



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

2024 NYSAC Fall Seminar Resolutions

**Sullivan County
September 9 – 11, 2024**

Hon. Benjamin Boykin II, President

Stephen J. Acquario, Executive Director

**NYSAC 2024 Fall Seminar Resolutions ~
Table of Contents**

NYSAC Board of Directors 5
Resolution Recognizing Sullivan County for Hosting the NYSAC Delegation at the Annual Fall Seminar in Sullivan County 6
Resolution Recognizing Oswego County and the Counties Bordering Great Lake Ontario for Establishing a National Marine Sanctuary 7
Standing Committee on Agriculture, Economic Development & Rural Affairs Resolutions 8
Resolution Calling for the Development of Solar Energy Production Along New York State Thruway and State and Federally Controlled Divided Highways Rights-of-Way 9
Resolution Calling on New York State to Pass Legislation Establishing an Extended Producer Responsibility (EPR) Program for Solar Panels 11
Standing Committee on Climate Action, Energy & Environment Resolutions 13
Resolution Memorializing the Tenth Anniversary of the Climate Smart Communities Certification Program and Celebrating a Decade of County Climate Leadership 14
Resolution Urging New York State to Improve Education on the Benefits and Resources Available for Climate Action 16
Resolution Calling on the Public Service Commission to Require Utilities to Engage with Localities in Planning for Distribution System Upgrades and Clean Energy Integration 18
Resolution Calling on New York State to Address County Climate Concerns and Support Local Government Initiatives 20
Standing Committee on Children with Special Needs Resolutions..... 22
Resolution Urging New York State Department of Health (NYSDOH), New York State Education Department (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 (EI) Workforce 23
Standing Committee on Intergovernmental Relations, General Government & Public Employee Relations..... 26
Resolution Calling on the State to Increase the Salary Cap for Retired Public Employees Seeking Public Employment..... 27
Resolution Calling on the Governor and Legislature to Support Community Colleges and Urging them to Develop an Equitable County Chargeback Formula 29
Resolution Thanking The New York State Department of Civil Service for Granting Authorization of the HELP Program to All Local Governments and Calling for Further Expansion of the Program..... 31

Standing Committee on Medicaid and Human Services Resolutions.....	33
Resolution Urging the Governor and Legislature to Become True Partners in Addressing Homelessness by Focusing on Rent Allowance and Standard of Need Which Must Include the Restoration of 50/50 Cost Sharing for Safety Net Programs, and Provide Actual Brick and Mortar Solutions by Making Permanent Housing the Central Focus.....	34
Resolution Urging Governor Kathy Hochul and the State Legislature to Provide More Direct State Resources to Address Child Care Deserts by Increasing Incentives to Attract and Train More Child Care Workers, Boost Retention Efforts, and Attract Facilities in the Most Underserved Areas.....	37
Resolution Urging Governor Hochul and the Department of Health to Continue to Pursue a Federal 1115 Waiver to Allow Justice Involved Adults and Youth to Be Enrolled in Medicaid/CHIP 90 Days Before an Eligible Person’s Expected Release from Incarceration	39
Standing Committee on Native American Affairs & Gaming Resolutions	41
Resolution Calling on the State of New York to Make All Municipalities Whole in the Saint Regis Mohawk Tribal Gaming Region that Have Been Impacted by the State’s Lack of Payment	42
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.....	44
Standing Committee on Public Health and Mental Health Resolutions	46
Resolution Calling on Governor Hochul to Include a 20 Percent Increase to State Aid for Local Government Units (LGUs) in the SFY 2025-26 Executive Budget to Support County-Based Single Point of Access (SPOA) Programs.....	47
Resolution Urging New York State to Support Efforts to Combat the Opioid Epidemic by Amending County Law § 677 and Providing Additional Reimbursement for Coroner and Medical Examiner Duties	49
Resolution Urging the State Health Department to Reimburse Local Health Authorities for Costs Incurred During State-Led Communicable Disease Investigations and to Establish a Mechanism for Local Authorities to Request State Support When Necessary	51
Calling on New York State to Protect the Public Water Supply from Harmful Contaminants by Increasing Funding for County Drinking Water Enhancement Grants	53
Standing Committee on Public Safety Resolutions	55
Resolution in Support of S.2695-B (Harckham) / A.7086-A (Jones) to Ensure Sheriffs and Undersheriffs Continue to Have Police Officer Powers	56
Resolution Encouraging Governor Kathy C. Hochul and the New York State Legislature to Increase the Medication-Assisted Treatment (MAT) Budget Allocation for County Jails	57

Resolution in Support of Efforts to Improve Probation and Alternatives to Incarceration in New York State to Protect the Public and Reduce Reliance on Prisons, Jails and Detention	58
Resolution Encouraging the State Legislature and Governor to Enact Technical Edits to Components of the Raise the Age Law	61
Resolution Urging the State of New York to Enact the Rescue EMS Package of Legislation to Strengthen our Emergency Medical Services	63
Resolution Urging the State of New York to Enact S.4583-A (Martinez) / A.5942-A (Jean-Pierre) Amending the County Law, in Relation to the Next Generation 911 System.....	66
Standing Committee on Taxation and Finance Resolutions	68
Resolution Supporting Proposals, Including S.885-C (Hinchey)/A.4130-C (Fahy), to Modernize New York’s Sales Tax Laws to Include the Short-Term Rental Industry and Urging the Governor to Sign this Legislation.....	69
Resolution Urging Governor Hochul to Veto S.967-A (Ryan)/A.1489-A (Thiele), Legislation that Would Lower the Penalty Interest Rate in Tax Delinquency Situations and Shift Higher Costs to Other Taxpayers.....	71
Resolution Urging the Governor to Sign Legislation (S.9348-A/A.10173-A), that Expands the Electronic Open Auction Public Bond Sale Program	74
Resolution Urging Governor Hochul and the State Legislature to Amend the Sales Tax Sharing Arrangement Under Adult-Use Recreational Cannabis to a More Balanced Split to Recognize the Additional Responsibilities Counties have in Addressing Illegal Cannabis Stores and Providing Substance Use Disorder and Mental Health Services.....	75
Resolution Calling on Governor Hochul and the State Legislature to Improve Reuse and Recovery Options in Communities Hosting State Facilities and Assets that are Closed or Decommissioned that have a Major Impact on Employment and Local Revenues.....	77
Standing Committee on Transportation and Public Works Resolutions	79
Resolution Supporting a New Round of Capital Funding for New York Airports in the SFY 2026 Executive Budget Proposal	80
Resolution Concerning New York’s Freshwater Wetlands Act Rulemaking and Its Impact on Critical Local Highway, Bridge and Culvert Projects	82
Resolution Urging the Governor and State Legislators to Adjust the State’s 5-Year Transportation Capital Plan	85
Resolution Concerning the Impacts of Efforts to Electrify Highway Department Vehicles by Adoption of the Advanced Clean Truck Rule.....	87



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2024 NYSAC Legislative Conference
Albany County**

NYSAC Board of Directors

Hon. Benjamin Boykin II, President

1 **2024 NYSAC Fall Seminar**
2 **NYSAC Board of Directors**
3 **Resolution #1**

4
5 **Resolution Recognizing Sullivan County for Hosting the NYSAC Delegation**
6 **at the Annual Fall Seminar in Sullivan County**

7
8 **WHEREAS**, the New York State Association of Counties (NYSAC) is convening their
9 2024 Annual meeting in Sullivan County; and

10
11 **WHEREAS**, hundreds of elected and appointed county officials from across this state
12 are meeting for the purpose of receiving education and information critical to the
13 operation of county government in New York State; and

14
15 **WHEREAS**, county officials from across the state benefit from the ideas and
16 information exchanged during this important event and furthermore will see first-hand
17 the natural beauty and culture of the Catskill Region in New York.

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

23
24 **BE IT FURTHER RESOLVED**, that this resolution be sent to the Sullivan County
25 Legislature.

1 **2024 NYSAC Fall Seminar**
2 **NYSAC Board of Directors**
3 **Resolution #2**

4
5 **Resolution Recognizing Oswego County and the Counties Bordering Great**
6 **Lake Ontario for Establishing a National Marine Sanctuary**

7
8 **WHEREAS**, Oswego County, along with the counties bordering the Great Lake
9 Ontario, have demonstrated extraordinary leadership in the preservation and protection
10 of one of the nation’s most significant natural resources; and

11
12 **WHEREAS**, these counties have worked collaboratively to ensure the designation of
13 the Great Lake Ontario as a National Marine Sanctuary, thereby preserving the
14 environmental integrity and promoting the sustainable use of the lake's diverse
15 ecosystem; and

16
17 **WHEREAS**, the National Marine Sanctuary designation recognizes the rich maritime
18 heritage, cultural significance, and the unique biodiversity of the Great Lake Ontario,
19 fostering a deeper understanding of its historical and ecological importance; and

20
21 **WHEREAS**, the efforts of Oswego County and its neighboring counties have created
22 opportunities for public education, scientific research, and economic development
23 through sustainable tourism, enhancing the quality of life for residents and visitors
24 alike; and

25
26 **WHEREAS**, the sanctuary will serve as a model for conservation and environmental
27 stewardship, ensuring that future generations can enjoy the natural beauty, wildlife, and
28 recreational opportunities offered by Great Lake Ontario.

29
30 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of the New
31 York State Association of Counties hereby recognizes the achievements of Oswego
32 County and the counties bordering Great Lake Ontario for their dedication to
33 establishing a National Marine Sanctuary and their ongoing commitment to
34 environmental preservation and economic vitality.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2024 NYSAC Fall Seminar
Sullivan County**

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

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Agriculture, Economic Development & Rural**
3 **Affairs**
4 **Resolution #1**

5
6 **Resolution Calling for the Development of Solar Energy Production Along**
7 **New York State Thruway and State and Federally Controlled Divided**
8 **Highways Rights-of-Way**
9

10 **WHEREAS**, New York State has established ambitious renewable energy goals through
11 the Climate Leadership and Community Protection Act (CLCPA), which mandates that
12 70 percent of the state's electricity come from renewable sources by 2030 and aims for a
13 100 percent carbon-free electricity system by 2040; and

14
15 **WHEREAS**, achieving these goals requires significant expansion and diversification of
16 the state's renewable energy infrastructure, including the development of solar energy
17 projects; and

18
19 **WHEREAS**, the New York State Thruway and State and Federally Controlled Divided
20 Highways, with their extensive rights-of-way, present a unique opportunity for the
21 installation of solar panels without the need to use viable farmland or other land critical
22 to agricultural production; and

23
24 **WHEREAS**, preserving viable farmland is essential for maintaining New York State's
25 agricultural economy, supporting local food systems, and ensuring environmental
26 sustainability; and

27
28 **WHEREAS**, using rights-of-way for solar energy production can provide a dual benefit
29 of contributing to the state's renewable energy goals while preserving farmland and
30 minimizing environmental impact; and

31
32 **WHEREAS**, the development of solar energy along New York State Thruway and State
33 and Federally Controlled Divided Highways rights-of-way can create jobs, stimulate
34 local economies, and provide a stable and sustainable source of energy for New York
35 State; and

36
37 **WHEREAS**, successful implementation of solar energy projects along the New York
38 State Thruway and State and Federally Controlled Divided Highways can serve as a
39 model for other transportation corridors and rights-of-way across the state and country.

40
41 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
42 Counties (NYSAC) calls upon Governor Kathy Hochul, the New York State Legislature,
43 and the New York State Thruway Authority, and relevant federal agencies to prioritize

1 the development of solar energy production along New York State Thruway and State
2 and Federally Controlled Divided Highways rights-of-way; and

3
4 **BE IT FURTHER RESOLVED**, that NYSAC urges the state to provide necessary
5 funding, incentives, and regulatory support to facilitate the planning, installation, and
6 maintenance of solar energy projects along these right-of-ways; and

7
8 **BE IT FURTHER RESOLVED**, NYS land use policies must protect vital farmland
9 when it comes to siting renewable energy projects; and

10
11 **BE IT FURTHER RESOLVED**, that the State should study and consider the class of
12 land impacted in the right-of-way, and avoid establishing solar panels on Class A and
13 Class B lands; and

14
15 **BE IT FURTHER RESOLVED**, that NYSAC encourages collaboration between state
16 agencies, local governments, private sector partners, and community stakeholders to
17 ensure the successful integration of solar energy projects along the Thruway; and

18
19 **BE IT FURTHER RESOLVED**, this resolution shall be forwarded to all counties in
20 New York state urging member counties to enact similar resolutions; and

21
22 **BE IT FURTHER RESOLVED**, that copies of this resolution be transmitted to
23 Governor Kathy Hochul, the Majority and Minority Leaders of the New York State
24 Senate and Assembly, the Commissioner of the New York State Department of
25 Environmental Conservation, the Chairman of the New York State Energy Research and
26 Development Authority, the Executive Director of the New York State Thruway
27 Authority, the Commissioner of New York State Agriculture and Markets, relevant
28 federal agencies, and all others deemed necessary and proper.

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Agriculture, Economic Development & Rural**
3 **Affairs**
4 **Resolution #2**

5
6 **Resolution Calling on New York State to Pass Legislation Establishing an**
7 **Extended Producer Responsibility (EPR) Program for Solar Panels**
8

9 **WHEREAS**, New York State has adopted ambitious goals for renewable energy
10 deployment, including having 10,000 megawatts (MW) of distributed solar energy
11 across the state by 2030; and

12
13 **WHEREAS**, the rise in the use of solar panels to meet this goal has led to an
14 accumulation of waste at the end of their useful life; and

15
16 **WHEREAS**, the New York State Climate Action Council’s Scoping Plan highlights that
17 the end-of-life management of solar panels and large-scale batteries will become more
18 of a concern as renewable energy technologies are implemented and grow; and

19
20 **WHEREAS**, the Council’s Climate Justice Working Group (CJWG) expressed strong
21 support for policies focused on waste reduction and indicated that the passage of an
22 EPR bill should be a priority for addressing emissions from the waste sector; and

23
24 **WHEREAS**, the responsibility for reducing waste from solar panels should be shared
25 among all stakeholders to alleviate undue burden on customers, counties, and other
26 local governments; and

27
28 **WHEREAS**, the establishment of an EPR program for solar panels would require
29 manufacturers, distributors, and other related suppliers/corporate entities to take
30 responsibility for the collection, transportation, and recycling of their products at the
31 end of their useful life; and

32
33 **WHEREAS**, such a program would incentivize the design of more sustainable and
34 recyclable solar panels, reduce the environmental impact of solar panel waste, and align
35 with New York State’s waste reduction goals; and

36
37 **WHEREAS**, the establishment of an EPR program for solar panels would support a
38 robust local solar panel recycling industry that would generate significant economic
39 development opportunities, including the creation of new jobs and the stimulation of
40 local economies; and

41
42 **WHEREAS**, other states, including Washington and California, have already
43 established EPR programs for solar panels, providing successful models that New York
44 State can learn from and adapt to its unique context; and

1 **WHEREAS**, New York State can also learn from Niagara County’s first-in-the-nation
2 local law, which requires written plans for the management of solar panels at their end
3 of life to ensure spent panels do not end up in landfills; and

4
5 **WHEREAS**, the implementation of an EPR program for solar panels would position
6 New York State as a leader in sustainable energy practices and circular economy
7 initiatives.

8
9 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
10 Counties calls upon Governor Kathy Hochul and the New York State Legislature to enact
11 legislation to establish an Extended Producer Responsibility program for solar panels;
12 and

13
14 **BE IT FURTHER RESOLVED**, this resolution shall be forwarded to all counties in
15 New York state urging member counties to enact similar resolutions; and

16
17 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to Governor
18 Kathy Hochul, the New York State Senate Majority Leader, the New York State
19 Assembly Speaker, and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2024 NYSAC Fall Seminar
Sullivan 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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Climate Action, Energy & Environment**
3 **Resolution #1**

4
5 **Resolution Memorializing the Tenth Anniversary of the Climate Smart**
6 **Communities Certification Program and Celebrating a Decade of County**
7 **Climate Leadership**
8

9 **WHEREAS**, the Climate Smart Communities (CSC) Certification Program began as an
10 interagency initiative to support local governments in their efforts to reduce greenhouse
11 gas emissions and adapt to a changing climate; and

12
13 **WHEREAS**, the CSC Certification Program has been instrumental in guiding counties
14 and municipalities across New York State toward sustainable practices and climate
15 resilience; and

16
17 **WHEREAS**, the program provides a robust framework and range of resources to help
18 communities achieve their climate goals through voluntary actions that support energy
19 efficiency, renewable energy, waste reduction, and community resilience; and

20
21 **WHEREAS**, the CSC Certification Program has grown over the past decade to include
22 425 registered communities and 154 certified communities, demonstrating widespread
23 commitment to mitigating and adapting to climate change at the local level; and

24
25 **WHEREAS**, counties have completed many actions through this program, including:
26

- 27 • Creating comprehensive greenhouse gas inventories and climate action plans for
- 28 • Launching energy efficiency and renewable energy projects;
- 29 • Adopting green fleet policies;
- 30 • Developing composting and waste reduction programs;
- 31 • Conducting public engagement and education initiatives on sustainability;
- 32 • Powering government operations with renewable energy sources; and
- 33 • Conducting climate vulnerability assessments and hazard mitigation plans to
- 34 prepare for and mitigate the impacts of extreme weather events;

35
36 **WHEREAS**, these accomplishments highlight the effectiveness of the CSC Certification
37 Program in fostering collaboration, innovation, and action at the local level to combat
38 climate change; and

1 **WHEREAS**, the New York State Association of Counties (NYSAC) recognizes the
2 critical role of the CSC Certification Program in helping counties lead by example in
3 climate action and sustainability efforts; and
4

5 **WHEREAS**, NYSAC also recognizes the co-benefits of taking climate action, including
6 improved air quality, enhanced public health, and significant cost savings for taxpayers
7 through increased energy efficiency and reduced operational costs.
8

9 **NOW, THEREFORE, BE IT RESOLVED**, that NYSAC commemorates the tenth
10 anniversary of the Climate Smart Communities Certification Program and applauds the
11 New York State Department of Environmental Conservation (NYSDEC) for its
12 leadership and support; and
13

14 **BE IT FURTHER RESOLVED**, that NYSAC acknowledges and celebrates the
15 substantial achievements of counties through the CSC Certification Program,
16 recognizing their dedication to creating healthier, more sustainable, and resilient
17 communities; and
18

19 **BE IT FURTHER RESOLVED**, that New York State fund and continue to increase
20 funding for the Climate Smart Communities grant and certification programs; and
21

22 **BE IT FURTHER RESOLVED**, that NYSAC encourages all counties in New York
23 State to continue their participation in the CSC Certification Program and to strive
24 toward higher levels of certification and climate action; and
25

26 **BE IT FURTHER RESOLVED**, this resolution shall be forwarded to all counties in
27 New York state urging member counties to enact similar resolutions; and
28

29 **BE IT FURTHER RESOLVED**, that copies of this resolution be transmitted to
30 Governor Kathy Hochul, the New York State Legislature, the Commissioner of the New
31 York State Department of Environmental Conservation, and all others deemed
32 necessary and proper.

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Climate Action, Energy & Environment**
3 **Resolution #2**

4
5 **Resolution Urging New York State to Improve Education on the Benefits**
6 **and Resources Available for Climate Action**

7
8 **WHEREAS**, the New York State Association of Counties (NYSAC) recognizes the
9 importance of taking climate action not only to mitigate the most severe impacts of
10 climate change but also to harness the extensive co-benefits that such actions can
11 provide to communities, residents, and businesses; and

12
13 **WHEREAS**, aligning climate policies with the non-environmental needs and priorities
14 of communities, such as health improvements and economic security, can engage a
15 wider audience, garner additional support, and help to ensure a just transition; and

16
17 **WHEREAS**, there are numerous ways that decarbonization initiatives directly benefit
18 the finances, health, and quality of life of New Yorkers:

- 19 • the transition to clean energy sources and energy-efficient technologies can
20 significantly reduce energy bills for residents, businesses, and local governments;
21 and
- 22 • investments in renewable energy and energy efficiency create green jobs and
23 drive innovation, providing a competitive edge for businesses and positioning
24 New York as a leader in the clean energy economy; and
- 25 • increased use of electric vehicles and public transportation improves outdoor air
26 quality, reducing respiratory illnesses, cardiovascular diseases, premature deaths,
27 and healthcare costs; and
- 28 • enhancing resilience mitigates the impacts of extreme weather events like floods,
29 heatwaves, and storms, thereby protecting infrastructure, reducing recovery
30 costs, and safeguarding lives and property; and

31
32 **WHEREAS**, the Inflation Reduction Act (IRA) of 2022 is the single largest investment
33 in climate action in our nation's history, providing an estimated \$369 billion in tax
34 credits and financing for clean energy and greenhouse gas emission reduction strategies;
35 and

36
37 **WHEREAS**, the IRA offers significant incentives for homeowners, businesses, and
38 municipalities to invest in solar panels, energy-efficient appliances, and electric vehicles,
39 which not only reduce greenhouse gas emissions but also lower utility bills, operational
40 costs, and air pollution; and

1 **WHEREAS**, because the cost to transition to alternative energy infrastructure is
2 unknown and will be borne by our citizens, businesses, and municipalities, these cost
3 estimates, as well as the net cost, should be included in the public awareness campaigns
4 and outreach programs available for the Climate Act; and

5
6 **WHEREAS**, New York State offers additional incentives through programs like NY-
7 Sun, which provides financial support for solar installations, and New York State Clean
8 Heat, which offers rebates for heat pumps and other energy-efficient heating and
9 cooling systems; and

10
11 **WHEREAS**, to meet the Climate Act goals and avoid the most severe consequences of
12 climate change, there is a critical need to enhance public education and awareness about
13 the ancillary benefits of climate action and the incentives, grants, and technical
14 assistance available to support these initiatives.

15
16 **NOW, THEREFORE, BE IT RESOLVED**, that NYSAC calls on the State of New
17 York to increase efforts to educate the public, businesses, and local governments about
18 the myriad of benefits of climate action, including financial savings, improved public
19 health, job creation, and economic growth; and

20
21 **BE IT FURTHER RESOLVED**, New York State provide a practical roadmap and
22 plain language summary of the costs, benefits, needs, and requirements of reaching the
23 state’s mandated targets; and

24
25 **BE IT FURTHER RESOLVED**, that NYSAC urges New York State to launch
26 comprehensive public awareness campaigns and outreach programs to disseminate
27 information on the resources available through the Inflation Reduction Act and state
28 programs, ensuring that all stakeholders are well-informed and able to contribute to the
29 Climate Act goals; and

30
31 **BE IT FURTHER RESOLVED**, this resolution shall be forwarded to all counties
32 urging member counties to enact similar resolutions; and

33
34 **BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to
35 Governor Kathy Hochul, the New York State Legislature, the New York State
36 Department of Environmental Conservation (NYSDEC), the New York State Energy
37 Research and Development Authority (NYSERDA), and all others deemed necessary and
38 proper.

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Climate Action, Energy & Environment**
3 **Resolution #3**

4
5 **Resolution Calling on the Public Service Commission to Require Utilities to**
6 **Engage with Localities in Planning for Distribution System Upgrades and**
7 **Clean Energy Integration**
8

9 **WHEREAS**, as New York State works to achieve the Climate Act goals, effective
10 collaboration between utilities and government is crucial for meeting the increased
11 demand for clean energy and ensuring grid reliability; and
12

13 **WHEREAS**, grid modernization and capacity improvements are essential to support
14 this demand and to integrate new technologies that enhance efficiency; and
15

16 **WHEREAS**, prioritizing distribution system upgrades in areas designated for
17 development, based on local zoning and planning priorities, is necessary to ensure
18 infrastructure investments align with community growth and development goals; and
19

20 **WHEREAS**, utilities must be held responsible for making incremental upgrades to the
21 distribution system to meet the evolving needs of communities and to support a smooth
22 transition to clean energy sources; and
23

24 **WHEREAS**, because utility incentives are not necessarily aligned with clean energy
25 goals, requiring utilities to engage with localities in the planning process can ensure that
26 upgrades are made in a manner consistent with local sustainability objectives; and
27

28 **WHEREAS**, tools like Scenic Hudson’s mapping tool, which identifies optimal
29 locations for renewable energy, demonstrate that the best places for renewable energy
30 development often lack capacity on local circuits, underscoring the need for utilities to
31 consult with municipalities during the planning process; and
32

33 **WHEREAS**, home energy storage programs offered by utilities in Vermont, such as
34 Green Mountain Power’s Tesla Powerwall and Bring Your Own Device programs, have
35 reduced grid demand, enhanced resilience, and provided cost savings for all customers,
36 highlighting the opportunity for more innovation in New York State.
37

38 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
39 Counties (NYSAC) calls on the Public Service Commission (PSC) to require utilities to
40 actively engage with local governments in planning for and implementing distribution

1 system upgrades, ensuring that these upgrades are aligned with local zoning, planning
2 priorities, and clean energy goals; and

3
4 **BE IT FURTHER RESOLVED**, that utilities be required to make incremental
5 upgrades to the distribution system in collaboration with local communities to keep
6 pace with community development and clean energy integration; and

7
8 **BE IT FURTHER RESOLVED**, that PSC support the development of and use of tools
9 and technologies that can aid municipalities in identifying the best locations for
10 renewable energy development; and

11
12 **BE IT FURTHER RESOLVED**, that a comprehensive study be conducted to assess
13 the financial impact of state climate policies on utility costs, with the aim of identifying
14 strategies to reduce the burden on consumers and ensuring that these policies are
15 implemented in an equitable and just manner; and

16
17 **BE IT FURTHER RESOLVED**, that NYSAC supports the adoption of innovative
18 practices, such as integrating household batteries into utility billing to reduce grid
19 demand, and calls for similar initiatives to be explored and implemented in New York
20 State; and

21
22 **BE IT FURTHER RESOLVED**, this resolution shall be forwarded to the counties of
23 New York State urging member counties to enact similar resolutions; and

24
25 **BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to
26 Governor Kathy Hochul, the New York State Legislature, the New York State Public
27 Service Commission (PSC), the New York State Energy Research and Development
28 Authority (NYSERDA), and all others deemed necessary and proper.

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Climate Action, Energy & Environment**
3 **Resolution #4**

4
5 **Resolution Calling on New York State to Address County Climate Concerns**
6 **and Support Local Government Initiatives**

7
8 **WHEREAS**, counties across New York State are actively identifying and addressing
9 key challenges to meet state and local climate goals; and

10
11 **WHEREAS**, effective coordination and communication between state agencies, public
12 utilities, and state and local government are essential for achieving these objectives and
13 balancing climate goals with other local priorities; and

14
15 **WHEREAS**, counties have identified several pressing concerns and priorities that must
16 be addressed to meet the Climate Act goals in a manner that ensures equity, maximizes
17 community buy-in, and aligns with other state and local goals:

- 18 • **Agricultural Land Protection:** Incentives are needed to encourage the
19 installation of solar panels on non-agricultural land, such as parking lots and
20 rooftops. This strategy will mitigate development pressures on vital farmland
21 while advancing renewable energy goals; and
- 22 • **Transportation Investments:** Significant investment in community
23 appropriate micro-transit systems, particularly in rural areas, and active
24 transportation infrastructure, such as bike lanes and pedestrian paths, is
25 necessary to reduce greenhouse gas emissions from transportation and enhance
26 public safety; and
- 27 • **Establishment of Clean Energy Hubs:** Regional clean energy hubs,
28 functioning under a hub-and-spoke model with 58 state-funded county
29 sustainability coordinators, can bolster local clean energy initiatives and enhance
30 the dissemination of information and resources; and
- 31 • **Landfill Capacity:** Addressing the solid waste crisis, planning for future landfill
32 capacity, and investing in innovative technologies is crucial, as the 2023-32 New
33 York State Solid Waste Management Plan estimates that the state’s 25 municipal
34 solid waste (MSW) landfills have a combined capacity life of only 16 years, and
35 sending MSW out of state undermines the goals of the Climate Act; and
- 36 • **Open Space Conservation:** Allocating \$200 million from the Environmental
37 Bond Act for municipalities and non-profits to purchase open space is essential
38 for supporting New York State in meeting its open space conservation goals; and
- 39 • **Transition to Electric Vehicles (EVs):** Local government concerns with the
40 transition to EVs must be addressed, including those related to charging

1 infrastructure availability and reliability, the impact of cold temperatures on
2 battery range and efficiency, and the shortage of mechanics trained to work on
3 these vehicles; and

- 4 • **Improve Cost Estimates and Communication to Local Governments
5 and the General Public on the Timeline of Costs and Savings:** A recent
6 audit from the New York State Comptroller identified several items the state
7 needs to improve including better and more frequent communication with
8 stakeholders and more accurate cost estimates to help improve the likelihood of
9 success in achieving the state’s climate goals. The lack of cost estimates for local
10 governments and taxpayers, along with the extent to which ratepayers will be
11 responsible for Climate Act implementation costs must be clarified and updated
12 regularly when major departures from plans occur.

13
14 **NOW, THEREFORE, BE IT RESOLVED,** that the New York State Association of
15 Counties (NYSAC) calls on Governor Kathy Hochul to sign S.2003-A (May)/A.5909-A
16 (Epstein) into law to establish a Chief Sustainability Officer (CSO) charged with
17 coordinating efforts across all state agencies to address climate change mitigation and
18 sustainability efforts; and

19
20 **BE IT FURTHER RESOLVED,** that NYSAC urges the Governor and Legislature to
21 negotiate chapter amendments to this legislation that require the CSO to also coordinate
22 with local governments to gather and address local concerns, including those outlined in
23 this resolution; and

24
25 **BE IT FURTHER RESOLVED,** this resolution shall be forwarded to the counties of
26 New York State urging member counties to enact similar resolutions; and

27
28 **BE IT FURTHER RESOLVED,** that copies of this resolution be forwarded to
29 Governor Kathy Hochul, the New York State Legislature, the New York State
30 Department of Environmental Conservation (NYSDEC), the New York State Energy
31 Research and Development Authority (NYSERDA), the Department of Agriculture and
32 Markets (AGM), the Department of State (DOS), and all others deemed necessary and
33 proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2024 NYSAC Fall Seminar
Sullivan County**

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

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

1 **NYSAC 2024 Fall Seminar**
2 **Standing Committee on Children with Special Health Care Needs**
3 **Resolution #1**

4
5 **Resolution Urging New York State Department of Health (NYSDOH), New**
6 **York State Education Department (NYSED), SUNY and CUNY Colleges and**
7 **other Private and Public Institutes of Higher Education in New York to**
8 **Develop Additional Pathways to Expand and Enhance the Early**
9 **Intervention (EI) Workforce**

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

15
16 **WHEREAS**, provider capacity issues often pose barriers to medically fragile children
17 and/or to infants and toddlers with special needs receiving Early Intervention (EI)
18 services; and

19
20 **WHEREAS**, a survey conducted in Spring 2022 of 48 counties found that
21 approximately 5,769 children were on waiting lists for EI Services across New York
22 State; and

23
24 **WHEREAS**, current regulations for EI providers in New York State, set by New York
25 State Education Department's (NYSED) Office of Professions, do not require EI
26 providers to learn EI core competencies or to engage in clinical experience with
27 individuals in the EI program or with infants and toddlers in other community-based
28 settings; and

29
30 **WHEREAS**, a report by the City University of New York Brooklyn College and the New
31 York Institute of Technology School of Health Professions makes 3 core
32 recommendations for expanding and enhancing New York State's Early Intervention
33 workforce; and

34
35 **WHEREAS**, the first of these recommendations is to consider amending NYSED
36 regulations to increase EI competencies within the Early Childhood Workforce;
37 *“Specifically, consider; 1. Updating the NYSED regulations and requirements to*
38 *incorporate NYSDOH five early intervention competencies in Teaching Students with*
39 *Disabilities in Early Childhood (SWD-EC; Birth to Grade 2) as well as requiring*
40 *fieldwork with infants and toddlers. Incorporate EI competencies within New York*
41 *State Regulations Part 156.2 for Occupational Therapists; NYS Regulations Part 77,*
42 *2a. for Physical Therapists; and NYS Regulations Part 8209 for Speech-Language*

1 *Pathologists & Audiologists, as well as Recommendations for Memoranda to Office of*
2 *Professions - Provision of Services from Birth to Three, across these disciplines”; and*

3
4 **WHEREAS**, the second of these recommendations is to consider developing three
5 cross-disciplinary pathways to become an EI provider in New York State, with the long
6 term goal of helping bolster provider capacity for the EI Program: “1. *NYSDOH*
7 *Memoranda - “Dear Colleague” - Clarification of Existing Policy - from NYSDOH to*
8 *inform all potential early interventionists of requirements to become NYS approved*
9 *Providers; 2. Create an Interdisciplinary Extension in EI, similar to existing programs*
10 *(e.g., Bilingual Extension) via NYSED; and/or 3. Introduce an Annotation for*
11 *Teaching-Supporting Infants and Toddlers with Disabilities in EI, similar to the*
12 *existing NYSED Annotation for teaching students with Severe Disabilities and Multiple*
13 *Disabilities”; and*

14
15 **WHEREAS**, to further bolster the EI workforce, the third of these recommendations is
16 to consider developing Individual Evaluation Pathways for professionals to access and
17 learn the specific EI competencies necessary to become an EI provider including:
18 “*NYSED Credit-bearing EI/ECSE courses/programs, Continuing Education courses*
19 *[Continuing Education Units (CEUs) or Continuing Teacher, and Leader Education*
20 *units (CTLEs)] and/or Modules/Trainings from NYSDOH”; and*

21
22 **WHEREAS**, following these recommendations has the potential to develop and
23 diversify the EI workforce by providing access to appropriate education and trainings
24 for a relatively large pool of already existing licensed/certified professionals working
25 across a variety of disciplines; and

26
27 **WHEREAS**, these recommendations have the potential to increase fieldwork
28 placements, which will create additional opportunities for entry-level practitioners to
29 join the EI workforce and increase the number of EI providers throughout—reducing EI
30 shortages and decreasing service wait times for children with disabilities and their
31 families.

32
33 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
34 Counties urges NYSDOH, NYSED, institutes of higher education in New York State,
35 including State Universities of New York (SUNY) and City Universities of New York
36 (CUNY) colleges, and any other applicable agencies or organizations, to support the
37 development of the above pathways to demonstrate competency for provider eligibility
38 in early intervention in order to expand and enhance the early intervention workforce in
39 New York State; and

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

1 **BE IT FURTHER RESOLVED**, that New York State Association of Counties shall
2 forward copies of this resolution to the New York State Department of Health, the New
3 York State Education Department and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2024 NYSAC Fall Seminar
Sullivan County**

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

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Intergovernmental Relations, General Government**
3 **& Public Employee Relations**
4 **Resolution #1**

5
6 **Resolution Calling on the State to Increase the Salary Cap for Retired Public**
7 **Employees Seeking Public Employment**
8

9 **WHEREAS**, under current state law a retired public employee may only earn up to
10 \$35,000 annually if retained/rehired to a state or local government position without
11 this salary impacting their retirement benefits; and
12

13 **WHEREAS**, any retired public employee salary amount over \$35,000 will result in a
14 decrease in pension payments for the employee; and
15

16 **WHEREAS**, the \$35,000 cap was set in 2019, with the intent of minimizing misuse in
17 hiring practices, while at the same time providing enough incentive for employees with
18 broad experience and institutional knowledge to be retained in a government service
19 capacity; and
20

21 **WHEREAS**, this cap has been adjusted just once since 2007 at a rate of \$50,000 and
22 this increase has eroded in value due to inflation over this time; and
23

24 **WHEREAS**, the ability to hire enough qualified public employees has impacted our
25 ability to deliver mandated services; and
26

27 **WHEREAS**, this hiring crisis during COVID resulted in an Executive Order action
28 allowing for the removal of the \$35,000 cap to help ease this issue, unfortunately, this
29 was a limited allowance and the Executive Order expired in 2023; and
30

31 **WHEREAS**, New York counties have unique challenges when hiring for certain skilled
32 or knowledge-based positions due to each county having different populations,
33 economics, and demographics including but not limited to retired corrections deputy
34 sheriffs, school resource officers, public health nurses, registered nurses, caseworkers,
35 mental health professionals, and other critical positions; and
36

37 **WHEREAS**, county governments are being asked to provide more services with less
38 funding, a goal that becomes more difficult when those who best understand local
39 government service needs are retiring and their continued connection to public service

1 in a limited fashion is being deterred by state policies; and

2

3 **WHEREAS**, in 2024 a bill was introduced S.3144D (Mannion) / A.6419 (Stripe),
4 passing unanimously in the Senate, that recognizes adjusting this cap to \$50,000. This
5 legislation will provide the State and the local governments with more hiring options
6 when they seek to fill a position that requires unique skill sets, government experience.

7

8 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
9 Counties (NYSAC) hereby calls on the Governor and the State Legislature to enact
10 legislation supporting an increase in this earnings rate as part of their 2024-2025 state
11 budget negotiations; and

12

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

15

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Intergovernmental Relations, General Government**
3 **& Public Employee Relations**
4 **Resolution #2**

5
6 **Resolution Calling on the Governor and Legislature to Support Community**
7 **Colleges and Urging them to Develop an Equitable County Chargeback**
8 **Formula**

9
10 **WHEREAS**, under state law, funding for community colleges is to be provided through
11 state aid, a county sponsor contribution, and student tuition and fees; and

12
13 **WHEREAS**, the establishment and continued operation of a statewide community
14 college system was based on an ongoing state aid funding commitment of at least one
15 third, and up to 40 percent, of community college operating costs; and

16
17 **WHEREAS**, the state funding amount has declined over the years and is now below
18 their historic one-third commitment, and far short of 40 percent; and

19
20 **WHEREAS**, community colleges expenses have increased for county governments due
21 to low in formula aid/contributions from the state, increased operational costs and
22 enrollment declines; and

23
24 **WHEREAS**, many community colleges are at a crossroads because they are facing a
25 decade of declining enrollment due to overall state population loss and a dramatic
26 decline in K-12 students, more competition from 4-year schools due to special tuition
27 aid provided by the state, forcing them to ask county sponsors and students to pay more,
28 with county chargeback rates increasing at an unsustainable annual average rate of 9.6
29 percent per year since 2013.

30
31 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
32 Counties (NYSAC) requests the State increase the funding floor for community colleges;
33 and

34
35 **BE IT FURTHER RESOLVED**, the State should adhere to their commitment of
36 covering one third of student costs; and

37
38 **BE IT FURTHER RESOLVED**, SUNY should continue to work closely with
39 community colleges to develop innovative solutions to attract and support students

1 during these challenging times, such as providing cybersecurity curriculum, cannabis
2 management, and specific regional industry workforce development; and

3

4 **BE IT FURTHER RESOLVED**, NYSAC calls on the State University of New York
5 (SUNY) to develop a more equitable funding methodology for community college
6 chargebacks for counties sending residents to colleges outside of their border; and

7

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

10

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Intergovernmental Relations, General Government**
3 **& Public Employee Relations**
4 **Resolution #3**

5
6 **Resolution Thanking The New York State Department of Civil Service for**
7 **Granting Authorization of the HELP Program to All Local Governments and**
8 **Calling for Further Expansion of the Program**

9
10 **WHEREAS**, in 2023 New York Department of Civil Service expanded the New York
11 Hiring for Emergency Limited Placement Statewide (NY HELPS) to allow all New York
12 State agencies to waive most Civil Service examinations and make appointments to any
13 position typically filled on an open competitive basis; and

14
15 **WHEREAS**, this authority allowed for more immediate hires of State public service
16 employees, and;

17
18 **WHEREAS**, in 2024, a similar authority was granted to local governments by the NYS
19 Department of Civil Service; and

20
21 **WHEREAS**, the local HELP Program is now available to local governments, and this
22 has been beneficial to hire needed public service providers, and

23
24 **WHEREAS**, unfortunately compared to the State's HELPS program, the local
25 government program requires municipalities and counties to submit and receive specific
26 title approval from State Civil Service, and;

27
28 **WHEREAS**, this requirement causes unnecessary hiring delays and confusion as a job
29 title may be approved in one county and not another, and

30
31 **WHEREAS**, county governments across the State continue to face unprecedented
32 recruitment challenges that began during COVID; and

33
34 **WHEREAS**, these public sector recruitment challenges have created a crisis on the
35 local government level; and

36
37 **WHEREAS**, providing local public services at a high level can always be a challenge for
38 local governments to staff, but in the last few years, it has become nearly impossible;
39 and

40
41 **WHEREAS**, new challenges, including inflation, working from home, and large-scale
42 retirement, have forced county governments into a situation where they cannot adapt
43 fast enough to compete with the private sector to hire quality candidates promptly; and

1 **NOW, THEREFORE, BE IT RESOLVED**, NYSAC calls on the State of New York
2 to, in a manner the Commission deems consistent with Civil Service Law, allow a title
3 approved by the State Civil Service Commission for any civil service jurisdiction for the
4 HELP program to be used by any other jurisdiction for the HELP program, so long as at
5 the time of the appointment there is not a mandatory civil service list for that
6 jurisdiction for that title; and

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

10
11 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
12 Governor Kathy Hochul, the New York State Legislature, and all others deemed
13 necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2024 NYSAC Fall Seminar
Sullivan 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

1 **NYSAC 2024 Fall Seminar**
2 **Standing Committee on Medicaid and Human Services**
3 **Resolution #1**

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

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

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

17
18 **WHEREAS**, in the post pandemic era, counties are experiencing a decline in the
19 number of landlords that will rent to the clientele local social service districts serve;
20 and

21
22 **WHEREAS**, the influx of over 205,000 migrant asylum seekers since the Spring of
23 2022 has pushed the already overburdened statewide shelter system beyond the brink;
24 and

25
26 **WHEREAS**, many areas of the state are seeing increases in homelessness even without
27 the addition of asylum seekers due to shortages in affordable housing, increases in
28 evictions, and fewer landlords willing to rent their properties to social service districts;
29 and

30
31 **WHEREAS**, the state's unprecedented reduction in fiscal support implemented over a
32 decade ago when the state reduced its Safety Net program support from 50 percent to 29
33 percent has only made the situation worse; and

34
35 **WHEREAS**, state shelter allowances provided by the state are so low today that
36 homeless clients cannot compete in the current housing market; and

37
38 **WHEREAS**, the net effect of low shelter rates for individuals and families that have
39 been displaced and are residing in temporary housing is that current shelter allowances
40 serve as a barrier to moving to permanent housing; and

41
42 **WHEREAS**, the homeless population is facing new problems as the needs of families
43 have become more complicated; and

1 **WHEREAS**, regardless of family size and demographics, many of those facing
2 homelessness or seeking emergency shelter can have challenging medical needs, mental
3 health and substance abuse issues, some are registered sex offenders, and still others are
4 state prison parolees or on probation; with some facing several of these challenges at the
5 same time; and
6

7 **WHEREAS**, the state requires counties to fund 71 percent of costs for Safety Net
8 individuals and 100 percent of the costs of administering these programs; and
9

10 **WHEREAS**, local social service districts focus scarce resources on achieving
11 permanent housing, preventing homelessness and providing temporary placement; and
12

13 **WHEREAS**, counties maintain that preventing homelessness in the first place is the
14 best way to keep families safe and secure; and
15

16 **WHEREAS**, counties maintain that while it is important to provide help in a crisis, it is
17 better policy to maintain stability and prevent emergencies by providing sufficient
18 resources up front.
19

20 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
21 Counties (NYSAC) calls on the Governor and State Legislature to prioritize permanency
22 in housing and to update rental allowances and the standard of need which have not
23 been properly updated in decades to fully address the dramatic growth in housing,
24 energy, and food costs; and
25

26 **BE IT FURTHER RESOLVED**, as part of the effort, the State must restore the Safety
27 Net state share to 50 percent; and
28

29 **BE IT FURTHER RESOLVED**, counties need brick and mortar solutions to existing
30 housing problems; and
31

32 **BE IT FURTHER RESOLVED**, the State should coordinate a timely transition to
33 supportive housing for the highest need individuals with mental health and substance
34 abuse issues in collaboration with OTDA, other state agencies, and local social services
35 districts; especially those that have been repeatedly homeless and in need of supportive
36 placements overseen by OMH, OASAS, OPWDD and DOCCS; and
37

38 **BE IT FURTHER RESOLVED**, the State should work with counties in developing a
39 public education campaign to ensure people better understand the plight of families and
40 individuals struggling with homelessness and how everyone can benefit by helping them
41 achieve stable housing in our communities; and
42

43 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
44 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 Office for Temporary Disability Assistance and all others
3 deemed necessary and proper.
4

1 **NYSAC 2024 Fall Seminar**
2 **Standing Committee on Medicaid and Human Services**
3 **Resolution #2**

4
5 **Resolution Urging Governor Kathy Hochul and the State Legislature to**
6 **Provide More Direct State Resources to Address Child Care Deserts by**
7 **Increasing Incentives to Attract and Train More Child Care Workers, Boost**
8 **Retention Efforts, and Attract Facilities in the Most Underserved Areas**

9
10 **WHEREAS**, the New York State Association of Counties applauds the Governor and
11 Legislature for committing substantial funding and incentives to families to reduce the
12 cost of child care services for low and middle income taxpayers; and

13
14 **WHEREAS**, Governor Hochul recently launched a digital portal to help make free or
15 low-cost child care more accessible to eligible families statewide through New York
16 State’s Child Care Assistance Program (CCAP); and

17
18 **WHEREAS**, the new electronic application initiative follows an historic \$1.8 billion
19 state and federal investment in CCAP secured by Governor Hochul in the adopted
20 SFY25 Budget; and

21
22 **WHEREAS**, CCAP can cover more than 90 percent of market rate child care costs for
23 most eligible families, with most families of four paying no more than \$15 per week for
24 child care; and

25
26 **WHEREAS**, prior state investments in child care include a total four-year commitment
27 of \$7 billion to improve the child care assistance program by:

- expanding income eligibility for child care assistance to more than half of young children in New York;
- increasing state reimbursement rates to providers to expand the number of programs from which families can choose;
- investing \$50 million to establish a child care capital program;
- investing \$343 million to stabilize programs at risk of closure and support the child care workforce; and
- investing \$15.6 million to expand child care to all SUNY and CUNY campuses;
and

28
29 **WHEREAS**, even with these historic investments many New York families cannot take
30 advantage of these generous state incentives as many areas of the state lack necessary
31 child care providers and facilities.

32 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
33 Counties (NYSAC) calls on the Governor and State Legislature to focus more investment

1 on increasing the number of child care professionals and facilities in New York state, to
2 ensure eligible families can access expanded child care incentives provided by the state;
3 and

4
5 **BE IT FURTHER RESOLVED**, these additional investments should first target
6 known child care deserts and areas with a lack of child care providers and facilities; and

7
8 **BE IT FURTHER RESOLVED**, the state must look at other modalities of child care
9 beyond those currently in use that are failing to create enough child care slots, providers
10 and facilities; other areas that should be considered include incentivizing and
11 encouraging different facilities, such as schools, nursing homes and employers to open
12 up child care centers; and

13
14 **BE IT FURTHER RESOLVED**, the state must maintain these child care investments
15 and incentives in the future to ensure counties and local taxpayers are not burdened
16 with dramatic increases in costs in the absence of state support; and

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

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

1 **NYSAC 2024 Fall Seminar**
2 **Standing Committee on Medicaid and Human Services**
3 **Resolution #3**

4
5 **Resolution Urging Governor Hochul and the Department of Health to**
6 **Continue to Pursue a Federal 1115 Waiver to Allow Justice Involved Adults**
7 **and Youth to Be Enrolled in Medicaid/CHIP 90 Days Before an Eligible**
8 **Person’s Expected Release from Incarceration**

9
10 **WHEREAS**, New York state included provisions in a recent 1115 Medicaid
11 demonstration waiver that would allow justice involved adults and youth to be enrolled
12 in Medicaid/CHIP up to 90 days prior to their release from incarceration; and

13
14 **WHEREAS**, many components of the 1115 waiver were approved by the federal
15 government, the waiver component for incarcerated individuals was not approved as
16 part of the recent 1115 demonstration waiver; and

17
18 **WHEREAS**, the Biden Administration has prioritized the expansion of Medicaid
19 demonstration waivers under section 1115 to ensure at-risk incarcerated individuals who
20 often live with higher rates of substance use disorders (SUDs), chronic physical health
21 conditions, poor health care coordination, and other health concerns can realize
22 improved treatment outcomes if formal treatment and coordination occur prior to their
23 release; and

24
25 **WHEREAS**, access to these services in advance of release can help:

- 26 • transitions into the community;
- 27 • coordination and communication among correctional facilities, Medicaid
28 programs and CHIPs, as well as managed care plans, and community-based
29 providers;
- 30 • enhance connections between carceral settings and community services to
31 address physical health, behavioral health, and health-related social needs;
- 32 • improve interventions for certain behavioral health conditions and increased use
33 of stabilizing medications like long-acting injectable anti-psychotics and
34 medications targeting suds, with the goal of reducing decompensation, suicide-
35 related deaths, overdoses, and overdose-related deaths in the near-term post-
36 release; and
- 37 • reduce unnecessary emergency department visits, inpatient hospitalizations, and
38 all-cause deaths among recently incarcerated people with Medicaid and
39 individuals otherwise eligible for CHIP if not for their incarceration status; and

40
41 **WHEREAS**, the federal Center for Medicare and Medicaid Services (CMS) approved
42 five more state 1115 waiver applications for this prelease Medicaid coverage in July
43 2024, bringing the total approved to nine states; and

1 **WHEREAS**, NYSAC strongly believes that approval of an 1115 Medicaid waiver that
2 assists high-risk incarcerated individuals, including those held in county jails, to be
3 enrolled in Medicaid/CHIP prior to their release is a necessary step to improve health
4 outcomes for these individuals, will save lives by preventing overdose deaths, and
5 improve public safety.
6

7 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
8 Counties (NYSAC) strongly encourages Governor Hochul and the Department of Health
9 to continue negotiations on the 1115 Medicaid demonstration waiver allowing
10 Medicaid/CHIP coverage for incarcerated individuals prior to their release, including
11 those held in county jails; and
12

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

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



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2024 NYSAC Fall Seminar
Sullivan County**

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

Ashley Smith (Cattaraugus County) - Chair
Tina Wayland-Smith (Madison County) – Vice Chair

1 **NYSAC 2024 Fall Seminar**
2 **Standing Committee on Native American Affairs and Gaming**
3 **Resolution #1**

4
5 **Resolution Calling on the State of New York to Make All Municipalities**
6 **Whole in the Saint Regis Mohawk Tribal Gaming Region that Have Been**
7 **Impacted by the State’s Lack of Payment**
8

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

13 **WHEREAS**, under agreement and codification in New York law, the St. Regis Mohawk
14 Tribe pays 25 percent of all gaming revenue to the State of New York in return for, in
15 part, exclusivity in regional gaming rights; and
16

17 **WHEREAS**, under the agreement, the State of New York shares with local
18 governments, including counties and numerous towns in Northern New York, a portion
19 of revenue they receive from the St. Regis Mohawk Tribe; and
20

21 **WHEREAS**, the counties and local governments rely on that revenue to maintain
22 infrastructure and provide public safety for all residents, as well as provide services
23 needed to help support this growing gaming industry; and
24

25 **WHEREAS**, in March 2020, the State of New York, under a State of Emergency, closed
26 many businesses, especially ones where crowds gathered, including casinos, resulting in
27 revenue losses for the Akwesasne Mohawk Casino; and
28

29 **WHEREAS**, in August 2020, casinos, including the Akwesasne Mohawk Casino, were
30 allowed to, and did, reopen with a limited capacity and began making revenue once
31 again that should have been shared in quarterly payments with the State and local
32 governments; and
33

34 **WHEREAS**, in 2022 and 2023 the State made partial payments of gaming revenue to
35 the seven counties in this region; however, these payments did not continue; and
36

37 **WHEREAS**, this funding is needed by the counties to fix roads, support social services,
38 and provide for public health and safety; and
39

40 **WHEREAS**, the St. Regis Mohawk Tribe and the counties of New York have a long
41 history of productive partnerships and respect; and
42

43 **WHEREAS**, the State of New York has created a system by which vital local services
44 are dependent on continued revenue being received and distributed to local

1 governments through casino gaming, yet the State has not made a contingency plan
2 and/or ignored the needs of local governments when this revenue is lowered or
3 withheld.

4
5 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
6 Counties (NYSAC) calls on the State of New York to immediately make all municipalities
7 whole for the funding being withheld by the State by either lack of collection from the St.
8 Regis Mohawk Tribe or collected and not passed through in a timely manner; and

9
10 **BE IT FURTHER RESOLVED**, if future payments are withheld by the Mohawk tribe,
11 the State shall make all municipalities impacted whole in timely quarterly payments;
12 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**, that NYSAC shall forward copies of this resolution to
18 Governor Kathy Hochul, the New York State Legislature, the St. Regis Mohawk Tribe,
19 and all others deemed necessary and proper.

1 **NYSAC 2024 Fall Seminar**
2 **Standing Committee on Native American Affairs and Gaming**
3 **Resolution #2**

4
5 **Resolution Calling on the State to Equitably Distribute Gaming Revenue to**
6 **all New York Counties and to Make Whole Counties Impacted by the State’s**
7 **Gaming Revenue Changes**
8

9 **WHEREAS**, in recent years the State has altered the commercial gaming industry with
10 actions such as legalizing mobile sports betting and reducing the gaming tax on selected
11 commercial casinos; and
12

13 **WHEREAS**, soon more changes will occur that impact the State’s gaming revenue
14 System, including the license bids for up to three more downstate private casinos as well
15 as the State negotiating a new compact with the Seneca Nation in Western NY; and
16

17 **WHEREAS**, the license rights from new downstate casinos will likely generate billions
18 of dollars in new revenue for the State of New York, none of which is scheduled at this
19 time to be shared with the local governments; and
20

21 **WHEREAS**, the State’s current gaming revenue sharing system brings hundreds of
22 millions of dollars to local governments and has become crucial funding in support of
23 local government services; and
24

25 **WHEREAS**, this needed local government funding support is especially important in
26 areas with recently created private casinos where infrastructure needs such as road
27 maintenance, public safety and public health services all increased; and
28

29 **WHEREAS**, the recent and future changes directly impact the current local
30 government revenue-sharing system within certain regions; and
31

32 **WHEREAS**, any gaming revenue disruption to this sharing system directly impacts a
33 local government’s ability to provide crucial services.
34

35 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
36 Counties (NYSAC) calls on the State to make a permanent annual appropriation to offset
37 any local funding decrease that results from the State’s private casino tax reductions;
38 and

1 **BE IT FURTHER RESOLVED**, NYSAC calls on the State to make a permanent
2 annual appropriation to offset any local funding decrease that results from major
3 gaming statewide changes such as mobile sports betting, private casino expansion, and
4 the resulting compact negotiations with the Seneca Nation; and

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

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



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2024 NYSAC Fall Seminar
Sullivan County**

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

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Public Health/Mental Health**
3 **Resolution #1**

4
5 **Resolution Calling on Governor Hochul to Include a 20 Percent Increase to**
6 **State Aid for Local Government Units (LGUs) in the SFY 2025-26 Executive**
7 **Budget to Support County-Based Single Point of Access (SPOA) Programs**
8

9 **WHEREAS**, LGUs and Directors of Community Services (DCSs) have specific
10 responsibilities and authority under the Local Services provisions of Article 41 of the
11 NYS Mental Hygiene Law (MHL) for planning, development, implementation, and
12 oversight of services to adults and children in their counties affected by mental illness,
13 substance use disorder, and intellectual/developmental disabilities (I/DD); and
14

15 **WHEREAS**, the LGUs/DCSs see first-hand how unmet mental health concerns are
16 crippling our communities with rising need for inpatient and outpatient treatment
17 services, increased calls to crisis services lines, rising incidents of overdose and overdose
18 deaths, addiction relapse, and suicide attempts and the impact of providers struggling to
19 adequately staff and maintain programs; and
20

21 **WHEREAS**, children and families in New York State are in severe crisis and it is
22 imperative the state take notice and work to develop a well-rounded continuum of care
23 to meet these mental health needs; and
24

25 **WHEREAS**, children with serious emotional disturbance (SED) and/or substance use
26 disorders (SUD) have complex needs requiring coordination across multiple systems to
27 identify and provide appropriate treatment; and
28

29 **WHEREAS**, in SFY 2001, the Enacted Budget created the SPOA initiative under the
30 Office of Mental Health (OMH) to create a more streamlined process for linking and
31 providing timely access to intensive OMH services and supports based on the identified
32 service needs; and
33

34 **WHEREAS**, SPOA coordinators are embedded under the authority of the LGU and
35 serve both Adults (A-SPOA) and Children (C-SPOA) to help achieve community-based
36 mental health systems that are cohesive and well-coordinated to serve those most in
37 need of services; and
38

39 **WHEREAS**, all LGUs have an established C-SPOA (supported by both state aid and
40 the county tax levy) to support, prioritize, and effectively ensure access to children's
41 mental health services; and

1 **WHEREAS**, through the oversight of the LGUs, C-SPOAs provide appropriate access
2 to services, prioritize placement referrals, ensure accountability between systems and
3 providers, and maintain ongoing contact and linkages with a variety of locally-based
4 systems in order to obtain connections to programs that best serve the child/youth and
5 family; and
6

7 **WHEREAS**, the state’s Medicaid redesign, changes and expansions to OMH programs,
8 and ever-increasing complexity of cases have continued to evolve the SPOA role and
9 have resulted in a significant increase in responsibilities for these SPOA coordinators;
10 and
11

12 **WHEREAS**, state aid funding to support these coordinator positions has remained
13 stagnant, resulting in LGUs supplementing costs and adding to the financial burden on
14 counties; and
15

16 **WHEREAS**, OMH has begun making significant investments in local programs to
17 support the cross-system services required to appropriately address the concerns of
18 these high-need children, especially those with co-occurring disorders.
19

20 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
21 Counties (NYSAC), in partnership with the LGUs/DCSs, strongly urge OMH to include a
22 20 percent administrative set aside for the LGUs as part of the agency’s SFY 2025-26
23 budget requests to the NYS Division of Budget to support county-based single point of
24 access programs; and
25

26 **BE IT RESOLVED**, that NYSAC calls on the Governor, Division of Budget, and
27 Legislature to ensure these investments are included in the SFY 2025-26 enacted
28 budget; and
29

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

33 **BE IT FURTHER RESOLVED**, the New York State Association of Counties shall
34 forward copies of this resolution to Governor Kathy Hochul, the Office of Mental Health,
35 the New York State Legislature, and all others deemed necessary and proper.

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Public Health/Mental Health**
3 **Resolution #2**

4
5 **Resolution Urging New York State to Support Efforts to Combat the Opioid**
6 **Epidemic by Amending County Law § 677 and Providing Additional**
7 **Reimbursement for Coroner and Medical Examiner Duties**
8

9 **WHEREAS**, the United States is facing a worsening overdose epidemic, with opioid-
10 related deaths rising from 49,860 in 2019 to 81,806 in 2022, according to the CDC; and
11

12 **WHEREAS**, two U.S. Surgeon Generals, Vivek Murthy and Jerome Adams, released
13 reports and advisories attempting to address the opioid epidemic; and
14

15 **WHEREAS**, the New York State Prevention Agenda for 2019-2024 includes substance
16 use disorder prevention as a priority focus area for state and local action; and
17

18 **WHEREAS**, the CDC's National Center for Health Statistics has consistently ranked
19 New York State among the top five states with the highest number of recorded overdose-
20 related deaths since 2015; and
21

22 **WHEREAS**, New York State reported 6,358 overdose-related deaths in 2022 and a
23 high death rate of 31.4, according to the CDC's National Center for Health Statistics; and
24

25 **WHEREAS**, county coroners and medical examiners are directed to make inquiries
26 into unnatural deaths, including overdose deaths, within their county under New York
27 State's County Law § 677; and
28

29 **WHEREAS**, the New York State Commissioner of Health or their designee has the
30 right to request all copies of reports and records related to a death, including, but not
31 limited to, autopsy reports and toxicology reports under County Law § 677 and Public
32 Health Law § 206-d; and
33

34 **WHEREAS**, county coroners and medical examiners must report records and reports
35 to various authorities, including the commissioner of health, district attorney,
36 commissioner of mental health, and others under County Law § 677; and
37

38 **WHEREAS**, local health departments' mandated core public health work includes
39 reducing preventable injury and death; and
40

41 **WHEREAS**, for the purpose of public health surveillance activities, local health
42 departments require access to information and data to monitor morbidity and mortality
43 trends in their jurisdiction; and

1 **WHEREAS**, access to timely local data will allow local health departments to better
2 develop and target evidence-based public health interventions to reduce injury and
3 death due to the current overdose epidemic; and
4

5 **WHEREAS**, County Law § 677 does not include a provision allowing local health
6 departments to request all reports and records related to a death within their county,
7 nor allow coroners and medical examiners to provide that information; and
8

9 **WHEREAS**, this is a barrier to public health responses to injury and deaths caused by
10 overdoses; and
11

12 **WHEREAS**, public health law provides the Commissioner of Health with supervisory
13 oversight of local health officials and local health departments and allows them to
14 regularly assign public health statutory responsibilities to local health departments as
15 their designee; and
16

17 **WHEREAS**, allowing the Commissioner of Health to make local health officials
18 designees under County Law § 677 would ensure that requests for data are made with
19 appropriate oversight and are aligned with the official purposes of the New York State
20 Department of Health.
21

22 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
23 Counties (NYSAC) urges the Governor and Legislature to adopt legislation to allow local
24 health officials to be considered a designee of the State Commissioner of Health under
25 County Law § 677; and
26

27 **BE IT FURTHER RESOLVED**, that NYSAC calls upon Governor Hochul to direct the
28 New York State Department of Health to provide additional reimbursements to New
29 York county coroners and medical examiners for the purpose of carrying out their duties
30 in accordance with County Law § 671 and 677; and
31

32 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
33 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, and all others deemed
37 necessary and proper.

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Public Health/Mental Health**
3 **Resolution #3**

4
5 **Resolution Urging the State Health Department to Reimburse Local Health**
6 **Departments (LHDs) for Costs Incurred During State-Led Communicable**
7 **Disease Investigations and to Establish a Mechanism for Local Authorities**
8 **to Request State Support When Necessary**

9
10 **WHEREAS**, communicable disease control is a critical public health function essential
11 for protecting the health and safety of all residents in New York State; and

12
13 **WHEREAS**, recent health emergencies have demonstrated the need for coordinated
14 and comprehensive responses involving both local health departments and the New
15 York State Department of Health (NYSDOH); and

16
17 **WHEREAS**, shared investigation and response by local health (LHDs) and NYSDOH
18 has been has proven effective in combatting disease outbreaks; and

19
20 **WHEREAS**, NYSDOH has codified in regulation the authority of the State
21 Commissioner of Health to elect to lead investigation and response activities but does
22 not provide a regulatory bi-directional pathway for local health authorities to request
23 that the State Commissioner of Health lead such investigation and response activities;
24 and

25
26 **WHEREAS**, while the Commissioner of Health may choose to lead disease
27 investigations and direct the use of local resources when necessary, the current
28 regulations do not adequately address the fiscal, legal, and administrative impacts on
29 local health authorities, particularly when they are required to supply personnel,
30 equipment, and information for state-led outbreak investigations.

31
32 **NOW, THEREFORE, BE IT RESOLVED**, that (LHDs) and the NYSDOH share joint
33 responsibility for the investigation and control of communicable diseases within New
34 York State; and

35
36 **BE IT FURTHER RESOLVED**, that the NYSDOH establish a process that allows
37 local health departments to formally request that the State Commissioner of Health
38 assume leadership of a communicable disease investigation in situations where there are
39 jurisdictional challenges, insufficient regulatory or oversight authority, a lack of
40 necessary expertise, or a shortage of resources required to effectively conduct or
41 continue the investigation; and

42
43 **BE IT FURTHER RESOLVED**, the State Health Commissioner shall reimburse the

1 local health authority for 100 percent of its costs incurred for such investigation and
2 response activities; and

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

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Public Health/Mental Health**
3 **Resolution #4**

4
5 **Calling on New York State to Protect the Public Water Supply from Harmful**
6 **Contaminants by Increasing Funding for County Drinking Water**
7 **Enhancement Grants**
8

9 **WHEREAS**, of the 58 local health departments (LHDs) in New York State, 36 provide
10 environmental health services in their communities; and

11
12 **WHEREAS**, these full-service LHDs conduct oversight and monitoring activities and
13 provide technical assistance to assure that public water supply operations achieve and
14 maintain compliance with all state and federal laws and regulations; and

15
16 **WHEREAS** environmental activities led by counties include carrying out sanitary
17 surveys, providing notice and reminders to public water supply operators regarding
18 testing and reporting requirements, creating annual sampling schedules prepared
19 through New York’s Safe Drinking Water Information System (SDWIS), and monitoring
20 to assure that testing is performed at the appropriate times throughout the year; and

21
22 **WHEREAS**, environmental health staff employed at full-service LHDs work hard to
23 ensure the quality of drinking water and routinely face emerging issues that pose
24 significant threats to water quality, including road salt contamination, the emergence of
25 unregulated chemicals in drinking water, water main breaks and infrastructure damage,
26 extreme weather conditions, agricultural impacts, and harmful algae blooms; and

27
28 **WHEREAS**, in the face of these threats to our drinking water, LHDs continue to face
29 ongoing resource limitations that undermine their capacity to respond, and the 2
30 percent New York State property tax cap constrains local government budgets; and

31
32 **WHEREAS**, when coupled with stagnant state funding, the result is that local health
33 departments too often struggle to maintain current programs, much less enhance their
34 ability to respond to the growing challenges of providing safe water for drinking and
35 recreation; and

36
37 **WHEREAS**, local health departments must ensure public water systems are
38 monitoring for over 100 contaminants to provide public notification of exceedances, as
39 well as develop a course of action and timetable to reduce the contaminant(s) below
40 maximum levels; and

41
42 **WHEREAS**, the identification and addition of new maximum contaminant levels
43 (MCLs) for per- and polyfluoroalkyl substances (PFAS), and other emerging
44 contaminants have increased the strain on resources and threaten to erode our already
45 limited capacity to maintain other critical public health services; and

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

5
6 **WHEREAS**, New York State invested \$2.5 billion in Clean Water Infrastructure and
7 Water Quality Protection in 2017-2018 SFY, and with annual appropriations of
8 \$500,000,000 since that time; while LHDs have been held to flat Drinking Water
9 Enhancement funding and are required to review all water improvement projects and
10 offer approval for safe installation for the communities they serve; and

11
12 **WHEREAS**, the annual investment for Drinking Water Enhancement grants is only 1
13 percent of the entire appropriation for Clean Water Infrastructure and Water Quality
14 Protection; and

15
16 **WHEREAS**, the original appropriation for Drinking Water Enhancement grants was
17 \$6 million; however, between SFY 2009-10 and SFY 2013-14, the grants were cut by a
18 cumulative 16 percent and have not increased since 2013-14 despite growing public
19 health needs and mandates.

20
21 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
22 Counties (NYSAC) calls on the Governor and Legislature take the following actions in
23 the coming fiscal year to protect and enhance public water supply:

- 24
25 1. Increase drinking water enhancement grant funding; and
26 2. Recognize the impact the last several years of funding constraints on the state
27 and local agencies responsible for ensuring the quality of our drinking water; and
28 3. Adopt policies to strengthen and facilitate partnerships across state agencies and
29 between the state and local government entities that share primary responsibility
30 for ensuring access to safe drinking water; and

31
32 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
33 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 and all others deemed
37 necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

2024 NYSAC Fall Seminar Sullivan County

Standing Committee on Public Safety Resolutions

Hon. Matthew Veitch (Saratoga County) – Chair
Hon. Sheriff Juan Figueroa (Ulster County) – 1st Vice Chair
Hon. Kathy Stegenga (Orange County) – Vice Chair
Dan Degear (Madison County) – Vice Chair

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #1**

4
5 **Resolution in Support of S.2695-B (Harckham) / A.7086-A (Jones) to**
6 **Ensure Sheriffs and Undersheriffs Continue to Have Police Officer Powers**

7
8 **WHEREAS**, sheriffs are elected law enforcement officials whose offices are established
9 by the New York State Constitution; and

10
11 **WHEREAS**, historically, those individuals inhabiting the office of both Sheriff and
12 Undersheriff were imbued with the legal authority of police officers solely by virtue of
13 holding those positions; and

14
15 **WHEREAS**, the statutory exemption granting sheriffs and undersheriffs police officer
16 powers as a component of holding the office, absent any other prerequisite training, was
17 ostensibly repealed as a component of the Professional Policing Act; and

18
19 **WHEREAS**, such statutory change has narrowed the field of qualified candidates for
20 sheriff, since individuals who are already police officers can credibly claim that their
21 civilian opponent, if elected, will not be a police officer, thereby diminishing the pool of
22 aspiring public servants who could bring diversity and new perspectives to the office of
23 sheriff.

24
25 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
26 Counties (NYSAC) supports S.2695-B / A.7086-A (2024), which would restore the
27 exemption language previously found in General Municipal Law section 209-q; and

28
29 **BE IT FURTHER RESOLVED**, this GML section 209-q grants sheriffs and
30 undersheriff with police officer powers by virtue of holding those esteemed positions;
31 and

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

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #2**

4
5 **Resolution Encouraging Governor Kathy C. Hochul and the New York State**
6 **Legislature to Increase the Medication-Assisted Treatment (MAT) Budget**
7 **Allocation for County Jails**
8

9 **WHEREAS**, local correctional facilities are obligated by Mental Hygiene Law section
10 19.18-c to provide medication-assisted-treatment (MAT) services to incarcerated
11 individuals who have been diagnosed with a substance use disorder; and
12

13 **WHEREAS**, the provision of MAT must also be accompanied by tangential therapeutic
14 services including counseling, peer support, and discharge planning; and
15

16 **WHEREAS**, in many circumstances obtaining the specific medications necessary to be
17 compliant with the law, particularly methadone, is a costly and time intensive endeavor;
18 and
19

20 **WHEREAS**, the annual appropriation provided in the State's Aid to Localities Budget
21 has remained static at the insufficient amount of \$8.865 million, to support the efforts
22 of 56 county jails.
23

24 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
25 Counties (NYSAC) will join in the efforts of the New York State Sheriffs' Association to
26 seek increased funding for this mandated and important public service; 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 similar resolutions; and
30

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #3**

4
5 **Resolution in Support of Efforts to Improve Probation and Alternatives to**
6 **Incarceration in New York State to Protect the Public and Reduce Reliance**
7 **on Prisons, Jails and Detention**
8

9 **WHEREAS**, county probation departments are an integral part of the Criminal Justice
10 System and operate within the legal framework of the Criminal Procedure Law, the
11 Penal Law and the Family Court Act; and
12

13 **WHEREAS**, it is the mission of probation to protect the community through
14 intervention in the lives of those under supervision by facilitating compliance with court
15 orders and serving as a catalyst for positive change; and
16

17 **WHEREAS**, State funding for probation was drastically reduced between 1990 and
18 2015 from a 46.5 percent State share in 1990 to less than 10 percent in 2024, putting a
19 huge strain on counties and additional costs to county property taxpayers; and
20

21 **WHEREAS**, at the same time there have been increases in the number of mandated
22 programs and services county probation departments are required to provide, from the
23 1990's where core services of intake, pre-sentence/pre-dispositional investigations and
24 supervision were the norm, to the current enhanced services that are provided by local
25 probation departments including but not limited to the following.
26

- 27 • Specialized caseloads to handle specific types of individuals such as sex
28 offenders, DWI, mental health, domestic violence and gang members.
- 29 • Probation departments' involvement with specialized treatment courts
30 (drug, domestic violence, mental health, veterans).
- 31 • Community service programming.
- 32 • School-based probation officers.
- 33 • Warrant squads for apprehension and return of offenders.
- 34 • DNA collection.
- 35 • Ignition interlock device monitoring.
- 36 • Expanded pretrial release programs to deal with the increased RUS cases
37 resulting from bail reform.
- 38 • Expanded electronic monitoring to deal with both bail reform and lack of
39 detention beds caused by increased juvenile crime.
- 40 • Increased probation officer time to search for specialized detention beds
41 occurring from Raise the Age.

- 1 • Increased administrative tasks that probation staff are now responsible for
- 2 including populating case management system and various risk
- 3 assessments.
- 4 • Increased responsibilities for collections and disbursement of funds in
- 5 connection with financial obligations including restitution, fines and
- 6 fees.
- 7 • Sex offender verification.
- 8 • Administering cognitive behavioral interventions.
- 9 • Increased training regarding the delivery of evidenced-based programs.
- 10 • Increased time and cost resulting from new hires completing the basic
- 11 course for peace officers (BCPO).
- 12 • Increased protocol for GIVE counties including higher supervision levels
- 13 and GPS for at least 6 months.

14
15 **WHEREAS**, the New York State Council of Probation Administrators, representing
16 NYS probation directors, administrators and commissioners, has diligently worked with
17 the New York State Association of Counties (NYSAC) and state leaders to bring more
18 awareness to the important work that Probation does to protect the public.

19
20 **NOW, THEREFORE, BE IT RESOLVED**, that NYSAC supports proposals put
21 forward by the Governor to immediately enact statutory and regulatory changes that
22 improve probation and alternatives to incarceration in the following ways.

- 23
24 1. In response to Raise the Age Legislation:
 - 25 a. Mandate that the state’s evidence-based criteria should account for existing
 - 26 local best practice programs;
 - 27 b. Let probation apply for a temporary protection order as part of the
 - 28 adjustment process;
 - 29 c. Authorize law enforcement agencies to issue appearance tickets if deemed
 - 30 appropriate by the arresting officer when Adolescent Offenders and Juvenile
 - 31 Offenders are charged with most D felonies; and
 - 32 d. Allow law enforcement agencies to deliver Adolescent Offenders and Juvenile
 - 33 Offenders to be held in detention facilities after hours without a securing
 - 34 order until the Youth Part is in session.
- 35
36 2. Establish a dedicated funding stream through DCJS/OPCA for 100 percent of
- 37 all local probation costs including, but not limited to, probation personnel and
- 38 evidence-based programming associated with Raise the Age Legislation.
- 39
40 3. Eliminate the monitoring of ignition interlock devices by local probation
- 41 departments or monitors in all cases where a term of state prison has been
- 42 imposed.

- 1 4. That local probation departments receive 100 percent funding for all pre-trial
2 services costs associated with bail reform, including, but not limited to,
3 probation personnel expenses.
4
- 5 5. That the Executive Chamber and the Office of Children and Families (OCFS)
6 work towards transitioning some of the closed OCFS and/or Department of
7 Correctional and Community Supervision facilities to accommodate the lack
8 of specialized secure detention beds as well as allowing county consortiums to
9 open specialized secure detention facilities if desired.
10
- 11 6. The Division of Budget should be required to expeditiously reimburse
12 counties for expanded or new specialized secure detention facilities, as the
13 current capacity statewide is inadequate to meet our youth's detention rates.
14

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

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #4**

4
5 **Resolution Encouraging the State Legislature and Governor to Enact**
6 **Technical Edits to Components of the Raise the Age Law**

7
8 **WHEREAS**, the Raise the Age (RTA) law was enacted on April 17, 2017; and

9
10 **WHEREAS**, RTA prohibits 16- and 17-year-olds from being held in adult jails and
11 prisons, makes substantive changes to the procedures and mechanisms used to
12 process these individuals in the criminal justice and youth justice systems, and allows
13 for additional services for youth and alters the types of detention and/or placement they
14 may receive; and

15
16 **WHEREAS**, State statute authorizes, and the State Financial Plan assumes 100 percent
17 State reimbursement to eligible localities for RTA-related expenditures – including all
18 incremental capital, personnel, and non-personnel costs counties/municipalities incur
19 because of RTA; and

20
21 **WHEREAS**, the State will cover incremental costs, such as law enforcement, local
22 detention, court services, sheriffs' transportation, probation services, youth placement,
23 and aftercare services, and

24
25 **WHEREAS**, the RTA law went into effect for 16-year-olds on October 1, 2018, and for
26 17-year-olds on October 1, 2019; and

27
28 **WHEREAS**, the law has now been in effect for five years and to build upon the success
29 of RTA, counties have identified areas of opportunity to improve the statute.

30
31 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
32 Counties (NYSAC) supports the following proposals to immediately enact statutory and
33 regulatory changes that improve the RTA statute in the following ways:

- 34
35 • **Criminal Procedural Law Section 722.23 should be amended to include**
36 **all felony violations of Penal Law Article 265 (gun cases).**
37 ○ District attorneys should be able to automatically prosecute all gun cases in
38 the Youth Part and should not have to rely on the courts' unpredictable,
39 undefined, and inconsistent findings of "extraordinary circumstances." We
40 see far too many cases removed to family court and no real accountability for
41 adolescent offenders for serious crimes involving firearms. Often, these
42 offenders graduate to more serious crimes, including murder.
43 • **Close the Robbery Loophole by expanding Section 722.23(2).**

- 1 ○ Article 722.23 currently only allows district attorneys to continue to prosecute
- 2 a case when we can prove that the defendant displayed an actual, operable
- 3 firearm. This means that cases where a defendant displayed something that
- 4 appears to be a firearm or possessed a weapon without displaying it cannot be
- 5 prosecuted by the district attorney. So, when a defendant robs a victim using a
- 6 non-working or unloaded gun, or the gun is not recovered, district attorneys
- 7 are not allowed to prosecute, and the case is removed to family court.
- 8 • Section 722.23 should be further amended to allow for the court's discretion in
- 9 allowing the district attorney to maintain prosecution in certain additional
- 10 circumstances.
- 11 • Allow youth part judges, prosecutors, and defense counsel to see family court
- 12 records.
- 13 • Reimbursements to counties for operating and capital expenses shall be provided in
- 14 the year in which funds are appropriated and expended.

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**, NYSAC shall forward copies of this Resolution to
20 Governor Kathy Hochul, Deputy Secretary for Public Safety Marcos Gonzalez Soler, the
21 New York State Legislature and all others deemed necessary and proper.

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #5**

4
5 **Resolution Urging the State of New York to Enact the Rescue EMS Package**
6 **of Legislation to Strengthen our Emergency Medical Services**

7
8 **WHEREAS**, Emergency Medical Service (EMS) is a vital resource, necessary to the
9 health and well-being of communities across New York; and

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

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

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

22
23 **WHEREAS**, as a result, EMS providers are often undervalued and under-respected for
24 the critical role they play in our communities; and

25
26 **WHEREAS**, the State Legislature passed through both houses several components of
27 the Rescue EMS Package, including these bills introduced in 2024:

- 28
29
- 30 • **S.8486-C (Hinchey) / A.9102-C (Kelles)**. This legislation authorizes
31 Medicaid reimbursement to emergency medical services (EMS) agencies for
32 providing Treatment in Place (TIP) to a patient at the point of response; as well
33 as Transportation to an Alternate Provider (TAP), getting a patient to the most
34 appropriate health care setting other than a hospital, such as a mental health
35 clinic, rehabilitation facility or urgent care.
 - 36 • **Authority for Ambulances to Store and Distribute Blood & Initiate**
37 **Blood Transfusions – S.6226-A (Hinchey)/A.5789-A (Woerner)**. This
38 legislation amends the public health law to allow for ambulance services and
39 advanced life support first response service to store and distribute blood.
40 Distribution and administration of the blood on an ambulance is limited to only
41 qualified medical and health personnel, such as a registered nurse.
 - 42 • **Grants Municipalities the Authority to Offer Real Property Tax**
43 **Exemptions to Volunteer EMS and Firefighters Working in**
44 **Neighboring Communities–S.2862-A (Martinez)/A.2121-A (Stern)**.
This legislation provides localities with the option of adopting a local law to allow

1 residents who serve in a neighboring municipality the ability to receive a tax
2 exemption they would be entitled to had they served in the municipality in which
3 they reside; and

4
5 **WHEREAS**, despite the bills that successfully passed in the 2024 legislative session,
6 more work needs to be done to address this crisis; and

7
8 **WHEREAS**, the EMS framework in New York includes an array of private, public, or
9 not-for-profit providers that have expanded across the state in a scattered, patchwork
10 approach; and

11
12 **WHEREAS**, this leaves many New York residents uncertain whether an EMS provider
13 will be available in their community at the time of need, which necessitates greater
14 flexibility for municipalities to ensure EMS can meet unique local challenges and build
15 the foundation for a stronger and more efficient EMS system.

16
17 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
18 Counties (NYSAC) urges the New York State Legislature and Governor Kathy Hochul to
19 support the following legislative measures (2024 bill numbers) during the 2025
20 legislative session:

21 • **S.4020-C (Mayer) / A.3392-C (Otis)**

22 This comprehensive legislative package allows special taxing districts to be
23 created to fund EMS services. In addition, this legislation would recognize EMS
24 as an essential service and provide reforms to the Emergency Medical Services
25 Council.

26 • **S.5000 (May) / A.4077 (Lupardo)**

27 This legislation would remove EMS services from the real property tax cap,
28 allowing local municipalities to expand and better support their local EMS
29 services. This measure is of critical importance to counties like Erie, Wayne,
30 Otsego, and Wyoming which have established county-operated EMS systems.

31 • **S.6630 (Mannion) / A.6274 (Barrett)**

32 This legislation allows volunteer firefighters and ambulance workers to claim
33 both state income and local property tax credits.

34 • **S.7286 (Martinez) / A.7524 (Thiele) (Part CC, S.8309-A)**

35 This legislation increases the volunteer firefighters' and ambulance workers'
36 personal income tax credit from \$200 to \$800 for eligible individuals and from
37 \$400 to \$1,600 for eligible married joint filers. This legislation also allows
38 volunteer firefighters and ambulance workers to claim both state income and
39 local property tax credits.

40 • **S.3223 (Sanders) / A.9237 (Hevesi)**

41 This bill would create a methodology for ambulance reimbursement under
42 Medicaid that more closely approximates the cost of providing the service.
43 Ambulances are required by law to pick everyone up, including Medicaid
44 patients. It is unfair to require these ambulance companies to accept Medicaid

1 patients and then not fairly reimburse them for the costs of providing services to
2 these patients.

3 • **S.6645 (Comrie) / A.6136 (Eachus)**

4 This legislation requires the Thruway Authority to issue emergency services
5 permits to EMS vehicles as is already done for fire vehicles, which would exempt
6 EMS from being required to pay tolls while transporting patients on the NYS
7 Thruway.
8

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

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #6**

4
5 **Resolution Urging the State of New York to Enact S.4583-A (Martinez) /**
6 **A.5942-A (Jean-Pierre) Amending the County Law, in Relation to the Next**
7 **Generation 911 System**
8

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

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

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

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

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

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

38 **WHEREAS**, today, 911 centers face a wide range of challenges, ranging from funding,
39 staffing issues, and high call volumes to helping people with special needs and the
40 proliferation of the use of new communications technologies and a adequate amount of
41 funding is necessary; and
42

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

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

4
5 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
6 Counties (NYSAC) urges the New York State Legislature and Governor Kathy Hochul to
7 enact S.4583-A (Martinez) / A.5942-A (Jean-Pierre) into law; and

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

11
12 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
13 Governor Kathy C. Hochul, the New York State Legislature, and all others deemed
14 necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2024 NYSAC Fall Seminar
Sullivan County**

**Standing Committee on Taxation and Finance
Resolutions**

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

1 **NYSAC 2024 Fall Seminar**
2 **Standing Committee on Taxation and Finance**
3 **Resolution #1**

4
5 **Resolution Supporting Proposals, Including S.885-C (Hinchey)/A.4130-C**
6 **(Fahy), to Modernize New York’s Sales Tax Laws to Include the Short-Term**
7 **Rental Industry and Urging the Governor to Sign this Legislation**
8

9 **WHEREAS**, the Internet and numerous marketplace platforms that help facilitate
10 retail transactions electronically have provided a boost for many sectors of the economy
11 and made it easier for consumers to purchase goods and services; and
12

13 **WHEREAS**, with this growth many states have realized their tax systems need to be
14 updated to accommodate these new modalities of retail activity; and
15

16 **WHEREAS**, a sizable number of new vendors and hosts/owners that use these
17 platforms, or sell directly over the Internet, do not always understand their
18 responsibility to collect state and local sales tax on taxable transactions; and
19

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

27 **WHEREAS**, Governor Hochul’s SFY 2025 Budget proposed to update sales tax laws to
28 ensure all short-term rental hosts, and marketplace providers that facilitate these
29 rentals (such as Airbnb and Vrbo, among others), are required to collect sales tax on
30 such rentals; and
31

32 **WHEREAS**, the Governor’s proposal was not included in the adopted SFY 2025
33 Budget, but the Legislature did pass similar legislation, S.885-C (Hinchey)/A.4130-C
34 (Fahy), that counties believe will facilitate the Governor’s primary objectives; and
35

36 **WHEREAS**, 36 counties and one city have entered voluntary local occupancy tax
37 collection agreements with Airbnb as of July 2024, and one county has a similar
38 agreement with Vrbo; and
39

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

1 **WHEREAS**, Vrbo collects state and/or local sales taxes or local occupancy taxes in all
2 50 states, the District of Columbia and Puerto Rico; and throughout Canada and
3 Mexico; and has done so for years; and

4
5 **WHEREAS**, Airbnb also collects state and/or local sales or occupancy taxes in 48
6 states, the District of Columbia, Puerto Rico, U.S. Virgin Islands; and throughout
7 Canada and Mexico; and

8
9 **WHEREAS**, the state Division of Budget estimates that modernizing this section of
10 sales tax law could provide \$16 million in additional sales tax for the 57 counties (\$6
11 million) and New York City (\$10 million); and

12
13 **WHEREAS**, a NYSAC analysis of counties outside of New York City that collect hotel
14 occupancy taxes themselves or with the assistance of Airbnb and/or Vrbo concludes that
15 the new sales tax that could be generated for counties if S.885-C/A.4130-C, or similar
16 legislation, were signed into law would be at least \$44 million; and

17
18 **WHEREAS**, nearly all counties, New York City and a variety of other municipalities
19 have local occupancy taxes, but also have unique non-tax related needs and concerns
20 regarding short term vacation rentals.

21
22 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
23 Counties (NYSAC) encourages the Governor to sign S.885-C/A.4130-C into law to
24 ensure short term rentals as defined in the proposal, and marketplace platforms
25 facilitating such rentals, are required to collect state and local sales taxes and remit
26 them back to the state for distribution back to local municipalities; and

27
28 **BE IT FURTHER RESOLVED**, NYSAC supports that such statewide actions to
29 encourage platforms that facilitate these rentals collect sales taxes also require the
30 collection of local occupancy taxes at local option; and

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

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

1 **NYSAC 2024 Fall Seminar**
2 **Standing Committee on Taxation and Finance**
3 **Resolution #2**

4
5 **Resolution Urging Governor Hochul to Veto S.967-A (Ryan)/A.1489-A**
6 **(Thiele), Legislation that Would Lower the Penalty Interest Rate in Tax**
7 **Delinquency Situations and Shift Higher Costs to Other Taxpayers**
8

9 **WHEREAS**, on May 25, 2023, the U.S. Supreme Court ruled in *Tyler v. Hennepin*
10 *County* that certain property tax enforcement provisions carried out by states will need
11 to change, specifically, returning any surplus to the prior owner after appropriate
12 delinquent taxes, penalties, fees and administrative expenses are reimbursed to the
13 enforcing entity; and

14
15 **WHEREAS**, the adopted SFY 2025 Budget fully addressed the issue of appropriate
16 interest rate levels in tax delinquency foreclosures as part of reform efforts to satisfy the
17 *Tyler v Hennepin Decision*, by ensuring surplus proceeds from a tax foreclosure sale are
18 appropriately returned to the prior owner(s), while building upon the robust
19 comprehensive services and protections counties provide to taxpayers facing, or in,
20 delinquency; and

21
22 **WHEREAS**, the adopted reforms to New York's In-Rem tax foreclosure process
23 provide a robust process for the distribution of surplus; establishes parameters for
24 determining surplus; ensures that a court will determine the order and priority of
25 returning surplus funds; provides protections for lienholders; provides legal protections
26 to municipalities by establishing that a property sold via a public auction represents the
27 full value of the property; and defines a process for nonpublic sales; and

28
29 **WHEREAS**, the adopted reforms also establish mechanisms for counties to be
30 reimbursed for delinquent taxes, penalties and interest; mailing costs; costs of
31 publication of notices; the cost of recording and filing legal documents; reasonable and
32 necessary costs of any search of the public record and notice requirements; and defines
33 other amounts owed to the tax district by virtue of a judgment lien, mortgage lien, or
34 any other lien; and

35
36 **WHEREAS**, the adopted reforms recognize that counties, as required under state law,
37 must act as tax enforcement officers when property taxes are unpaid and become
38 delinquent including the reimbursement of unpaid property taxes to school districts and
39 towns, as well as many villages that counties voluntarily hold harmless; and

40
41 **WHEREAS**, these hold harmless responsibilities often extend for many years as
42 defined under state law and practice; and

1 **WHEREAS**, in calendar year 2022, nearly \$450 million in delinquent school district,
2 town, and village taxes were turned over to counties for further collection efforts, with
3 counties making these jurisdictions whole for their unpaid taxes as long as necessary;
4 and

5
6 **WHEREAS**, counties will experience higher costs under the new foreclosure process
7 because of requirements under the *Tyler v. Hennepin Decision* under which all tax
8 foreclosure sales will, financially, be breakeven at best with many generating losses for
9 the tax enforcing jurisdiction; and

10
11 **WHEREAS**, the majority of locally levied county taxes are used to pay for state
12 mandated services and programs, and the SFY 2025 State Budget provides no additional
13 state funding to assist counties with losses that will increase because of the *Tyler v.*
14 *Hennepin Decision*; and

15
16 **WHEREAS**, the lower interest rate proposed in S967-A and A.1489-A is not defined
17 and leaves the final decision up to the Department of Taxation and Finance, which could
18 allow rates to be capped at no more than one-third of the current ceiling for the penalty
19 interest rate, and below the average mortgage interest rate available to homeowners
20 today and several multiples lower than the interest rate on a typical revolving credit
21 products; and

22
23 **WHEREAS**, a key source of revenue during tax delinquency foreclosures for counties
24 necessary to hold schools, towns and villages harmless for any unpaid property taxes
25 has come from interest payments and surplus funds from foreclosure sales (which are
26 no longer available under the *Tyler v Hennepin Decision*); and

27
28 **WHEREAS**, in subsequent years the increased revenue loss to counties from the U.S.
29 Supreme Court decision and lower interest rates proposed in S.967-A and A.1489-A,
30 along with higher administrative costs imposed by the aforementioned legislation that
31 would require tax enforcement districts to apply different penalty interest rates to
32 thousands of parcels based on their designation as residential, abandoned, commercial
33 or other; and

34
35 **WHEREAS**, these higher costs will need to be added to the following year's tax levy
36 raising property taxes on all property owners that already paid their property taxes in
37 full in the prior year, worsening the housing affordability crisis for all.

38
39 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
40 Counties (NYSAC) opposes S.967-A/A.1489-A and recommends Governor Hochul to
41 veto this legislation; and

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

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

1 **NYSAC 2024 Fall Seminar**
2 **Standing Committee on Taxation and Finance**
3 **Resolution #3**

4
5 **Resolution Urging the Governor to Sign Legislation (S.9348-A/A.10173-A),**
6 **that Expands the Electronic Open Auction Public Bond Sale Program**

7
8 **WHEREAS**, the New York State Association of Counties (NYSAC) has long supported
9 legislation that allows municipalities in New York to have access to more market options
10 when selling bonds to investors; and

11
12 **WHEREAS**, in 2019 New York authorized the establishment of an electronic open
13 auction bond sale pilot program and set forth specific provisions for participation; and

14
15 **WHEREAS**, the pilot program proved to be successful in providing more options to
16 authorized municipalities to access the bond market, increased the number of bidders,
17 and counties were confident the pilot program generated the best possible rates for
18 counties, providing savings for local taxpayers; and

19
20 **WHEREAS**, the initial pilot program limited access to the program to municipalities
21 with a population greater than 400,000 that also met certain dollar bonding thresholds
22 in preceding years; and

23
24 **WHEREAS**, S.9348-A (Martinez)/A.10173-A (Thiele) expands the opportunity for
25 more municipalities across the state to participate in the electronic open auction public
26 bond sale pilot program by removing the population requirements for all counties, and
27 allows other municipalities with a population of 100,000 or more to participate, and
28 also reduces prior bonding thresholds to having issued \$25 million in bonds within one
29 of the preceding five years (rather than three years) to participate in the electronic open
30 auction public bond sale pilot program; and

31
32 **WHEREAS**, this legislation passed both chambers unanimously.

33
34 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
35 Counties (NYSAC), encourages Governor Hochul to sign S.9348-A (Martinez) / A.10173
36 (Thiele); and

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

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

1
2 **NYSAC 2024 Fall Seminar**
3 **Standing Committee on Taxation and Finance**
4 **Resolution #4**

5
6 **Resolution Urging Governor Hochul and the State Legislature to Amend the**
7 **Sales Tax Sharing Arrangement Under Adult-Use Recreational Cannabis to**
8 **a More Balanced Split to Recognize the Additional Responsibilities Counties**
9 **have in Addressing Illegal Cannabis Stores and Providing Substance Use**
10 **Disorder and Mental Health Services**

11
12 **WHEREAS**, the Marihuana Regulation & Taxation Act (MRTA) was signed into law on
13 March 31, 2021, legalizing adult-use cannabis; and

14
15 **WHEREAS**, that legislation provides for a system where municipalities agree to host
16 retail dispensaries of adult-use cannabis, providing a four percent sales tax on retail
17 sales for host communities and counties to share based on the volume of sales from
18 dispensaries in each jurisdiction; and

19
20 **WHEREAS**, the local sales tax is split three percent for the host municipality and one
21 percent for the host county in recognition of additional resources each will need to
22 contribute to fully manage the repercussions of hosting such facilities including public
23 safety, traffic control, public health, mental health, and substance abuse treatment; and

24
25 **WHEREAS**, in the SFY 2025 Enacted Budget the state expanded public safety
26 authorization only to counties and New York City allowing them to close illegal cannabis
27 retail dispensaries which have proliferated across the state due to lax enforcement from
28 the state and a slow rollout of legal licenses to state authorized retailers created
29 opportunities for illegal shops to flourish, often with minimal risks for illegal operators;
30 and

31
32 **WHEREAS**, these illegal operators are often also selling other illegal narcotics,
33 products and adding such illegal substances to the cannabis they are selling
34 compromising public safety and public health as well as stealing local revenues due to
35 host communities because legal operators cannot compete; and

36
37 **WHEREAS**, the state also has a vested interest in shutting down illegal operators for
38 the same reasons identified here including the hundreds of millions in annual revenues
39 the state is counting on in their Financial Plan from the sale of legal adult-use cannabis
40 products; and

41
42 **WHEREAS**, in addition to counties being provided new public safety functions
43 counties are also solely responsible at the local level for ensuring public health, mental

1 health, substance abuse treatments, and other social services are available for people
2 struggling with addiction; and

3
4 **WHEREAS**, the current split of local sales tax of only one percent to the host county
5 undermines the ability of counties to ensure illegal operators are shut down and
6 essential public health, mental health, substance abuse, and other social services remain
7 available in the community.

8
9 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
10 Counties call upon the Governor and State Legislature to modify the current adult-use
11 cannabis sales tax sharing to an even two percent for the host community and two
12 percent for the county in recognition of the counties' larger role in enforcement and
13 treatment; and

14
15 **BE IT FURTHER RESOLVED**, counties support additional penalties for illegal
16 operators to discourage the incentive to reopen even after being shut down; and

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

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

1 **NYSAC 2024 Fall Seminar**
2 **Standing Committee on Taxation and Finance**
3 **Resolution #5**

4
5 **Resolution Calling on Governor Hochul and the State Legislature to**
6 **Improve Reuse and Recovery Options in Communities Hosting State**
7 **Facilities and Assets that are Closed or Decommissioned that have a Major**
8 **Impact on Employment and Local Revenues**

9
10 **WHEREAS**, the state has downsized certain facilities and assets that are underutilized
11 due to state law changes or inefficiency; and

12
13 **WHEREAS**, these state facilities and assets can often be by one of the largest employers
14 and purchasers of local products helping local businesses and communities prosper; and

15
16 **WHEREAS**, local communities and counties greatly appreciate the economic impact
17 from these state facilities and come to rely on their economic impact; and

18
19 **WHEREAS**, the state finds it necessary at times to close facilities and/or
20 decommission assets as their circumstances require; and

21
22 **WHEREAS**, these closures often have dramatic impacts on local economic conditions;
23 and

24
25 **WHEREAS**, state agencies sometimes do not agree to pay fees and charges to local
26 governments for services or benefits received which becomes an additional cost
27 absorbed by the local government or other payers in the community; and

28
29 **WHEREAS**, some localities have expressed interest in acquiring closed state facilities
30 or decommissioned assets, but the state has refused to transfer the asset; and

31
32 **WHEREAS**, for local communities it is essential to replace or revitalize the defunct
33 state property to help maintain the local economy but repurposing these sites often do
34 not happen for a variety of reasons including facilities being outdated, or located inside
35 of state protected lands like the Adirondack Park or Catskill Park, or other state
36 protected areas; and

37
38 **WHEREAS**, in the past the state has provided additional direct fiscal assistance to help
39 communities through this process; and

40
41 **WHEREAS**, without the ability to repurpose closed state facilities and replace the lost
42 jobs and economic impact communities are more likely to fall into economic decline, be
43 subject to lower real estate values, and suffer population loss.

1 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
2 Counties (NYSAC) urges Governor Hochul and the State Legislature to develop more
3 robust assistance programs to help local communities repurpose closed or
4 decommissioned facilities through direct cash assistance, encouraging private-sector
5 redevelopment, transferring properties to localities, job training, site
6 clearing/contamination remediation and preparation for future development, if
7 necessary, among other items; and
8

9 **BE IT FURTHER RESOLVED**, in situations where the state determines a closed
10 state property or decommissioned asset lies within a state park or state protected area
11 and cannot be repurposed, the state should provide payments in lieu of taxes (PILOT) to
12 the local communities based on the economic impact the facility/asset had while in use;
13 and
14

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

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



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

2024 NYSAC Legislative Conference Albany County

Standing Committee on Transportation and Public Works Resolutions

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution #1**

4
5 **Resolution Supporting a New Round of Capital Funding for New York**
6 **Airports in the SFY 2026 Executive Budget Proposal**

7
8 **WHEREAS**, New York recently completed a \$250 million program to transform and
9 modernize fourteen airports in Upstate New York, fostering regional economic
10 development and helping the state meet the goals of the Climate Leadership and
11 Community Protection Act; and

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

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

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

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

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

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

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

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

12
13 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
14 Counties urges the inclusion in the SFY 2026 Executive Budget of an appropriation
15 commensurate with the level of funding for the previous airport economic development
16 and revitalization initiatives (\$250 million) and accompanying increases over the next
17 three years for the Aviation Capital Grant Program, and the ultimate adoption of these
18 aviation investment levels in the final state budget; and

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

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution #2**

4
5 **Resolution Concerning New York’s Freshwater Wetlands Act Rulemaking**
6 **and Its Impact on Critical Local Highway, Bridge and Culvert Projects**

7
8 **WHEREAS**, in 2022, New York’s Freshwater Wetlands Act (Environmental
9 Conservation Law Article 24) was amended to increase application fees and make
10 several significant changes to program administration; and

11
12 **WHEREAS**, beginning January 1, 2023, water quality permit application fees were
13 increased for public works projects in certain wetlands to support wetland resource
14 protection activities by the State Environmental Conservation Department; and

15
16 **WHEREAS**, beginning in 2025, the current official New York State Freshwater
17 Wetlands Maps will no longer limit NYSDEC regulatory jurisdiction to wetlands
18 depicted on those maps and instead, maps will become informational and any wetlands
19 that meet new applicable definitions and criteria will be regulated by NYSDEC and
20 subject to permitting, regardless of whether they appear on the informational maps; and

21
22 **WHEREAS**, by January 1, 2028, the default size threshold for regulated wetlands will
23 decrease from 12.4 acres to 7.4 acres, and small wetlands of “unusual importance” will
24 continue to be regulated if they meet only one of 11 newly established criteria: and

25
26 **WHEREAS**, consequently, NYSDEC recently submitted and published in the State
27 Register a proposed rulemaking to implement, administer and enforce these changes;
28 and

29
30 **WHEREAS**, this regulatory action comes on the heels of the recent issuance of draft
31 guidance for the review of bridge and culvert projects in non-tidal waters requiring a
32 protection of waters permit and a water quality certificate used by NYSDEC, division of
33 fish and wildlife (DFW) during the review of stream crossing (bridge and culvert)
34 projects requiring a permit from NYSDEC; and

35
36 **WHEREAS**, for many counties and towns, these changes are likely to double the
37 number of locally owned culvert and bridge replacement, reconstruction and/or
38 maintenance projects that would require state approval, additional oversight and a
39 design of a structure for 150 percent span of the full bank—causing, for example, a
40 \$90,000 culvert replacement project to become a \$1 million-plus bridge project; and

1 **WHEREAS**, if the volume of permit applications as a result of the new wetlands
2 regulations and stream crossing guidance doubles, it could overwhelm an already time
3 consuming and burdensome process and could make many of these vital public works
4 projects cost prohibitive; and

5
6 **WHEREAS**, the expanded number of increased applications for permits can be
7 expected to render the water protection programs unworkable or, at best, prevent timely
8 processing of applications for critical projects that may have wider impacts such as those
9 impacting important wetlands and those in AA and AA (T), A and A (T), B and B (T),
10 and C (T) streams; and

11
12 **WHEREAS**, local highway maintenance resources are already stretched to the limit,
13 and the added burden and delay in permitting could be untenable for many local
14 governments and could result in inordinate road closures, possible flooding and
15 disruptions of travel within communities that would have to find ways around a failed
16 culvert or bridge crossing for an extended amount of time before state permission may
17 be granted and the additional funds become available, which could be never depending
18 on competing priorities; and

19
20 **WHEREAS**, a bill passed by the legislature to add mostly inconsequential C Streams to
21 the list of streams where transportation projects would be required to be permitted was
22 vetoed in 2020, and again by Governor Kathy Hochul in 2022 and 2023, who wrote as
23 justification for rejecting the legislation, that the bill “would have significant regulatory
24 impacts on state and local transportation projects and would carry substantial costs for
25 the State, as well as for local governments and the communities that would bear the
26 impact of these new requirements”; and

27
28 **WHEREAS**, in addition to using state licensed engineers and consultants, counties
29 already receive significant oversight and guidance from the state’s County Soil and
30 Water Conservation Districts to address environmental activities, implement flood
31 prevention and recovery programs and provide technical expertise to municipalities on
32 infrastructure needs.

33
34 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
35 Counties (NYSAC) requests that Governor Hochul continue to recognize that these new
36 regulations, if not designed appropriately could have a detrimental impact on the very
37 wetlands and streams they are intended to protect by overwhelming the permitting
38 process, increasing project cost and delays significantly, and creating unnecessary
39 operational burdens on county efforts to maintain transportation infrastructure; and

1 **BE IT FURTHER RESOLVED**, as part of the regulatory process, consideration needs
2 to be given to developing an MOU or general permit program that can address the intent
3 of the wetlands and stream protection statutes, regulations and guidance and at the
4 same time, allow for a uniform and expedited permit and review process for local public
5 works projects; and
6

7 **BE IT FURTHER RESOLVED**, that permit fees be waived for local government
8 sponsored transportation and public works projects as these are necessary activities
9 intended to address a public purpose and as such applying these fees should not be
10 subject to state assessments; and
11

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

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution #3**

4
5 **Resolution Urging the Governor and State Legislators to Adjust the State’s**
6 **5-Year Transportation Capital Plan**

7
8 **WHEREAS**, the State’s 5-Year Transportation Capital Plan provides significant
9 support for local governments to maintain and improve roads and bridges highlighted
10 by the Consolidated Local Streets and Highway Improvement Program (CHIPS),
11 BRIDGE-NY, PAVE-NY, Extreme Winter Recovery (EWR), State Touring Routes, and
12 Operation Pave Our Potholes (POP) programs; and

13
14 **WHEREAS**, each year the Governor presents to the legislature in January an Executive
15 Budget that routinely appropriates funding for these programs at levels commensurate
16 with the levels established by the plan, which was the case again for the third year in the
17 SFY 2025 budget; and

18
19 **WHEREAS**, unprecedented inflationary impacts continue to place enormous pressure
20 on local governments to maintain existing levels of transportation construction,
21 maintenance, and service on what constitutes 87 percent of the State’s 110,000 miles of
22 roadways, 50 percent of 18,000 bridges, and 46 percent of the vehicle miles traveled in
23 New York; and

24
25 **WHEREAS**, the cost of highway and bridge projects has continued to skyrocket, as
26 costs have increased by well over 60 percent since the end of 2020, according to the
27 Federal Highway Administration’s National Highway Construction Cost Index which
28 shows that inflation in this sector is more extreme than in the general economy, eroding
29 more than \$1 billion in the value of local construction budgets, resulting in fewer critical
30 road, bridge, and culvert projects that are able to be undertaken; and

31
32 **WHEREAS**, the Federal Infrastructure and Jobs Act provides New York State with an
33 additional \$4.6 billion from 2022-2027; however, the vast majority (nearly 90 percent)
34 of local roads are not eligible to receive these federal highway funds; and

35
36 **WHEREAS**, this vast system of local roads, bridges and culverts now requires
37 incremental increases in levels of funding each year over the next 2 years just to hold
38 local governments harmless from the loss of buying power to reverse the deterioration
39 of our aged and ailing transportation infrastructure, account for inflation and build up
40 the systems’ resiliency and resistance to severe storms and other natural disasters; and

41
42 **WHEREAS**, local highway departments are under pressure to do more to address
43 environmental concerns, transition construction vehicles and equipment to zero
44 emissions, follow stricter guidelines for doing bridge and culvert work in streams,

1 adopting more aggressive smart growth and complete street principles, and utilizing
2 green construction materials in projects, requiring significant additional funding; and

3
4 **WHEREAS**, a safe and efficient transportation infrastructure is necessary for trade,
5 economic development and revitalization, job creation and retention, schools,
6 agriculture, businesses, health and hospital facilities and emergency responders, as well
7 as for the general traveling public.
8

9 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
10 Counties (NYSAC) is urging Governor Kathy Hochul to recognize the critical situation
11 facing our transportation infrastructure resulting from unprecedented construction
12 inflation and increasing infrastructure needs by adjusting the 5-Year Capital Plan levels
13 for local transportation programs over the next two fiscal years starting with the SFY
14 2026 Executive Budget proposal; and

15
16 **BE IT FURTHER RESOLVED**, that NYSAC supports a \$500 million increase in
17 CHIPS and other state aid to local transportation programs in the next state budget as a
18 necessary first step in restoring the purchasing power originally contemplated in the 5-
19 Year Transportation Capital Plan for local projects; and

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

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

1 **2024 NYSAC Fall Seminar**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution #4**

4
5 **Resolution Concerning the Impacts of Efforts to Electrify Highway**
6 **Department Vehicles by Adoption of the Advanced Clean Truck Rule**

7
8 **WHEREAS**, in 2019, the Climate Leadership and Community Protection Act (CLCPA)
9 was signed into law to require New York to reduce economy-wide greenhouse gas
10 emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels;
11 and

12
13 **WHEREAS**, the CLCPA directs the development of performance-based standards for
14 sources of greenhouse gas (GHG) emissions including for the transportation sector by
15 reducing GHG emissions from motor vehicles; and

16
17 **WHEREAS**, New York State adopted California's Advanced Clean Trucks (ACT) Rule
18 in December 2021 that requires applicable medium and heavy-duty (M/HD) vehicle
19 manufacturers to sell a percentage of their total sales in New York as zero-emission
20 vehicles (ZEVs) starting in model year (MY) 2025 with increasing ZEV sales through MY
21 2035; and

22
23 **WHEREAS**, the cost of transitioning the state and local highway departments' utility
24 and construction vehicles, snowplows and equipment to run on battery power as
25 mandated by ACT and other state strategies is at this juncture incalculable, but expected
26 to exceed the ability to be financed without substantial sources of new revenues directed
27 strictly for the retrofit or procurement of such ZEVs and equipment; and

28
29 **WHEREAS**, as commercial production of M/HD large-scale, electric construction
30 vehicles is today a nascent industry, the ability of local highway departments to plan for
31 this transition, with its concomitant mandates that fuel and electricity charging sources
32 be carbon-free, is of tremendous concern considering that the transportation system at
33 all levels of New York government is significantly underfunded; and

34
35 **WHEREAS**, while ACT regulations do not require M/HD fleets, owners, operators, or
36 dealerships to purchase ZEVs, the sales mandates on vehicle manufacturers are
37 expected to lead to shortages in supply of not only complying electric vehicles but of
38 traditional gasoline and diesel vehicles as well; and

39
40 **WHEREAS**, alarmingly, some M/HD vehicle dealerships have notified highway
41 departments that, due to manufacturers' need to plan for the sales mandates adopted by

1 New York and some other states, many orders for trucks are being delayed or canceled;
2 and

3
4 **WHEREAS**, notably, Maine, North Carolina and Connecticut among other states
5 recently stepped back from adopting ACT regulations citing concerns over the
6 availability of heavy-duty vehicle charging stations and the high cost of zero-emission
7 trucks; and

8
9 **WHEREAS**, in July 2024, the New York State Comptroller released an audit on the
10 State’s progress in meeting Climate Act goals and noted several deficiencies including
11 the need to increase communication with stakeholders and provide more accurate cost
12 estimates. The audit goes on to add that the lack of cost estimates jeopardizes the
13 chances of success in meeting climate goals. The comptroller urges the state to clarify
14 for key stakeholders, especially energy ratepayers, the extent to which ratepayers will be
15 responsible for Climate Act implementation costs; and

16
17 **WHEREAS**, New York’s climate goals must be implemented in a way that is affordable
18 while assuring adequate supplies of these specialized vehicles and functional highway
19 construction equipment that meet state specifications, estimated to increase the cost of
20 a new truck by about one-third; and

21
22 **WHEREAS**, the rush to introduce electric vehicles in New York can be counter-
23 productive to the environment as the bulk of the power generation used to charge new
24 vehicle batteries is produced by fossil fuels, and is a reason to move more slowly to sync
25 with the pace of the transition to a zero-emission electric grid by 2040; and

26
27 **WHEREAS**, recognizing these potential impacts on the ability of local governments to
28 continue to deliver necessary transportation services and facilities to the traveling public
29 it is vital that state elected representatives and agencies assist county highway
30 departments in developing strategies, funding sources and realistic timelines for
31 achieving these aggressive GHG emissions reduction goals in the face of market and
32 fiscal barriers to the transition; and

33
34 **WHEREAS**, all levels of government need to work together throughout the regulatory
35 process to assure strategies and mandates put in place to meet the CLCPA goals for the
36 transportation sector are realistic and achievable and will benefit the environment.

37
38 **THEREFORE, BE IT RESOLVED**, that the New York State Association of Counties
39 calls on the Governor, the NYS Department of Transportation (NYSDOT) and NYS
40 Department of Environmental Conservation (NYSDEC), NYSERDA, PSC,
41 Commissioners and legislative leaders to commit to providing support for addressing

1 these concerns in the regulatory and implementation process and to dedicate the
2 funding necessary to fully cover the counties' costs of complying with the state mandates
3 under the CLCPA; and

4
5 **BE IT FURTHER RESOLVED**, that the Governor consider a pause or suspension of
6 the implementation of ACT until there is strong evidence that the state has in place the
7 necessary direct financial assistance and incentives and charging infrastructure
8 necessary, and can definitively determine that vehicle manufacturers are prepared to
9 effectively supply the New York market without disruption to the critical work needed to
10 maintain the state's vast and aging infrastructure; and

11
12 **BE IT FURTHER RESOLVED**, that the state recognize that highway construction,
13 maintenance vehicles, and equipment are critical to governments' mission to maintain a
14 safe and functional transportation system by designating these municipally owned
15 vehicle and equipment as a category among "transit buses, motor coaches, and
16 emergency vehicles," and thus exempt from ACT regulation.

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; and the commissioners of
23 NYSDOT, NYSDEC, NYSERDA, PSC and all others deemed necessary and proper.