

Legislative & Research Committee Minutes
February 24, 2021 – 3:00 p.m.

Present: Chairwoman Raymond; Committee Members Dick Lucia, Mike Smith, Mo Wright; Supervisor Phil Barrett; Steve Bulger, Brian O’Conor, Matt Rose, Audra Hedden, County Administrator; Jason Kemper, Planning; Pamela Wright, Clerk of the Board; Hugh Burke, County Attorney.

Chairwoman Raymond called the meeting to order and welcomed all in attendance.

On a motion made by Mr. Smith, seconded by Mr. Wright, the minutes of the March 9, 2020 meeting were approved unanimously.

Mrs. Raymond announced the appointment of Supervisor Smith as Committee Vice Chair.

Mrs. Raymond said that the list of proposed 2021 Legislative items was distributed to the Chairs of all the Committees last week for their input and then to the entire Board of Supervisors. A copy of the list is attached to these minutes.

Mr. Barrett gave a brief overview of the Safe Water Infrastructure Action Program

A motion was made by Mr. Smith, seconded by Mr. Lucia, to adopt the 2021 Saratoga County Legislative Agenda. Unanimous.

Mrs. Raymond said that in past years the Supervisors have traveled to Albany to meet with representatives. A few years ago representatives came to Saratoga County to meet with Supervisors. Mrs. Raymond suggested that they try to set up that representatives join the April and May Board meetings for updates and opportunities for Supervisors to ask questions. Similar to Congresswoman Stefanik’s participation in the February Board meeting.

Mr. Wright said that the FCC has targeted 2022 for new broadband maps and suggested that Saratoga County work on this to ensure funding for the County. Mr. Wright said that he can work with NYSAC to come up with something. Mrs. Raymond agreed and suggested perhaps either piggyback a resolution from AATV or NYSAC, or come up with our own to add an item to the Legislative Agenda. Mr. Wright said that he will work with Mr. Gregoire from NYSAC. Mrs. Raymond also suggested this committee work with Technology & Resiliency committee on the issue. Mrs. Raymond said that if language is received in time, this item could be added at the Law & Finance meeting in March.

On a motion made by Mr. Wright, seconded by Mr. Smith, the meeting was adjourned unanimously.

Respectfully submitted,
Therese Connolly
Deputy Clerk of the Board

Saratoga County 2021 Legislative Program

State

- 1. Restore Full 20% Local Assistance Withholdings.** The 2022 Executive Budget proposes a restoration of 15% of the 20% State Aid withheld to help close the State's budget gap. This proposal assumes at least \$6 billion in new Federal aid, which is not a given. Regardless, the State should restore the entire 20% of aid withholding to counties, who face their own fiscal challenges due to the COVID-19 pandemic. Should Federal aid not close the State's budget gap sufficiently, additional local assistance cuts must not be used to close the deficit.
- 2. End Mandatory Sales Tax Diversions for State Purposes.** The 2019 Enacted Budget changed how AIM payments to cities, towns and villages is funded, authorizing the Comptroller to withhold County sales tax disbursements to make AIM payment instead of the from the State's General Fund. The withholding amount for Saratoga County is about \$1.5 million. The State also enacted a program to withhold \$250 million in local sales tax collections from counties in quarterly installments into the Distressed Provider Assistance Account, to fund financially distressed hospitals and nursing homes. Saratoga County's estimated share of this withholding is also \$1.5 million. While aid to local governments and medical facilities is important, the shift of funding from the State to counties, who are dealing with their own fiscal stress, is unfair and they should be made whole.
- 3. Restore VLT Aid.** The County of Saratoga and City of Saratoga Springs jointly cover costs associated with public safety services in order to provide a venue for video lottery terminals. The County and City rely on VLT aid to offset these costs together with the growing list of unfunded mandates while the State continues to reap the benefits that these venues provide. This aid amounts to \$775,000 for the County and \$2.3 million for the City.
- 4. Ensure Regional Equity in the Pandemic Recovery and Restart Program.** The 2022 Executive Budget proposes tax credits aimed at two industries most adversely affected by the COVID-19 pandemic. First is the Small Business Return-To-Work Tax Credit which provides refundable tax credits to small businesses in the accommodations, arts, entertainment, or recreation sectors with 40% or greater revenue or job loss. Second is the Restaurant Return-to-Work Tax Credit Program, available to small restaurants located within New York City or outside of New York City in areas that were designated as a red or orange zone for at least 30 days. Under both programs, businesses that increase their employment will be eligible for a tax credit of \$5,000 for each net full-time equivalent position added, up to \$50,000 per business. The total refunds for both programs would be capped at \$50 million each. While this is a laudable program, it is important the rules for distributing these credits ensure equitably between NYC and upstate, which has also suffered economic lose due to the pandemic. A \$25 million program specifically for NYC Musical and Theatrical Production is also established in this section, already providing targeted aid to the City.
- 5. Enact "No New Unfunded Mandates" Legislation.** While counties are constrained from raising revenue by the tax cap, the State is free to enact new unfunded mandates and shift more costs on local governments for existing mandates with impunity. In 2021, all of the County's property tax revenue will be consumed by unfunded mandates, plus an additional \$725,000 in General Fund revenue. Especially in this time of fiscal stress due to the COVID-19 pandemic and the fact that the State is already withholding aid and sales tax payments from counties, it is imperative that the State does not apply additional weight to local government's already hefty fiscal burden.

- 6. Continued Support for an Overhaul of Recent Criminal Justice Reforms.** Saratoga County supports Senator Tedisco's S.1523 bill to repeal bail and discovery reform laws. These recent reforms have caused widespread concern for public safety and are placing additional unfunded burdens on law enforcement agencies, District Attorney's Office, and Public Defenders Offices across the State. Saratoga County also supports Senator Tedisco's S.1522 bill to protect emergency first responders and provide them with the same personal information disclosure protections that are afforded to law enforcement personnel. The County also S.1521, which provides courts with more discretion when addressing felony convictions. As of the 2/8/21, these bills are currently at the committee level, awaiting addition to the Floor Calendar.
- 7. Continued Effort to Restore Community College Funding.** The State's reduction in community college tuition is driven by enrollment but fails to consider the rising costs of tuition. Historically, funding for community colleges was designed to be a three-way split between the State, counties, and students. Initially, the State offered financial support of 40% to encourage counties to develop campuses. This state commitment was later changed to "up to" 40%. Even with an increase in the per student rate, dropping enrollment can mean less state support for individual campuses and could ultimately lead to increased chargeback between counties based on the current chargeback methodology. State funding is currently well below the one-third promised and far short of 40%.
- 8. Support Enchantments to NYS Historic Tax Credit.** Assemblywoman Woerner is advocating for enhancements to the NYS Historic Tax Credit be included in the 2022 Enacted Budget. The proposed changes would increase the credit for smaller projects, defined as projects with expenditures under \$2.5 million, from 20% to 30%. The proposed amendments would also ensure that smaller cities will qualify for the NYS Historic Tax Credit. Expansion of this eligibility threshold will open the credit for more upstate cities and provide an economic and tourism boon for communities looking to rehabilitate historic buildings.
- 9. Restore Funding for Veterans Peer-to-Peer Program.** The 2022 Executive Budget does not provide funding for the Joseph P. Dwyer Veterans Peer-to-Peer Support Program, which provides coordination and cultivation of a safe atmosphere for veterans to connect and share their experiences. In Saratoga County, this program has been a tremendous success in providing outreach to the veteran community and connecting veterans with their peers. Saratoga County has been eligible for funding of up to \$185,000 in the last two budget cycles, and any residual funding still available should be released to counties if the program is not fully funded in the 2022 budget. Senator Jordan recently lent her support to the restoration of these funds.
- 10. Support Funding for the New Generation Farmland Protection Fund.** Supporting Assemblywoman Woerner's request that \$400,000 in funding for the Farmland for a New Generation Program - specifically named to American Farmland Trust (AFT) - be included in the 2022 Enacted Budget. With nearly a third of New York's over the age of 65 and cultivating almost two million acres of farmland, it is imperative that New York does its share to cultivate the next generation farmers. An aging farm workforce is not the only thing threatening the future of farming in New York – scarcity affordable land is a major barrier for new farmers. Since launching in 2018, The Farmland for a New Generation New York Resource Center has had over 55,000 users visit the site to browse resources and listings, 827 farmland seekers and owners have posted profiles, and their expert staff has provided one-on-one guidance to 649 farmers and landowners.
- 11. Support the Creation of the Safe Water Infrastructure Action Program (SWAP).** Continuing support for Senator Tedisco's Safe Water Infrastructure Action Program. This bill (S.224) establishes a program to fund the replacement and rehabilitation of existing municipally-owned and funded drinking water, storm water and sanitary sewer systems, similar to the Consolidated Street and Highway Improvement Program (CHIPS). The program would apply to any county, city, town or village drinking water system, storm water system or sanitary sewer system within the state that is not under the maintenance and/or operational jurisdiction of the state nor any private entity. Annual funding for this program would be at least the same amount appropriated for CHIPS.

Federal

1. **Support 100% Airport Improvement Program (AIP) Funding** There is a bill being considered for reconciliation in the House includes 100% AIP (Airport Improvement Program) funding. This would mean there would be no County share needed for the airport grants in 2021. This would be a savings of about \$250,000 for Saratoga County. The County airport has a critical safety improvement scheduled for construction this year. A new partial parallel taxiway to separate jet traffic from two glider clubs that operate at our airport greatly reducing the potential for aircraft conflicts and accidents. Included in this project is the creation of essential habitat for the Federally protected Karner Blue Butterfly. A 100% percent Federal share of AIP projects will ensure that these critical improvements are accomplished.
2. **Support Federal COVID Relief Funds for Municipalities** There is currently legislation in the House to provide resources for municipalities hard hit by the COVID pandemic and provide stability so their pre-COVID economy can be restored and reinvigorated. The plan is designed to provide all local governments with funding to respond to, or mitigate, the impact of the COVID, cover costs related to the public health emergency, replace lost and/or delayed revenues, and provide relief from the negative economic impacts of the pandemic emergency.