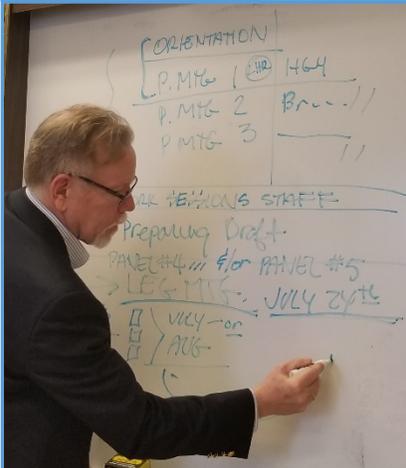


Cayuga County Administrator's MONTHLY REPORT

Reporting Period: March 1 - 31, 2018



Cayuga County Government
www.cayugacounty.us

CONTENTS

County Administrator’s Message	3
County Administrator’s Office	4
GOVERNMENT OPERATIONS.....	6
County Attorney’s Office	6
County Clerk’s Office.....	7
Clerk of the Legislature	10
Information Technology	11
Board of Elections	12
Veteran’s Service Agency.....	13
PUBLIC WORKS.....	14
Buildings & Grounds Parks & Recreation	14
County Highway Department	15
Water & Sewer Authority	17
Weights & Measures.....	18
PLANNING & ECON. DEVELOPMENT	19
Planning & Economic Development Dept.....	19
Employment & Training Cayuga Works	22
Cayuga Economic Development Agency	23
Cornell Cooperative Extension	25
Soil & Water Conservation District.....	26
Convention & Visitor’s Bureau (Tourism)	28

JUDICIAL & PUBLIC SAFETY.....	30
Assigned Counsel Stop DWI Youth Bureau....	30
E-911 Center	32
Sheriff’s Department	33
District Attorney’s Office.....	34
Emergency Management Office.....	35
Coroner’s Office.....	38
Probation Department.....	39
HEALTH & HUMAN SERVICES	41
Mental Health Dept. Social Services	41
Health Department	44
Office for the Aging	45
WAYS & MEANS	46
Treasurer’s Office.....	46
Department of Real Property Tax Services	47
Department of Human Resources.....	49
OTHER REPORTS.....	51
Budget Report	51
Probation Department – Raise the Age	52
Sales Tax Report	55
Drug-Free Community Coalition Infographic	56
NYSCA Enacted State Budget Report	57

Department Updates

Reporting Period: Mar 1-31, 2018



County Administrator's Monthly Report Reporting Period: March 1-31, 2018

Please find our latest edition of the County Administrator's Monthly Report. The Monthly Report is designed to provide up-to-date data and information on the operations of County Government. Within you will find monthly updates from departments and contract agencies, and special reports.

We reached the 100 day milestone of our journey together this month! March is also National Ethics Awareness Month. In observance, we included links to various professional codes of ethics throughout our reports. I belong to several professional planning, government, and legal associations. Most relevant to my current work is the International City/County Management Association, and I recently posted the tenets of the ICMA Code of Ethics in my office.

The ICMA Code of ethics is the foundation of local government management - committing government managers to equity, transparency, integrity, stewardship of public resources, political neutrality, and respect for the rights and responsibility of elected officials and residents by strengthening democratic local governance. These values are captured in many professions' ethical codes, and also reflect the type of culture we are trying to build in the County.

The recent State of the County, shown on the top left of this month's cover, was infused with these values. Also shown is a general highway department staff meeting, a strategic planning meeting focused on the countywide shared services initiative, the United Way annual meeting chaired by our own Lynn Marinelli, and a site visit during the feasibility of a 5MW community solar project on County property.

On behalf of the Cayuga County employees and department heads, we hope the Legislature finds this report an informative tool that assists them in serving their constituents as policymakers, and we hope it provides transparency and useful information to the community at large. As always, we look forward to hearing your feedback!

J. Justin Woods, JD, MPA
County Administrator

Department Updates

Reporting Period: Mar 1-31, 2018

County Administrator's Office

J. Justin Woods, JD, MPA

County Administrator

- [International City/County Management Association](#) Code of Ethics
- [American Society of Public Administration](#) Code of Ethics
- [Planners Network](#) Statement of Principles
- Distributed CGR's [County Organizational Assessment](#). Currently preparing recommended priorities for Legislature's Consideration.
- Delivered State of the County Address, March 29, 2018.
- Attended several planning and legal meetings with Abundant Solar regarding 5MW community solar project.
- Worked with Broadband providers to secure ROW work permits for network buildout.
- Met with Mayors and Town Supervisors about upcoming countywide shared services initiative. Program dates and rollout being scheduled.
- In response to snow day debrief, rolled out new emergency communication system.
- Worked with Real Property, Planning, and several departments on property inventory assessment, foreclosure actions, and developing a plan for distressed properties.
- Advancing Raise the Age Plan. See special reports for update.
- Finalized agreements for joining NYS Deferred Comp Plan.
- Met with state and national elected officials about legislative agendas and support for various local funding priorities.
- Select Radio & TV Interviews archived [online](#).

Department Updates

Reporting Period: Mar 1-31, 2018

Lynn Marinelli

Budget Director

UNAPPROPRIATED FUND BALANCE FOR BUDGETED COUNTY FUNDS 12/31/2017

Fund	Fund Balance 12/31/2016	Fund Balance 12/31/2017	Fund Balance Change
General (A)	22,424,469	17,870,155	-4,554,314
County Road Fund (D)	2,277,804	1,783,751	-494,053
Road Machinery Fund (DM)	728,661	1,039,639	310,978
TOTAL ALL FUNDS	25,430,934	20,693,545	-4,737,389

AVAILABLE RESERVE ACCOUNTS 12/31/2017

Reserves	Reserve Balance 12/31/2016	Reserve Balance 12/31/2017	Reserve Balance Change
Reserve for Repairs Capital Improvements	142,097	157,830	15,733
Reserve for Emerson Park Improvements	115,698	33,224	-82,474
Reserve for Sterling Nature Center	202,295	202,562	267
Reserve for Pavilion Bld/Equip	15,793	52,948	37,155
Reserve for Buildings	232,737	141,219	-91,518
Reserve for Parking Lots	12,395	22,829	10,434
Reserve for Highway Rd Maint/ Bridges	0	2,000,000	2,000,000
Reserve for Building Construction/Repair	0	2,000,000	2,000,000
TOTAL	721,015	4,610,612	3,889,597

GOVERNMENT OPERATIONS

County Attorney's Office

Frederick Westphal, Esq.

Attorney

- Attorneys in the State of New York are governed by the [New York Rules of Professional Conduct](#).
- Legislative salaries public hearing scheduled for the April legislative meeting.
- Nursing Home: Reviewing lease and purchase and sale agreement from Auburn Community Hospital.
- Conveyance to Cayuga County Soil and Water Conservation District: Awaiting the survey, Master Plan regarding infrastructure and easements at County House Road Complex.
- Sale or transfer of 182 North Street, Auburn, New York.
- Prepared Local Law extending County Room Tax: Expect a resolution and discussion in April.
- Rite Aid: US Supreme Court denied cert on 3 October on companion Rite Aid cases. Plaintiff will appeal Judge Ark's dismissal of the action working with the city and counsel to determine next steps.
- Owens Brockway v. Town of Sennett, and the county's interests: Expect meeting with the parties this month. Court signed order settling 2014 and 2017 tax assessment years. PILOT application submitted to the CCIDA is deficient. IDA closed its consideration for a PILOT application due to inaction.
- Flummerfelt in discussion with outside counsel and the city on this matter. Working through a stipulation of settlement. Expect a resolution in May 18.

COUNTY BUILDING INSPECTOR

- Fire inspections for the DA and Mental Health buildings are completed, no violations were found. Started fire inspections for business owners in Cato. There are 15 remaining for 2018.

Department Updates

Reporting Period: Mar 1-31, 2018



County Clerk's Office

Susan M. Dwyer

County Clerk

CLERKS RECORDING OFFICE

- Total remitted to County Treasurer: \$166,955.79
- 567 land documents: Deeds, easements, mortgages, mortgage discharges & assignments, etc. (this includes electronically submitted recordings)
- 72 business certificates: DBA/Partnership/Corporation – new, amendments, discontinuances
- 134 passport applications submitted to the US Department of State; 213 passport photos for passport renewals
- 228 judgments filed and docketed: Supreme Court, lower courts, State of NY
- 38 notary public transactions: new and renewals (this does not include the number of documents that were notarized by staff as free service mandated by the State of New York)
- 105 Supreme Court index numbers issued: Supreme Court cases started this month
- 18 Uniform Commercial Code (UCC) transactions: new, continuation, termination, search
- 17 survey maps filed
- 3 military discharges filed (Clerk does not charge any fee to Veterans to file or obtain copies)
- Saturday, March 10: The County Clerk's Office and the County Veteran's Office partnered to offer a Passport & Veteran Discount Card Day at Finger Lakes Mall from 10 a.m. – 2 p.m.
- Tuesday, March 13: A local SCORE representative was in our office from 9:30-11:30 a.m. to offer small business counseling to customers filing business certificates.
- Thursday, March 15: Completed and distributed an RFP for the Cayuga County Clerk's Office Integrated Document Imaging Records Management System with the help of IT and Purchasing.

Department Updates

Reporting Period: Mar 1-31, 2018

- Tuesday, March 20 and Monday March 26: The County Clerk and two deputies visited the Cortland County Clerk's Office to observe how they electronically file court.
- Thursday, March 22: The County Clerk and Deputy Clerk visited Welch Allyn to process passport applications for their workforce
- Monday, March 26: County Clerk was a guest of Steve Penstone on the local Finger Lakes Radio Show.
- The U. S. Passport Agency notified the County Clerks of an increase in passport fees commencing April 1. We updated documents and our website for public notification and shared information with staff in order to be prepared for the first day of increases on April 2.

RECORDS RETENTION CENTER

- Health and Human Services shredding continues
- Scanning projects for Probation Department and Treasurer's Office in progress
- Obsolete records from all County Departments are being shredded. This is also known as the Annual Purge.
- Records requests for March: 148
- Documents scanned in March: 32,024

HISTORIAN'S OFFICE

- 31 in-person visitors to the office with queries and research projects
- 24 queries for information received through email and letter requests
- Staff continued discussion and development of a quarterly newsletter from the Historian's Office.
- Identified and sent requested photos to the Equal Rights Heritage and Visitor's Center design team.
- Office staff collectively continued our ongoing assessment, identification and organizing of Special Collections.
- Continued development of a County-wide database of surnames compiled from lists submitted by Town Historians. When completed (by late spring) this comprehensive surname list will provide and enhanced finding aid for town historians doing genealogical research.

Department Updates

Reporting Period: Mar 1-31, 2018

- Made advances on the design of a comprehensive database for photographic materials in our collection.

DEPARTMENT OF MOTOR VEHICLES

- Total Retention to Clerks Office (in-office transactions): \$53,830.91
- Total transactions completed in office: 6,095
- Total online transactions from people in Cayuga County in March: 1,698
- DMV Supervisor met with the staff at the Board of Elections on March 28 to discuss reports they receive
- DMV Supervisor and other community service agencies participated in a one day event at BOCES on March 22 specifically for graduating students.
- We acquired a new auto dealer from Seneca Falls, which will result in bringing in additional revenue.

Department Updates

Reporting Period: Mar 1-31, 2018

Clerk of the Legislature

Sheila Smith

Clerk of the Legislature

AUDITING

- Completed auditing for the effective date of 04/01/18, no problems.

CODIFICATION

- Spoke with Account Manager at General Code. She quoted me a price of \$14,000 to codify the county's Local Laws. This could be paid over a period of 3 years. Codifying Local Laws is now mandated by the State. Working with the Administrator and Attorney to bring forward plan in May.

POLICY GROUP

- Policy group is finalizing the travel policy and should have it ready for next month. We will be working on the Purchasing Policy next.

COMMITTEE REPORTS

- There were 22 appointments on the March agenda; all were approved. Appointment letters will go out Thursday, March 29.
- There were 47 resolutions approved.
- Financial Disclosures were sent out.

Department Updates

Reporting Period: Mar 1-31, 2018

Information Technology

Stephen D. Tobin

Chief Information Officer

- Completed intranet site for Human Resources/Civil Service Department on the County Portal
- Participated as a member of the Cayuga County Continuity of Operations Plan (COOP) Steering Committee
- Initiated the process of completing the COOP survey for the Information Technology Department and attended both COOP Survey Technical Assistance sessions to address any IT related questions
- As a member of the CGR Project working group, participated in reviewing their draft proposal
- Submitted (proposed) updated Breach Notification Policy to the County Attorney for review
- Commenced the planning process to update the County's website
- Published the March Cyber Newsletter for employees on the County Portal
- Replaced the email archiver due to hardware failure
- Worked with the County Clerk's office on developing RFP 2018-16 for an Integrated Document Records Management System
- Completed update to CAD system
- Continued to support our CAD vendor in their efforts to correct a few remaining on-going post deployment issues
- Closed 317 Support Tickets March 1st through March 27th

Department Updates

Reporting Period: Mar 1-31, 2018

Board of Elections

Cherl A. Heary (R)

Katie Lacey (D)

Commissioners

- Village elections were held in Aurora, Cayuga, Fair Haven, Meridian, Union Springs and Weedsport. We provided voting list for most villages and the machines and ballots for Weedsport and Fairhaven.
- Resolution was prepared for HAVA poll worker training grant money.
- Two deputies participated in the all-day ARISE mission at BOCES. The event included voter education, registration and mock election.
- Participated in Regional Meeting in Tioga County. Most of the meeting concentrated on security issues and the possible early voting issue.
- The deputies from the seven counties will be holding a meeting in April. Ours will be attending.
- We have been preparing for a training session with approximately 20 poll managers/inspectors. They will be going through a mock election exercise using our newly prepared poll worker manual.
- Processed 783 new, change of name/or address and absentee ballot requests (10).

Department Updates

Reporting Period: Mar 1-31, 2018

Veteran's Service Agency

Larry Wilt

Director

- In the month of March our office will continued to prepare, present and appeal claims for federal benefits to the Department of Veterans Affairs. The office is increasing service connected claims through the Veterans Administration (V.A), by compensating veterans that were stationed in Camp Lejeune, North Carolina from Aug. 1st, 1953 to Dec. 31st, 1987 due to the water contamination during that time. The VA will compensate for the following conditions if he/she is diagnosed with Adult Leukemia, Aplastic Anemia, Bladder, Kidney, & Liver Cancer, Multiple Myeloma, Non – Hodgkin's lymphoma and Parkinson's disease.
- Director attended the Veterans of Foreign Wars (VFW) scheduled meeting to find ways of keeping members and how to create revenue to keep the club open.
- The Veterans Service Office (V.S.O.) will continue to conduct meetings with veterans and/or their dependents and handle all operations of the Veteran's Office.
- The agency continues to look for new benefits that may come available to our disabled and wartime vets.
- Visited the Cayuga County Jail to advise a few veterans of their benefits while being incarcerated at the county jail.

PUBLIC WORKS

Buildings & Grounds | Parks & Recreation

Gary Duckett, *Buildings & Grounds Supervisor*

Doug Dello Stritto, *Parks Maintenance Supervisor*

- We worked with the vendor to make some repairs and improvements to the boat launch including repositioning the concrete block walls and installing boat bumpers. These repairs needed to be completed while the lake was at a low level.
- Both partner organizations, CCE and ASCC, are interested in developing a supportive, Five-Year Joint Resolution, with annual review by all parties, for the long term planning and stability of the combined Youth Fair event. The Park Commission unanimously supported this at the February Meeting.
- C&S Engineers has insulated the peak of the pavilion and will be painting the area in the coming days.
- Planning worked with Park staff on an RFQ to choose a company to design a new building for the Sterling Nature Center.
- Parks Maintenance Supervisor is working with FEMA to address possible claims for trail repairs due to damage from the high water levels along the Lake Ontario shoreline at the Nature Center during 2017. A scoping meeting was completed on February 22, and site visits on 3/13/18 with Center Director Jim D'Angelo and 3/23 with representatives from FEMA and NYS DHS. Determinations will be made based on these meetings regarding the scope of the funding available to return the park to pre-disaster condition. He noted there are 4 access areas that no longer exist and some of the trails now end in a cliff. A GPS inventory and photos of the affected areas were taken.
- Staff spent a good deal of their time on snow removal and, of course, routine maintenance requests. This left very little time for projects.
- Plans for the storm sewer behind the County Office Building are nearing completion. This has been a cooperative effort between the County and the City of Auburn.

Department Updates

Reporting Period: Mar 1-31, 2018

County Highway Department

Bill Dashnaw

Special Assistant to County Administrator

Dan Bowen

Acting County Highway Superintendent

- Snow and ice control has been above average for the month. When we were not out with the plows, we have had 3 patch trucks out daily filling pot holes, 3 boom mowers mowing brush, a tree crew with the bucket truck and chipper trimming trees, an excavator and crew on the Weedsport/Cato trail cutting trees so they can get the crane in to set the bridges, and trucks hauling stone for the summer projects.
- March 2nd we had a snow plow involved in an accident on North Division Street. A road tractor owned by Barr Transportation failed to negotiate a curve and crossed the center line and collided with our plow. There were no injuries, but there was extensive damage to both trucks. We are in the process of repairing our truck in our shop.
- The BridgeNY program is 100% funded by the State of New York. This program is very competitive. We have submitted applications for 6 culverts for the preliminary review by the NYS DOT. They will send them back with recommended changes for final application submittals. We are now in the process of submitting applications for 4 bridges.
- The box culvert has been ordered for Parcell Road, Town of Sennett, and should be delivered the second week in April. We have applied for the DEC permit, requesting a waiver to install it the week of school break April 23rd -27th to eliminate school bus detours. A waiver is needed because the stream is classified as a trout stream and we are not allowed to work in it until after May 15th. We will install a temporary culvert to divert water while installing the new box culvert.
- Ridge Road in the town of Fleming has a bridge that has been red-flagged by the NYS DOT after a required inspection. We will need to contract with an engineering firm to evaluate the short term solution to remove the red flag. We have 6 weeks to determine the feasibility of these repairs. The Ridge Road Bridge is one of the bridges submitted in the BridgeNY program. We will know more about the direction of the repairs as we complete the engineering study.

Department Updates

Reporting Period: Mar 1-31, 2018

- Slope failure on the West end of a box culvert under Stewarts Corners Road in the Town of Venice. The slope failure happened Friday evening (3/30/18) on the west end of the structure. The Road was closed to traffic over the weekend. We had an inspection on Monday morning. The culvert is approximately 40 feet below the road surface. A large tree needs to be removed to assess the damage. We will need to replace the structure in the very near future.
- The road condition rating is completed. We currently have a deficient road rating on 47% of our 511.74 miles of County roads or 241.70 miles of deficient roads. Many of these deficiencies can be pushed out 4 to 5 years with surface treating.
- We have approval to hire 10 seasonal employees for an 18 week period.
- The Turnpike Road Preservation project is on schedule to be bid and construction to begin this summer.
- The capital project: CR43C Long Hill over Owasco Inlet Bridge Replacement project is on schedule to be bid this fall with an anticipated spring of 2019 construction.
- Mowing contracts were approved for Towns of Sterling, Locke and Victory at a rate of \$240.00 per mile for the 2018 summer season.
- The Highway Department was approved to purchase a new tractor with side mount flail mower with a 1994 trade in for \$85,218.15; a new tractor with a side mount brush mower with a 2001 trade in for \$129,297.93; and a new CAT 320GC excavator with a 1991 trade in for \$154,526.14.
- A Comparison of CHIPS (NYS Consolidated Highway Improvement Program), PaveNY and Extreme Winter Recovery funding:

	2017	2018
CHIPS	\$3,270,567	\$3,261,868
PaveNY	\$ 746,539	\$ 744,882
Extreme Winter	\$ 495,277	\$ 495,296
TOTAL	\$4,512,383	\$4,502,046

- We are down \$8,699 in CHIPS funding, also down \$1,657 in PaveNY funding for 2018 when compared to 2017.
- These State aid funds are budgeted for construction projects, paving, surface treating and bridge projects.

Department Updates

Reporting Period: Mar 1-31, 2018

Water & Sewer Authority

Jeanine Wilson

Director of Operations

WATER

- Water main approvals and reporting continues for the Route 34 waterline extension construction to service commercial and residential properties in Sennett.
- Springport/Fleming Water District 2, Springport Water District 1 and Sewer District 1 maintenance continues in preparation for the influx of seasonal residents. The Towns' operational personnel are working with our staff toward systematic approaches to reliable, efficient services.

COUNTY SEWER DISTRICT 2

- Preventative maintenance and seasonal preparations begin for seasonal residents' arrivals, increasing flow of sewage throughout the public sewer system.
- Inquiries continue to locate property in/near the current sewer district for inventory, operations and maintenance, and administrative purposes.
- Continuing process with FEMA & Homeland Security to assess the probability of reimbursement for funds expended to protect the Sewer District 2 public system.

MISCELLANEOUS

- Operations/Maintenance staff attended Leak Detection Training by NY Rural Water.
- The FY17 Financial Report is complete, approved, and filed at office of the Cayuga County Treasurer.
- Authority Budget Office reporting complete.
- NYS MWBE reports updated and filed.

MASTER REGIONAL PLAN AND REPORT

- The project team continues to meet with municipal and private systems representatives to gather information regarding existing and desired infrastructure. The Community Advisory Committee (CAC) met in March 2018 and will meet in April. The "Partners" (municipal representatives) met on March 22 to discuss the current status of the assessments.

Department Updates

Reporting Period: Mar 1-31, 2018

Weights & Measures

Larry G. Roser

Director

- This month I purchased 12 gas samples at 4 different gas stations; Express Mart on Whitebridge, Fastrac on Grant, Fastrac in Weedsport, and Pit Stop in Weedsport, all 12 samples passed. We test for octane, cetane, sulfur, ethanol and flash point, along with other elements.
- 4 of the samples were non-ethanol samples. The non-ethanol samples had been all Super 91 octane in the past, which means when mixed with 10% ethanol to get the regular super 93 with 10 % ethanol gas they were quite a bit over 93 octane, around 93.7. Most of the refineries are now making a slightly lower midgrade to lower the 93 octane 10 % ethanol to a closer number, which means that the midgrade will no longer meet the 91 octane and needs to be lowered to a 90 octane rating. Most stations will be changing to 90 midgrade as 91 will be harder to get. Of the 4 samples I sent in, 2 were labeled 90 octane and 2 were 91 octane. All 4 passed and would have met the 91 octane but the bill of laden on the 2 showed 90 octane and this should continue to drop as this is phased in.
- Note: 90 octane midgrade cannot be advertised as super, 91 octane can.
- Last month, New Hope Mills had one scale out back that was off against the customer. It was ordered Stop-Use. The scale has been repaired, retested and passed.
- The Brikett Mills in King Ferry had a 2,000 lb. capacity scale that failed, it was recalibrated and has been retested and passed.
- Keystone Mills in Moravia had one scale that was out of tolerance against the customer. They were taking enough tare that it was not shorting the customer. It has been recalibrated and now passes.
- Pit Stop in Fleming had 4 of their front gas pumps repaired and recalibrated. This station has above ground storage tanks, so they brought in 55 gal drums to put the gas in extra 55 gal drums to test all the gas kerosene and diesel pumps. They all passed.
- No skimming devices (used to steal your identity) were found on the 4 credit card readers.

PLANNING & ECONOMIC DEVELOPMENT

Department of Planning & Economic Development

Stephen F. Lynch, AICP

Director

ETHICS

- The Planning Department is managed by and adheres to the [AICP Code of Ethics and Professional Conduct](#) established by the American Planning Association and the American Institute of Certified Planners.

WATER QUALITY

- Worked with the Owasco Lake Water Management Council (OLWMC) on administrative transition of Watershed Inspection Program including amending Corporation Bylaws, Procurement of Professional Services and Establishing Banking Relationships.
- Provided Briefing and Project Update on Owasco Lake 9-Elements Plan to Auburn City Council (at Council's request).
- Finalizing narrative document outlining proposed changes to the Owasco Lake Watershed Rules & Regulations for project steering committee.
- Guest on local cable TV show "Inside Government with Guy Cosentino" along with Owasco Town Supervisor and OLWMC Chair to discuss Owasco Lake water quality protection efforts.
- Staff working with NYS EFC to finalize grant contracts for \$600,000 Phase II Owasco Flats Wetland Restoration Project; also finalizing EFC authorizations to begin construction of Phase I.

WATER & SEWER INFRASTRUCTURE

- Attended WSA Steering Committee Meeting and Engineering Presentation outlining progress on the Countywide Water & Sewer Infrastructure Assessment Project.

Department Updates

Reporting Period: Mar 1-31, 2018

- Worked with County Administrator to coordinate several meetings to explore financing structures to address bridge and/or permanent financing of Wells Collage Water Filtration Plant modifications to protect Wells College and Village of Aurora public water supply systems from Harmful Algal Bloom impacts this coming HAB season.

PARKS

- A Request for Qualifications (RFQ) for professional architectural services for a new nature center facility at Sterling Nature Center has been prepared by staff and will be circulated.
- Staff coordinated a meeting with NYS Parks Grant Representative for the \$492,000 Emerson Park-Deauville Island Capital Improvement Project and will be processing the grant contract shortly so we can begin the work which will span this year and next. Also submitted formal applications for foundation matching funds to support the project.
- Presented the plans for Emerson Park capital and programming improvements at the March 21st Wednesday Morning Community Roundtable as part of a panel detailing successful 2017 CFA Grant Funding Applications in Cayuga County.
- Reviewed two project proposals for Emerson Park and prepared report for Park's Commission and staff on conformance with Emerson Park Master Plan.
- Department is coordinating with Parks Department, City of Auburn and CNY Regional Planning & Development Board to link Cayuga County bike and hiking trails to the 5-County Regional Heritage Recreation Trail Plan. Specific linkages being looked at first are connections between Oswego County and Sterling/Fair Haven Trails and Emerson Park and City of Auburn Owasco River Trail.

ENERGY PROJECTS

- Have participated in several project meetings on proposed development of a Municipal Solar Farm on vacant county lands at the Natural Resource Center on County House Road. This is a continuation of project development efforts authorized by the legislature with supporting resolutions in 2016 and 2017. Although there is no contractual commitment by the county at this point, the goal is to present the project to the legislature for consideration and action in May.

Department Updates

Reporting Period: Mar 1-31, 2018

- Staff and County Attorney reviewed and submitted the NYSERDA Grant Contract for the \$250,000 Clean Energy Communities Grant and expect grant execution to be forthcoming. As a recap, the Grant Budget includes (1) interior lighting upgrades at County Jail; (2) two electric vehicle charging stations; (3) purchase of two electric vehicles; and (4) organizational and operational planning (professional services) for the County's municipal power agency, CCPUSA.
- Staff continues to attend meetings and provide support for CCPUSA, recently including discussions on CCPUSA participation in New Visions Broadband installations in the County.
- Staff is providing technical and mapping assistance to a developer exploring the feasibility of collecting, piping and distributing methane gas produced by on-farm manure digesters.

LAND USE ASSISTANCE TO TOWNS & VILLAGES

- Comprehensive Plan for the Village of Moravia (getting under contract with state grant secured on behalf of Village)
- Preparing Zoning and Subdivision Ordinances for Town of Montezuma
- Finalizing Local Waterfront Revitalization Plan for Village of Union Springs and Town of Springport
- Attending Steering Committee Meetings for Village of Cayuga Zoning Ordinance Update
- Town of Mentz Ag & Farmland Protection Plan using grant secured by department

Department Updates

Reporting Period: Mar 1-31, 2018

Employment & Training Cayuga Works Career Center

Ann Kubarek

Director

- In March, 2018 over 700 people used the services of the Cayuga Works Career Center.
- Currently, there are 297 job postings for Cayuga County listed in the New York State Job Bank, the database the New York State Workforce Development system uses to centralize job postings for area employers. This platform is available to employers at no cost to post job openings and interface with available workers. <https://newyork.us.jobs/index.asp>.
- Applications for the Summer Youth Employment & Training Program are now available for Cayuga County youth ages 14-24. Young people can get applications at schools throughout the County, as well as at the Cayuga Works Career Center. It is anticipated that 70 youth will participate in the program this summer.
- Individuals separated from the closure of the residential programs at Cayuga Centers have begun to access the services available at the Career Center. Forty-seven individuals left employment in the first week of March, with the remainder slated to separate in May.
- New York State Department of Labor has approved the Cost Sharing agreement proposed by the partner agencies of the Cayuga-Cortland Workforce Development Area.
- Unemployment data:

	Cayuga County	New York State	United States
Feb 2018	6.5%	5.1%	4.4%
Feb 2017	6.4%	5.3%	4.9%

Cayuga Economic Development Agency

Tracy Verrier

Executive Director

- IDA Activity: Public hearing for Inns of Aurora Shakelton project was held in Aurora on March 22. The CCIDA board reviewed the application on March 27. There was much public input both for and against the financial assistance. The project was ultimately approved for the incentives. There are four other projects working on applications.
- Business Visitations/Meetings: This year, CEDA staff has met with 17 existing businesses and 22 entrepreneurs, as well as responded to 6 attraction leads (as of 3/21/2018)
- Manufacturing Industry Peer Group: A meeting was held on March 26. The primary topic of conversation was workforce development, and the conversation was facilitated by Randy Wolken of MACNY. MACNY presented on their apprenticeship programs, as well as briefly on the P-Tech program in Auburn. There are a few specific activities CEDA can focus on to aid in addressing workforce issues in the manufacturing sector, including helping to provide more opportunities for businesses to connect with students, educational content highlighting the reality of modern manufacturing, help coordinate a cohort of businesses to participate in an apprenticeship program, and facilitate more conversations among training partners/institutions.
- Grant Activity: CEDA will be hosting a presentation on April 10 at 4pm by Empire State Development for businesses interested in applying for economic development grants and tax credits in this year's Consolidated Funding Application process. The presentation will also be streamed online via Facebook.
- Grant Activity (cont.): The CEDA board approved a resolution (pending Executive Committee final approval once details are finalized) to apply for a USDA-RD Rural Business Enterprise Grant on behalf of a local company with assistance from a Farm Credit East representative. The grant would be for the purchase of equipment.
- Attraction Activity: A Cayuga County site was "short listed" for an attraction project. Presented to the project site selectors regarding the site and local resources and support.
- Wednesday Morning Roundtable: The director facilitated a Wednesday Morning Roundtable presentation on March 21 outlining the

Department Updates

Reporting Period: Mar 1-31, 2018

Consolidated Funding Application process and highlighting three recently funded projects. The panel consisted of three recent recipients of state funding: Donna Lamb of the Schweinfurth, Steve Lynch of Cayuga County Office of Planning and Economic Development (discussing funding for Emerson Park improvements), and Crystina Brooks of DuMond Enterprises. Evaluations received from the event were very positive.

- Locate Finger Lakes: Senator Nozzolio and Jack Bisgrove teamed up to launch a new website to help promote the Finger Lakes Region as a place to do business: www.locatefingerlakes.com. This site compiles a lot of information about the region, including information about quality of life, economic development, educational institutions, available sites, etc.

Department Updates

Reporting Period: Mar 1-31, 2018

Cornell Cooperative Extension of Cayuga County

Douglas Ververs

Executive Director

- The March 2018 two part Pesticide Certification classes resulted in 90 certification credits being issued by NYS-DEC and 26 new people being certified to take either Core Exam or sections as identified. Certification sections included: Field Crops, Tree fruit; Small fruit (Pomology); vegetables and grapes.
- The 2018 4H Power Equipment safety class will result in 10 youth 14-15 yrs. olds receive a US-DOL Occupational Certificate. A sample Training Manual will be shared at the April Planning meeting.
- The City of Auburn was contacted regarding the potential RFP for Climate Smart Communities (shared with CCE Staff during Albany visits) with a short discussion on any potential Owasco Lake fits.
- An Auburn Education Foundation – Environmental Sustainability Grant was awarded. As a result, every Auburn 5th Grade classroom will have a CCE lead Sustainability presentation on recycling between now and the end of the June 2018 school year.
- FL SNAP-Ed will revise their contract with CCE Cayuga County to expanded NYS funding moving our local nutrition educator to full time from June 1 – Sept 30 2018.
- A grant was submitted to John Ben Snow Foundation in regard to CCE Cayuga 4H programming. Award announcements will be made in July.
- Cayuga County Correctional Work release crews will be rescheduled for outside clean-ups as weather and schedules allow.

Department Updates

Reporting Period: Mar 1-31, 2018

Soil & Water Conservation District

Doug Kierst

Executive Director

AGRICULTURAL TECHNICAL ASSISTANCE

- Completed construction site inspections on one SPDES permitted construction site at an agricultural operation.
- Attended the Harmful Algal Bloom (HAB) Summit at the SUNY ESF Campus on March 5-6. SWCD Staff were asked to participate on the HABs Mitigation Panel and discuss topics including the Agricultural Environmental Management Program, the effectiveness of different agricultural Best Management Practices such as buffers and examine potential solutions for controlling nutrient loading to water bodies.
- Took advantage of professional development training. Training topics included Dig Safely, Ag Liners and Covers, Manure Handling Equipment, Water Erosion Prediction Project (WEPP), Proper Culvert Sizing, Management of On-site Wastewater Treatment, Erosion and Sediment Control and Climate Change: Perspectives, Experience and Implementation.
- Continue to provide on-farm planning assistance for the upcoming implementation season. Several projects have completed the design phase and will be going out to bid in the next few months.
- Continues to process Soil Group Worksheets for Agricultural Assessments, despite the Town Assessors March 1, 2018 deadline.
- Continue to meet with landowners and go through the multi-tiered evaluation and planning process through the Agricultural Environmental Management (AEM) Program.

NON-AGRICULTURAL & MUNICIPAL ASSISTANCE

- Completed construction site inspections on one SPDES permitted construction site at municipal construction site.
- Taught one NYSDEC-endorsed 4-hour training for contractors, municipal officials, engineers and other groups that may be interested in learning about erosion and sediment control methods. There are two

Department Updates

Reporting Period: Mar 1-31, 2018

workshops scheduled for April, including the 4th and the 18th. Contact the SWCD for additional information on the classes or to register.

- Continue to work on Plans of Work associated with our recently received grant awards from the NYSDEC.
- Assisted several residents and municipalities with drainage and erosion concerns that occurred as a result of recent snowmelt and rainfall events.
- Assisted the County Parks and Trails and County Highway Department with the clearing of portions of the Cato-Brutus Trail.
- Attended the Town Highway Superintendents meeting to discuss grant funding opportunities for critical area stabilization work and to promote the County Water Quality Management Agency's Guidelines for Municipal Maintenance of Roadside Ditches document. SWCD staff also discussed the potential of hosting a Post Flood Emergency Stream Intervention Training for Municipal Officials, Equipment Operators and Contractors and sought interest from the group. More information to follow.

Department Updates

Reporting Period: Mar 1-31, 2018

Convention & Visitor's Bureau (Tourism Office)

Meg Vanek

Executive Director

PUBLIC RELATIONS – EDITORIAL PLACEMENTS

- 3/7/18, *10 Places You Need To Visit in Honor of Women's History Month*, NewNowNext, 1.5 million unique monthly visitors, Harriet Tubman Home highlight, <http://www.newnownext.com/places-to-visit-womens-history-month/03/2018/>
- 3/8/18, *16 Must-see U.S. Landmarks That Celebrate Women's History*, Travel & Leisure, 3.1 million unique monthly visitors, Harriet Tubman Home highlight – also posted on Instagram page (3.3 million followers) and Facebook page (2.9 million followers),
<https://www.instagram.com/p/BgEwzIQHcFw/?taken-by=travelandleisure>
<http://www.travelandleisure.com/trip-ideas/historic-places-to-celebrate-womens-history-month>
<https://www.facebook.com/travelandleisure/posts/10156351334654073>
- 3/9/18, *16 must-see U.S. landmarks that celebrate women's history*, Boston Herald, 8.9 million unique monthly visitors, Harriet Tubman Home highlight,
http://www.bostonherald.com/lifestyle/travel/2018/03/16_must_see_us_landmarks_that_celebrate_women_s_history
- March 2018, *9 Feminist Trips to Take With Your Friends this Spring*, Bustle, 16.3 million unique monthly visitors, Harriet Tubman Home highlight, <https://www.bustle.com/p/9-feminist-trips-to-take-with-your-friends-this-spring-81427>
- 3/12/18, *Cayuga County Tourism Guide Now Available*, fingerlakesdailynews.com,
<http://www.fingerlakesdailynews.com/2018/03/12/cayuga-county-tourism-guide-now-available>
- 3/27/18, *5 Cities that Celebrate Women's History*, livability.com, Harriet Tubman National Historical Park highlight,
<https://livability.com/topics/things-to-do/5-cities-that-celebrate-womens-history>

Department Updates

Reporting Period: Mar 1-31, 2018

OCCUPANCY / REVPAR / ADR FOR FEBRUARY

- Occupancy: 35.4%, YTD 33.3%
- ADR (average daily rate: \$89.06, YTD \$88.51)
- RevPar (revenue per available room): \$31.56, YTD \$29.52

FINGER LAKES SWEET TREAT TRAIL

- The 2018 Cayuga County Visitors Guide has been printed and delivered. This year's guide features a new centerfold, pull-out map, new photography and informational updates. 50,000 guides were printed.

TOURISM ACTION DAY

- The director attended Tourism Action Day in Albany on March 7, 2018 with other members of the tourism industry from across New York State. The purpose of the event is to discuss the importance of tourism to the State's economic well-being. It is an opportunity to remind our elected officials that tourism works, and it needs their continued support. Tourism is a \$3 billion dollar industry in the Finger Lakes Region (which includes portions of 3 economic development regions). In addition to attending the scheduled programming, we had private meetings with Senator Rich Funke, Chair, Cultural Affairs, Tourism, Parks & Recreation and Cayuga County Senator, Pam Helming, who also serves on this committee. I Love NY funding was restored to last year's level in the State budget the day after we visited Albany.

JUDICIAL & PUBLIC SAFETY

Assigned Counsel | Stop DWI | Youth Bureau Lloyd E. Hoskins

Director

ASSIGNED COUNSEL PROGRAM

- Submitted grant application to NYS Indigent Legal Services for “Distribution #8” 01/01/18-12/31/20 \$262,098.00: Reimburse Cayuga County for “complex” legal cases
- Received notification and final contract from NYS Indigent Legal Services for “Counsel At First Appearance” Off-Hours: \$651,516.30
- Completed and submitted required 2017 Annual Expenditure Report to NYS Indigent Legal Services
- Completed and submitted required UCS195 Report to NYS Unified Court System
- Coordinated with NYS Defenders Association a training to Assigned Counsel Panel Members on welfare fraud

COUNSEL ASSIGNMENTS FOR FEBRUARY:

- Family Court: 47, Year to Date 111
- County Court: 4, Year to Date 7
- Auburn City Court: 40, Year to Date 89
- Justice Court: 26, Year to Date 54
- Parole Appeal: 9, Year to Date 19
- Appellate Court: 1, Year to Date 2
- TOTAL ASSIGNMENTS FEBRUARY: 127; YEAR TO DATE: 282

COUNSEL AT FIRST APPEARANCES FOR FEBRUARY:

- Auburn City Court: 61; Year to Date: 158

Department Updates

Reporting Period: Mar 1-31, 2018

STOP DWI PROGRAM

- The goal of the Cayuga County STOP-DWI program is to reduce the rate of alcohol and other drug-related injuries and fatalities through the creation and funding of programs relating to enforcement, prosecution, rehabilitation, public information and education.

DWI ARRESTS IN FEBRUARY:

- Cayuga County Sheriff's Office: 0, Year To Date 0
- Auburn Police Department: 1, Year To Date 6
- New York State Police: 3, Year To Date 8
- TOTAL DWI ARRESTS IN FEBRUARY: 4; YEAR TO DATE: 14

BAC (Blood/Alcohol Content) IN FEBRUARY:

- Cayuga County Sheriff's Office: n/a, Average BAC To Date n/a
- Auburn Police Department: n/a, Average BAC To Date .14
- New York State Police: .22, Average BAC To Date .165

AVERAGE AGE DATA FOR FEBRUARY:

- Cayuga County Sheriff's Office: n/a, Average Age To Date n/a
- Auburn Police Department: 24, Average Age To Date 29.5
- New York State Police: 49, Average Age To Date 36.7

GENDER DATA FOR FEBRUARY:

- Cayuga County Sheriff's Office: Male 0, Female 0, Year To Date, Male 0, Female 0
- Auburn Police Department: Male 1, Female 0, Year To Date, Male 5, Female 1
- New York State Police: Male 2, Female 1, Year To Date, Male 5, Female 3

Department Updates

Reporting Period: Mar 1-31, 2018

E-911 Center

Denise Spingler

911 Administrator

CENTER UPDATES

- Cayuga County was awarded \$202,548 in funding to offset 911 operational costs; all monies will be used to offset personnel costs.

EMERGENCY COMMUNICATIONS SYSTEM UPDATES

- Cayuga County was awarded \$778,135 in funding to offset costs associated with its Emergency Communications System. Funding for this grant will be used towards maintenance costs as well as upgrading the microwave network to bring new redundant prime online as well as allowing the backup center to be a fully independent operation.
- Meeting with Motorola representatives to discuss maintenance of the Emergency Communications System; current agreement expires Dec 2018.
- Sprint has an interest in co-locating on Sterling Tower site; could provide additional revenue to county.
- Celebrating National Telecommunicator's Week (April 8-14)
- Busy Bee Award – Denise Cornelius (already received)
- Employee of the Year – Patricia Enge

Department Updates

Reporting Period: Mar 1-31, 2018

Sheriff's Department

David S. Gould

Sheriff

- Detectives Steve Smith and Robert Franklin completed training and are now certified in the Child First Forensic Interviewing Protocol. Detective Nicole Stewart completed a two-week basic course in Criminal Investigations.
- Following the Criminal Investigation Division's investigation into a fatal motor vehicle accident in the Town of Fleming, an arrest was made that includes charges of Vehicular Manslaughter and DWI.
- Several responses to schools were due to social media threats. One threat was found to be credible and an arrest was made.
- Assisted APD with robbery arrest and rape investigation.
- On March 15, 2018, the Sheriff's Office partnered with Special Olympics in a fundraiser (\$600.00) at Applebee's.
- For the month of February, a total of 79 inmates were admitted to the Cayuga County Jail (65 males, 14 females). A total of 81 inmates were discharged (81 males, 20 females). Five inmates were transferred and transported into the custody of the NYS Department of Corrections and Community Services.
- Avg. Daily Count:
Federal Inmates – 36.75 (High 41)
Boarded, Other Jails – 11.57 (High 13)
(Total Average No. of Boarders – 48.32 (High 54)
Average No. of Parole Violators – 10.14 (High 15)
Inmate Meals Served – 15,316
- Code of Ethics: The Cayuga County Sheriff's Office has adopted a Law Enforcement Code of Ethics based on a document published by the International Association of Chiefs of Police for its Members.
<http://www.theiacp.org/codeofethics>
The Cayuga County Law Enforcement Code of Ethics is attached as Appendix A to General Order No. 101 of the Cayuga County Sheriff's Office General Order Manual.

Department Updates

Reporting Period: Mar 1-31, 2018

District Attorney's Office

Jon E. Budelmann

District Attorney

- While we are still in the process of hiring the PT CARP Investigator, we have found two attorneys with significant prosecution experience to join our staff, bringing us back to full employment capacity for Assistant District Attorneys.
- With that move we come back up to full employment for the attorneys and the only remaining missing piece is a part-time Fraud Investigator.

Emergency Management Office

Niel Rivenburgh

Acting Director, Cayuga County EMO

- On March 14, Budget Director and Acting Director of Emergency Services met with our FEMA Liaison relative to the Lake Ontario flooding of 2017. We walked through all of the documentation for the proposed Category B (Emergency Response and Emergency Protective Measures) FEMA claims that the County is eligible to apply for 75% reimbursement for. Following that meeting, all of the documentation was uploaded to the FEMA Grants Portal. We have applied for \$28,779.61, of which the FEMA reimbursement (75%) will potentially be \$21,854.71. The next step in Category B claims is for our FEMA Liaison to review and submit the claim for processing. This includes all Force Account Labor, Force Account Equipment, eligible Mileage, and Direct Administrative Costs (post response claims documentation & processing) for Emergency Services, the Highway Department, and the Sheriff's Departments. The assistance and support from Highway staff, Sheriff's Department staff, Treasurers Office, and the Budget Director was instrumental in getting these claims processed in a timely manner. The other eligible claims for the County, Category G (Parks & Recreation Damage) is a longer process, with projects scoping, FEMA site visits, costing, etc. is a much longer process, that is well underway, and is being managed by Parks & Trails Director DelloStritto with FEMA. Emergency Services will continue to support that effort where needed.
- County OES was tasked by the Administrator to develop a framework for emergency closing of County facilities. That framework was delivered to the Administrator on March 30, 2018 for review and comment. Included in the framework was a general process for closure, a communications pathway for staff notification, general definitions for applicable components of the framework, and guidance on essential v. nonessential staff for reporting. The Communications pathway includes administrative access of the local television media closing scroll systems for the Syracuse and Rochester major media outlets and a deployment of a new internal Mass Notification System that has been deployed to our employees'. As of this report, 280 of the 692 employees have been successful in opting into the system.
- County OES continues to monitor Lake, River, tributary levels with the inconsistent spring weather patterns. Seneca River remains high, not more than normal for most March's, with normal impacts.

Department Updates

Reporting Period: Mar 1-31, 2018

- On March 6th, County OES facilitated a meeting for Cayuga, Wayne, and Oswego Counties to hear from the National Weather Service about Lake Forecasts, projections, and expectations. That meeting was well attended, about 40 people, including local officials, County Legislators, First Responders, and NY State OEM representatives.
- Planning with Fair Haven continues relative to potentially high Lake Ontario levels for this spring. Recent weather patterns have already begun to impact the area, as Canadian weather fronts are creating intense wind from the Northwest and pushing sizeable wave action (10+ foot) into the Southeastern shores. We will continue to monitor and communicate with the potential areas of impact and Administration.
- On March 27th, County OES attended a Lake Ontario flood preparedness / planning meeting, facilitated by NY State OEM. This meeting included all Lake Ontario shoreline Counties, and applicable State partners. The State is poised to continue to “be forward leaning” in support of local response efforts and needs. The Governor’s office and executive staff continue to conduct outreach to the affected local officials and Counties, and State OEM continues to do the same with County Emergency Managers. As of this report, Lake Ontario is 5” lower than this time last year, is forecasted to rise 6” by April 23. So far this spring, the weather has been favorable for the snow pack melt (slow and steady), and we have not experienced the amount of snow that we did in March 2017. NY State OEM and others at this planning meeting noted that it is concerning that all the other Great Lakes are at higher levels than this time last year, and in response, the State is advocating for continued flow out of Lake Ontario. Beyond that, the gravest clear threat right now is the “unknown” precipitation, wind, and weather patterns that we all may experience through the rest of this spring.
- OES Responses in March 2018 were down, limited to routine responses to support fire & rescue incidents when necessary.
- Winter and Spring EMS classes continue to progress. The expectation is that the generated revenue will exceed expenses for both the EMT Original and the EMT Refresher. A Certified First Responder course (CFR) is being delivered in collaboration with the BOCES / New Vision Community Hospital program, and we are preparing the schedules for our standard fall refresher. Planning has started with the Southern Cayuga Central School District to offer a CFR course as part of the Health Science curricula at the school, and we are reviewing the potential to add a fall / winter combined EMT Original & Refresher in Moravia, which will cross over the 2018 & 2019 fiscal years.

Department Updates

Reporting Period: Mar 1-31, 2018

- The spring Fire Training schedule is being set, and courses will begin being delivered soon. Included in this schedule is several advanced technical rescue courses in collaboration with NY State Special Operations Bureau, courses never before available in Cayuga County, to enhance our capabilities and refresh “perishable” skill sets.
- As reported at March JPS meeting, OES has been notified of two upcoming grant opportunities and will be applying / building work plans for from the 2017 Technical Rescue Grant as well as the 2017 Haz Mat Grant Program. Our award for the Haz Mat grant will be \$72,000.00 for the three County (Cayuga, Tompkins, and Cortland County) regional funding opportunity, and we will submit a work plan for \$150,000.00 for the Technical Rescue Grant.

Summary of submitted FEMA Claims for Cayuga County Category B (Response and Emergency Protective Actions)	
Direct Admin Costs Budget Director Marinelli:	\$ 611.68
Direct Admin Costs Highway Acct Clerk McCormick:	\$ 65.96
Direct Admin Costs EM Acting Director Rivenburgh:	\$ 2,370.16
Direct Admin Costs EM Acting Deputy Conley	\$ 380.60
Force Account Labor Sheriff's	\$ 3,749.89
Force Account Labor Highway	\$ 1,237.11
Force Account Equipment Sheriff's	\$ 2,477.13
Force Account Equipment Highway	\$ 4,392.48
Force Account Equipment EM	\$ 11,760.00
Force Account Equipment Mileage Sheriff's	\$ 254.80
Force Account Equipment Mileage Highway	\$ 182.00
Force Account Equipment Mileage EM	\$ 1,297.80
Total Cayuga County Category B Claim:	\$ 28,779.61
FEMA 75% Estimate (if all claims are accepted):	\$ 21,584.71

Department Updates

Reporting Period: Mar 1-31, 2018

Coroner's Office

Dr. Adam Duckett, MD

County Coroner

Age @ time of death:	
00-10	
11-20	
21-30	3
31-40	3
41-50	2
51-60	2
61-70	3
71-80	2
81-90	
91-100	

- Calls through March 2018
Sent to OCME: 12
Signed by PCP: 4
Signed by Dr. Duckett: 5 (not included in the count)
TOTAL = 16

Number of calls received, by month:	
January 2018	4
February 2018	5
March 2018	7
April 2018	
May 2018	
June 2018	
July 2018	
August 2018	
September 2018	
October 2018	
November 2018	
December 2018	

Department Updates

Reporting Period: Mar 1-31, 2018

Probation Department

Jay DeWispelaere

Director

CODE OF ETHICS

- New York State Joint Commission on Public Ethics
<http://www.jcope.ny.gov/>
- American Probation & Parole Association www.appa-net.org

EQUIPMENT

- Having reviewed the department budget with the County Administrator and County Budget Director, the Probation Department was given permission to order new duty firearms. The department's current firearms are approaching 20 years of service life. The order has been submitted and the new equipment should be available within 60 to 90 days. Once the new firearms are received, all line staff will receive training at the Sheriff's Department range. The cost of the new equipment is underwritten in part by a favorable trade in allowance for the department's current firearms.

CGR REPORT / DEPARTMENT STAFFING

- In response to the CGR recommendations and in anticipation of the RTA needs, the County Administrator has requested the Director of Probation to work with the Budget Director and the Director of Human Resources to consider proposing two new unbudgeted Probation Officer positions to the Legislature in the Second Quarter of 2018. Timely approval of these positions would allow candidates to be canvassed with hiring and training possibly completed by the date of the implementation of the first phase of Raise the Age, October 1, 2018.

RESTITUTION

- The County Treasurer's Office has reviewed the bank currently used by the Probation Department to administer restitution. In their review, the Treasurer determined that the County is absorbing unnecessary fees for the two accounts maintained by Probation. Under the guidance of the Treasurer, Probation is in the process of moving its accounts. This will cause an interruption of restitution payments during April. Normal activity should resume on or about May 1st. Public notice will be given by inserts included with restitution checks mailed by the department and on the department's website.

Department Updates

Reporting Period: Mar 1-31, 2018

CAYUGA COUNTY PROBATION STATS FOR MARCH

PROBATION DEPARTMENT METRIC	2017	2018
Total Number of Probation Supervision Cases	683	814
New Probation Supervision Cases	38	26
Court Ordered Presentence Investigation Requests	34	33
Court Ordered Presentence Investigations Completed	45	26
Number of Violations of Probation Filed	24	9
Number of Predispositional Investigation Ordered	3	2
Number of Predispositional Investigation Completed	1	1
Number of Alco-Sensor Intoximeter Tests Given	265	248
Restitution Collected	\$13,985	\$10,041
Surcharge Collected	\$722	\$523

RAISE THE AGE (RTA)

- A summary of planning activities can be found under Other Reports.

HEALTH & HUMAN SERVICES

Mental Health | Dept. Social Services

Raymond Bizzari

Director of Community Services

MENTAL HEALTH

Prevention, outreach and education

- An effective Drug Free Coalition with membership across all sectors: business, clergy, law enforcement, providers, parents, youth, schools, health department, media, etc. developed several on-going strategies that target, youth, schools, businesses and the community. Prescription drop-off, prescriber education and outreach, social norming, community events, local laws on synthetics, pharmacy outreach, public forums and media coverage are ongoing activities. These efforts are now funded by a 5 year \$500,000 SAMHSA DFA Grant.

Enhancing and increasing treatment opportunities/alternate pathways into treatment

- Expanded access to OASAS outpatient clinics. Added a Psychiatric Nurse Practitioner to the largest provider to manage and coordinate psych medications prescribed for individuals in recovery to avoid unintended addictions by substituting one for the other.
- A Psychiatric Nurse Practitioner trained in yoga that is effective in treating trauma and addictions. This yoga is performed in chairs and we plan to train all therapists, school staff and prescribers county-wide in this practice. This yoga has shown efficacy in both processing trauma and managing recovery by coupling the yoga with titrating medications to get people off meds.
- Changed staffing pattern in the County Clinic to have social worker/CASACs provide cognitive behavioral therapy in conjunction with Vivitrol treatment as an alternative treatment pathway.
- Added additional suboxone providers in the community. 2 county MH prescribers are certified suboxone providers as well.
- A successful Vivitrol program in the jail with a dual track discharge for primary MH diagnoses and primary substance use diagnoses. \$30,000 OASAS grant supplements this work.
- Integration of primary care/substance abuse services at East Hill.

Department Updates

Reporting Period: Mar 1-31, 2018

- Using OASAS Part 820 regulations to redesign residential services to better serve folks in early stages of recovery with stabilization services.
- Hospital planning a 10 bed in-patient program.
- Regional Crisis Center opened in 2017 and goes 24/7 in April 2018.
- OASAS Targeted Response (STR) Grant that created a Center of Treatment Innovation which deploys 3 peer support positions, creates a mobile evaluation/treatment/medication management opportunity for the community.
- Regional assets in the form of 2 family navigators and 1 peer navigator deployed and integrated.
- STR and regional assets co-located at 12 South which operates as a volunteer run Recovery Center. Moving MH State Aid programming in to help with staffing and coverage. A private/public/foundation funded strategy to purchase a property and move all those services to create a peer run Recovery Center with all assets co-located is planned for 2018.
- Increasing integration of cross-system services so as not to lose individuals served by multiple agencies.
- Increased NARCAN training opportunities and grant funds to purchase kits.
- Increase in the number of support groups offered for individuals in recovery and their families.

Increasing the community's capacity to respond

- Embedding a behavioral health specialist in Child Protective Services to assist with the increase in, and better serve, families where parents experiencing substance abuse issues that affect their ability keep their kids safe.
- Continual recruitment of partners to increase our capacity to mobilize and reach underrepresented members of our community.
- Identifying, and bringing resources to coordinated and integrating strategies, reducing duplication and sending coherent messages.
- County joining opiate lawsuit may bring additional resources and some measure of justice.
- More county residents are in treatment now than in 2016. Crisis stabilization beds and medication assisted treatment (MAT) account for the largest percentage of this increase and this tells us that some individuals are not comfortable with the traditional inpatient/outpatient recovery paths. The positive impact of integrating peers into the treatment system cannot be overstated and is a contributing factor in more people accessing treatment.

Department Updates

Reporting Period: Mar 1-31, 2018

DEPARTMENT OF SOCIAL SERVICES

- CPS conducted a child fatality investigation.
- International trainers in self-care and trauma informed yoga practices are providing training to DSS and MH workers over 2 days. The plan is to train kids and adults as well as use these strategies in treatment to 1) reduce the reliance on medications and 2) really go after the physical dysregulation that is manifested through the fight or flight response trauma histories cause in us.
- Year 2 award from OASAS for jail substance abuse services is \$46,000. This help defray costs for MH services out there. The Vivitrol program (opiate/alcohol blocker injection good for 30 days) is catching on. 7 inmates have received this so far with 10 more in line.
- The DSS Children and Family Services Plan due every 5 years to be submitted.
- The Consolidated Mental Hygiene Services Local Plan planning process is underway. The 2019 plan is due June 1.
- The Recovery Center for individuals in MH or Substance Abuse recovery is looking for new space.
- Cayuga Centers plan to provide respite services is underway. We are working with NYS OCFS on approval and am waiting on this new financial model.
- Wendy's Wonderful Kids Foundation is providing us with a specialized caseworker that works with hard to adopt kids to share with Tompkins County
- The long delayed department's move to consolidate all temporary assistance services on the 3rd floor begins processing new cases in a more integrated way, reducing interviews from 3-4 to 1 and reducing duplication and redundancy in case processing.
- Cayuga County's Mobile Crisis plan is due to OMH April 1. The plan blends the new Medicaid crisis services billing revenue local and regional state aid to provide the framework to open telephonic and face to face crisis services 24/7/365 available to the public.
- Raise the Age planning moves along.

Department Updates

Reporting Period: Mar 1-31, 2018

Health Department

Kathleen Cuddy, MPH

Public Health Director

- **Flu continues to be an illness factor in Cayuga County.** The rate of disease prevalence is slowing down but new cases are still being diagnosed locally and statewide. Flu vaccine is available and still recommended through the end of the typical flu vaccine season which usually ends in June. If you develop flu like symptoms, talk with your health care provider about appropriateness of using anti-viral medication.
- **Public Health Preparedness Drill is scheduled for Thursday April 26, 2018 at BOCES from 1-3 pm.** All Cayuga County employees are encouraged to participate. This year's mandated scenario is to appropriately evaluate and vaccinate hundreds of people through a clinic in two hours. Mark your calendars now to participate in this public health exercise and enter your name in a raffle to win one of four useful emergency kits.
- **Watershed Rules and Regulations update continue to be worked on.** The workgroup and Steering Committee will be meeting in a few weeks to start reviewing the proposed drafts and set dates for our public meetings to review proposals.
- **Our Reducing Premature Birth Rates grant is underway.** In conjunction with our partners at the Cayuga Community Health Network, staff will be attending training on motivational interviewing. Discussions are being held with the Central New York Regional Center for Tobacco Health Systems at St. Joseph Health Care Center and other partners to continue to identify various strategies and programs, which may be suited to helping pregnant women and household members of pregnant women reduce or cease smoking. Pre-term birth rates, which is prior to 37 weeks gestation, amongst Cayuga County Black women is 26.7% and amongst Hispanic women is 17.9% of births. Focused effort will be brought toward engaging these populations in strategies to reduce this disparity.
<https://www.health.ny.gov/statistics/community/minority/county/cayuga.htm>
- **The Lead Poisoning Prevention Task Force** will be presenting our Year 2 summary of activities to Auburn City Council on April 26, 2018.

Department Updates

Reporting Period: Mar 1-31, 2018

Office for the Aging

Brenda Wiemann

Director

- Obtained \$4,560 in additional funding from the Alzheimer's Association of CNY 2018 Caregiver Services Initiative grant to help fund respite services for caregivers of those with dementia.
- Continued to build staff knowledge of community resources through an in-service with Cayuga Seneca Community Action Agency. We invited DSS caseworkers to join us in the training to facilitate increased cross-agency collaboration.
- Met with a group of residents at Stryker Homes to review OFA services and assistance.
- Carried out a wide-ranging discussion of multiple issues facing older individual and their caregivers as a guest presenter at the Elder Care Circle at Westminster Church. Shared information on OFA services and assistance.
- Three Aging Services Specialists attended the spring Medicare Rights Center training in Syracuse for improved knowledge of Medicare and Medicare Savings Program issues.
- Multiple Aging Services Specialists were guests at the annual luncheon provided by The Commons on St Anthony.
- Four staff attended the Human Services Coalition Adult and Community Task Group's training on Strengthening-Understanding-Inclusion-Implicit Bias, with very favorable reviews.
- Provided Medicare 101 class on March 1, 2018.
- Nominations are now open for Senior Citizen of the Year, to recognize one or more seniors from the community for outstanding volunteer service. Deadline is for the nominations is April 27th. A celebration will take place as part of the May legislature meeting.

WAYS & MEANS

Treasurer's Office

James H. Orman

Treasurer

- The first installment payment of county/town tax collections were received by the town tax collectors in February. They are being processed in this office. The second and final installment payments are due to be paid to the Treasurer's Office in July.
- Our department has analyzed the development of a purchasing card process. Results include information on how it may interact with our current ACI/Credit Card rebate program. The analysis has shown that Bank of America (our current vendor) has a more favorable rebate rate (30 basis points) than the NYSAC program and additional features. Therefore, we are recommending that we continue to grow our program with Bank of America.
- With regard to our continuing training efforts I am pleased to report that Stacy Morehouse (Real Property Clerk) is enrolled in an Excel II course. Jen Indelicato is scheduled for Excel II and Excel III. Cortney Haberland and Pam Landon (both in Payroll) will be attending courses in Business Writing, E-Communications and Awareness of Self and Others. This is an area that we stress in our office and it is very satisfying that most of our office staff has attended training courses that promote growth and efficiency on a personal and professional level.
- Our sales tax report indicates that revenue is up 7.26% over last year. That is a good beginning of the year. This revenue is the County's second largest revenue (next to the tax levy).

Department Updates

Reporting Period: Mar 1-31, 2018

Department of Real Property Tax Services

Kelly Anderson, CCD

Director

ASSESSMENT & TAX PREPARATION

- Special Franchise values from NYS applied to assessment rolls
- 6 apportioned courtesy tax bills provided to property owners
- Board of Assessment Review information collected and sent to NYS, dates set for training (4/26 & 5/2)
- Level of Assessment (LOA) information collected and sent to NYS
- Reminder to Assessors to publish legal notices required by NYS RPTL
- Provided Villages assessment rolls and taxable values for upcoming Village Tax Bills
- Omitted Tax information calculated, balanced and entered on assessment rolls
- Town of Niles Assessment: 90% of photos completed as required for revaluation project; building permit information and new inventory entered

GIS DEVELOPMENT & MAINTENANCE

- Health Department septic locator ongoing maintenance
- Development of Web App building and tax map online (TMO) application

CUSTOM PROJECTS & OTHER

- County Attorney: researched boundaries, county-owned parcel conveyed to Village of Weedsport (TM 83.00-1-14)
- Highway Department: DOT required maps for 6 culvert replacements at various locations in county.
- Health Department: draft changes for 2nd and 3rd floors of Hardenberg building, pdfs provided
- Village Union Springs: researched strip of untaxed land, tracked ownership to early 1800's

Department Updates

Reporting Period: Mar 1-31, 2018

- Attorney R. Zwirn: proof and draft proposed deed transfer for the Randolph Farms in Moravia
- Participated in ACES pilot software meeting
- Participated in County COOP meetings
- Reviewed CGR Organizational Assessment report
- Updated county-owned real property report and held meeting to review
- Conducted Assessor Orientation
- Updated Policy #80 – Procedures for the Sale and Disposition of Real Property Acquired through Tax Foreclosure
- Handled several inquiries about tax foreclosed real property to be auctioned in June
- Attended the annual United Way meeting to accept an award on behalf of Cayuga County for increased employee contributions
- Provided information to town officials about the assessor and assessment function under NYS RPTL

STATISTICAL INFORMATION

- 134 real property sales involving 151 parcels processed (February data, 1 month reporting lag).
- 255 tax map changes resulted from filing of new deed descriptions, parcel splits/merges or newly filed survey maps. This is considerably higher than the 5 year monthly average of 154 per month.
- 0 RPTL Correction of Errors resulting in a \$2,500 or less refund in taxes per taxing jurisdiction per year as follows (statutory requirement to report list to Legislature): \$0.00

Department Updates

Reporting Period: Mar 1-31, 2018

Department of Human Resources

Michael T. Russell

Human Resources Administrator

YEAR-TO-DATE COMBINED TRANSACTIONS: 1,763

- County departments: 855 total transactions
- Schools, Towns, Villages, BOCES & Special Districts:

287	Schools
409	Towns
53	Villages
101	BOCES
12	CCC
25	Seymour Library
17	Soil & Water
4	Water & Sewer
908	Total Transactions

- Specific personnel action taken:

Transaction Type	No.
Permanent Appointments	127
Provisional Appointments	8
Contingent-Permanent Appointments	0
End of Probationary Period	23
Layoffs Due to Abolishment of Positions	0
Layoffs Due to Lack of Funds or Work	0
Promotions	7
Reinstatements	1
Removals	191
Resignations	53
Retirements	11
Seasonal Appointments	9
Temporary Appointments	17

Department Updates

Reporting Period: Mar 1-31, 2018

- Exams administered & Application fees collected:

Exams Administered		Application Fees Collected:	
March Only	19	March Only	\$ 975
Year-to-Date	21	Year-to-Date	\$3,990

- Exams announced: 8
- Participated in COOP activities
- Reviewed survey
- Team meeting to collectively respond to survey
- Launched HR/Civil Service portal
- Collaborated on grievances from CSEA, DSPA and SEACC
- Facilitated Labor/Management meeting with CSEA
- Met with health plan vendor regarding stop loss option
- Assisted departments in preparing HR related resolutions
- Joined Blue4U results review conference call
- Assist disabled employees with administrative processes
- Prepare to re-establish Risk Management Committee
- Continue steps toward electronic application
- Attended Cato-Meridian School District Board Meeting to assure Civil Service compliance

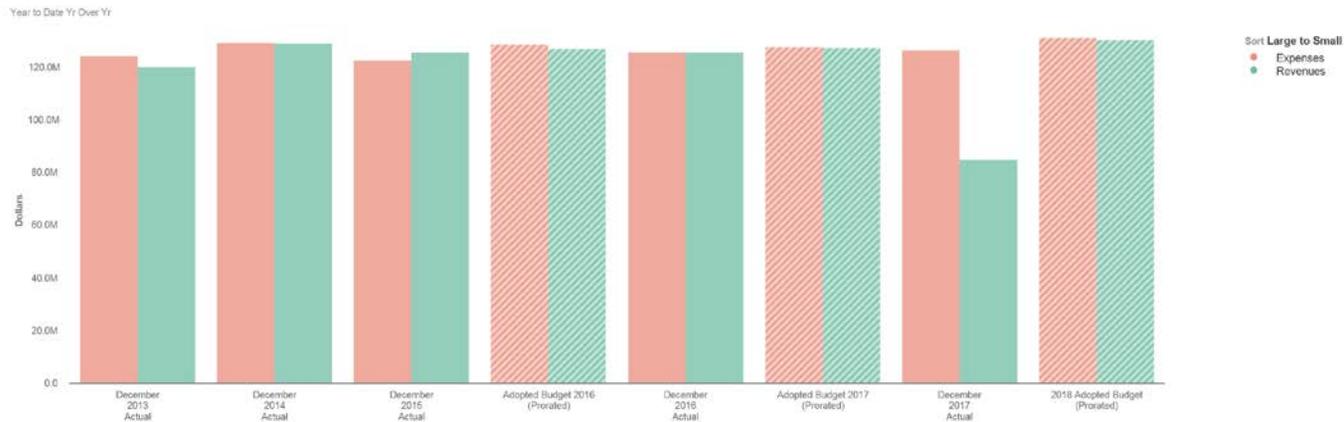
OTHER REPORTS

Budget Reports

Lynn Marinelli, Budget Director

GENERAL "A-FUND"

Year To Date Yr Over Yr



Fiscal Year Through December (cumulative amounts)

Expand All	December 2013 Actual	December 2014 Actual	December 2015 Actual	Adopted Budget 2016	December 2016 Actual	2016 Variance	2016 Variance	Adopted Budget 2017	December 2017 Actual	2017 Variance	2017 Variance	2018 Adopted Budget
Revenues	\$ 120,809,215	\$ 129,491,371	\$ 128,130,820	\$ 127,421,116	\$ 125,912,291	-1,508,825	-1.16%	\$ 127,559,987	\$ 85,428,088	-42,133,899	-33.03%	\$ 130,709,601
Expenses	124,613,059	129,715,696	123,110,405	129,168,515	126,027,056	-3,139,459	-2.43%	128,040,366	128,939,455	-1,100,914	-0.86%	131,292,393
Revenues Less Expenses	\$ -4,003,844	\$ -224,325	\$ 3,020,416	\$ -1,745,399	\$ -114,765	1,630,634	93.42%	\$ -480,382	\$ -41,513,367	-41,032,965	-6.54174%	\$ -582,592

Data filtered by Types: General Fund and exported on February 2, 2018. Created with OpenGov

Probation Department

Raise the Age Planning Document Update: March 27, 2018

Planning for implementation of Raise the Age is now on going with various, interlocking work groups; one group involves Probation, DSS/Mental Health, County Attorney/Presentment Agent, Assigned Counsel, County Budget Director, Sheriff's Office (Administration, Corrections, Juvenile, Investigations), Auburn Police Department, Family and County Court Clerks, Judge Fandrich (and Law Clerk) and the County Administrator. It is anticipated that additional involved departments and agencies will continue to be added to this group. Judge Fandrich has convened a smaller work group around the Youth Part and Office of Court Administration planning. Another focused work group is anticipated to include Probation, New York State Police, Auburn Police Dept., Cayuga Co. Sheriff's Office and representatives of the county's local police department.

State over sight entities (OCA, DCJS/OPCA, OMH, etc.) have put forward different expectations regarding completion of county plans. During a recent county work session, a soft deadline of completion for the Cayuga County plan was set for May 1, 2018 with a hard deadline of June 1, 2018. Please see information below shared by Social Services Director Ray Bizzari;

“We have been hearing questions regarding the RA plan deadline, because people are aware of the executive budget language that says the plan is due on or after April 1, 2018 in a form prescribed by OCFS.

Recap

- 1) The original RtA county plan document is optional and only a few counties chose to submit it to OCFS. It is not necessary to submit this document, it is intended for your county's own use.
- 2) The RtA comprehensive plan is included in the attached executive budget language which is expected to pass with the rest of the state budget. The county comprehensive plan is mandatory on or after April 1 in order to receive reimbursement. OCFS has not sent out any guidance on the mandatory plan, so counties are expecting more details after the state budget passes.

From OCFS budget summary: “For those counties and the City of New York eligible for 100 percent state reimbursement under the law, they will submit a comprehensive plan to OCFS, including startup costs. The plan will identify the eligible incremental costs that will be requested for reimbursement and will be reviewed by the Office of Children and Family Services (OCFS), the Division of Criminal Justice Services (DCJS) and other applicable executive state agencies, with final approval by the director of budget. Once plans are approved, claims/vouchers for reimbursement may be submitted through existing processes.”

Sheila Harrigan
New York Public Welfare Association

Much of the transformative work for this Criminal/Family Court/Juvenile Justice reform falls to Probation and the Court. The County Attorney's Office, as the Presentment Agent, will also see an increase in their Family Court work. The Hon. Mark Fandrich sitting as the Youth Part Judge is the Judge handling these new cases

Department Updates

Reporting Period: Jan. 1-31, 2018

consistent with the new statute and is planning to integrate it with other court operations. Youth Part is scheduled to meet Tuesday afternoons.

The new legislation may affect the Department of Probation in the following ways:

- Increased staff time and costs associated with Intake services and case planning
- Increased staff time and costs associated with monitoring cases diverted for services or placed on supervision by Family Court or the Youth Part.
- Increased staffing costs for Probation Officer and support staff to accommodate the additional youth projected to be involved with the juvenile justice system at RTA full implementation in 2019-2020.
- Increased costs associated with new services required by RTA; case monitoring, Mental Health assessments, evidence based programming and intensive supervision of juveniles
- Increased costs related to training in preparation for services detailed above.
- Increased costs related to equipping new Probation Officers (computers, firearms, body armor, radios, cars, etc.) and spatial requirements to accommodate new staff.

The Department is addressing these challenges through an internal workgroup, and by engaging with county agencies and departments and the FAST. School Districts and BOCES will also be included over time.

Specialized secure and non-secure detention: These are very expensive services. The local juvenile justice system, by design, uses a system where respite and alternative to detention (respite) is used in most cases. This is a much cheaper alternative, is less disruptive to school and families and has proven effective over many years. DSS has projected between 20-25 felony arrests yearly when the law is fully implemented. While the legislation is written with a presumption against detention, we estimate 5 kids needing some term of specialized secure/non-secure detention services per year in addition to the 5 or so <16 year old kids we historically detain that are subjects of juvenile justice complaints.

Cayuga Co. agencies are currently exploring options with other counties/providers to acquire the necessary capacity. Working in our favor in terms of minimizing detention costs is the close working relationship between probation, DSS, Family Court and the FAST team that provides alternative community based programming for kids in Family Court that significantly reduces detention use in Cayuga County.

Probation, either through Intake, case planning, monitoring or preparation of Pre Dispositional Investigations will have a role with virtually all juveniles passing through the system. Even youth who are eventually placed in respite or detention will have some level of contact with the Probation Department.

Increased staffing costs for Probation: Our planning anticipates the creation of 2 FTE Probation Officer positions, dedicated to juvenile justice. The department has never previously staffed specifically to supervise this population. An additional support position is also envisioned to assist with Intake Services. This may be a Probation Officer Assistant, a position which does not currently exist within the department. Cooperative planning with Social Services may also all creation of a preventive services/foster care worker, shared between DSS and Probation. This position may work as a liaison with the Probation Department, assist Probation staff with case planning and family intervention and attend the multi-disciplinary team (FAST).

Increase in contracted services: DSS and Probation are in ongoing discussions related to this legislation and the status of contracts both existing and new. Much depends on how we end up doing some of this work. What follows is a good start but there may be other additions.

- Special Supervision is an intensive community based supervision program that needs expansion to accommodate the additional kids.

Department Updates

Reporting Period: Jan. 1-31, 2018

- Respite/Alternative to Detention contract needs increasing for the same reason.
- Funding for Pre-Trial Diversion (Youth Bureau and county funds) merged with JD Diversion contract to fund whatever strategy the Probation Department uses as part of its diversion package. Additional funding might be necessary.
- Funding additional community based supervision models as alternative to detention (electronic monitoring, intensive supervision, reporting) to minimize the use of specialized detention services.
- Multi-disciplinary assessment and evaluation strategies to identify, treat and manage mental health, substance abuse, and other social determinants of health as well as support families.
- Additional Multi-Systemic Therapy (MST) slots.
- Increase in traditional case management contracts.
- Increase in contract with Sheriff to transport kids back and forth from detention. This is still under discussion as there might be another way to do this.
- Shared Intake facilities located in the Mental Health building (already approved by OMH).
- Exploration of expanded, shared services with Cayuga Counseling Services for evidence based program.

NYS indicates the state is covering 100% of RTA costs incurred by counties that stay under the property tax cap or are able to prove financial hardship. A proposal in the budget negotiations removes the tax cap condition. No firm date for claiming related expenses has yet to be set.

Local departments are still waiting on guidance from OCFS, DCJS/OPCA and OCA on eligible expenses, claiming rules so there remains some fluidity in the planning. Generally speaking, we want to create programming and staffing patterns that can get maximum reimbursement under current claiming rules because the time will come where the state passes these costs along to the counties and we should prepare for that.

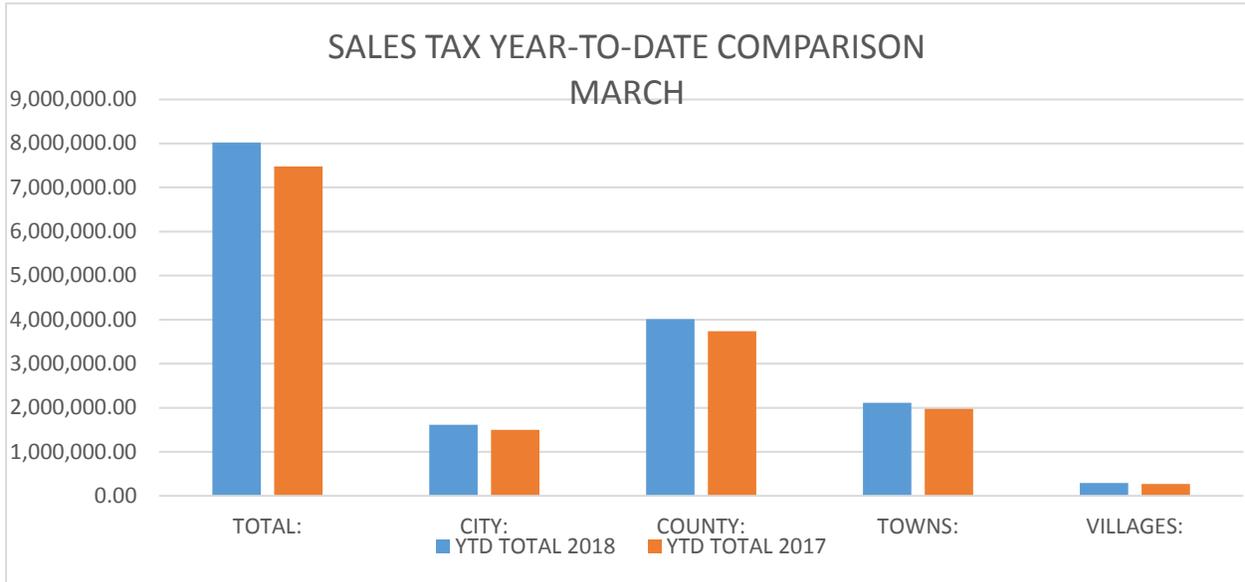
The above summary of Raise the Age activity was compiled cooperatively by Social Services Director Ray Bizzari and Director of Probation Jay De Wispelaere

Submitted April 2, 2018

Department Updates

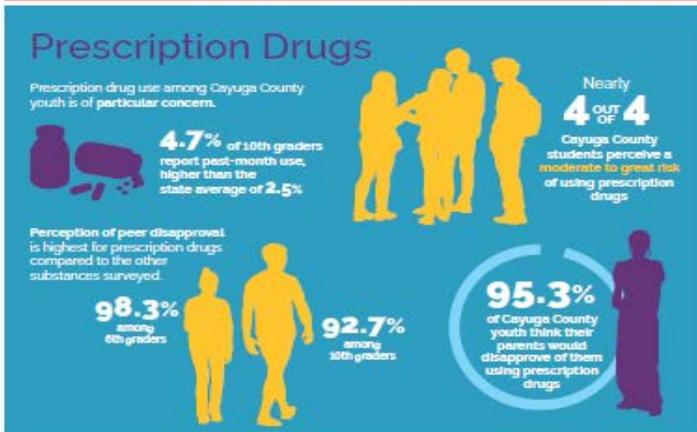
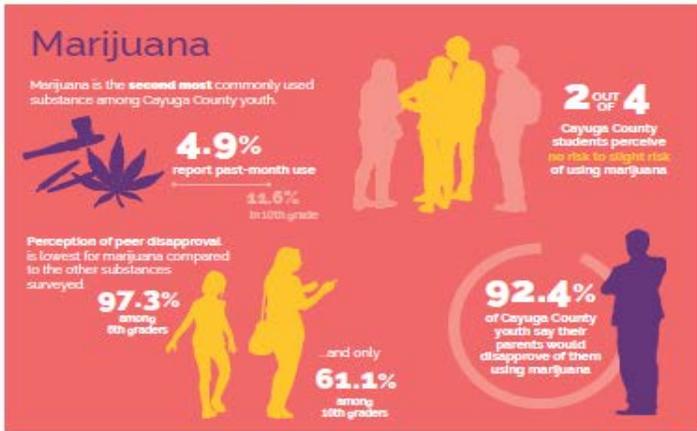
Reporting Period: Jan. 1-31, 2018

Sales Tax Report



Drug-Free Community Coalition

United to Fight It:
Preventing Substance Abuse





NYSAC
NEW YORK STATE
ASSOCIATION OF COUNTIES

Final 2018-19 New York State Budget **Initial County Impact Summary**



New York State Association of Counties
and the
New York State County Executives Association

April 3, 2018

Hon. MaryEllen Odell, NYSAC President
Stephen J. Acquario, Executive Director

Table of Contents

Introduction.....	5
Revenue Actions	5
Outcome of Revenue Actions Having a Direct County Impact	5
Internet Sales Tax Conformity - Rejected.....	5
Elimination of the Energy Services Company Sales Tax Exemption - Rejected	6
Increase in Vending Machine Sales Tax Exemption - Rejected	6
Outcome of Other Major Revenue Proposals	9
Direct Local Government Assistance.....	10
AIM and Other Direct Aid	10
Power Generation Plant Closing Fiscal Assistance to Local Governments	11
State and Municipal Facilities (SAM)	12
Agriculture	13
Local, Farm-fresh Products Incentives in Schools	13
Funding for Local Agricultural Assistance Programs.....	13
Community Colleges.....	15
State Funding.....	15
Chargeback Methodology Change - Rejected	15
Criminal Justice System	15
Early Childhood Development and Children with Special Needs.....	16
Early Intervention Reforms - Rejected.....	16
Economic Development.....	16
REDC Funding.....	16
Establish \$175 Million Workforce Initiative.....	16
Launch Round III of the Downtown Revitalization Initiative.....	17
Establish the New York State 2020 Complete Count Commission.....	17
Brownfield Opportunity Area (BOA) Reform.....	17
Eliminate the 25% Local Match for Community Service Block Grant Funds	17
Create the Community Development Revolving Loan Program	17
Extend and Strengthen the Historic Rehabilitation Tax Credit	18
Reauthorize MWBE Program Legislation	18
Charges for Fiber Optic Right of Way on DOT Property - Rejected.....	18
Regional Economic Development Projects.....	18
Education: Pre-K through 12	19
K-12 State Aid Funding.....	19
Preschool Special Education.....	20
Elections.....	20

Final NYS 2018-19 State Budget: Initial County Impact Report

Increase Transparency of Online Political Advertisements	20
Bolster Election Infrastructure to Defend Against Cyberattacks	20
Institute Early Voting - Rejected	20
Voter Registration Reforms - Rejected.....	20
Institute Public Financing & Enact Additional Campaign Finance Reforms - Rejected.....	20
Environment.....	20
Modifies State Aid to Soil and Water Conservation Districts.....	20
Voluntary public water system consolidation study.....	21
Attack Harmful Algal Blooms.....	21
Renew Funding for the Environmental Protection Fund (EPF)	21
Paint Stewardship - Rejected.....	21
Create the Empire Forests for the Future Initiative - Rejected.....	21
Food Waste Management - Rejected.....	22
Regional Environmental Projects.....	22
Ethics - Rejected	22
Gaming and VLT Revenue Sharing	22
Revenue Sharing.....	22
Other Gaming Proposals - Rejected.....	23
Higher Education.....	24
DREAM Act - Rejected.....	24
Second Phase of the Excelsior Free Tuition Program	24
Housing.....	24
Targeted Assistance for the Elderly and Disabled Veterans.....	24
Human Services.....	24
Authorize a Rental Subsidy for Public Assistance Recipients Living with HIV/AIDS in Rest of State (ROS)	24
NYC Close to Home Initiative – State Ends Fiscal Support.....	24
Child Welfare Block Grant for NYC - Rejected.....	25
Child Care Funding.....	25
Homeless Outreach Requirements.....	25
Suspends the Human Services COLA.....	25
Funding for Major Human Services Programs.....	25
Judiciary and Court Related Matters.....	26
Indigent Defense.....	26
County Process for 18(b) and/or Conflict Defender Changes	27
Market Based Judgment Interest - Rejected	27
District Attorney Salary Increase State Funding - Rejected.....	27

Final NYS 2018-19 State Budget: Initial County Impact Report

Labor.....	27
Expanding the New York Youth Jobs Program.....	27
Extend the Hire a Vet Tax Credit for two years.....	28
Policies and Standards Regarding Sexual Assault Medical Kits.....	28
Medicaid	28
County Nursing Homes	28
Medicaid Transportation.....	28
Public Employee Relations	29
Sexual Harassment Policies.....	29
Union Dues Employer Requirements.....	30
Pay Raise Compensation Committee for State Officials.....	31
Public Health	31
Expanding Control Substance List	31
Lead Paint Testing - Rejected.....	31
Substance Use Disorder and Mental Health Ombudsman.....	31
Opioid Stewardship Act	32
Public Safety.....	32
Reimbursement for State Ready Inmates.....	32
Allow DASNY to Assist Counties with Construction	32
Raise the Age of Criminal Responsibility	32
Authorize DASNY to provide capital construction services to OCFS.....	33
Interoperable Communications Program – No Changes	34
Jail Based Restoration - Rejected.....	34
Jail Based Substance Use Disorder Treatment.....	34
Shared Services.....	34
Extend the County-wide Shared Services Initiative	34
Amend State Law to Facilitate Shared Services.....	35
Matching Funds for Shared Services Savings.....	35
Transportation.....	35
CHIPS	35
Veterans	35
Expand Programs for Incarcerated Veterans	35
Counsel Access for Veterans through Law School Partnerships	36

Introduction

The legislature adopted an on-time budget, but a lot of questions remain as to how the financial plan satisfies the state's self-imposed 2 percent spending cap. The budget increases spending significantly across several programs, including school aid, economic development and health care, but does not impose significant funding cuts elsewhere, nor raise significant new revenues as proposed by the Governor. This plan will be implemented under a \$4.5 billion deficit.

NYSAC will continue to analyze the 3,372 pages of budget documents for a more detailed breakdown and the potential impact on counties. Our initial review below highlights the top issues directly and indirectly impacting counties – more information will follow over the next few weeks.

Revenue Actions

The Governor proposed 35 separate revenue and tax conformity actions in his Executive Recommendation, estimated to raise about \$1 billion in revenue for the pending state fiscal year 2018-19. The Senate and Assembly both rejected many of the Governor's proposals, while offering dozens of their own revenue items.

The final budget included about 40 separate revenue actions, many of which were extensions of existing tax provisions. Below are highlights of key provisions. More details will be provided as the state more fully defines these proposals.

Outcome of Revenue Actions Having a Direct County Impact:

Internet Sales Tax Conformity – Rejected

The Governor proposed a much-needed update to New York's tax laws to ensure that sales taxes owed are collected regardless of the method of purchase. This proposal would have eliminated certain tax advantages provided to businesses located out of New York State and leveled the competitive playing field for in-state businesses.

A significant amount of sales taxes owed under state law remain uncollected when transactions are conducted over the Internet. The proposal would have required large Internet marketplace providers that conduct more than \$100 million annually in transactions over their platforms to collect sales taxes on behalf of all of their vendors. Many of these marketplace hosts already collect sales tax for their own products, but not for third party vendors. For Amazon, more than half of all transactions they process are for third party vendors – most of these transactions do not collect sales tax.

In the first full year the state projected that \$132 million in local sales tax would be collected under this tax conformity and fairness plan. The final budget did not include this proposal.

Elimination of the Energy Services Company Sales Tax Exemption - Rejected

The Executive Budget proposed to eliminate the sales tax exemption for gas and electric services associated with gas and electricity purchased from an energy service company (ESCO). The exemption was enacted in the late 1990's to provide an incentive for customers to purchase gas and electricity from third party energy service companies. It eliminated the collection of sales taxes on the transportation, transmission or delivery of gas and electricity when it is sold separately from the commodity. The Governor's proposal concluded the incentive is no longer necessary as the ESCO industry has matured in the state over the last two decades.

For counties that apply a local sales tax on residential energy, repealing the exemption was expected to increase local sales tax collections by \$38 million in 2019 and \$76 million in 2020. The final budget agreement did not include this provision.

Increase in Vending Machine Sales Tax Exemption - Rejected

The Executive Budget proposed to increase the sales tax exemption for certain food and drink items from \$1.50 to \$2.00 from vending machines that are capable of accepting payment in a form other than coin or currency. The proposal also would exempt bottled water sold from a vending machine. The exemption for any food or drink sold from any type of vending machine would expire on May 31, 2020.

These changes were expected to increase local sales tax revenues by \$3 million annually after 2021, but the final budget agreement did not include this proposal.

Modifies State-Owned Lands Assessment Process - Rejected

The Executive Budget proposal would require that, on and after April 1, 2018, the taxes payable on a taxable parcel of state land shall be equal to (1) the taxes that were payable on that parcel in the prior year multiplied by (2) the "allowable levy growth factor" determined under the property tax cap statute. This formula would not apply to the initial payment of taxes on taxable state land. This means that in a case of newly-acquired taxable state land, or previously-exempt state land that becomes taxable, the initial payment would be calculated in the traditional manner – each year thereafter the new tax cap growth rate process would apply.

There were concerns that this proposal could reduce the value of certain properties and lower revenue collections over time for local governments. The final budget rejected this proposal.

Employer Compensation Expense (Payroll) Tax – Accepted

In response to changes in the federal tax code, the Governor proposed and the Legislature accepted the creation of an employer compensation expense tax, or payroll tax, as a partial alternative to the income tax. The general concept of the proposal is that employers could institute a multi-year transition to a 5 percent payroll tax for their employees that would partially offset the state income tax liability for workers. Under

the federal tax changes, payroll taxes would be deductible for the employer, and the payroll tax paid on behalf of the worker would provide a state income tax credit to the employee to offset a portion of their state income tax liability.

The state tax law change is targeted to employees with annual wages in excess of \$40,000 and in most cases, would not fully eliminate an employee's state tax liability. The imposition of the employer compensation expense tax is optional for employers.

Currently there is no official position from the IRS on whether this payroll tax model would satisfy federal tax criteria for deductibility against an individual's federal income tax liabilities.

Charitable Trust for State Government Programs – Accepted

Again, in response to changes in the federal tax code the Governor proposed and the Legislature accepted the creation of new charitable trusts at the state government level to partially offset state income tax liability.

The final budget allows the state to create charitable trusts to benefit statewide health and education programs. Taxpayers making contributions to the state administered charitable trusts would be provided an 85 percent credit against their state tax liability in the following tax year. Any donations require the State to provide a tax receipt.

Currently there is no official position from the IRS on whether donations to this type of state administered charitable trust would satisfy federal tax criteria for deductibility against an individual's federal income tax liabilities.

Charitable Trust for Local Government Programs – Accepted

The enacted state budget allows school districts and general municipal governments to establish charitable trusts for purposes related to their operations. The rules are generally the same but vary slightly regarding the timing for spending and the use of donated funds. In each case, the local government is required to provide a tax receipt to the donor.

School Districts

Again, in response to changes in the federal tax code, the Governor proposed and the Legislature accepted the creation of new charitable trusts at the local government level to partially offset local property tax liabilities. The proposal allows school districts to establish charitable trusts, with proceeds being available for the school districts general education purposes.

“At such time and in such amounts as determined by the board, the monies of such charitable fund shall be transferred to the school district's general fund for expenditure consistent with the charitable purposes of the fund, provided that the amount of taxes to be levied by the school district for any school year shall be determined without regard to any such transfer.”

School districts establishing charitable trusts would be authorized to provide a credit up to 95 percent of an individual's property tax liability for contributions made by the individual in the tax year the contribution was made.

New York City and Counties

New York City and counties are also authorized to establish charitable trusts. For New York City and counties:

“At the end of the fiscal year, the governing board of the county or New York City, within sixty days of the close of the fiscal year, shall transfer the funds to the general fund or other fund of the municipal corporation, so that the funds may be used for charitable purposes.”

If New York City or a county establishes a charitable trust, it would be authorized to provide a credit up to 95 percent of an individual's property tax liability for contributions made by that individual in the tax year the contribution was made.

All Other Cities, Towns and Villages

Cities, towns, and villages may also establish charitable trusts. For these local governments:

“At the end of the fiscal year, the governing board of the town, village or city, within sixty days of the close of the fiscal year, may transfer the funds to the general fund or other fund of the municipal corporation, so that the funds may be used for charitable purposes.”

If a city, town or village establishes a charitable trust, it would be authorized to provide a credit up to 95 percent of an individual's property tax liability for contributions made by that individual in the tax year the contribution was made.

Currently there is no official position from the IRS on whether donations to these types of local government charitable trusts would satisfy federal tax criteria for deductibility against an individual's federal income tax liabilities.

Outcome of Other Major Revenue Proposals

The Executive Budget includes a wide variety of other revenue proposals, including:

Decouples the State Tax Code from the Federal Tax Code

Many provisions of the state tax code are directly tied to the federal tax code. As the federal code changed it caused a variety of impacts on individual and corporate state income tax liabilities. The budget includes several provisions to delink the state tax code from the federal tax code in order to cut off the prospect of large state income tax liabilities or windfalls for individuals and businesses.

- **Decouple from Federal State and Local Tax Deduction Cap**

The federal law caps the aggregate itemized deduction for state and local taxes, including property taxes, at \$10,000. Because New York requires state itemized deduction calculations to start with the deductions claimed on the companion federal return, the new federal cap on state and local tax deductions has the potential to substantially lower the amount of itemized deductions claimed at the state level.

The enacted budget decouples this provision from federal law in order to avoid a \$441 million state tax increase that would result from the flow-through of the new federal cap to state income tax returns.

- **Maintain the Standard Deduction for Single Filers**

Under current law, New York offers state dependent exemptions that can be used to reduce adjusted gross income for state tax purposes. However, the state exemption can be claimed only for dependents, not for taxpayers and spouses. In 2018, the state dependent exemption is equal to \$1,050. Federal suspension of personal exemptions is not expected to impact the State's dependent exemption. However, suspension of federal personal exemptions will have a direct impact on the availability of the state standard deduction for single filers. Under current state law, a taxpayer is eligible for the standard deduction for single filers only if the individual "is not married nor the head of a household nor an individual whose federal exemption amount is zero...."

This language is intended to preclude joint filers, head of household filers, and taxpayers that are claimed as dependents on other taxpayers' returns from claiming the single filer deduction (\$8,000 for 2018).

Absent a state statutory change, single taxpayers will be required to claim the lower deduction intended for dependent filers (\$3,100 in 2018), generating an expected \$840 million annual tax savings for New Yorkers.

- **Decouple from the Federal Code to Maintain Current Empire State Child Tax Credit**

The federal tax law changes significantly enhanced and expanded the federal child tax credit. The state's Empire Child Tax Credit is linked to the federal credit. By delinking the state and federal child credit's the state will prevent a large revenue loss related to the federal changes.

This change keeps the Empire State Tax Credit at its current levels and preserves \$503 million in state revenues annually.

Mandating that Enhanced STAR recipients use the Income Verification Program

This proposal is estimated to save the state \$35 million and was accepted.

Establishment of an Opioid Surcharge

While the Governor's original budget proposal was not accepted as presented, a modified version was enacted that will require opioid manufacturers to contribute to a fund that is capped at \$100 million.

Capping the annual growth rate in STAR benefits to zero percent

This proposal was projected to save the state \$49 million, but was rejected.

Windfall Profit Tax on Health Insurers

The Governor proposed a 14 percent tax on insurers as a claw back mechanism for the state related to federal corporate tax cuts. This proposal was estimated to raise \$140 million but was rejected.

Direct Local Government Assistance

AIM and Other Direct Aid

Direct local government assistance has increased compared to last year, mainly due to the addition of \$225 million in state matching funds related to the Countywide Shared Services Initiative (CWSSI) plan submissions for 2018. This funding will be allocated to CWSSI panel municipalities that demonstrate actual savings at the end of 2018. In addition, Native American gaming compact revenue appropriations have been boosted to allow for the flow of withheld Seneca Nation funds if an agreement is reached with the State. Commercial gaming revenue estimates have been reduced by nearly one half, based on the performance of these facilities to date. The commercial gaming facility in Sullivan County opened earlier this year, but the overall revenues are still lower than last year, even with this new facility opening.

Final NYS 2018-19 State Budget: Initial County Impact Report

	2017-18 Enacted	2018-19 Exec. Proposed	Final
AIM	\$715,000,000	\$715,000,000	\$715,000,000
Citizens Reorganization Grants	\$35,000,000	\$35,000,000	\$35,000,000
Local Govt. Efficiency Grants	\$4,000,000	\$4,000,000	\$4,000,000
County Wide Shared Services	\$0	\$225,000,000	\$225,000,000
<i>Small Govt Assistance</i>			
Essex	\$124,000	\$124,000	\$124,000
Franklin	\$72,000	\$72,000	\$72,000
Hamilton	\$21,300	\$21,300	\$21,300
VLT	\$28,885,313	\$28,885,313	\$28,885,313
Madison	\$2,250,000	\$2,250,000	\$2,250,000
Onondaga Co.	\$2,000,000	\$0	\$2,000,000
+School demo-Syracuse	\$115,000	\$0	\$0
Cayuga	\$83,350	\$0	\$92,500
Seneca	\$310,000	\$0	\$340,000
Franklin	\$310,000	\$0	\$310,000
Niagara County IDA	\$1,440,000	\$0	\$1,600,000
N.A. Gaming Compact	\$129,000,000	\$186,000,000	\$186,000,000
Commercial Gaming	\$88,000,000	\$60,000,000	\$60,000,000
Power Plant Closing Fund	\$45,000,000	\$45,000,000	\$69,000,000
TOTAL	\$955,945,967	\$1,301,352,613	\$1,305,695,113

Power Generation Plant Closing Fiscal Assistance to Local Governments

Last year, \$45 million was appropriated to provide fiscal assistance to municipalities negatively impacted by the closing of power plants that created large revenue losses for them because of lost property taxes. The program was expanded in this budget by adding an additional \$24 million, for a total of \$69 million. Assistance is available to impacted municipalities where the closure of a power generating facility leads to a reduction in property tax (or PILOT) payments in excess of 20 percent owed by the generating facility. Payments are limited to no more than seven years as presented in the following schedule:

Award Year	Maximum Potential Award
1	No more than 80 percent of loss of revenues
2	No more than 70 percent of loss of revenues
3	No more than 60 percent of loss of revenues
4	No more than 50 percent of loss of revenues
5	No more than 40 percent of loss of revenues
6	No more than 30 percent of loss of revenues
7	No more than 20 percent of loss of revenues

State and Municipal Facilities (SAM)

The State Capital Projects budget continues this program for a sixth year and provides up to \$475 million (a \$90 million increase from the prior year) to fund capital costs of construction, improvement, rehabilitation or reconstruction of facilities owned by eligible entities (including the state and any municipal entity, among other public entities). This funding can also be used for the acquisition of capital assets with a useful life of not less than 10 years. For SFY 2018-19, out of this appropriation \$40 million is set aside for expenses related to Lake Ontario-St. Lawrence Seaway Flooding that may have been incurred prior to April 1, 2018. Total funding appropriated for SAM since inception now stands at \$2.4 billion.

Road construction, off ramps, and similar transportation infrastructure has also received funding through this program. In addition, projects related to county-owned properties such as parks, airports, memorials, arts and cultural facilities, and arenas have been funded. Priority will be given to projects that meet certain economic development goals that will create or retain jobs. Project awards have ranged from \$50,000 to over \$10 million.

Three years ago, the program was modified to expand the types of projects eligible to include fixed capital assets, as well as items including but not limited to heavy duty road maintenance and construction vehicles, pavers, snowplows, street sweepers, heavy duty fire & emergency response vehicles, and law enforcement vehicles.

This program is controlled by state elected representatives and *we urge county leaders to compile lists of appropriate potential project and equipment needs and work with your state elected representatives and the Governor's Office to secure funding for your projects.*

Agriculture

Local, Farm-fresh Products Incentives in Schools¹

The enacted budget will incentivize school districts to use more local farm-fresh products by increasing the reimbursement schools receive for lunches from the current 5.9 cents per meal to 25 cents per meal for any district that purchases at least 30 percent of their ingredients from New York farmers, growers, producers, or processors. This applies to lunches served during the school year commencing on July 1, 2019 and each school year thereafter. School food authorities will have to apply for this subsidy annually.

Funding for Local Agricultural Assistance Programs

Numerous state funding cuts proposed by the Governor were rejected and overall grant funding increased slightly compared to last year. The chart below highlights these actions:

Agriculture Grant Programs	2017/18 Enacted Budget	2018/19 Enacted Budget
Ag. Child Care (Migrant)	\$9,275,000	\$9,275,000
Core Diagnostic Lab	\$5,425,000	\$5,425,000
Quality Milk (Mastitis)	\$1,174,000	\$1,174,000
NYS Cattle Health Assurance	\$360,000	\$360,000
Johnes Disease	\$480,000	\$480,000
Rabies Prevention	\$610,000	\$610,000
Avian Disease	\$252,000	\$302,000
Farm Family Assistance	\$800,000	\$872,000
Geneva Experiment Station – Hop Testing	\$200,000	\$300,000
State Seed Inspection Program	\$0	\$0
Golden Nematode	\$62,000	\$62,000
Future Farmers of America	\$842,000	\$842,000
Ag in Classroom	\$380,000	\$380,000
Ass'n of Ag Educators	\$416,000	\$416,000
NYS Apple Growers Association	\$750,000	\$750,000
Wine / Grape Foundation	\$1,020,000	\$1,023,000
Farm Viability Institute	\$1,900,000	\$1,900,000
Pro Dairy	\$150,000	\$150,000
Cornell - Pro Dairy	\$1,200,000	\$1,201,000
Agriculture Domestic Arts	\$500,000	\$500,000
TASTE NY Program	\$1,100,000	\$1,100,000

¹ ELFA, Part B

Final NYS 2018-19 State Budget: Initial County Impact Report

School Local Food Prog. Competitive Fund	\$750,000	\$750,000
Maple Producers Association	\$215,000	\$225,000
Tractor Rollover Program	\$250,000	\$250,000
NYS Apple Research and Devel. Program	\$500,000	\$500,000
Cornell Maple Research	\$125,000	\$125,000
FVI Berry Industry Programs	\$60,000	\$60,000
Cornell Berry Research	\$260,000	\$260,000
Christmas Tree Farmers Assn	\$125,000	\$125,000
NY Corn and Soybean Growers	\$75,000	\$75,000
Cornell Honeybee Research	\$50,000	\$150,000
Cornell Onion Research	\$50,000	\$50,000
Cornell Vegetable Research	\$100,000	\$100,000
Cornell Veterans to Farms	\$115,000	\$115,000
Cornell Farm Labor Compliance	\$200,000	\$200,000
Cornell Farmer Muck Boot Camp	\$100,000	\$0
Long Island Deer Fence Grants	\$200,000	\$200,000
Eastern Equine Encephalitis	\$175,000	\$175,000
FVI – Dairy Profit Teams	\$220,000	\$220,000
Genesee-Livingston-Steuben-Wyoming Academy	\$100,000	\$100,000
Long Island Farm Bureau	\$100,000	\$100,000
Island Harvest	\$20,000	\$20,000
North Country Vaccine Prog.	\$25,000	\$25,000
North Country Farm to School	\$300,000	\$300,000
North Country Ag Academy	\$200,000	\$200,000
Northern NY Ag Development	\$600,000	\$600,000
NYS Turfgrass Assn.	\$150,000	\$150,000
Wood Products Council	\$100,000	\$100,000
Farmers Market Federation	\$138,000	\$138,000
Senior Farmers Market Nutrition	\$500,000	\$500,000
Farm to Table Trail	\$50,000	\$50,000
School Gardening Programs	\$100,000	\$100,000
State Brewers Association	\$10,000	\$75,000
NY Cider Association	\$10,000	\$75,000
State Distillers Guild	\$10,000	\$75,000
Chautauqua Beekeepers Association	\$10,000	\$0
Cornell Sheep Farming Program	\$10,000	\$0
Cornell Hard Cider Research	\$0	\$200,000
American Farmland Trust	\$0	\$400,000
Cornell Concord Grape Research	\$0	\$300,000
Cornell - Salmonella Dublin Bacteria	\$0	\$200,000

NY State Fair - Wool Center	\$0	\$25,000
Total	\$32,899,000	\$34,435,000

Community Colleges

State Funding

Funding for Community College state base aid is reduced by just over \$7.6 million. The chart below provides a breakdown of proposed funding changes.

Description	SFY 2017-18 Enacted	SFY 2018-19 Proposed	Final
State Base Aid	\$461,134,000	\$441,420,000	\$453,484,000
Next Gen Job Linkage	\$3,000,000	\$3,000,000	\$3,000,000
Rental Aid	\$11,579,000	\$11,579,000	\$11,579,000
Contract Courses and Workforce	\$1,880,000	\$1,880,000	\$1,880,000
High Need Degrees	\$1,692,000	\$1,692,000	\$1,692,000
Child Care	\$2,099,000	\$1,001,000	\$2,099,000
Low Enrollment Assistance	\$940,000	\$940,000	\$940,000
Graduate Achievement & Placements	\$1,500,000	\$0	\$0
Apprenticeship/EOC	\$3,000,000	\$3,000,000	\$3,000,000
High Enrollment Aid	\$2,000,000	\$0	\$0
SUNY Orange bridge	\$0	\$0	\$100,000
TOTAL STATE FUNDING	\$488,921,000	\$464,512,000	\$477,774,000

Chargeback Methodology Change - Rejected

The final budget agreement repeals a statutory requirement for SUNY to develop a new methodology for calculating county chargeback rates to ensure equity between the local sponsor contribution per student and the chargeback rate per student charged to other counties. The implementation of the new methodology was previously delayed for two years (to become effective in the 2018-19 academic year) and this new provision repeals the proposal in its entirety.

Criminal Justice System

The criminal justice reform proposals in the Executive Budget were not included in the final State Budget. These proposals would have had direct impacts on counties and included:

- 1) reforming monetary bail,
- 2) changing the discovery process,

- 3) speedy trail modifications, and
- 4) asset forfeiture system changes.

There is an expectation that these issues will continue to be under consideration during the remainder of the legislative session.

Early Childhood Development and Children with Special Needs

Early Intervention Reforms - Rejected

The final budget rejected a series of reforms to the Early Intervention (EI) program proposed by the Governor that were designed to streamline the eligibility process and ensure appropriate health insurance reimbursements for covered EI services. The proposals revise the definition of “evaluation,” “evaluator,” “partial evaluation,” “multidisciplinary,” and “screening.” There were also extensive changes intended to better define health insurer requirements and increase the enforcement capacity of the Department of Financial Services.

These changes were estimated to save counties nearly \$10 million annually upon full implementation. The enacted budget did not include these proposals.

Economic Development

REDC Funding

The enacted budget includes core capital and tax credit funding that will be combined with a wide range of existing agency programs for an eighth round of REDC awards totaling \$750 million.

Establish \$175 Million Workforce Initiative²

The enacted budget establishes a new approach for workforce investments that support strategic regional efforts to meet businesses’ short-term workforce needs, improve regional talent pipelines, expand apprenticeships, and address the long-term needs of expanding industries, with a particular focus on emerging fields with growing demand for jobs like clean energy and technology. Funds will also support efforts to improve the economic security of women, youth, and other populations that face significant barriers to career advancement. The Department of Labor, in consultation with the State Workforce Investment Board (SWIB), will administer the \$175 million in workforce development money.

² Cuomo’s press release and NYATEP

Launch Round III of the Downtown Revitalization Initiative³

More than 100 communities in all ten regions of the state competed for the first 20 DRI awards to boost their local economies and transform downtown neighborhoods. The Enacted Budget will continue the initiative with an additional \$100 million, providing up to \$10 million for awards in each region.

Establish the New York State 2020 Complete Count Commission

The enacted budget creates a commission to identify issues that may have led to past Census undercounts in New York State and to make recommendations to ensure an accurate count in the 2020 Census. The commission will consist of sixteen members that reflect the diversity of New York State residents. It can hold public hearings and events, as well as establish committees and workgroups.

The commission will produce a report by January 10, 2019 that contains an overview of the issues that may have led to undercounts in the past and a comprehensive plan for state and local governmental and non-governmental agencies to work together to ensure an accurate county in the 2020 Census. By January 10, 2020, the commission will issue a second report that details the actions taken by the commission since the initial report and how any appropriations made for the 2019-20 fiscal year will be used to meet the recommendations and action plan in the initial report. The commission will exist until December 31, 2020.

Brownfield Opportunity Area (BOA) Reform⁴

The Brownfield Opportunity Area Program provides financial and technical assistance to municipalities and community-based organizations. Communities and organizations can apply for designation and receive the accompanying brownfield development tax credits. The enacted budget makes enhancements to the BOA program to enhance efficiency and allow plans that are financed with local or other state funding to also apply for designation. It also adds public participation measures and expands state financial assistance related to nominations to designate brownfield opportunity areas and predevelopment activities within a designated brownfield opportunity area.

Eliminate the 25% Local Match for Community Service Block Grant Funds⁵

The Community Service Block Grant (CSBG) is a federal anti-poverty program administered by the Department of State. The enacted budget eliminates the State law requirement that recipients of CSBG funds secure a 25 percent local match, effective October 1, 2018.

Create the Community Development Revolving Loan Program⁶

The enacted budget includes language to create a Community Development Revolving

³ Capital Projects, DOS

⁴ TED, Part U

⁵ TED, Part V

⁶ TED, Part SS

Loan Program to support loans for small businesses and other entities in underserved areas.

Extend and Strengthen the Historic Rehabilitation Tax Credit

The enacted budget reauthorizes the State Commercial and Homeowner rehabilitation tax credit programs through 2025 and allows the State commercial credit to be used independently of the federal credit.

Reauthorize MWBE Program Legislation⁷

State agencies and authorities are charged with establishing business participation goals for businesses owned by minorities and women under the State's Minority and Women-owned Business Enterprise (MWBE) Program. The Enacted Budget extends the MWBE Program, which is due to expire this year, for one year.

The Executive Budget proposed to expand program requirements to include all municipalities on contracts that include the appropriated state dollars. The Enacted Budget rejects this proposal.

Charges for Fiber Optic Right of Way on DOT Property⁸ - Rejected

The Executive Budget proposed to authorize the DOT to rationalize rents charged for fiber optic cables installed along State highway right of way to ensure upstate investment continues under the New NY Broadband Program. The proposal is not in the Enacted Budget.

Regional Economic Development Projects

Create Photonics Attraction Fund in Rochester

The enacted budget dedicates \$30 million to a Photonics Attraction Fund, administered through the Finger Lakes Regional Economic Development Council, to attract integrated photonics companies to set up their manufacturing operations in the greater Rochester area.

Advance Industrial Hemp Production

The enacted budget continues state investment in hemp research, production, and processing. The Budget provides \$650,000 for a new, \$3.2 million industrial hemp processing facility in the Southern Tier. New York State will invest an additional \$2 million in a seed certification and breeding program to begin producing unique New York seed. Finally, New York will host an Industrial Hemp Research Forum in February that brings together researchers and academics with businesses and processors to develop ways to further boost industry research in New York.

Investment in Life Sciences

⁷ REV, Part 000

⁸ TED, Part F

The enacted budget includes \$600 million to support construction of a life sciences public health laboratory in the Capital District that will promote collaborative public/private research and development partnerships.

Invest in the Olympic Regional Development Authority (ORDA)

The enacted budget includes \$62.5 million in new capital funding for ORDA, including \$50 million for a strategic upgrade and modernization plan to support improvements to the Olympic facilities and ski resorts, \$10 million for critical maintenance and energy efficiency upgrades, and \$2.5 million appropriated from the Office of Parks, Recreation and Historic Preservation budget as part of the New York Works initiative.

Enhance North Country Lodging

The State will provide the North Country with tools and resources to bolster tourism and catalyze private investment in lodging. Empire State Development will commission a study to identify lodging development opportunities in the Adirondacks and Thousand Island regions and provide \$13 million in capital funding through the Regional Economic Development Councils (REDCs) and Upstate Revitalization Initiative to spur development activity.

Education: Pre-K through 12

K-12 State Aid Funding

The enacted budget increase State aid for K-12 education funding by just under \$900 million according to the school aid runs. The Governor and Legislature quote a higher number of \$995 million in increased aid. The chart below highlights funding based on estimated school aid runs for 2018-19.

State School Aid Funding 2008 through 2019			
Year Ending in	Funding Level	Dollar Change*	Percent Change
2008	\$19.3 billion		
2009	\$20.7 billion	\$600 million	5.0%
2010	\$20.4 billion	-\$300 million	-1.6%
2011	\$19.9 billion	-\$500 million	-2.1%
2012	\$19.4 billion	-\$500 million	-2.9%
2013	\$19.9 billion	\$500 million	2.7%
2014	\$20.8 billion	\$900 million	4.6%
2015	\$21.8 billion	\$1 billion	4.6%
2016	\$22.9 billion	\$1.1 billion	5.0%
2017	\$24.3 billion	\$1.4 billion	5.9%
2018	\$25.2 billion	\$900 million	3.7%
2019	\$26.1 billion	\$900 million	3.6%

*Dollars rounded to nearest \$100M

Preschool Special Education

The Governor proposed an increase in universal prekindergarten funding of \$15 million targeted to high need districts with an emphasis on classrooms that integrate special education students with their peers. This was adopted as part of the final budget.

Elections

Increase Transparency of Online Political Advertisements

The enacted budget expands New York State's definition of political communication to include paid internet and digital advertisements, requires digital platforms to maintain a file of all political advertisements purchased by a person or group for publication on the platform, and requires online platforms confirm that foreign individuals and entities are not purchasing political advertisements to influence the American electorate.

Bolster Election Infrastructure to Defend Against Cyberattacks

The enacted budget includes \$5 million to implement a four-pronged strategy to further strengthen cyber protections for New York's election infrastructure: create an Election Support Center, develop an Election Cyber Security Toolkit, provide cyber risk vulnerability assessments for State and County Boards of Elections, and require County Boards of Elections to report data breaches to State authorities.

Institute Early Voting - Rejected

The Executive Budget included a proposal to allow for early voting in all special, primary, and general elections to make it easier for New Yorkers to vote. The enacted budget rejects this proposal.

Voter Registration Reforms - Rejected

The Executive Budget proposed to adopt an automatic voter registration system by automatically sending voters' information from relevant agencies directly to the County Board of Elections. The Executive Budget also proposed to allow New York State citizens to register and vote on the same day. The enacted budget rejects both proposals.

Institute Public Financing & Enact Additional Campaign Finance Reforms - Rejected

The Executive Budget proposed to reform the State's campaign finance system by requiring disclosure of certain campaign contributions, reducing campaign contribution limits, and enacting a voluntary public campaign finance system. The enacted budget rejects these proposals.

Environment

Modifies State Aid to Soil and Water Conservation Districts

The enacted budget amends the soil and water conservation districts law to provide that financial assistance be distributed equally to districts that qualify pursuant to performance standards, including but not limited to: 1) demonstrating the extent and

sufficiency of district board activity, including board operations, financial oversight, and training; 2) district reporting requirements, including annual reports, responding to the state committee, and public outreach, and education activities; 3) the quality of the delivery of state natural resource conservation programs, including appropriate certifications, training, timely completion of projects, and compliance with reporting; 4) the ability of the district to use such funding to leverage additional funds from local, federal, and private sources; and 5) the ability to promote partnerships and assist local governments and non-governmental organizations.

[Voluntary public water system consolidation study⁹](#)

The enacted budget requires the Department of Health to establish a study to evaluate the feasibility of voluntarily joining public water systems in order to improve water quality. The Department will be required to submit a report with recommendations to the Governor and Legislature by January 1, 2020.

[Attack Harmful Algal Blooms¹⁰](#)

The State will implement a \$65 million initiative to combat harmful algal blooms (HABs) in Upstate New York water bodies using resources from the Clean Water Infrastructure Act and the Environmental Protection Fund. The resources will be used to develop action plans to reduce sources of pollution that spark algal blooms, and provide grant funding to implement the action plans, including the installation of new monitoring and treatment technologies.

[Renew Funding for the Environmental Protection Fund \(EPF\) T A T F](#)

The enacted budget continues funding for the EPF at \$300 million.

[Paint Stewardship - Rejected](#)

The Senate and Assembly budgets included different proposals for the creation of a statewide paint stewardship program to reduce local government costs related to the disposal of leftover paint. The enacted budget rejects both proposals.

[Create the Empire Forests for the Future Initiative¹¹ - Rejected](#)

The Executive Budget proposed to modify the existing forestry property tax law to create a new property tax incentive for privately-owned forests and open space and to encourage timber sales in support of biomass energy and wood-products industries in the state. NYSAC voiced concern that this would result in property tax losses for counties. The enacted budget does not contain this proposal.

⁹ HMH, Part LL

¹⁰ Cuomo's press release, Capital Projects DEC

¹¹ TED, Part Z

Food Waste Management - Rejected

The Executive Budget proposed language that would have phased in a requirement for high-volume food waste generators to divert excess food and food scraps to food banks, animal feed operations, anaerobic digesters, or other composting and organics recycling facilities. The enacted budget rejects this proposal.

Regional Environmental Projects

Continuing Relief and Recovery Efforts along the Lake Ontario and St. Lawrence River Shoreline¹²

The Enacted Budget includes an additional \$40 million, bringing the total commitment to \$95 million, to help the families along the Lake Ontario and St. Lawrence River shoreline recover from flooding. The impacted counties include Jefferson, Monroe, Niagara, Orleans, St. Lawrence, Wayne, Cayuga, and Oswego.

Complete the Hudson River Park¹³

The Enacted Budget includes \$50 million in capital funding to help complete the Hudson River Park. The Budget includes language to ensure that New York City makes its own phased and matched investments.

Overhaul Niagara Falls Wastewater Treatment Facility¹⁴

The Enacted Budget provides \$20 million to launch phase one of the comprehensive infrastructure and operational improvements at the Niagara Falls Wastewater Treatment Facility.

Contain and Treat “Grumman Plume”

The enacted budget includes funding to construct a well system to contain and treat a contaminated groundwater plume in order to protect the quality of drinking water on Long Island.

Ethics - Rejected

The Governor proposed a series of ethics reforms for elected officials – they were all rejected.

Gaming and VLT Revenue Sharing

Revenue Sharing

The enacted budget provides \$60 million to counties and host communities for commercial gaming activities. This is a reduction from the prior year funding level of \$88 million that accounts for lower than expected revenues.

¹² REV, Part DDD

¹³ Cuomo’s press release

¹⁴ Cuomo’s press release

The spending plan also provides \$186 million for counties and host communities related to Native American compact gaming operations. This is an increase from the prior year funding level of \$129 million to accommodate the timing of a *possible* settlement between the State and Seneca Nation over withheld gaming payments. Additionally, the budget provides \$28.9 million for VLT host communities, including revenue sharing for Yonkers at \$19.6 million and Upstate host communities at \$9.285 are level funded.

The chart below details the differences in appropriations and revenue sharing for both commercial gaming and Native American compact regions.

Commercial Gaming Revenues – SFY 2018-19 Budget Proposal		
Description	SFY 2017-18	SFY 2018-19
Catskill (Hosts & Counties)	\$34 million	\$20 million
Capital District (Hosts & Counties)	\$34 million	\$20 million
Southern Tier (Hosts & Counties)	\$20 million	\$20 million
Total Revenue Sharing	\$88 million	\$60 million

Native American Gaming Compact Revenues – SFY 2018-19 Proposed		
Description	SFY 2017-18	SFY 2018-19
Mohawk (Hosts)	\$15 million	\$15 million
Mohawk (Counties)	\$6 million	\$6 million
Oneida (Hosts)	\$30 million	\$34 million
Oneida (Counties)	\$9 million	\$10 million
Seneca Niagara (Hosts)	\$25 million	\$44 million
Seneca Niagara (Counties)	\$10 million	\$17 million
Seneca Allegany (Hosts)	\$15 million	\$26 million
Seneca Allegany (Counties)	\$5 million	\$9 million
Seneca Buffalo Creek (Hosts)	\$10 million	\$18 million
Seneca Buffalo Creek (Counties)	\$4 million	\$7 million
Total Revenue Sharing	\$129 million	\$186 million

Other Gaming Proposals - Rejected

A series of budget proposals were considered in three-way negotiations that may have had some revenue impacts on counties by either preserving existing revenue streams or creating new revenue sources under the state gaming laws. None of these were included in the final budget. The major issues included:

- *Sports Betting* - The Senate proposal to allow for sports betting did not make it in the final budget. This proposal would have allowed sports betting through

existing commercial casinos and allowed for the involvement of OTBs to help facilitate the commercial casinos sports betting.

- *Online Poker* - The Senate proposal to legalize online monetary poker did not make it in the final budget.
- *Tax Incentives for Existing Private Casinos* - No new incentives or tax rate adjustments were made for the private casinos of New York. There were reports leading into the final days of the Budget Agreement that these proposals may be included, but they were not.

Higher Education

DREAM Act - Rejected

The enacted budget does not include the DREAM Act.

Second Phase of the Excelsior Free Tuition Program

The enacted budget includes \$118 million to support free tuition for an estimated 27,000 students. The enacted budget also includes language that would allow Higher Education Services Corporation to change a student's determination of eligibility for the Excelsior Scholarship if such student has a change of household income.

Housing

Targeted Assistance for the Elderly and Disabled Veterans

The final budget creates two housing programs that are designed to assist the elderly and disabled veterans with home repairs or modifications to help them stay in their homes and improve safety and health conditions. These programs will be funded by the state and administered by not-for-profits, cities, towns and villages (if they chose to participate).

Human Services

Authorize a Rental Subsidy for Public Assistance Recipients Living with HIV/AIDS in Rest of State (ROS)

The final budget does include the Governor's proposal to create a rental subsidy program for public assistance recipients living with HIV/AIDS. The program allows the Rest of State (ROS) counties to opt-in to restricting the client contribution to thirty percent of their unearned and/or earned income toward shelter costs, or to establish a ROS program should offsetting savings be available from Medicaid services.

NYC Close to Home Initiative – State Ends Fiscal Support

The final budget included the Governor's proposal to continue for five years New York City's Close to Home initiative for youth and families, but eliminates \$41.4 million in funding to support the initiative. The state has provided funding for this initiative since inception of the program several years ago. This program was implemented to allow

New York City to keep kids that would normally have been sent away to OCFS youth detention facilities closer to their homes and families. The City found that they could provide services to these children and families in their community at a far lower cost than sending them far away for placement in state-run OCFS facilities.

Child Welfare Block Grant for NYC - Rejected

The state retains the child welfare funding match at 62 percent for counties. The Governor proposed capping reimbursements to New York City child welfare services at no more than \$320 million, effectively eliminating the open-ended 62 percent state match. Capping reimbursements to New York City would have shifted an estimated \$17 million in costs from the state to the City. The final budget *rejected* this proposal.

Child Care Funding

Combined state general fund and TANF child care funding is \$7 million higher than last year, a 1.1 percent increase. While federal Child Care Block Grant Funding is the same as last year.

There is a placeholder for up to \$130 million in additional federal child care funding from the Child Care Development Block Grant. The recently enacted federal omnibus funding bill included additional funding, in these amounts:

- \$80 million shall be made available for the activities necessary to meet federally required set-aside for infant and toddler activities and to implement the health, safety and quality requirements of the Child Care Development Block Grant Reauthorization Act of 2014, which may include increased inspections, background checks, professional development and training activities and associated systems and administrative costs.
- \$10 million available to counties that agree to increase access to subsidized child care, and
- The remainder is available for other child care funding purposes including meeting new market rates.

Homeless Outreach Requirements

The final budget agreement concurred with the Governor's recommendation to require all local social service districts to engage in planning activities related to street outreach, homelessness prevention activities, rapid rehousing, and ongoing housing stability for the formerly homeless. The Budget authorizes OTDA to *withhold funding* for districts that fail to implement an effective outreach program.

Suspends the Human Services COLA

The proposal eliminates the statutory Human Services Cost of Living Adjustment for SFY 2019. This is estimated to save the state \$19.1 million in the budget year.

Funding for Major Human Services Programs

PROGRAM	2017-18 Enacted	2018-19 Proposed	Final
(TANF) Family Assist. and Emergency Assist.	\$1,300,700	\$1,400,000	\$1,400,000
Safety Net (State's 29% share)	\$540,300	\$555,000	\$552,000
Child Welfare preventive and protective	\$635,073	\$635,073	\$635,073
Child Care Subsidies - General Fund (13907)	\$216,860	\$266,860	\$285,827
Child Care Block Grant – Federal (13950)	\$308,746	\$308,746	\$308,746
Child Care – TANF (52209)	\$369,659	\$326,659	\$307,691
Close-to-Home Initiative - NYC	\$41,400	\$0	\$0
Flexible Fund for Family Services	\$964,000	\$964,000	\$964,000
Foster Care Block Grant	\$383,526	\$383,526	\$383,526
Summer Youth Employment	\$36,000	\$40,000	\$40,000
TOTALS	\$4,775,964	\$4,879,864	\$4,879,863

Judiciary and Court Related Matters

Indigent Defense

The adopted State Budget includes \$155.5 million for counties for indigent defense purposes. This is an increase of \$50.7 million in aid compared to 2017. Additionally, the budget provides \$5.7 million for State operational support, an increase of \$.9 million from 2017.

Indigent Defense Legal Services Funding			
	Final FY 2017-18	FY 2018-19 Final	FY 2018-19 Final Change
State Operations	\$4.8 million	\$5.7 million	+\$0.9 million
Aid to Localities	\$104.8 million	\$155.5 million	+\$50.7 million
All Funds	\$109.6 million	\$161.2 million	+\$51.6 million

The proposed \$155.5 million county aid appropriation would be allocated as follows:

- *ILS Distributions and Grants* - \$81.0 million is allocated for ILS distributions and grants.
- *Hurrell-Harring Settlement (5 counties)* - \$23.8 million is allocated for implementation of the Hurrell-Harring settlement, as follows:
 - \$19.0 million for the five settlement counties to add staff and other resources needed to comply with caseload/workload standards determined by ILS.

- \$2.0 million to further implement the written plan developed by ILS to improve the quality of indigent defense in the five settlement counties; and
 - \$2.8 million to further implement the written plan developed by ILS to provide in person representation of eligible defendants at all arraignments in the five settlement counties.
- *Statewide Expansion of Hurrell-Harring Reforms (52 counties)* - \$50.0 million to implement arraignment, caseload/workload standards, and system improvements.
 - \$720,000 for the development, administration and auditing of contracts; such funds may be transferred to state operations and may be sub-allocated to other state agencies.

County Process for 18(b) and/or Conflict Defender Changes

The State Budget changes the approval process for counties seeking to modify indigent defense services, such as including adding a Conflict Defender Office. Under previous state law a county, along with input from the local bar, were to submit a system change plan to OCA for approval. This budget change now replaces OCA with Office of Indigent Legal Services as the plan approval entity.

Market Based Judgment Interest - Rejected

The proposal to change the current New York State interest rate is not included in the Final Budget. Accordingly, for plaintiffs seeking to appeal a judgment, the interest on the judgement will remain set at 9%.

District Attorney Salary Increase State Funding - Rejected

For the third year in a row the State Budget fails to cover mandated increases to DA salaries. Under state law, DA salaries are tied to the state judge salaries, are not included in the budget. This mandatory salary level increased again in April of 2018. This salary increase costs counties over \$3 million per year.

Labor

Expanding the New York Youth Jobs Program

The enacted budget expands the New York Youth Jobs program that encourages businesses to hire unemployed, disadvantaged youth, ages 16 to 24, with a focus on the following cities and towns: Albany, Buffalo, New York, Rochester, Schenectady, Syracuse, Mount Vernon, New Rochelle, Utica, White Plains, Yonkers, Brookhaven and Hempstead.

The enacted budget increases the credit amounts by 50 percent, from \$500 to \$750 per month for up to the first six months, and from \$2,000 to \$3,000 for each employee who is employed for additional time periods after six months with a maximum full time hire credit of \$7,500.

Extend the Hire a Vet Tax Credit for two years

The enacted budget extends by two years the tax credits provided for hiring veterans, through tax year 2020.

Legal

Policies and Standards Regarding Sexual Assault Medical Kits

The State Budget changes policies and standards used by hospitals and law enforcement regarding forensic sexual assault exams, including the following:

- Hospitals may not bill a victim for any costs associated with the forensic sexual assault exams and must notify the victim of the option to decline any of their information regarding this procedure being transmitted to an insurance carrier. The Office of Victims Services will reimburse the hospital for costs.
- All sexual offense evidence shall be kept in a locked, separate and secure area for twenty years and the hospital shall notify the alleged sexual offense victim that, after twenty years, the sexual offense evidence will be discarded in compliance with state and local health codes.
- Beginning April 1, 2018, the Office of Victims Services, the Division of Criminal Justice Services, and the Division of State Police shall jointly study and make recommendations concerning the process of storage and monitoring of sexual offense evidence for twenty years, including studying options for the use of state owned or operated facilities; facilities owned or operated by local governments or law enforcement agencies; and facilities owned or operated by private entities.

The study's plan will be submitted to the Director of the Budget, Speaker and President of the Senate on or before December 1, 2019.

Medicaid

County Nursing Homes

The final budget proposes to transfer MLTC enrollees that are permanently placed in a nursing home to fee-for-service after three months. Currently, the placement in managed care does not end under most circumstances. This will help retain a portion of intergovernmental transfers under the upper payment limit threshold that would eventually disappear under a 100 percent Medicaid managed care model.

Medicaid Transportation

The Governor's proposal to eliminate aid for upstate rural transportation networks that supported Medicaid transportation was rejected.

Public Employee Relations

Sexual Harassment Policies

The following changes in law regarding Sexual Harassment Policies were adopted in the State Budget. These provisions will apply to counties mainly as employers.

State Contract Bids

Every competitive bid for goods or services sold to the state or any public department or agency of the state must receive the following statement subscribed by the bidder and affirmed by such bidder as true under the penalty of perjury:

"By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees."

Prohibiting Mandatory Arbitration Clauses for Sexual Harassment Matters

Employers, including counties and all private employers, may not place mandatory arbitration clauses in employment contracts for matters pertaining to sexual harassment claims. The "mandatory arbitration clause" is defined as a provision contained in a written contract which requires the parties to arbitration prior to the commencement of any legal action. However, both parties (employee and employer) retain the power to mutually agree to arbitration.

Reimbursement of Funds Paid by a Public Entity (State and Local Government)

Any public employee who has been subject to a final judgment of personal liability related to a claim of sexual harassment, shall reimburse any public entity that makes a payment to a plaintiff for an adjudicated award based on a claim of sexual harassment resulting in a judgment, for his or her proportionate share of such judgment

The term "public entity" shall mean the State, a county, city, town, village or any other political subdivision or civil division of the state including a school district, board of cooperative educational services, or any other governmental entity or combination or association of governmental entities operating a public school, college, community college or university, a public improvement or special district, a public authority, commission, agency or public benefit corporation, or any other separate corporate instrumentality or unit of government.

The term "employee" shall mean any commissioner, member of a public board or commission, trustee, director, officer, employee, or any other person holding a position by election, appointment or employment in the service of a public entity, whether or not compensated.

The employee must reimburse such public entity within 90 days of the payment of such award. If the employee fails to reimburse such public entity, the chief fiscal officer of the

public entity shall, upon obtaining a money judgment, withhold from such employee's compensation the amounts necessary for full reimbursement.

If such employee is no longer employed by the public entity, the public entity shall have the right to receive reimbursement through the enforcement of a money judgment pursuant to civil practice law and rules.

Nondisclosure Agreement

When resolving any claim that involves sexual harassment by agreed judgment, stipulation, decree, agreement to settle, assurance of discontinuance or otherwise, no employer, its officer or employee shall have the authority to include a non-disclosure agreement unless the condition of confidentiality is the plaintiff's preference.

Model Sexual Harassment Policy

The Department of Labor shall create (at a future non-specified date) a sexual harassment prevention policy. All employers (private and public) must adopt their own sexual harassment prevention policy and this must equal or exceed the standards within the State's model.

Sexual Harassment Relating to Non-employees

This budget states it is an unlawful discriminatory practice for any employers to permit sexual harassment of non-employees in its workplace. An employer may be held liable to a non-employee who is a contractor, subcontractor, vendor, consultant or other person providing services with respect to sexual harassment, when the employer, its agents or supervisors knew or should have known that such non-employee was subjected to sexual harassment in the employer's workplace, and the employer failed to take immediate and appropriate corrective action.

Union Dues Employer Requirements

The enacted budget changes the union membership dues process for public employers. The changes require:

- Processing payroll union membership dues deductions no later than 30 days after an employee signs a union dues deduction authorization card.
- Union membership to remain in full effect until an employee revokes such membership in writing or the employee no longer works for the public employer.
- If a public employer rehires an employee within a year, dues deductions automatically are reinstated.
- Employers to notify unions of any hire or rehire within 30 days of employment. The employer must allow representatives of the union time to meet with the new employee.

- Unions to have no duty to represent any non-member employee, unless such right is specifically bargained for and agreed to in the public employer/union CBA.

[Pay Raise Compensation Committee for State Officials](#)

The Budget establishes a compensation committee to evaluate and make compensation recommendations for members of the State Legislature, statewide elected officials, and various state commissioners.

Committee Members

The committee consists of the Chief Judge of the State of New York, the Comptroller of the State of New York, the Chairman of the State University of New York Board of Trustees, the Comptroller for the City of New York, and the Chairman of the City University of New York Board of Trustees.

Process

The committee must meet within the state and must hold at least one hearing at which the public will be afforded an opportunity to provide comments. The committee shall submit a report by December 10, 2018 to the Governor and the Legislature of its findings and recommendations.

Any findings and recommendations in the report must be adopted by a majority vote of the committee. Each member of the committee shall report their vote and describe their reasoning for their determination.

The committee determination shall be in effect on January 1, 2019, unless subsequent State law supersedes such determination.

Public Health

[Expanding Control Substance List](#)

The enacted budget includes the addition of different chemical compositions to the state's controlled substances list. Some of these compounds are already listed on the federal schedule of controlled substances but are only banned in certain New York State counties. This action ensures manufactures and sellers in all New York's counties are subject to the same criminal penalties.

[Lead Paint Testing - Rejected](#)

The enacted budget does not include requirements on lead paint testing.

[Substance Use Disorder and Mental Health Ombudsman](#)

The enacted budget includes the establishment of an office of the independent substance use disorder and mental health ombudsman program that will be operated or selected by the office of alcoholism and substance abuse services, in consultation with the office

of mental health for the purpose of assisting individuals with a substance use disorder and/or mental illness to ensure that they receive appropriate health insurance coverage.

The ombudsman will identify, investigate, refer and resolve complaints that are made by, or on behalf of, consumers relative to health insurance coverage and access to initial and continuing substance use disorder care and mental health care; accept, investigate, refer and help to resolve complaints that are made by treatment providers relative to health insurance coverage of and reimbursement for initial or continuing substance use disorder and mental health care; accept, investigate, refer and help to resolve complaints that are made by or on behalf of consumers or by providers relative to network adequacy for access to and continuing substance use disorder and mental health care.

Opioid Stewardship Act

The enacted budget created a \$100 million Opioid Stewardship Fund that pharmaceutical manufacturers and wholesalers would pay into under language in the budget bill pertaining to health and mental hygiene.

The payments are calculated from a revenue-based formula to one based on the amount of morphine milligram equivalents. Sales of buprenorphine, methadone or morphine opioids typically used in medication-assisted treatment or palliative care are exempt.

Payers would be prohibited from passing on the cost to the end user, or risk a \$1,000 per day fine. The fund is dedicated to programs operated or authorized by the Office of Alcoholism and Substance Abuse Services, or to help support the prescription drug monitoring program.

Public Safety

Reimbursement for State Ready Inmates

The enacted budget rejected the Governor's proposal to eliminate reimbursements to counties for transportation of state ready inmates for both travel costs and a portion of salary costs for the transportation of state ready inmates. This reverses a \$750,000 funding cut proposed by the Governor.

Allow DASNY to Assist Counties with Construction

The enacted budget includes authorization to obtain DASNY bond financing and construction services to local social services districts, probation departments, and not-for-profits providing juvenile residential placement services; to finance the construction of new specialized secure detention facilities and/or retrofitting existing juvenile detention facilities in time for the implementation of Raising the Age of Criminal Responsibility.

Raise the Age of Criminal Responsibility

Delinking from the Property Tax Cap

Proposals to delink raise the age reimbursements by the state from the property tax cap were not adopted. The budget also did not support proposals from the Legislature to ensure New York City would also receive 100 percent reimbursement for their raise the age costs.

State Funding

The enacted budget includes \$100 Million to Implement Raising the Age of Criminal Responsibility. The funding will be allocated for:

Services and expenses related to raising the age of juvenile jurisdiction, including but not limited to, juvenile delinquency prevention services, law enforcement services, transportation services including transportation provided by sheriffs, court operational expenses and services, adolescent offender facilities, detention and specialized secure detention services, probation services, placement services, specialized housing services, aftercare services, program oversight and monitoring services, local presentment agency costs, costs of local governments within a county and the city of New York.

- Funds shall be available for incremental state costs associated with raise the age and to reimburse eligible counties and the city of New York for incremental costs associated with raise the age-related expenditures, pursuant to section 54-m of the state finance law.
- Counties and the city of New York shall submit a comprehensive plan, in a form and manner prescribed by the Office of Children and Family Services (OCFS), the Division of Criminal Justice Services (DCJS), in consultation with other applicable executive state agencies, as approved by the director of the budget, identifying eligible incremental costs for which reimbursement will be requested. Plans will be reviewed by the OCFS and DCJS, and other related executive state agencies and approved by the director of the budget.
- Counties and the City of New York may amend such plans, as needed, and resubmit for review by the OCFS and DCJS and approval by the director of the budget.

[Authorize DASNY to provide capital construction services to OCFS](#)

The enacted budget includes language to authorize the Dormitory Authority of the State of New York (DASNY) to provide capital design and construction services to OCFS. Under current law, only the Office of General Services (OGS) is authorized to provide capital design and construction services to OCFS. OCFS operates a youth facility system comprised of buildings across the state, many of which are old and require regular capital improvements/maintenance to remain functional and safe.

Giving OCFS the option to use both OGS and DASNY for capital design and construction services will provide the agency with increased flexibility to manage and implement critical projects in the most cost-efficient manner.

Interoperable Communications Program – No Changes

The Executive Budget proposes \$75 million for the Interoperable Communications Program, operated by Homeland Security and the Office of Interoperable Communication. The program includes \$65 million for grants or reimbursement to counties for the development, consolidation or operation of public safety communications systems or networks designed to support statewide interoperable communications. In addition, the program includes \$10 million for grants to counties for costs related to the operations of public safety answering points (PSAPs).

Jail Based Restoration - Rejected

The enacted budget does not include language for the Office of Mental Health (OMH) to permit restoration to competency within local and State operated jail-based residential settings provided such entities agree to participate in such a program.

Jail Based Substance Use Disorder Treatment

The enacted budget included \$3,750,000 for services and expenses of jail-based substance use disorder treatment and transition services. The Office and Alcohol and Substance Abuse Disorder (OASAS) Commissioner, in consultation with local governmental units (LGUs), county sheriffs and other stakeholders, shall implement a jail-based substance use disorder treatment and transition services program.

The program will have the plans developed by participating LGUs, in collaboration with county sheriffs. The program will include but not limited to:

- alcohol, heroin and opioid withdrawal management;
- medication-assisted treatments approved for the treatment of a substance use disorder by the federal food and drug administration;
- group and individual counseling and clinical support;
- peer support;
- discharge planning; and
- re-entry and transitional supports.

Shared Services

Extend the County-wide Shared Services Initiative¹⁵

The enacted budget extends the County-wide Shared Services Initiative until December 31, 2021. School districts, boards of cooperative services (BOCES), fire districts, fire protection districts, and special improvement districts will have the option to participate. School districts and BOCES can participate in shared services agreements without the opinion or approval of the State Department of Education.

After having convened at least two meetings in a calendar year, a panel can decide that it is not in the best interest of taxpayers to revise and update a previously approved plan

¹⁵ PP&GG, Part EE

or develop a new plan that year. New shared services actions not included in a previously approved or submitted plan may be eligible for State matching funds, subject to available appropriation.

The Department of State is required to prepare a report by June 13, 2022 that includes a detailed summary of projects included in the shared services plans, a detailed summary of each county's plan, the anticipated savings for each plan. The Secretary of State may solicit from the panels advice and recommendations concerning matters related to the operations of local governments and shared services initiatives.

Amend State Law to Facilitate Shared Services¹⁶

The enacted budget amends the Uniform Justice Court Act to allow towns to share one or more town justices. The towns do not need to be adjoining. The enacted budget does not include amendments to the General Municipal Law or the Statute of Local Governments that would authorize counties to engage in planning and zoning at the request of another local government as proposed by the Governor.

Matching Funds for Shared Services Savings

The enacted budget includes \$225 million in state matching funds for payment to local governments. The State will match net savings that are actually and demonstrably realized from new actions that were included in an approved county-wide shared services property tax savings plan finalized and submitted to the Division of Budget pursuant to the statute.

Transportation

CHIPS

The State Budget proposal includes an increase of \$65 million in one-time state support for the Consolidated Highway Improvement Program (CHIPS) and the Marchiselli program, for a total of \$542.8 million. The base of \$477.8 million remains and the additional one-time \$65 million, distributed through the CHIPS formula, is for extreme weather road repair. The Budget also continues \$100 million in highway aid through the PAVE NY program and BRIDGE NY programs. Funding for these two programs over the existing 5-year capital plan for transportation, which runs through 2020, remains on target.

Veterans

Expand Programs for Incarcerated Veterans

The enacted budget expands programs currently available to incarcerated veterans and offers the programs in Maximum Security Facilities for the first time. DOCCS will hire additional Licensed Master Social Workers, as well as a coordinator, and purchase a new professionally designed veteran specific curriculum that will broaden the scope of issues

¹⁶ PP&GG, Part DD

addressed, including conflict reduction and posttraumatic stress disorder and other relevant topics.

Counsel Access for Veterans through Law School Partnerships

In 2017, New York State's Justice for Heroes grants were established, awarding \$50,000 to each of five law schools offering innovative proposals to address veterans' unmet legal needs. The funding allows law schools to provide free legal assistance to veterans and their family members in practice areas, including foreclosure prevention and other consumer protection matters, family law assistance, discharge upgrade cases, and complex appeals regarding VA benefits. This budget proposal will continue the Justice for Heroes program, allowing each school the chance to renew their grants for the next two years.

