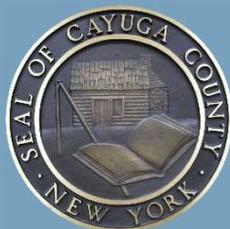


Cayuga County Administrator's MONTHLY REPORT

Reporting Period: January 1 - 31, 2018



Cayuga County Government
www.cayugacounty.us

CONTENTS

COUNTY ADMINISTRATOR’S MESSAGE . 3

County Administrator’s Office 4

GOVERNMENT OPERATIONS..... 5

County Attorney’s Office 5

County Clerk’s Office..... 6

Clerk of the Legislature 8

Information Technology 9

Board of Elections 10

Veteran’s Service Agency..... 11

PUBLIC WORKS 12

Buildings & Grounds 12

Parks & Recreation 12

County Highway Department 13

Water & Sewer Authority 14

Weights & Measures..... 16

PLANNING & E.D. 17

Department of Planning & Econ. Dev.. 18

Employment & Training 19

Cayuga Economic Development Agency 21

Cornell Cooperative Extension..... 23

Soil & Water Conservation District..... 24

Convention & Visitor’s Bureau_(Tourism) 25

JUDICIAL & PUBLIC SAFETY 26

Assigned Counsel | Stop DWI 26

Youth Bureau..... 26

E-911 Center..... 28

District Attorney’s Office 29

Sheriff’s Department..... 30

Emergency Management Office 31

Coroner’s Office 33

Probation Department 34

HEALTH & HUMAN SERVICES36

Mental Health | Dept. Social Services 36

Health Department 38

Office for the Aging 39

WAYS & MEANS 40

Treasurer’s Office..... 40

Department of Real Property Tax Services 41

Department of Human Resources..... 42

OTHER REPORTS..... 44

Budget Reports 44

Cayuga County Clerk Department Reports 48

NYSAC REPORTS 51

NYS FY 2018-19 EXECUTIVE BUDGET |

COUNTY IMPACT REPORT 51

NYSAC LEGISLATIVE RESOLUTIONS..... 51



County Administrator's Monthly Report

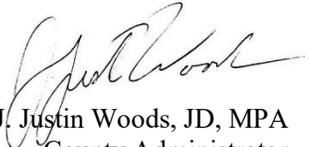
Reporting Period: January 1-31, 2018

On December 18, 2017, I began the exciting adventure of serving as your County Administrator. I am incredibly grateful for this opportunity, and I have enjoyed my first six weeks on the job! Freshly back from the New York State Association of Counties (NYSAC) 2018 Legislative Conference in Albany, which I attended with Legislature Chair Mahunik, Vice Chair Lattimore, and a strong delegation of County Legislators, I am pleased to unveil the first edition of the County Administrator's Monthly Report! Our team is eager to not only provide this report to the County Legislature, but also to make the report available to the general public on our website.

The Monthly Report is designed to provide a monthly overview of the County Government operations. In this initial report, you will find department updates, a working budget report, and NYSAC's Interim Budget & Legislative Reports. Over time, this report will expand to include more detailed reports and analysis, and ultimately progress on the county's goals and objectives (after they are developed). My hope for this report is that it will be an informative tool that assists the Cayuga County Legislature, the policymakers, in better serving our Cayuga County communities. Additionally, I hope this report will provide transparency and useful information to the Cayuga County community at large.

In the meantime, I want to say how proud I am of the County's Department Heads and Staff. Starting the Monthly Report was a significant effort, and our team rose to the challenge of developing this report in a very condensed timeline. Moreover, they did so while simultaneously developing new unified committee reports. This could not have been accomplished without everyone's dedication, professionalism, and teamwork, and the excellent templates developed by our Department of Planning & Economic Development.

We have a lot planned for 2018, and this Monthly Report is your guide to the action! Lastly, we look forward to hearing your feedback as we experiment with this new report.


J. Justin Woods, JD, MPA
County Administrator

Department Updates

Reporting Period: Jan. 1-31, 2018

County Administrator's Office

J. Justin Woods, JD, MPA

County Administrator

- Met with all 15 current and 3 outgoing Legislators to begin preparing Government work priorities, and toured several county facilities to meet department heads and staff.
- Met with City Manager & DOS Representative to begin preparing for Shared Services Plan. Upcoming meetings local officials.
- Attended CGR Steering Committee meeting and spoke with CGR staff by phone. We expect a draft plan to the Steering Committee by the end of the month, and then a presentation to Legislature in March.
- Coordinated follow up responses to the Governor's Office regarding flood mitigation in several areas throughout the County.
- Initiated process to re-evaluate options for providing a Deferred Compensation Plan for employees.
- Attended CEDA Economic Forecast and January Board meeting. In 2017, Auburn switched from the Mayor to the City Manager as its board representative. After consulting with the Chair, we have requested a similar bylaw amendment for the County's representative.
- Collaborated with all Departments to develop new Monthly Report and integrate Legislative Committee Reports.
- Attended NYSAC 2018 Legislative Conference. NYSAC Interim Budget Report & Legislative Resolutions attached in Reports.
- Had initial meeting with outside labor counsel regarding several items including finalizing the MOU with DSPA, and preparing timeline for upcoming CSEA negotiations.
- Finalized contract with William (Bill) Dashnaw, Dashnaw's Town Budget Service, Inc., to serve as a Special Assistant to the County Administrator, advising the County Highway Department on management, budget, and, operations.

GOVERNMENT OPERATIONS

County Attorney's Office

Frederick Westphal, Esq.

Attorney

- The Chief Assistant County Attorney starts February 12, 2018.
- Responded to approximately 38 FOIL requests in the month of January.
- Opened and prosecuted JD in the month of January.
- Monitored various RPTL Tax Assessment cases.
- Responded to various Department questions and Legislator concerns.
- Filed two responses to Article 78 challenges to department head actions in the month of January.
- Worked with Department Head Ray Bizzari and the DSS legal staff on the concept of providing integrated legal services to county departments.
- Drafted and reviewed several hundred county contracts.

County Building Inspector's Monthly Report

- Three (3) Inspections for Cato.
- OTHER INSPECTIONS:
 - The DSS hotel inspections for January have been completed.
 - Fire inspections on the county owned buildings for 2018 are started. The buildings completed on Genesee Street had no violations except for minor storage issues.
 - The fire inspection notices have been sent out for the Village of Cato.
 - The required year end reports for Cato, and Cayuga County have been filed with the secretary of state.

County Clerk's Office

Susan M. Dwyer

County Clerk

Clerks Recording Office:

- Hosted the Finger Lakes Regional Meeting of the New York State Association of County Clerks (NYSACC). Held meeting at the Brutus Town Hall in Weedsport. Discussed important statewide and local issues such as the SAFE Act Pistol Permit recertification, and our collective lobbying effort to increase the DMV Retention fee since it has not been increased in more than 18 years.
- Partnered with the local **SCORE** Office (small business support) by having one of their volunteers to be in our office the second Tuesday of every month to give small business owners the opportunity to sit down with them to ask questions and gather information.
- Scheduled a **Passport and Veterans Discount Day** on March 10 at the Finger Lakes Mall. Every year we offer this opportunity to:
 1. Have people apply for passports on a weekend when it is more convenient to get family members together.
 2. Give Veterans their Veteran Discount Card so they can use the discounts offered by the more than 150 local businesses that have signed up to participate in our ***Return the Favor (Veteran's Discount) Program***.
- Hired a part-time and a full-time Senior Clerk to fill vacancies, and appointed three (3) Deputy Clerks to fill vacancies as a result of two retirements.
- All Passport Acceptance Agents in our office were trained and recertified by the U. S. Passport Agency. This is an annual training and requirement.

Records Retention Center:

- Shredding has begun for the annual purge of documents for the Health and Human Services Departments. We will be shredding all of those documents that have been maintained until they have reached the end of their retention date. They can now be destroyed.
- Completed the scanning projects for the following department's records: Veterans, Civil Service, Planning, and County Attorney. Scanned a total of 20,614 documents in January.

Department Updates

Reporting Period: Jan. 1-31, 2018

County Clerk Office, *continued*

- Retrieved 173 documents from various county department requests for records in January.

Historian's Office:

- County Historian Dr. Ruth Bradley, participated in the Historian's Coalition of Cayuga County (H3C) meetings. The common thread in these discussions was the Equal Rights Heritage Center about to be built in downtown Auburn. Dr. Bradley is spending considerable time identifying potential visual materials for permanent exhibit in the new facility.
- Gathered information about the broken or missing historic markers throughout the county and will help develop a plan to repair markers in partnership with town historians.
- A stand-alone computer is now available in the County Historian's Office. This will greatly expand their ability to view, identify, and archive photographic materials in their collection, and view other materials that are brought into the office without compromising the security of the County's computer network.

Department of Motor Vehicles:

- Planning for our annual **Organ Donation Drive** activities for the month of April.

Other County Clerk Reports to Note:

Please see additional County Clerk Reports under "Other Reports", beginning on pages 48-51 and including:

- *Clerk's Office Revenue Reports & Comparisons: 2016 to 2017;*
- *DMV Dept. Revenue Reports & Comparisons: 2016 to 2017;*
- *Clerk's Depts. Performance Measures: 2016-2017*

Clerk of the Legislature

Sheila Smith

Clerk of the Legislature

AUDITING:

- Auditing is going well. There have been a few departments that have had invoices that needed to be paid by credit card. They were informed and invoices were rejected and paid by credit card.

CODIFICATION:

- Per State mandate, all County's will have to codify their Local Laws. Once done it will have to be approved by the Legislature and then e-mailed to the state and updated yearly. The County Administrator, County Attorney, and I will be working on this in 2018. The County Administrator requested I get quotes from Codification companies.

WEX GAS CARDS ACCOUNT:

- This account has been updated and all departments have been notified.

COMMITTEE REPORTS:

- Amanda Morgan and I have been working with the County Administrator to get the new process up and running. It will be a learning process for Department Heads and we will continue to move forward.

Information Technology

Stephen D. Tobin

Chief Information Officer

January 28th was National Data Privacy Day, reminding us all of the importance of protecting the privacy of personal information at all times.

The Information Technology team works diligently to provide a wide variety of support to departments county-wide and offers the following department updates:

- We plan to submit proposed updates to the Cayuga County Breach Notification Policy in the first quarter of 2018. This proposed update will encompass the annual review process for this policy as well as addressing some recent changes in County operating structure.
- Published the January Cyber Newsletter for employees on the county's intranet portal.
- Researching the requirements to expand an existing internal use computer based alerting system.
- Deployed the CAD systems mobile application to county owned mobile devices. Currently testing deployment to provide access to CAD for authorized first responders.
- Completed project to upgrade phone controllers OS to current version.
- Continued to work with our CAD vendor in support of their efforts to correct a few on-going post deployment issues and remaining deployment related projects.
- Commenced project to deploy software to provide GPS based endpoint location information and other security related features.
- Commenced project to upgrade our Mobile Device Management system to the latest version.
- Commenced project to reconfigure our virtual server and SAN environments to allow for server hardware to be retired and the introduction of SAN based backup.
- Commenced project to replace certain county firewalls per manufacturer's replacement schedule.
- ***Closed 332 Support Tickets in the month of December.***

Board of Elections

Cherl A. Heary (R)

Katie Lacey (D)

- **2017 Year in Review:** 1,420 new registrations processed, 307 duplicate registrations from DMV, 227 petitions (200 designating) 7 opportunities to ballot, 20 independent and one caucus certificate.
- Conducted primaries in 7 towns.
- Conducted general election, less than 35% voter turnout.
- Conducted mail check in August. Returns 30% lower than 2016. Postal savings of \$600.00.
- Conducted office meeting as required by NYS BOE.
- Completed 25 page NYS BOE annual report.
- IT Department upgrade software (NTS) is in process and we had training on a new module.
- We determined that registration numbers in the Town of Fleming called for creation of an additional election district. The parking has been strained and especially in Presidential years, the room has become crowded during the busiest voting times. We consulted with the Town Supervisor. We selection the Firehouse Number 2 in the Hamlet as a second location. We have notified the Town Board (required by law before February deadline). Voters impacted by the change will receive letters of notification in addition to the usual mail check.
- The Directory of Officials is in progress and expect distribution in February.
- Had office discussions regarding early voting, possible problems impacting Cayuga County logistically, fiscally, and staffing.

Department Updates

Reporting Period: Jan. 1-31, 2018

Veteran's Service Agency

Larry Wilt

Director

- In the month of January our office will continued to prepare, present and appeal claims for federal benefits to the Department of Veterans Affairs. Specifically Vietnam veterans dealing with Agent Orange related diseases.
- 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.
- Attended the Veterans of Foreign Wars (VFW) Emergency meeting to find ways of finding new 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.
- Staff all attended a Webinar on the 23rd to better deal with Agent Orange related diseases.
- The agency continues to look for new benefits that may come available to our disabled and wartime veterans.
- Larry and Chris went to Calamari Post on 31 January to discuss upcoming membership drive for the club in February.
- Larry had a meeting with Debby McCormick on the 18th to discuss new paver blocks and overall upkeep in the park.

PUBLIC WORKS

Buildings & Grounds

Parks & Recreation

Gary Duckett, *Buildings & Grounds Supervisor*

Doug Dello Stritto, *Parks Maintenance Supervisor*

Buildings and Grounds and Parks have been busy with snow removal, routine maintenance, and various projects. Highlights are listed below:

- The new Park Maintenance Supervisor, Doug Dello Stritto, started 1/2/18. Mr. Dello Stritto oversees all of Cayuga County Parks and Trails.
- Boat Launch DASNY Update: We completed the Grant Disbursement Agreement (GDA) paperwork and returned it to the state. We received the fully executed GDA and are now working on the paperwork for payment of the \$75,000.
- C&S Engineers will be making repairs to the peak of the pavilion ballroom at no cost to the county. At the same time they are going to install 4 ceiling fans to eliminate the problem. This work will be completed in February.
- Planning is working with Park Staff to develop an RFQ to allow the County to select an architect to design a new Nature Center Building. The County has approximately \$200,000 in a reserve fund for a new Center and The Friends of Sterling Nature Center have been raising funds for this project as well. We hope to use the design to apply for grants to allow our limited resources to be leveraged.
- Plans for the Cato/Brutus Trail project are being developed and we hope to begin work in the spring or early summer.
- Now that the lake level has been lowered the Boat Launch Vendor will be coming in to address the items on the punch list and to install bumpers.
- Buildings will be updating the Capital Plan for County Buildings and Grounds. The Legislature passed Resolution 374-17 to create a reserve fund A18862 to fund some of the needed work.

Department Updates

Reporting Period: Jan. 1-31, 2018

County Highway Department

Dan Bowen

Acting County Highway Superintendent

- I have reached out to Justin Woods regarding some job duties of the Highway Superintendent position that I am not familiar with. Justin has introduced me to highway/DPW colleagues from other counties. These officials were very helpful in giving me advice about my job duties. Justin has gone above and beyond to help me in this new position, and I am learning every day.
- Snow and ice control operations are going smoothly considering the number of people we have out for different reasons.
- January 12: there was a flooding problem in Port Byron. We provided an excavator and operator to help clear out ice jams. We also sent our lowboy trailer to the Locke fire department to get a load of sand bags.
- January 16: Silverline Construction started the repair on North Division Street Bridge which was damaged from an accident last summer. Some of the concrete was poured January 26th. When the concrete is cured enough to remove the forms, the repairs can continue.
- Rich Wheeling from our engineering department has been working with the city and the maintenance workers at the County Office Building to map out new drainage in the lower parking lot to prevent the building from getting flooded.
- The 2012 CNG truck is advertised on auctions international and the bidding will end Feb. 7; County reserving the right to accept or decline the high bid. Kim Taggerty has put out mini bids for replacement.
- The sign maintenance person position has been filled within by one of our heavy MEO employees. An employee with a laborer title was awarded one of the three medium MEO positions we have available. We now have 2 vacant medium MEO positions that can be filled from the outside. I am reviewing applications and will be interviewing soon as we are very short-handed due to employees out on leave.
- We need to review our options on repairing or replacing the salt shed at the Auburn facility. The roof leaks bad, a new roof is an option but the metal plates that hold the trusses together are showing a lot of rust. The building was built in 1987 and is a wood structure, the roof was replaced (nail over) in the late '90's and it was painted at the same time. The whole building is showing its age and is deteriorating fast.

Department Updates

Reporting Period: Jan. 1-31, 2018

Water & Sewer Authority

Jeanine Wilson

Director of Operations

WATER

- CCWSA is working with the Town of Fleming and Town of Springport to upgrade processes within the water and sewer districts. Our team is working with the town's water/sewer operators to complete necessary requirements. Updates are due to the current Lead & Copper sampling plans as mandated by the State Dept. of Health (DOH), in conjunction with County DOH. Cooperation will continue and support has been positive.
- Representatives from the Wells College and the Village of Aurora continue to seek options for existing water system issues. CCWSA is working with the representatives and County DOH. The CCWSA's consultant for the Regional Water/Sewer Infrastructure project has drafted current infrastructure observations and will prepare recommendations for supporting developments for a safe water supply.
- A proposed water line on Route 34, Town of Sennett, to supply potable water to the Vitale properties is under review. This will be a transmission line to support the existing properties from the current CCWSA water main on Montross Lane, north to the Vitale Construction & Onondaga Coach facilities, with access for future development.

SEWER

- The Village of Fair Haven has a local law which outlines the requirement to connect to the public sewer line. The Village has processed waivers for connection due to various situations. Connections are ongoing.
- CCWSA continues to look for property in the sewer district for our inventory, operations and maintenance, and administrative purposes. Any and all suggestions are welcome. The Village of Fair Haven has suggested adding space in or near their existing buildings on Cayuga Street. This would be a cooperative effort during their planned improvements to their existing office and DPW garage.
- A temporary easement from the Village of Fair Haven has been negotiated for access to property on West Bay Road for a bioxide station. The Village approved a temporary easement in January, with expectation of a permanent easement to be processed in June, at the completion of the installation of the station.

Department Updates

Reporting Period: Jan. 1-31, 2018

Water & Sewer Authority, continued

- A meeting was held with at the Village of Fair Haven with the Mayor and Deputy to discuss various topics regarding CCWSA- County Sewer District 2.
- CCWSA is preparing the sewer system for upcoming spring flooding issues. The water table continues to be higher than normal. The conditions are such that higher water levels are imminent.

MISCELLANEOUS

- The Village of Fair Haven has a local law which outlines the requirement to connect to the public sewer line. The Village has processed waivers for connection due to various situations. Connections are ongoing.
- CCWSA attended the State of the State with Colleen Deacon, January 9th, at CEDA.
- A meeting was held on January 19th with the County Administrator and Director of Planning. Various topics were discussed.
- The CCWSA completed revisions to the NYS DOH Vulnerability Assessment and Emergency Response Plan as suggested by the County DOH. The DOH will send the final, revised document once final approval is completed to the State to complete the process.
- Master Regional Plan and Report
 - The project team continues to meet with municipal representatives to gather information regarding existing and desired infrastructure. The Community Advisory Committee (CAC) is scheduled to meet again in March 2018.
- The FY17 Financial Report – Auditors met with staff and will be completing the review in February 2018, with draft available to CCWSA by March 2018 to meet the Authority Budget Office mandates.

Weights & Measures

Larry G. Roser

Director

- This month I tested many smaller devices at the larger grocery stores. I tested 210 devices and 202 passed or 96%. Of the 8 devices that failed 7 were in favor of the customer, and do not have to be recalibrated, this brings our correct rate to 99%. The 1 scale that failed against the customer was ordered out of service and recalibrated the next day. It has been retested and passes.
- We had 5 violations totaling 7 scales. Two (2) were warning as they had no prior violations. The other 3 had from 1 to 5 prior violations and were fined accordingly, for a total of \$650, of this \$400 was from the store with 5 prior violations.
- This month I updated my Milk Tank spread sheets and made up my hit list of tanks for 2018 to be checked. We have 135 milk tanks in the county of which 45 are 5 years or more since the last time they were checked and are on the priority list. This list is sent to all the milk inspectors and COOP's. Last year we calibrated or checked 43 tanks.
- Seven (7) farms increased their total tank capacity. Two (2) new dairy farms started up. Five (5) farms went out of business. Due to tank size increases we have over 15,000 gallons more of capacity on the farms. I also have caught up with putting the final state version of the charts on the remaining 12 tanks that were calibrated in 2017.

PLANNING & ECONOMIC DEVELOPMENT

Department of Planning & Economic Development

Stephen F. Lynch, AICP

Director

- The Owasco Flats Wetland & Riparian Buffers Project, designed to remove and store sediments, phosphorus and other nutrients before they enter the southern end of Owasco Lake, is moving forward. Staff is working on pre-construction permitting and staging matters with the contractor and funding agency for the work under the initial NYS Environmental Facilities Corporation (“EFC”) Grant. Parallel to the pre-construction work, staff is working with EFC and permitting agencies to tee-up the second EFC funding grant awarded in December 2017 so that construction of Phase II wetland basins and control structures can immediately follow Phase I without delay. County Environmental Engineer Bruce Natale is the Department Lead on the project with assistance from other staff.
- Associate Planner Michele Wunderlich continues as the Project Lead for the Owasco Lake EPA Nine-Elements Plan, working with partners at the NYSDEC, the NYSDOS and with our project consultants at EcoLogic and Cornell University. This is a complex and critical undertaking to identify the sources of pollutants impacting Owasco Lake water quality and key to developing targeted mitigation strategies to improve and protect this valuable resource.
- Staff is working with New York State and Cayuga County Parks and Recreation to prepare and implement Phase I of the grant-funded Emerson Park Capital Improvements Project, centered on Deauville Island pedestrian access and playground improvements. We anticipate state grant contracts to be finalized this spring, to be followed by competitive bidding and construction. County Planner David Nelson, AICP, will be the lead on the project.

Department of Planning & Economic Development, continued

- Staff will be finalizing the Union Springs/Springport Local Waterfront Revitalization Plan (LWRP) this spring with a target date for Plan completion locally this May. With local completion of the Plan and adoption by Union Springs and Town of Springport, staff will work with the NYS Department of State to on state approval and grant close-out, which will likely take another 8-10 months, depending on how quickly the state agency moves on its review process. Senior Planner Kari Terwilliger, AICP, continues to lead this project.
- The Planning Department is the primary contact for the NYSERDA funded \$250K Clean Energy Community Grant (“CEC Grant”) and expect approval of our Grant Proposal shortly. Next steps will require finalization of the Scope of Services/Deliverables for the budgeted components in the \$250K grant and execution of contracts. This complex grant will be administered by County Planning in coordination with Buildings & Grounds and other departments. County Planning Director Steve Lynch, ACIP, will lead administration assisted by staff Planner John Zepko.
- Staff is finalizing the Town of Mentz Agriculture and Farmland Protection Plan. We expect to complete the Plan by the end of March then work on state approvals and close-out. Senior Planner Kari Terwilliger, AICP, continues to lead this project.
- Staff has begun the Town of Mentz Zoning Code rewrite. Total cost for the project is \$28,500. In compliance with County Policy on Planning Assistance, the department offered the Town a 50% grant on the labor costs, therefore; the final cost to the Town for this project is \$13,000 (\$12,800 in labor and \$200 in reimbursable fees). Senior Planner Kari Terwilliger, AICP, will be the department lead on the Project.
- Staff is also preparing to work with the Town of Montezuma on a rewrite of the Town’s Zoning Code and a Conservation Subdivision Ordinance. As above, the department offered the Town a 50% grant on the labor costs and the final cost to the Town for this project will be \$12,750 (labor and reimbursable fees). Planner John Zepko will be the department lead on the Project.

Employment & Training Cayuga Works Career Center

Ann Kubarek

Director

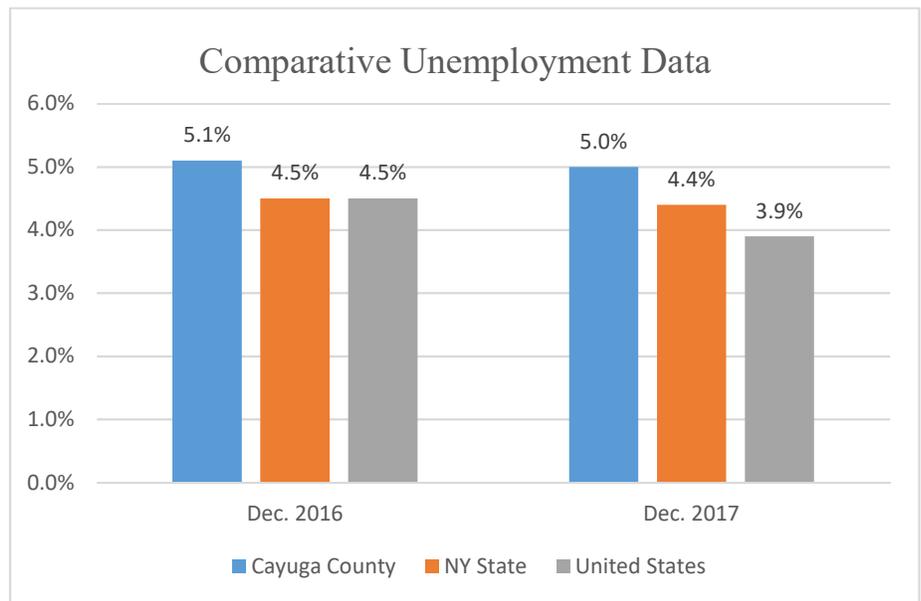
- In January, 2018 over 820 people used the services of the Cayuga Works Career Center.
- January, 2018, 135 individuals participated in the various employment and job readiness workshops that are offered at the Career Center.
- Currently, there are 290 jobs posting for Cayuga County listed in the New York State Job Bank, which is 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 there job openings and to interface with available workers.
- In January, 2018 four employers held on site recruitment at the Career Center. Additionally, staff recruited 18 employers to participate in a mini Job Fair that is being held in Spartan Hall on the College campus February 1st.
- New York State released guidance for the Career Center Infrastructure Resource Sharing Agreement in mid-January. The agreement needs to be negotiated and completed by 3/31/18. All partners located in the Career Center are required to contribute financially to support the infrastructure of the Centers. Workforce Development Board staff will be organizing meetings to complete this process in a timely manner.
- Met with staff from other Workforce agencies to begin the process of creating a unified message to deliver to employers regarding the services we as a group can provide to meet their workforce needs.

Department Updates

Reporting Period: Jan. 1-31, 2018

Cayuga County Employment & Training Cayuga Works Career Center

Unemployment Data



Cayuga Economic Development Agency
Tracy Verrier
Executive Director

REPORT ON 2017 ACTIVITIES

SIX (6) IDA PROJECTS ASSISTED:

- Kyle Croft Development's Nolan Block renovation (Auburn)
- Health Central's third floor buildout (Auburn)
- CIDEC's facility renovation and expansion (Aurelius)
- Holiday Inn upgrade and renovation (Auburn)
- All Ways Concrete Pumping equipment purchase (Sennett)
- Auto Wash Car Wash construction (Auburn)

\$12M in TOTAL CFA FUNDING FOR CAYUGA COUNTY

\$7.6M in CFA FUNDING FOR CEDA-ASSISTED PROJECTS

CFA APPLICANTS ASSISTED & AWARDED:

- Auburn Public Theater renovation and expansion (Auburn)
- Schweinfurth Memorial Art Center new position funding (Auburn)
- Cayuga Centers employee training (Auburn)
- Schines Theater renovation (Auburn)
- Gavras Center workforce training program (Auburn)
- Copper John equipment and renovations (Auburn)
- Currier Plastics expansion (Auburn)
- DuMond Grain spin off business (Unions Springs)
- Martens Companies expansion (TBD)
- CCIDA industrial park sewer upgrade (Aurelius)
- Prison City Brewing expansion (Auburn)

Department Updates

Reporting Period: Jan. 1-31, 2018

OTHER ECONOMIC DEVELOPMENT METRICS FOR 2017:

- Number of start-ups opened: 29 (26 still open)
- Estimated investment in land, facilities, and equipment by assisted projects: \$42.9m
- Estimated number of jobs to be created by assisted projects: 283
- Estimated number of jobs to be retained by assisted projects: 139
- Number of technical assistance referrals and business-to-business connections: 105
- Number of existing businesses and entrepreneurs met with: ~210
- Number of attraction leads contacted: ~30

NEW PROGRAMS OF NOTE IN 2017:

- Rural Pitch Competition with SBDC (educational seminar series for entrepreneurs, including business plan competition with cash prizes)
- Industry Peer Groups (meetings of similar companies to identify industry pressures and opportunities)

Cornell Cooperative Extension of Cayuga County Douglas Ververs

Executive Director

- February 20 & 27 will be a two part Pesticide Certification class 5:30-8:30pm at CCE Cayuga with a combined \$25 registration fee. Advanced registration is required, call 315-255-1183 ext. 238 to register.
- The City of Auburn declined a 2018 CDBG recycling application for a voucher based program for low income audiences. Over 500K in CDBG applications were locally declined based upon lack of funds.
- Cayuga County Correctional Work release crews will be removal projects in CCEC HQs on the week of Feb 12th.
- FL SNAP-Ed in Cayuga County during calendar year 2017, held 289 nutrition related events which reached 6,968 youth and adults.
- 4H Produced in NY (food demonstrations) make-ups are scheduled for Feb 27th. Pre-registration is required by calling 315-255-1183 ext. 224.
- A scope of Work on Hydrilla education projects focusing on marine trade professionals and Cayuga Lake business owners is being negotiated for 2018 with FL PRISM.

Soil & Water Conservation District

Doug Kierst

Executive Director

- Inspecting construction two SPDES permitted sites.
- Taught a NYS DEC endorsed train on erosion and sediment control.
- Helping develop Owasco Lake Watershed Rules and Regulations.
- Assisting with selecting representatives to attend the Harmful Algal Bloom Summit that will be held in March at SUNY-ESF.
- Working on grant applications to the Climate Resilient Farm Program.
- The 47th Annual District Spring Tree, Shrub and Groundcover Sale is on-going. Orders are due by April 24, 2018. The pick-up date is Friday, May 4, 2018. For more information, and on-line ordering, please visit our website: www.cayugaswcd.org.
- The Spring Fish Stocking Sale is taking orders through May 8, 2018. Pickup date is Monday, May 14, 2018. A variety of fish species are available to pond owners through this program. For more information, and on-line ordering, please visit our website: www.cayugaswcd.org
- SWCD Staff continues to process Soil Group Worksheets for Agricultural Assessments, in preparation for the Town Assessors March 1, 2018 deadline. Agricultural properties in all the towns, and even the City of Auburn, are required to have a current soil group worksheet in order to qualify for an agricultural exemption.
- SWCD Staff responded to one manure management complaint. SWCD Staff was notified by the DEC of a manure spill in Town of Venice. SWCD Certified Ag Planner met the DEC and Farm Manager, Dan Osborn, on-site at 11am on the day of the complaint, to immediately formulate an Emergency Mitigation Plan and investigate the manure overflow. SWCD Staff assisted with on-site monitoring, mitigation, and remediation practices until it was certain that no water quality issues remained associated with the overflow.

Convention & Visitor's Bureau (Tourism Office)

Meg Vanek

Executive Director

CCCVB Annual Audit

- Cuddy & Ward CPA's began our annual audit on February 5, which will be presented to the County Planning Committee on April 10th.

Occupancy Tax Law Update

- Every three years the County Occupancy Tax Local Law comes up for renewal and 2018 is a renewal year. The law will expire September 21, 2018. The first step in this process is to request that the County set a Public Hearing date and then move the adoption of the Resolution. Legislator Pinckney has agreed to place the Resolution on the April Planning Committee agenda.

Airbnb Update

- The Tourism Office is very pleased that the Cayuga County Legislature unanimously approved the January resolution authorizing Cayuga County to enter into an agreement with Air B&B to collect and pay occupancy tax on room rentals.

Legislative Appointment to the Tourism Board

- Ryan Foley has stepped down from serving on the CCCVB Board. We are waiting for our new legislative appointment to be made. In the meantime, I have set up meetings with new legislators to brief them on the work of the Tourism Office.

2018 Tourism Marketing Plan

- The 2018 Marketing Plan is now posted on the tourcayuga.com web site and can be viewed under the 'partners' tab.

2018 Tourism Annual Report

- The 2017 Annual Report on Tourism has been distributed to the Legislature and we hope you have had an opportunity to review it. It is also posted on our web site (www.tourcayuga.com). This is a good synopsis of what the Tourism Office does and useful tool for advocacy purposes. If any County legislators or staff would like additional hard copies to distribute, please stop by the Tourism Office and we are happy to give you a supply.

JUDICIAL & PUBLIC SAFETY

Assigned Counsel | Stop DWI Youth Bureau

Lloyd E. Hoskins, *Director*

ASSIGNED COUNSEL PROGRAM:

Article 18-B of the County Law requires Cayuga County to administer an Assigned Counsel Program that provides for the assignment and funding of participating panel attorneys to persons accused of a crime who are financially unable to obtain counsel.

In addition to providing legal counsel to indigent persons charged with a crime, assigned counsel is also provided for Family Court matters (support, neglect, and visitation), parole appeal and revocation hearings, SORA level determinations, Drug and Alcohol Treatment Court, Behavioral Health Court, Counsel at First Appearance and appeals made to the Appellate Court.

COUNSEL ASSIGNMENTS FOR DECEMBER PROVIDED BELOW:

- Family Court: 44, Year To Date 581
- County Court: 10, Year To Date 126
- Auburn City Court: 58, Year To Date 597
- Justice Court: 24, Year To Date 347
- Parole Appeal: 4, Year To Date 127
- Appellate Court: 1, Year To Date 24
- TOTAL ASSIGNMENTS DECEMBER: 141; YEAR TO DATE: 1,802

COUNSEL AT FIRST APPEARANCES: DECEMBER:

- Auburn City Court: 66; Year To Date: 1,039

Department Updates

Reporting Period: Jan. 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: DECEMBER

- Cayuga County Sheriff's Office: 1, Year To Date 36
- Auburn Police Department: 8, Year To Date 89
- New York State Police: 11, Year To Date 112

TOTAL DWI ARRESTS DECEMBER: 20; YEAR TO DATE: 237

BAC (Blood/Alcohol Content): DECEMBER

- Cayuga County Sheriff's Office: .13, Average BAC To Date .17
- Auburn Police Department: .16, Average BAC To Date .186
- New York State Police: .15, Average BAC To Date .149

AVERAGE AGE DATA: DECEMBER

- Cayuga County Sheriff's Office: 50, Average Age To Date 38.0
- Auburn Police Department: 36, Average Age To Date 37.0
- New York State Police: 46, Average Age To Date 40.0

GENDER DATA: DECEMBER

- Cayuga County Sheriff's Office: Male 1, Female 0, Year To Date, Male 30, Female 6
- Auburn Police Department: Male 5, Female 3, Year To Date, Male 61, Female 28
- New York State Police: Male 9, Female 2, Year To Date , Male 72, Female 40

E-911 Center

Denise Spingler

911 Administrator

Center Updates:

- Recent issues found with the UPS in the back-up center; working on quote for replacement – approximately 25k; unit is over 13 years old and no longer able to be supported; researching NYS Contract:
- Grant funding expected in 2018 from Statewide Interoperable Communications Grant (SIEC) and 2017-18 PSAP grants.
- Recommendation to absorb cost of UPS in 911 Operating Budget A30204 54063 as grant funding will replace some of the budgeted items in this line for 2018.
- Continued to work with our CAD vendor in support of their efforts to correct a few on-going post deployment issues and remaining deployment related projects.
- Met with the Cayuga County Fire Chiefs (1/31/18) to provide an overview of new CAD system to review issues/concerns.

Emergency Communications System Updates

- Microwave network upgrades necessary in 2019 as much of the equipment is no longer supported; will work to secure grant funding towards costs. This is the microwave network that supports the communications on the New Emergency Communications System; the Motorola radio network infrastructure is not in need of upgrades.
- Oneida County sharing Master Site for radio communications; reduction in annual cost sharing to Onondaga County (911 has not yet received invoice to compare from last year).

District Attorney's Office

Jon E. Budelmann

District Attorney

- We are interviewing applicants to replace the two vacant Assistant District Attorney's Positions.
- We have a number of serious felony trials coming up in February and March.
- We are working with Mike Russell and the Civil Service Commission to create a new position within the Office to accommodate the larger, more complicated duties of an employee.
- With the support of the County Administrator, we are working with HR and Civil Service to create higher level positions / new job titles for attorneys. These new positions, such as SR ADA, or Bureau Chief, will allow us to better retain attorneys or recruit more experienced replacements upon departures.

Sheriff's Department

David S. Gould

Sheriff

- Investigated one overdose death.
- Four inmates have presently completed the Vivitrol program and six inmates are scheduled to participate as their release date approaches.
- Press releases (TV and newspaper) on Hand Gun Recertification.
- In conjunction with the Drug Free Community Coalition, Det. Lt. Brian Schenck appeared on the TV program, *Bridge Street*, to discuss opiates.
- Upgrading the camera and alert system for the County Office Building is a work in progress.
- With monies from the Commissary Account, twenty-one inmates were vaccinated in conjunction with Health Department.
- The SWAT team was deployed to a barricaded subject on January 24, 2018.
- Processed 269 pistol permits (9 permit amendments, 229 permit duplicates, 24 newly-issued, 7 permit transfers).
- Approximately 40 sex offenders were processed during the month, i.e. initial registration/issuance of rules, change of address, Level 3 90-day verification, photograph update, physical address verifications.

Emergency Management Office

Niel Rivenburgh

Acting Director, Cayuga County EMO

- On January 12th, 2018, the Village of Port Byron declared a State of Emergency due to flooding from the Erie Canal. Emergency Services, Planning, and Highway Department supported the flooding event, along with all local resources and numerous mutual aid fire units. Several homes and businesses in the Village of Port Byron took on water and had utilities secured. During this event, downstream in Weedsport, the adult care facility, Evergreen Heights and the surrounding homes also became threatened by the rising water. Weedsport did not escalate to a State of Emergency, but the facility evacuation plan was enacted as a precautionary measure. The Red Cross supported the relocation with cots, otherwise the facility plan accounted for all care and support to their residents. By Saturday January 13th, all the flood waters in both municipalities had subsided and the residents of Evergreen Heights were back in their facility.

- At Administrator Woods request, Emergency Services participated in a Governor's conference call relative to ice jams, flooding, and winter weather. During the call the Governor advised that NY State (Executive, DEC, DOT, and OEM) are committed to supporting any mitigation measures that can alleviate identified problem areas around the State. Following that, State OEM Regional staff reached out to gather a "list" relative to Cayuga County. That list was developed in concert with Planning, and distributed via email to the Administrator and OEM. Recent developments include an unplanned / unscheduled visit by an OEM Deputy Commissioner and a DOT Engineer to tour the sites and discuss a strategy going forward. That tour was facilitated by Bruce Natale, Flood Mitigation Engineer from Planning on 1/31/18. More to follow.

- Emergency Services and Tetra Tech Inc. will be leading a project for Disaster Continuity of Operations / Continuity of Government Planning for the County. Steering Groups and Planning Partner Groups have been established. Both groups will meet on Wednesday February 7th at 10:00 in the Chambers for a briefing with Tetra Tech. The Steering Group meeting to follow will be held on Tuesday February 27th at 10:00 in the Chambers.

Department Updates

Reporting Period: Jan. 1-31, 2018

Cayuga County Emergency Management, continued

- With the inclusion to the Federal Disaster Declaration for the Lake Ontario Flooding of 2017, on behalf of Cayuga County, Emergency Services has submitted to FEMA for the County to be an applicant in the request for public assistance. The Village of Fair Haven is also an applicant. The Applicants Briefing meeting was held on January 30, 2018 at the Fair Haven Fire Department. The Office of Emergency Services, Planning Department, and Highway Department attended the meeting. Discussion needs to occur internally, sooner rather than later, on the “best position” to take and any potential projects relative to damage sustained and cost incurred as it relates to the flooding and response last spring.
- There has been no movement by FEMA as it relates to the Disaster Declaration for the Southern County flooding from July 2017. New York State, on behalf of all the affected Counties has appealed the December denial for the Declaration. The Administrator and Legislators should continue to engage the Federal Legislators to support this appeal.

Cayuga County Emergency Management, continued

- The Department continues to gather information to support our request for a building at the fire training ground for infrastructure protection. General cost estimates were provided to the Chairman, Judicial & Public Safety Chair, as per their request after the January Committee meeting.
- The Department has submitted 4th quarter grant reports and applicable vouchers for all ten of our grants to NY State DHSES for reimbursement.
- The Department will be facilitating / participating in a meeting tonight, January 31, 2018 between the County Fire and EMS agencies and the 911 Center as it relates to challenges encountered with the Spillman Computer Aided Dispatch (CAD) system and Mutual Aid Box Alarms.
- Fire Education classes are continuing into the New Year. The County Fire Training Grounds continues to be busy daily through the rest of the winter. We are working to establish the late winter and spring course schedules.
- EMS Education continues, Basic EMT at County Office Building has 20 enrolled, BLS First Responder at Auburn Community Hospital (New Visions class) has 15 enrolled.
- Generally all things are moving forward and we have no unmet needs.

Department Updates

Reporting Period: Jan. 1-31, 2018

Coroner's Office

Dr. Adam Duckett, MD

County Coroner

Coroner's Office provides the following Case/Call Summary:

Age @ Time of Death:	
00-10	
11-20	
21-30	1
31-40	
41-50	1
51-60	1
61-70	
71-80	2
81-90	
91-100	

- Total Calls through January 2018 = 5
 - Sent to OCME: 2
 - Signed by PCP: 3
 - Signed by Dr. Duckett:
 - TOTAL = 5

0

Number of Calls Received, by Month:	
January 2018	5
February 2018	
March 2018	
April 2018	
May 2018	
June 2018	
July 2018	
August 2018	
September 2018	
October 2018	
November 2018	
December 2018	

- Total Calls/Cases responded to as of January, 2018 = 5

Probation Department

Jay DeWispelaere

Director

- New Probation Officer position; permission was given by the Legislature to create a new Probation Officer position within the department. Interviews are being held, the last being scheduled for Friday, 02/02/18. A candidate's name is due to Human Resources by 02/16/18. Anticipated start date is 03/01/18.
- Probation Supervisor; Sr. Probation Officer John Madden has accepted promotion to the newly established Probation Supervisor position.
- Department restructuring; the Director and Probation Supervisors Murphy and Madden are engaged in planning to restructure staff reporting and work flow within the department. The addition of a Probation Supervisor will allow for more efficient organization and work flow. It is anticipated this project will be completed in time to accommodate the new Probation Officer, approximately 03/01/18.
- Account Clerk Typist; approved by the Legislature at its January meeting. A list exists for this title. Canvassing will be requested once interviews for Probation Officer are completed.
- Maintenance; in order to prepare for new staff, Buildings & Grounds are cleaning and painting two vacant offices in the department's first floor area.
- After Hours Reports; on 01/24 and 01/25/18 officers took after hours reports for the city caseload in the first floor area now used by the department. Four officers participated over the two evenings and reported there were no issues and that they enjoyed the flexibility this schedule offered.
- Raise the Age; no guidelines or policy guidance has been received from the Office of Probation and Correctional Alternatives or the Division of Criminal Justice Services to date.
- E-connect/Columbia University juvenile suicide project; the next phase in planning for this grant based project will be site visits by members of the planning team. Visits are currently being planned, and are targeted for March. Staff members of related agencies (HHS, MH, etc) will be invited to attend.

Department Updates

Reporting Period: Jan. 1-31, 2018

CAYUGA COUNTY PROBATION MONTHLY STATS FOR JANUARY

PROBATION DEPARTMENT METRIC	2017	2018
Total Number of Probation Supervision Cases	852	851
New Probation Supervision Cases	26	31
Court Ordered Presentence Investigation Requests	37	21
Court Ordered Presentence Investigations Completed	43	31
Number of Violations of Probation Filed	25	11
Number of Predispositional Investigation Ordered	3	1
Number of Predispositional Investigation Completed	3	0
Number of Alco-Sensor Intoximeter Tests Given	294	283
Restitution Collected	\$7,292.51	\$8,351.91
Surcharge Collected	\$381.97	\$436.21

HEALTH & HUMAN SERVICES

Mental Health | Dept. Social Services

Raymond Bizzari

Director of Community Services

MENTAL HEALTH

Highlights:

- Continue to work through the soft opening of the Regional Access Center...it will open 24/7 in early April...
- Developing a proposal to open a Recovery Center offering services to individuals with MH and/or Substance Abuse issues. This is a collaboration with Unity House, Nick's Ride for Friends, a private foundation, county MH State Aid and OASAS state aid. **We may open it in a trial location as there's some momentum.**
- Year 2 of the SAMHSA System of Care grant allowed to us to reduce some contracts related to home based MH services while increasing overall capacity.
- County MH has the best crisis stabilization numbers in the region as it relates to DSRIP reporting.

Ongoing/Forthcoming Mental Health Projects:

- Continue to manage regional asset deployments in ways that benefit our county.
- Continue working to integrate peer support services in the treatment community as part of OASAS STR Grant.
- Continue to discuss opening a satellite at East Hill Medical to integrate MH/SA/PC care. This is the model the state and the Managed Medicaid Plans are promoting and will pay the highest rates.
- Value Based Payment/regional and sub-regional provider groups are forming to access readiness funds distributed by the Managed Medicaid plans. We've joined with a group led by county DCS's and their providers and this group was awarded \$3.3 million.
- The Regional OMH state aid related to the reduction in acute hospital beds should increase this year. We pay for some of the mobile crisis/respite contracts with that funding.

Department Updates

Reporting Period: Jan. 1-31, 2018

DEPARTMENT OF SOCIAL SERVICES REPORT

Highlights for DSS:

- Completed and submitted the OTDA Code Blue Plan (housing the homeless when temps reach below 32 degrees). There are new, additional regulations to follow as well as a new plan to write that is likely to increase local costs.
- The 2nd and 3rd floor move that streamlines the temporary assistance work flow is scheduled for February 17, 2018.
- The Department continues to do a good job of identifying relative resources to place kids with as opposed to agency foster boarding homes which keeps the numbers down.
- Staff attended the New York Public Welfare Association Conference in Albany.

Ongoing/Forthcoming DSS Projects:

- County has to submit a Raise the Age Implementation plan to the state that reflects full implementation costs and strategies. The slow planning start hurt us but we can catch up.
- Non-secure/secure detention needs as it relates to Raise the Age. Some opportunities have been identified.
- Beginning of the year regulations, LCM's INF, etc. are published at a steady clip.

Health Department

Kathleen Cuddy, MPH

Public Health Director

FLU UPDATE:

- **Flu continues to be widespread** across the state and in Cayuga County. Flu vaccine is available and still recommended. If you develop flu like symptoms, talk with your health care provider about appropriateness of using anti-viral medication.

WATERSHED RULES & REGULATIONS:

- An update report was sent out to Steering committee members, elected officials, stakeholders and other interested parties to inform them of the status of our revision process. It can also be found on the website <http://www.cayugacounty.us/Community/Owasco-Watershed-Project>

CAYUGA COUNTY HEALTH DEPARTMENT 2017 ANNUAL STATISTICAL REPORT

- The Department's 2017 Annual Statistical Report is complete. It will be shared with all County Legislators, Board of Health members and others upon request. This report quantifies many of our program areas and is a useful reference tool for program development and grant writing. Legislators can view the report online here: <https://www.cayugacounty.us/Community/Health>

UPCOMING STRATEGIC NATIONAL STOCKPILE DRILL

- The Annual mandated **Strategic National Stockpile Drill** will be performed over two days, February 26 and 27, 2018. Communications and equipment gathering will be day one. Day two will be again working with the Girl Scouts to perform this hands on functional drill receiving, sorting and packaging assets (girls scout cookies).

UPCOMING HEALTH PREPAREDNESS DRILL

- The **Public Health Preparedness Drill** is scheduled for **Thursday April 26, 2018 at BOCES**. This year's mandated scenario is to screen and vaccinate hundreds of people through a clinic in two hours. We are requesting county employees be allowed to leave their worksite to participate as patients and workers for this drill.

Office for the Aging

Brenda Wiemann

Director

- Completed the 2017 Medicare Annual Enrollment Period, providing unbiased education and assistance to Medicare beneficiaries of all ages, to review options and make changes to their Medicare, Medicare Advantage Medicare Part D, and Medicare Supplement coverage for 2018, with 726 clients served for the year.
- Approved for another year of Caregiver Resources Initiative funding through the Alzheimer's Association of Central NY in the amount of \$20,810.
- Ongoing efforts to address the health aide shortage included bringing representatives from CenterState CEO and BOCES to speak at the January meeting of the Human Services Coalition Elderly and Disabled Task Group.
- Served 54,422 home delivered meals to isolated, frail elderly individuals in 2017.
- Provided 11,077 hours of in-home aide services for seniors in 2017.

WAYS & MEANS

Treasurer's Office

James H. Orman

Treasurer

- This year the accounting unit successfully conducted approximately 34,600 transactions. They also processed about **32,400 checks**.
- The tax collection unit conducted over **24,400 transactions**. This continued to be accomplished after reducing the staff by one person two years ago. Also, we have sent out second notices for tax liens owed. This marked the fourth year we have done that and actually reduced taxes in arrears owed. This has been successfully done under the direction of Jennie Indelicato.
- Our payroll unit has processed about **21,600 checks**. This marked the second full year after our long-time payroll supervisor left for another position in NYS. Our succession plan of training and moving up in-house employees worked. This was accomplished **and** reduced **½ position**.
- During 2009 we initiated efforts to have the County's bond rating reviewed (Baa with a negative outlook at that time). Our rating was successfully upgraded to an **A1 rating**. This has allowed the County to borrow monies at a reduced interest rate since then. Through 2017 these collective efforts have resulted in a total savings of **\$1,600,000**.
- Seven years ago we instituted organizational changes within our office that would affect the tax levy in a positive manner. These changes were completed with the assistance of Ways and Means and the full legislature. We re-organized within our office and effectively down-sized our office while increasing efficiency. I am pleased to report the cumulative savings over this period of time has now **exceeded \$1,460,000**.
- Our office sent out 207 notices of unpaid 2017 Auburn Enlarged City School Taxes in January. While not required this greatly assists the taxpayers as a reminder

Department of Real Property Tax Services

Kelly Anderson, CCD

Director

- Monthly processing of real property sales, transfers, deed review and tax mapping was completed for 180 sales filed in the County Clerk's Office that included 217 separate parcels.
- There were "0" RPTL Correction of Errors resulting in a \$2,500 or less refund in taxes per taxing jurisdiction per year. Note: this item is mandated to be reported to the legislature per statute.
- 115 tax map changes resulted from filing of new deed descriptions, parcel splits/merges or newly filed survey maps.
- Performed all work necessary to general tax rolls, tax bills and warrants for town and county tax purposes in all towns and the city of Auburn. Timelines were pushed forward due to last minute changes in federal and state tax laws to allow early payment of real property taxes that may be eligible for reporting in 2017 for income tax purposes.
- Assessors for Niles and Moravia held regular office hours.
- GIS mapping, maintenance and development includes septic locator maintenance for the health department; ongoing geo-database maintenance and cleaning; configuration of portal and WebApp Builder; began work on tax map online application; printed new paper maps for Fleming and Owasco with indexes for public use.
- Custom projects as follows: County Attorney – revised county house road property boundary lines for initial review and zoning regulations; Town of Aurelius – researched right of way over parcel 126.02-1-3.1 and rights of others to use it; County – met with Rich Wheeling, George Wethey and Legislator Vitale to discuss drainage solutions for COB; David Thurston – revised tax map to show unknown owner for strip never conveyed to 226.04-1-43; City of Auburn – custom area map.

Department Updates

Reporting Period: Jan. 1-31, 2018

Department of Human Resources

Michael T. Russell,

Human Resources Administrator

Report on Year-to-Date Personnel Transactions

County Departments:

- 746 Total Transactions for All County Departments

Schools, Towns, Villages, BOCES & Special Districts:

201	Schools
164	Towns
23	Villages
3	BOCES
0	CCC
6	Seymour Library
0	Soil & Water
0	Water & Sewer
397	Total Transactions

1,143 Combined Total of All Personnel Transactions Year-to-Date.

Specific Personnel Actions Taken (Year-to-Date):

Transaction Type	No.
Permanent Appointments	58
Provisional Appointments	3
Contingent-Permanent Appointments	0
End of Probationary Period	9
Layoffs Due to Abolishment of Positions	0
Layoffs Due to Lack of Funds or Work	0
Promotions	2
Reinstatements	1
Removals	88
Resignations	19
Retirements	5
Seasonal Appointments	5
Temporary Appointments	5

Department Updates

Reporting Period: Jan. 1-31, 2018

Cayuga County Human Resources Department, continued

Exams Administered & Application Fees Collected:

Exams Administered		Application Fees Collected:	
January Only	2	January Only	\$2,640
Year-to-Date	2	Year-to-Date	\$2,640

Human Resources | Civil Service Monthly Report, Jan. 2018:

- Exams Held: [2]
- Exams Related: [1] Announced
- Other Activities:
 - Agreed to assume responsibility for Staff ID's and access fobs.
 - Participated in Deferred Comp provider discussions.
 - Reviewing potential online services.
 - Set a goal for centralized orientation and on boarding process.
 - Assumed coordinator role for ICMA development resources.
 - Commenced conversations regarding reinstatement of Vacancy Committee and Risk/Management Committees.
 - Work continued on County Payroll Certification including updating of Compensation Plan.
 - Continued to meet with jurisdictions to improve Civil Service/Jurisdiction relationships.
 - Made improvements to Website as foundation for online application.
 - Requested maintenance service to facilitate kiosk.

OTHER REPORTS

Budget Reports

Lynn Marinelli, Budget Director

The following Budget Reports represent three (3) separate funds. Please note that the December 2017 'Actual' budget numbers are not yet final.

Also please note that we are continuing to experiment with ways of reporting budget data based on the available information and with the input of the new Administrator.

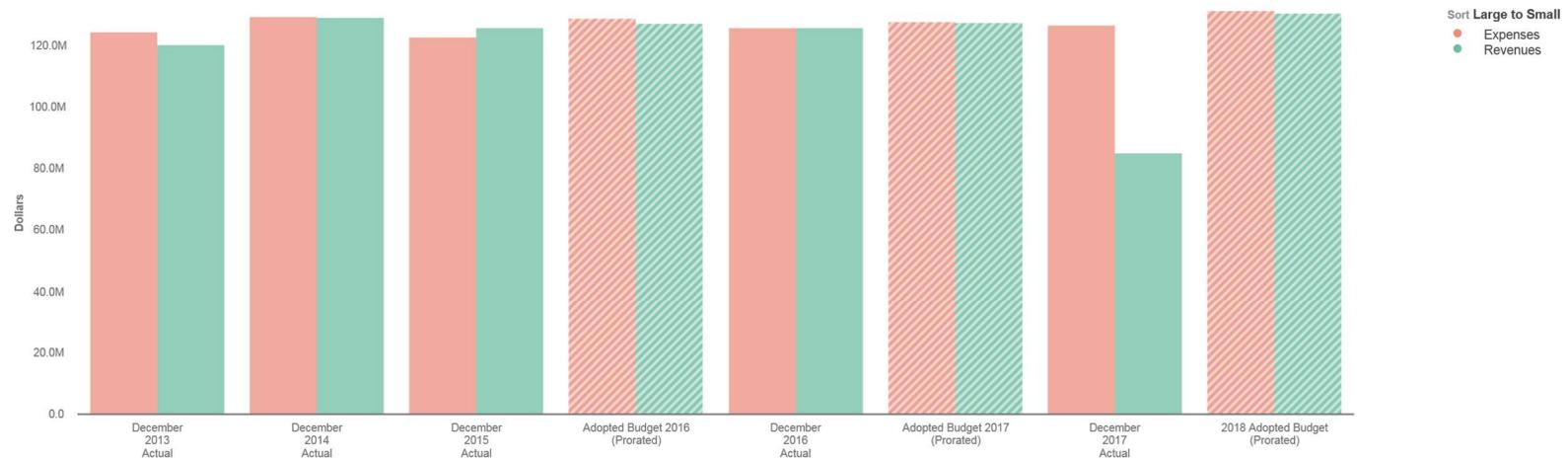
Department Updates

Reporting Period: Jan. 1-31, 2018

General Fund "A-FUND"

Year To Date Yr Over Yr

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	\$ 120,609,215	\$ 129,491,371	\$ 126,130,820	\$ 127,421,116	\$ 125,912,291	-1,508,825	-1.18%	\$ 127,559,987	\$ 85,426,088	-42,133,899	-33.03%	\$ 130,709,801
Expenses	124,613,059	129,715,696	123,110,405	129,166,515	126,027,056	-3,139,459	-2.43%	128,040,369	126,939,455	-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	-41,032,985	-8,541.74%	\$ -582,592

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

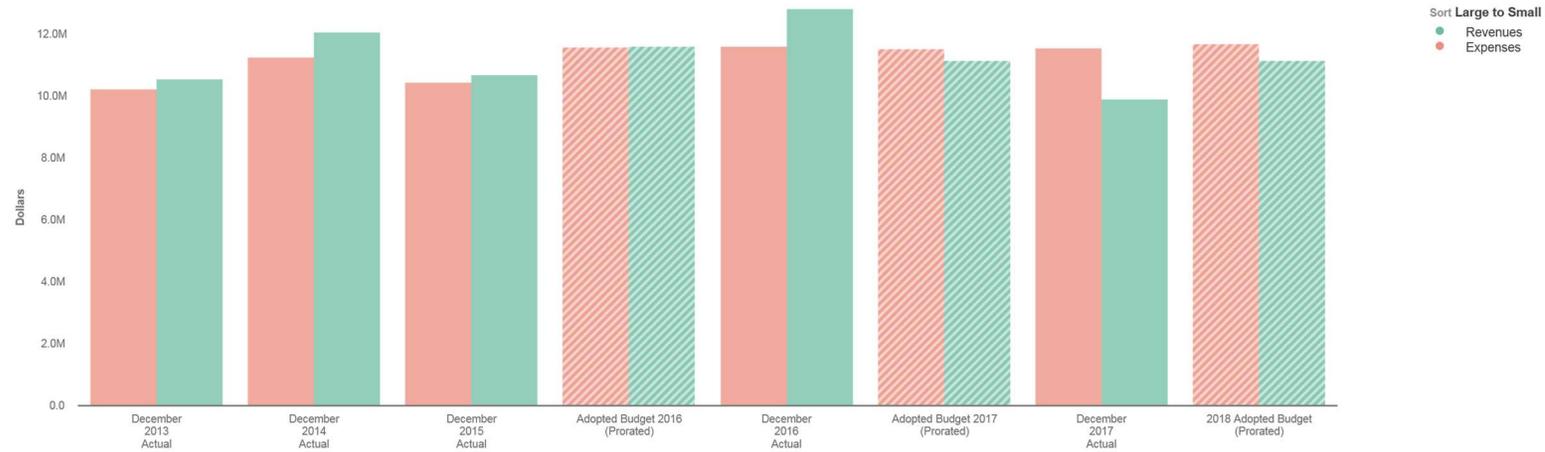
Department Updates

Reporting Period: Jan. 1-31, 2018

County Road Fund “D-FUND”

Year To Date Yr Over Yr

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	\$ 10,569,218	\$ 12,067,351	\$ 10,698,303	\$ 11,608,251	\$ 12,805,190	1,196,939	10.31%	\$ 11,154,250	\$ 9,924,592	-1,229,658	-11.02%	\$ 11,151,996
Expenses	10,247,132	11,270,764	10,448,378	11,584,899	11,621,450	36,551	0.32%	11,526,563	11,564,570	38,007	0.33%	11,705,357
Revenues Less Expenses	\$ 322,085	\$ 796,588	\$ 249,925	\$ 23,352	\$ 1,183,740	1,160,388	4,969.12%	\$ -372,313	\$ -1,639,978	-1,267,665	-340.48%	\$ -553,361

Data filtered by Types, Highway and exported on February 5, 2018. Created with OpenGov

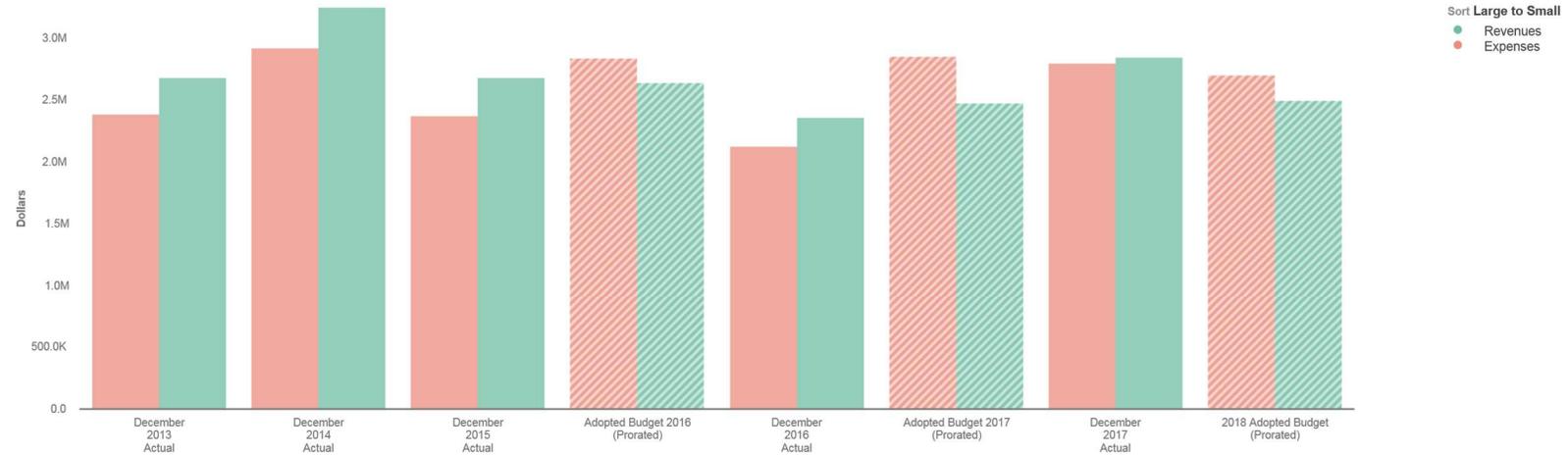
Department Updates

Reporting Period: Jan. 1-31, 2018

Road Machinery Fund “DM FUND”

Year To Date Yr Over Yr

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	\$ 2,682,020	\$ 3,244,028	\$ 2,683,497	\$ 2,645,039	\$ 2,363,371	-281,668	-10.65%	\$ 2,475,600	\$ 2,847,573	371,973	15.03%	\$ 2,496,000
Expenses	2,389,408	2,924,895	2,372,701	2,840,777	2,128,565	-712,212	-25.07%	2,855,480	2,796,494	-58,986	-2.07%	2,704,975
Revenues Less Expenses	\$ 292,612	\$ 319,133	\$ 310,797	\$ -195,738	\$ 234,806	430,544	219.96%	\$ -379,880	\$ 51,079	430,959	113.45%	\$ -208,975

Data filtered by Types, Road Machinery and exported on February 5, 2018. Created with OpenGov

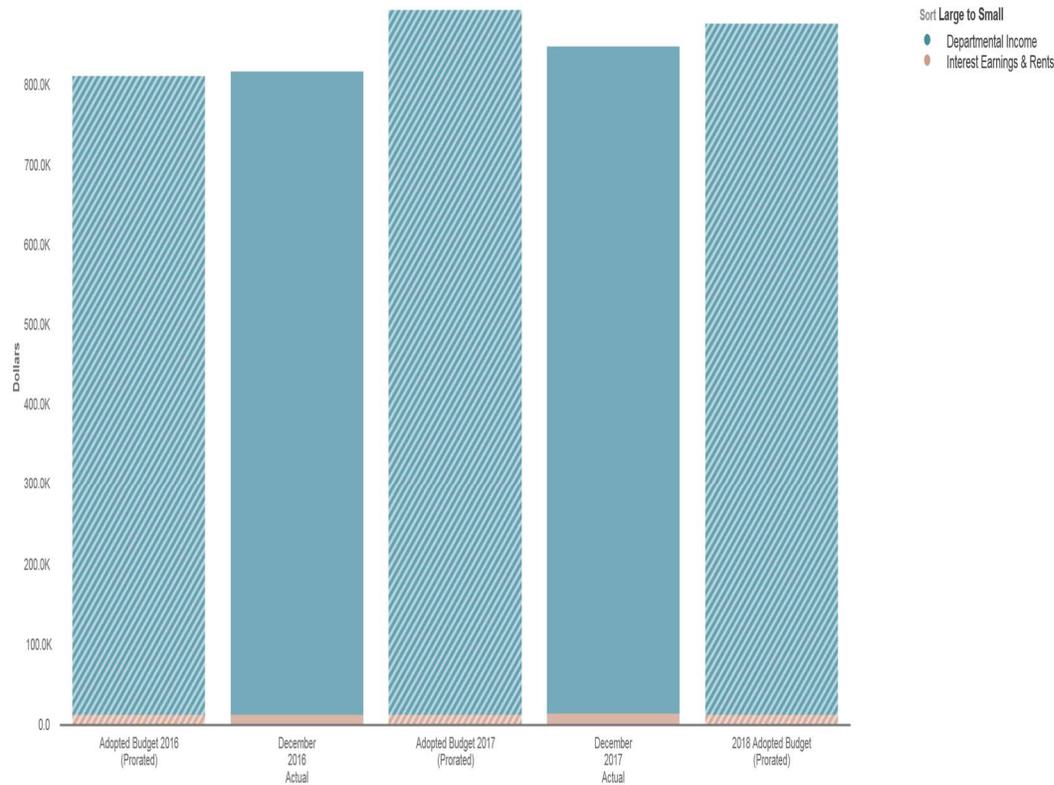
Cayuga County Clerk Department Reports

Susan M. Dwyer, County Clerk

Clerk’s Office Revenue Report Year-to-Year Comparison: 2016 – 2017

Year To Date Yr Over Yr

Year to Date Yr Over Yr



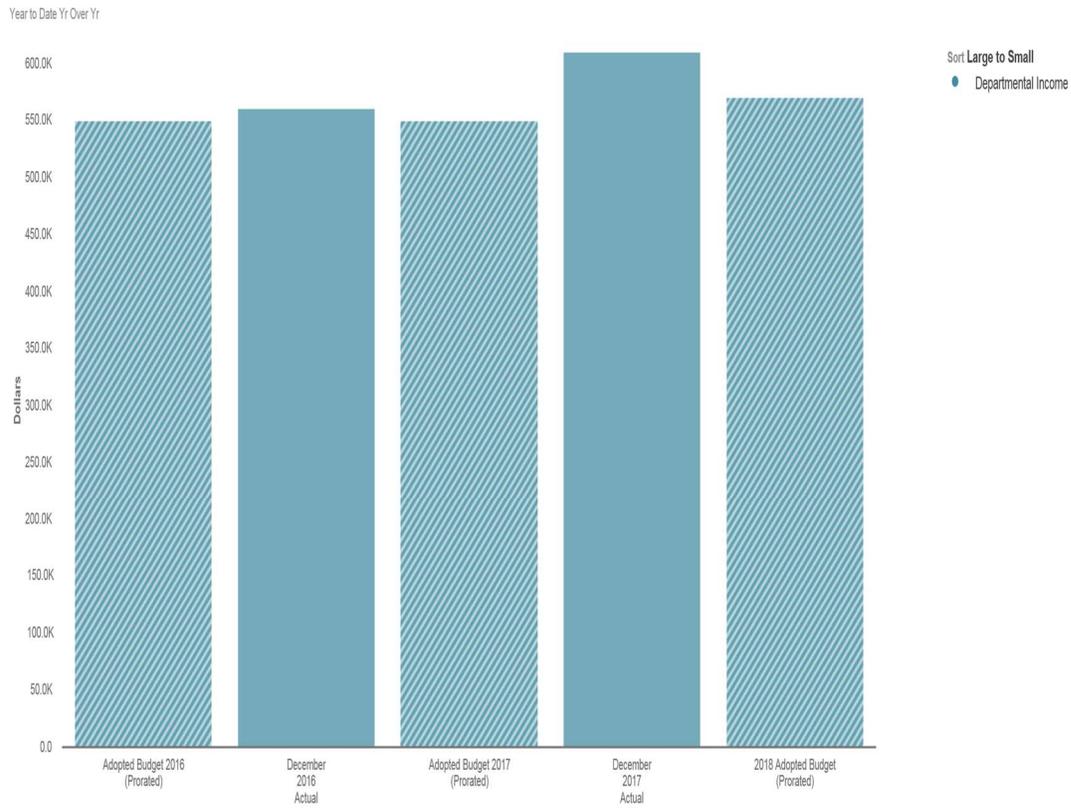
Fiscal Year Through December (cumulative amounts)

Expand All	Adopted Budget 2016	December 2016 Actual	2016 Variance	2016 Variance	Adopted Budget 2017	December 2017 Actual	2017 Variance	2017 Variance	2018 Adopted Budget
Departmental Income	\$ 799,088	\$ 805,086	5,998	0.75%	\$ 879,992	\$ 835,080	-44,912	-5.10%	\$ 864,992
Interest Earnings & Rents	14,600	14,577	-23	-0.16%	14,560	15,368	818	5.62%	14,575
Total	\$ 813,688	\$ 819,663	5,975	0.73%	\$ 894,542	\$ 850,448	-44,094	-4.93%	\$ 879,567

Data filtered by Revenues, County Clerk and exported on January 31, 2018. Created with OpenGov

Cayuga County DMV Department Revenue Report Year-to-Year Comparison: 2016 – 2017

Year To Date Yr Over Yr



Fiscal Year Through December (cumulative amounts)

Expand All	Adopted Budget 2016	December 2016 Actual	2016 Variance	2016 Variance	Adopted Budget 2017	December 2017 Actual	2017 Variance	2017 Variance	2018 Adopted Budget
Departmental Income	\$ 550,000	\$ 560,816	10,816	1.97%	\$ 550,000	\$ 609,250	59,250	10.77%	\$ 570,000
Total	\$ 550,000	\$ 560,816	10,816	1.97%	\$ 550,000	\$ 609,250	59,250	10.77%	\$ 570,000

Data filtered by Revenues, Motor Vehicles and exported on January 31, 2018. Created with OpenGov

County Clerk’s Departments: Performance Measures 2016 – 2017

CLERK’S RECORDING OFFICE		
MEASURE	2016	2017
Land Documents Recorded	9239	8587
Land Documents E-recorded	1555	1685
Index Numbers Issued (Supreme Court actions started)	1119	1070
Passports Processed	892	882
Passport Photos Processed	1566	1684
Notaries/Commissioner of Deeds	132	276
Business Certificates/Corporations Filed	788	652
Judgments Filed	2635	2439
UCC’s Filed	206	201
DEPARTMENT OF MOTOR VEHICLES⁷⁵		
Total In-Office Transactions	70,124	75,504
Total Internet Transactions	14,831	16,388
Total \$\$ Collected for Fees	\$1,026,802	\$1,123,456
Local Retention from Transactions (12.7% of every transaction)	\$560,816	\$616,019
RECORDS RETENTION CENTER		
Requests for Records	N/A	1983
Number of Boxes of Records Shredded	1004	413
Number of New Boxes of Records Stored	1023	391
CAYUGA COUNTY HISTORIAN’S OFFICE		
<i>Note: Historian’s Measures will be provided in the February Monthly Report</i>		

NYSAC REPORTS

NYS FY 2018-19 EXECUTIVE BUDGET | COUNTY IMPACT
REPORT

NYSAC LEGISLATIVE RESOLUTIONS

REPORTS ARE ATTACHED AS SEPARATE DOCUMENTS.

Interim

Executive 2018-19 State Budget

County Impact Report



NYSAC[®]

NEW YORK STATE
ASSOCIATION OF COUNTIES

January 18, 2018

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

**Executive 2018-19 Budget
County Impact Summary**

Table of Contents

Closing the Fiscal Gap..... 3
Changes in Taxation5
Triggers for Potential Sweeping Cuts 6
Direct Local Government Assistance 6
Extraordinary Monetary Settlements.....7
State Spending by Functional Areas..... 8
Agriculture 8
Community Colleges10
Criminal Justice System 11
Early Childhood Development and Children with Special Needs12
Economic Development.....12
Regional Economic Development Projects12
Elections.....14
Energy16
Environment 17
Regional Environmental Projects.....19
Ethics..... 20
Gaming and VLT Revenue Sharing 20
Higher Education.....21
Human Services 22
Judiciary and Court Related Matters 23
Labor 24
Legal 25
Mental Health 25
Public Health 25
Public Safety.....27
Shared Services 29
Transportation 29
Veterans 30

**Executive 2018-19 Budget
County Impact Summary**

Closing the Fiscal Gap

The Budget highlights a moving target related to the state’s estimate fiscal gap for the coming fiscal year. The biggest unknown is how the federal budget will impact state revenues and spending. The estimated state shortfall for the 2019 state fiscal year is \$4.4 billion and growing each year thereafter if no actions are taking.

Projected State Budget Gaps 2019 through 2022				
	SFY 2019	SFY 2020	SFY 2021	SFY 2022
State Fiscal Gap	\$4.4 billion	\$6.4 billion	\$8.1 billion	\$8.4 billion

The table above does not include any impacts from federal inaction where congress has failed to renew nearly \$2 billion in federal funds for health insurance programs for children and charity care provided by hospitals across the state. In addition, billions more in potential lost federal funds could result from continued federal efforts to dismantle the Affordable Care Act administratively.

For SFY 2019 the Budget proposes to close the \$4.4 billion fiscal gap through the following major actions:

- *\$2.67 billion in spending reductions*
 - \$1.3 billion from Local Assistance (\$929 million is related to education and health care)
 - \$446 million for Agency Operations
 - \$569 million from Debt Management/Capital Projects
 - \$340 million from prepaying SFY 2019 expenses in SFY 2018
- *\$739 million from Resource Changes* (using new one-time bank and other settlements the state received recently)
 - \$194 directed to the state’s share of the MTA Subway Action Plan
 - \$125 million in “hard dollar” capital for health care providers
 - \$383 million for state operating expenses
- *\$1.035 billion from Revenue Actions*
 - \$500 million from not-for-profit health insurance conversions (each year for the next four years)
 - \$535 million from a combination of actions including
 - \$140 million from a 14 percent surcharge on healthcare providers. Under federal tax reform, health care providers will receive a large tax cut and the state seeks to recoup some of this and use it for new health care costs expected in New York due to the federal tax changes;
 - \$127 million from a new opioid epidemic surcharge of 2 cents per milligram of active opioid ingredient in prescription drugs;
 - \$90 million from discontinuation of the energy services sales tax exemption;
 - \$82 million by deferring most business credits for tax years 2018 through 2020, where such credits exceed \$2 million;

**Executive 2018-19 Budget
County Impact Summary**

- \$75 million by requiring an internet fairness conformity tax; and
- \$12 million from improving cigar tax enforcement

Over the four-year financial plan window, the proposed gap closing actions will change over time as shown in the chart below provided by the NYS DOB.

GENERAL FUND BUDGETARY BASIS SURPLUS/(GAP) PROJECTIONS				
FY 2019 EXECUTIVE BUDGET				
GAP-CLOSING PLAN				
(millions of dollars)				
	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
MID-YEAR BUDGET SURPLUS/(GAP) ESTIMATE¹	(4,443)	(6,385)	(8,053)	(8,413)
Spending Changes	<u>2,672</u>	<u>1,465</u>	<u>1,472</u>	<u>1,820</u>
Local Assistance	1,317	1,413	1,462	1,960
Agency Operations	446	67	(11)	(134)
Debt Management/Capital Projects	569	(15)	21	(6)
FY 2018 Payment of FY 2019 Expenses	340	0	0	0
Resource Changes	736	731	802	966
Revenue Actions	1,035	1,403	1,275	1,225
EXECUTIVE BUDGET SURPLUS/(GAP) ESTIMATE¹	0	(2,786)	(4,504)	(4,402)
Adherence to 2% Spending Benchmark²	0	2,659	4,760	5,640
EXECUTIVE BUDGET SURPLUS/(GAP)	<u>0</u>	<u>(127)</u>	<u>256</u>	<u>1,238</u>

¹ Before actions to adhere to the 2 percent benchmark.

² Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on current FY 2018 estimate). The Governor is expected to propose, and negotiate with the Legislature to enact, a Budget in each fiscal year that restricts State Operating Funds spending growth to 2 percent. The "Surplus/(Gap)" estimate assumes that all savings from holding spending growth to 2 percent are made available to the General Fund.

As the chart highlights, adherence to the self-imposed 2 percent growth cap in state operating funds is critical to maintaining balance in the Financial Plan.

Executive 2018-19 Budget County Impact Summary

Changes in Taxation

There are 35 separate revenue actions proposed in the Governor's Budget that will raise about \$1 billion in revenue.

Key Revenue Items that Will Impact Counties

Updating Internet Sales Tax Collections

The Governor is again proposing to update New York's sales tax collections process to ensure that sales taxes owed are collected regardless of the method of purchase. A significant amount of sales tax owed under state law remains uncollected when transactions are conducted over the Internet. The proposal would require large Internet marketplace providers to collect sales tax on behalf of all vendors that use their platform and remit these sales taxes to the State. Many of these large retailers already collect sales tax through their platforms, but they do not do it for all vendors using their website. In the first full year the state projects that \$132 million in local sales tax will be collected, a similar amount in state sales tax would also be collected.

Elimination of the Energy Services Company Sales Tax Exemption

The Executive Budget proposes to eliminate the sales tax exemption for gas and electric service 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 tax on the transportation, transmission or delivery of gas and electricity when it is sold separately from the commodity. The Governor's proposal concludes 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 is expected to increase local sales tax collections by \$38 million in 2019 and \$76 million in 2020.

Increase in Vending Machine Sales Tax Exemption

The Executive Budget proposal would increase the sales tax exemption for certain food and drink 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 are expected to increase local sales tax revenues by \$3 million annually after 2021.

Modifies State-Owned Lands Assessment Process

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.

Other Major Revenue Proposals

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

- Capping the annual growth rate in STAR benefits amount at 0 percent - \$49 million

Executive 2018-19 Budget County Impact Summary

- Mandating that Enhanced STAR recipients use the Income Verification Program - \$35 million

Also, the State Department of Taxation and Finance will release a preliminary report very soon on options for the state to mitigate the negative impact of federal tax changes on New York taxpayers related to loss of exemptions and deductions imposed under the federal tax bill.

The Executive Budget Recommendation is proposing two separate administrative mechanisms for the Governor to impose mid-year cuts in local assistance and other state spending if certain funding triggers are met.

Triggers for Potential Sweeping Cuts

Federal Funding Shortfall Trigger

First, the Governor wants to renew his authority to impose administrative spending reductions if there are federal funding cuts to Medicaid, or other federal programs, greater than \$850 million. While the authority was not triggered under the current budget, depending on how one defines “federal cuts,” the \$850 million threshold may have already been triggered. Congress has failed to reauthorize funding for the Children’s Health Insurance Program, funding cuts to hospitals under disproportionate share payments have been enacted as scheduled, and certain payments to insurers to offset premium and out of pocket costs for ACA enrollees have been rescinded by the President. In combination, these will reduce payments to New York state and New Yorkers well beyond \$850 million. While Congress has been working to partially address these funding reductions for many months, they have failed to reach agreement.

Tax Shortfall Trigger

Second, the Governor is also asking the legislature to grant the authority to enact across the board spending reductions in certain local assistance grants and reimbursements by up to 3 percent if state tax revenue forecasts fall more than \$500 million below expectations during the state fiscal year. School Aid, Medicaid and public assistance would be exempt from the cuts.

Since the state has lowered state tax revenue estimates six times in the last two years by a combined \$4.2 billion, and the Medicaid and federal cuts may have already been triggered (requiring an act of Congress to reverse them) – counties and others remain especially vulnerable to mid-year state funding cuts under the Governor’s budget proposal.

Direct Local Government Assistance

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 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 significantly based on returns so far for these facilities.

**Executive 2018-19 Budget
County Impact Summary**

The Montreign facility in Sullivan County is scheduled to open early this year, but the overall revenues are still lower than last year even with this new facility opening.

Direct Local Government Assistance		
	2017-18 Enacted	2018-19 Exec. Proposed
AIM	\$715,000,000	\$715,000,000
Citizens Reorganization Grants	\$35,000,000	\$35,000,000
Local Govt. Efficiency Grants	\$4,000,000	\$4,000,000
County Wide Shared Services	\$0	\$225,000,000
<i>Small Govt Assistance</i>		
Essex	\$124,000	\$124,000
Franklin	\$72,000	\$72,000
Hamilton	\$21,300	\$21,300
VLT	\$28,885,313	\$28,885,313
Madison	\$2,250,000	\$2,250,000
Onondaga Co.	\$2,000,000	\$0
+ School demo w/Syracuse	\$115,000	\$0
Cayuga	\$83,350	\$0
Seneca	\$310,000	\$0
Franklin	\$310,000	\$0
Niagara County IDA	\$1,440,000	\$0
N.A. Gaming Compact Funding	\$129,000,000	\$186,000,000
Commercial Gaming Fund	\$88,000,000	\$60,000,000
TOTAL	\$910,945,967	\$1,256,352,613

Extraordinary Monetary Settlements

From 2015 through 2018 the state will have received over \$10.7 billion in one-time monetary settlements from banks and other entities for failing to abide by state laws. The settlements have accrued as follows:

- SFY 2015 -- \$4.942 billion
- SFY 2016 -- \$3.605 billion
- SFY 2017 -- \$1.317 billion
- SFY 2018 -- \$838 million

Just under \$10 billion of these settlement funds have been appropriated for a variety of state purposes. About 70 percent of the allocated funds were for capital related items and the remainder were used for non-capital purposes, some of which were nonrecurring expenses.

**Executive 2018-19 Budget
County Impact Summary**

The Governor proposes to allocate the remaining \$702 million in bank settlement funds to offset state operating funds, provide health care capital grants, and subsidies to the MTA for emergency repairs.

State Spending by Functional Areas

Below is an interim analysis of Governor Andrew M. Cuomo’s Fiscal Year 2019 Executive Budget Proposals that impacts counties. NYSAC will continue to review the specifics of the proposals.

Agriculture

Agriculture Grant Programs	2017/18 Enacted Budget	2018/19 Executive Budget
Ag. Child Care (Migrant)	\$9,275,000	\$8,275,000
Core Diagnostic Lab	\$5,425,000	\$4,425,000
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	\$50,000
Avian Disease	\$252,000	\$252,000
Farm Family Assistance	\$800,000	\$384,000
Geneva Experiment Station – Hop Testing	\$200,000	\$40,000
State Seed Inspection Program	\$0	\$0
Golden Nematode	\$62,000	\$62,000
Future Farmers of America	\$842,000	\$730,000
Ag in Classroom	\$380,000	\$267,000
Ass'n of Ag Educators	\$416,000	\$303,000
NYS Apple Growers Association	\$750,000	\$206,000
Wine / Grape Foundation	\$1,020,000	\$713,000
Farm Viability Institute	\$1,900,000	\$400,000
Pro Dairy	\$150,000	\$150,000
Cornell - Pro Dairy	\$1,200,000	\$822,000
Agriculture Domestic Arts	\$500,000	\$340,000
TASTE NY Program	\$1,100,000	\$1,100,000
School Local Food Program Competitive Fund	\$750,000	\$750,000*
Maple Producers Association	\$215,000	\$0
Tractor Rollover Program	\$250,000	\$0
NYS Apple Research and Development Program	\$500,000	\$0
Cornell Maple Research	\$125,000	\$0
FVI Berry Industry Programs	\$60,000	\$0

**Executive 2018-19 Budget
County Impact Summary**

Cornell Berry Research	\$260,000	\$0
Christmas Tree Farmers Assn	\$125,000	\$0
NY Corn and Soybean Growers	\$75,000	\$0
Cornell Honeybee Research	\$50,000	\$0
Cornell Onion Research	\$50,000	\$0
Cornell Vegetable Research	\$100,000	\$0
Cornell Veterans to Farms	\$115,000	\$0
Cornell Farm Labor Compliance	\$200,000	\$0
Cornell Farmer Muck Boot Camp	\$100,000	\$0
Long Island Deer Fence Grants	\$200,000	\$0
Eastern Equine Encephalitis	\$175,000	\$0
FVI – Dairy Profit Teams	\$220,000	\$0
Genesee Livingston Steuben Wyoming Ag. Academy	\$100,000	\$0
Long Island Farm Bureau	\$100,000	\$0
Island Harvest	\$20,000	\$0
North Country Vaccine Prog.	\$25,000	\$0
North Country Farm to School	\$300,000	\$0
North Country Ag Academy	\$200,000	\$0
Northern NY Ag Development	\$600,000	\$0
NYS Turfgrass Assn.	\$150,000	\$0
Wood Products Council	\$100,000	\$0
Farmers Market Federation	\$138,000	\$138,000
Senior Farmers Market Nutrition	\$500,000	\$0
Farm to Table Trail	\$50,000	\$0
School Gardening Programs	\$100,000	\$0
State Brewers Association	\$10,000	\$0
NY Cider Association	\$10,000	\$0
State Distillers Guild	\$10,000	\$0
Chautauqua Beekeepers Association	\$10,000	\$0
Cornell Sheep Farming Program	\$10,000	\$0
Total	\$32,899,000	\$21,421,000

*An additional \$750,000 is to be funded under the State Education Department, for a total investment of \$1.5 million in Farm to School projects.

Launch a five-point plan to ensure no student goes hungry

One prong of the Governor’s five-point plan to eliminate barriers to school food is to expand the Farm to School program. Governor Cuomo proposes doubling the state's investment to add \$750,000 for a total of \$1.5 million in Farm to School projects. The Executive Budget proposes to award the funds through a competitive process.

The Governor also proposes to incentivize school districts to use more local farm-fresh products by increasing the reimbursement schools receive for lunches from the current 5.9

**Executive 2018-19 Budget
County Impact Summary**

cents per meal to 25 cents per meal for any district that purchases at least 30 percent of their ingredients from New York farms.

Grow New York’s regional agricultural commodities

The Executive Budget proposes to launch phase two of the New York State Grown & Certified program, expanding the number of producers and commodities in the program. It also proposes to launch a concentrated consumer advertising program to build awareness and preference for New York State agricultural products.

Promote New York agriculture through Taste NY and new marketing

The Executive Budget included \$1.1 for the Taste NY program. To build on the success of the Taste NY promotional initiatives, the Executive Budget proposal also includes \$3,565,000 for marketing, advertising, and retail operations to promote local agritourism and New York-produced food and beverage goods and products.

This includes but is not limited to up to \$415,000 for Cornell Cooperative Extension of Broome County, up to \$350,000 for the Montgomery County Chapter of NYARC, Inc., up to \$550,000 for Cornell Cooperative Extension of Erie County, up to \$350,000 for the Lake George Regional Chamber of Commerce, up to \$450,000 for the Cornell Cooperative Extension of Columbia and Greene Counties, up to \$300,000 for the Thousand Islands Bridge Authority, up to \$550,000 for the Cornell Cooperative Extension of Orange County, and up to \$600,000 for Cornell Cooperative Extension of Nassau County.

Community Colleges

Funding for Community College state aid is reduced by just over \$24 million. The Governor proposed lower State base aid of \$19.7 million (-4.3%) to reflect lower student enrollment across the system. Other funding increases for community colleges added by the State Legislature totaling \$4.6 million were eliminated as well. The chart below provides a breakdown of proposed funding changes.

Community College Funding – SFY 2018-19 Proposed			
Description	SFY 2017-18 Enacted	SFY 2018-19 Proposed	Difference
State Base Aid	\$461,134,000	\$441,420,000	(\$19,714,000)
Next Gen Job Linkage	\$3,000,000	\$3,000,000	\$0
Rental Aid	\$11,579,000	\$11,579,000	\$0
Contract Courses and Workforce	\$1,880,000	\$1,880,000	\$0
High Need Degrees	\$1,692,000	\$1,692,000	\$0
Child Care	\$2,099,000	\$1,001,000	(\$1,098,000)
Low Enrollment Assistance	\$940,000	\$940,000	\$0
Graduate Achievement & Placements	\$1,500,000	\$0	(\$1,500,000)
Apprenticeship/EOC	\$3,000,000	\$3,000,000	\$0
High Enrollment Aid	\$2,000,000	\$0	(\$2,000,000)
TOTAL STATE FUNDING	\$488,921,000	\$464,512,000	(\$24,409,000)

Criminal Justice System

Eliminate Monetary Bail

The Executive Budget proposal seeks to eliminate monetary bail for people facing misdemeanor and non-violent felony charges. The accused will be released either on their own recognizance or with non-monetary conditions imposed by the court, such as reporting to a pretrial services agency. For people charged with a violent felony offense, both monetary and non-monetary bail would be permitted, but only after a judge conducts an individualized review of the nature of the case and the defendant's personal and financial circumstances. If monetary bail is set, the court must give the defendant a choice between cash or bail industry bonds and an alternative form of bail such as an unsecured or partially secured bond. Additionally, in limited cases such as domestic violence offenses, cases involving serious violence, or when a defendant commits a new crime while out on pretrial release, a judge could order, after due process, a defendant to be held in jail pretrial without bail if they find the defendant poses a significant flight risk or if there is a current threat to a reasonably identifiable person's physical safety.

There is no fiscal assessment attached to this change or money allocated, however the bill would not take effect until November 1, 2019.

Amend the Criminal Trial Discovery Process

The Executive Budget proposal would amend Article 240 of the Criminal Procedure Law to require both prosecutors and defendants to automatically share information in an incremental fashion well in advance of the start of a trial. This automatic disclosure would be triggered by an arraignment on an indictment, and include disclosure of evidence and information favorable to the defense; police reports; witness statements; intended exhibits; expert opinion evidence; and witnesses' criminal history information.

There is no fiscal assessment attached to this change or money allocated

Speedy Trial Waiver Process Change

The Executive Budget proposal would require that people held in custody - not just their attorneys - consent to a speedy trial waiver that must be approved by a judge. These waivers include a deadline so that the defendant, defense attorneys, prosecutors, and judges understand when the trial is scheduled and will only be granted after the defendant has made an appearance before a judge.

The waiver periods shall not exceed: (a) three months where a defendant is accused of one or more offenses, at least one of which is a felony; (b) forty-five days where a defendant is accused of one or more offenses, at least one of which is a misdemeanor punishable by a sentence of imprisonment of more than three months and none of which is a felony; (c) thirty days where the defendant is accused of one or more offenses, at least one of which is a misdemeanor punishable by a sentence of imprisonment of not more than three months and none of which is a crime punishable by a sentence of imprisonment of more than three months; or (d) fifteen days where the defendant is accused of one or more offenses, at least one of which is a violation

Executive 2018-19 Budget County Impact Summary

and none of which is a crime. Outside of extraordinary circumstances, no more than two waivers shall be granted.

There is no fiscal assessment attached to this change or money allocated.

Amend Civil Asset Forfeiture/Seizure Policies

The Executive Budget proposal would ban all asset seizures unless an arrest is made, and require there to be a criminal conviction before property can be forfeited. There is no fiscal assessment attached to this change or money allocated.

Early Childhood Development and Children with Special Needs

Early Intervention

The Executive Budget proposes a series of reforms to the Early Intervention (EI) program that are designed to streamline the eligibility process and ensure appropriate health insurance reimbursements for covered EI services. The proposal revises the definition of “evaluation,” “evaluator,” “partial evaluation,” multidisciplinary,” and “screening.” There are also extensive changes intended to better define health insurer requirements and increase the enforcement capacity of the Department of Financial Services.

These changes are estimated to save counties nearly \$10 million annually upon full implementation.

Economic Development

Invest in New York’s workforce and future

The Executive Budget proposal includes workforce development program to fill “skills gaps” by making sure all New Yorkers have access to training to meet the State’s growing workforce needs. This will include establishing a new \$175 million Consolidated Funding Application for workforce investments through the Regional Economic Development Councils (REDCs), targeted in particular emerging fields.

The Executive Budget proposal also creates a new Office of Workforce Development, headed by a Director of Workforce Development, which will oversee all workforce training programs for the state. Further, he proposes to create a One-Stop Shop online portal to help workers and businesses navigate the State’s workforce development programs. The Governor plans to use the innovative data mining methodology utilized by Monroe County Community College to identify local workforce needs with more precision than BLS and Census data.

Reauthorize MWBE Program legislation and expand the MWBE program to all State-funded contracts

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 Program (MWBE) program. The Executive Budget proposal expands the authorization to continue the MWBE program and its requirements, which will expire on December 31, 2018, until December 31, 2023. He also proposes to expand program

Executive 2018-19 Budget County Impact Summary

requirements to include all municipalities on contracts let with appropriated state dollars and require units of local government subject to Article 15-A to set goals on contracts and submit reports to the Director of the Department of Economic Development's Division of Minority and Women's Business Development.

Invest in round eight of the Regional Economic Development Councils (REDCs)

The Executive Budget proposal includes the regional economic development approach with an eighth round of the REDC awards, which will provide funding regional priority projects.

The Executive Budget proposes \$150 million in core funding for the REDC initiative. Funding will be based, in part, on a competitive selection process among the REDCs and will support initiatives based on anticipated economic development benefits. Monies will be awarded by the New York State Urban Development Corporation at its discretion.

Launch round three of the Downtown Revitalization Initiative (DRI)

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. New York State will expand the Initiative with an additional \$100 million, providing up to \$10 million for awards in each region.

Expand the types of government bodies that may obtain surplus state land for nominal consideration, as well as the purposes for which the land may be used

Under current law, the Commissioner of General Services may transfer surplus State lands for \$1.00 to a city, village, town, or county as long as the land will be used for, among other purposes, mental health facilities, park, recreation, playground, reforestation, or highway purposes to the benefit of both the State and local governments. This proposal would expand the eligible list of government bodies that may obtain surplus State lands for nominal consideration to include political subdivisions (which, in addition to municipal corporations, includes school districts and boards of cooperative educational services, fire companies, and voluntary ambulance services). It would also increase the permissible uses for such land to include public education, public safety, and other municipal purposes.

Authorize the Department of Transportation (DOT) to charge for use and occupancy of fiber optic lines on DOT right of way and establish a uniform process for the siting of small cell wireless facilities

The Governor proposes to authorize 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, while also ensuring that pass through of any charges to the end user is limited. The Governor would establish a clear process and fee structure for the installation of "small cell" antennas in communities throughout New York State that will improve service by expanding coverage and increasing network capacity. This proposal aims to balance the need for access to the "small cell" wireless technology with the interests of local governments in retaining oversight of the infrastructure process.

Executive 2018-19 Budget County Impact Summary

Eliminate the 25 percent match requirement for localities utilizing federal Community Service Block Grant funds

The Community Service Block Grant (CSBG) is a federal anti-poverty program that is administered by the Department of State. The Governor proposes to eliminate the State law requirement that recipients of CSBG funds to secure a 25 percent local match. This will allow entities engaged in anti-poverty work to more efficiently and flexibly assist vulnerable people within their community while also reducing administrative costs.

Create the Empire Forests for the Future Initiative

The Governor proposes to modify the existing forestry property tax law, create a new property tax incentive for privately-owned forests and open space, and encourage timber sales in support of biomass energy and wood-products industries in the State. One prong of this proposal is to create a State procurement preference for New York wood products similar to that used for other agricultural products. Cuomo also proposes to establish financial assistance programs to benefit both municipalities and landowners. This proposal would establish a formula for the provision of forestry exemption assistance to municipalities impacted by the current and proposed forestry property tax exemption.

Regional Economic Development Projects

Create the photonics-related business attraction fund

New York State will dedicate \$30 million to a Photonics Attraction Fund through the Finger Lakes Regional Economic Development Council, specifically to attract integrated photonics companies to set up their manufacturing operations in the greater Rochester area.

Increase year-round tourism for Upstate New York through attractions at our mountains and Olympic facilities

The Executive Budget includes \$62.5 million in new capital funding for the Olympic Regional Development Authority 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.

Bridge the gap in the North Country's tourism lodging needs

Tourism stakeholders have identified the need to address the lack of full-service lodging in the North Country because of the region's dependence on seasonal accommodations and the lack of enough places for visitors to stay that appeal to their varying needs. To help address this problem and encourage further development, 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 REDCs and Upstate Revitalization Initiative to spur development activity.

Executive 2018-19 Budget County Impact Summary

Create a new 407-acre State Park in Central Brooklyn

In partnership with the National Park Service and the City of New York, the State will transform the former Pennsylvania and Fountain Avenue landfills into a 407-acre State Park. The State will invest \$15 million to open the property to the public.

Hudson River Valley Greenway

Total funding for the Greenway increases by \$17 million, reflecting capital spending for the new Empire State Trail.

Elections

Institute early voting

The Executive Budget proposal includes early voting in all special, primary, and general elections to make it easier for New Yorkers to vote. Currently, 37 states and the District of Columbia allow voters to cast ballots in person before Election Day. The proposal requires every county to offer residents access to at least one early voting poll site during the 12 days leading up to Election Day. Voters will have at least eight hours on weekdays and five hours on weekends to cast early ballots, and any registered voter in a county can vote at any early voting polling place within their county, subject to certain limitations. Counties must have one early voting poll site for every 50,000 residents. The bipartisan County Boards of Elections will determine the specific location of early voting polling places, subject to standards of accessibility and convenience.

Adopt automatic voter registration

The Executive Budget proposal includes adopting a system that implements automatic voter registration to streamline state services by automatically sending voters' information from relevant agencies directly to the County Board of Elections. The proposal would provide for an opt-out voter registration system for qualified persons applying for a motor vehicle driver's license, a driver's license renewal, or an identification card issued by the DMV. This proposal aims to improve the accuracy of voter registration lists, reduce costs, and make registering a more convenient and efficient process for voters and election officials.

Same-day voter registration constitutional amendment

The Executive Budget proposal includes to allow New York State citizens to register and vote on the same day. Currently, New York does not allow voters to register on Election Day. This amendment to the State Constitution would be referred to the first regular legislative session convening after the next succeeding general election of members of the Assembly and Senate. If approved, this amendment would be submitted to voters at the next general election.

Enhance statewide election cyber security resilience and defend against election disruption

The State will create the Election Support Center, which will provide technical expertise and trainers to assist the State Board of Elections with developing regulations to enhance the cyber security of elections infrastructure; train County Boards of Elections (CBOEs) members in cyber security best practices; and ensure that relevant threat intelligence is quickly distributed to local stakeholders.

Executive 2018-19 Budget County Impact Summary

The State will also create and deploy the Elections Cyber Security Support Toolkit, a new suite of threat mitigation tools to ensure election security at the state and local levels. The Office of Information Technology Services will provide cyber risk vulnerability assessments and support to County Boards of Elections to ensure vulnerabilities are identified and voting machines are protected. The State will also offer free hosted Disaster Recovery services to ensure the integrity of voter information is protected.

Finally, the Governor will require County Boards of Elections to notify the State Board of Elections and the State Police whenever there is a data breach that could potentially expose private voter or election information. The State Board of Elections will be required to issue an annual New York Election Security Report to the Executive and Legislature outlining security risks and recommendations for remediation actions the State should take to address those risks.

Close the LLC Loophole

The Executive Budget proposal includes to explicitly include Limited Liability Companies (LLCs), and any other corporate entity, as subject to campaign finance limits already articulated in law, thereby closing the “LLC loophole.” This action would result in LLCs and any other corporate entity being subject to the same campaign finance limits imposed on corporations and joint stock associations (i.e. a campaign donation limit of \$5,000 per calendar year) and would allow for a more transparent campaign finance system.

Institute public financing & enact additional campaign finance reforms

The Executive Budget proposal includes reforming 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. His proposal to reduce campaign contribution limits would place a \$25,000 contribution limit on housekeeping accounts and require all campaign intermediaries, known as “bundlers,” to disclose their identities. The voluntary public financing system would match small donations with public funds. Affected candidates would be eligible to participate in voluntary public financing beginning with the 2020 primary election.

Energy

Increase Renewable Energy Use

The Executive Budget proposal includes an increase in renewable energy use by investing \$200 million toward an energy storage target of 1,500 Megawatts by 2025.

Additionally, he is directing the New York State Energy and Research Development Authority (NYSERDA) to invest at least \$60 million through storage pilots and activities to reduce barriers to deploying energy storage (e.g., permitting, customer acquisition, interconnection, financing costs).

Executive 2018-19 Budget County Impact Summary

Increase Number of Electric Vehicles Charging Stations

The Executive Budget proposal includes requiring New York, in conjunction with the private sector, to make public the availability of at least 10,000 charging stations across New York by 2021.

New York would also prioritize the installation of charging stations at strategic locations along the State's highways based on distance and accessibility with the goal of by 2020, a ZEV traveling anywhere on New York's interstate system will be able to recharge at a location convenient to the driver.

Launch Charge NY 2.0

Governor Cuomo will launch Charge NY 2.0 in 2018, which will drive the buildout of Electric Vehicle (EV) charging infrastructure and promote ZEV-capable roadways and destinations across New York State. Under Charge NY 2.0, New York will increase the number of charging stations across the state and establish clean fuel corridors along the state's highways.

Environment

Attack Harmful Algal Blooms (HABs) in New York's waters

This year, Governor Cuomo will implement a \$65 million, 4-point initiative to aggressively combat HABs in Upstate New York by targeting twelve priority lakes that are vulnerable to HABs and are critical sources of drinking water and vital tourism drivers. The State's Water Quality Rapid Response Team, national experts, and local stakeholders will collaboratively develop Action Plans to identify contributing factors fueling HABs, and the State will provide \$500,000 per lake to develop immediate action plans to reduce sources of pollution that spark algal blooms. The state will provide nearly \$60 million in grant funding to implement the Action Plans, including new monitoring and treatment technologies.

Launch Resiliency NY to dramatically enhance community resiliency in the face of extreme weather

The Governor proposes to develop a comprehensive program to adapt to and prepare for extreme weather. He will direct the Department of Environmental Conservation (DEC) to issue resiliency guidelines modeled after a federal order that was revoked and further require that state funding for infrastructure projects consider these resiliency criteria. Additionally, the Department of State (DOS) will recommend changes to the State Fire Prevention and Building Code that will increase climate resiliency, and the DEC will update and improve its maps of wetlands and coastal risk areas. Finally, the State will provide financial support for state-of-the-art local resiliency plans to create a pipeline of projects to increase the flood resiliency of our communities by protecting streams, coasts and critical infrastructure, such as hospitals, transit systems, bridges, water and wastewater infrastructure, dams, culverts and levees, as well as homes and small businesses. Interagency response teams will also conduct at least 40 emergency flood response trainings in communities across New York annually.

Create the Zero Cost Solar for All Program for 10,000 low-income New Yorkers

To reduce the energy burden of low-income households and ensure their participation in the clean energy economy, the Governor is directing the New York State Energy and Research

Executive 2018-19 Budget County Impact Summary

Development Authority (NYSERDA) to use its purchasing power to secure community solar subscriptions for low-income customers and provide them at zero cost to deliver cost savings and clean energy to more than 10,000 low-income New Yorkers. The Governor is also directing NYSERDA to work with low-income energy efficiency programs, utilities, community agencies, solar project developers, investors and other stakeholders to market the program to low-income customers and develop strategies for how the program can better serve low-income New Yorkers and help them participate in the growing clean energy economy.

Reduce emissions of the most potent and dangerous greenhouse gases

This year, Governor Cuomo will direct the Department of Environmental Conservation, NYSERDA, and the Department of State to develop a comprehensive strategy to reduce hydrofluorocarbons (HFC) emissions by incentivizing the use of climate-friendly alternatives. This effort will provide rebates to municipalities to convert large cooling systems, like public ice rinks and school cafeterias, to safer alternative technologies. It will also develop new building codes to encourage the use of climate-friendly alternatives and provide free audits and technical assistance to help businesses identify opportunities to reduce emissions and costs.

Reduce and sustainably manage food waste by requiring large food waste generators to divert excess edible food to food banks and food scraps to organics recycling facilities

The Governor proposed a bill that would phase 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 proposal's provisions would apply to high volume food waste generators such as manufacturers, supermarkets, large restaurants, higher educational institutions and healthcare facilities that produce an annual average of two tons per week or more of excess food and food scraps at a single location. Elementary and secondary schools would be exempt from this bill, as would designated food scraps generators from New York City, so long as the city requires organics diversion.

The proposal would also prohibit transporters and transfer stations from landfilling or combusting food scraps collected from designated generators, and would instead direct such entities to ensure that food scraps are brought to an organics recycler. Beginning January 1, 2021, solid waste combustion facilities and landfills would not be permitted to accept food scraps from designated food scrap generators.

The Department of Environmental Conservation (DEC) would be authorized to oversee food waste in New York State, including assessing the capacity of organics recyclers, issuing temporary waivers, publishing a listing of organics recycling facilities, producing educational materials, and issuing temporary waivers based on a petition by a designated food scraps generator that demonstrates its unique circumstances would be unduly onerous.

The Executive Budget includes \$14 million for municipal waste reduction and recycling projects, including \$2 million for municipalities and not-for-profit food banks for projects related to food donation and recycling food scraps.

Regional Environmental Projects

Build on the success of the NY Parks 2020 State parks transformation

New York will continue to make significant investments in parks. These investments include restoring the Boardwalk Café at Jones Beach State Park; constructing the new and first vacation cabins and cottages on Long Island at Heckscher and Wildwood State parks; completing the \$70 million revitalization of Niagara Falls State Park; constructing a Green Lakes State Park Environmental Education Center as part of the \$16.9 million transformation of Central New York's most-visited State Park; building a Minnewaska State Park Visitor Center; opening the Major League Baseball Youth Academy on the new and refurbished baseball fields; finishing the gateway transformation at the entrance to the flagship Watkins Glen State Park; opening the completely overhauled Peerless Pool Complex at Saratoga Spa State Park; and debuting the entrance transformation at Sunken Meadow State Park.

Complete the Hudson River Park

The Hudson River Park, encompassing over 500 acres and stretching 4.5 miles along Manhattan's West Side, is the borough's second largest after Central Park. This year, the Governor will work with the City to make the phased and matched investments necessary to finish infrastructure repairs and other important projects. In addition, the State will continue to facilitate public-private partnerships, while ensuring the Estuary Management Plan is complete and the marine sanctuary is protected.

Fast-track containment and treatment of "Grumman Plume"

In Nassau County, industrial practices at the U.S. Navy and Northrop Grumman Aerospace Bethpage facilities in the Town of Oyster Bay have left a legacy of pollution in the form of a massive contaminated groundwater plume that has affected the surrounding community since the 1930s. This year, New York State will fast-track construction of a new, state-of-the-art well system to fully contain and treat the plume of contamination and protect the quality of drinking water on Long Island. The State will use all legal tools at its disposal to hold the U.S. Navy and Northrop Grumman accountable for the construction and operation of the containment and treatment system. The full containment and treatment system is estimated to cost at least \$150 million to construct.

Require expedited corrective actions at the Niagara Falls Wastewater Treatment Facility

To ensure that the Niagara Falls wastewater facility's problems with dark water discharges are resolved in a comprehensive fashion, Governor Cuomo will invest over \$20 million to launch Phase One of the wastewater system overhaul to complete comprehensive infrastructure and operational improvements at the Niagara Falls Wastewater Treatment Facility. The Governor's proposal also provides \$500,000 to expedite two engineering studies that are evaluating both the plant's discharges and treatment systems, which are required by the new consent order with the Niagara Falls Water Board. The results of these studies will help guide and inform the \$20 million Phase One investment.

Executive 2018-19 Budget County Impact Summary

Provide funding flexibility between Lake Ontario Flood Relief Programs

The Governor proposes creating the Lake Ontario-St. Lawrence Seaway Flood Recovery and International Joint Commission Plan 2014 Mitigation Grant Program. The New York State Urban Development Corporation shall administer this grant program, which shall not exceed an aggregate of \$15,000,000 plus any funds directed from the programs authorized in 2017.

Non-Hazardous Landfill Closure Projects

The Executive Budget proposes \$700,000 for non-hazardous landfill closure projects, including \$300,000 for Essex County under an agreement with the Department of Environmental Conservation (DEC) and \$150,000 for Hamilton County under an agreement with the DEC.

Ethics

State Legislature

The Executive Budget proposal seeks to make State Constitution amendments which would 1) limit outside income for members of the New York State Legislature that would limit outside income for legislators to 15 percent of their base salary; and 2) to impose term limits for members of the Legislature and state-wide elected officials.

Local Government Officials

The Executive Budget proposal would require elected officials to file financial disclosure requirements to the State. This proposes that any local elected official who earns more than \$50,000 per year in a government salary, as well as all county executives, county managers, and all chairs of county board of supervisors file the same financial disclosure statements that state employees file with the Joint Commission on Public Ethics.

Gaming and VLT Revenue Sharing

The Executive Budget includes funding of:

- \$2.25 million for a county hosting a Native American gaming facility not covered under a prior compact;
- \$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 performance to date;
- \$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; and
- \$28.9 million for VLT host communities – revenue sharing for Yonkers of \$19.6 million and Upstate host communities of \$9.285 are level funded.

**Executive 2018-19 Budget
County Impact Summary**

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

Higher Education

DREAM Act

The Executive Budget proposal includes legislation to enact the DREAM Act. This legislation would allow for advancement of undocumented immigrant students by making them eligible to receive State financial assistance for college. The New York State DREAM Act would amend Education Law to make students without lawful immigration status eligible for the Excelsior Scholarship, the Tuition Assistance Program, the Enhanced Tuition Award, and other State financial assistance programs offered to college students who are New York State residents.

To become eligible for State financial assistance, a student without lawful immigration status would need to have lived continuously in New York State while attending high school or a high school general equivalency program in the State, and apply for admission at a college in New York within five years of receiving a high school or high school equivalency diploma. The bill would also make conforming changes to the laws governing resident tuition policy at the State University of New York and the City University of New York.

Second Phase of the Excelsior Free Tuition Program

The Executive Budget proposal includes \$118 million to support free tuition for an estimated 27,000 students. Along with other sources of tuition assistance, the Excelsior Scholarship and State tuition assistance programs will allow approximately 53 percent of full-time SUNY and

Executive 2018-19 Budget County Impact Summary

CUNY in-state students, or more than 210,000 New York residents, to attend college tuition-free when fully phased in.

Human Services

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

The Executive Budget proposal includes language that would amend Section 131-a of the Social Services to enable Rest of State (ROS) counties to opt-in to restrict 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.

An estimated 4,700 individuals are living with medically diagnosed HIV infection in ROS counties on a fixed governmental income. These individuals receive Social Security Income (SSI), Social Security Disability Income (SSDI), Veteran's Benefits or public assistance benefits and typically contribute over fifty percent of their total income toward shelter costs. By limiting the amount of income that an individual contributes towards their shelter costs to thirty percent of their total income, this bill would allow such individuals to retain more of their income for other essential non-shelter needs. It would also allow local districts to opt-in to the rent cap provision.

NYC Close to Home Initiative – State Ends Fiscal Support

The Budget proposes the continuation of the New York City's Close to Home initiative for youth and families, but eliminates \$41.2 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

The state retains the child welfare funding match at 62 percent for counties outside of New York City. The budget, however, proposes capping reimbursements to New York City child welfare services at no more than \$320 million, effectively eliminating the 62 percent state match. Capping reimbursements to New York City is estimated to shift \$17 million in costs from the state to the City.

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.

Homeless Outreach Requirements

The Governor is proposing 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.

**Executive 2018-19 Budget
County Impact Summary**

Major Human Services Funding Commitments 2017-18 <i>(Dollars in Thousands)</i>			
PROGRAM	2016-17 Enacted	2017-18 Enacted	2018-19 Proposed
(TANF) Family Assist. and Emergency Assist.	\$1,302,000	\$1,300,700	\$1,400,000
Safety Net (State's 29% share)	\$480,000	\$540,300	\$555,000
Child Welfare preventive and protective	\$635,073	\$635,073	\$635,073
Child Care Subsidies - General Fund (13907)	\$168,845	\$216,860	\$266,860
Child Care Block Grant – Federal (13950)	\$308,746	\$308,746	\$308,746
Child Care – TANF (52209)	\$403,127	\$369,659	\$326,659
Close-to-Home Initiative - NYC	\$41,400	\$41,400	\$0
Flexible Fund for Family Services	\$964,000	\$964,000	\$964,000
Foster Care Block Grant	\$445,526	\$383,526	\$383,526
Summer Youth Employment	\$31,000	\$36,000	\$40,000
TOTALS	\$4,779,717	\$4,775,964	\$4,879,864

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.

Judiciary and Court Related Matters

Indigent Defense

The Governor’s budget proposal includes \$155.5 million to 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.

	Final FY 2017-18	FY 2018-19 Executive Budget proposal	FY 2018-19 Executive Proposed 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.

Executive 2018-19 Budget County Impact Summary

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.

Market Based Judgment Interest Rate

Under New York State law the interest rate for plaintiffs seeking to appeal a judgment is set at 9%. This is vastly higher than current federal interest rates. The Governor's proposed budget would require that the rate of interest be calculated at a prevailing market rate identical to that used by the Federal Court System. Accordingly, the interest rate on all court judgments and accrued claims paid by public and private entities based on the weekly average one-year constant maturity treasury yield. This bill would reduce the amount of interest paid by the State and by local governments on court judgments.

District Attorney Salary Increase

For the third year in a row the increase to DA salaries that, under state law is tied to the state judge salaries, are not included in the budget. This mandatory salary level will increase again in 2018. This State inaction costs counties over \$2 million per year.

Labor

Expand the New York Youth Jobs Program

The New York Youth Jobs Program, launched by Cuomo in 2012, incentivizes the hiring of at-risk youth, age 16 to 24, through business tax credits. The Program provides \$30 million for 13 targeted areas with high youth unemployment—including Albany, Brookhaven, Buffalo, Hempstead, Mount Vernon, New Rochelle, New York, Rochester, Schenectady, Syracuse, Utica, White Plains, and Yonkers—and an additional \$20 million for young people who live in other areas of the state. The Governor proposes to increase the maximum credit available to certified New York employers by 50 percent—raising the maximum tax credit from \$5,000 to \$7,500 for certified youth employed full-time and from \$2,500 to \$3,750 for those employed part-time. Beginning on or after January 1, 2019, qualified employers would also be required to comply with enhanced reporting requirements. In addition, to help participants better develop the skills needed to advance from an entry-level position toward a chosen career, the Governor will direct the Department of Labor to align and connect employers and youth

Executive 2018-19 Budget County Impact Summary

participating in the Youth Jobs Program with regional workforce development efforts of SUNY, CUNY and BOCES.

Extend the Hire a Vet Tax Credit for two years

The Executive Budget proposal includes extending by two years the tax credits provided for hiring veterans, through tax year 2020.

Legal

Proposed Legislation Sexual Harassment Complaints, Policies, and Procedures

The Executive Budget proposal includes a uniform code of sexual harassment policies binding on all branches of state and local government. This uniform statewide code would be required to include the following:

- an independent and anonymous whistleblower process to help individuals to communicate complaints across state and local government.
- Prohibit the use of taxpayer funds from being used for settlements against individuals relating to sexual assault or harassment.
- Prohibit confidentiality agreements relating to sexual assault or harassment for all public entities and branches of government unless it is the express preference of the victim.

The Executive Budget proposal also includes legislation that would void forced arbitration policies or clauses in employee contracts that prevent sexual harassment cases from consideration in law enforcement investigation and court trials.

Mental Health

Community reinvestment for State psychiatric center inpatient bed closures

The Executive Budget includes language to extend community reinvestment for State psychiatric center inpatient bed closures for three years. This bill would extend for three years current law requiring the Office of Mental Health (OMH) to reinvest \$110,000 per inpatient bed closure for community mental health services.

Public Health

Lead Paint Testing

The Executive Budget proposal includes language that requires municipalities that administer the Uniform Fire Prevention and Building Code (“Uniform Code”) to report inspection and remediation outcome summaries to the Department of Health. It would require local code enforcement officers to conduct periodic inspections, and would establish protections for tenants from reporting suspected violations. The Commissioner of Health will work with the Department of Housing and Community Renewal and other relevant agencies to inspect residential and nonresidential properties and to ensure implementation of lead remediation measures.

Executive 2018-19 Budget County Impact Summary

Affordable Housing and Homelessness Initiative

The Executive Budget proposal continues the \$20 billion, comprehensive five-year investment in affordable housing, supportive housing and related services to provide New Yorkers with safe and secure housing. This investment began in FY 2017, funding includes \$3.5 billion in capital resources, \$8.6 billion in State and Federal tax credits and other allocations, and \$8 billion to support the operation of shelters and supportive housing units and to provide rental subsidies.

The language includes:

Amending Public Health Law §1373 to require municipalities that administer the Uniform Code, and contain areas identified as “high risk” by the Commissioner of Health, to submit reports to DOH summarizing the outcome of inspections and remediation conducted.

Amending Executive Law §378 to include a presumption that all paint in and on residential and non-residential buildings and structures built before January 1, 1978 is lead-based, and would require that these buildings be maintained so that the paint does not deteriorate more than minimally.

Amending Executive Law §381 to require the Department of State (DOS) to issue regulations requiring local code enforcement officers to conduct periodic inspections of local residential property to ensure compliance with Uniform Code requirements for lead paint. Additionally, DOS would be required to issue regulations concerning remedies to abate such violations, including certification by a lead-based paint inspector that a building does not contain lead paint and that deteriorated paint violations have been abated. And amend Real Property Law §233-b to create anti-retaliation protections for tenants.

Opioid and Heroin Abuse Crisis

The Executive Budget proposal includes an increase of \$26 million (4.5 percent) in operating and capital support for the Office of Alcohol and Substance Abuse Services (OASAS) to enhance prevention, treatment and recovery programs, residential service opportunities, and public awareness and education activities. Over \$200 million in funding is being used to address the heroin and opioid crisis.

Establishment of an opioid epidemic surcharge

The Executive Budget proposal includes language to create an opioid epidemic surcharge, a surcharge on opioid sales to dis-incentivize the use of opioids by placing the share of societal costs from opioid use on the manufacturers, producers and distributors who financially gain from the use of these drugs.

A surcharge in the amount of two cents per morphine milligram equivalent sold, on the first sale of any opioid in the State. Sales made directly to chemical abuse or dependence facilities, as defined in Article 32 of the Mental Hygiene Law, would be exempt from this surcharge. The responsibility to pay this surcharge would be on the establishment that makes such first sale. The first receipts from the surcharge would be due by January 20, 2019, and would cover the

Executive 2018-19 Budget County Impact Summary

period from July 1, 2018 through December 31, 2018. Receipts would be collected monthly thereafter.

This bill would also establish an opioid prevention, treatment and recovery account in the custody of the state comptroller. Revenue generated from the surcharge imposed by this bill and revenue from litigation or enforcement actions initiated against opioid pharmaceutical manufacturers, distributors and wholesalers would be directed to this account for the purpose of providing support for the provision of opioid treatment, recovery and prevention and education services.

Health Tax on Vapor Products

The Executive Budget proposal includes a health tax on vapor products for use with electronic cigarettes and similar devices. This bill would expand Article 20 to impose a tax, at the rate of 10 cents per fluid milliliter, on the sale (or use, if not previously taxed) on vapor products, defined as the liquid or gel commonly used in e-cigarettes and similar devices, regardless of whether or not the device contains nicotine. To facilitate administration and collection of the tax, wholesalers and distributors would be required to list the amount of vapor products sold, in milliliters, on any invoices issued to their customers.

This bill would also add registration and record keeping requirements, and impose civil and criminal penalties for unlawful possession of a vapor product equivalent to those in existing law for other tobacco products. Enactment of this bill would equalize the tax treatment of tobacco products and the equivalent products used in e-cigarettes.

Study a Regulated Marijuana Program

The Executive Budget proposal includes funding for the Department of Health to conduct a study in consultation with other state agencies, to review the health, criminal justice, and economic impacts of a regulated marijuana program in the state of New York; including the consequences to the state of New York resulting from legalization in surrounding states.

Public Safety

Raising the Age

The Executive Budget proposal includes \$100 Million to Implement Raising the Age of Criminal Responsibility. Funding provides support for raising the age of criminal responsibility and reform measures, including comprehensive diversion, probation, and programming services for 16- and 17-year-old youth in the juvenile justice system.

Authorize DASNY to provide capital construction services to OCFS

The Executive Budget proposal 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.

Executive 2018-19 Budget County Impact Summary

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.

Jail Based Restoration

The Executive Budget proposal includes language that would authorize 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. Such voluntary programs would be available in separate residential mental health units.

This proposal would amend Section 730.10 of the Criminal Procedure Law (CPL) to authorize the establishment of jail-based restoration to competency programs, for felony defendants pending judicial hearings, within locally-operated jails and State prisons operated by the Department of Corrections and Community Supervision (DOCCS), subject to the facility's consent.

Counties would be authorized to voluntarily develop residential mental health pod unit(s) within local jails for the purposes of housing, treating, and restoring felony-level defendants to competency as they await trial. Similarly, this proposal would authorize DOCCS to voluntarily develop similar restoration unit(s) within the NYS correctional system by agreement with OMH.

Interoperable Communications Program

The Executive Budget proposes \$75million 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).

Eliminate reimbursements to counties for transportation of state ready inmates

The Executive Budget proposal includes language to amend the correction law that currently provides for reimbursement to counties for both travel costs and a portion of salary costs for the transportation of state ready inmates. This legislation would eliminate reimbursements related to personal service costs, however, the Department of Corrections and Community Supervision would continue to reimburse transportation costs.

Suspend a subsidy to a revolving loan fund from cell surcharge revenue

The Executive Budget proposal includes the extend the existing suspension of the annual transfer of \$1.5 million from the Public Safety Communications Account to the Emergency Services Revolving Loan Fund. This transfer was previously suspended for FY 2017 and FY 2018 by Section 1 of Part C of Chapter 57 of the laws of 2016.

The Emergency Services Revolving Loan Fund is a means to assist local governments, fire districts and not-for-profit fire/ambulance corporations in financing emergency response

Executive 2018-19 Budget County Impact Summary

equipment, such as firefighter apparatus, fire engines and ambulances, and construction costs related to the housing of such equipment. Since it is structured as a revolving loan fund (i.e., payments of principal and interest are deposited into the fund) and presently there is a balance of approximately \$14.8 million, eliminating the annual transfer from the Public Safety Communications Account will not diminish the ability of Revolving Loan Fund's administrators to make new loans.

Shared Services

Make County-wide Shared Services Panels permanent

The Executive Budget proposal includes language to make the County-wide Shared Services Panels permanent to facilitate continued intergovernmental collaboration and generate new and recurring local property tax savings. His proposal would provide fire districts and fire protection districts with the option to participate, in addition to school districts, boards of cooperatives educational services (BOCES), and special improvement districts. Fire districts and fire protection districts could previously not be included as panel members. The Secretary of State would be authorized to seek guidance and recommendations from the panels regarding certain local government efficiency and shared services grant programs.

Amend provisions of law to address local government shared services obstacles

The Governor proposes to amend various provisions of law impacting town justice courts and zoning functions to remove obstacles related to local government shared services. The proposal would amend the Uniform Justice Court Act to allow adjoining towns to share one or more town justices and to streamline the local process for implementation. It would also amend the General Municipal Law and the Statute of Local Governments to allow counties to provide certain functions at the request of, and in agreement with, another local government. Counties would be authorized to regulate, administer, and enforce planning, zoning, and other land use regulations at the option of, and in agreement with a request from a city, town, or village.

To further help counties in their shared services efforts, the Governor included a proposal in his State of the State address to make it easier for counties to create shared risk health insurance consortiums with other local governments. No statutory changes and additional administrative reforms related to this proposal were included in his budget proposal.

Provide matching funds to shared services panels

The Executive Budget includes \$225 million in state matching funds for payment to local governments. The State will match net savings 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

The Executive Budget proposal includes level funding for the Consolidated Highway Improvement Program (CHIPS) and the Marchiselli of \$477.8 million. The Budget also continues \$100 million in highway aid through the PAVE NY program, and \$100 million to fund local bridge projects from the BRIDGE NY program.

Executive 2018-19 Budget County Impact Summary

Last year's enacted State budget provided an extreme weather road repair allocation of \$65 million. No funding for this purpose is allocated in the Governor's Budget.

Veterans

Expand Programs for Incarcerated Veterans

The Governor's Budget provides expands programs currently available to incarcerated veterans and offer the programs in to 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 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.



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018
NYSAC Legislative Conference
Resolutions**

**Albany County, New York
January 2018**

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

**2018 NYSAC Legislative Conference Resolutions
Table of Contents**

NYSAC Board of Directors6

Resolution Supporting the Governor’s Initiative to Match State Judgment Interest Rates with Federal Levels..... 7

Resolution Opposing the Repeal of Net Neutrality and Urging the Governor and Legislature to Ensure Net Neutrality Protections for New Yorkers 9

Resolution Supporting Continued Prioritization of Heroin and Opioid Abuse Prevention as a Top Public Safety, Public Health, and Mental Health Focus in New York State for 2018 11

Resolution Urging the New York State Legislature to Reject the Governor’s Budget Proposal that Allows the Executive Branch to Make Administrative Budget Cuts to Local Assistance Programs if Certain Financial Thresholds are Breached at Any Time During the State Fiscal Year 13

Standing Committee on Agriculture and Rural Affairs 15

Resolution to Support Funding for Farmland Preservation and Agriculture Local Assistance Programs 16

Standing Committee on Children with Special Needs 18

Resolution Urging the Governor and State Legislature to Take Over the Fiscal Responsibility for Costs Associated with Students Receiving Preschool Special Education Services in Integrated Universal Prekindergarten Program Classrooms..... 19

Resolution Urging the Department of Health and the Division of Budget to Require Providers to Maximize Reimbursement from All Third-Party Payers..... 21

Standing Committee on Economic Development, Environment and Rural Affairs..... 24

Resolution Supporting the Creation of An Industry-Sponsored Paint Stewardship Program to Reduce the Costly Burden Faced by Local Governments When Collecting and Disposing of Post-Consumer Paint..... 25

Resolution Supporting Investments in Shovel-Ready/Market-Ready Sites to Make New York More Competitive for Economic Development Projects 26

Resolution Supporting Legislation Giving Industrial Development Agencies (IDAs) the Ability to Provide Loans and Grants to Stimulate Economic Investment and Job Creation in New York State..... 27

Resolution Calling for Amendments to the New York State Electronic Equipment Recycling and Reuse Act and Urging the Department of Environmental Conservation to Expedite the Promulgation of Related Regulations 31

Standing Committee on Intergovernmental Affairs.....	34
Resolution Urging New York State to Fully Fund Early Voting Operations.....	35
Resolution Commending the State’s Efforts to Improve Cyber Security for Election Systems, and Calling for Expanding those Efforts to include all County Information Systems.....	37
Resolution Urging Governor Cuomo And the State Legislature to Amend State Insurance Law to Allow Shared Municipal Health Insurance Consortiums	39
Resolution Urging the Governor and Legislature to Renew Their Commitment to Fully Fund the State Share of Community College Costs and to Fully Fund the Costs of FIT Chargebacks for Students Working Toward Bachelors and Masters Degrees	41
Resolution Calling on the State to help Counties and Local Governments Reduce Local Taxes by Prohibiting Cost Shifts and New Costs to Counties, and Taking More Fiscal Responsibility for State Health, Human Service, and Public Safety Programs	43
Resolution to Amend Section 224 of the New York State County Law to Clarify Counties May Appropriate Funds Towards the Development, Maintenance, or Management of Affordable Housing	45
Standing Committee on Medicaid and Human Services	46
Resolution Urging New York State to Fully Fund New Costs Incurred by Counties Related to Raising the Age of Criminal Responsibility, Invest in Provider Capacity to Ensure Appropriate and Meaningful Services and Diversion Programs are Available, and to Develop a Comprehensive Transition and Waiver Process as Counties and New York City Begin Implementing the Law	47
Resolution Calling on the Governor and Legislature to Reverse the Foster Care Cost Shift Implemented in the 2017-18 State Budget.....	51
Resolution Urging the State to Clarify Its Homelessness Prevention Goals and Develop a More Effective Emergency Shelter Model	53
Resolution Calling on Governor Andrew M. Cuomo and the State Legislature to Work with New York’s Congressional Delegation to Ensure any Congressional Efforts to Pass the Family First Prevention Services Act Ensures Essential Fiscal Resources are Maintained to Support Families in Need.....	55
Standing Committee on Native American Affairs and Gaming.....	57
Resolution Urging the State of New York and the Seneca Nation to Come to Agreement on Gaming Revenue Sharing.....	58
Resolution Calling On the State to Use Existing Gaming Facilities if Sports Wagering Becomes Legal in the New York State.....	60
Standing Committee on Public Employee Relations	61

Resolution Calling on the State of New York to Fully Reimburse Counties for District Attorney Salary Increases That Are Set and Controlled by the State	62
Resolution Calling on the State to Pay for Any Required Increases in Cost to the Child Protective Service Program	64
Resolution Calling for the Full Repeal of the New York State Scaffold Law or Reform to Include a Pure Standard of Comparative Negligence	65
Resolution Calling on the State to Increase the Salary Cap for Retired Public Employees Seeking County Employment.....	67
Standing Committee on Public Health and Mental Health	69
Resolution Calling on the Office of Alcoholism and Substance Abuse Services and the Governor to Provide State Funding to Support the Treatment and Transition Services to Individuals with Substance Use Disorders (SUD) Who are Incarcerated in County Jails	70
Resolution Supporting an End to Administrative Funding Cuts, an Increase in the Base Grant, Per Capita Rate, and State Aid Formula that Constitute Article 6 State Aid Reimbursement for Mandated General Public Health Work Undertaken by Local Health Departments as Population Health Partners of New York State	73
Resolution Calling on the Office of Mental Health and the Governor to Ensure Long Term Viability to OMH Funded Housing Programs for Individuals with Serious Mental Illness Through Support of the “Bring It Home” Initiative.....	77
Standing Committee on Public Safety.....	80
Resolution Calling on the Governor and the State Legislature to Provide Funding for the State Mandate Pertaining to Inmate Supervision/Drug Overdose Precautions at County Operated Correctional Facilities	81
Resolution in Support of Efforts to Improve Probation and Alternative to Incarceration in New York State to Protect the Public and Reduce Reliance on Prisons, Jails and Detention.....	83
Resolution Calling on the State to Reimburse Counties for the Temporary Detainment of Parole Violators at Local Correctional Facilities	85
Resolution Calling on Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications, to More Equitably and Efficiently Release the Interoperable Emergency Communication Funds Authorized	87
Standing Committee on Taxation and Finance	89

Resolution Urging the Governor and New York State Legislature to Enact Legislation to Eliminate the “Dark Store Theory” in New York State Real Property Tax Law as a Way to Reduce Property Assessments in Tax Certiorari Proceedings90

Resolution Urging the State to Enact Legislation to Ensure a Fair and Level Playing Field for All Retailers by Addressing Shortfalls in Internet Sales Tax Collection Practices 92

Resolution Urging State Legislative Leaders to Focus Their Property Tax Relief Efforts on Fiscal Reforms that will Lead to Permanent and Historic Property Tax Reduction by Assuming the Cost of State Programs that Counties Are Currently Required to Pay for Under State Law 94

Standing Committee on Transportation 97

Resolution Urging Increasing and Consolidating Local Road, Bridge and Culvert Funding Distributed through CHIPS98

Resolution Urging Enactment of Legislation to Increase the CHIPS Bidding Threshold 100

Resolution Urging that Airport Capital Funding Programs Be Made Permanent in the State Budget 102

Resolution Urging Enactment of Legislation to Assure Effective Control of Wildlife Populations at Airports and Surrounding Areas 104



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018 NYSAC Legislative Conference
Albany County, New York**

NYSAC Board of Directors

Hon. MaryEllen Odell, President

**2018 NYSAC Legislative Conference
NYSAC Board of Directors
Resolution #1**

**Resolution Supporting the Governor's Initiative to Match State Judgment
Interest Rates with Federal Levels**

WHEREAS, the option to appeal a civil case court ruling is a fundamental right in the United States; and

WHEREAS, in New York State, defendants in civil cases are required to pay interest on an original judgement until an appellate division determination is made; and

WHEREAS, under State Law, judgement interest rates are set at 9 percent; and

WHEREAS, this judgement interest rate was set in Law in the 1970's, when 9 percent matched the federal interest rate and at a time, and when there were fewer cases in the court, so there was a quicker appeals process; and

WHEREAS, today, due to court backlogs, the current appeals process can take months or years to be resolved, and in some instances interest penalties can exceed the underlying award; and

WHEREAS, too often, a county must forfeit their right to appeal a case due to the costs associated with the interest payments during the appeal process; and

WHEREAS, today, federal interest rates and federal judgment interest rates are below 2 percent; and

WHEREAS, the 2018-2019 Governor's Executive Budget proposes a simple and equitable solution to this problem, matching the state judgment interest rate with current federal interest rate.

NOW, THEREFORE, BE IT RESOLVED, NYSAC calls on the Senate and the Assembly to support and pass this needed rate change in the proposed 2018-2019 Executive State Budget to insure a county's decision to appeal can be made by legal merit and not predetermined by interest rate cost to taxpayers; and

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

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

**2018 NYSAC Legislative Conference
NYSAC Board of Directors
Resolution #2**

Resolution Opposing the Repeal of Net Neutrality and Urging the Governor and Legislature to Ensure Net Neutrality Protections for New Yorkers

WHEREAS, in 2015, the Federal Communications Commission (FCC) adopted historic Net Neutrality rules to allow Americans to share and access information on the internet without having content sped up, slowed down, or blocked by internet service providers; and

WHEREAS, in December 2017, the FCC voted to dismantle the Net Neutrality rules, thereby threatening the free exchange of information, enabling price-gouging, and stifling innovation; and

WHEREAS, the FCC's ruling may hurt the competitiveness of small, rural businesses in New York State, which rely on the internet to reach their customers and cannot afford to pay premiums to speed up the delivery of their content; and

WHEREAS, eliminating net neutrality will further harm broadband competition and raise prices in rural areas, which are already unserved or underserved; and

WHEREAS, New York Attorney General Eric T. Schneiderman, in recognition of the impact the FCC's decision has on New York customers, announced that he will lead a multistate lawsuit to stop the rollback of net neutrality; and

WHEREAS, Senator Carlucci and Assemblymember Fahy introduced legislation (S7183/A8882) that, if adopted, would direct New York's Public Service Commission (PSC) to establish a process for internet service providers (ISPs) to certify that they follow net neutrality principles and require New York State agencies, public authorities and municipalities to contract with only ISPs certified by the PSC to follow net neutrality principles.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls upon Governor Andrew M. Cuomo and the New York State Assembly to work to reverse the FCC's repeal of net neutrality and pass legislation to ensure that net neutrality protections remain in place in New York State; and

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

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

**2018 NYSAC Legislative Conference
Board of Directors
Resolution #3**

Resolution Supporting Continued Prioritization of Heroin and Opioid Abuse Prevention as a Top Public Safety, Public Health, and Mental Health Focus in New York State for 2018

WHEREAS, communities across the nation and New York State are seeing a dramatic increase in the use of heroin and opioid abuse; and

WHEREAS, in 2016, according to the United States Department of Health and Human Services, health care professionals dispense more than 650,000 prescriptions and 3,900 people initiate nonmedical use of prescription opioids for the first time; and

WHEREAS, opioid and heroin addiction often starts from the dependence of such painkillers as Oxycodone, OxyContin and Percocet; and

WHEREAS, as this epidemic has grown, it has become increasingly clear that the addiction does not discriminate: it can happen in any household, in any family, in any neighborhood, and in any community; and

WHEREAS, the addiction, abuse, and illegal use of heroin and opioids has an impact on many areas of county government ranging from public safety, public health, mental health, and corrections; and

WHEREAS, when prescription opioids become too expensive and difficult to obtain, opioid addicted individuals often turn to heroin, which is more readily available and much cheaper to obtain; and

WHEREAS, opioid and heroin addictions have reached crisis proportions and the Federal Government, New York State and counties across the state have created programs designed to combat the illegal use of these drugs; and

WHEREAS, in order to help monitor this growing problem, in 2013 the State instituted the Internet System for Tracking Over-Prescribing (ISTOP) and the Prescription Drug Monitoring Program (PDMP) to prevent prescription opioid abuse by tracking the prescribing and dispensing of controlled prescription drugs to patients; and

WHEREAS, in 2014, Attorney General Schneiderman established the Community Overdoes Prevention (COP) program that gives eligible law enforcement agencies funding for access to naloxone, which is also known as Narcan; and

WHEREAS, by leveraging \$5 million of funds appropriated from crime seizure monies through the 2014/15 Enacted State Budget, the Attorney General provided funding to offset the cost of a “naloxone kit” for every sworn officer in the state; and

WHEREAS, the 2016/17 and 2017/18 Enacted Budgets included collectively over \$500 million to provide funding for constructing and rehabilitating facilities, expanding support and treatment services, providing aid to localities, and providing preventative services; and

WHEREAS, counties across the nation under the leadership of the National Association of Counties (NACo) have joined together to create a joint National Taskforce, which Erie County Executive Mark Poloncarz served on, and provided the information directly to all the counties across New York State.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) thanks the National Association of Counties, the Governor and the State Legislature for making heroin and opioid abuse a top public safety, public health, and mental health priority and urges them to continue to do so until the epidemic is defeated; and

BE IT FURTHER RESOLVED, county officials support increased funding to be included in the final 2018-19 state budget to support the Office of Alcohol and Substance Abuse Services (OASAS) to enhance prevention, treatment and recovery programs, residential service opportunities, and public awareness and education activities.

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

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

**2018 NYSAC Legislative Conference
NYSAC Board of Directors
Resolution #4**

Resolution Urging the New York State Legislature to Reject the Governor's Budget Proposal that Allows the Executive Branch to Make Administrative Budget Cuts to Local Assistance Programs if Certain Financial Thresholds are Breached at Any Time During the State Fiscal Year

WHEREAS, Governor Cuomo has proposed in his 2018-19 Budget Recommendation that the Executive Branch be granted additional budget authority to administratively make state budget cuts to local assistance programs at any time during the fiscal year if certain fiscal thresholds are breached; and

WHEREAS, the two thresholds include:

1. A reduction of more than \$850 million in federal Medicaid funding; or a reduction in federal financial participation or other Federal aid in funding to New York State that affects the State Operating Funds financial plan by \$850 million or more, exclusive of any cuts to Medicaid; or
2. The State's revenue estimates fall \$500 million or more short of projected in the adopted Financial Plan at any point during the fiscal year; and

WHEREAS, if either fiscal threshold is triggered the Executive Branch is tasked with unilaterally: 1) developing across the board funding cuts with limited state legislative review under the federal trigger, and 2) under the revenue trigger enact cuts of up to three percent across the board to local assistance funding with no state legislative review; and

WHEREAS, defining if a threshold is triggered rests entirely with the Governor under this proposal; and

WHEREAS, under the federal trigger, without a clear definition, one could conclude that the trigger has already occurred based on federal budget actions that have already cut nearly \$2 billion in federal funding to New York that supports children's health insurance programs, Medicaid disproportionate share payments for hospitals and special payments to health insurers under the Affordable Care Act that funds the State's Essential Health Plan – all of which require an act of Congress to reverse; and

WHEREAS, under the state revenue trigger, over the last two years the state has lowered its revenue projections six times for a total \$4.2 billion; and

WHEREAS, given this recent history it appears the expanded Executive budget authority to enact cuts administratively seeks mainly to bypass the normal legislative process in developing the state budget which requires public input from taxpayers and stakeholders tasked with implementing state and federally mandated programs, and other critical services; and

WHEREAS, the Governor of New York is already vested with significant budget authority in crafting and controlling the state budget, so much so that the governor's role in New York's budget process is considered one of the most powerful in the country; and

WHEREAS, providing blanket authority to the Executive to effectively implement mid-year budget cuts to local governments and others for expenses that may have already been incurred will require local taxpayers to absorb through higher costs or lost services with virtually no stakeholder input; and

WHEREAS, expanding these budget powers reduces transparency and severely restricts the taxpayer's voice in critical public policy decisions.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties calls upon the New York State Legislature to reject the Governor's request to expand his budget authority to make significant funding cuts administratively at any time; and

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

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



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018 NYSAC Legislative Conference
Albany County, New York**

**Standing Committee on Agriculture and Rural
Affairs**

**Hon. A. Douglas Berwanger, Wyoming County, Chair
Angela Ellis, Livingston County, Vice-Chair
Hon. Terry Wilbur, Oswego County, Vice-Chair**

**2018 NYSAC Legislative Conference
Standing Committee on Agriculture and Rural Affairs
Resolution #1**

Resolution to Support Funding for Farmland Preservation and Agriculture Local Assistance Programs

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

WHEREAS, the agricultural sector, farms and related food system are major economic engines in New York State; and

WHEREAS, the enacted 2017/2018 budget allocated \$20 million to farmland protection and \$32,899,000 to agriculture local assistance programs; and

WHEREAS, the Governor's 2018/19 proposed budget, released on January 16, 2018, allocated \$20 million to farmland preservation and \$21,421,000 to agriculture local assistance programs; and

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) calls upon Governor Andrew M. Cuomo and New York State Legislature to continue

New York's commitment to local farms and the agricultural sector by maintaining funding for farmland protection from the State Environmental Protection Fund at \$20 million and agriculture local assistance programs at \$32,899,000 in the FY 2018/19 budget.

BE IT FURTHER RESOLVED, that NYSAC calls upon the State of New York to fund a Farmland for a New Generation Program, which would help to ensure that the two million acres expected to be transferred over the next decade stays in farming by creating a centralized statewide resource center, website and first point of contact, while also building regional capacity within New York to assist with farmland access and transfer; and

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

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



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018 NYSAC Legislative Conference
Albany County, New York**

**Standing Committee on
Children with Special Needs**

Barbara Pellegrino, Oneida County, Chair

Rita Wood, Ulster County, Vice-Chair

Lisa Chester, Niagara County, Vice-Chair

**2018 NYSAC Legislative Conference
NYSAC Standing Committee on Children with Special Needs
Resolution #1**

**Resolution Urging the Governor and State Legislature to Take Over the
Fiscal Responsibility for Costs Associated with Students Receiving
Preschool Special Education Services in Integrated Universal
Prekindergarten Program Classrooms**

WHEREAS, Chapter 23 of the Laws of 1989 established the Preschool Program for Children with Handicapping Conditions as 4410 of the Education Law; and

WHEREAS, permanent state law requires counties to pay 30.5 percent of preschool special education costs, but each year the Governor and Legislature disregard this statutory threshold in annual appropriation bills and require counties to pay 40.5 percent of costs associated with preschool special education; and

WHEREAS, the State has enacted legislation to provide universal prekindergarten for all four-year-old children in New York State to be financed 100% with state resources, but excludes children with special needs; and

WHEREAS, a Special Class in an Integrated Setting (SCIS) often within a universal prekindergarten classroom is most consistent with federal and State law that requires preschool students with disabilities to be educated in the least restrictive environment; and

WHEREAS, research has consistently shown that integrated classrooms provide numerous positive outcomes for special education students; and

WHEREAS, such classrooms plainly highlight the inconsistencies of a bifurcated system that fully supports “mainstream” students with State funding while requiring counties to partially fund preschool special education students; and

WHEREAS, the increased placement of preschool special education students in integrated universal prekindergarten programs has added further strain on county taxpayers.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls upon Governor Andrew M. Cuomo and the New York State Legislature to take over the fiscal responsibility for costs associated with students receiving preschool special education services in integrated universal prekindergarten

program classrooms, thereby fully funding all students being served in the same setting, encouraging further utilization of integrated settings, and providing relief to county taxpayers; and

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

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

**2018 NYSAC Legislative Conference
Standing Committee on Children with Special Needs
Resolution #2**

**Resolution Urging the Department of Health and the Division of Budget to
Require Providers to Maximize Reimbursement from All Third-Party
Payers**

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

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

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

WHEREAS, problems continue to arise under the State Fiscal Agent platform related to service providers filing for payment from insurance companies in the first instance as the law requires and lacks follow through by providers when insurers request additional documentation; and

WHEREAS, prior to the state fiscal agent, counties were able to work directly with 3rd party insurance providers and families to maximize insurance payments; and

WHEREAS, counties realized more payments from 3rd party payers prior to the state fiscal agents reducing the county and state share of this cost; and

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

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

WHEREAS, we also ask that as part of these systems enhancement proposals, Medicaid revisit the Retro Re-Billing Process where the State identifies all claims that the counties and state pay including, but not limited to, waived services, and resubmit those to Medicaid to identify if a child's coverage changed. Medicaid should be billed in the first instance, so that counties don't have to pay upfront and then receive these monies many years later; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls on the State of New York to implement policies and procedures to ensure that provider claims are filed within 60 days to maximize commercial insurance Medicaid reimbursement; and

BE IT FURTHER RESOLVED, the State Fiscal Agent must implement systematic changes to the billing system to track claims and, as outlined in the Governor's Budget for 2016-17, ensure providers and the State Fiscal Agent exhaust all appeals within the required timeline of the insurer before moving on to the next payer of record; and

BE IT FURTHER RESOLVED, that the State require all providers to enroll in 835 electronic remits and a timely filing requirement; and

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

BE IT FURTHER RESOLVED, the NYS Bureau of Early Intervention should develop an audit program outside of NYEIS for provider claims to ensure state and local funds are being spent appropriately; and

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

BE IT FURTHER RESOLVED, NYSAC shall forward copies of this resolution to the Governor, the New York State Legislature, the NYS Department of Health, and all others deemed necessary and proper.



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018 NYSAC Legislative Conference
Albany County, New York**

**Standing Committee on Economic Development,
Environment and Rural Affairs**

**Hon. Bill Farber, Hamilton County, Chair
Hon. Rebecca Ryan, Wyoming County, Vice-Chair
William Rabbia, Oneida County, Vice-Chair**

**2018 NYSAC Legislative Conference
Standing Committee on Economic Development and Environment
Resolution #1**

Resolution Supporting the Creation of An Industry-Sponsored Paint Stewardship Program to Reduce the Costly Burden Faced by Local Governments When Collecting and Disposing of Post-Consumer Paint

WHEREAS, New York State residents purchase over 39.2 million gallons of paint annually and nearly 4 million gallons of it go unused and will need recycling; and

WHEREAS, even though paint is highly recoverable, reusable, and recyclable, most leftover latex paint ends up in landfills; and

WHEREAS, oil-based paint is considered hazardous waste, and is the most expensive product for household hazardous waste (HHW) programs to manage, costing local governments across the country up to 50 percent of their total HHW budgets; and

WHEREAS, options to drop off unused paint at point-of-purchase locations are limited and as a result instead of being properly disposed of through periodic household hazardous waste collections, unused paint ends up being tossed in the trash or washed down the drain; and

WHEREAS, other states across the country have successfully implemented paint stewardship programs—Oregon has collected and recycled over 1 million gallons of paint since its program was implemented in 2010, and in California over 350 new collection locations are now accepting paint for recycling; and

WHEREAS, the implementation of a state-wide industry-sponsored paint stewardship program in New York State would greatly reduce this burden on local governments to collect and manage the disposal of paint and could potentially save counties millions of dollars annually. Additionally, paint recycling produces new jobs within New York State.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) calls on the Governor and the New York State Legislature to create an industry-sponsored paint stewardship program to reduce burdens on local governments when collecting and disposing of post-consumer paint; and

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

BE IT FURTHER RESOLVED, NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Department of Environmental Conservation, and all those deemed necessary and proper.

**2018 NYSAC Legislative Conference
Standing Committee on Economic Development and Environment
Resolution #2**

**Resolution Supporting Investments in Shovel-Ready/Market-Ready Sites to
Make New York More Competitive for Economic Development Projects**

WHEREAS, New York State has the opportunity to compete for large-scale, job-creating projects with other sites around the globe; and

WHEREAS, the “time to market” for an economic development project is longer in New York State than most competing areas; and

WHEREAS, economic development sites lack access to necessary infrastructure, be it water, sewer, roads, or utilities, as compared to other competing sites; and

WHEREAS, New York State has shown success with attracting large-scale economic development projects in the past; and

WHEREAS, programs used to be available to support critical investments attracting large-scale transformative projects; and

WHEREAS, reactivating and funding a Build Now/Shovel-Ready Certification Program would incentivize planning and developing market-ready sites across New York State.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) supports New York State investing \$50 million in the Market-Ready Site Program, which will expedite the timeline for project completion and attract future investments to New York State; and

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

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

**2018 NYSAC Legislative Conference
Standing Committee on Economic Development and Environment
Resolution #3**

Resolution Supporting Legislation Giving Industrial Development Agencies (IDAs) the Ability to Provide Loans and Grants to Stimulate Economic Investment and Job Creation in New York State

WHEREAS, New York State faces a pending budget crisis and a potential \$4 billion deficit; and

WHEREAS, economic development is the main priority to broaden our tax base, create jobs, and attract future investment; and

WHEREAS, IDAs used to be able to reinvest their revenues in the communities they serve through loans and grants; and

WHEREAS, restrictive legislation passed in 2008 prevents IDAs from providing loans, grants, or civic activity bonds; and

WHEREAS, the 2008 legislation had a negative impact on New York State by limiting capital that could be invested to develop infrastructure, create jobs, provide early stage seed funding, create workforce development programs, and increase downtown revitalization; and

WHEREAS, several IDAs have reserves that could be directly invested in local communities to stimulate economic growth; and

WHEREAS, IDAs worked collaboratively with the Office of State Comptroller (OSC) on groundbreaking legislation in 2016 to improve reporting, transparency, and accountability.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) supports legislation authorizing IDAs to use the funds they have to provide loans and grants within their regions to create jobs, leverage private investment, and improve the economic climate and quality of life across New York State.

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

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

**2018 NYSAC Legislative Conference
Standing Committee on Economic Development and Environment
Resolution #4**

**Resolution Urging the Governor to Sign Senate Bill 2122A
(O'Mara)/Assembly Bill 1841A (Morelle), Which Requires Property Subject
to a PILOT to be Included in the Tax Base Growth Factor**

WHEREAS, New York State's counties supported the inclusion of the quantity change factor in the original tax cap legislation in order to not penalize local communities experiencing strong economic growth and development; and

WHEREAS, the inclusion of this factor allows a municipality's tax levy to increase due to "quantity change", including new growth and/or significant additions to existing properties; and

WHEREAS, a community that sees this expanded development must pay for the necessary public services and infrastructure to support the growth but is not allowed to proportionately grow their tax base under the current tax cap provisions; and

WHEREAS, this situation hampers the ability of local governments to ensure a high level of services for residents and, over time, will be counterproductive to the state's economic development and job creation goals; and

WHEREAS, the quantity change factor calculation as implemented under the state's property tax cap also fails to include the full impact that payment in lieu of tax (PILOT) exclusion agreements have on the property tax base and the need for public services;

WHEREAS, there are approximately 4,600 active PILOT IDA projects with an average investment of \$18 million, therefore these pilot arrangements can significantly impact some taxing jurisdictions; and

WHEREAS, in June 2017, both chambers of the New York State Legislature unanimously passed legislation that would require assessed property under an IDA PILOT agreement to be made part of the calculation for determining a taxing jurisdiction's quantity change factor; and

WHEREAS, Governor Andrew M. Cuomo vetoed this legislation in December 2017.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) urges the Governor to sign S.2122A (O'Mara)/A. 1841A (Morelle), thereby amending the general municipal law to require property subject to a PILOT to be included in the Tax Base Growth Factor; and

BE IT FURTHER RESOLVED, the passage of this legislation is necessary for local governments to continue to provide a high level of services to their residents; and

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

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

**2018 NYSAC Legislative Conference
Standing Committee on Economic Development and Environment
Resolution #5**

Resolution Calling for Amendments to the New York State Electronic Equipment Recycling and Reuse Act and Urging the Department of Environmental Conservation to Expedite the Promulgation of Related Regulations

WHEREAS, the New York State Electronic Equipment Recycling and Reuse Act (Act) was adopted by the State in 2010 in order to assist local governments with managing the fast-growing electronics waste stream by requiring electronics manufacturers to fund a recycling infrastructure and relieve municipalities from the recycling and end-of-life management costs; and

WHEREAS, the Act has succeeded in significantly increasing electronics recovery and recycling in the state, but the collection infrastructure is unstable and local governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs); and

WHEREAS, while the Act intended to place the burden of electronics recycling on the manufacturers of electronic devices, the Act failed to stipulate adequate education requirements to inform the public of the process by which they could recycle their electronics with the manufacturers; and

WHEREAS, the Act created a ban on disposal of electronic waste in landfills, effective January 2015, which resulted in a growing number of waste stream planning units throughout New York's counties bearing more of the fiscal responsibility for continued e-scrap collection in their communities; and

WHEREAS, the Act requires, and the state relies on, electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state; and

WHEREAS, once manufacturers have met their performance standard (goal), which, in many cases, is midway through the year, they no longer provide financial support to continue their collection programs, thus shifting management costs to cash-strapped local governments; and

WHEREAS, while the NYS Department of Environmental Conservation (DEC) indicates there are no longer performance goals, some manufacturers continue to dodge their legal responsibility to accept electronic waste; and

WHEREAS, the Act empowers the DEC to promulgate regulations that could address many of the shortcomings in the law, and, in 2016, the DEC began the rulemaking process by holding preliminary workshops and accepting comments via email; and

WHEREAS, the issue is exacerbated by the fact that electronics sold today weigh much less than the obsolete CRT devices that make up approximately 70% of the weight of e-scrap generated, which are cost intensive to responsibly manage; and

WHEREAS, this has resulted in many local governments across the state having grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities that do not benefit from retail collectors or economies of scale; and

WHEREAS, the Fiscal Year 2016-17 appropriation for the Environmental Protection Fund assists municipalities by making \$3 million available to reimburse up to 50 percent of expenses incurred for the collection/recycling of e-waste.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls upon Governor Andrew M. Cuomo, the New York State Assembly, the New York State Senate and the State Department of Environmental Conservation to improve the current law intended to create a more stable and comprehensive manufacturer-implemented electronics recycling infrastructure; and

BE IT FURTHER RESOLVED, that NYSAC calls on state lawmakers to help alleviate the financial and administrative burden on municipalities who are dealing with these electronics by continuing to fund the reimbursement of expenses incurred collecting and recycling e-waste; and

BE IT FURTHER RESOLVED, that NYSAC calls on state lawmakers to implement actions to strengthen communication among stakeholders, clarify key statutory provisions in their present rulemaking efforts, and promote the adoption of changes to the Act that will provide for year-round, no-cost collection of electronics, consistent with convenience standards for both rural and urban populations that help alleviate the immediate financial pressures faced by local governments; and

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

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



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018 NYSAC Legislative Conference
Albany County, New York**

Standing Committee on Intergovernmental Affairs

**Robert Hagemann, Jefferson County, Chair
Hon. Peter Crouse, Albany County, Vice-Chair
Cheryl Ketchum, Wyoming, Vice Chair**

2018 NYSAC Legislative Conference
NYSAC Standing Committee on Intergovernmental Affairs
Resolution #1

Resolution Urging New York State to Fully Fund Early Voting Operations

WHEREAS, under state law, counties in New York State manage, operate, and fund elections in New York State; and

WHEREAS, in his State of the State Address and Executive 2018-19 State Budget proposal, Governor Andrew M. Cuomo has proposed requiring every county to offer residents early voting opportunities through at least one early voting poll site during the 12 days leading up to Election Day; and

WHEREAS, the proposal will require counties to offer at least eight hours on weekdays and five hours on weekends to cast early ballots; and

WHEREAS, counties must have one early voting poll site for every 50,000 residents, at a location determined by the bipartisan county board of elections, and subject to standards of accessibility and convenience; and

WHEREAS, county boards of elections will designate at least five polling places in each county, geographically located so as to provide all voters in the county with an equal opportunity to cast a ballot; and

WHEREAS, these proposals will significantly increase costs to county boards of elections for staffing and securing early voting locations, printing and counting additional ballots, and meeting other legal elections requirements associated with maintaining polling stations over an extended period of time (rather than one day); and

WHEREAS, under New York State law, counties have the authority to pass elections costs on to their municipal counterparts, which is done by more than half of counties; and

WHEREAS, the cost of early voting has been estimated at \$6.4 million per year; and

WHEREAS, the state-imposed property tax cap makes it difficult for local governments to absorb new costs of any kind.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) calls on the State to fund all costs associated with early voting; and

BE IT FURTHER RESOLVED, that the state consider removing the requirement unless they are able to fully fund; and

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

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

**2018 NYSAC Legislative Conference
NYSAC Standing Committee on Intergovernmental Affairs
Resolution #2**

Resolution Commending the State’s Efforts to Improve Cyber Security for Election Systems, and Calling for Expanding those Efforts to include all County Information Systems

WHEREAS, in New York State, counties are responsible for managing election operations, which includes maintaining voting machines, voter databases, and all of the processes that go into holding federal, state, and local elections each year; and

WHEREAS, as the 2016 elections approached, it became increasingly clear that bad actors were trying to hack into the information systems and databases maintained by boards of elections across the United States of America, including in New York; and

WHEREAS, the New York State Cyber Security Council, the New York State Police, Homeland Security, and the State Board of Elections encouraged counties to bolster security over their election IT systems to ensure that systems had not been compromised; and

WHEREAS, in his State of the State Address and Executive 2018-19 State Budget proposal, Governor Andrew M. Cuomo proposed a four-pronged approach to further strengthen cyber protections for New York's elections infrastructure that includes creating an election support center, developing an elections cyber security support toolkit, providing cyber risk vulnerability assessments and support for local boards of elections, and requiring counties to report data breaches to state authorities; and

WHEREAS, all county IT systems, including but not limited to election systems, are more vulnerable than ever to bad actors trying to infiltrate, access, and hold hostage the wide range of data managed by counties; and

WHEREAS, county governments maintain IT systems that house a range of sensitive personal information; and

WHEREAS, county governments maintain the voter database, sensitive personal information, and even DMV-related personal information; and

WHEREAS, the threat to our counties is real and constitutes a cyber emergency based on recent attacks by cybercriminals; and

WHEREAS, counties continue to use best efforts to secure and shield our systems, but often do not have the resources necessary to properly perform risk assessments to protect our IT infrastructure.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) calls on the state to extend their support of board of election risk assessment exercises to other county information systems, and provide access to either through grants from an additional pool of state funding, from the State Board of Elections, the Department of Homeland Security, or from another appropriate state agency; and

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

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

**2018 NYSAC Legislative Conference
NYSAC Standing Committee on Intergovernmental Affairs
Resolution #3**

**Resolution Urging Governor Cuomo And the State Legislature to Amend
State Insurance Law to Allow Shared Municipal Health Insurance
Consortiums**

WHEREAS, health insurance costs are among the fastest growing costs for local governments across the state; and

WHEREAS, to address this challenge, counties are reviewing options to create municipal health insurance consortiums to jointly self-fund their health plans with other local governments at a significantly lower cost for taxpayers; and

WHEREAS, these plans would reduce costs for taxpayers and increase flexibility while ensuring quality coverage for counties, municipalities, and local government employees; and

WHEREAS, many local governments across the state would like to become part of their county's self-insured plan; and

WHEREAS, in order to lower health insurance costs for property taxpayers, these consortiums need to be allowed to purchase stop-loss insurance to cover the most serious and costly injuries and sicknesses; and

WHEREAS, Governor Andrew M. Cuomo is strongly encouraging local governments to pool resources, share services, and consolidate operations to improve efficiency and reduce costs to taxpayers; and

WHEREAS, whenever two or more local governments want to join forces to provide employee health insurance, Article 47 of the Insurance Law is triggered; and

WHEREAS, the onerous regulations and reserve requirements of Article 47 have allowed only one consortium to form since 1991; and

WHEREAS, current State Insurance Law §§ 4237-a and 3231 prohibits local governments with fewer than 100 employees from purchasing stop-loss insurance policies; and

WHEREAS, these State laws represent significant barriers to local government efficiency, shared services and cost savings for property taxpayers; and

WHEREAS, counties have on numerous occasions asked the state to review its current legal and regulatory requirements that allow counties to establish shared health insurance risk pools to help lower costs for local governments; and

WHEREAS, recent state legislation would have authorized municipalities to join county self-funded or self-insured health plans without triggering the barriers presented by these onerous state laws.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) does hereby urge Governor Andrew M. Cuomo and the State Legislature to amend State Insurance Law to make it easier to form municipal health insurance consortiums and allow these consortiums to include local governments with fewer than 100 employees to purchase stop-loss health insurance policies; and

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

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

**2018 NYSAC Legislative Conference
NYSAC Standing Committee on Intergovernmental Affairs
Resolution #4**

**Resolution Urging the Governor and Legislature to Renew Their
Commitment to Fully Fund the State Share of Community College Costs and
to Fully Fund the Costs of FIT Chargebacks for Students Working Toward
Bachelors and Masters Degrees**

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

WHEREAS, the establishment and continued operation of a statewide community college system was based on a commitment to ongoing State aid funding of at least one-third of community college operating costs; and

WHEREAS, the State funding amount has declined over the years below the historic one-third commitment; and

WHEREAS, the Legislature and Governor have been providing modest increases in state aid the last few years, but that commitment remains far below the intended one-third commitment; and

WHEREAS, this year the Governor's Executive 2018-19 State Budget proposal cuts funding to Community Colleges by \$24.4 million or five percent under last year's funding; and

WHEREAS, Section 6305 of the State education law requires the state to reimburse counties for Fashion Institute of Technology chargebacks, but the state has not provided the necessary appropriations to comply with this state law requirement; and

WHEREAS, counties are currently being charged back for students attending FIT for bachelors and master's degrees, which was not the intent of the community college chargeback funding requirement.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls on the Governor and State Legislature to make continued state investment in community college operating costs a priority; and

BE IT FURTHER RESOLVED, the state should restore the full funding of FIT chargebacks to counties related to all educational instruction provided after two years (coursework necessary for a 4-year, and/or master's degree); and

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

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

**2018 NYSAC Legislative Conference
NYSAC Standing Committee on Intergovernmental Affairs
Resolution #5**

**Resolution Calling on the State to help Counties and Local Governments
Reduce Local Taxes by Prohibiting Cost Shifts and New Costs to Counties,
and Taking More Fiscal Responsibility for State Health, Human Service,
and Public Safety Programs**

WHEREAS, counties have long used shared services and functional consolidation as a primary tool in improving local government efficiency; and

WHEREAS, over the last several years the State has endorsed a variety of shared services initiatives to encourage more consolidation and service sharing at the local level; and

WHEREAS, since 2011, the State has enacted a series of laws requiring local governments to reduce property tax increases and find new opportunities to share services and reduce costs at the local level; and

WHEREAS, these laws included the property tax cap enacted in 2011, the Government Efficiency Program enacted in 2014, and the County-Wide Shared Services Initiative enacted in 2017; and

WHEREAS, in 2015, 48 counties submitted Government Efficiency Plans with annual savings at more than \$290 million for a three-year total of \$882 million from 1,303 different projects; and

WHEREAS, in the 2017-18 State Budget, the County-Wide Shared Services Initiative called for county leaders to take the lead in convening and developing new shared services and consolidation proposals designed to reduce the burden of local property taxes; and

WHEREAS, as part of this law, 34 counties submitted 389 proposals that identified \$208 million in projected savings in 2018, \$75 million in 2019 and \$76.1 million in 2020; and

WHEREAS, in 2018, remaining counties will convene county-wide shared service panels in compliance with the law; and

WHEREAS, in 2018, Governor Andrew M. Cuomo proposed that state funding for local government performance aid will now be conditional on the continuation of shared services panels; and

WHEREAS, counties are committed to the pursuit of achieving greater efficiencies through shared services and are concerned about overly prescriptive state mandates that intrude upon local home rule authority guaranteed under the state constitution; and

WHEREAS, these state-enacted laws requiring counties and local governments to reduce costs do not recognize the state's role in driving up local costs, including the programs it mandates counties to deliver and fund, and the policies and regulations that it requires all local governments and school districts to follow.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) hereby calls on the state to help counties and local governments reduce local property taxes by constitutionally prohibiting all new costs to local governments, taking more fiscal responsibility for state health, human service, and public safety programs delivered by counties, reducing or reforming state mandated programs, and increasing flexibility on various regulations required of local governments; and

BE IT FURTHER RESOLVED, counties support incentives to facilitate shared services such as making state matching funds permanent and providing seed funding to help counties develop and evaluate complex shared services proposals; and

BE IT FURTHER RESOLVED, to maximize benefits for property taxpayers, schools and fire districts should be included in these shared services incentive programs; and

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

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

**2018 NYSAC Legislative Conference
NYSAC Standing Committee on Intergovernmental Affairs
Resolution #6**

Resolution to Amend Section 224 of the New York State County Law to Clarify Counties May Appropriate Funds Towards the Development, Maintenance, or Management of Affordable Housing

WHEREAS, Section 224 of the New York State County Law provides the option for a county to appropriate and contract for public benefit services, and specifically to contract with non-profit organizations and other corporations, associations and agencies within the county for the purposes listed in Section 224; and

WHEREAS, the list of objects and purposes for these optional appropriations and contracts for public benefit services does not explicitly include the development, maintenance, or management of affordable housing; and

WHEREAS, counties in the state of New York are permitted to spend Federal and state funds provided to them for the purposes of developing, maintaining, or managing affordable housing and to contract with other organizations to carry out these purposes; and

WHEREAS, some counties have found due to their specific resident needs and demographics, the federal and state governments offer an inadequate supply of funding towards affordable housing; and

WHEREAS, an adequate supply of affordable housing that is well maintained and managed is important to positively impact the health, safety, and well-being of many individuals and families throughout the state of New York.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) hereby calls on the Governor and State Legislature to amend Section 224 of the New York State County Law to clarify that Tompkins County may have the option to use their own funds if they seek to add to the federal and state funding for affordable housing; and

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

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



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018 NYSAC Legislative Conference
Albany County, New York**

**Standing Committee on Medicaid and
Human Services**

**Kira Pospesel, Greene County, Chair
Robert Franklin, Monroe County, Vice-Chair
Mike Fitzgerald, Madison County, Vice-Chair**

**2018 NYSAC Legislative Conference
Standing Committee on Medicaid and Human Services
Resolution #1**

Resolution Urging New York State to Fully Fund New Costs Incurred by Counties Related to Raising the Age of Criminal Responsibility, Invest in Provider Capacity to Ensure Appropriate and Meaningful Services and Diversion Programs are Available, and to Develop a Comprehensive Transition and Waiver Process as Counties and New York City Begin Implementing the Law

WHEREAS, the state has enacted legislation to raise the age of criminal responsibility in New York effective October 1, 2018; and

WHEREAS, the state has indicated they will fully fund incremental costs counties incur related to raise the age provisions as long as they remain within the state imposed property tax cap; and

WHEREAS, significant questions remain unanswered on how incremental costs will be defined and how counties experiencing fiscal stress will be treated in regard to state reimbursement; and

WHEREAS, the state currently caps funding for foster care and youth detention, limits reimbursement for other child welfare and probation programs, and is proposing the elimination of PINS funding by 2020 under the new law, causing concern among counties of a potentially significant increase in unreimbursed state mandated costs related to changing the age of criminal responsibility; and

WHEREAS, structural changes to raising the age of criminal responsibility will require a significant investment in services based on a children and families social services model and a significant recalibration of the treatment of impacted youth and their families in the court, juvenile justice and educational systems; and

WHEREAS, the human services based models will require the need for enhanced job-training skills, significant engagement of the education system before youth need intervention, transportation supports, drug and alcohol treatment, family and individual counseling, remedial and vocational education for youth and adults, coordinated mental hygiene services, case management, and an increase in trained foster parents with skills to care for and provide guidance to older troubled youth, and other interventions resulting in higher expenses; and

WHEREAS, the law includes significant reforms to and places new mandates upon public safety, probation and county legal departments; and

WHEREAS, there are significant changes required under the law to the criminal justice system for youth requiring a fundamental realignment of court jurisdiction; training of

judges, prosecutors, defense attorneys; and numerous other activities that are under the control of the Judicial Branch of New York government; and

WHEREAS, the release of draft guidelines for the construction of specialized secure detention facilities were released in December 2017, with the expectation they will become final in February 2018; and

WHEREAS, counties are to have secured and/or built new specialized secure detention facility beds by October 1, 2018, a mere eight months from the effective date of the final regulation; and

WHEREAS, while counties are working diligently with the State on these construction plans, the draft regulations do not provide for any streamlining of state procurement laws and rules nor provide for advanced state funding of capital costs; and

WHEREAS, the draft regulations include provisions that will likely increase the length of time necessary to build these facilities and make them fully operational by requiring state certification and approval of requests for proposals and change orders; and

WHEREAS, the draft regulations related to specialized secure detention facility construction and operations include waiver provisions that may help facilitate construction or rehabilitation of existing facilities, counties remain highly concerned over the ability to satisfy all state law procurement requirements while meeting the implementation deadlines of the new law; and

WHEREAS, beyond the need for counties to show that they have built their own specialized secure detention beds, or secured bed availability through other counties, many regions of the state continue to struggle with ensuring they have adequate capacity to provide the type and quantity of necessary services to affected youth and their families in their local communities; and

WHEREAS, numerous questions related to the new legal and judicial requirements remain open; and

WHEREAS, the Governor's Office and state agencies continue strong outreach efforts on the new law in coordination with county officials and others that will implement the law, but process and other implementation concerns of counties remain.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls on the State of New York to fully cover all new costs associated with changing the age of criminal responsibility for counties and New York City to avoid the imposition of a new unfunded mandate on local taxpayers; and

BE IT FURTHER RESOLVED, the State should decouple the requirement that counties adhere to the property tax cap in order to be eligible for full state reimbursement related to new costs incurred by the law; and

BE IT FURTHER RESOLVED, the state should consider removing fiscal caps for foster care and youth detention as part of this age of criminal responsibility reform, as well as restore the 65 percent state matching rate for child welfare services and continue state funding for PINS; and

BE IT FURTHER RESOLVED, the state needs to provide a clear service needs plan and make the capital investment to ensure there is sufficient provider capacity and detention space in all areas of the state, including:

- * Providing counties access to idle or unoccupied state facilities that could potentially meet the new requirements of the law,
- * Allowing the use of design-build construction methods; and
- * Financing construction costs up front through the State Dormitory Authority, or other state mechanism, to accelerate approvals, lower borrowing costs and potentially increase the pool of minority and women owned businesses that could respond to contract offerings.

BE IT FURTHER RESOLVED, the state needs to do extensive outreach and engage the K-12 school system as a partner in these systemic reforms; and

BE IT FURTHER RESOLVED, given the fast approaching deadlines we strongly encourage the state to consider a waiver process during the early transition years, especially in regard to finding appropriate placement options for youth and families in need of services, as well as for cases where placement in new adolescence detention facilities are required, but may not yet be built and fully operational; and

BE IT FURTHER RESOLVED, that fiscal waivers should be guaranteed for counties in the early years of the transition, or until such time that reliable historical data is available to help counties develop accurate budget projections; and

BE IT FURTHER RESOLVED, counties strongly encourage state agencies and the judicial branch to continue to work with counties on solidifying pending fiscal, caseload and capital costs related to this law as soon as practicable so that counties can prudently plan their budget, staffing and borrowing needs in a timely manner; and

BE IT FURTHER RESOLVED, the state should recognize there will need to be flexibility in accommodating differences between small and large counties and rural versus urban areas, such that, a staggered roll-out may be appropriate in some counties depending on local conditions and service capacity; and

BE IT FURTHER RESOLVED, counties appreciate the outreach by the Governor and state agencies related to implementation and we strongly encourage this dialogue to continue and be expanded in the future; and

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

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

**2018 NYSAC Legislative Conference
Standing Committee on Medicaid and Human Services
Resolution #2**

Resolution Calling on the Governor and Legislature to Reverse the Foster Care Cost Shift Implemented in the 2017-18 State Budget

WHEREAS, the 2017-18 state budget included a reduction in state reimbursement support for foster care that will cost counties and New York City more than \$62 million annually; and

WHEREAS, counties and advocates strongly opposed the cut because it will require counties to make up the difference with cuts to other human services, including preventive services contracts; and

WHEREAS, counties have extremely limited options to control foster care costs and placements due to the orders of judges and the growing substance abuse epidemics that are ravishing many communities across the state, forcing placements outside of the home as parents, and/or children struggle with beating their addiction; and

WHEREAS, addressing the current opioid and heroin scourge brings with it longer and costlier stays in care that require intensive mental health, drug abuse and behavioral health counseling and treatment regimens; and

WHEREAS, in addition to more intensive services required in foster care today, the age of children entering the system is falling, triggering other critical and lengthy service needs; and

WHEREAS, the concurrent enactment of legislation that raises the age of criminal responsibility in New York from 16 to 18 will likely increase demand for foster care services; and

WHEREAS, this state foster care reimbursement cut is another in a long series of state funding cuts to human services programs including Safety Net, adoption subsidies, food stamp administration, child support enforcement, juvenile justice and reintegration programs for incarcerated individuals returning to the community; and

WHEREAS, the state funding cuts to foster care and these other programs impacts the ability of counties to provide critical prevention supports that can keep children and families at-risk out of the foster care system in the first instance, and undermines state and local efforts to achieve permanency for children; and

WHEREAS, the state foster care cut equaled 74 percent of the allowable property tax cap growth for the average county, and for 20 counties the cut was greater than their entire allowable property tax cap growth.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) calls on the Governor and Legislature to reverse the state reimbursement cuts to foster care enacted in the 2017-18 budget, and to also gradually restore funding cuts in other key human services programs; and

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

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

**2018 NYSAC Legislative Conference
Standing Committee on Medicaid and Human Services
Resolution #3**

**Resolution Urging the State to Clarify Its Homelessness Prevention Goals
and Develop a More Effective Emergency Shelter Model**

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

WHEREAS, the Governor continues to prioritize finding solutions for the homeless and affordable housing problems across the state; and

WHEREAS, while this commitment by the Governor is welcomed, there are still significant shortfalls in affordable housing and state and federal financial resources in many communities regarding emergency shelter; and

WHEREAS, counties have a long-standing commitment to serve vulnerable children and adults in our communities; and

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

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

WHEREAS, significant state funding cuts in a wide array of social service programs over the last decade in conjunction with the state imposed property tax cap has restricted counties' ability to pursue more aggressive prevention efforts that can reduce homelessness in the first instance; and

WHEREAS, counties agree that providing safe, secure and sanitary emergency shelter is critically important; and

WHEREAS, recent state directives, emergency rulemaking and data requests that focus on safety and security in emergency and temporary shelter situations are causing significant administrative burdens for counties without providing any additional financial support from the state to assist and comply with these demands, even though the state has added significant new staff of their own; and

WHEREAS, the new administrative needs are drawing resources away from services that are targeted to prevent homelessness in the first place and provide stability for families at risk; and

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

WHEREAS, state policies are directing excessive attention on inspections of motels, hotels and shelters beyond what is required in state law to ensure health and safety, as well as conflict with inspections from the State Comptroller and local codes officials; and

WHEREAS, these increased state inspections are steering emergency shelter policy toward higher cost shelter options that do not currently exist in most counties in sufficient numbers, if at all; and

WHEREAS, counties believe there is insufficient OTDA inspection training and a lack of clarity on inspection procedures; and

WHEREAS, the Governor has emphasized certain emergency homelessness measures to address public safety and health concerns such as the “Code Blue” initiative, however counties believe this initiative must be compliant with mental hygiene law; and

WHEREAS, this special focus in cold winter months is creating unintended consequences because they are promulgated under different rules that do not require visitors to follow local and state social service districts eligibility rules designed to help them overcome barriers (such as drug and alcohol abuse, mental health treatment and employment) which impede their ability over the long term to achieve permanent housing and stability.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties calls on the Governor and state agencies to provide more fiscal assistance to counties to meet new inspection demands and to help counties fund more services that can prevent homelessness in the first instance; and

BE IT FURTHER RESOLVED, counties are seeking more clarity and training on inspection procedures focused on significant criteria so that health and safety is addressed and attention is not diverted to insignificant matters; and

BE IT FURTHER RESOLVED, in order to successfully prevent homelessness and improve stability for families, the state must share its long-term vision on what role the state and counties will play in responding to and alleviating the homelessness crisis in many communities and how it will be funded, including addressing housing affordability in communities where that is an especially acute problem; and

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

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the Office for Temporary Disability Assistance and all others deemed necessary and proper.

**2018 NYSAC Legislative Conference
Standing Committee on Medicaid and Human Services
Resolution #4**

**Resolution Calling on Governor Andrew M. Cuomo and the State
Legislature to Work with New York's Congressional Delegation to Ensure
any Congressional Efforts to Pass the Family First Prevention Services Act
Ensures Essential Fiscal Resources are Maintained to Support Families in
Need**

WHEREAS, the Family First Prevention Services Act, was considered in a prior Congress, but was not enacted; and

WHEREAS, there is a desire again to enact this legislation; and

WHEREAS, the legislation is well intentioned in that it would for the first time allow federal Title IV-E reimbursement for some preventive services to help children at risk of neglect or abuse; and

WHEREAS, the federal legislation also proposed extensive new reporting and information system requirements, eliminated federal funding for currently authorized services, imposed restrictive administrative and implementation barriers, put in place punitive maintenance-of-effort funding requirements, among other shortcomings and oversights; and

WHEREAS, should this federal legislation advance, New York's Office of Children and Family Services estimates that New York State and its counties could lose up to \$250 million annually in currently available federal funds for child welfare; and

WHEREAS, the counties of New York fund a sizable percentage of these child welfare services with locally raised property taxes and other revenues; and

WHEREAS, New York State and its counties have provided prevention services for this population without any federal matching funds for decades and this bill would provide no credit to states like New York that were proactive and early adopters in providing prevention services for children and families at risk; and

WHEREAS, Governor Cuomo, on behalf of the New York State Office of Children and Family Services (OCFS) sent letters to United States Senators' Charles E. Schumer and Kirsten E. Gillibrand notifying them of the harmful impact this legislation would have on New York, and also provided suggested amendments; and

WHEREAS, some of specific amendments requested included expanding the 12-month time limit for Mental Health and Substance Abuse Prevention funding not to exceed 24 months when certified by a qualified mental health or substance abuse clinician; Aid to

Families with Dependent Children (AFDC) delinking; and placement settings for 16-17-year-olds; and

WHEREAS, the loss of federal funding and the restrictions within the current bill will jeopardize child welfare services in New York State.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) calls upon Governor Andrew M. Cuomo and the State Legislature to work closely with New York's Congressional Delegation to amend and improve the Family First Prevention Services Act so that early adopter states are not penalized by strict maintenance-of-effort provisions, that current federal reimbursement streams be maintained, and sufficient flexibility be provided to meet the unique circumstances in different states; and

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

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



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018 NYSAC Legislative Conference
Albany County, New York**

**Standing Committee on Native American Affairs
and Gaming**

**Hon. Keith Batman, Cayuga County, Chair
Hon. John Becker, Madison County, Vice-Chair
Hon. Elizabeth Larkin, Cortland County, Vice-Chair**

**2018 NYSAC Legislative Conference
Standing Committee on Native American Affairs and Gaming
Resolution # 1**

**Resolution Urging the State of New York and the Seneca Nation to Come to
Agreement on Gaming Revenue Sharing**

WHEREAS, in 2002, the State of New York and the Seneca Nation entered into a compact with a provision that gaming revenue would be shared with the State in return for certain gaming exclusivity rights in Western New York; and

WHEREAS, as part of this legislation, the State of New York shares with local governments, including 16 counties in Western New York, a portion of the revenue they receive from the Seneca Nation; and

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

WHEREAS, in 2017 a dispute between the Seneca Nation and the State arose over the language within the compact, leading the Nation to stop revenue sharing payments to the State; and

WHEREAS, this revenue loss amounts to approximately \$50 million annually to the 16 counties in Western New York; and

WHEREAS, due to flat sales tax and a state imposed property tax cap, counties are finding it increasingly difficult to maintain critical local services residents demand and expect; and

WHEREAS, the Seneca Nation and the counties of New York have a long history of productive partnerships and respect, and the Nation leaders have recently expressed that they wish to continue their valued partnership with local governments; and

WHEREAS, the long-term viability of this region depends, in part, on all parties coming to an agreement on the involved issues; and

WHEREAS, the Seneca Nation and the State of New York have elected to attempt to resolve this issue through arbitration, a process which can take months or even years.

NOW, THEREFORE, BE IT RESOLVED, that NYSAC calls on the State of New York and the Seneca Nation to expeditiously resolve their differences and reach an agreement to avoid catastrophic harm to public safety and public services; and

BE IT FURTHER RESOLVED, NYSAC calls on the State to make counties whole for past and current losses caused by this negotiation process and to the extent that such losses have been caused directly or indirectly, by the failure of the Seneca Nation to abide by the terms of the compact that the Seneca Nation make the counties whole so that local services and the residents that rely on those services are not impacted; and

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

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

**2018 NYSAC Legislative Conference
Standing Committee on Native American Affairs and Gaming
Resolution #2**

**Resolution Calling On the State to Use Existing Gaming Facilities if Sports
Wagering Becomes Legal in the New York State**

WHEREAS, on December 5, 2017 the United States Supreme Court heard oral arguments in Christie v. National Collegiate Athletic Association; and

WHEREAS, at issue is the Federal Professional and Amateur Sports Protection Act of 1992, which restricts sports gambling and sports gambling operations to four states (Nevada, Oregon, Delaware, and Montana); and

WHEREAS, in early 2018 the Supreme Court could strike down existing federal law and in turn all 50 states may regulate sports gambling in the near future; and

WHEREAS, already New York State Legislators are drafting bills in anticipation of this federal change, in order to legalize and control how sports betting can operate in New York; and

WHEREAS, if New York State allows for and regulates sports gaming, they must recognize and utilize local gaming facilities already in place, serving local residents, and providing local jobs and revenue such as OTB's, racinos, horse and harness tracks, and casinos.

NOW, THEREFORE, BE IT RESOLVED, if sports gaming is legalized in New York, NYSAC calls on the State to distribute an equitable percentage of income and gaming revenues to local governments and to use preexisting gaming facilities in order to retain revenue locally, keep and create local jobs, and to ensure needed local government revenue; and

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

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



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018 NYSAC Legislative Conference
Albany County, New York**

**Standing Committee on Public Employee
Relations**

**Mary Krause, Ontario County, Chair
Julie Carr, Cattaraugus County, Vice-Chair
Brayton Connard, Monroe County, Vice-Chair**

**2018 NYSAC Legislative Conference
Standing Committee on Public Employee Relations
Resolution #1**

**Resolution Calling on the State of New York to Fully Reimburse Counties
for District Attorney Salary Increases That Are Set and Controlled by the
State**

WHEREAS, on December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

WHEREAS, the recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and approximately \$207,000 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary; and

WHEREAS, on April 1, 2016 the state approved the Commission's recommendation; and

WHEREAS, New York State Judiciary Law Section 183-a links judicial salaries to county District Attorney (DA) salaries, requiring them to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on county size and full-time or part-time status; and

WHEREAS, historically, for over 50 years, the state has fully funded all district attorney salary increases that they imposed on the counties; and

WHEREAS, the District Attorneys Association of the State of New York (DAASNY), recognizing the automatic nature of these increases and its effect on local county budgets, and further to support the counties' position, requested in correspondences with state officials that the state fund this salary increase; and

WHEREAS, in 2016 and 2017 the State Legislature enacted separate \$150 billion State Budgets but did not include state funding for the \$1.6 million in costs for the increase in District Attorney salaries; and

WHEREAS, the state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap; and

WHEREAS, the Governor and State Legislature have recognized lowering property taxes is the main priority to ensure a healthy Upstate New York Economy; and

WHEREAS, for some counties, the D.A. salary increase represented approximately one third of their total allowable property tax growth for all government operation in 2016 and 2017; and

WHEREAS, in 2018 this annual unfunded mandate will increase significantly as Judicial salaries, and the D.A. Salary tied to them, will be required to increase approximately \$10,000 more.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties calls on the State of New York to fully fund this mandated salary increase as part of the 2018-19 budget and thereafter, including a one-time amount for the retroactive salary increase that has not been funded to date; and

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

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

**2018 NYSAC Legislative Conference
Standing Committee on Public Employee Relations
Resolution #2**

**Resolution Calling on the State to Pay for Any Required Increases in Cost to
the Child Protective Service Program**

WHEREAS, in 2017 the State Legislature passed a bill attempting to set a workload standards cap of no more than fifteen active cases per month per full time child protective services worker; and

WHEREAS, this bill was appropriately vetoed by the Governor, stating the bill was deficient due to applying a one-size-fits all approach across the State and perhaps more importantly, this bill was passed outside the State Budget process and allocated no funding to Counties for this potentially enormous increase in costs; and

WHEREAS, child protective services are paid for by our county governments; and

WHEREAS, every county has unique challenges providing this service such as geography, population, economics, and demographics that make one statewide case-cap standard illogical; and

WHEREAS, due to the fact that each county has unique challenges, it is the county themselves and the county DSS commissioners that are best situated to understand and manage caseload assignments; and

WHEREAS, a one-size fits all standard of case-caps does not address the increased costs that this cap would cause, nor recognize case severity and oversight needs, along with each case worker's experience and skill level; and

WHEREAS, counties cannot meet any new state unfunded mandates while maintaining the state-imposed property tax cap.

NOW, THEREFORE, BE IT RESOLVED, NYSAC calls on the Governor and the Legislature to abstain from passing these types of caseworker cap bills without covering 100 percent of the costs to support these new positions; and

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

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

**2018 NYSAC Legislative Conference
Standing Committee on Public Employee Relations
Resolution #3**

**Resolution Calling for the Full Repeal of the New York State Scaffold Law or
Reform to Include a Pure Standard of Comparative Negligence**

WHEREAS, New York Labor Law §240 and §241, commonly known as the “Scaffold Law,” outlines liability for injuries caused by an employee’s fall from a height; and

WHEREAS, the laws impose strict liability on employers and owners of buildings if a worker falls from any height; and

WHEREAS, the law was first imposed in 1885 at a time when worker safety was lacking in New York State and at a time when modern safety equipment and scaffolding techniques did not exist; and

WHEREAS, the Scaffold Law has caused a dramatic increase in construction costs due to higher insurance required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation; and

WHEREAS, the Scaffold Law is a boon to personal injury lawyers as half of the 30 largest law suits in the state stem from Scaffold Law issues, and while scaffold related injuries have decreased in the past 20 years the number of Scaffold Law claims has increased 500%; and

WHEREAS, New York is the only state in the country to impose a construction law like the Scaffold Law that imposes strict liability on the employer; further it is one of a very few laws that mandate strict liability in the State of New York; and

WHEREAS, the increase in costs in New York drives away investment in our infrastructure when developers and contractors can get better rates in neighboring states; and

WHEREAS, not only does the law drive away out-of-state investment in infrastructure but the lost investment to other states also serves to decrease the number of new construction jobs created every year, making it more difficult for many of New York’s skilled laborers to find appropriate employment; and

WHEREAS, this negligence standard under the Scaffold Law would not ban recovery

for an injured worker due to their own negligence, but would allow the employer to bring issues with employee culpability to mitigate the damages in cases where the worker's actions contributed to his or her injury; and

WHEREAS, federal regulations have been enacted that attempt to protect workers from injury due to falls by requiring certain precautions be in place for people working at a height above the ground and allows an outlet for workers concerned about their safety to engage federal review of any worksite for compliance with these regulations.

NOW, THEREFORE, BE IT RESOLVED, that the New York State of Association of Counties (NYSAC) is in support of Scaffold Law reform as well as meaningful protection of construction workers; and

BE IT FURTHER RESOLVED, that NYSAC supports the full repeal of the Scaffold Law or its modification to include a pure standard of comparative negligence; and

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

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

**2018 NYSAC Legislative Conference
NYSAC Standing Committee on Public Employee Relations
Resolution #4**

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

WHEREAS, under current state law a retired public employee may earn up to \$30,000 if retained/rehired to a state or local government position without this salary impacting their retirement benefits; and

WHEREAS, any retired public employee salary amount over \$30,000 will result in a decrease in pension payments for the employee; and

WHEREAS, the \$30,000 cap was set in 2007, with the intent of minimizing misuse, while at the same time providing enough incentive for employees with broad experience and institutional knowledge to be retained in a government service capacity; and

WHEREAS, this cap has not been adjusted since 2007 and has eroded in value to inflation over the last decade; and

WHEREAS, every county has unique challenges when hiring for certain skilled or knowledge based positions due to each county having different populations, economics, and demographics; and

WHEREAS, county governments are being asked to provide more services with less funding, a goal that becomes more difficult when those that best understand local government service needs are retiring and their continued connection to public service in a limited fashion is being deterred by state policies; and

WHEREAS, in 2017 a bill was introduced (S.3576 (Tedisco)/A.3327 (McDonald)) that recognizes adjusting this cap modestly to \$35,000 to keep pace with inflation and provide the State and the local governments more hiring options when they seek to fill a position that requires unique skill sets, government experience, and, in some cases, reduces health insurance costs as the person is already retired.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) hereby calls on the Governor and the legislature to enact legislation supporting an increase in this earnings rate as part of their 2018-19 state budget negotiations; and

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

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



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018 NYSAC Legislative Conference
Albany County, New York**

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

**Joseph Todora, Sullivan County, Chair
Hon. Michael Amo, Orange County, Vice-Chair
Linda Beers, Essex County, Vice-Chair**

**2018 NYSAC Legislative Conference
Standing Committee on Public Health and Mental Health
Resolution #1**

Resolution Calling on the Office of Alcoholism and Substance Abuse Services and the Governor to Provide State Funding to Support the Treatment and Transition Services to Individuals with Substance Use Disorders (SUD) Who are Incarcerated in County Jails

WHEREAS, New York State is engaged in a significant effort to address the rising rate of substance use disorders, including the epidemic of opioid and heroin addiction and the increasing number of deaths due to overdose; and

WHEREAS, the state is taking aggressive steps to address the heroin/opioid epidemic, including the rapid expansion of community-based treatment and support services to create a continuum of care to support the individual and family in their recovery; and

WHEREAS; there remains a significant gap in the treatment and support in the continuum of care being developed by the state and that is available in local jails; and

WHEREAS, individuals who suffer from SUD's frequently come into contact with the criminal justice system; and

WHEREAS, the link between offending and SUDs is well established, bringing significant numbers of individuals suffering from addiction into NYS jails; and

WHEREAS, alcohol and drugs are implicated in roughly 80 percent of offenses, including domestic violence, DWIs, property offenses, drug offenses, and public order offenses; and

WHEREAS, according to a report conducted by Policy Research Associates on behalf of the NYS Conference of Local Mental Hygiene Directors, that surveyed County Sheriff's indicated that of the individuals detained in their jail on drug-related charges, 68 percent had been in their jail before; and

WHEREAS, jail incarceration provides a unique opportunity to offer treatment supports during periods when people are clean and sober; and

WHEREAS, just over 50% of New York State localities report that they have no funding for SUD treatment services in their jails; and

WHEREAS, in NYS, counties bear the sole burden for supporting SUD services in jails, and it is an ever-increasing burden with substantial unmet need; and

WHEREAS, 51 percent of jails have no funding for substance use disorder treatment services despite strong evidence that these services reduce crime, save money, and save lives and 53 percent of jails do not have the capacity to directly transition addicted inmates to community treatment programs upon re-entry; and

WHEREAS, a New England Journal of Medicine study found that in the first two weeks after release, former inmates with an opioid use disorder were 12.7 times more likely than other individuals to die of an overdose; and

WHEREAS, a comprehensive re-entry plan is critically important to minimizing the possibility of drug use, overdose and recidivism and that for those jails that do have some treatment services, those services are far outpaced by the escalating need for them; and

WHEREAS, the benefits of providing effective SUD services in the jail setting have proven significant where they occur and a handful of localities in New York State have been able to support a level of service through local funding are reaping significant benefits; and

WHEREAS, in Albany County, the jail-based Sheriff's Heroin Addiction Recovery Program (SHARP) provides SUD treatment during incarceration and support services after release, resulting in a 28% reduction in recidivism rate; and

WHEREAS, New York State's own analysis of the costs and benefits of jail-based SUD treatment found that communities realize a savings of \$2,846 per person served and that there are 13 fewer victimizations per 100 people served; and

WHEREAS, in the property tax cap era, a dedicated State funding stream to counties is desperately needed to provide SUD treatment services in the jails, including screening and assessment at entry, education and counseling services, peer support, medication assisted treatment and discharge planning to continue treatment post-incarceration; and

WHEREAS, counties are requesting funding of \$12.8 million annually to the LGU's to address the existing gap in the SUD treatment continuum and support efforts to reduce

the human cost of the heroin/opioid epidemic on New Yorkers, and reduce recidivism and victimization.

NOW, THEREFORE BE IT RESOLVED, that the New York State Association of Counties calls on the Governor and the Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic, save lives and reduce the rate of recidivism, by providing state funding for the treatment and transition of incarcerated individuals with substance use disorders in our county jails; and

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

BE IT FURTHER RESOLVED, that the New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and the Office of Alcoholism and Substance Abuse Services, and all others deemed necessary and proper.

**2018 NYSAC Legislative Conference
Standing Committee on Public Health and Mental Health
Resolution #2**

Resolution Supporting an End to Administrative Funding Cuts, an Increase in the Base Grant, Per Capita Rate, and State Aid Formula that Constitute Article 6 State Aid Reimbursement for Mandated General Public Health Work Undertaken by Local Health Departments as Population Health Partners of New York State

WHEREAS, the prevention and population health activities of county health departments and New York City are essential to the overall health of the state's residents and communities, and crucial to the success of the state's Medicaid Redesign Team efforts; and

WHEREAS, unhealthy community environments lead to incidents such as the discovery of PFOA in drinking water supplies in Rensselaer County and other areas of the state, which has presented significant disease risks to the residents of these communities; and

WHEREAS, New Yorkers can be, and have been, exposed to deadly communicable diseases such as Ebola, the harmful Zika virus, and other communicable diseases that may arrive from other nations via global travelers at any time; and

WHEREAS, stable and timely funding to support core public health services delivered by local health departments under Article 6 of the Public Health Law is necessary for the protection of all communities within New York State; and

WHEREAS, Article 6 of the Public Health Law currently provides a base grant of either a set amount or a per capita rate of local health department (LHD) expenditures on core public health services, and then State reimbursement for 36% of LHD costs beyond the base grant; and

WHEREAS, the state has reduced its annual appropriations for Article 6 Public Health spending by 40% over the last several years; and

WHEREAS, New York State does not allow local government to recover any of its necessary expenditures on fringe benefits for local health department personnel who provide core public health services mandated under Article 6; and

WHEREAS, in state fiscal year 2011-12, the State eliminated the allowance of state aid for so-called “optional services” by local health departments, such as early intervention administration, medical examiners, dental health services, some environmental health activities, certified home health agencies, and more; and

WHEREAS, the reduction and potential elimination of the revenue offset and other administrative actions leads to a reduction in the generation of fee and penalty revenue that, in turn, increases the need for local budget cuts, including staff reductions that compromise the capacity of local governments to ensure the provision of the core services necessary to protect the public’s health; and

WHEREAS, New York State Department of Health (DOH) has frequently applied changing and inconsistent standards in what it allows as state aid claims; and

WHEREAS, state agency administrative reductions to Article 6 State Aid reimbursement have a negative impact on the ability of local health departments to protect the public, including:

- enforcing regulations intended to reduce the incidence and risk of Legionnaire’s Disease;
- eliminating the HIV/AIDS epidemic;
- preventing and controlling the spread of communicable diseases;
- responding to the current heroin and opioid epidemic;
- ensuring the safety of the food we eat, the water we drink, and the air we breathe;
- ensuring the safety of New Yorkers in camps, beaches, and other recreational venues;
- preventing major causes of death and chronic disease such as heart disease, diabetes, asthma and cancer;
- monitoring and control of insect-borne diseases such as Lyme Disease, West Nile Virus, EEE and Zika;
- monitoring and responding to international health threats and emergencies, among other public health needs; and

WHEREAS, local health departments deserve respect for their dedication to public health and their expertise in population health; and

WHEREAS, local health departments require adequate state funding as key partners of the New York State Department of Health in population health efforts to achieve statewide goals set in the New York State Prevention Agenda; and

WHEREAS, the current limits on base grants and state aid, combined with increasing administrative cuts and disallowances, are creating a cascading negative fiscal impact on local health departments and eroding their local public health infrastructure; and

WHEREAS, New York State has imposed a cap on property taxes that further restricts the ability of local government to fund core public health services; and

WHEREAS, more than 50 of the State's 58 local Health Departments bear responsibility for ensuring access to Early Intervention (EI) services; and

WHEREAS, the State's NYEIS system and state fiscal agency takeover have been plagued with problems resulting in increased administration costs and lower reimbursements for counties; and

WHEREAS, this additional fiscal burden for EI has a negative impact on counties' ability to provide funding for core public health services.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) calls on the Governor to reject the proposed funding pools and restore the proposed 20% reduction in funds and compensate, within the 2018-19 Executive Budget and subsequent budget years, for significant state funding cuts to local health departments since 2010 by taking the following steps in the Article 6 State Aid for General Public Health Work base grants and reimbursement rates:

1. Instruct the Division of Budget and NYSDOH to end administrative actions that will result in further erosion of state aid to local health departments;
2. Increase the base grants that ensure more of the public health services are eligible for 100 percent reimbursement of local expenditures: a) Increase the base grant to Full Service LHDs (i.e. those with environmental health units) from \$650,000 to \$750,000; b) Increase the base grant to Partial Service LHDs (i.e. those with environmental health units) from \$500,000 to \$550,000; c) Increase the per capita rate for the largest counties from 65 cents per resident to \$1.30.
3. Increase the beyond-base-grant state aid reimbursement rate from 36% to 38%.
4. Provide 100% reimbursement for the first full year of any new and/or significantly expanded mandates emerging from law, rule or regulation; and

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

BE IT FURTHER RESOLVED, NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Department of Health, and all those deemed necessary and proper.

**2018 NYSAC Legislative Conference
Standing Committee on Public Health and Mental Health
Resolution #3**

**Resolution Calling on the Office of Mental Health and the Governor to
Ensure Long Term Viability to OMH Funded Housing Programs for
Individuals with Serious Mental Illness Through Support of the “Bring It
Home” Initiative**

WHEREAS, safe and affordable housing with supports is an essential component of recovery for many people with serious mental illness; and

WHEREAS, the OMH funded housing system currently serves approximately 40,000 individuals with serious psychiatric disabilities, who often have significant medical conditions and substance use disorders; and

WHEREAS, the OMH community based housing programs include several levels of care including, Community Residences (CRs), Apartment Treatment Programs (Treatment Apartments), Supported Scatter-Site Housing (Supported Housing), Community Residence – Single Room Occupancy (CR-SRO), and Supported Single Room Occupancy (SP-SRO); and

WHEREAS, these OMH Housing program models were developed over 30 years ago in the late 1970’s and early 1980’s and the requirements for the services and the staff needed to provide the services reflect the needs of clients at that time; and

WHEREAS, these programs are expected and required to serve the clients with the highest and most challenging psychiatric needs, manage the health and mental health for many clients with a co-occurring substance use disorder, and manage complicated medication regimens to treat their behavioral and other co-morbid chronic conditions such as heart disease, diabetes, high blood pressure, high cholesterol and pulmonary disease; and

WHEREAS, the program models originally were not created to serve these clients and the state has consistently failed to provide adequate funding to effectively support services to those with the highest needs; and

WHEREAS, for example, the Community Residences and Supported Single Room Occupancy (SP-SRO’s) programs have received a total increase of just 10% over the last 27 years – less than 3 tenths of a percent per year; and

WHEREAS, the licensed Community Residence program – the highest level of care in the state outside of a hospital - is struggling under minimal staff levels that were developed in 1984, when clients had much fewer and less challenging needs;

WHEREAS, the County Directors of Community Services (DCSs) are responsible for operation of the Assisted Outpatient Treatment (AOT) programs in their counties which is the court-ordered outpatient treatment which includes ensuring safe and appropriate housing; and

WHEREAS, DCSs throughout the state report significant waiting lists for housing and it is becoming increasingly more difficult to find an OMH housing bed that both offers the high level of services needed and that is staffed appropriately to safely serve the population; and

WHEREAS; the insufficient housing reimbursement is further reducing capacity and cutting access to care as housing providers will be left no choice but to close a portion of their existing housing beds which will cut off access to this vital resource for AOT and other high-needs clients; and

WHEREAS; Decades without an adequate rate increases for OMH Housing has pushed housing providers to their tipping point where they will be forced to take down critically needed housing beds which will create a crisis situation; and

WHEREAS, the new supportive housing units the state has promised to develop will be funded at a much higher rate than the exact same existing units; and

WHEREAS, housing is the single most significant social determinant to health outcome and if individuals cannot be housed safely, all other state investment in their recovery will be undermined.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties calls on the Governor and the Office of Mental Health to support the “Bring it Home” campaign’s request for \$125 million in funding to preserve the long-term viability of the existing 40,000 units of OMH Housing and ensure New Yorkers with serious mental illness and other complex conditions have access to the housing they deserve; and

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

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



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018 NYSAC Legislative Conference
Albany County, New York**

Standing Committee on Public Safety

Hon. Ron Spike, Yates County, Chair
Hon. Matthew Veitch, Saratoga County, Vice-Chair
Hon. Martha Robertson, Tompkins County, Vice-Chair

**2018 NYSAC Legislative Conference
Standing Committee on Public Safety
Resolution #1**

**Resolution Calling on the Governor and the State Legislature to Provide
Funding for the State Mandate Pertaining to Inmate Supervision/Drug
Overdose Precautions at County Operated Correctional Facilities**

WHEREAS, State law requires that each county in New York “maintain a county jail,” under County Law; Section 217, which further requires that within each county “the sheriff ... shall have custody of the county jail” and that they “receive and safely keep in the county jail of his county each person lawfully committed to his custody;” and

WHEREAS, this is the case in each county, except for New York City and Westchester, where a separate Department of Corrections has been established to manage their jails; and

WHEREAS, all local corrections institutions in New York State are overseen by a constitutionally-created Commission on Correction (SCOC) charged with “visiting and inspecting or causing to be visited and inspected by members of its staff, all institutions used for the detention of sane adults charged with or convicted of crime”; and

WHEREAS, in a local correctional facility, the sheriff’s office is responsible for ensuring the safety, health, and security of all individuals who are committed to the custody of the sheriff; and

WHEREAS, in 2016 the SCOC Chairman issued a memorandum requiring inmate supervision for drug and alcohol overdose prevention immediately following intake of an individual to the jail suspected of being under the influence of drugs or alcohol; and

WHEREAS, while this practice is helpful to ensure safety, health, and security, without the proper funding, manpower and training for correction officers it is hard to implement appropriately.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) calls on the Governor and the New York State Legislature to support the efficient and satisfactory implementation of this dedicated supervision by providing funding necessary to accommodate the increase in financial burden placed on taxpayers by mandating this dedicated supervision; and

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

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

**2018 NYSAC Legislative Conference
Standing Committee on Public Safety
Resolution #2**

Resolution in Support of Efforts to Improve Probation and Alternative to Incarceration in New York State to Protect the Public and Reduce Reliance on Prisons, Jails and Detention

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

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

WHEREAS, State funding for probation was drastically reduced between 1990 and 2015 from a 46.5 percent State share in 1990 to less than 10 percent in 2017, putting a huge strain on counties and cost to county property taxpayers; and

WHEREAS, at the same time there have been increases in the number of mandated programs and services County Probation Departments are required to provide; and

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

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

In response to Raise the Age legislation:

- * Raise the minimum age that a youth can be charged as a juvenile delinquent from seven to twelve years old.
- * Increase the maximum time frame for diversion services from four to six months for juvenile delinquents.
- * Mandate that the state's evidence- based criteria should account for existing local best programs.

- * Allow probation the ability to make an application for a temporary order of protection as a part of the adjustment process.
- * Establish a dedicated funding stream through DCJS/OPCA for 100% of all local probation costs including but not limited to probation personnel and evidence based programming associated with Raise the Age legislation.
- * Eliminate the requirement of a sentence of a conditional discharge or probation for Leandra's Law cases when a defendant has been sentenced to a definite jail term or a term of imprisonment.

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

BE IT FURTHER RESOLVED THAT NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, Deputy Secretary for Public Safety Letizia Tagliafierro, the New York State Legislature and all others deemed necessary and proper.

**2018 NYSAC Legislative Conference
Standing Committee on Public Safety
Resolution #3**

Resolution Calling on the State to Reimburse Counties for the Temporary Detainment of Parole Violators at Local Correctional Facilities

WHEREAS, those who violate their parole are often held at local correctional facilities while appeals and extensions on hearing the violation are granted by the court; and

WHEREAS, the parole violator must appear before the court within 10 business days of the court's notice to appear; and

WHEREAS, the time the violator spends in the local correctional facility is credited to their sentence and oftentimes their additional sentence is served in a local correctional facility; and

WHEREAS, this is causing a financial and personnel strain on local correctional facilities; and

WHEREAS, S.744 (Ritchie)/A.305 (Gunther) requires parole violators to be transferred to state correctional facilities after 10 days in a local correctional facility; and

WHEREAS, the legislation also requires Department of Correctional and Community Supervision (DOCCS) to reimburse the local facility for the cost of the temporary detainment of the parole violator if they are not transferred to a DOCCS facility within 10 days; and

WHEREAS, operating local jails imposes a significant cost to counties and it is important to implement policies that require the state to be responsible for the costs of detaining state parole violators.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties calls on the Governor and the New York State Legislature to support legislation that requires parole violators be transferred to state correctional facilities after 10 days or reimburse counties for temporary detainment of parole violators; and

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

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

Resolution Calling on Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications, to More Equitably and Efficiently Release the Interoperable Emergency Communication Funds Authorized

WHEREAS, the funding mechanism that counties use to help operate, maintain, and upgrade 9-1-1 system capability and performance is out of date and does not correspond well to recent technology and marketplace changes; and

WHEREAS, unfortunately and unlike other states, too much funding is diverted by New York State for non-9-1-1 purposes, resulting in a system that does not direct sufficient revenue to allow counties to properly maintain existing systems, while also preparing to implement the next generation of 9-1-1 technology required under federal law; and

WHEREAS, under current law, for the last two budget years, \$10 million was authorized and targeted directly to PSAPs and up to \$65 million was set aside for the provision of grants and reimbursements to counties administered by the state interoperable communications grants (SICG) program, administered by the division of homeland security; and

WHEREAS, to our understanding a total of \$150 million has been authorized for county 9-1-1 purposes, but only \$20 million has been released (\$20 million for PSAPs over the two years, while \$45 million for authorized purposes from the SFY 2016-17 Budget under a new formula based methodology, while identified, has not been made available to draw down yet); and

WHEREAS, the goal of upgraded 9-1-1 systems is to make sure that all devices capable of connecting to the system can do so using voice, text, video images and other data formats to better inform the emergency responders to the situation they will be entering; and

WHEREAS, upgraded systems will be able to better pinpoint an emergency caller that may be in a remote area of the state or in a skyscraper in one of our cities. Recognizing a more precise location of those needing emergency services will improve outcomes and save lives, but this cannot be accomplished without consistent and timely funding from the state.

NOW, THEREFORE, BE IT RESOLVED, that The New York State Association of Counties (NYSAC) calls upon Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications to release all funds authorized so far and to ensure that future authorizations are released in full in the budget year they are appropriated; and

BE IT FURTHER RESOLVED, releasing these funding obligations on a regular schedule will provide certainty and build continuity as we upgrade and maintain existing systems and prepare for NextGen 9-1-1 development and implementation at the county level; and

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

BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the Commissioner of The Division of Homeland Security and Emergency Services and all others deemed necessary and proper.



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018 NYSAC Legislative Conference
Albany County, NY**

Standing Committee on Taxation and Finance

**Hon. Arthur Johnson, Saratoga County, Chair
Hon. Terri L. Ross, Allegany County, Vice-Chair
Hon. James Maloney, Ulster County, Vice-Chair**

**2018 NYSAC Legislative Conference
NYSAC Standing Committee on Taxation and Finance
Resolution #1**

**Resolution Urging the Governor and New York State Legislature to Enact
Legislation to Eliminate the “Dark Store Theory” in New York State Real
Property Tax Law as a Way to Reduce Property Assessments in Tax
Certiorari Proceedings**

WHEREAS, New York State Real Property Tax Law Section 305 requires all assessor’s in New York State to assess real property at a uniform percentage of value in each assessing unit; and

WHEREAS, owners of real property in New York State are to be assessed on the basis of the building as it existed on the taxable status date; and

WHEREAS, assessors in New York State are required to assess property as it is being used (“*Value in Use*”) on March 1st of each year; and

WHEREAS, assessors when valuing property utilize all three approaches to value:

- * The Cost Approach,
- * The Income Approach, and
- * Sales; and

WHEREAS, the best indicator of value is the sale of a similar use comparable property; and

WHEREAS, the “Dark Store Theory” relies on the use of shuttered, deed restricted and abandoned properties that are in no way similar to lighted stores as comparable properties; and

WHEREAS, several recent court decisions in varying judicial districts have adopted the “Dark Store Theory” in their decisions; and

WHEREAS, the potential loss of real estate value and related tax revenue may run into the hundreds of millions of dollars statewide; and

WHEREAS, the lost real estate tax revenue will be shifted and redistributed to all other taxpayers in each affected taxing jurisdiction throughout New York State; and

WHEREAS, the States of Michigan, Indiana and Texas have all experienced a similar destruction to their tax base by way of “The Dark Store Theory” being used; and

WHEREAS, the loss and shifting of tax revenue has led to the reduction of essential municipal services in other states, and

WHEREAS, heavily impacted states across the nation are advancing similar legislation.

NOW THEREFORE BE IT RESOLVED, the New York State Association of Counties calls upon Governor Andrew M. Cuomo and the New York State Legislature to enact legislation that mandates sound appraisal theory in the valuation of real property for taxation purposes in the New York State Real Property Tax Law that eliminates the “Dark Store Theory” as an argument to lower property value in New York; and

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

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

**2018 NYSAC Legislative Conference
NYSAC Standing Committee on Taxation and Finance
Resolution #2**

Resolution Urging the State to Enact Legislation to Ensure a Fair and Level Playing Field for All Retailers by Addressing Shortfalls in Internet Sales Tax Collection Practices

WHEREAS, the State has identified significant loopholes in certain Internet-based sales tax collection practices and the State estimates that more than \$300 million annually in state and local sales taxes are not being collected; and

WHEREAS, the Governor has proposed legislation to correct this inequity by requiring marketplace providers that facilitate online transactions to collect the sales tax that is due on these transactions on behalf of vendors using these online portals, while not changing current rules regarding sales tax nexus; and

WHEREAS, Internet-based sales transactions through marketplace providers is estimated to be growing at annual rates of 15 percent; and

WHEREAS, enacting such legislation will streamline sales tax collection practices and reduce burdens on small vendors and improve compliance; and

WHEREAS, a more efficient, modern, and fairer system of collecting sales tax owed under state law will provide critically important revenues for counties, towns, cities, villages and some school districts, and help local governments keep property taxes lower; and

WHEREAS, providing an easy to use platform for large, highly experienced Internet transaction facilitators to collect sales tax on behalf of their participating vendors will create a fairer and more balanced marketplace for local “bricks and mortar” New York based retailers, as well as New York based online vendors; and

WHEREAS, these improvements recognize the changing retail marketplace and will provide more stability in sales tax collections for the state and local governments while enhancing fairness in the overall retail market that supports locally owned and operated New York businesses.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls on the State to enact legislation that treats all marketplace providers as persons required to collect sales taxes, therefore reducing the need for

many vendors to collect this tax on their own and creating a level playing field for retailers; and

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

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

**2018 NYSAC Legislative Conference
NYSAC Standing Committee on Taxation and Finance
Resolution #3**

Resolution Urging State Legislative Leaders to Focus Their Property Tax Relief Efforts on Fiscal Reforms that will Lead to Permanent and Historic Property Tax Reduction by Assuming the Cost of State Programs that Counties Are Currently Required to Pay for Under State Law

WHEREAS, State leaders have identified property taxes as the number one fiscal burden for homeowners and small businesses, as well as the largest impediment to economic growth and job creation in Upstate New York and Long Island; and

WHEREAS, the Governor and State Legislature have enacted several laws over the last few decades designed to address New York's highest in the nation property taxes, including the creation of STAR school tax relief, a property tax cap, a temporary two-year property tax freeze and rebate check program, and two separate temporary state matching grant program for eligible local government shared services efforts; and

WHEREAS, for decades, counties and other local governments have implemented, and continue to implement, thousands of shared services projects and other government efficiencies; and

WHEREAS, county elected leaders have strongly advocated in support of ways to lower the property tax burden for homeowners and businesses across the state going back nearly 50 years when the largest state mandate, Medicaid, was first imposed on counties, growing from \$100 million then to over \$7.5 billion today; and

WHEREAS, since that time the State has required county taxpayers to finance with local taxes dozens of other state programs that, for the most part, counties in other states are not required to finance; and

WHEREAS, many of these state mandated programs are very comprehensive and generous to their recipients compared to what other states provide and often are among the most expensive in the country in total dollars, as well as per beneficiary; and

WHEREAS, state imposed mandates on counties require more than \$12 billion annually in locally raised taxes to be sent to the State Capitol so they can be used in lieu of state raised revenues to pay for statewide programs and initiatives; and

WHEREAS, state elected officials recognize that mandating local governments to finance state-designed and controlled programs directly impacts the property tax burden and to help mitigate this they have enacted important mandate relief for county

property taxpayers including the implementation of two separate caps on the growth in the local share of Medicaid costs and major pension reforms; and

WHEREAS, since the enactment of these mandate relief initiatives the growth rate in aggregate county property taxes has slowed dramatically, generally averaging two percent per year over the last decade, less than the rate of inflation over that time frame; and

WHEREAS, county officials believe that one of the best ways to improve New York's economic climate and competitiveness is to not just slow the rate of growth in property taxes, but to lower them from today's levels; and

WHEREAS, counties believe that aligning the cost of the state's human services programs with the governmental entity that defines and controls them will result in historic and sustainable reductions in county property taxes and establish a more appropriate and equitable distribution of the cost of the state's human services programs; and

WHEREAS, the cost of the state Medicaid program in a typical county (outside of New York City) equals about one half of the county property tax levy; and

WHEREAS, the benefits, scope, and ultimate cost of Medicaid has been set and controlled by the State for 50 years, but not fully financed with state resources, therefore transferring a significant burden to local property taxpayers and contributing greatly to the disparity between property taxes in New York and other states; and

WHEREAS, Cornell University researchers have documented how New York's practice of shifting fiscal responsibilities from the state to lower levels of government including counties creates severe imbalances between New York and other states in relation to property taxes; and

WHEREAS, we attribute the practice of using local revenues to subsidize statewide spending initiatives as the number one reason why New York's property taxes are the highest in the nation.

NOW, THEREFORE, BE IT RESOLVED, the New York State Association of Counties (NYSAC) calls on the Governor and State Legislature to focus on enacting a phased-in state takeover of the costs of its own mandated human services, starting with Medicaid, that would provide immediate, permanent, and measurable county property tax reductions and lower tax rates for New York City residents; and

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

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



NYSAC

NEW YORK STATE
ASSOCIATION OF COUNTIES

**2018 NYSAC Legislative Conference
Albany County, NY**

Standing Committee on Transportation

**Hon. Shawn Doyle, Oswego County, Chair
Sandra Fusco, Putnam County, Vice-Chair**

**2018 NYSAC Legislative Conference
Standing Committee on Transportation and Public Works
Resolution #1**

**Resolution Urging Increasing and Consolidating Local Road, Bridge and
Culvert Funding Distributed through CHIPS**

WHEREAS, funding for the Consolidated Local Streets and Highway Improvement Program (CHIPS) and enhanced State assistance to local governments through BRIDGE NY, PAVE NY and Extreme Winter Recovery initiatives in the latest state budget is helping counties to meet the overwhelming needs of the locally-owned transportation systems; and

WHEREAS, while this additional funding is most welcomed and already being put to good use, locally-owned roads and bridges account for eighty-seven percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges and counties still struggle to raise enough funding for the maintenance and replacement of this vast system of aging and ailing infrastructure; and

WHEREAS, studies show that half of local road pavements are rated fair or poor; and

WHEREAS, New York State Comptroller Thomas P. DiNapoli reports that 20.7% of bridges in New York are functionally obsolete and 12.8% are structurally deficient and the cost to repair all of these bridges is \$27.4 billion dollars with local bridges more likely to be structurally deficient than state-owned bridges; and

WHEREAS, programs designed to direct state funding directly to local transportation infrastructure needs such as CHIPS, PAVE NY, BRIDGE NY and Extreme Winter Recovery are undoubtedly helping to improve the conditions of New York's roads, bridges and culverts as more of these critical projects are being funded each year; and

WHEREAS, with the state seeking hundreds of millions of additional dollars to address the critical and deserving needs of the NYC transit system, the state's commitment to MTA-NYSDOT capital plan parity will mean the historical expectation of a comparable increase in funding to address the unmet needs of state and local transportation infrastructure; and

WHEREAS, CHIPS is the financial lifeblood of any local highway department, distributing vital and reoccurring state funding through a formula to every local government in the state yet the 2017-2018 State Budget holds the base level for CHIPS at \$438M for the fifth year in a row; and

WHEREAS, a safe and efficient statewide integrated transportation system is necessary for trade, economic development and revitalization, job creation and retention, schools, agriculture, businesses, health and hospital facilities and emergency responders, as well as the general traveling public.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties (NYSAC) commends Governor Cuomo and the New York State Legislature for recent budget actions enacted to enhance state investments in local roads, bridges and culverts, and urges that the state assistance to local highway departments continues at increasing levels and that the state's commitment to MTA-NYSDOT parity be further honored; and

BE IT FURTHER RESOLVED, that state elected officials continue to partner with local governments and agree to increase CHIPS funding and consider consolidating Extreme Winter Recovery funds if available and PAVE NY into the CHIPS funding base in the future, the total of which to be distributed through the CHIPS formula, thus building on a program that provides a fair distribution of funds to every municipality in the state and maximizes flexibility for local highway departments to direct this funding to priority maintenance, pavement preservation, and bridge and culvert rehabilitation projects where it is needed most; and

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

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

**2018 Legislative Conference
Standing Committee on Transportation and Public Works
Resolution #2**

**Resolution Urging Enactment of Legislation to Increase the CHIPS Bidding
Threshold**

WHEREAS, regular incremental raises in the competitive bidding threshold for highway projects are necessary to compensate for increases in inflation impacting material, transportation, labor, equipment and other highway construction costs; and

WHEREAS, under current law, the local assistance funds allocated for local street or highway projects under the Consolidated Local Street and Highway Improvement Program (CHIPS) are used to undertake work on projects either with the municipality's own resources and work forces or by competitively-bid contracts; and

WHEREAS, when the estimate for the contract work exceeds \$250,000 the work must be performed by contract let by competitive bid in accordance with the provisions for competitive bidding in the General Municipal Law; and

WHEREAS, the last increase in the competitive bidding threshold was in 2011 to bring the threshold up from \$100,000 to the current \$250,000 level; and

WHEREAS, legislation has been introduced in both houses of the State Legislature to increase the amount of the current cost threshold from \$250,000 to \$500,000 over which local highway and bridge construction work under the CHIPS program must be contracted through a competitive bid; and

WHEREAS, under the legislation, projects which have construction contract work in excess of \$500,000 would continue to be subject to the mandatory competitive bid process.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties supports S.6928/A.8808 to enact an increase in the CHIPS bidding threshold to give municipalities flexibility and the option to bid out or perform in-house projects that cost less than \$500,000, allowing more opportunities for local governments to act to minimize the cost of its transportation projects on behalf of local taxpayers; and

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

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

**2018 NYSAC Legislative Conference
Standing Committee on Transportation and Public Works
Resolution #3**

**Resolution Urging that Airport Capital Funding Programs Be Made
Permanent in the State Budget**

WHEREAS, airports play a critical role in New York State's economy, job growth and transportation infrastructure, providing commercial air service, business aviation functions and supporting homeland security and critical emergency response for all of New York's local and regional communities and for the nation; and

WHEREAS, airports are economic engines fueling growth in the communities they serve; and

WHEREAS, according to data from the New York State Department of Transportation and updated figures from the Port Authority of NY-NJ, the aviation industry contributes over \$72 billion in annual economic activity in New York State and more than 500,000 NY based jobs in aviation or aviation-related industries, generates \$25 billion in payroll and well over \$6 billion in state and local tax revenue annually; and

WHEREAS, in 2016 Governor Andrew Cuomo initiated a \$200 million state investment to revitalize New York State airports and subsequent enacted budgets have included increased funding for the Aviation Capital Grant Program that helps the state realize the full potential of its airports and aviation industries; and

WHEREAS, the Competition to Revitalize Upstate Airports has thus far awarded four airports approximately \$40 million each to fund projects that enhance safety, improve operations and access, reduce environmental impact, create better passenger experiences and leverage private investments; and

WHEREAS, the Competition is expected to make the final award to one additional airport in upstate New York, exhausting the Competition funding and leaving a majority of airports in need of state assistance, even accounting for recent increases in the Aviation Capital Grant Program annual appropriations; and

WHEREAS, while this funding is welcomed and will be used for airport infrastructure and critical safety enhancements and business and economic development projects, creating and sustaining construction and aviation-related jobs, the level of state financial commitment falls short of what is needed by the large number of remaining

airports in New York, many of which are owned by counties and other local governments; and

WHEREAS, New York has no dedicated funding source or permanent state capital program for airports and must rely on annual appropriations in the state budget for funding critical airport projects.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties does hereby commend Governor Cuomo and the Legislature for the state's financial commitments to New York airports that will help fund critical airport infrastructure rehabilitation, improvement, and expansion projects; and

BE IT FURTHER RESOLVED, that NYSAC urges the Governor and the Legislature to provide recurring and reliable funding for the maintenance and development of all the State's airports through a reauthorization and new round of funding for the Competition to Revitalize Upstate Airports initiative and making permanent and increasing funding for the Aviation Capital Grant Program; and

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

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

**2018 Legislative Conference
Standing Committee on Transportation and Public Works
Resolution #4**

**Resolution Urging Enactment of Legislation to Assure Effective Control of
Wildlife Populations at Airports and Surrounding Areas**

WHEREAS, wildlife populations can pose a threat to aviation operations in and around airports and, in some instances, has caused significant damage to aircraft and lengthy flight delays; and

WHEREAS, airports employ best humane practices to keep wildlife populations at bay by building fences, walls, storm water ponds, and using pulsating lights; and

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

WHEREAS, according to FAA data, more than 1,000 deer have been hit by airplanes across the country in the past two decades, causing millions of dollars in aircraft damage, major delays at airports and injuries to pilots and passengers; and

WHEREAS, controlling wildlife populations around airports is critical to ensuring the safety of travelers and aircraft crews; and

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

WHEREAS, some previously permitted wildlife management methods are now being restricted with the potential for negative impacts on the safety of airport operations, making it more difficult for airports to effectively keep the runways and facilities clear of animal obstructions and interference and safe for aircraft and passengers; and

WHEREAS, legislation introduced, S6853/A8646, will make it clear that certain successful wildlife management techniques remain available by permit in a strictly controlled manner.

NOW, THEREFORE, BE IT RESOLVED, that the New York State Association of Counties supports this legislation to authorize government employees acting in an official capacity or persons acting pursuant to a permit to continue to effectively control

wildlife populations in areas surrounding airports to assure safety for pilots, passengers and flight crews.

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

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