9

10 **WHEREAS**, legitimate federal oversight should ensure that public funds are spent
11 lawfully and effectively without allowing administrative regulation to become a
12 replacement for substantive policymaking or exposing otherwise compliant recipients to
13 changing political conditions that were not established by law or clearly disclosed when
14 an award was made, and these principles transcend any particular administration or
15 political party.
16

17 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
18 Counties (NYSAC) urges the United States Congress to enact permanent statutory
19 protections establishing clear boundaries for the administration of federal financial
20 assistance while preserving the legitimate authority of OMB and federal agencies to
21 enforce appropriate accounting, auditing, reporting, financial-management, program-
22 integrity, anti-fraud, and compliance requirements; and
23

24 **BE IT FURTHER RESOLVED**, that when Congress has specifically directed funds to
25 be obligated or distributed, such funds should be administered in accordance with law
26 and should not be withheld, delayed, rescinded, redirected, or allowed to expire for
27 policy reasons outside procedures authorized by Congress, including the Congressional
28 Budget and Impoundment Control Act; and
29

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

33 **BE IT FURTHER RESOLVED**, that copies of this resolution be transmitted to the
34 Majority and Minority Leaders of the United States Senate and House of
35 Representatives, the New York Congressional Delegation, the Governor of the State of
36 New York, the Temporary President and Majority Leader of the New York State Senate,
37 the Speaker of the New York State Assembly, the National Association of Counties, and
38 all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2026 NYSAC Fall Seminar
Onondaga County**

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

Kira Pospesel (Greene County) – Chair
Amy Cunningham (Onondaga County) – Vice Chair
Kenneth Knappe (Suffolk County) – Vice Chair

**NYSAC 2026 Fall Seminar
Standing Committee on Medicaid and Human Services
Resolution #1**

**Resolution Urging Governor Hochul and the New York State Legislature to
Increase Funding for the Flexible Fund for Family Services (FFFS) and
Code Blue Programs**

1 **WHEREAS**, over the last two decades, the state has accelerated its move away from its
2 historic and constitutional responsibilities of providing social services and financing to
3 support low-income families and children, as demonstrated through significant
4 reductions in state financial assistance for these programs, thereby shifting state costs
5 and responsibilities to counties, New York City and local taxpayers; and
6

7 **WHEREAS**, recent state budgets continued this trend of shifting social services costs
8 to counties and New York City by requiring additional local spending of \$75 million for
9 child welfare services within the capped Flexible Fund for Family Services (FFFS),
10 which is already underfunded; and
11

12 **WHEREAS**, while a partial offset of these higher costs was provided, that assistance
13 was temporary, shifting the entire state costs to county taxpayers on a recurring basis;
14 and
15

16 **WHEREAS**, counties are pleased with prior increases to support Code Blue, now at
17 \$20 million, however, that funding falls far short of actual needs; and
18

19 **WHEREAS**, Code Blue funding allocations to individual counties have generally been
20 calculated based on historical costs from prior years rather than current program needs,
21 but was altered for the current year, which resulting in sharp declines for some counties
22 and increases for others; and
23

24 **WHEREAS**, inconsistent funding dramatically hinders counties' ability to build,
25 renovate, or adapt shelter facilities and limits their capacity to expand or innovate
26 service delivery models; and
27

28 **WHEREAS**, while Code Blue is helpful for the winter months, most counties have a
29 year-round need for low-barrier shelter capacity; and
30

31 **WHEREAS**, the State must assist counties with Code Blue clients that continue to
32 break shelter rules, destroy property, and endanger other clients; and
33

34 **WHEREAS**, counties are in dire need of additional state support to not only cover the
35 brick-and-mortar side of Code Blue and other emergency shelter care but also to
36 support robust service delivery provided through FFFS.

1 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
2 Counties (NYSAC) is opposed to continued state cost shifts to counties and New York
3 City in a wide array of critical social service programs and requests the Governor and
4 New York State Legislature recognize inflationary and system cost pressures and agree
5 to increase funding for FFFS to \$1.014 billion, a five percent increase; and
6

7 **BE IT FURTHER RESOLVED**, NYSAC encourages the New York State Legislature
8 and Governor to increase funding for Code Blue to \$40 million; and
9

10 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
11 New York State encouraging member counties to enact similar resolutions; and
12

13 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution to
14 Governor Kathy Hochul, the New York State Legislature, the Office of Temporary and
15 Disability Assistance, the Office of Children and Family Services, and all others deemed
16 necessary and proper.

**NYSAC 2026 Fall Seminar
Standing Committee on Medicaid and Human Services
Resolution #2**

**Resolution Urging the Governor and Legislature to Fully Fund the Child
Care Assistance Program and Work with Counties to Improve the
Distribution of Funds in Order to Limit Disruptions for Children and
Families Enrolled in the Program**

1 **WHEREAS**, the SFY 2027 adopted budget made another historic investment in
2 childcare, increasing funding support to \$3.1 billion, a 40 percent increase over the
3 prior year, supporting the State's childcare subsidy program for families below 85
4 percent of the state median income; and
5

6 **WHEREAS**, historically, the goal of the Child Care Assistance Program (CCAP) was to
7 help Temporary Assistance (TA), and low-income families pay for childcare so they
8 could become self-sufficient by getting a job, paying household bills, and not having to
9 worry about all of their earnings from work having to go to childcare; and
10

11 **WHEREAS**, the adopted SFY 2027 budget also created pilot programs in New York
12 City to create universal 3-K education, in addition to providing \$66 million in funding
13 support for Dutchess, Broome, and Monroe counties for a pilot program to establish a
14 zero- to three-year-old universal childcare services program; and
15

16 **WHEREAS**, the State has pursued expansions in eligibility and provided state and
17 federal funding necessary to support this program with a goal of universal childcare that
18 supports healthy families, workforce participation, and economic growth; and
19

20 **WHEREAS**, with these expansions the state has encouraged local districts to expand
21 outreach efforts to identify and enroll eligible families and children; and
22

23 **WHEREAS**, the increase in funding in recent years will help address, but not
24 eliminate, the (CCAP) tipping points many counties face where household participation
25 exceeds state funding allocations to districts; and
26

27 **WHEREAS**, a social service district must guarantee childcare services to a family who
28 meets the criteria set forth in 18 NYCRR 415.2; and
29

30 **WHEREAS**, counties and New York City do not have the financial resources to backfill
31 growing state funding shortfalls in CCAP considering the \$14 billion counties and New
32 York City are required to spend each year in support of a variety of health, human
33 services, public safety, and indigent defense, among other state and federally mandated
34 programs; and

1 **WHEREAS**, SFY 2027 funding increases are welcomed by counties but there are
2 problems arising with the distribution of these new funds to counties in a timely manner
3 to ensure increased childcare coverage for eligible families can be secured; and
4

5 **WHEREAS**, counties fully support increased participation in the childcare program for
6 the positive child and family development impacts, as well as the economic stability that
7 childcare can bring to a working family.
8

9 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
10 Counties (NYSAC) calls on the Governor and State Legislature to prioritize full funding
11 levels for the Child Care Assistance Program and workforce support; and
12

13 **BE IT FURTHER RESOLVED**, counties strongly urge State Agencies and the
14 Legislature to engage with local social service districts to:

- 15 • Support a funding methodology for providers that is secure and predictable to
16 induce expansion in childcare slots, making it easier for parents to locate needed
17 childcare and ameliorate existing childcare deserts;
- 18 • Encourage efforts to stabilize the program and make recent gains sustainable by
19 ending the confusion and inequity of 58 separately administered allocations;
- 20 • Support proposals that would establish a statewide childcare assistance fund as
21 outlined in A.10494 (Clark)/S.9529 (Baskin);
- 22 • Reduce the county role to eligibility confirmation only (similar to HEAP); and
23 • Fully define the state's goals and intentions for a pathway to universal pre-k
24 including when such an outcome is expected and the role of counties thereafter to
25 allow local officials to begin planning personnel and budget changes in coming
26 years; and
27

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

31 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution to
32 Governor Kathy Hochul, New York State Legislature, Office for Children and Family
33 Services, and all others deemed necessary and proper.

**NYSAC 2026 Fall Seminar
Standing Committee on Medicaid and Human Services
Resolution #3**

Resolution Encouraging the New York State Legislature and Governor Hochul to Reform and Expand Supports for Children with Complex Needs Including the Lack of Treatment and Placement Options for these Children by Enacting S.7978-A (Brouk)/A.7603-B (Hevesi)

1 **WHEREAS**, it is the responsibility of the Office of Children and Family Services
2 (OCFS) to license and regulate residential resources for children within the State of New
3 York; and
4

5 **WHEREAS**, OCFS directs local social service districts to locate, transport, and pay for
6 such services for children when needed; and
7

8 **WHEREAS**, local social service districts are mandated to provide for the safety and
9 care of children in their custody; and
10

11 **WHEREAS**, due to a substantial lack of approved providers, beds and services in New
12 York State to meet the needs of children with complex special health, mental health and
13 behavioral conditions these children often languish in hospital emergency rooms, hotel
14 rooms, and county office space with local social services staff providing 24/7 supervision
15 of these children for extended periods of time; and
16

17 **WHEREAS**, counties are unable to adequately address care and placements for
18 families with children that require intensive cross-system care with one county pursuing
19 more than 100 placement options (in-state and out-of-state) with no success; and
20

21 **WHEREAS**, S.7978-A (Brouk)/A.7603-B, (Hevesi) passed the New York State
22 Legislature with overwhelming support; and
23

24 **WHEREAS**, the New York State Association of Counties (NYSAC) deems the
25 enactment of this legislation into law is essential to improving services for these children
26 and families that have complex cross system needs; and
27

28 **WHEREAS**, this legislation would create a confidential data portal to help agencies
29 coordinate residential and community-based services, and mandate diagnostic
30 evaluations within 72 hours and new services within five business days.
31

32 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
33 Counties (NYSAC) strongly encourages Governor Hochul to sign S.7978-A
34 (Brouk)/A.7603-B (Hevesi) to ensure appropriate care is provided to children with
35 complex needs, supporting their families, and ensuring necessary services are provided
36 in a timely manner; and

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, the Office of Children and
6 Family Services, Office of Mental Health, and all others deemed necessary and proper.

2026 NYSAC Fall Seminar
Standing Committee on Medicaid and Human Services
Resolution #4

**Resolution Urging New York State to Fund Proven, Low-Cost Measures that
Can Reduce the SNAP Payment Error Rate and Limit the State’s Federal
Benefit Cost-Share Under H.R.1**

1 **WHEREAS**, the Supplemental Nutrition Assistance Program (SNAP) is administered
2 locally by county Departments of Social Services under the supervision of the Office
3 of Temporary and Disability Assistance (OTDA), and nearly three million New Yorkers
4 rely on SNAP each month; and

5
6 **WHEREAS**, H.R.1 (“One Big Beautiful Bill Act”) created a new federal cost-
7 sharing requirement where states with a SNAP payment error rate (PER) above
8 six percent must pay a share of SNAP benefit costs, and states with an error rate above
9 10 percent may be required to pay a share as high as 15 percent, with this benefit cost-
10 share taking effect as early as federal fiscal year 2028 (October 1, 2027); and

11
12 **WHEREAS**, OTDA reported that New York’s payment error rate was 14.09 percent in
13 federal fiscal year 2024 and 12.35 percent on a preliminary basis in 2025, placing
14 the State in the highest cost-share tier under the new law; and

15
16 **WHEREAS**, NYSAC estimates the resulting state-level exposure at approximately
17 \$1.1 billion annually beginning as early as Fall 2027, and any decision to shift a portion
18 of this exposure to counties and New York City would fall directly on county budgets
19 and property taxpayers; and

20
21 **WHEREAS**, payment errors should not be confused with fraud, as New York’s error
22 rate is drawn from a limited monthly sample of cases reviewed for factors such
23 as household composition, income, and utility allowances, with most errors stemming
24 from unreported or misstated wages and salaries, from periodic reports that recipients
25 fail to return as scheduled, and other reportable items that may have missed filing
26 deadlines or have incorrect data; and

27
28 **WHEREAS**, approximately 40 percent of SNAP errors stem from unreported or
29 misstated wages and salaries, and the new law will require verification on a more
30 frequent basis that is cost prohibitive for many counties under current contract terms
31 that help counties verify wages and income; and

32
33 **WHEREAS**, H.R.1 expanded work requirements for able-bodied adults 55 and above
34 through age 64, and requires new documentation of at least 80 hours of qualifying
35 activity each month—sharply increasing the number of recipients that will require
36 enhanced reporting and verification; and

1 **WHEREAS**, approximately 14 percent of SNAP errors trace to periodic reports
2 that recipients fail to return with counties currently lacking reliable access to state IT
3 systems to identify overdue reports and to close non-responsive cases efficiently; and
4

5 **WHEREAS**, proven, low-cost tools already in use within New York can reduce the
6 error rate quickly and be implemented statewide in weeks, and these measures
7 would require little or no new funding, with approximately \$27 million already allocated
8 to OTDA for technology upgrades, and
9

10 **WHEREAS**, New York's counties are committed partners in program integrity, but
11 sustained accuracy requires enhanced state funding, reliable system functionality, clear
12 administrative authority and access for county officials to state systems, and fast
13 implementation of updated systems, rather than new unfunded administrative
14 mandates.
15

16 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association
17 of Counties (NYSAC) urges the Governor, the State Legislature, and OTDA to fund and
18 deploy proven, low-cost measures in a timely manner that can reduce the State's
19 SNAP payment error rate to limit the state's exposure to federal benefit cost-sharing
20 penalties, without shifting new unfunded costs to counties; and
21

22 **BE IT FURTHER RESOLVED**, the State should fund statewide adoption as soon as
23 possible for all districts of an automated eligibility interview assistant—such as EVA,
24 already in use in a growing number of county districts—freeing caseworker time for
25 the verification and reviews that drive accuracy; and
26

27 **BE IT FURTHER RESOLVED**, the State should pursue a statewide contract, at a
28 negotiated volume rate, for an income and wage verification service—such as The Work
29 Number—so that counties can verify income as often as the expanded
30 work requirements demand; and
31

32 **BE IT FURTHER RESOLVED**, the State provide counties the system functionality to
33 track periodic reports and close non-responsive cases, including automatic closure when
34 a household fails to return two consecutive reports, consistent with federal SNAP
35 requirements; and
36

37 **BE IT FURTHER RESOLVED**, the State give counties clear authority and guidance
38 to resolve unmatched Resource File Integration (RFI) data, including closure
39 where appropriate; and
40

41 **BE IT FURTHER RESOLVED**, the State prioritize proven, county-tested solutions
42 before committing additional resources to new systems and support counties and New
43 York City in sharing successful approaches with districts statewide; and
44

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

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

**2026 NYSAC Fall Seminar
Standing Committee on Medicaid and Human Services
Resolution #5**

**Resolution Calling on the New York State Legislature and Governor Hochul
to Support Legislation that Will Stabilize Liability Insurance Access for
Voluntary Foster Care Agencies Such as S.9113 (Bailey)/A.9646 (Hevesi)**

1 **WHEREAS**, New York’s voluntary foster care system is increasingly losing access to
2 liability insurance as more insurance companies stop offering coverage; and
3

4 **WHEREAS**, New York state, working through the Office of Children and Families
5 Services (OCFS)—operates a state-supervised, county-administered foster care system
6 where most counties rely heavily on voluntary foster care agencies to provide
7 congregate, group, and therapeutic levels of care; and
8

9 **WHEREAS**, these placements serve some of the most challenging children in the foster
10 care system, including youth with significant behavioral health needs and complex
11 trauma histories; and
12

13 **WHEREAS**, voluntary foster care agencies are required to maintain adequate liability
14 insurance coverage, but many are experiencing significant premium increases, reduced
15 coverage options, and carrier withdrawals from the market; and
16

17 **WHEREAS**, national data indicate that liability insurance premiums for child welfare
18 providers have risen sharply in recent years, with many agencies reporting substantial
19 increases that threaten service continuity; and
20

21 **WHEREAS**, when voluntary agencies are unable to secure or afford liability insurance,
22 they may be forced to reduce capacity or cease operations; and
23

24 **WHEREAS**, the loss of congregate, group, and therapeutic foster care beds would
25 significantly disrupt county foster care systems, leaving limited placement options for
26 families and youth with the highest levels of need; and
27

28 **WHEREAS**, counties do not have the infrastructure, staffing, or fiscal capacity to
29 assume these specialized services, and the resulting instability would place vulnerable
30 children at risk of placement disruptions and more restrictive settings.
31

32 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
33 Counties (NYSAC) supports the enactment of S.9113 (Bailey)/A.9646 (Hevesi) into law
34 which would establish a statutory insurance risk pool and provide financial assistance to
35 stabilize the liability insurance market for voluntary foster care agencies operating in
36 New York State; and
37

38 **BE IT FURTHER RESOLVED**, NYSAC agrees with the sponsors that this legislation
39 will provide a responsible and proactive solution by establishing an insurance risk pool

1 to spread liability exposure more broadly, will help stabilize the insurance market for
2 voluntary agencies, and preserve the public-private partnership that underpins New
3 York's foster care delivery system and ensures continuity of care for children and
4 families; and

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

8
9 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution
10 to Governor Kathy Hochul, the New York State Legislature, OCFS Commissioner Dr.
11 DaMia Harris-Madden, and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2026 NYSAC Fall Seminar
Onondaga County**

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

Tina Wayland-Smith (Madison County) – Chair
Steve Button (St. Lawrence County) – Vice Chair

**2026 NYSAC Fall Seminar
Standing Committee on Native American Affairs & Gaming
Resolution # 1**

**Resolution Calling on the State to Equitably Distribute Gaming Revenue to
all New York Counties and to Make Whole Counties Impacted by the State's
Gaming Revenue Changes**

WHEREAS, the state's current gaming revenue sharing system brings hundreds of millions of dollars to local governments and has become crucial funding in support of local government services; and

WHEREAS, this needed local government funding support is especially important in areas with recently created private casinos where infrastructure needs, such as road maintenance, public safety, and public health and mental health services, all increased; and

WHEREAS, any gaming revenue disruption to this sharing system directly impacts a local government's ability to provide crucial services; and

WHEREAS, there have been major recent changes in the State gaming system in the past couple of years, including the opening of three more downstate private casinos, tax implications of the State negotiating a new compact with the Seneca Nation, the legalization of fantasy and sport wagering, as well as the ability for residents to use prediction market services; and

WHEREAS, all of these changes, without the State requiring local revenue sharing, negatively impacts revenue to New York counties; and

WHEREAS, one example of this is new downstate casinos which will generate billions of dollars, some of which will be obtained by diverting current gaming at upstate facilities; and

WHEREAS, the recent and future changes directly impact the current local government revenue-sharing system within all state regions, none more so than Sullivan County due to their geographic proximity to the new downstate casinos.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls on the State to make a permanent annual appropriation to offset any local funding decrease that results from major gaming statewide changes such as mobile sports betting, prediction markets, private casino expansion, and the resulting compact negotiations with the Seneca Nation; and

BE IT FURTHER RESOLVED, copies of this resolution be sent to the counties of 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
2 Governor Kathy Hochul, the New York State Legislature, the New York State Gaming
3 Commission, and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2026 NYSAC Fall Seminar
Onondaga 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

2026 NYSAC Fall Seminar
Standing Committee on Public Health/Mental Health
Resolution #1

**Resolution Urging the Governor and New York State Legislature to
Appropriate Funds to Modernize and Advance New York’s Public Health
Data Infrastructure**

WHEREAS, timely, accurate, and interoperable public health data systems are the foundation of an effective public health response, enabling local health departments and the New York State Department of Health to rapidly detect, investigate, monitor, and respond to communicable diseases, environmental health threats, and other public health emergencies; and

WHEREAS, Governor Kathy Hochul issued Executive Order 61, which introduced EXPRESS NY (Expediting Processes and Regulations to Enable Streamlined Services) to identify opportunities for modernization and efficiencies to make New York State Government work better and to cut unnecessary red tape; and

WHEREAS, recent public health emergencies, including the COVID-19 pandemic, ongoing measles activity, emerging infectious diseases such as Ebola, increasing cases of Legionellosis associated with cooling towers, foodborne illness outbreaks, and other emerging public health threats have demonstrated the critical need for modern, integrated public health surveillance and reporting systems; and

WHEREAS, New York’s local health departments rely on numerous state-operated data systems to conduct disease surveillance, laboratory reporting, immunization tracking, environmental health monitoring, drinking water oversight, and other essential public health functions, including but not limited to the Communicable Disease Electronic Surveillance System (CDESS), the Electronic Clinical Laboratory Reporting System (ECLRS), the Environmental Health Information Permitting System (EHIPS), the Safe Drinking Water Information System (SDWIS), the New York State Immunization Information System (NYSIIS), Statewide Perinatal Data System (SPDS), and other critical public health information systems; and

WHEREAS, many of these systems were developed decades ago, resulting in older, siloed platforms, limited bidirectional exchange of information between state and local health departments, and inefficient workflows that delay public health action and increase administrative burden for both state and locally employed public health workers; and

WHEREAS, providing local health departments with modern technology that enables secure, real-time, bidirectional data exchange, standardized reporting, integrated analytics, geographic information capabilities, automated workflows, and enhanced surveillance tools to support evidence-based decision making and rapid emergency response will improve responses and provide government efficiencies to strengthen

1 surveillance capacity, improve interoperability, and create resilient public health
2 infrastructure capable of responding to future health emergencies; and
3

4 **WHEREAS**, while federal investments, including the Public Health Infrastructure
5 Grant (PHIG), have provided important initial support for data modernization efforts,
6 federal funding alone is insufficient to fully modernize New York’s public health
7 information technology infrastructure and does not provide the sustained investment
8 necessary to maintain, enhance, and continuously improve these critical systems over
9 time; and
10

11 **WHEREAS**, meaningful modernization will require long-term state investment to
12 replace aging technology, improve system functionality, expand cybersecurity
13 protections, strengthen data analytics, and build workforce capacity by supporting
14 information technology specialists, epidemiologists, informaticians, and other public
15 health professionals at the state, regional, and local levels; and
16

17 **WHEREAS**, investing in modern public health data systems and building out public
18 health data teams will improve disease detection, accelerate outbreak investigations,
19 reduce reporting burdens, enhance situational awareness, improve coordination among
20 state and local partners, and better protect the health and safety of all New Yorkers.
21

22 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
23 Counties (NYSAC) urges the Governor and the New York State Legislature to allocate
24 \$50 million annually to the New York State Department of Health to support the
25 comprehensive modernization of New York’s public health data infrastructure; and
26

27 **BE IT FURTHER RESOLVED**, such investment should support the collaborative
28 modernization of epidemiological, environmental health, laboratory, immunization,
29 drinking water, and other public health information systems used by both the New York
30 State Department of Health and local health departments, ensuring that future systems
31 provide secure, interoperable, and bidirectional data exchange between state and local
32 partners; and
33

34 **BE IT FURTHER RESOLVED**, any state funding appropriated for the modernization
35 of New York’s public health data systems shall require the New York State Department
36 of Health to consult with and actively seek recommendations from local public health
37 officials and staff who rely on these systems in their daily work. This collaborative
38 process shall ensure that system enhancements are informed by the practical experience
39 of end users and result in modernized data systems that improve functionality,
40 interoperability, efficiency, and the delivery of public health services statewide; and
41

42 **BE IT FURTHER RESOLVED**, the allocation should support not only the
43 modernization and integration of technology systems but also the workforce necessary
44 to develop, maintain, secure, and effectively utilize these systems through investments
45 in public health informatics, epidemiology, information technology, cybersecurity, and
46 data analytics at the state, regional, and local levels; and

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

4 **BE IT FURTHER RESOLVED**, that copies of this resolution be transmitted to the
5 Governor of the State of New York, the Senate Majority Leader, the Speaker of the
6 Assembly, the Commissioner of the New York State Department of Health, and all
7 others deemed necessary and proper.

**2026 NYSAC Fall Seminar
Standing Committee on Public Health/Mental Health
Resolution #2**

**Resolution Calling on Governor Kathy Hochul and the New York State
Legislature to Restore Funding Support for County Coroners and Medical
Examiners**

1 **WHEREAS**, coroners and medical examiners are county officers who make official
2 inquiries into the cause and manner of an individual's death, especially those that occur
3 under unnatural, unexplained, suspicious, or unattended circumstances; and
4

5 **WHEREAS**, coroners and medical examiners are required by law to investigate deaths
6 resulting from violence or accident; and
7

8 **WHEREAS**, coroners and medical examiners provide essential medicolegal death
9 investigation services, including forensic pathology, post-mortem examinations, medical
10 autopsies, toxicology testing, death certification, and other activities necessary to
11 support public health, public safety, and the criminal justice system; and
12

13 **WHEREAS**, coroners and medical examiners identify unknown or unclaimed
14 decedents, report news of a death to the next of kin, collect and transfer personal
15 belongings found on a body at the time of death, and complete official records necessary
16 for New York State's vital records system; and
17

18 **WHEREAS**, coroners and medical examiners provide critical mortality data and
19 records relied upon by New York State for public health, public safety, criminal justice,
20 judicial proceedings, emergency preparedness, overdose surveillance, and other
21 purposes authorized under New York State law, supporting timely, accurate, and
22 scientifically sound decision-making and reinforcing public confidence in these systems;
23 and
24

25 **WHEREAS**, county coroners and medical examiners are required to report death
26 information through the New York State Database Application for Vital Events (DAVE)
27 System and maintain the technology and infrastructure necessary to meet state
28 reporting requirements, yet counties do not have the ability to pull data from the system
29 (bidirectional access) to conduct timely reporting, surveillance, trend analysis, or other
30 data queries using the information they submit; and
31

32 **WHEREAS**, timely completion of medicolegal death investigations is critical for
33 surviving families, as determinations made by county coroners and medical examiners
34 affect death certificates, life insurance claims, estate administration, workers'
35 compensation claims, wrongful death actions, and other legal and financial matters;
36 and
37

38 **WHEREAS**, prior to 2011, medical examiners were reimbursed for up to 36 percent of
39 eligible costs through Article 6 state aid provided to local health departments; however,
40 the State subsequently deemed this activity to be a public safety rather than public
41 health function, leaving counties to rely on local funding alone, which has resulted in

1 varying levels of resources available for medicolegal death investigations across
2 counties, creating inequities in the timeliness and availability of these essential services
3 for New Yorkers based on where they reside; and
4

5 **WHEREAS**, the ongoing and evolving overdose epidemic has become increasingly
6 complex, involving synthetic opioids, stimulants, benzodiazepines, veterinary sedatives,
7 and other emerging substances and drug adulterants that need to be tested, resulting in
8 a significantly increased work and financial burden on toxicology efforts for county
9 coroner and medical examiner offices; and
10

11 **WHEREAS**, counties continue to experience rising costs associated with medicolegal
12 death investigations, including forensic pathology services, autopsies, toxicology testing,
13 transportation of decedents, access to hospital morgues and other facilities, information
14 technology, workforce shortages, and compliance with state-mandated training and
15 continuing education requirements, with little or no state funding support for these
16 growing obligations; and
17

18 **WHEREAS**, county coroners and medical examiners perform essential death
19 investigation functions mandated by and relied upon by New York State, including the
20 identification of emerging mortality trends and evolving patterns in overdose deaths,
21 and should therefore have a dedicated state funding stream to support this work and
22 ensure timely, accurate data to inform public health surveillance, planning, and
23 interventions at the state and local levels.
24

25 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
26 Counties (NYSAC) calls upon Governor Kathy Hochul and the New York State
27 Legislature to provide DAVE System access to counties and restore a state share to
28 support county coroner and medical examiner death investigation activities; and
29

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

33 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
34 Governor Kathy Hochul, the New York State Legislature, the Commissioner of the
35 Department of Health, the Commissioner of the Department of Criminal Justice
36 Services, and all others deemed necessary and proper.

1 **2026 NYSAC Fall Seminar**
2 **Standing Committee on Public Health/Mental Health**
3 **Resolution #3**

Resolution Urging New York State to Prohibit Synthetic, Adulterated, and High-Potency Kratom-Derived Products and Establish Statewide Consumer Protections

4 **WHEREAS**, kratom is derived from the plant *Mitragyna speciosa* and naturally
5 contains alkaloids, including mitragynine and trace amounts of 7-hydroxymitragynine
6 (7-OH), while an expanding retail market now includes concentrated, enhanced,
7 synthetic, and semi-synthetic products that can differ substantially from traditional leaf
8 products; and
9

10 **WHEREAS**, the United States Food and Drug Administration (FDA) has warned
11 consumers about concentrated 7-OH products, describing them as potent opioid
12 products that have not been proven safe or effective, and noting reports of addiction,
13 seizures, withdrawal symptoms, and other serious adverse effects; and
14

15 **WHEREAS**, in July 2026, the federal Drug Enforcement Administration (DEA) began
16 the temporary scheduling process for 7-OH above a proposed threshold and for several
17 synthetic 7-OH derivatives that do not naturally occur in the kratom plant,
18 demonstrating increased federal concern regarding these concentrated and synthesized
19 compounds; and
20

21 **WHEREAS**, New York State has already prohibited the sale of kratom to persons
22 under twenty-one years of age, an important first step that does not by itself address
23 product adulteration, synthetic derivatives, potency, laboratory testing, labeling, child-
24 resistant packaging, or misleading youth-oriented presentation; and
25

26 **WHEREAS**, S.8925-A (Ryan)/A.9156-B (Steck) passed unanimously in both houses of
27 the Legislature in June 2026 and would prohibit certain 7-OH products exceeding
28 specified concentration or per-serving thresholds, demonstrating overwhelming
29 legislative recognition of the need to address high-potency products; and
30

31 **WHEREAS**, S.10514 (Scarcella-Spanton)/A.10969 (Blumencranz) would establish a
32 broader framework that prohibits synthesized and adulterated kratom products,
33 restricts high-potency 7-OH products, requires independent laboratory testing and
34 labeling, mandates child-resistant packaging, limits youth-oriented marketing, and
35 preserves the ability of local governments to enact stronger protections; and
36

37 **WHEREAS**, a statewide regulatory framework focused on synthetic, adulterated, and
38 unusually high-potency products can protect public health while avoiding an
39 unnecessarily broad prohibition on all natural kratom leaf products and providing
40 retailers and consumers with clearer standards.

1 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
2 Counties (NYSAC) urges the Governor and the New York State Legislature to enact
3 comprehensive statewide protections addressing synthetic, semi-synthetic, adulterated,
4 and high-potency kratom-derived products, including S.10514/A.10969 or successor
5 legislation; and
6

7 **BE IT FURTHER RESOLVED**, that NYSAC supports prohibiting products
8 containing synthesized kratom alkaloids or derivatives, adulterated kratom products,
9 products exceeding scientifically and legally established 7-OH thresholds, and products
10 designed for routes of administration or marketing practices that creates a heightened
11 public-health risk; and
12

13 **BE IT FURTHER RESOLVED**, New York State should require appropriate
14 independent laboratory testing, accurate disclosure of alkaloid content, batch or lot
15 identification, health and medication-interaction warnings, child-resistant packaging,
16 and meaningful age verification for products that remain lawful for adult sale; and
17

18 **BE IT FURTHER RESOLVED**, New York State should preserve the authority of
19 counties and municipalities to adopt protections more stringent than the statewide
20 minimum and should provide state-led enforcement resources, laboratory standards,
21 training, and guidance so local public-health agencies are not required to absorb
22 unfunded regulatory responsibilities; and
23

24 **BE IT FURTHER RESOLVED**, NYSAC further urges prompt executive action on
25 S.8925-A(Ryan)/A.9156-B(Steck) while the Legislature continues work on a broader
26 consumer-protection framework; and
27

28 **BE IT FURTHER RESOLVED**, NYSAC calls for the state to maintain enforcement
29 authority over the provisions in S.8925-A(Ryan)/A.9156-B(Steck) to ensure that
30 enforcement does not fall to local public health agencies; and
31

32 **BE IT FURTHER RESOLVED**, nothing in S.8925-A(Ryan)/A.9156-B(Steck) would
33 preempt local laws that are equal to or more stringent than state law; and
34

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

38 **BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to the
39 Governor of the State of New York, the Temporary President and Majority Leader of the
40 State Senate, the Speaker of the Assembly, the New York State Department of Health,
41 the Office of Addiction Services and Supports, and all others deemed necessary and
42 proper.

**2026 NYSAC Fall Seminar
Standing Committee on Public Health/Mental Health
Resolution #4**

**Resolution Urging New York State to Establish and Fully Fund
Comprehensive Youth Fentanyl and Counterfeit-Pill Education**

1 **WHEREAS**, illicitly manufactured fentanyl is a highly potent synthetic opioid
2 increasingly found in counterfeit pills and other illicit substances, creating a risk of fatal
3 overdose even for young people who did not intend to consume fentanyl; and
4

5 **WHEREAS**, a nationally representative study published in JAMA Network Open on
6 July 7, 2026, involving 3,820 students in grades 8, 10, and 12, found that 52.2 percent of
7 eighth graders did not consider trying fentanyl once or twice to pose a great risk, 16.6
8 percent of eighth graders reported being unfamiliar with fentanyl, and even among
9 twelfth graders 30.2 percent did not consider experimental fentanyl use to pose a great
10 risk; and
11

12 **WHEREAS**, the study also identified differences in fentanyl risk perception and
13 familiarity across racial and ethnic groups, reinforcing the need for culturally
14 responsive, linguistically accessible, and youth-informed prevention messages; and
15

16 **WHEREAS**, New York State already requires health education concerning alcohol,
17 drugs, and tobacco and the Office of Addiction Services and Supports conducts fentanyl,
18 overdose-prevention, and youth substance-use awareness efforts, but New York does
19 not yet have a uniform statutory fentanyl-specific education standard for all students;
20 and
21

22 **WHEREAS**, pending legislation including S.7140 (Chan) and S.8466 (Rhoads)/A.8540
23 (Smullen) would strengthen school-based education concerning fentanyl potency,
24 counterfeit pills, fentanyl poisoning, overdose recognition, naloxone, and prevention
25 resources for students and families; and
26

27 **WHEREAS**, counties across New York bear substantial public-health, behavioral-
28 health, emergency-response, social-service, and family impacts from the opioid and
29 overdose crisis, making effective youth prevention a statewide priority in urban,
30 suburban, and rural communities alike; and
31

32 **WHEREAS**, a statewide standard should strengthen prevention without creating an
33 unfunded mandate by permitting age-appropriate fentanyl education to be incorporated
34 into existing health instruction and requiring the State to provide curriculum resources,
35 implementation support, and necessary funding.
36

37 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
38 Counties (NYSAC) urges the Governor and the New York State Legislature to enact
39 S.7140, S.8466/A.8540, or successor legislation establishing and fully funding

1 comprehensive, age-appropriate fentanyl and counterfeit-pill education beginning no
2 later than middle school and continuing through high school; and
3

4 **BE IT FURTHER RESOLVED**, such education should be evidence-based and
5 annually updated; address fentanyl potency and lethality, counterfeit pills and
6 unintentional exposure, overdose recognition, calling 911, and naloxone; include
7 culturally and linguistically appropriate materials for students, parents, and caregivers;
8 incorporate youth-informed messaging and a complementary youth-facing public-
9 awareness strategy; and be permitted within existing health and substance use
10 prevention education rather than requiring a separate course; and
11

12 **BE IT FURTHER RESOLVED**, the State Education Department, Department of
13 Health, and Office of Addiction Services and Supports and OASAS and OMH prevention
14 providers should coordinate implementation and periodically evaluate student
15 awareness while protecting privacy; and
16

17 **BE IT FURTHER RESOLVED**, New York State fully fund all associated costs and
18 activities, including but not limited to curriculum, materials, educator certification and
19 training, public-awareness activities, and any required implementation so that school
20 districts, counties, and local governments do not absorb a new unfunded mandate; and
21

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

25 **BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to the
26 Governor, the Temporary President and Majority Leader of the State Senate, the
27 Speaker of the Assembly, the New York State Education Department, the Department of
28 Health, the Office of Addiction Services and Supports, and all others deemed necessary
29 and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2026 NYSAC Fall Seminar
Onondaga County**

Standing Committee on Public Safety Resolutions

Hon. Sheriff Juan Figueroa (Ulster County) – Chair
Hon. Kathy Stegenga (Orange County) – Vice Chair
Dan Degear (Madison County) – Vice Chair

**2026 NYSAC Fall Seminar
Standing Committee on Public Safety
Resolution #1**

**Resolution Urging Governor Kathy Hochul and the New York State
Legislature to Fund Implementation of County EMS Plans Without
Imposing New Unfunded Mandates on Counties**

WHEREAS, Emergency Medical Services (EMS) are an essential component of New York’s public safety and health care systems, yet many communities are struggling to maintain reliable ambulance coverage; and

WHEREAS, declining volunteerism, workforce shortages, rising operating costs, inadequate reimbursement, hospital closures, and long transport distances have placed mounting pressure on local EMS agencies; and

WHEREAS, as local providers have reduced service or closed, counties have increasingly stepped in to coordinate coverage, subsidize municipal and nonprofit agencies, contract with private providers, operate ambulances, and fill gaps in underserved communities; and

WHEREAS, a statewide survey by the Office of the State Comptroller found that 22 counties were already providing ambulance service in some form and another 11 were planning or considering doing so, with more than half of those providing service beginning in 2021 or later; and

WHEREAS, Public Health Law § 3019 and General Municipal Law § 122-b—enacted by Chapter 703 of the Laws of 2025 and amended by Chapter 93 of the Laws of 2026—now require every county outside New York City to develop and maintain a comprehensive, coordinated County EMS Plan, in consultation with its Regional EMS Council and the cities, towns, and villages within its borders; and

WHEREAS, these plans must assess existing service levels, identify coverage gaps and additional service needs, recommend an appropriate organizational structure, and estimate the costs of providing reliable EMS coverage, with initial plans due to the Regional and State EMS Councils and the Department of Health by December 19, 2026; and

WHEREAS, because EMS is delivered through many different models that vary from county to county—including county-operated, municipal, volunteer, combination, fire-based, commercial, and air medical services—the strategies needed to strengthen each county’s system will differ significantly, and no single statewide approach can be applied uniformly; and

WHEREAS, these plans will give the State a county-by-county assessment of the investments needed to stabilize EMS, improve response times, and address workforce

1 shortages, but the planning requirement was enacted without any dedicated funding to
2 create the plans or implement the solution identified; and

3
4 **WHEREAS**, requiring counties to document service gaps without providing the
5 resources to address them will not resolve the EMS crisis, and counties—already among
6 the most heavily mandated units of local government, with up to 80 percent of a typical
7 county budget consumed by State and federal mandates and with the property tax cap
8 limiting their ability to absorb new costs—cannot be expected to finance these
9 improvements on their own; and

10
11 **WHEREAS**, county EMS coordinators are central to countywide planning and
12 coordination, yet many of these roles are unfunded or under-resourced, leaving counties
13 without the dedicated capacity needed to oversee plan implementation and build
14 sustainable countywide EMS systems.

15
16 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
17 Counties (NYSAC) urges Governor Kathy Hochul and the New York State Legislature to
18 establish a dedicated County EMS Implementation Fund in the SFY 2028 State Budget
19 to support the recommendations and service improvements identified in the
20 comprehensive County EMS Plans required under Public Health Law § 3019; and

21
22 **BE IT FURTHER RESOLVED**, that NYSAC urges the State to structure this support
23 as flexible operating and capital funding—available for county EMS programs,
24 municipal and nonprofit provider contracts, regional coverage models, ambulances,
25 equipment, stations, communications systems, and other locally identified needs—so
26 that each county retains the flexibility to prioritize the strategies best suited to its own
27 communities, geography, and existing EMS providers; and

28
29 **BE IT FURTHER RESOLVED**, NYSAC urges the Governor and State Legislature to
30 provide dedicated State funding to support a county EMS coordinator in every county to
31 lead plan implementation, coordinate among EMS providers, and build more
32 sustainable countywide EMS systems; and

33
34 **BE IT FURTHER RESOLVED**, that NYSAC urges the State to fund EMS workforce
35 recruitment, training, retention, and compensation initiatives—including support for
36 EMT and paramedic education, credentialing, and continuing education—to address the
37 staffing shortages that county plans will identify; and

38
39 **BE IT FURTHER RESOLVED**, that NYSAC urges the State to ensure that the
40 countywide EMS planning requirement does not become a new unfunded mandate, and
41 that counties are not expected to finance the improvements identified in their plans
42 without corresponding State support; and

43
44 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
45 of New York State 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 C. Hochul, the New York State Legislature, the Commissioner of the
3 New York State Department of Health, the Director of the Division of State EMS, and all
4 others deemed necessary and proper.

**2026 NYSAC Fall Seminar
Standing Committee on Public Safety
Resolution #2**

**Resolution Urging the Governor and State Legislature to Fully and
Continuously Fund County Revenue Losses Resulting from the State-
Imposed Termination of Federal Immigration Enforcement and Detention
Agreements**

1 **WHEREAS**, counties operate local correctional facilities and, under longstanding
2 agreements with federal agencies, have housed federal detainees and provided related
3 services in exchange for federal reimbursement; and
4

5 **WHEREAS**, the reimbursement generated by these agreements became a recurring
6 revenue source that counties incorporated into their corrections budgets, offsetting the
7 fixed costs of operating jails that are otherwise borne by county property taxpayers; and
8

9 **WHEREAS**, in a number of counties this revenue supported corrections staffing and,
10 in some cases, helped support the facility capacity, maintenance, and associated debt
11 service of jails built or expanded in reliance on federal boarding arrangements, some of
12 which date back decades; and
13

14 **WHEREAS**, Part LL of S.9005-C/A.10005-C, known as the “Local Cops, Local Crimes
15 Act,” was adopted as part of the SFY 2027 Enacted Budget to prohibit counties and local
16 correctional facilities from entering into, renewing, or remaining in agreements under
17 the federal 287(g) program, as well as agreements to house or detain individuals for
18 federal civil immigration purposes, and declares such existing agreements void and
19 unenforceable; and
20

21 **WHEREAS**, as a result, counties were required to terminate 287(g) agreements by
22 August 25, 2026, and federal detention and housing agreements within three months
23 thereafter, eliminating a revenue source that many counties had relied upon and
24 budgeted for; and
25

26 **WHEREAS**, this revenue loss is the direct result of a New York state policy decision
27 rather than any action taken by the affected counties, while the fixed costs those
28 agreements previously offset—including debt service, staffing, and facility operations—
29 remain the responsibility of county property taxpayers; and
30

31 **WHEREAS**, the SFY 2027 Enacted Budget recognized this harm by appropriating \$14
32 million, distributed pursuant to a plan developed by the Division of Criminal Justice
33 Services and approved by the Division of the Budget, to offset a portion of these county
34 revenue losses; and
35

36 **WHEREAS**, that appropriation was a one-time allocation, while the revenue losses
37 created by Part LL are ongoing and, for many counties, recur annually and exceed the
38 amount provided; and

1 **WHEREAS**, the New York State Association of Counties takes no position through this
2 resolution on the underlying immigration enforcement policy and asks only that the
3 State ensure that counties and their property taxpayers are not left to absorb a fiscal loss
4 created by a State policy decision.
5

6 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
7 Counties (NYSAC) urges the Governor and the State Legislature to appropriate
8 dedicated, recurring funding in the SFY 2028 State Budget sufficient to fully offset the
9 ongoing county revenue losses resulting from the State-imposed termination of 287(g)
10 agreements and federal detention and housing agreements under Part LL of the SFY
11 2027 Enacted Budget; and
12

13 **BE IT FURTHER RESOLVED**, such funding be based on the actual, documented
14 revenue losses incurred by affected counties, including both lost federal reimbursement
15 and the fixed costs of jail capacity, staffing, and debt service that those agreements
16 previously offset; and
17

18 **BE IT FURTHER RESOLVED**, that the State continue to adequately fund this
19 reimbursement beyond the one-time \$14 million provided in the SFY 2027 Enacted
20 Budget, recognizing that the losses recur annually so long as the State policy remains in
21 effect; and
22

23 **BE IT FURTHER RESOLVED**, that any such reimbursement be administered by the
24 Division of Criminal Justice Services and the Division of the Budget through a
25 transparent, timely, and equitable distribution process developed in consultation with
26 the affected counties; and
27

28 **BE IT FURTHER RESOLVED**, that NYSAC affirms the principle that when the State
29 enacts a policy that eliminates a county revenue source, the State should hold counties
30 and their property taxpayers harmless from the resulting fiscal impact; 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 similar resolutions; and
34

35 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
36 Governor Kathy Hochul, the New York State Legislature, the Commissioner of the
37 Division of Criminal Justice Services, the Director of the Division of the Budget, and all
38 others deemed necessary and proper.

**2026 NYSAC Fall Seminar
Standing Committee on Public Safety
Resolution #3**

Resolution Urging the Governor and State Legislature to Delink Raise the Age Reimbursement from the Property Tax Cap and Restructure It as a Predictable, Upfront Grant

1 **WHEREAS**, the Raise the Age (RTA) law, enacted in 2017, raised the age of criminal
2 responsibility in New York State to 18 and redirected most 16- and 17-year-olds from the
3 adult criminal justice system, and the State committed to reimburse counties for 100
4 percent of the eligible incremental costs of implementing the law; and
5

6 **WHEREAS**, that reimbursement is conditioned on a county either remaining within
7 the state property tax cap or obtaining a state fiscal-hardship determination, leaving
8 counties that must exceed the cap dependent on a discretionary process and exposed to
9 the loss of State funding for these state-mandated costs; and
10

11 **WHEREAS**, the state property tax cap generally limits annual levy growth to two
12 percent or the rate of inflation, whichever is lower, while counties have little control over
13 the mandated costs that drive their budgets; and
14

15 **WHEREAS**, counties face mounting budgetary pressures largely outside their
16 control—including persistent inflation that has outpaced the property tax cap's
17 allowable levy growth, rising health care and employee health insurance costs, increased
18 pension contributions from multiple enhancements to Tier 5 and 6 enacted in recent
19 years including the SFY 2027 State Budget, and federal cost shifts under H.R.1—all of
20 which strain county budgets independent of Raise the Age; and
21

22 **WHEREAS**, as a result, a rapidly growing number of counties are being forced toward
23 property tax cap overrides, with the Office of the State Comptroller reporting that nearly
24 one-quarter of counties planned to override the cap for 2026, up from 3.5 percent in
25 2022, and more than a dozen counties exceeding the cap this year; and
26

27 **WHEREAS**, because RTA reimbursement is tied to cap compliance, a county that
28 overrides the cap for reasons wholly unrelated to and outside the control of the RTA
29 program risks forfeiting reimbursement for costs the State has mandated and promised
30 to fund—a penalty that bears no rational relationship to Raise the Age; and
31

32 **WHEREAS**, the current reimbursement model is also retrospective, requiring counties
33 to first pay providers and then seek reimbursement through a multi-agency approval
34 process involving the Office of Children and Family Services, the Division of Criminal
35 Justice Services, and the Division of the Budget, often waiting roughly a year to be
36 reimbursed; and
37

38 **WHEREAS**, this structure creates serious cash-flow challenges that fall hardest on
39 smaller and rural counties unable to front large sums to providers, and undermines

1 counties' ability to plan and sustain the effective, evidence-based youth-justice
2 programming that RTA was intended to support; and
3

4 **WHEREAS**, removing the tax-cap condition and converting reimbursement to a
5 predictable, upfront grant would give counties the fiscal stability to meet their state-
6 mandated RTA obligations while protecting local property taxpayers.
7

8 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
9 Counties (NYSAC) urges the Governor and the State Legislature to permanently delink
10 Raise the Age reimbursement from the property tax cap, so that a county's eligibility for
11 State reimbursement of state-mandated RTA costs no longer depends on its property tax
12 levy decisions; and
13

14 **BE IT FURTHER RESOLVED**, the State restructure Raise the Age funding from a
15 back-end reimbursement model into a predictable, upfront grant that provides counties
16 the resources to meet their obligations at the time costs are incurred; and
17

18 **BE IT FURTHER RESOLVED**, the State maintain its commitment to fund 100
19 percent of the eligible incremental costs counties incur to implement Raise the Age; and
20

21 **BE IT FURTHER RESOLVED**, the State streamline and accelerate the
22 administration of Raise the Age funding, including the approval processes involving the
23 Office of Children and Family Services, the Division of Criminal Justice Services, and
24 the Division of the Budget, to eliminate the reimbursement delays that strain county
25 cash flow; and
26

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

30 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution to
31 Governor Kathy Hochul, the New York State Legislature, the Commissioner of the Office
32 of Children and Family Services, the Commissioner of the Division of Criminal Justice
33 Services, the Director of the Division of the Budget, and all others deemed necessary and
34 proper.

**2026 NYSAC Fall Seminar
Standing Committee on Public Safety
Resolution #4**

**Resolution Calling for State Financial Support Toward the 25-Year
Retirement Option for Probation Officers**

1 **WHEREAS**, County Probation Departments are an integral part of the Criminal Justice
2 System and operate within the legal framework of the Criminal Procedure Law, the
3 Penal Law, and the Family Court Act; and
4

5 **WHEREAS**, County Probation Officers perform critical, high-stress law enforcement
6 duties that directly ensure public safety, rehabilitate justice-involved individuals, and
7 support crime victims across New York State's 62 counties; and
8

9 **WHEREAS**, County Probation Officers are required to complete rigorous peace officer
10 training, conduct field investigations, execute warrants, conduct home searches,
11 monitor high-risk offenders, partner with police agencies in various state supported
12 violence reduction measures, and respond to unpredictable, violent situations on a daily
13 basis; and
14

15 **WHEREAS**, the physically demanding and emotionally taxing nature of probation
16 work exposes these officers to heightened safety risks and chronic occupational stress
17 over the course of a long career; and
18

19 **WHEREAS**, most local and state law enforcement officers, first responders, and New
20 York State correction officers are rightfully granted a 25-year, special 20-year, or
21 performance-based retirement option without regard to age, reflecting the unique
22 hazards of their professions; and
23

24 **WHEREAS**, under current New York State Retirement and Social Security Law, most
25 County Probation Officers are categorized under standard tier plans, requiring them to
26 work until age 62 or 63 to retire with full benefits, creating an inequity between
27 probation officers and other law enforcement personnel; and
28

29 **WHEREAS**, state support of the existing 25-year retirement plans for County
30 Probation Officers would significantly enhance recruitment, improve retention of
31 experienced personnel, support officer wellness, and ensure the long-term stability of
32 County Probation Departments.
33

34 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
35 Counties (NYSAC), calls upon the Governor and New York State Legislature to enact
36 legislation furthering the 25-year retirement plans for County Probation Officers across
37 New York State by providing funding through the New York State Division of Criminal
38 Justice Services (DCJS) to alleviate the financial burden on counties; and

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**, that NYSAC shall forward copies of this Resolution to
5 Governor Kathy Hochul, the New York State Legislature, and all others deemed
6 necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

2026 NYSAC Fall Seminar Onondaga County

Standing Committee on Taxation and Finance Resolutions

Kelly J. Reed (Cattaraugus County) - Chair
Kerry Gallagher (Orange County) – Vice Chair
Mitch Alger (Steuben County) - Vice Chair

1 **2026 NYSAC Fall Seminar**
2 **Standing Committee on Taxation and Finance**
3 **Resolution #1**

4
5 **Resolution Affirming the Importance of Local Control Over County Sales**
6 **Tax Amid Growing State and Federal Cost Shifts**
7

8 **WHEREAS**, the State of New York first imposed a temporary sales tax nearly 100 years
9 ago to address public service needs during the Great Depression; and
10

11 **WHEREAS**, in 1947, the state granted authority to cities and counties to impose locally
12 administered sales tax for related purposes; and
13

14 **WHEREAS**, in 1965, upon the enactment of the federal Medicaid program, the State of
15 New York reconfigured its sales tax system by establishing a three percent state sales
16 tax, which replaced existing locally administered sales tax with an additional local
17 option sales tax for counties and New York City to be administered by the state; and
18

19 **WHEREAS**, the local sales tax option was intended to help counties pay for the share
20 of Medicaid costs the state placed on counties, amounting to about half of the non-
21 federal share at that time; and
22

23 **WHEREAS**, over the ensuing 60 years, the state greatly expanded the county role in
24 administering and financing a variety of federal and state programs; and
25

26 **WHEREAS**, counties are reliant on the timely and efficient renewal of local sales tax to
27 ensure state, federal and local programs remain available for taxpayers; and
28

29 **WHEREAS**, counties have two primary sources of revenue: property tax and sales tax;
30 and
31

32 **WHEREAS**, as time passed and state and federally mandated costs on counties
33 increased, sales tax grew in importance for counties and has become the largest revenue
34 source for many counties due to a variety of factors including a state-imposed property
35 tax growth cap on localities in 2012; and
36

37 **WHEREAS**, in addition to addressing local quality of life services demanded and
38 expected by taxpayers, counties are now required under state law to administer and pay
39 for dozens of state and federal programs, while also satisfying state and federal laws and
40 regulations to enforce a wide variety of environmental, labor, public safety, and criminal
41 justice standards; and
42

43 **WHEREAS**, in 2025 alone, the estimated amount of locally raised revenues from
44 counties and New York City to pay for a handful of the most significant state-mandated
45 programs—including Medicaid, Safety Net, Preschool Special Education, Early
46 Intervention, Youth Detention, Probation, Indigent Defense, Child Welfare, and
47 Pensions (outside NYC)—was \$14 billion; and

1 **WHEREAS**, since 2005, the cumulative cost of these state-mandated expenses on local
2 taxpayers have exceeded \$210 billion—expenses that are generally supported at the state
3 level across most of the country; and
4

5 **WHEREAS**, new federal reforms enacted in 2025 under H.R.1 include direct cost shifts
6 to states to support federal administrative and program expenses for the Supplemental
7 Nutrition Assistance Program (SNAP), as well as expanded Medicaid eligibility and
8 program integrity responsibilities with no federal funding support; and
9

10 **WHEREAS**, under current state law, counties are currently required to fund the
11 nonfederal share of SNAP administrative costs; and
12

13 **WHEREAS**, counties will also carry financial and administrative responsibility for
14 people in need when state eligible enrollees lose federal benefits but remain eligible for
15 state- and federal-designed and controlled health and social services programs, which
16 are expected to impose hundreds of millions of dollars in new costs on counties each
17 year; and
18

19 **WHEREAS**, most counties broadly share sales tax with their cities, towns, villages and
20 some school districts to help pay for services delivered by these municipalities, or to
21 directly lower the amount of property taxes levied in these jurisdictions, and this
22 decision to share sales tax revenues reflects each county's local priorities and fiscal
23 circumstances, not a state-imposed obligation; and
24

25 **WHEREAS**, the pass-through of county sales tax to cities, towns, villages, and school
26 districts is projected to exceed \$2.6 billion in 2026; and
27

28 **WHEREAS**, some have suggested statutory amendments to require counties to share
29 sales tax revenues with towns and villages as a matter of state law, threatening county
30 fiscal autonomy; and
31

32 **WHEREAS**, without sales tax revenues, counties would be faced with cutting local
33 services or raising property taxes to support the state-mandated costs and other
34 essential services.
35

36 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
37 Counties (NYSAC) calls upon Governor Kathy Hochul and the State Legislature to limit
38 the imposition of new state and federal costs on county taxpayers, recognizing that
39 county sales tax revenues are already fully committed to funding existing mandated
40 programs and cannot absorb additional cost shifts without harm to county taxpayers
41 and the services they depend on; and
42

43 **BE IT FURTHER RESOLVED**, that NYSAC calls upon the Governor and Legislature
44 to oppose any legislation that would mandate the sharing or redistribution of county
45 sales tax revenues with cities, towns, villages, or other municipalities, as such decisions
46 must remain within the local control of each county and its municipalities; and

1 **BE IT FURTHER RESOLVED**, that NYSAC calls upon the Governor and Legislature
2 to ensure county sales tax is not diverted or encumbered in the future; and
3

4 **BE IT FURTHER RESOLVED**, that NYSAC urges the Governor and Legislature to
5 ensure county sales tax extensions move quickly through the renewal process so that
6 counties are not subject to unnecessary uncertainty in their revenue planning and
7 service delivery; and
8

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

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

**NYSAC 2026 Fall Seminar
Standing Committee on Taxation and Finance
Resolution #2**

**Resolution Encouraging the New York State Attorney General's Office to
Partner with New York's Counties to Ensure Newly Enacted Laws Related to
Short Term Rental Units are Enforced in Accordance with Statutory
Requirements**

1 **WHEREAS**, On December 21st, 2024, Governor Hochul signed into law legislation to
2 regulate and govern the short-term rental industry (S.885C / A.4130C), which was
3 subsequently finalized in February of 2025 through chapter amendments under Chapter
4 99 of the Laws of 2025 (S.820 / A.5686) to provide a structured, uniform approach for
5 counties to manage short-term rentals; and
6

7 **WHEREAS**, nearly every county in the state has updated their local laws to ensure they
8 meet the standards and requirements of the new short term rental unit laws; and
9

10 **WHEREAS**, a primary goal of the state legislature and governor under this legislation
11 was to implement a statewide framework to preserve community character and ensure
12 tax revenue parity with existing travel accommodations by requiring short-term rental
13 units and platforms, and other agents, that facilitate such rentals fully comply with state
14 and local sales tax laws, as well as local occupancy tax laws; and
15

16 **WHEREAS**, New York State Real Property Law Section 447-B establishes explicit
17 statutory mandates, requiring booking services to collect, maintain, and report essential
18 stay data—including booking dates, number of guests, total costs, itemized tax
19 collections, physical addresses, and host registration numbers—to the respective
20 counties; and
21

22 **WHEREAS**, presently, booking services are remitting occupancy taxes in aggregate
23 amounts without providing the statutory transaction-level data necessary for
24 reconciliation, if they are remitting such taxes at all; and
25

26 **WHEREAS**, the failure of national booking services to fully comply with reporting and
27 verification mandated under the law undermines the ability of any county, city and town
28 to accurately track local housing stock, manage land use resources, and fully collect the
29 occupancy tax revenues generally used to enhance local tourism activity and promotion;
30 and
31

32 **WHEREAS**, several counties in New York State have local laws that require the
33 distribution of county occupancy tax to be shared with cities, towns or villages based on
34 the tax origin; and
35

36 **WHEREAS**, to date, national booking services have disregarded their statutory
37 responsibility to provide itemized, localized transaction data making it impossible for
38 counties to reconcile the funds collected, thereby directly disrupting the lawful

1 remittance of critical tourism and promotion funding to local cities, towns and villages;
2 and
3

4 **WHEREAS**, counties stand united with their constituent cities, towns and villages in
5 recognizing that securing full compliance from national booking services is a shared
6 priority essential to tourism promotion, economic development, restoring regulatory
7 transparency, and ensuring that every municipality receives its lawful allocation of
8 shared funding.
9

10 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
11 Counties (NYSAC) encourages the New York State Attorney General's Office to continue
12 to support county efforts to ensure short-term rental booking platforms and service
13 providers, fully comply with the data reporting, verification, and fee-collection
14 requirements mandated by Real Property Law Section 447-B; and
15

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

19 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to New York
20 State Attorney General Letitia James, Governor Kathy Hochul, the New York State
21 Legislature, and all others deemed necessary and proper.

1 **2026 NYSAC Fall Seminar**
2 **Standing Committee on Taxation and Finance**
3 **Resolution #3**
4

5 **Resolution Urging the Governor and Relevant State Agencies to Work with**
6 **Counties to Improve the Process for Distribution of Adult-Use Cannabis**
7 **Sales Tax Proceeds**
8

9 **WHEREAS**, in 2021, Governor Cuomo signed into law the Marihuana Regulation and
10 Taxation Act (MRTA), which legalized adult-use recreational cannabis sales with the
11 stated goal of generating significant new revenue; and
12

13 **WHEREAS**, the legislation imposes several taxes including a nine percent tax on retail
14 sales that goes to the State; and
15

16 **WHEREAS**, there is also an additional four percent sales tax that goes to the localities
17 where the dispensary is located (one percent is retained by the county and three percent
18 goes to the town, city, or village that hosts the dispensary); and
19

20 **WHEREAS**, the county is responsible for distributing the three percent portion to
21 cities, towns, and villages based on the proportionate share of sales by dispensaries in
22 each jurisdiction on a quarterly basis; and
23

24 **WHEREAS**, the county is also required to distribute these funds to localities within 30
25 days of receipt; and
26

27 **WHEREAS**, the revenue receipt, distribution of receipts, and tracking of the local
28 adult-use cannabis sales tax is shared by multiple state agencies including Taxation and
29 Finance, the Office of the State Comptroller (OSC), and the Office of Cannabis
30 Management (OCM); and
31

32 **WHEREAS**, the initial rollout of the MRTA was slowed by litigation, complex and
33 unclear statutory language, and the need to stand up a new State cannabis office with
34 expansive responsibilities and insufficient staffing levels; and
35

36 **WHEREAS**, many of the implementation challenges for approving licenses to
37 dispensary owners have been resolved, with 717 legal dispensaries now licensed as of
38 August 2026, an increase of 124 (+21 percent) in the last six months, according to OCM;
39 and
40

41 **WHEREAS**, total retail sales of adult use cannabis exceeded \$1.5 billion in 2025 and
42 have surpassed \$3.3 billion in total since sales began in 2023; and
43

44 **WHEREAS**, according to the NYS Comptroller, local sales tax generated by these sales
45 exceeded \$121 million through April 2026; and
46

1 **WHEREAS**, as more dispensaries are approved, counties continue to fall behind state
2 law requirements for timely disbursement of funds to host localities primarily due to
3 barriers erected by statutory language and administrative shortfalls that fail to
4 accurately attribute to each dispensary the sales tax they paid, their volume of sales, and
5 to which tax quarter the sales tax should be applied; and

6
7 **WHEREAS**, according to OCM, statutory barriers cause sales volume calculated by
8 OCM to not match the sales tax collected by Taxation and Finance at the dispensary
9 level; and

10
11 **WHEREAS**, it is common for counties to receive sales tax payments from Taxation and
12 Finance that do not align with the sales volume identified by OCM from a dispensary,
13 nor accurately identify which sales tax period these payments cover; and

14
15 **WHEREAS**, data from the State Comptroller's office identifies a total of 206 different
16 local government jurisdictions hosting a dispensary, with 55 of 62 counties having at
17 least one adult use cannabis dispensary, and 51 counties having more than one.

18
19 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
20 Counties (NYSAC) calls upon the Governor, New York State Legislature, and
21 appropriate state agencies to streamline the process for dispersing cannabis sales tax
22 receipts to counties so they can timely and accurately distribute funds to localities,
23 including making adjustments to existing law if necessary; and

24
25 **BE IT FURTHER RESOLVED**, state agencies should ensure that sales tax
26 disbursements to counties are consistent with the state sales tax quarter in which they
27 were generated to minimize confusion regarding payments that sometimes come
28 monthly, bimonthly, or quarterly and cannot be easily matched to the communities that
29 are hosting the dispensaries; and

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

33
34 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution to
35 Governor Kathy Hochul, the New York State Legislature, the New York Department of
36 State, and Department of Taxation and Finance, and all others deemed necessary and
37 proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

2026 NYSAC Fall Seminar Onondaga County

Standing Committee on Transportation and Public Works Resolutions

Kevin Hajos (Warren County) – Chair
Hon. Philip Reed (Jefferson County) – Vice Chair
James Burpoe (Putnam County) – Vice Chair

2026 Fall Seminar
Standing Committee on Transportation and Public Works
Resolution #1

**Resolution Urging New York State to Adopt an Increase in Statutory
Competitive Bidding Thresholds for Local Governments**

1 **WHEREAS**, New York State General Municipal Law (GML) §103 establishes
2 competitive bidding requirements for local government purchase contracts and public
3 works contracts above specified monetary thresholds; and
4

5 **WHEREAS**, the current statutory threshold of \$20,000 for purchase contracts and
6 \$35,000 for public works contracts has remained substantially unchanged for decades
7 and no longer reflects the significant increases in the cost of goods, materials, labor,
8 equipment, construction, and professional services experienced by local governments in
9 a post-pandemic marketplace; and
10

11 **WHEREAS**, the purchasing power of the current statutory thresholds has been
12 significantly reduced by inflation, resulting in local governments being required to
13 undertake formal competitive bidding procedures for increasingly routine purchases
14 and smaller-scale public works projects; and
15

16 **WHEREAS**, the administrative costs associated with preparing specifications,
17 advertising, receiving and evaluating bids, awarding contracts, and administering
18 formal bidding procedures can be disproportionate to the value of smaller purchases
19 and projects; and
20

21 **WHEREAS**, requiring formal competitive bidding for lower-value procurements can
22 increase administrative burdens, consume valuable staff resources, and potentially delay
23 projects and the delivery of services to the public; and
24

25 **WHEREAS**, local governments remain subject to locally adopted procurement policies
26 and procedures for purchases below the statutory competitive bidding thresholds,
27 providing an important framework for obtaining competition, documenting purchasing
28 decisions, and protecting public funds; and
29

30 **WHEREAS**, increasing the statutory thresholds would provide local governments with
31 greater flexibility to efficiently procure goods and services and complete smaller public
32 works projects while maintaining appropriate accountability, transparency,
33 competition, and internal controls; and
34

35 **WHEREAS**, the State Legislature should periodically review the statutory procurement
36 thresholds to ensure that they remain reasonably aligned with inflation, changes in
37 construction and material costs, and the administrative costs associated with formal
38 competitive procurement; and
39

1 **WHEREAS**, modernizing the statutory thresholds would allow local governments to
2 better focus administrative resources on larger and more consequential procurements
3 while continuing to protect taxpayers and the public interest.
4

5 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
6 Counties (NYSAC) hereby calls upon the Governor and the New York State Legislature
7 to amend GML §103 to increase the statutory competitive bidding thresholds applicable
8 to local governments; and
9

10 **BE IT FURTHER RESOLVED**, NYSAC supports increasing the current GML §103
11 threshold for purchase contracts from \$20,000 to \$75,000, and increasing the current
12 threshold for public works contracts from \$35,000 to \$150,000, or such other amounts
13 as the Legislature determines appropriately reflect current economic conditions and the
14 costs associated with public procurement; and
15

16 **BE IT FURTHER RESOLVED**, NYSAC encourages the State Legislature to establish
17 a mechanism for periodically reviewing and adjusting the statutory procurement
18 thresholds to account for inflation and changing economic conditions; and
19

20 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties
21 of New York encouraging member counties to enact similar resolutions; and
22

23 **BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to the
24 Governor of the State of New York, the Temporary President and Majority Leader of the
25 New York State Senate, the Speaker of the New York State Assembly, the Chairs of the
26 Senate and Assembly committees having jurisdiction over local government and
27 procurement, and other appropriate State officials.

**2026 Fall Seminar
Standing Committee on Transportation and Public Works
Resolution #2**

**Resolution Urging New York State to Act to Address Uncertainty and
Preserve Authority for Effective and Transparent Cooperative Purchasing
Contracts and Public Works Procurements**

1 **WHEREAS**, New York State General Municipal Law (GML) §103(16) authorizes
2 political subdivisions and districts to purchase apparatus, materials, equipment, and
3 supplies, and to contract for services related to the installation, maintenance, or repair
4 of those items, through qualifying contracts awarded by the United States, any state, or
5 another political subdivision or district; and

6
7 **WHEREAS**, cooperative purchasing, commonly referred to as “piggybacking,” has
8 provided local governments with an important tool to reduce administrative costs,
9 obtain competitive pricing, increase purchasing efficiencies, and expedite the
10 acquisition of needed materials, equipment, supplies, and related services; and

11
12 **WHEREAS**, GML §103(16) requires that the underlying contract be awarded by an
13 eligible governmental entity, made available for use by other governmental entities, and
14 awarded to the lowest responsible bidder or on the basis of best value in a manner
15 consistent with GML §103; and

16
17 **WHEREAS**, the Office of the State Comptroller’s July 2026 guidance provides
18 additional clarification regarding the requirements that must be satisfied before a local
19 government may utilize a qualifying cooperative contract under GML §103(16),
20 including the need to evaluate the underlying procurement process and maintain
21 appropriate documentation; and

22
23 **WHEREAS**, a recent appellate court decision in *Matter of Daniel J. Lynch v. Board of*
24 *Education of the Maine-Endwell Central School District* determined that the
25 cooperative purchasing exception contained in GML §103(16) does not apply to public
26 works, public works contracts, or public works projects; and

27
28 **WHEREAS**, the Office of the State Comptroller has subsequently incorporated that
29 judicial determination into its July 2026 guidance, creating greater certainty that GML
30 §103(16) may not be used as an exception to competitive bidding requirements for
31 public works projects; and

32
33 **WHEREAS**, the current statutory language and recent judicial and administrative
34 interpretations have created uncertainty for local governments regarding the
35 appropriate scope of cooperative purchasing under GML §103(16); and

36
37 **WHEREAS**, GML §103(16) is currently scheduled to expire on June 30, 2027, creating
38 an immediate opportunity for the Legislature to clarify the statute and determine the
39 appropriate long-term role of cooperative purchasing in New York’s local government
40 procurement system; and

1 **WHEREAS**, the Office of the State Comptroller recognizes that the purpose of GML
2 §103(16) is to reduce administrative and product costs and increase efficiencies, while
3 maintaining appropriate safeguards to ensure competitive and responsible
4 procurement; and

5
6 **WHEREAS**, local governments should continue to have access to legally sound
7 cooperative purchasing opportunities for commodities, equipment, materials, supplies,
8 and services related to their installation, maintenance, and repair, provided that the
9 underlying contract satisfies the statutory requirements; and

10
11 **WHEREAS**, clear statutory language will benefit local governments, vendors,
12 procurement officials, auditors, taxpayers, and legal counsel by establishing consistent
13 rules governing the use of cooperative contracts; and

14
15 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
16 Counties (NYSAC) calls upon the Governor and the New York State Legislature to
17 amend and clarify GML §103(16) to expressly define and preserve the authority of local
18 governments to utilize qualifying cooperative purchasing contracts for apparatus,
19 materials, equipment, supplies, and related installation, maintenance, and repair
20 services; and

21
22 **BE IT FURTHER RESOLVED**, that any statutory amendment should clearly
23 establish the requirements that must be satisfied for a cooperative contract to qualify,
24 including that the underlying contract was competitively awarded by an eligible
25 governmental entity, made available to other governmental entities, and awarded to the
26 lowest responsible bidder or through a qualifying best-value process consistent with
27 GML §103; and

28
29 **BE IT FURTHER RESOLVED**, that the Association recognizes the recent judicial
30 determination that GML §103(16) does not authorize piggybacking for public works,
31 public works contracts, or public works projects, and supports clear statutory language
32 addressing the distinction between qualifying cooperative purchases and public works
33 procurements; and

34
35 **BE IT FURTHER RESOLVED**, that the Association calls upon the Legislature to take
36 appropriate action before the scheduled June 30, 2027 expiration of GML §103(16) to
37 preserve an effective, transparent, and legally sound cooperative purchasing mechanism
38 for New York's local governments; and

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

42
43 **BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to the
44 Governor of the State of New York, the Temporary President and Majority Leader of the
45 New York State Senate, the Speaker of the New York State Assembly, the Chairs of the
46 Senate and Assembly committees having jurisdiction over local government and
47 procurement, the Office of the State Comptroller, and other appropriate State officials.

**2026 Fall Seminar
Standing Committee on Transportation and Public Works
Resolution #3**

**Resolution Urging New York State to Increase the Wicks Law Threshold for
Areas Outside of New York City, Long Island, and Westchester County**

1 **WHEREAS**, New York State General Municipal Law (GML) §101, commonly known as
2 the Wicks Law, requires public entities undertaking certain public works projects above
3 specified monetary thresholds to prepare separate specifications and award separate
4 contracts for plumbing and gas fitting, heating, ventilation and air conditioning, and
5 electrical work; and

6
7 **WHEREAS**, the Wicks Law was originally enacted to address concerns regarding
8 competition and subcontractor participation in public construction projects; and
9

10 **WHEREAS**, the Legislature significantly amended the Wicks Law in 2008, increasing
11 the monetary threshold for projects subject to its separate bidding requirements from
12 \$50,000 to \$3 million in New York City, \$1.5 million in Nassau, Suffolk and
13 Westchester Counties, and \$500,000 in all other counties;
14

15 **WHEREAS**, the \$500,000 threshold currently applicable to the 54 counties outside
16 New York City, Nassau, Suffolk and Westchester has remained unchanged since the
17 2008 amendments; and
18

19 **WHEREAS**, the cost of construction, materials, equipment, labor, engineering, and
20 other project-related services has increased substantially since 2008, dramatically
21 reducing the purchasing power of the \$500,000 threshold; and
22

23 **WHEREAS**, many routine municipal and county construction projects that were
24 considered relatively substantial when the \$500,000 threshold was established now
25 exceed that threshold, causing local governments to incur the additional administrative
26 and coordination requirements associated with separate Wicks Law specifications and
27 contracts; and
28

29 **WHEREAS**, requiring separate prime contracts for relatively modest public works
30 projects can increase administrative costs, complicate project coordination, increase the
31 potential for scheduling conflicts and contractor interface issues, and make it more
32 difficult for local governments to efficiently manage construction projects; and
33

34 **WHEREAS**, the additional bidding, contract administration, coordination, and project
35 management requirements associated with Wicks Law compliance can increase the
36 overall cost and duration of public works projects without necessarily producing
37 corresponding benefits for smaller-scale projects; and
38

39 **WHEREAS**, local governments have substantial experience administering competitive
40 public works procurements and have established procurement policies, contract

1 requirements, bonding requirements, prevailing wage requirements, and other
2 safeguards designed to protect public funds and promote fair and open competition;
3 and
4

5 **WHEREAS**, the current disparity between the \$500,000 threshold applicable to most
6 counties and the \$1.5 million threshold applicable to Nassau, Suffolk and Westchester
7 Counties does not adequately reflect the substantial increase in construction costs
8 experienced throughout Upstate New York since the 2008 amendments; and
9

10 **WHEREAS**, modernizing the Wicks Law threshold would provide counties, towns,
11 cities, villages, school districts, and other public entities with greater flexibility to
12 efficiently deliver public construction projects while maintaining competitive
13 procurement and appropriate protections for workers, contractors, taxpayers, and the
14 public; and
15

16 **WHEREAS**, the Legislature has previously recognized that increasing the Wicks Law
17 threshold can reduce construction costs and administrative burdens associated with
18 multiple prime contracts; and
19

20 **WHEREAS**, the State should periodically review the Wicks Law thresholds to ensure
21 that they remain reasonably aligned with inflation, construction costs, and the
22 administrative burden associated with compliance.
23

24 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
25 Counties (NYSAC) calls upon the Governor and the New York State Legislature to
26 amend GML §101 to increase the Wicks Law threshold applicable to counties outside of
27 New York City, Nassau, Suffolk and Westchester Counties; and
28

29 **BE IT FURTHER RESOLVED**, that the Association supports increasing the current
30 \$500,000 Upstate Wicks Law threshold to \$2 million for public works projects; and
31

32 **BE IT FURTHER RESOLVED**, that the Association urges the Legislature to establish
33 a mechanism for periodically reviewing and adjusting the Wicks Law monetary
34 thresholds to account for inflation and changes in construction costs, thereby preventing
35 the thresholds from becoming outdated and imposing unnecessary administrative
36 burdens on local governments; and
37

38 **BE IT FURTHER RESOLVED**, that the Association encourages the State to maintain
39 the ability of public entities to utilize Project Labor Agreements and other lawful project
40 delivery methods where appropriate and where they provide demonstrable benefits to
41 the public entity and taxpayers; and
42

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

46 **BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to the
47 Governor of the State of New York, the Temporary President and Majority Leader of the

- 1 New York State Senate, the Speaker of the New York State Assembly, the Chairs of the
- 2 Senate and Assembly committees having jurisdiction over local government, labor and
- 3 public works, and other appropriate State officials.