

LEGISLATIVE COMMITTEE
September 29, 2021 3:00 p.m.

AGENDA

Chair: Jean Raymond

Members:

Preston Allen
Dick Lucia
Bill Peck
Dan Pemrick
Mike Smith
Mo Wright

- I. Welcome and Attendance
- II. Approval of the minutes of the February 24 & March 8, 2021 meetings
- III. Selection of Legislative Priorities for the 2021-2022 State Budget
 - Review 2021 Legislative Program
 - Review of NYSAC Board of Directors Resolutions Fall Seminar
- IV. Request from City of Saratoga Springs regarding 2am bar closing time
- V. Other Business
- VI. Adjournment

The public will have an opportunity to hear the meeting live via an audio signal using this call-in number and access code:

Dial: 1-978-990-5145

Access Code: 1840389



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michael Hartnett, County Attorney
Therese Connolly, Clerk of the Board

CC: Jason Kemper, Planning Director
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

FROM: Supervisor Raymond

DATE: 9/22/2021

RE: Selection of Legislative Priorities for the 2021-2022 State Budget

COMMITTEE: Legislative

1. Is a Resolution Required: YES or NO
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)
2. Is a Budget Amendment needed: YES or NO
(If yes, budget lines and impact must be provided)
3. Are there Amendments to the Compensation Schedule: YES or NO
(If yes, provide details)
4. Specific details on what the resolution will authorize:
5. Does this item require hiring a Vendors/Contractors: YES or NO
 - a. Were bids/proposals solicited:
 - b. Is the vendor/contractor a sole source:
 - c. Commencement date of contract term:
 - d. Termination of contract date:
 - e. Contract renewal and term:
 - f. Contact information:
 - g. Is the vendor/contractor an LLS, PLLC or partnership:
 - h. State of vendor/contractor organization:
 - i. Is this a renewal agreement: YES or NO
 - j. Vendor/Contractor comment/remarks:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution: YES or NO
(If yes, attach the last approved resolution)
- What were the terms of the prior resolution
 - Are the terms changing:
 - What is the reason for the change in terms:
7. Is a new position being created: YES or NO
- Effective date
 - Salary and grade
8. Is a new employee being hired: YES or NO
- Effective date of employment
 - Salary and grade
 - Appointed position:
 - Term:
9. Is a grant being accepted: YES or NO
- Source of grant funding:
 - Amount of grant:
 - Purpose grant will be used for:
 - Equipment and/or services being purchased with the grant:
 - Time period grant covers:
10. Remarks/Reasoning (Supporting documentation must be attached to this form):
See attached



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 67 - 2021

Introduced by Supervisors Raymond, Allen, Lucia, Peck, Pemrick, Smith and Wright

ADOPTING 2021 SARATOGA COUNTY LEGISLATIVE PROGRAM

WHEREAS, our County is recognized as a statewide leader in economic growth and opportunity; and

WHEREAS, we wish to continue the reforms of non-productive state laws and policies, obtain greater flexibility in resource allocation for local governments, seek relief from unfunded State mandates, and promote economic development in Saratoga County; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors requests enactment of the following legislative initiatives:

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 loss 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 supports S.1521, which provides courts with more discretion when addressing felony convictions. As of 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 Enhancements 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 farmers 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.
3. **Support Federal Broadband Infrastructure Expansion Funding.** This includes the Emergency Broadband Benefit Program, the American Rescue Act, and any additional federal broadband infrastructure legislation that will be considered in 2021. It is particularly important that the Federal Communications Commission finish updated their broadband and cellular service coverage maps in order to effectively deploy the 5G Fund for Rural America as well as other broadband infrastructure programs. There is a recognized and critical need for providing broadband access to rural areas for public safety, health, education, economic development, and quality of life, which has only been highlighted by the pandemic.

BUDGET IMPACT STATEMENT: No budget impact.



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

**2021 NYSAC Fall Seminar
Onondaga County**

**NYSAC Board of Directors
Hon. John F. Marren, President**

**2021 NYSAC Fall Seminar Resolutions
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1 **2021 NYSAC Fall Seminar**
2 **NYSAC Board of Directors**
3 **Resolution #1**

4 **Calling on the State of New York to Increase and Fully Fund County Law**
5 **18B Assigned Counsel Statutory Pay Levels**

6 **WHEREAS**, the United States Constitution established, and the Supreme Court
7 decision Gideon v. Wainwright clarified, that credible counsel must be provided for all
8 those accused of a crime, regardless of their ability to pay; and

9 **WHEREAS**, New York State took legislative action to establish a criminal indigent
10 defense legal system that passed the responsibility of providing these criminal defense
11 services, and many of the costs associated with it, to counties and local property
12 taxpayers; and

13 **WHEREAS**, in 2007, the New York State Civil Liberties Union sued the State of New
14 York in Hurrell-Harring v. State of New York, which showed indigent criminal defense
15 services were underfunded by the State and failed to meet constitutionally required
16 standards; and

17 **WHEREAS**, prior to Hurrell-Harring, the 57 New York counties spent \$164 million
18 annually on public defense while the state provided the 57 counties with only \$39
19 million in indigent defense support; and

20 **WHEREAS**, the New York State Legislature recognized that the State needed to
21 provide more funding and in 2017 passed historic legislation increasing state funding by
22 upwards of \$250 million per year to directly improve indigent defense services; and

23 **WHEREAS**, while counties are still funding the same amount, the State's 2017
24 legislative influx of funding has made New York State a leader in indigent defense
25 services; and

26 **WHEREAS**, due to different county demographics and needs, counties have flexibility
27 in how to provide criminal defense by using a combination of public defenders, conflict
28 defense offices, and privately contracted attorneys known as 18B counsel (named after
29 the applicable section of County Law); and

30 **WHEREAS**, all counties rely on the services of 18B attorneys to perform these services
31 to both handle the overflow of work as well as handling conflicts that come into the
32 public defender's office; and

33 **WHEREAS**, unfortunately, while the 2017 State legislation that helped vastly improve
34 the indigent defense system, one area that was not addressed was the pay rate of 18B
35 attorneys; and

1 **WHEREAS**, Article 18B establishes compensation paid to attorneys for assigned
2 counsel work at \$60/hour for misdemeanor matters and \$75/hour for felony defense;
3 and

4 **WHEREAS**, these rates have remained unchanged since 2004 and in that same time
5 period the United States has experienced wage growth of 58 percent for highly skilled
6 labor; and

7 **WHEREAS**, counties across the state have had difficulty in recent years attracting and
8 retaining quality 18B attorneys and the stagnant pay has been identified as a major
9 contributing factor; and

10 **WHEREAS**, without properly funding 18B attorneys, the work by the State to improve
11 indigent defense services could be in jeopardy of regressing.

12 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
13 Counties (NYSAC) calls on the State to increase the 18B attorney hourly rate and to
14 include an annual adjustment; and

15 **BE IT FURTHER RESOLVED**, the State needs to fully fund this increase in keeping
16 with the logical reasoning of the Hurrell-Harring case as well as building on the State
17 legislature's historic 2017 legislation; and

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

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

1 **NYSAC 2021 Fall Seminar**
2 **Standing Board of Directors**
3 **Resolution #2**

4 **Resolution Calling on the Governor to Complete Affordable Care Act**
5 **Enhanced Federal Medicaid Assistance Percentage Reconciliations that are**
6 **Years Overdue and Immediately Release the Federal Funds Owed to**
7 **Counties and New York City**

8 **WHEREAS**, the funding to support the Medicaid program is provided by a
9 combination of federal, state and local resources; and

10 **WHEREAS**, the state requires the counties and New York City to contribute \$7.6
11 billion annually to pay for the federal and state defined and controlled program; and

12 **WHEREAS**, the locally required share of Medicaid funding paid in New York is the
13 highest of any state in the country; and

14 **WHEREAS**, this large local funding share for Medicaid and other state programs is a
15 major contributor to New York's high local tax burden compared to other states; and

16 **WHEREAS**, under the Affordable Care Act (ACA), the federal government provided an
17 enhanced Medicaid matching share (eFMAP), which has saved New York state billions
18 of dollars; and

19 **WHEREAS**, the state is required under federal law to share these savings with counties
20 and New York City based on the proportionate share localities pay of the nonfederal
21 match; and

22 **WHEREAS**, the state has utilized a methodology that provides 80 percent of these
23 estimated federal savings to counties in the year the costs accrue; and

24 **WHEREAS**, the balance of savings owed to counties is required to be reconciled
25 annually to ensure the withheld savings are transferred to county budgets and local
26 taxpayers, as well as meeting the intent of federal law; and

27 **WHEREAS**, the last completed reconciliation and transfer of federal savings owed to
28 counties was for state fiscal year 2015-16; and

29 **WHEREAS**, individual counties and NYSAC have made numerous requests, over
30 multiple years, regarding the status of outstanding Medicaid ACA eFMAP
31 reconciliations and the federal funds withheld from counties; and

32 **WHEREAS**, due to the lack of a meaningful response from state officials, dozens of
33 counties have submitted Freedom of Information Law (FOIL) requests to the New York
34 State Department of Health (DOH); and

1 **WHEREAS**, DOH has been providing detailed responses to county FOIL inquiries and
2 initial responses indicate, if current trends continue, that well over \$1 billion in federal
3 funding is owed to counties and New York City for SFY's 2017, 2018, 2019 and 2020;
4 and

5 **WHEREAS**, because the state is withholding these federal funds, it requires counties
6 and New York City to reserve funds locally to make up for the loss, meaning local taxes
7 have been kept higher than they need to be over multiple years, or local services are
8 scaled back or eliminated; and

9 **WHEREAS**, in the years leading up to the last completed ACA eFMAP reconciliation,
10 counties were provided an estimate of their coming year Medicaid costs by September,
11 in time to incorporate the savings in their budgets, which ceased when regular
12 reconciliations ended.

13 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
14 Counties (NYSAC) urges the Governor to complete these unfinished reconciliations as
15 soon as possible and to provide counties and New York City a full accounting of the
16 federal funds owed, and to take immediate steps to release the funds to localities; and

17 **BE IT FURTHER RESOLVED**, the state should also renew its practice of providing
18 timely notice to counties of coming year Medicaid costs so they can appropriately budget
19 those savings for local taxpayers and to preserve highly desired local quality of life
20 services provided in our communities; and

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

1 **2021 NYSAC Fall Seminar**
2 **NYSAC Board of Directors**
3 **Resolution #3**

4 **Resolution for Allocating Unrestricted Resources to Local Health**
5 **Departments to Fortify Provision of Core Public Health Services and**
6 **Prepare for Implementation of Expanded Public Health Mandates**

7 **WHEREAS**, local health departments are New York State’s partners and operational
8 extensions, working in the forefront of communities, addressing public health issues
9 and serving as the first line of defense against all public health crises by protecting
10 communities and residents; and

11 **WHEREAS**, activities led by the 58 local health departments are paramount to our
12 collective ability to achieve Prevention Agenda goals, address health disparities, improve
13 health outcomes and ensure community safety and stability; and

14 **WHEREAS**, directors and commissioners of public health are health strategists within
15 their respective counties, with the unparalleled expertise needed to apply knowledge,
16 bridge competency gaps, lead multi-sector health improvements, and identify
17 vulnerable populations; and

18 **WHEREAS**, un- and under-funded public health mandates continue to emerge
19 routinely, including monitoring of contaminants in drinking water, registration of
20 cooling towers, lowering of the elevated blood lead level in children (EBLL), and most
21 recently, all activities related to the COVID-19 response; and

22 **WHEREAS**, the state aid share for core public health services has not kept up with
23 growing public health needs, nor has it supported the implementation of new and
24 expanded state mandates and has not received an increase in core public health aid in
25 more than six years, nor have they received adequate compensation needed to respond
26 to emerging health issues; and

27 **WHEREAS**, during the 2020-2021 State Budget Session, New York State became the
28 epicenter of a global pandemic that has required a surge in and restructuring of the
29 existing public health and health care infrastructure to ensure control of the virus and
30 equitable distribution of COVID-19 vaccines; and

31
32 **WHEREAS**, during the 2021 Legislative Session, New York State adopted legislation to
33 legalize adult-use cannabis, which will require increased response including education,
34 surveillance, public awareness, and oversight by local health departments; and

35 **WHEREAS**, the public health workforce employed within local health departments are
36 first responders, working at the forefront of communities during times of need and
37 when emerging health issues occur, such as COVID-19 response; and

1 **WHEREAS**, appropriations within the State Budget for public health spending has
2 been reduced year after year and new funding streams for emergency response activities
3 are frequently accompanied with stringent federal spending or supplanting restrictions
4 that impact how funds can be utilized and reduces flexibility to respond to local
5 community needs; and

6 **WHEREAS**, as demonstrated during the COVID-19 response, the public health
7 workforce is central to New York State’s public health infrastructure, yet is dwindling
8 due to public-sector budget restraints, competition, a surplus of workers who are
9 approaching retirement, and the inability to recruit new workers in all areas throughout
10 the state, and all of these factors culminate in significant workforce retention challenges;
11 and

12 **WHEREAS**, New York State does not allow local health departments to recover any of
13 its necessary or fringe expenses for local health department personnel under Article 6,
14 therefore creating a barrier to hiring new staff; and

15 **WHEREAS**, a thorough assessment of the full fiscal implications of any new policy is
16 crucial if the state desires to maintain its’ promise to local taxpayers through the two
17 percent state property tax cap, and if the state wishes to deliver on new public health
18 promises that they want to implement through state statute and regulations; and

19 **WHEREAS**, now, more than ever, is the time for a call to action to allocate the
20 resources that are truly needed to further expand public health and safety infrastructure
21 in New York State, further demonstrating the State’s commitment to pass progressive
22 public health policy and thereby protect the residents of New York State.

23 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
24 Counties (NYSAC) calls on the Governor and State Legislature to provide resources,
25 flexibility and support to local health departments within county and New York City
26 governments by;

- 27 1. Allocating unrestricted, flexible funding to local health departments so they have
28 the resources needed to respond to threats like COVID-19,
- 29 2. Restoring Article 6 reimbursement to New York City at 36 percent, the same rate
30 as the rest of the state,
- 31 3. Providing 100 percent reimbursement for the first full year of any new and/or
32 significantly expanded public health mandates emerging from law, rule, or
33 regulation,
- 34 4. Maintaining state public health grant funding for local public health department
35 activities and services,
- 36 5. Extending the Imminent Threat to Public Health declaration as we continue to
37 respond to COVID-19, and
- 38 6. Expanding Imminent Threat to Public Health declarations for noncommunicable
39 disease emergencies.

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

1 **NYSAC 2021 Fall Seminar**
2 **NYSAC Board of Directors**
3 **Resolution #4**

4 **Resolution Calling on the Governor and the Legislature to Suspend Any**
5 **Further State Diversion of Local Sales Tax for Distressed Health Facilities**
6 **and Work to Immediately Sunset the Law**

7 **WHEREAS**, over the last two budget cycles the State has enacted legislation to divert
8 local sales tax so it can be spent in support of a state programs or to backfill state budget
9 shortfalls; and

10 **WHEREAS**, the state diversion of county and New York City sales tax is approaching
11 \$1 billion since first enacted three years ago; and

12 **WHEREAS**, in addition to the state sales tax diversions, counties were subject to a five
13 percent state reimbursement cut of \$160 million in SFY 2021, while also being required
14 to fund expanded state programs with no state fiscal support, and, when combined,
15 these state funding cuts and new local costs are approaching \$1 billion annually for the
16 counties outside of New York City; and

17 **WHEREAS**, sales tax is the number one revenue source for many counties across the
18 state and the primary local revenue to support services in our communities, especially
19 for frontline workers responding to and facilitating recovery efforts from the pandemic;
20 and

21 **WHEREAS**, sales tax is also the number one local revenue source for counties that
22 help keep property taxes lower, including those of hundreds of cities, towns and villages
23 across the state that receive a share of the county sales tax; and

24 **WHEREAS**, the largest state diversion of county and New York City sales tax was
25 enacted to support a temporary, two-year, \$250 million annual fiscally distressed health
26 facilities pool to help them with fiscal impacts caused by the pandemic with this
27 diversion scheduled to sunset at the end of SFY 2022; and

28 **WHEREAS**, as of September 2021, \$375 million in local sales tax has been diverted by
29 the state with none of this funding being distributed to health facilities in New York; and

30 **WHEREAS**, the support of fiscally distressed health facilities has been a federal and
31 state responsibility for decades as they set nearly all the rules of operation for the
32 healthcare system, as well as the reimbursement levels for Medicare, Medicaid and
33 other public health programs which account for nearly half of all health care
34 expenditures in the United States; and

35 **WHEREAS**, the State Legislature does not support the diversion of local sales tax to
36 pay for what they view as a state responsibility if they feel such assistance becomes
37 necessary; and

1 **WHEREAS**, Congress recognized the fiscal stress that health facilities shouldered
2 during the pandemic; and

3 **WHEREAS**, Congress has authorized \$178 billion in direct payments to health care
4 facilities and providers through several different federal COVID response bills; and

5 **WHEREAS**, healthcare facilities and providers in New York State have received \$11.6
6 billion in federal assistance so far, with \$40 billion of the federal funding still to be
7 distributed; and

8 **WHEREAS**, according to press statements from Senators Schumer and Gillibrand,
9 these federal payments replaced 87 percent of the lost revenues for health facilities in
10 New York through the first half of 2020.

11 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
12 Counties calls on the Governor and State Legislature to suspend any further diversions
13 of local sales tax for this program, as the Governor declared the COVID public health
14 emergency had ended as of June 24, 2021, and begin work to sunset the law
15 immediately; and

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

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



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michael Hartnett, County Attorney
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CC: Jason Kemper, Planning Director
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Audra Hedden, County Administrator's Office

FROM: Supervisor Raymond

DATE: 9/22/2021

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COMMITTEE: Legislative

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 - Appointed position:
 - Term:
9. Is a grant being accepted: YES or NO
- Source of grant funding:
 - Amount of grant:
 - Purpose grant will be used for:
 - Equipment and/or services being purchased with the grant:
 - Time period grant covers:
10. Remarks/Reasoning (Supporting documentation must be attached to this form):
See attached

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF SARATOGA SPRINGS, NEW YORK

BE IT RESOLVED, by the City Council of the City of Saratoga Springs, New York, as follows:

WHEREAS, Saratoga Springs' success as a recreation and entertainment destination owes much to its local bars and restaurants. Our city's many eating and drinking establishments serve our residents and visitors year-round and all through the day and evening. It is unfortunate that in recent years the service of alcoholic beverages into the late hours has brought far greater numbers of people out at night, and has created unprecedented problems in our city. Despite strong efforts from city authorities and bar owners, public intoxication in our downtown area continues to increase. Violent threats are more numerous as well, and when large crowds gather the potential for serious injury is greater than it has ever been; and

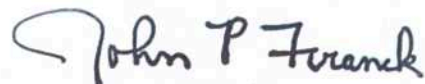
WHEREAS, while section 106 of the New York State Alcoholic Beverage Control Law currently prohibits sales of alcoholic beverages for on-premises consumption between the hours of 4:00 AM and 10:00 AM on Sunday, and between the hours of 4:00 AM and 8:00 AM on any other day, Section 17(11) of that law gives the State Liquor Authority the power, upon receipt of a resolution by a county board of supervisors, to further restrict those hours for sales. It is regrettable that this Council must again consider seeking such a resolution from the Saratoga County Board of Supervisors, but concern for public safety demands no less,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This Council finds that further restriction on the permitted hours for sales of alcoholic beverages for on-premises consumption is in the public interest.
2. This Council asks the Saratoga County Board of Supervisors to enact a resolution for submittal to the State Liquor Authority under Section 17(11) of the Alcoholic Beverage Control Law, to further prohibit sales of alcoholic beverages for on-premises consumption to the hours from 2:00 AM and 10:00 AM on Sunday, and from 2:00 AM and 8:00 AM on any other day.

AYES 5 NAYS 0

Dated: 8/3/2021



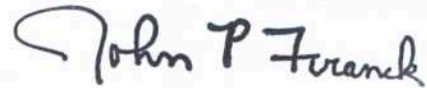
CITY COUNCIL OF THE CITY OF
SARATOGA SPRINGS, NEW YORK

By: John P. Franck, City Clerk

STATE OF NEW YORK
CITY OF SARATOGA SPRINGS
COUNTY OF SARATOGA

I, John P. Franck, City Clerk of the City of Saratoga Springs, Saratoga County, New York, do hereby certify that the foregoing is a true extract of the minutes and true copy, and whole thereof, of Resolution #21-304, which states the City Council of the City of Saratoga Springs voted in favor of the resolution which restricts the permitted hours for sale of alcoholic beverages for on premise consumption, at its meeting on the 3rd day of August, 2021.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed hereto the official seal of said City, this 16th day of August 2021.



Commissioner of Accounts and City Clerk