

LEGISLATIVE AND RESEARCH COMMITTEE MINUTES

OCTOBER 5, 2006 – 3:00 P.M.

Present: Chairman A. Johnson; Supervisors Daly, Peck, Raymond, Sausville and Gutheil; Spencer Hellwig, Mgmt. Analyst; George Hodgson, Environmental Services; Ken Cranell, NYSAC; Press.

Chairman A. Johnson called the meeting to order and welcomed all in attendance.

On a motion made by Mr. Sausville, seconded by Mr. Peck the minutes of the July 5, 2006 meeting were approved unanimously.

Mr. Johnson said last week NYSAC completed its fall conference, held in Lake George. He introduced legislative director for NYSAC, Ken Cranell, who gave a brief update on NYSAC's legislative accomplishments for 2006 along with the proposed legislation for 2007 as follows:

Mr. Cranell said there was a really good representation at the NYSAC conference of members from the Saratoga County Board of Supervisors, which was really appreciated. It is the input from the counties that helps to shape what is done, he said.

The process is to collect and develop resolutions over the summer from the counties and then construct them into policies for the committees who deal with policy resolutions. The policies that are adopted at the fall seminar are the basis for the legislative program, he said. The committees will meet again at the January legislative conference, and the resolutions taken at that time will be in direct response to items that were in the executive budget.

The resolutions are taken and put into a format by committee and then the board of directors, through the advice of the legislative committee, will highlight approximately three to five priorities.

Mr. Cranell highlighted the following items from the final 2006-2007 State budget as follows:

- ◆ The Medicaid cap implementation is in place and working.
- ◆ Beginning January 1, 2007, public nursing homes will receive direct state grants designed to provide additional fiscal relief. Nursing home reimbursements will also be re-based from the current 1983 base year to 2002 over four years.

- ◆ There were specific benefits implemented into a comprehensive Medicaid fraud and abuse control program to benefit the counties. Under the plan, counties would receive their historical local share from any civil recoveries resulting from civil fraud, waste an abuse prior to January 1, 2006.
- ◆ NYSAC was successful in advocating for legislation to give the ten counties and four cities that had previously committed to the year round sales tax exemption the option of deciding if they want to reinstate the local clothing tax until June 30, 2006.
- ◆ Aggressive lobbying by NYSAC resulted in the defeat of a plan that would have automatically capped the sales tax on motor fuel in every county. It required those counties who wished to retain the original sales tax methodology to adopt a local law to reject the revised sales tax on motor fuel calculation.
- ◆ The new law regarding tax foreclosure expands the notice given to real property owners upon commencement of a tax foreclosure proceeding, and provides counties and other taxing jurisdictions with a new streamlined process that expands local flexibility consistent with the Court's guidance.
- ◆ NYSAC requested legislation to amend the general municipal law to modernize the process for filing annual financial reports with the State Comptroller. The new law updates the time frame for filing of the AUD and provides greater flexibility to localities.
- ◆ NYSAC supported legislation to limit certain plea bargain limitations implemented by the State Police. This legislation sought to streamline court administration and reduce court costs as they relate to the adjudication of vehicle and traffic citations issued by members of the State Police. This statute would not have applied to violations relating to the consumption or possession of alcohol or drugs.

Mr. Cranell said there was a tidal wave of bills that passed the legislature that would have enhanced the public employee union position in bargaining. The Governor vetoed most of the items. One of the bills approved was to provide any county employee with four hours of annual excused leave time to receive screening for breast cancer.

Mr. Cranell said the Governor had proposed an early retirement incentive, which the legislature rejected. A bill was passed that would provide a 55/25 benefit that would require all localities to participate. This would allow anyone that was 55 years old with 25 years of service to retire without penalty. The legislature believes that if this type of benefit were offered, it would become a permanent benefit at the annual cost of approximately \$150 million.

Mr. Cranell said a lot of time has been spent on the handicapped children's program. Extensive work is being done to do a prospective rate methodology change. Right now counties are in a terrible position in that they pay a bill and they have no control over the management of the program. A lot of time has been spent on why policies are not

effective. We want to make sure that people understand that we are not trying to reduce services to children, the concern is the impact that the program has on the local taxpayers. Even though there are many good policy arguments you can make as to why the program is inefficient, the reality is, we don't understand why the county pays. The way the program is setup administratively it favors school districts, yet the county pays the bill.

Mr. Johnson said several months ago Mr. Sausville advanced the idea of Saratoga County becoming part of the Hudson River Valley Greenway. Mr. Hodgson gave a brief overview if the county were to become part of the Greenway and what it would entail.

Mr. Hodgson said the Greenway was established by State Legislation in 1991. It includes both river site communities that border the Hudson River and countryside communities with no physical connection to the Hudson. It is a state agency that works with local county governments to enhance local land use plans and create a voluntary regional planning compact for the Hudson River Valley. The council provides community planning grants, technical assistance to help communities develop a vision for the future. Currently the only two communities in Saratoga County that are eligible Greenway management are the town and village of Waterford. The are five Greenway criteria that must be met are as follows: Regional Planning, Economic Development, Natural and Cultural Resource Protection, Public Access to the Hudson River, Heritage and Environmental Education.

Mr. Hodgson said there is another level called, the Greenway Compact community. The compact communities have additional incentives which include the following: Compact grant, technical assistance, 5% preference on State grants; protection from Lawsuits, Sate Agency coordination, streamlines environmental review, incorporation into State laws, and added shoreline regulation.

On a motion made by Mr. Sausville, seconded by Mr. Peck the meeting was adjourned.

Respectfully submitted,

Chris Sansom