

1 **2025 NYSAC Legislative Conference**
2 **NYSAC Board of Directors**
3 **Resolution #1**

4
5 **Resolution Encouraging the Governor and the State Legislature to Increase**
6 **Funding for the County Infrastructure Grants Program to a \$100 Million**
7 **Annual Appropriation**
8

9 **WHEREAS**, the SFY 25 Enacted Budget, Chapter 54 of the Laws of 2024 (S.8304-
10 D/A.8804-D) included the creation of a new County Partnership Grants Program with
11 an initial appropriation of \$50 million; and
12

13 **WHEREAS**, under the leadership and guidance of Governor Kathy Hochul, Empire
14 State Development is the state agency administering the program; and
15

16 **WHEREAS**, late this past fall, Empire State Development (ESD) announced that
17 counties are now eligible to apply for grant funding with eligible expenses to include
18 construction, reconstruction, renovation, site preparedness, demolition, acquisition of
19 real property, preparation of plans, and design and other costs thereto; and
20

21 **WHEREAS**, the current program provides for maximum grant awards of \$1 million for
22 projects that result in the creation of 10 or more housing units, with all other grants
23 subject to a maximum award of \$500,000; and
24

25 **WHEREAS**, this program currently requires a minimum county match of 50 percent
26 for projects to be eligible for funding, placing a significant financial burden on counties,
27 particularly those with limited budgets and high infrastructure demands; and
28

29 **WHEREAS**, New York State counties are responsible for maintaining vital
30 infrastructure, including roads, bridges, and public facilities, and have faced growing
31 challenges in funding these projects due to rising costs and increased fiscal constraints;
32 and
33

34 **WHEREAS**, this new program has attracted enormous attention and excitement from
35 county officials across the state; and
36

37 **WHEREAS**, counties want to be at the forefront of helping the state achieve its
38 economic development and housing goals; and
39

40 **WHEREAS**, this transformational investment has the potential to redevelop some of
41 our local communities, unlock economic competitiveness to attract new businesses, and
42 revitalize and strengthen local employment opportunities and tax base.
43

44 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
45 Counties calls upon the Governor and the New York State Legislature to increase the
46 appropriation for the County Partnerships Grants Program to a minimum of \$100
47 million in the SFY 26 Enacted Budget; and

1 **BE IT FURTHER RESOLVED**, that at the higher funding level the program should
2 increase the maximum award to \$2 million for projects that lead to the creation of 10 or
3 more units of housing and \$1 million for other projects, and reduce the non-ESD match
4 to 25 percent; and

5
6 **BE IT FURTHER RESOLVED**, the State of New York should recognize the
7 significance and importance of this new program and the potential to usher in a new
8 wave of economic growth across all regions of this great state; and

9
10 **BE IT FURTHER RESOLVED**, we should celebrate and take pride in what is surely
11 to become a model of success for the rest of this nation; and

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

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

1 **2025 NYSAC Legislative Conference**
2 **NYSAC Board of Directors**
3 **Resolution #2**

4
5 **Resolution Urging New York’s Congressional Delegation to Oppose**
6 **Disproportionate Federal Funding Cuts and Mitigate the SALT Deduction**
7 **Cap’s Impact**
8

9 **WHEREAS**, President Trump and congressional leaders are actively negotiating how
10 to implement major federal funding cuts to help offset the cost of extending federal tax
11 cuts for individuals, while also adding new tax cuts for individuals and corporations;
12 and increasing spending for defense, border security and deportations; and

13
14 **WHEREAS**, the cost of extending tax cuts, adding new tax cuts, and increasing
15 spending for presidential priorities are approaching \$10 trillion over 10 years by some
16 estimates; and

17
18 **WHEREAS**, the goal is to reduce federal spending by up to \$2.5 trillion over 10 years,
19 and

20
21 **WHEREAS**, President Trump has indicated a desire to protect key programs from cuts
22 including social security, Medicare, interest on the debt, veteran’s services, defense and
23 border security, which comprises nearly 70 percent of all federal spending; and

24
25 **WHEREAS**, these parameters will require a small subset of federal programs including
26 Medicaid, child care, social services, education, surface transportation, mass transit, the
27 federal workforce, medical research, public health, green energy programs, among other
28 items to bear the cost reductions; and

29
30 **WHEREAS**, many of the cuts being considered will disproportionately impact New
31 York because the state utilizes these programs more than other states, or existing federal
32 formulas target populations prevalent in New York in need of federally defined services
33 such as Medicaid, Affordable Care Act (ACA) health insurance subsidies, clean energy
34 subsidies and incentives, TANF and other social service programs; and

35
36 **WHEREAS**, the uneven treatment of a minority of states bearing most of the federal
37 funding cut burden extends to the current cap on federal income tax deductions related
38 to SALT which has harmed so many New Yorkers in the past seven years taking money
39 directly out of their pockets and local economy, and subjecting them to double taxation
40 under the federal tax code for the first time since inception of the individual income tax
41 over 100 years ago; and

42
43 **WHEREAS**, the biggest vulnerability to New York are the massive cuts being
44 considered to Medicaid and ACA health insurance subsidies which provide health
45 coverage to nearly half of all New Yorkers and provide revenue directly to tens of
46 thousands of health care providers and facilities across the state; and

1 **WHEREAS**, our entire nation, and New York, relies on an integrated health care
2 system that is funded by a wide variety of sources including individual out-of-pocket
3 pay, private group insurance, direct government spending (federal, state and local), and
4 federal tax incentives that support private insurance; and

5
6 **WHEREAS**, federal direct spending pays for about 40 percent of health care service
7 delivery in the U.S. according to the Peterson Foundation and the Congressional
8 Research Service, not including federal tax incentives of about \$380 billion annually
9 that support the availability of private health insurance provided by most employers;
10 and

11
12 **WHEREAS**, because the cuts being considered are broad and deep, the lost revenue to
13 support the overall health care system would cause health care providers of all types to
14 limit or end services due to a lack of revenues and covered individuals; and

15
16 **WHEREAS**, these impacts would fall on anyone seeking health care services; and

17
18 **WHEREAS**, in New York State more than eight million people receive their health care
19 through Medicaid, 1.5 million receive their health care through ACA health insurance
20 subsidies and nearly 600,000 children are enrolled in CHIP; and

21
22 **WHEREAS**, federal Medicaid and other health care program cuts being considered
23 could exceed \$1 trillion over the next decade based on proposals currently being
24 circulated; and

25
26 **WHEREAS**, while federal Medicaid and ACA cuts vary widely, and can be dialed up or
27 down, some could reduce federal Medicaid funding to New York by as much as 50
28 percent on an annual basis; which would effectively limit health care for millions of New
29 Yorkers and force numerous health care providers to end service delivery; and

30
31 **WHEREAS**, the most damaging cuts to Medicaid and ACA subsidies include
32 establishing federal per capita Medicaid spending caps, imposing Medicaid block grants,
33 not renewing current ACA health insurance subsidies, eliminating the 50 percent federal
34 medical assistance (FMAP) matching rate floor, and limiting or ending the use of
35 currently allowable health care provider taxes; and

36
37 **WHEREAS**, Congress is considering large cuts in funding for TANF which provides
38 resources to all states to help low-income families and individuals; and

39
40 **WHEREAS**, because New York and California receive about 40 percent of all TANF
41 funding nationwide based on existing federal formulas, any federal cut would
42 disproportionately impact New Yorkers; and

43
44 **WHEREAS**, New York is a national leader in building new, and converting commercial
45 and residential energy systems to, greener and renewable energy sources, the loss of
46 federal tax credits and incentives being considered by repealing entire Titles of the
47 Inflation Reduction Act, which also provides direct subsidies to commercial enterprises

1 and counties that reduce their energy and carbon emission footprint in New York State
2 will jeopardize thousands of high-paying jobs.

3
4 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
5 Counties (NYSAC) calls on the New York Congressional Delegation to protect New York
6 from the most damaging and disproportionate federal funding cuts being considered in
7 Budget Reconciliation as described above; and

8
9 **BE IT FURTHER RESOLVED**, NYSAC urges the Congressional Delegation to fix
10 SALT as the President has promised; and

11
12 **BE IT FURTHER RESOLVED**, NYSAC urges the Congressional Delegation to protect
13 existing federal financial commitments already made to New York that support
14 Medicaid, ACA programs, surface transportation, mass transit, income security, green
15 energy implementation, advanced manufacturing (including semiconductor chip
16 manufacturing) that provide direct services to millions of New Yorkers and will protect
17 hundreds of thousands of high paying jobs; and

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

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

1 **2025 NYSAC Legislative Conference**
2 **NYSAC Board of Directors**
3 **Resolution #3**

4
5 **Resolution Urging Governor Hochul and the New York State Legislature to**
6 **Avoid Increasing Costs on Local Governments and to Adopt a State**
7 **Spending Limit Comparable to Local Mandates**
8

9 **WHEREAS**, as elected officials and leaders of New York State, it is incumbent upon us
10 to hold ourselves to the same standards that we profess to others; and

11
12 **WHEREAS**, this is a basic principle and an inherent element of the social contract; and

13
14 **WHEREAS**, the New York State budget appears to have abandoned this principle by
15 mandating counties and local governments stay within a two percent property tax cap,
16 but often saddling counties with cost increases substantially beyond this two percent
17 limit; and

18
19 **WHEREAS**, up to 80 percent of a county’s total budget can be dedicated to paying for
20 state and federal mandates; and

21
22 **WHEREAS**, we did not just stumble into this predicament but got here through a
23 series of cost shifts from the state to counties starting with the State and federally
24 defined Medicaid program, Persons in Need of Supervision, indigent legal defense,
25 preschool special education, early intervention, probation and more stemming from the
26 1960’s through today; and

27
28 **WHEREAS**, during the Great Recession the State reduced reimbursements to counties
29 by nearly \$400 million annually without reducing any of the costs of state-mandated
30 programs—and without lowering state spending on other programs; and

31
32 **WHEREAS**, recent state budgets included a doubling of the hourly rate for 18-b
33 attorneys leaving counties to pay half the increase at a cost of about \$90 million
34 annually, dramatically increased foster care rates with no state funding support
35 approaching \$200 million, and the state permanently confiscating nearly \$700 million
36 in annual federal Medicaid eFMAP benefits linked to the Affordable Care Act that had
37 been passed through to counties for more than a decade; and

38
39 **WHEREAS**, the property tax cap was first implemented in response to high property
40 taxes, which are a direct result of increases in state mandates; and

41
42 **WHEREAS**, since 2011, New York’s budget has grown by over 80 percent, with the
43 average annual increase in general fund spending of 7.7 percent since SFY 2020; and

44
45 **WHEREAS**, the State Division of the Budget acknowledges in recent financial plan
46 documents that revenues from 2024 through 2028 are expected to grow at only 3.5

1 percent per year and that state spending rate will come in higher than revenue growth;
2 and

3
4 **WHEREAS**, at the same time, unfunded state mandates have also grown by 37 percent
5 since 2020 and it's important to note that when the state shifts costs to counties and
6 localities, the true value of spending is actually hidden to taxpayers.

7
8 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
9 Counties (NYSAC) calls upon Governor Hochul and the New York State Legislature to
10 regularly pass state budgets and other legislation that ensures we are truly making New
11 York a more affordable place to live, work and raise a family; and

12
13 **BE IT FURTHER RESOLVED**, NYSAC believes the best way to accomplish this goal
14 is to:

- 15 • Not increase costs on local governments, or, at a minimum, limit any increase in
16 state imposed costs on counties to no more than allowable tax cap growth;
- 17 • Require the state to stay within the same spending discipline it places on its local
18 governments; and

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

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



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2025 NYSAC Legislative Conference
Albany County**

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Agriculture, Economic Development & Rural**
3 **Affairs**
4 **Resolution #1**

5
6 **Resolution Urging the New York State Department of Environmental**
7 **Conservation to Pause Implementation and Reverse the Freshwater**
8 **Wetlands Regulations**
9

10 **WHEREAS**, the New York State Department of Environmental Conservation (DEC)
11 has adopted significant amendments to the Freshwater Wetlands Regulations under 6
12 NYCRR Part 664, which expands state jurisdiction over wetlands, reduces the acreage
13 threshold for regulation, and creates new classifications such as “Wetlands of Unusual
14 Importance;” and

15
16 **WHEREAS**, these regulations were developed without a thorough analysis of their
17 economic and operational impacts on counties, rural communities, and local
18 governments, including their potential to delay or prevent essential public works
19 projects, housing development, agricultural best-management practices, and other
20 infrastructure improvements; and

21
22 **WHEREAS**, the New York State Association of Counties (NYSAC) submitted a letter to
23 the DEC highlighting objections to the proposed regulations, including concerns over
24 increased permitting delays, additional financial burdens on homeowners and
25 municipalities, and the undermining of recent state investments in economic
26 development, such as the \$500 million allocated for shovel-ready sites through FAST
27 NY and Restore New York; and

28
29 **WHEREAS**, NYSAC further recommended pausing the implementation of these
30 regulations for 12 months to allow for comprehensive analysis of their impacts and the
31 formation of a working group with representatives from local governments to develop
32 balanced and practical solutions; and

33
34 **WHEREAS**, other stakeholders, including the New York State Economic Development
35 Council and The Business Council of New York State raised similar concerns,
36 emphasizing the adverse effects of these regulations on economic development, rural
37 property values, and the timely completion of affordable housing and renewable energy
38 projects; and

39
40 **WHEREAS**, these changes could impose significant permitting challenges for
41 municipalities managing critical infrastructure projects, such as water and sewer
42 systems, and exacerbate already strained municipal budgets due to increased
43 compliance costs and project delays; and

44
45 **WHEREAS**, while the protection of New York’s freshwater wetlands is an essential
46 goal, it must be balanced with the need to support local governments, economic

1 development, and affordable housing in a manner that does not disproportionately
2 burden communities and taxpayers.

3
4 **NOW, THEREFORE, BE IT RESOLVED**, NYSAC calls on the DEC to immediately
5 reverse the proposed regulations under 6 NYCRR Part 664 and allow for a more
6 thorough and thoughtful analysis of their potential impacts on counties, that does not
7 usurp local land control or home rule, local governments, and economic development;
8 and

9
10 **BE IT FURTHER RESOLVED**, that NYSAC urges the DEC to establish a
11 collaborative working group with representatives from counties, local governments, and
12 other key stakeholders to address concerns and identify practical solutions that protect
13 wetlands without imposing undue burdens on communities; and

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

17
18 **BE IT FURTHER RESOLVED**, a copy of this resolution be sent to the Governor of
19 the State of New York, the Commissioner of the New York State Department of
20 Environmental Conservation, the New York State Legislature, and all others deemed
21 necessary and proper.

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Agriculture, Economic Development & Rural**
3 **Affairs**
4 **Resolution #2**

5
6 **Resolution Urging New York State to Fund State-Mandated Agricultural**
7 **District Reviews**
8

9 **WHEREAS**, the 2022 Census of Agriculture outlined a concerning trend in U.S.
10 agriculture, including fewer farms, reduced farmland, and larger average farm sizes; and

11
12 **WHEREAS**, New York is experiencing these challenges at an accelerated rate, with a 14
13 percent loss in farms and a nine percent loss in farmland between 2012 and 2022; and

14
15 **WHEREAS**, according to the USDA 2022 Census of Agriculture, since 2017, New York
16 State of has seen a decline of 2,788 farms, including 1,865 dairy farms and 363,885 acres
17 of farmland; and

18
19 **WHEREAS**, while the state achieved a significant milestone of over 100,000 acres of
20 protected farmland in 2023, more than 98 percent of New York’s farmland remains
21 unprotected; and

22
23 **WHEREAS**, Governor Hochul has proposed making investments to improve “tracking
24 of lost farmland, and capacity building within New York’s network of community led
25 land trusts to efficiently execute Environmental Bond Act dollars allocated for farmland
26 protection;” and

27
28 **WHEREAS**, Article 25-AA of the Agriculture & Markets (AGM) Law, enacted in 1971,
29 empowered counties to create and maintain county agricultural districts to protect and
30 promote the availability of land for farming purposes through county agricultural and
31 farmland protection boards; and

32
33 **WHEREAS**, agricultural districts are a critical tool for farmland preservation and
34 conservation, providing benefits and protections that only apply to farming operations
35 and land used in agricultural production; and

36
37 **WHEREAS**, under Section 303-a of Article 25-AA, counties are required to conduct
38 comprehensive reviews of agricultural districts every eight years, producing the state’s
39 most detailed and accurate data about farmland conversion and agricultural viability;
40 and

41
42 **WHEREAS**, the requirement constitutes a vital but unfunded mandate on counties,
43 requiring significant staff time and resources to complete detailed parcel-level analyses,
44 conduct public hearings, provide statutorily required notifications, and prepare
45 comprehensive reports; and

1 **WHEREAS**, accurate tracking of farmland changes through agricultural district
2 reviews is essential for developing effective farmland protection strategies and targeting
3 preservation efforts where they are most needed.

4
5 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
6 Counties (NYSAC) commends Governor Hochul for enhancing state funding for the
7 creation and implementation of county and municipal agricultural and farmland
8 protection plans through Part OO of the Transportation, Economic Development and
9 Environmental Conservation (TED) Article VII legislation; and

10
11 **BE IT FURTHER RESOLVED**, NYSAC urges the Governor and Legislature to amend
12 TED Part OO to include funding for 100 percent of the state-mandated eight-year
13 agricultural district reviews under AGM Article 25-AA Section 303-a; and

14
15 **BE IT FURTHER RESOLVED**, since these eight-year agricultural district reviews are
16 the primary mechanism by which New York State tracks farmland changes at the parcel
17 level and evaluates the effectiveness of agricultural districts in protecting viable
18 farmland, NYSAC believes state funding support for these reviews is critical to achieving
19 the Governor’s goal of improved farmland tracking; and

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

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



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2025 NYSAC Legislative Conference
Albany County**

**Standing Committee on Climate Action, Energy &
Environment Resolutions**

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Climate Action, Energy & Environment**
3 **Resolution #1**

4
5 **Resolution Urging the Enactment of the Packaging Reduction and Recycling**
6 **Infrastructure Act (S.1464/A.1749) with the Addition of Printed Paper**

7
8 **WHEREAS**, New York State faces an imminent waste management crisis, with the
9 state’s largest landfill set to reach capacity in 2025, remaining landfills projected to have
10 only 16 years of capacity, and municipalities struggling to maintain recycling programs
11 due to increasing costs; and

12
13 **WHEREAS**, over 860,000 tons of potentially recyclable materials are trashed annually
14 in New York State due to confusion about what is recyclable and a lack of proper
15 infrastructure; and

16
17 **WHEREAS**, implementing comprehensive Extended Producer Responsibility (EPR)
18 legislation for packaging and printed paper would provide multiple benefits to
19 municipalities and residents, including:

- 20 • Providing approximately \$300 million in annual cost relief to local governments
21 and taxpayers;
- 22 • Creating dedicated funding for recycling infrastructure investments;
- 23 • Establishing consistent statewide standards for recyclable materials to reduce
24 consumer confusion;
- 25 • Incentivizing producers to design packaging that is more recyclable and contains
26 more recycled content;
- 27 • Prohibiting toxic chemicals in packaging, including PFAS, phthalates, and heavy
28 metals;
- 29 • Boosting recycling rates from the current 18 percent to over 70 percent, as
30 demonstrated in other jurisdictions with EPR;
- 31 • Reducing contamination in recycling streams to improve material quality and
32 marketability; and
- 33 • Creating green jobs in collection, processing, and manufacturing with recycled
34 materials; and

35
36 **WHEREAS**, five states have already enacted packaging EPR laws, and such programs
37 have been successfully implemented for decades throughout Canada and Europe,
38 achieving recycling rates as high as 78 percent; and

39
40 **WHEREAS**, the Packaging Reduction and Recycling Infrastructure Act (PRRIA),
41 S.1464 (Harckham)/A.1749 (Glick), would establish an EPR program for packaging in
42 New York State and should be expanded to include printed paper given its significant
43 contribution to municipal recycling costs and material volume.

44
45 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
46 Counties (NYSAC) commends Senator Pete Harckham and Assemblymember Deborah

1 Glick for their steadfast leadership in sponsoring the Packaging Reduction and
2 Recycling Infrastructure Act; and

3
4 **BE IT FURTHER RESOLVED**, NYSAC urges Senator Harckham and
5 Assemblymember Glick to amend this legislation to include printed paper in recognition
6 of its significant contribution to greenhouse gas emissions and municipal recycling
7 costs; and

8
9 **BE IT FURTHER RESOLVED**, NYSAC calls on the Senate and Assembly to pass and
10 the Governor to sign the amended PRRIA during the 2025 Legislative Session; and

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Climate Action, Energy & Environment**
3 **Resolution #2**

4
5 **Resolution Calling on the Governor and Legislature to Reform E-Waste**
6 **Recycling to Provide Relief to Local Governments and Protect New York’s**
7 **Natural Resources**
8

9 **WHEREAS**, despite enactment of the 2010 Electronic Equipment Recycling and Reuse
10 Act that intended to shift e-waste management costs from municipalities to
11 manufacturers, local governments continue to bear significant financial and operational
12 burdens due to insufficient manufacturer support and unstable collection infrastructure;
13 and
14

15 **WHEREAS**, the current e-waste program has critical systemic failures, including:

- 16 • Many collection sites becoming non-operational, leaving some areas with as few
17 as three locations to serve hundreds of thousands of residents;
- 18 • Counties forced to either absorb substantial unbudgeted costs or suspend vital
19 collection services;
- 20 • Manufacturers exploiting mail-back programs rather than providing convenient
21 local collection options for large items such as televisions; and
- 22 • Inadequate oversight and enforcement of manufacturer obligations; and
23

24 **WHEREAS**, electronic products contain toxic materials like lead, mercury, and other
25 hazardous substances that can contaminate soil and groundwater if improperly
26 disposed, making robust collection systems essential for protecting public health and
27 the environment; and
28

29 **WHEREAS**, while the Department of Environmental Conservation (DEC) adopted new
30 regulations in 2022 attempting to improve the program, these changes have not
31 resolved the fundamental problems municipalities face in maintaining e-waste
32 collection services; and
33

34 **WHEREAS**, S.7941 (Harckham, 2023-24) would address these failures by requiring
35 manufacturers to provide more convenient collection methods, clarifying manufacturer
36 responsibility for all program costs, improving reporting requirements, and enhancing
37 enforcement capabilities.
38

39 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
40 Counties (NYSAC) calls upon the Governor and Legislature to:

- 41 • Provide dedicated funding to reimburse municipal e-waste management costs;
- 42 • Require manufacturers to establish and fund permanent local collection sites;
- 43 • Strengthen DEC’s enforcement authority to hold manufacturers accountable; and
- 44 • Eliminate mail-back programs from satisfying convenience standards; and

1 **BE IT FURTHER RESOLVED**, that NYSAC strongly supports S.7941 (2023-24) and
2 urges its enactment during the 2025 Legislative Session; and
3
4 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
5 New York State encouraging member counties to enact similar resolutions; and
6
7 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
8 Governor Kathy Hochul, the New York State Legislature, the Commissioner of the
9 Department of Environmental Conservation, and all others deemed necessary and
10 proper.

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Climate Action, Energy & Environment**
3 **Resolution #3**

4
5 **Resolution Urging the Adoption of Smart Renewable Energy Siting**
6 **Practices with Strong Local Input and Agricultural Protections**
7

8 **WHEREAS**, while the transition to clean energy is essential for reducing greenhouse
9 gas emissions and meeting New York's climate goals, the siting of renewable energy
10 facilities must be done thoughtfully to protect valuable farmland, natural resources, and
11 community interests; and

12
13 **WHEREAS**, local governments can provide critical insights into:

- 14 • Local agricultural resources, land use priorities, and community needs;
- 15 • Potential impacts on farming operations and food production;
- 16 • Infrastructure capacity and upgrade requirements;
- 17 • Environmental and cultural resources requiring protection; and
- 18 • Opportunities for development that benefit host communities; and

19
20 **WHEREAS**, the Renewable Action through Project Interconnection and Deployment
21 (RAPID) Act consolidated state control over renewable energy and transmission siting
22 while failing to establish local governments as full partners in planning and
23 implementation, specifically by:

- 24 • Granting ORES broad authority to override local zoning and planning regulations
25 without meaningful justification;
- 26 • Creating an imbalanced process that prioritizes speed over thorough local review
27 and community input; and
- 28 • Providing insufficient resources and technical assistance for municipalities to
29 properly evaluate complex project impacts; and

30
31 **WHEREAS**, strengthening local input, agricultural protections, and community
32 benefits in the renewable energy and electric transmission siting process would help
33 ensure renewable energy development proceeds in a way that maintains agricultural
34 viability, protects environmental resources, and builds public support for clean energy
35 projects.

36
37 **NOW, THEREFORE, BE IT RESOLVED**, NYSAC calls on the Governor, the
38 Legislature, and the Department of Public Service (DPS) to strengthen local control and
39 participation in the clean energy and electric transmission siting process by:

- 40 • Requiring early and meaningful engagement with local communities through
41 inclusive processes that offer opportunities for dialogue, negotiation, and
42 community input;
- 43 • Limiting ORES's authority to preempt local laws by requiring a higher burden of
44 proof to justify overriding local zoning and planning regulations and by
45 narrowing the definition of "unreasonably burdensome;"

- 1 • Ensuring that municipalities have adequate time, resources, and funding to
2 assess the potential impacts of proposed facilities and prepare comprehensive
3 compliance statements;
- 4 • Increasing funding for grants and technical assistance programs that support
5 local climate action and energy planning; and
- 6 • Mandating that utilities actively engage with local governments as full partners in
7 planning, developing, and implementing distribution system upgrades and clean
8 energy integration projects; and

9
10 **BE IT FURTHER RESOLVED**, that Governor Hochul, New York State Legislature,
11 and DPS agree to enhance agricultural and environmental protections by:

- 12 • Requiring all applicants for major renewable energy facility siting permits to
13 submit a completed smart solar siting scorecard as part of their application to
14 ensure consideration of agricultural, environmental, and community impacts;
- 15 • Broadening the definition of agrivoltaics so it is not limited to grazing but
16 includes a wider range of agricultural activities, such as crop production and
17 other forms of dual land use;
- 18 • Requiring the integration of pollinator-friendly vegetation varieties into project
19 designs, rather than only traditional lawn cover, to enhance biodiversity and
20 ecosystem services;
- 21 • Ensuring that mitigation payments for unavoidable impacts to agricultural land
22 are disbursed expeditiously to provide timely assistance for local agricultural and
23 farmland protection efforts;
- 24 • Providing for the appointment of an independent and qualified agricultural
25 monitor with an understanding of agricultural practices to oversee construction,
26 restoration, and follow-up monitoring for projects impacting agricultural land;
27 and
- 28 • Reinstate and reinforce the role of the Department of Agriculture and Markets in
29 overseeing the development of renewable energy and transmission projects, as
30 was the case under Article 10; and
- 31 • Requiring detailed decommissioning and site restoration plans that provide
32 sufficient financial security for all decommissioning costs and ensure impacted
33 agricultural land can return to its original state prior to construction; and

34
35 **BE IT FURTHER RESOLVED**, that the State should enact legislation establishing an
36 extended producer responsibility program for solar and wind equipment to ensure
37 responsible end-of-life management; and

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

41
42 **BE IT FURTHER RESOLVED**, that copies of this resolution be transmitted to
43 Governor Kathy Hochul, the New York State Senate and Assembly, the Chair of the
44 Department of Public Service, the Executive Director of the Office of Renewable Energy
45 Siting, the Commissioner of New York State Department of Agriculture and Markets,
46 and all others deemed necessary and proper.

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Climate Action, Energy & Environment**
3 **Resolution #4**

4
5 **Resolution Supporting the Climate and Clean Energy Investments in the**
6 **SFY 2026 Executive Budget and Urging Additional Resources for Local**
7 **Climate Action**
8

9 **WHEREAS**, the Climate Leadership and Community Protection Act (CLCPA)
10 established ambitious greenhouse gas reduction (GHG) and renewable energy targets
11 that will require significant investment and coordination at all levels of government; and
12

13 **WHEREAS**, the State Fiscal Year (SFY) 2026 Executive Budget includes several major
14 investments in advancing the CLCPA goals, including the New York Opportunity
15 Promise Scholarship Program and Sustainable Future Program; and
16

17 **WHEREAS**, the proposed New York Opportunity Promise Scholarship would provide
18 funding for community college students ages 25-55 pursuing associate's degrees in high-
19 demand fields, including green and renewable energy and other clean technology
20 sectors; and
21

22 **WHEREAS**, supporting workforce development in clean energy fields is critical to
23 achieving the State's climate goals while creating economic opportunities for New
24 Yorkers; and
25

26 **WHEREAS**, the Executive Budget includes \$1 billion for the new Sustainable Future
27 Program to support climate mitigation and adaptation projects, including reducing
28 greenhouse gas emissions, decarbonizing buildings, creating renewable energy
29 infrastructure, and advancing clean transportation initiatives; and
30

31 **WHEREAS**, counties are on the frontlines of implementing climate solutions but often
32 lack sufficient resources and technical assistance to fully support these efforts; and
33

34 **WHEREAS**, many low- and moderate-income (LMI) households are unable to
35 participate in energy efficiency and electrification programs because they cannot afford
36 necessary pre-weatherization improvements like roof repairs and mold remediation;
37 and
38

39 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
40 Counties (NYSAC) supports the inclusion of green and renewable energy, advanced
41 manufacturing, and other clean technology fields as eligible areas of study under the
42 New York Opportunity Promise Scholarship program, and specifically recommends that
43 Building Performance Institute certification courses and courses for certification to
44 install zero-emissions building technologies be included in this program, among other
45 green job fields; and

1 **BE IT FURTHER RESOLVED**, that NYSAC urges the Governor and Legislature to
2 dedicate a portion of the Sustainable Future Program funding specifically to support
3 local government climate initiatives, including expanded funding for successful
4 programs like Climate Smart Communities and Clean Energy Communities; enhanced
5 technical assistance and training; support for regional sustainability coordinators and
6 clean energy hubs; grants for geothermal district heating and cooling systems; and
7 increased funding for programs that help municipalities divert organic waste from
8 landfills and incinerators; and

9
10 **BE IT FURTHER RESOLVED**, that NYSAC calls on the Governor and Legislature to
11 provide funding for pre-weatherization improvements that are necessary before homes
12 can receive energy efficiency upgrades and electrification through programs like
13 EmPower+; and

14
15 **BE IT FURTHER RESOLVED**, that NYSAC supports allocating state funding to
16 replace any reduced federal incentives for residential heat pumps and other clean energy
17 technologies for LMI households; and

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Climate Action, Energy & Environment**
3 **Resolution #5**

4
5 **Resolution Urging the New York State Congressional Delegation to Protect**
6 **Federal Infrastructure and Climate Investments that Support Local**
7 **Communities**
8

9 **WHEREAS**, the Infrastructure Investment and Jobs Act (IIJA) and Inflation
10 Reduction Act (IRA) represent historic federal investments in infrastructure, clean
11 energy, and climate resilience that are delivering significant benefits to New York's
12 counties and communities; and

13
14 **WHEREAS**, New York State has received over \$28.8 billion in IIJA funding, including
15 \$22.6 billion for transportation, \$2.1 billion for water infrastructure, \$1.8 billion for
16 broadband, \$764 million for clean energy, \$592 million for resilience, and \$189 million
17 for remediation; and

18
19 **WHEREAS**, New York State has also received over \$1.5 billion in IRA funding to
20 support clean energy deployment, building electrification, climate-smart agriculture,
21 and other initiatives that advance state and local climate goals; and

22
23 **WHEREAS**, these federal investments are supporting critical local projects, including
24 road and bridge repairs, public transit improvements, lead service line replacements,
25 stormwater management, coastal resilience and habitat restoration, and low-carbon
26 building retrofits; and

27
28 **WHEREAS**, these programs are creating family-sustaining jobs, spurring private
29 investment, strengthening supply chains, improving public health and safety, and
30 helping communities become more resilient; and

31
32 **WHEREAS**, the IRA established an innovative “direct pay” option that allows counties,
33 local governments, and other tax-exempt entities to directly access clean energy tax
34 incentives that were previously only available to tax-paying entities, enabling county
35 and local governments to pursue renewable energy, geothermal, and battery storage
36 projects, convert vehicle fleets to zero-emission vehicles, and install electric vehicle
37 charging infrastructure, reducing costs of projects to local taxpayers by 30-40 percent;
38 and

39
40 **WHEREAS**, any disruption or reduction in this federal funding would significantly
41 impact counties' ability to deliver essential services and meet local infrastructure and
42 climate needs.

43
44 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
45 Counties (NYSAC) urges the New York State Congressional delegation to protect IIJA
46 and IRA funding that supports vital local infrastructure and clean energy projects; and

1 **BE IT FURTHER RESOLVED**, that NYSAC calls on Congress to ensure federal
2 agencies can continue disbursing already-committed funding to avoid disrupting
3 ongoing projects and creating uncertainty; and
4
5 **BE IT FURTHER RESOLVED**, NYSAC supports maintaining and strengthening
6 federal programs that help counties improve infrastructure, expand clean energy, create
7 jobs, and build more resilient communities; and
8
9 **BE IT FURTHER RESOLVED**, NYSAC opposes any legislative efforts to repeal or
10 reduce funding for IIJA and IRA programs that provide critical support to New York’s
11 counties and municipalities; and
12
13 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
14 New York State encouraging member counties to enact similar resolutions; and
15
16 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
17 Senate Majority Leader Charles Schumer, Senator Kirsten Gillibrand, the New York
18 House Delegation, and all others deemed necessary and proper.

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Climate Action, Energy & Environment**
3 **Resolution #6**

4
5 **Resolution Calling for Open Access to Community Energy Data to Support**
6 **Local Climate Action and Market Innovation**

7
8 **WHEREAS**, the Climate Action Council’s Final Scoping Plan calls for developing a
9 statewide dashboard of community greenhouse gas (GHG) emissions inventories to
10 promote local climate action planning, monitor equity considerations, measure
11 progress, and ensure data consistency at the county and municipal levels; and

12
13 **WHEREAS**, utility data on energy use and consumption within municipal boundaries,
14 presented in aggregated and anonymized form, is critical for local climate action
15 planning and greenhouse gas inventories; and

16
17 **WHEREAS**, the Public Service Commission (PSC) established the Integrated Energy
18 Data Resource (IEDR) program to provide public access to aggregated and anonymized
19 energy-related information from regulated utilities on a statewide data platform; and

20
21 **WHEREAS**, the IEDR, as an open-source platform, was intended to empower the
22 market by facilitating broad access to data that could be used by local and county
23 governments, universities, businesses, policymakers, students, and other stakeholders
24 to develop innovative studies, tools, applications, and research tracking energy use and
25 consumption, GHG emissions, and adoption of clean energy technologies; and

26
27 **WHEREAS**, the Public Service Commission has recently moved to vest ownership of
28 this platform in a private equity contractor, with privileged rights to data and public
29 funding to build and own all use cases it serves; and

30
31 **WHEREAS**, this structure prevents local governments and other stakeholders from
32 accessing the same data to develop open-source products and tools that can be used to
33 benefit communities and advance local climate goals; and

34
35 **WHEREAS**, requiring communities to pay a private company for access to public
36 energy data does not serve the public interest, creates an unnecessary barrier to climate
37 action, and stifles innovation.

38
39 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
40 Counties (NYSAC) calls on the Public Service Commission to restructure the IEDR
41 program to ensure broad, non-discriminatory access to anonymized energy data; and

42
43 **BE IT FURTHER RESOLVED**, that NYSAC opposes granting any private entity
44 exclusive intellectual property rights over public energy data and analytics that should
45 be accessible to advance local climate initiatives and foster market innovation; and

1 **BE IT FURTHER RESOLVED**, that NYSAC urges the State to invest in technical
2 assistance and support to help local governments effectively utilize energy data for
3 climate planning, consistent with the Scoping Plan, rather than restricting data access
4 through exclusive private control; and

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

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



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2025 NYSAC Legislative Conference
Albany County**

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Children with Special Needs**
3 **Resolution #1**

4
5 **Resolution Urging the Governor and State Legislature to Release the Full**
6 **Outstanding Local Share of Covered Lives Reimbursement into County and**
7 **City Escrow Accounts in Accordance with a Pre-Determined Payment**
8 **Schedule**
9

10 **WHEREAS**, Chapter 820 of the Laws of 2021 as set forth in A.5339/S.5560-A,
11 established an Early Intervention Program (EIP) covered lives pool funded by an
12 assessment of insurance plans; and

13
14 **WHEREAS**, this legislation, intended to assure a reliable \$40M revenue stream for
15 New York's EIP, went into effect on January 1, 2022; and

16
17 **WHEREAS**, the purpose of this law was to relieve the EIP's heavy fiscal burden on
18 municipalities/counties and the State that resulted from high rates of commercial
19 insurance denials for EI service claims, to improve the EIP for children and families,
20 and to assist providers by relieving some of their administrative duties during service
21 delivery; and

22
23 **WHEREAS**, before the covered lives assessment pool went into effect, Early
24 Intervention (EI) service claims were paid through three revenue streams - either
25 commercial insurance, Medicaid, or out of escrow, depending on the child receiving the
26 service's insurance coverage; and

27
28 **WHEREAS**, municipalities/counties were responsible for paying 100 percent of the
29 upfront costs of EIP services, not covered by Medicaid or commercial insurance, out of
30 county escrow, with State reimbursement for 49 percent of escrow costs provided at a
31 later date; and

32
33 **WHEREAS**, municipalities are receiving Medicaid denials for coordination of benefits
34 since commercial insurance is no longer being billed; and

35
36 **WHEREAS**, since taking effect, providers are no longer billing commercial insurance
37 for services provided; and

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

42
43 **WHEREAS**, while the statute clearly defines a \$40M covered lives assessment and
44 with the 49 percent state share equating to about \$20M for the state and \$20M for
45 counties, only \$15M per year has been distributed to municipalities/counties; and

1 **WHEREAS**, counties are still owed \$5M from FY 2022; \$5M from FY 2023, and \$5M
2 from FY 2024 in reimbursement (\$15M total statewide), reimbursement of which is
3 being held by the State Division of Budget for reasons unclear to counties; and
4

5 **WHEREAS**, counties must receive an official payment schedule outlining when the
6 State Division of Budget is expected to release annual covered lives pool funds for the
7 calendar year which will help municipalities with budgeting and cash flow; and
8

9 **WHEREAS**, the unexpected delay and shortage in distributing these funds to counties
10 has caused increases in their upfront escrow costs, and these challenges have been
11 exacerbated due to the rollout of the EI-Hub and anticipated provider rate increases.
12

13 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
14 Counties (NYSAC) calls upon the Governor and the New York State Legislature to take
15 measures to expedite the release of the covered lives assessment pool funds still owed to
16 counties retroactively to January 1st, 2022 when the legislation went into effect, totaling
17 \$15 million (\$5 million per year between FY 2022 and FY 2024); and
18

19 **BE IT FURTHER RESOLVED**, the State continues its financial commitment to the
20 Early Intervention Program, rather than chipping away at its resources, which benefits
21 children with developmental delays and disabilities, being a shared cost between the
22 State and municipalities/counties; and
23

24 **BE IT FURTHER RESOLVED**, the State provides an analysis to counties to
25 determine if the current allocation is sufficient to cover costs no longer reimbursed by
26 commercial insurance and Medicaid due to coordination of benefits denials; and
27

28 **BE IT FURTHER RESOLVED**, the New York State Department of Health, Bureau of
29 Early Intervention, and New York State Division of the Budget provide
30 municipalities/counties with clear guidance and a payment schedule detailing how the
31 State plans to issue payments, including information regarding if the adjudication and
32 reconciliation of payments will occur at a county level or a child/claim level; and
33

34 **BE IT FURTHER RESOLVED**, the New York State Department of Health, Bureau of
35 Early Intervention consider amending county escrow agreements to change the payment
36 process, so the State provides counties with their covered lives assessment pool share on
37 a quarterly basis; and
38

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Children with Special Needs**
3 **Resolution #2**

4
5 **Resolution Urging the New York State Department of Health to Remove the**
6 **Proposed Decrease in Telehealth Service Rates and Clarify Implementation**
7 **Details Regarding Early Intervention Reimbursement Changes**
8

9 **WHEREAS**, on December 31, 2024, the New York State Department of Health
10 (NYSDOH) submitted a State Plan Amendment (SPA) to modify Early Intervention fee-
11 for-service reimbursement rates; and

12
13 **WHEREAS**, while the SPA includes a 5 percent rate increase for in-person services, it
14 also proposes a reduction in reimbursement rates for telehealth services, with regional
15 decreases of 22 percent for New York City, Westchester, Poughkeepsie, and Long Island,
16 and a 10 percent reduction for the rest of the state; and

17
18 **WHEREAS**, these reductions would disproportionately impact families relying on
19 telehealth services for early intervention care and would further exacerbate existing
20 provider shortages by making telehealth services less financially viable, leading to some
21 providers ceasing Early Intervention (EI) services in certain counties; and

22
23 **WHEREAS**, the proposed SPA does not provide sufficient clarity on how these
24 reductions were calculated, raising concerns about transparency and fairness; and

25
26 **WHEREAS**, the SPA did not include the 4 percent rate increase for rural and
27 underserved areas agreed upon in the 2024-25 budget, and further clarification is
28 needed on whether NYSDOH plans to submit an additional SPA to ensure the increase
29 is effective by April 1, 2025; and

30
31 **WHEREAS**, it is essential for counties to receive a minimum of three months' notice to
32 prepare for any reimbursement rate changes and a clearly defined reconciliation process
33 for retroactive implementation to ensure proper local spending accountability.

34
35 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
36 Counties urges the New York State Department of Health to not decrease telehealth
37 service rates to allow for further clarification and reexamination of this proposal; and

38
39 **BE IT FURTHER RESOLVED**, that NYSDOH provide a minimum of three months'
40 notice prior to any reimbursement rate changes to ensure counties can adequately
41 prepare; and

42
43 **BE IT FURTHER RESOLVED**, that NYSDOH clarify the timeline and
44 implementation plan for the 4 percent rate modifier for rural and underserved areas,
45 including a full breakdown of projected funding and the zip codes expected to be
46 included in the rollout; and

1 **BE IT FURTHER RESOLVED**, that NYSDOH clearly define a reconciliation process
2 for retroactive rate changes and clarify the planned implementation of changes to group
3 service billing; and
4
5 **BE IT FURTHER RESOLVED**, NYSDOH clarify which in-person services the new
6 rates apply to and provide a full-service schedule for the rate increases; and
7
8 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
9 New York encouraging member counties to enact similar resolutions; and
10
11 **BE IT FURTHER RESOLVED**, the New York State Association of Counties shall
12 forward copies of this resolution to Governor Kathy Hochul, the New York State
13 Legislature, and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2025 NYSAC Legislative Conference
Albany County**

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Intergovernmental Relations, General Government**
3 **& Public Employee Relations**
4 **Resolution #1**

5
6 **Resolution Calling on the State of New York to Make the Department of**
7 **Civil Service Authorization of the HELP Program Permanent**
8

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

13
14 **WHEREAS**, this authority allowed for more immediate hires of State public service
15 employees; and

16
17 **WHEREAS**, in 2024, a similar authority was granted to local governments by the NYS
18 Department of Civil Service; and

19
20 **WHEREAS**, the local HELP Program is now available to local governments, and this
21 has been very beneficial to hire needed public service providers; and

22
23 **WHEREAS**, the local government program differs from the State's HELPS program in
24 that State Civil Service requires municipalities and counties to submit and receive
25 specific title approval from State Civil Service whereas State agencies can use this
26 program at their discretion; and

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

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

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

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

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

44
45 **WHEREAS**, while this system has been extremely beneficial, there is concern that the
46 HELP program is temporary, and this uncertainty about future use makes local
47 planning for hiring more difficult.

1 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
2 Counties (NYSAC) calls on the State of New York to, in a manner the Commission
3 deems consistent with Civil Service Law, immediately allow any title approved by the
4 State Civil Service Commission within any civil service jurisdiction under the HELP
5 program to thereby authorize any other municipal jurisdiction to hire that title without
6 examination, so long as at the time of the appointment there is not a mandatory civil
7 service list for that jurisdiction for that title; and
8

9 **BE IT FURTHER RESOLVED**, for the State of New York to codify and make
10 permanent under law and/or State Constitutional amendment, the HELP program to
11 ensure proper essential staffing levels are met on a local government level; and
12

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Intergovernmental Relations, General Government**
3 **& Public Employee Relations**
4 **Resolution # 2**

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

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

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

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

21 **WHEREAS**, this cap has been adjusted just once since 2007 at a rate of \$5,000 and
22 this increase has eroded in value due to inflation over this time; and
23

24 **WHEREAS**, the ability to hire enough qualified public employees on the State and
25 county level to perform our residents' needed services has reached crisis level; and
26

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

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

37 **WHEREAS**, county governments are being asked to provide more services with less
38 funding, a goal that becomes more difficult when those who best understand local
39 government service needs are retiring and their continued connection to public service
40 in a limited fashion is being deterred by state policies; and
41

42 **WHEREAS**, in 2024 a bill was introduced (S.3144D, Mannion/ A.6419-B Stirpe) that
43 recognizes adjusting this cap to \$50,000 will provide the State and the local
44 governments more hiring options when they seek to fill a position that requires unique
45 skill sets, government experience, and, in some cases, reduces health insurance costs as
46 the person is already retired, and

1 **WHEREAS**, this bill passed unanimously in the Senate but did not make it to a floor
2 vote in the Assembly.

3
4 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
5 Counties (NYSAC) hereby calls on the Governor and the legislature to enact legislation
6 supporting an increase in this earnings rate as part of their 2025-2026 state budget
7 negotiations; and

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Intergovernmental Relations, General Government**
3 **& Public Employee Relations**
4 **Resolution # 3**

5
6 **Resolution Calling on the State to Increase Certain Local Government**
7 **Procurement Thresholds**
8

9 **WHEREAS**, NYS General Municipal Law (GML) Section 103(16), commonly referred
10 to as the "Piggyback Law," authorizes local governments to piggyback on competitively
11 awarded contracts for public works, provided the contract value does not exceed \$1
12 million; and

13
14 **WHEREAS**, NYS local governments and schools have used this type of purchasing
15 option for years in order to streamline the projects, save taxpayer dollars, and create
16 efficiencies; and

17
18 **WHEREAS**, GML 103(16) allows local governments to make purchases and contract
19 for services related to the installation, maintenance, or repair of apparatus, materials,
20 equipment, and supplies through cooperative purchasing agreements; however, the
21 statute is silent on whether public works projects may be procured through
22 piggybacking; and

23
24 **WHEREAS**, the Office of the State Comptroller (OSC) has previously indicated
25 informally that certain public works projects may be able to be piggybacked under GML
26 103(16) on a case-by-case basis, particularly when the project involves a combination of
27 materials procurement and installation services; and

28
29 **WHEREAS**, a recent court decision (Daniel J. Lynch, Inc. v. Maine-Endwell School
30 District) ruled that GML 103(16) does not authorize piggybacking for public works,
31 resulting in the immediate need for legislative clarification; and

32
33 **WHEREAS**, GML 103(3) already permits local governments to piggyback on county-
34 awarded public works contracts, provided that the contracts comply with Article 8 of the
35 NYS Labor Law (prevailing wage requirements), therefore extending this authority to
36 GML 103(16) would align state law with existing procurement practices and provide
37 local governments with a legally sound, cost-effective alternative for procuring smaller-
38 scale public works projects; and

39
40 **WHEREAS**, GML 103 regarding public works projects and commodity purchases must
41 also be amended to increase the bidding threshold to keep up with inflation; and

42
43 **WHEREAS**, this threshold is outdated, placed on local governments and schools over
44 50 years ago at \$35,000 on public works projects and at \$20,000 for commodity
45 purchases; and

1 **WHEREAS**, this outdated threshold places an undue burden on local government and
2 is not in keeping with the spirit of the original law when considering inflationary values.

3
4 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
5 Counties (NYSAC) hereby calls on the Governor and the State Legislature to enact
6 legislation increasing the local government bidding thresholds on public works and
7 commodities to be in keeping with adjusted inflationary values; and
8

9 **BE IT FURTHER RESOLVED**, the New York State Association of Counties (NYSAC)
10 hereby calls on the Governor and the State Legislature to enact legislation clarifying that
11 public works projects may be able to be piggybacked under GML 103(16); and
12

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

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



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2025 NYSAC Legislative Conference
Albany County**

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

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

1 **NYSAC 2025 Legislative Conference**
2 **Standing Committee on Medicaid and Human Services**
3 **Resolution #1**

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

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

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

17
18 **WHEREAS**, Governor Hochul and the Legislature indicate they want to prioritize
19 housing affordability and availability; and

20
21 **WHEREAS**, while the influx of migrant asylum seekers since the Spring of 2022 has
22 slowed dramatically it is estimated that close to 150,000 are present in communities
23 across the state, adding more strain to an already overburden statewide shelter system;
24 and

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

30
31 **WHEREAS**, according to some data sources, New York State has the highest
32 homelessness rate in the country per 10,000 people at 53; and

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

37
38 **WHEREAS**, with the exception of homeless veterans', federal support in this area has
39 been relatively flat in nominal dollars and declined sharply in housing cost adjusted
40 dollars; and

41
42 **WHEREAS**, shelter allowances provided by the state are so low today that homeless
43 clients cannot compete in the current housing market; and

44
45 **WHEREAS**, the net effect of low shelter rates for individuals and families that have
46 been displaced and are residing in temporary housing is that current shelter allowances
47 serve as a barrier to moving to permanent housing; and

1 **WHEREAS**, the homeless population is facing new problems as the needs of families
2 have become more complicated; and
3
4 **WHEREAS**, regardless of family size and demographics, many of those facing
5 homelessness or seeking emergency shelter can have challenging medical needs, mental
6 health and substance abuse issues, some are registered sex offenders, and still others are
7 state prison parolees or on probation; with some facing several of these challenges at the
8 same time; and
9
10 **WHEREAS**, the state requires counties to fund 71 percent of costs for Safety Net
11 individuals and 100 percent of the costs of administering these programs; and
12
13 **WHEREAS**, local social service districts focus scarce resources on achieving
14 permanent housing, preventing homelessness and providing temporary placement; and
15
16 **WHEREAS**, counties maintain that preventing homelessness in the first instance is the
17 best way to keep families safe and secure; and
18
19 **WHEREAS**, counties maintain that while it is important to provide help in a crisis, it is
20 better policy to maintain stability and prevent emergencies by providing sufficient
21 resources up front.
22
23 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
24 Counties (NYSAC) calls on the Governor and State Legislature to prioritize permanency
25 in housing and to update rental allowances and the standard of need, which have not
26 been properly updated in decades to fully address the dramatic growth in housing,
27 energy, and food costs; and
28
29 **BE IT FURTHER RESOLVED**, as part of the effort, the State must restore the Safety
30 Net state share to 50 percent; and
31
32 **BE IT FURTHER RESOLVED**, counties need brick and mortar solutions to existing
33 housing problems and encourage Governor Hochul and the State Legislature to increase
34 state funding support to achieve these ends; and
35
36 **BE IT FURTHER RESOLVED**, the State should coordinate a timely transition to
37 supportive housing for the highest need individuals with mental health and substance
38 abuse issues in collaboration with OTDA, other state agencies, and local social services
39 districts; especially those that have been repeatedly homeless and in need of supportive
40 placements overseen by OMH, OASAS, OPWDD and DOCCS; and
41
42 **BE IT FURTHER RESOLVED**, the State should work with counties in developing a
43 public education campaign to ensure people better understand the plight of families and
44 individuals struggling with homelessness and how everyone can benefit by helping them
45 achieve stable housing in our communities; and

1 **BE IT FURTHER RESOLVED**, counties seek the support of state officials to
2 encourage New York’s congressional delegation to increase national funding for the
3 Community Mental Health Services Block Grant by \$1 billion annually and target the
4 increase to ensure mental health and substance abuse services are available for
5 homeless families and individuals, and to help prevent homelessness in the first
6 instance; and

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

10
11 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution to
12 Governor Kathy Hochul, New York State Legislature, New York’s Congressional
13 Delegation, Office for Temporary Disability Assistance, Office of Mental Health, Office
14 of Addiction Services and Supports, and all others deemed necessary and proper.

1 **NYSAC 2025 Legislative Conference**
2 **Standing Committee on Medicaid and Human Services**
3 **Resolution #2**

4
5 **Resolution Urging Governor Hochul and the Department of Health to**
6 **Continue to Pursue a Federal 1115 Waiver to Allow Justice Involved Adults**
7 **and Youth to Be Enrolled in Medicaid/CHIP 90 Days Before an Eligible**
8 **Person’s Expected Release from Incarceration**
9

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

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

17 **WHEREAS**, incarcerated individuals often live with higher rates of substance use
18 disorders (SUDs), chronic physical health conditions, poor health care coordination,
19 and other health concerns can realize improved treatment outcomes if formal treatment
20 and coordination occur prior to their release; and

21
22 **WHEREAS**, the Centers for Medicare and Medicaid Services (CMS) has approved 19
23 state Medicaid waivers as of January 15, 2025, to support prisoner re-entry and another
24 seven states have waivers pending; and

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

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

41
42 **WHEREAS**, the New York State Association of Counties (NYSAC) strongly believes
43 that approval of an 1115 Medicaid waiver that assists high-risk incarcerated individuals,
44 including those held in county jails, to be enrolled in Medicaid/CHIP prior to their
45 release is a necessary step to improve health outcomes for these individuals, will save
46 lives by preventing overdose deaths, improve public safety and reduce recidivism.

1 **NOW, THEREFORE, BE IT RESOLVED**, NYSAC strongly encourages Governor
2 Hochul and the Department of Health to continue negotiations on a federal 1115
3 Medicaid demonstration waiver allowing Medicaid/CHIP coverage for incarcerated
4 individuals prior to their release, including those held in county jails, or alternatively
5 allow for Essential Plan Coverage for this population if they are not Medicaid eligible;
6 and

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

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

1 **NYSAC 2025 Legislative Conference**
2 **Standing Committee on Medicaid and Human Services**
3 **Resolution #3**

4
5 **Resolution Urging Governor Hochul and the New York State Legislature to**
6 **Amend the Proposed Budget to Restore Funding for the FFFS Program to**
7 **the SFY 2025 Level and to Increase State Support for Code Blue by \$20**
8 **Million Above the Amount Provided in the Governor’s Proposed SFY 2026**
9 **Budget to Ensure Critical Services Can Be Provided in Code Blue Shelters**

10
11 **WHEREAS**, over the last 15 years the state has devolved away from its historic and
12 constitutional responsibilities of providing social services and support for low-income
13 families and children, as demonstrated through significant reductions in state financial
14 support for these programs, thereby shifting state costs and responsibilities to counties
15 and New York City; and

16
17 **WHEREAS**, the SFY 2025 adopted budget continued the trend of shifting social
18 services costs to counties and New York City by requiring additional local spending of
19 \$75 million for child welfare services within the capped Flexible Fund for Family
20 Services (FFFS) which is already underfunded; and

21
22 **WHEREAS**, the SFY 2025 budget partially offset increased costs for counties with
23 temporary federal funding of \$50 million that was not continued in SFY 2026 even
24 though the need has not changed, which will force higher costs on county taxpayers on a
25 recurring basis; and

26
27 **WHEREAS**, counties are pleased the SFY 2026 Proposed Budget includes \$20 million
28 to assist counties with Code Blue costs; and

29
30 **WHEREAS**, these resources are welcomed, but counties are in dire need of additional
31 state support to not only cover the brick-and-mortar side of emergency shelter care but
32 to also provide state funding to support robust service delivery in these settings as well.

33
34 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
35 Counties (NYSAC) opposes state cost shifts to counties and New York City in critical
36 social services and requests the New York State Legislature and Governor agree to
37 restore the \$50 million in FFFS to the prior year level of \$1.104 billion using TANF
38 funds; and

39
40 **BE IT FURTHER RESOLVED**, NYSAC encourages the New York State Legislature
41 and Governor to add \$20 million in additional state resources above the amount allotted
42 in the SFY 2026 budget proposal for Code Blue to support service delivery in these
43 critical settings; and

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

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



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2025 NYSAC Legislative Conference
Albany County**

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Native American Affairs & Gaming**
3 **Resolution # 1**

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

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

12
13 **WHEREAS**, soon more changes will occur that impact the State’s gaming revenue
14 System, including the license bids for up to three more downstate private casinos as well
15 as the State negotiating a new compact with the Seneca Nation in Western New York;
16 and

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

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

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

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

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

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

40
41 **BE IT FURTHER RESOLVED**, NYSAC calls on the State to make a permanent
42 annual appropriation to offset any local funding decrease that results from major
43 gaming statewide changes such as mobile sports betting, private casino expansion, and
44 the resulting compact negotiations with the Seneca Nation; and

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

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



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2025 NYSAC Legislative Conference
Albany County**

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Public Health/Mental Health**
3 **Resolution #1**

4
5 **Resolution Calling for the SFY 2025-26 Enacted Budget to Include Reforms**
6 **for Determining the Capacity of a Defendant to Stand Trial**

7
8 **WHEREAS**, section § 730 of the Criminal Procedure Law (CPL) provides that
9 defendants charged with felonies who are mentally ill and/or developmentally disabled
10 and who are determined by a court to be unable to understand the charges against them
11 or participate in their own defense (often called “730’s”) are sent to New York State-
12 operated forensic hospitals solely for the purpose of trying to restore them to
13 competency so they can stand trial; and

14
15 **WHEREAS**, the origin of CPL § 730 dates back over five decades to the laws of 1970,
16 and parts of it have been declared to be unconstitutional; and

17
18 **WHEREAS**, competency restoration provides necessary medications but primarily
19 provides services such as courtroom training to familiarize the defendant with
20 courtroom procedures so they can participate in their trial; and

21
22 **WHEREAS**, many judges incorrectly believe that by ordering a 730 commitment, they
23 are helping the mentally ill or developmentally disabled person to get treatment; and

24
25 **WHEREAS**, in the cases for which restoration is appropriate, most defendants can
26 generally be restored within 90-120 days; and

27
28 **WHEREAS**, unfortunately, there are also numerous situations where defendants have
29 been kept in restoration for periods of three, six, or even 10 years; and

30
31 **WHEREAS**, these lengthy confinements have been declared to be unconstitutional by
32 the U.S. Supreme Court as shown in the case of *Jackson v. Indiana* (1972), which
33 provides that states may not indefinitely confine criminal defendants solely on the basis
34 of incompetence to stand trial; and

35
36 **WHEREAS**, the Office of Mental Health (OMH) has diverged from agreements with
37 the county mental health commissioners/directors of community services to provide
38 specific and timely information on the clients/defendants ordered to restoration; and

39
40 **WHEREAS**, the SFY 2020-21 budget required counties to pay 100 percent of the OMH
41 State Operations costs for individuals receiving court-ordered mental health
42 competency restoration services at State-operated Forensic Psychiatric Centers; and

43
44 **WHEREAS**, as the full payors of these services, the commissioners must have access to
45 all client information deemed necessary to effectively manage their responsibilities
46 under the Mental Hygiene Law; and

1 **WHEREAS**, the county cost of these services is over \$1,300 per day, and current
2 statute does not require a timeline be established for when a defendant is unable to be
3 restored; and

4
5 **WHEREAS**, counties, through the county tax levy, already bear an overwhelming
6 portion of the financial burden for supporting individuals suffering from serious mental
7 illness, and the requirement to assume 100 percent of 730.20 competency restoration
8 costs has taken away hundreds of millions of dollars from critical behavioral health
9 programming in the community; and

10
11 **WHEREAS**, an analysis of competency restoration costs across New York counties
12 shows staggering increases between 2019 and 2024, with increases of over 6,000
13 percent in some smaller counties, such as Warren County (10,926 percent) and
14 Livingston County (6,549 percent); and

15
16 **WHEREAS**, mid-sized counties have seen increases ranging from 121 percent to 695
17 percent, with St. Lawrence County costs rising by 695 percent and Ontario County by
18 271 percent; and

19
20 **WHEREAS**, large counties are experiencing increases as high as 400 percent,
21 including Orange County at 409 percent and Dutchess County at 405 percent, with
22 some now facing annual costs exceeding \$5.3 million; and

23
24 **WHEREAS**, given the advances in behavioral health and the modernization of the
25 criminal justice system, it is time for the State to reform the statutory authority
26 governing competency restoration to ensure that only individuals who are appropriate
27 subjects of 730 court orders are sent for restoration in accordance with the current state
28 of these two systems; and

29
30 **WHEREAS**, the Legislature has introduced S.1004 (Brouk), which seeks to address the
31 reforms necessary to update the archaic requirements of current statute, many which
32 have been deemed unconstitutional and includes a critical requirement to reinvest any
33 savings derived by the counties back into the local mental hygiene systems of care.

34
35 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
36 Counties (NYSAC) calls upon the Governor and Legislature to enact S.1004 (Brouk) to
37 modify CPL § 730.10 to make clear that restoration is not mental health treatment, so
38 the judiciary is better informed that a 730 order does not treat underlying mental health
39 conditions; and

40
41 **BE IT FURTHER RESOLVED**, CPL § 730.20 be reformed to establish specific
42 criteria for 730 examiners, streamlining the process to establish equity across the
43 system, and that the psychiatrist or psychologist conducting the psychiatric exam tell
44 the court whether or not there is a reasonable chance of restoration, thereby granting
45 the court an opportunity to allow diversion to mental health treatment; and

1 **BE IT FUTHER RESOLVED**, OMH consistently follow their agreements with the
2 county mental health commissioners/directors of community services to provide
3 specific and timely information on the clients/defendants ordered to restoration; and
4

5 **BE IT FURTHER RESOLVED**, CPL § 730.20 adjust the fee for
6 reimbursing psychiatric examiners; and
7

8 **BE IT FURTHER RESOLVED**, CPL § 730.50 limit the time defendants are ordered
9 for restoration services; and
10

11 **BE IT FURTHER RESOLVED**, MHL § 9.33 allow individuals to be transferred to
12 Article 9 facilities if it is determined that a defendant is unable to be restored; and
13

14 **BE IT FURTHER RESOLVED**, MHL § 43.03 require Local Governmental
15 Units (counties) to reinvest savings from these reforms into community mental health
16 services; and
17

18 **BE IT FURTHER RESOLVED**, the New York State Association of Counties (NYSAC)
19 calls on the State to support all provisions outlined in S.1004 (Brouk); and
20

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

24 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution
25 to Governor Kathy Hochul and the New York State Legislature encouraging them
26 to include these reforms in the SFY 2026 Enacted Budget.

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Public Health/Mental Health**
3 **Resolution #2**

4
5 **Resolution Supporting A.2128 (Rosenthal) to Strengthen Enforcement**
6 **Authority and Close Statutory Loopholes for Regulation of Flavored Vapor**
7 **Products**
8

9 **WHEREAS**, in New York State, 18.7 percent of high school students report using e-
10 cigarettes, which is significantly higher than the national average of 10 percent; and

11
12 **WHEREAS**, e-cigarette use has been linked to the onset of various lung diseases,
13 exposure to cancer-causing chemicals, and a dangerous addiction to nicotine; and

14
15 **WHEREAS**, inhalation of toxic chemicals produced by e-cigarettes results in a
16 spectrum of diseases referred to as EVALI (e-cigarette or vaping use-associated lung
17 injury), causing inflammation of the lungs and symptoms such as chest pain, fever, and
18 shortness of breath; and

19
20 **WHEREAS**, e-cigarette use during adolescence puts children at risk of stunting lung
21 development and inhibiting their ability to reach full functional potential; and

22
23 **WHEREAS**, in 2020, New York State enacted legislation to address the epidemic of e-
24 cigarette use among youth by banning the sale of flavored products; and

25
26 **WHEREAS**, despite this intent, statutory loopholes have created significant challenges
27 to effective enforcement of the law, including:

- 28 • Retail inspection limitations that do not require retailers to make their entire
29 premises available to inspectors;
- 30 • Increased frequency of persistent violators operating without a license or with
31 expired licenses;
- 32 • Out-of-state sales exemptions being misused to justify stocking prohibited
33 products;
- 34 • Lack of authority to remove illegal products from retail premises;
- 35 • Continued distribution of flavored products by suppliers with no mechanism to
36 track deliveries;
- 37 • Rise of deceptive products designed to circumvent flavor bans; and
- 38 • Growth in sales of "camouflage" vape products disguised as common items; and

39
40 **WHEREAS**, Assembly Bill 2128 (Rosenthal) would strengthen enforcement by:

- 41 • Prohibiting the storage of flavored vapor products near where vapor or tobacco
42 products are sold;
- 43 • Providing authority to suspend or revoke vapor product dealer registrations;
- 44 • Establishing penalties for violations and inspections refusals; and
- 45 • Enhancing record retention requirements; and

1 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
2 Counties (NYSAC) calls upon the Governor and Legislature to enact A.2128 (Rosenthal)
3 to close existing statutory loopholes and provide proper enforcement tools to protect
4 youth from flavored vapor products; and

5
6 **BE IT FURTHER RESOLVED**, that NYSAC urges the Governor and Legislature to
7 restore funding for tobacco prevention and control to \$40.6 million in the 2025-26 State
8 Budget, undoing the \$7.5 million cut from SFY 2024-25; and

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Public Health/Mental Health**
3 **Resolution #3**

4
5 **Resolution in Support of the SFY 2026 Executive Budget Proposals to**
6 **Strengthen New York State's Public Health and Behavioral Health**
7 **Workforce and Urging Additional State Investment**
8

9 **WHEREAS**, over the last decade, local health departments (LHDs) and local mental
10 health departments (LMHDs) have experienced a lack of sustainable state aid assistance
11 to appropriately support the workforce required for the expansion and implementation
12 of local services and supports; and

13
14 **WHEREAS**, New York State's local public health and behavioral health workforce is
15 responsible for promoting and protecting the health and wellbeing of New York's
16 communities in accordance with Article 6 of the Public Health Law and Article 41 of the
17 Mental Hygiene Law; and

18
19 **WHEREAS**, more than one in three Americans struggle with mental health and/or
20 substance use issues; and

21
22 **WHEREAS**, maintaining a well-trained, adequately staffed public health and
23 behavioral health workforce is essential for protecting community health, responding to
24 emergencies, and delivering vital services to New York residents; and

25
26 **WHEREAS**, research indicates that 90 percent of LHDs in New York State do not have
27 the minimum number of staff needed to provide core public health services, with an
28 estimated 1,000 additional full-time staff needed statewide; and

29
30 **WHEREAS**, these staffing challenges are particularly acute in critical positions, with
31 vacancy rates of 39.1 percent for licensed practical nurses, 26.0 percent for supervising
32 public health nurses, and 24.3 percent for community health workers; and

33
34 **WHEREAS**, stagnant state aid, tax caps, funding eligibility restrictions, and other
35 administrative barriers all undermine the public health and behavioral health
36 infrastructure necessary to respond to emergencies and provide essential services; and

37
38 **WHEREAS**, shortages in fields such as nursing, counseling, and public health
39 engineering have resulted in longer periods for recruitment to fill vacancies, as well as
40 competition from the private sector that impacts employee retention; and

41
42 **WHEREAS**, Local Governmental Units (LGUs) and Directors of Community Services
43 (DCSs), operating under Article 41 of the NYS Mental Hygiene Law, are responsible for
44 overseeing vital behavioral health services while facing unprecedented demands for
45 mental health and substance abuse treatment; and

1 **WHEREAS**, the COVID-19 pandemic severely exacerbated the preexisting workforce
2 crisis, with droves of nurses, counselors, psychologists, social workers, and direct service
3 professionals exiting the sector’s workforce or retiring early due to burn out, long hours,
4 low pay, COVID-19 risks, and workplace stress or moving to private sector jobs with
5 better pay, benefits, and hours; and
6

7 **WHEREAS**, rising operational costs in areas such as technology, health insurance,
8 utilities, and rent add significant burdens on providers to allocate extremely limited
9 fiscal resources to meet both workforce and operational demands; and
10

11 **WHEREAS**, the healthcare system is under significant strain, with 29 percent of New
12 York’s hospitals financially distressed and providers struggling to maintain adequate
13 staffing levels amid rising demand for inpatient and outpatient treatment, crisis
14 services, and addiction care; and
15

16 **WHEREAS**, Governor Hochul's SFY 2025-26 Executive Budget proposal includes
17 several important initiatives to address these challenges, including:

- 18 • \$694 million for implementation of two workforce programs to support training
19 and education for new health, behavioral health, and social care workforce
20 workers, as well as support career advancement for existing workers through
21 tuition payments and student loan repayment;
- 22 • \$47 million to cover tuition, fees, and books for community college students ages
23 25-55 pursuing high-demand degrees, including nursing;
- 24 • A Targeted Inflationary Increase (TII) of 2.1 percent for providers of eligible
25 services and programs under the Office for People With Developmental
26 Disabilities (OPWDD), Office of Mental Health (OMH), Office of Addiction
27 Services and Supports (OASAS), Office of Children and Family Services (OCFS),
28 Office of Temporary and Disability Assistance (OTDA), and the State Office for
29 the Aging (SOFA);
- 30 • \$16.5 million to enhance county-level implementation of assisted outpatient
31 treatment programs (AOT); and
- 32 • \$2 million for additional OMH staff to increase reporting and monitoring of AOT
33 programs, enhance statewide training, and provide additional support for
34 counties and providers; and
35

36 **WHEREAS**, these investments represent important steps forward; however, additional
37 support is needed to build and maintain a robust public health and behavioral health
38 workforce capable of meeting current and future challenges.
39

40 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
41 Counties (NYSAC) supports Governor Hochul's Executive Budget proposals to
42 strengthen the public health and behavioral health workforce; and
43

44 **BE IT FURTHER RESOLVED**, that NYSAC calls for an additional 7.8 percent
45 increase for mental health and substance use disorder reimbursement rates and
46 contracts in SFY 2025-26 beyond the proposed 2.1 percent Targeted Inflationary
47 Increase (TII) to address the severe workforce crisis; and

1 **BE IT FURTHER RESOLVED**, that comprehensive long-term workforce
2 development solutions must be implemented, including:

- 3 • Creating clear job pathways beginning in high school;
- 4 • Developing career advancement programs at the community college level;
- 5 • Expanding scholarship opportunities;
- 6 • Implementing easily accessible student loan forgiveness programs; and
- 7 • Reducing administrative burdens on providers; and

8
9 **BE IT FURTHER RESOLVED**, that NYSAC urges the elimination of administrative
10 barriers and funding restrictions that undermine workforce recruitment and retention,
11 including:

- 12 • Removing the 50 percent fringe rate cap under article 6;
- 13 • Providing flexibility in funding streams to support workforce initiatives; and
- 14 • Modernizing civil service requirements to expedite hiring; and

15
16 **BE IT FURTHER RESOLVED**, that NYSAC supports increasing the state aid for
17 general public health work base grants and behavioral health services to account for
18 increased costs, expanded responsibilities, and the need to provide competitive
19 compensation to attract and retain qualified staff.

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

23
24 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
25 Governor Kathy Hochul, the New York State Legislature, the Commissioner of the New
26 York State Department of Health, the Commissioner of the New York State Office of
27 Mental Health, the Commissioner of the Office of Addiction Services and Supports, and
28 all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2025 NYSAC Legislative Conference
Albany County**

Standing Committee on Public Safety Resolutions

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Public Safety**
3 **Resolution #1**

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

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

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

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

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

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

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

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Public Safety**
3 **Resolution #2**

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

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

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

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

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

24 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
25 Counties (NYSAC) will join in the efforts of the New York State Sheriffs' Association to
26 seek increased funding for this mandated and important public service; and
27

28 **BE IT FURTHER RESOLVED**, that NYSAC urges the State of New York to amend
29 the Aid to Localities Budget to increase MAT funding by \$11 million for a total
30 appropriation of \$20 million; and
31

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

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Public Safety**
3 **Resolution #3**

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

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

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

16
17 **WHEREAS**, State funding for probation was drastically reduced between 1990 and
18 2015 from a 46.5 percent state share in 1990 to less than 10 percent in 2024, putting a
19 huge strain on counties and cost to county property taxpayers; and

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

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

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

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

11
12 **NOW, THEREFORE, BE IT RESOLVED**, that NYSAC supports proposals put
13 forward by the Governor to immediately enact statutory and regulatory changes that
14 improve probation and alternatives to incarceration in the following ways:

- 15 1. In response to Raise the Age Legislation:
 - 16 a. Mandate that the state's evidence-based criteria should account for
 - 17 existing local best practice programs.
 - 18 b. Let probation apply for a temporary protection order as part of the
 - 19 adjustment process.
 - 20 c. Authorize law enforcement agencies to issue appearance tickets if deemed
 - 21 appropriate by the arresting officer when Adolescent Offenders and
 - 22 Juvenile Offenders are charged with most D felonies.
 - 23 d. Allow law enforcement agencies to deliver Adolescent Offenders and
 - 24 Juvenile Offenders to be held in detention facilities after hours without a
 - 25 securing order until the Youth Part is in session.
 - 26
- 27 2. Establish a dedicated funding stream through DCJS/OPCA for 100 percent of all
28 local probation costs including, but not limited to, probation personnel and
29 evidence-based programming associated with Raise the Age Legislation.
 - 30 a. Eliminate the monitoring of ignition interlock devices by local probation
 - 31 departments or monitors in all cases where a term of state prison has been
 - 32 imposed.
 - 33 b. That local probation departments receive 100 percent funding for all pre-
 - 34 trial services costs associated with bail reform, including, but not limited
 - 35 to, probation personnel expenses.
 - 36 c. That the Executive Chamber and the Office of Children and Families
 - 37 (OCFS) work towards transitioning some of the closed OCFS and/or
 - 38 Department of Correctional and Community Supervision facilities to
 - 39 accommodate the lack of specialized secure detention beds as well as
 - 40 allowing county consortiums to open specialized secure detention facilities
 - 41 if desired.
 - 42 d. The Division of Budget should be required to expeditiously reimburse
 - 43 counties for expanded or new specialized secure detention facilities, as the
 - 44 current capacity statewide is inadequate to meet our youth's detention
 - 45 rates.

1 **BE IT FURTHER RESOLVED**, that NYSAC urges the State of New York to increase
2 the probation department Aid to Localities budget line item to 46.5 percent of actual
3 probation department costs; and
4
5 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties of
6 New York State encouraging member counties to enact similar resolutions; and
7
8 **BE IT FURTHER RESOLVED** that NYSAC shall forward copies of this resolution to
9 Governor Kathy Hochul, Deputy Secretary for Public Safety Marcos Gonzalez Soler, the
10 New York State Legislature and all others deemed necessary and proper.

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Public Safety**
3 **Resolution #4**

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

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

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

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

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

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

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

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

- 35 • Criminal Procedural Law Section 722.23 should be amended to include all felony
36 violations of Penal Law Article 265 (gun cases).
 - 37 ○ District Attorneys should be able to automatically prosecute all gun cases
38 in the Youth Part and should not have to rely on the courts' unpredictable,
39 undefined, and inconsistent findings of "extraordinary circumstances". We
40 see far too many cases removed to Family Court and no real accountability
41 for adolescent offenders for serious crimes involving firearms. Often, these
42 offenders graduate to more serious crimes, including murder.
- 43 • Close the Robbery Loophole by expanding Section 722.23(2).
 - 44 ○ Article 722.23 currently only allows District Attorneys to continue to
45 prosecute a case when we can prove that the defendant displayed an
46 actual, operable firearm. This means that cases where a defendant
47 displayed something that appears to be a firearm or possessed a weapon

1 without displaying it cannot be prosecuted by the District Attorney. So,
2 when a defendant robs a victim using a non-working or unloaded gun, or
3 the gun is not recovered, District Attorneys are not allowed to prosecute,
4 and the case is removed to Family Court.

- 5 • Section 722.23 should be further amended to allow for the court's discretion in
6 allowing the District Attorney to maintain prosecution in certain additional
7 circumstances.
- 8 • Allow youth part judges, prosecutors, and defense counsel to see family court
9 records.
- 10 • Reimbursements to counties for operating and capital expenses shall be provided
11 in the year in which funds are appropriated and expended.

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

15
16 **BE IT FURTHER RESOLVED** that NYSAC shall forward copies of this resolution to
17 Governor Kathy Hochul, Deputy Secretary for Public Safety Marcos Gonzalez Soler, the
18 New York State Legislature and all others deemed necessary and proper.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2025 NYSAC Legislative Conference
Albany County**

**Standing Committee on Taxation and Finance
Resolutions**

Hon. Terri L. Ross (Allegany County) - Chair
Hon. Patrick Schmitt (Wayne County) - Vice Chair

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Taxation and Finance**
3 **Resolution #1**

4
5 **Resolution Urging the Governor and Relevant State Agencies to Work with**
6 **Counties to Ensure Implementation of Pending Short Term Rental**
7 **Legislation Includes a Requirement for Platforms that Facilitate Short-**
8 **Term Rentals Provide Information to the State and Counties in a Uniform**
9 **Format that is Easily Transferable to Local Government Data System Needs**

10
11 **WHEREAS**, Governor Hochul and the state lawmakers agreed to a Chapter
12 Amendment to legislation that establishes a registration system for short-term rentals in
13 New York State; and

14
15 **WHEREAS**, in addition to the authorization of local registries, the law will require
16 hosts, and platforms that facilitate the rental of short-term rental units, to collect state
17 and local sales taxes and other applicable local taxes, which will provide the information
18 and revenue local governments need to make smart decisions to help right-size the
19 short-term rental market in their specific communities; and

20
21 **WHEREAS**, it will allow municipalities with their own short-term rental registration
22 systems to continue to use them; and

23
24 **WHEREAS**, the law also requires platforms that facilitate the rental of short-term
25 rental units to provide to counties on a quarterly basis essential data regarding the
26 location of the physical address of the rental unit, the rental unit's registration number,
27 the legal owner of the unit, the dates of stay and the number of guests, the cost of each
28 stay including an itemization of sales tax and local occupancy tax collected; and

29
30 **WHEREAS**, counties will be required to share this data with all city, town, and village
31 governments located within such county within 60 days of receipt; and

32
33 **WHEREAS**, the data from the platforms must also be provided to the New York State
34 Department of State; and

35
36 **WHEREAS**, short-term rental hosts and platforms that facilitate the rental of short-
37 term rental units must also collect state and local sales tax on these transactions and
38 submit quarterly sales tax reports to the state.

39
40 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
41 Counties (NYSAC) calls on the New York Department of State, and Department of
42 Taxation and Finance to work with counties, and platforms that facilitate the rental of
43 short-term rental units, to ensure the required information is delivered to counties and
44 the state in a uniform format that is easily transferable to both state and county data
45 systems needs; and

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

3

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

1 **2025 NYSAC Legislative Conference**
2 **Standing Committee on Taxation and Finance**
3 **Resolution #2**

4
5 **Resolution Calling on New York’s Congressional Delegation to Preserve the**
6 **Federal Tax Exemption for Municipal Bonds**

7
8 **WHEREAS**, federal law provides a tax exemption for municipal bonds that has been
9 part of the federal tax code since its inception in 1913; and

10
11 **WHEREAS**, in recognition of the effectiveness of the exemption in helping state and
12 local governments finance capital projects and improvements, including infrastructure
13 and facilities that are vitally important to sustain local, regional and national economic
14 growth; and

15
16 **WHEREAS**, tax-exempt municipal bonds are the most important tool in the United
17 States for financing investment in schools, roads, water and sewer systems, airports,
18 bridges, ports, broadband, hospitals, and other vital infrastructure; and

19
20 **WHEREAS**, between 2012 and 2022, counties, localities, states and state/local
21 authorities financed \$3.3 trillion in infrastructure investments through tax-exempt
22 municipal bonds; and

23
24 **WHEREAS**, the 10-year funding gap between the \$5.9 trillion in infrastructure needs
25 and public spending necessary to achieve a state of good repair is \$2.6 trillion; and

26
27 **WHEREAS**, the municipal bond tax-exemption represents a fair allocation of the cost
28 of projects between federal and state/local governments which have invested more than
29 double in infrastructure than the federal government over the last decade; and

30
31 **WHEREAS**, any reduction in the availability of tax-exempt municipal bonds combined
32 with rising infrastructure material and labor input costs will place enormous pressure
33 on local governments in New York to maintain existing levels of transportation
34 construction, maintenance and service on what constitutes 87 percent of New York’s
35 110,000 miles of roadways, 50 percent of 18,000 bridges, and 46 percent of the vehicle
36 miles traveled in New York; and

37
38 **WHEREAS**, nationwide, tax-exempt bonds are vital for infrastructure needs as
39 counties own and operate 45 percent of public roads and highways and own a third of
40 the nation’s transit systems and airports; and

41
42 **WHEREAS**, the availability of these municipal bonds not only supports local needs
43 and jobs, but it also strengthens the regional and national network of essential public
44 infrastructure that enhances U.S. gross domestic product and improves the nation’s
45 global competitiveness now and for decades to come; and

1 **WHEREAS**, congressional discussions to repeal or cap the municipal bond exemption
2 to offset the costs of extending components of the Tax Cut and Jobs Act that sunset at
3 the end of 2025 is likely to be counterproductive by making future infrastructure
4 projects more expensive, and threaten the creation (and maintenance) of hundreds of
5 thousands of high skill and high paying jobs; and
6

7 **WHEREAS**, according to the Government Finance Officers Association (GFOA), if
8 state and local governments lose the ability to use federally tax-exempt bonds and are
9 compelled to issue taxable bonds as an alternative, it is estimated that debt issuance
10 costs would increase by 25 percent, more for smaller and rural governments, making
11 many projects too expensive to pursue; and
12

13 **WHEREAS**, to maintain our global economic leadership and continue to lead the
14 world economy through the next century, the U.S. must have a modern, efficient and
15 well-maintained infrastructure system; and
16

17 **WHEREAS**, the Tax Cuts and Jobs Act eliminated advance refunding as a cost-savings
18 tool for state and local governments which has limited the options to refinance debt,
19 especially since interest rates fluctuate over the lifetime of outstanding governmental
20 bonds (which in many cases is 30+ years) causing state and local governments to pay
21 more in interest, a cost directly borne by your constituents at the local level.
22

23 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
24 Counties (NYSAC) calls on the New York Congressional Delegation to maintain the
25 federal tax exemption for municipal bonds; and
26

27 **BE IT FURTHER RESOLVED**, Congress should restore advance refunding to the
28 federal tax code; and
29

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

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



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

2025 NYSAC Legislative Conference Albany County

Standing Committee on Transportation and Public Works Resolutions

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

1 **2025 Legislative Conference**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution # 1**

4
5 **Resolution Urging the Governor and State Lawmakers to Grant Design**
6 **Build and Electronic Bidding Authority to Counties**

7
8 **WHEREAS**, county transportation infrastructure is foundational to New York’s
9 economic vitality.

10
11 **WHEREAS**, current laws and regulations limiting flexibility for delivering public works
12 construction projects can cause inefficiencies, delays, and increased costs to taxpayers
13 especially for larger highway and bridge projects owned by counties;

14
15 **WHEREAS**, design-build contracting as authorized for certain state agencies has been
16 shown to save time and money by streamlining procuring design and construction
17 services, and by making a single entity responsible for a project, reducing the possibility
18 of contract claims related to design errors or omissions; and

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

23
24 **WHEREAS**, the City of New York reports that when it used alternative project delivery
25 tools, such as during the COVID emergency when procurement regulations were
26 significantly relaxed, its ability to deliver public infrastructure was transformative;
27 delivering facilities in months instead of years, within budget, and with increased
28 MWBE participation; and

29
30 **WHEREAS**, State law does not allow for a fully digital bidding process even though
31 electronic bidding decreases the administrative burdens and the costs that accompany
32 the current paper-based process, and serves to make the process more transparent to
33 agencies, vendors, and the public; and

34
35 **WHEREAS**, the recognition of the positive benefits from design-build and electronic
36 bidding led to the passage by both houses of the State Legislature in 2024 of bills to
37 grant NYC new authority to use alternative project delivery contracts, including design-
38 build and construction manager build, and expansion of electronic bidding for NYC,
39 both of which was signed into law by Governor Kathy Hochul as Chapter 534 and
40 Chapter 668; and

41
42 **WHEREAS**, as New York State and NYC are authorized to use design-build authority
43 and electronic bidding to great success, similar authority should be extended to
44 counties; and

1 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
2 Counties (NYSAC) hereby calls on the Governor and state lawmakers to work with
3 NYSAC to develop legislation to authorize county governments to use design-build
4 construction contracting and electronic bidding as an option for transportation projects
5 to also realize the benefits to project delivery and local taxpayers as currently inure to
6 the state and NYC; and

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

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

1 **2025 Legislative Conference**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution # 2**

4
5 **Resolution Urging the Governor and State Lawmakers to Add Counties as**
6 **Eligible for Funding Under the New York State Touring Routes Program**
7

8 **WHEREAS**, the New York State Touring Route Program provides \$140 million in State
9 funds to cities, towns and villages based on the total number of signed touring route
10 miles for which such municipality has capital maintenance responsibility to support the
11 construction and repair of highways, bridges, highway-railroad crossings, and other
12 transportation facilities; and

13
14 **WHEREAS**, NYS Department of Transportation (NYSDOT) guidance directs that
15 preference be given to roads located on a State highway where the State arterial is
16 maintained by a municipality and designated as a Touring Route, however, funds may
17 be used on an eligible roadway listed on the Local Highway Inventory; and
18

19 **WHEREAS**, unlike the Consolidated Local Street and Highway Improvement Program
20 (CHIPS), Extreme Winter Recovery, PAVE NY, BRIDGE NY, and Pave Our Potholes
21 programs, for which all municipalities qualify, the State Touring Route Program
22 excludes counties; and
23

24 **WHEREAS**, several counties throughout the state have roads or segments of roads and
25 other transportation infrastructure that would otherwise qualify for the additional
26 allocation of funding enjoyed by all other levels of local government; and
27

28 **WHEREAS**, there appears to be no identifiable reason for counties that have several
29 miles of such touring routes as defined by NYSDOT guidance within their jurisdiction to
30 be excluded from the program; an inequality that needs to be corrected in the next
31 budget to prevent otherwise eligible counties from further loss of funding; and
32

33 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
34 Counties (NYSAC) hereby calls on the Governor and State Lawmakers to provide in the
35 final state budget the necessary change to the touring route budget language to include
36 counties; and
37

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

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