

LEGISLATIVE & RESEARCH Transcript

9/29/2021

SPEAKERS

Jean Raymond, Steve Bulger, Mo Wright, Mike Smith, Michael Hartnett, Preston Allen, Several Supervisors, Therese Connolly

Jean Raymond

We will call this meeting of the Legislative and Research committee to order. Has the attendance been taken?

Therese Connolly

Yes.

Jean Raymond

Attendance has been taken, a quorum is present. We need approval of the minutes of February 24 and March 8.

Mike Smith

So moved.

Jean Raymond

Move by Michael Smith, Supervisor Smith.

Mo Wright

Second

Jean Raymond

Second by Supervisor Wright discussion. All in favor?

Several Supervisors

Aye.

Jean Raymond

Any opposed? Minutes are approved. The first item on today's agenda. Those of you who were with us when we met with our Legislative delegation in Albany in the spring, they talked about getting information to them earlier before, during the budget process, the budget preparation process, about our priorities, and we said we would do that. What I have supplied you with today is a copy of our legislative program, which was approved by the Board and presented to the Legislators from Albany this spring, along with a copy of the Board of Directors Resolutions from the NYSAC meeting which

took place on September 13 through 15 in Onondaga County. The NYSAC Board of Directors generally picks out some resolutions from the various committees and puts their name on them because they give them a high priority. And I thought we would also review those resolutions to see if any of those or all of those are some of those would be included. So what I would like to do first, if it's alright with everybody is go through our legislative program to see if it requires us to include some of these things in our priorities coming into the budget time, and this primarily deals with the putting together of the budget and the input our Legislators have, directly and indirectly on the State budget, which will come out I think it's March 1, maybe I don't have the date in front of me. But it's usually no, maybe it's January, something. Maybe it's the week after the state of the State. But the more time they have to try and influence some input, the better the chances are. And with our new Governor being both a former local government official and a county government official, we have a lot of local government understanding at the highest level. So when the Governor's budget comes out, hopefully they'll have some influence. So if we can go through these one at a time and see if we are all in agreement, we'll just vote on them at that time. The first one is to restore full 20% local assistance withholdings, that has really happened. So I don't know that needs to be included again. That was when some of the CHIPs money and other money was taken from us during the pandemic. Does anybody feel we should include it again?

Mo Wright

As long as they don't try it again.

Jean Raymond

Well, if they try it again, we'll be back in this room having another conversation, but that we won't know. The second is end the mandatory sales tax diversion for state purposes. I think that's very important. And that should be included.

Mo Wright

I think we need to include it Yeah.

Jean Raymond

Supervisor Lant has joined the meeting. Good afternoon, sir. I'm very well. We're just going through our but our legislative priorities for the budget coming out of the state will be to send on to our State Legislators. We're on item three of our original legislative agenda from the spring. The third item is restore VLT aid. Obviously that's been restored. So I don't think that needs to be included.

Mike Smith

Chairman, on number one should we just reword it a little bit to say that we want to make sure that it stays in the budget?

Jean Raymond

We have another item, item number five, which is enact no new unfunded mandates legislation, I think might cover that.

Mike Smith

Okay. I was gonna say we can just we could reword that. I mean, not to restore, but to make sure that it

Jean Raymond

Well, we can certainly put this in our legislative agenda too, the next year's committee can put that in their agenda. Or if it looks like, we want to speak out ahead of time before we even put together an agenda, if there is something in the new budget, I tend, in my personal opinion,

Mike Smith

That will go by the wayside.

Jean Raymond

I think we're going to be okay next year, because they got enough money from the federal government to carry them comfortably for two years.

Mike Smith

Okay.

Jean Raymond

But if something changes, we can certainly revisit it immediately.

Mo Wright

Well, I think the Legislature wanted this list ahead of time,

Jean Raymond

Yes.

Mo Wright

For one going into budget purposes. So it may not hurt just to remind them even on number three, you know, they have restored it at this point. But you know, we could take some of these bullet points and say, look, make sure you're not going to go back and take that 20%, make sure you're not going after VLT aid. That's stuff they need to know we're opposed to before the budget time, right? I mean, are we gonna wait till the till the Governor comes out with a budget April 1, and then all sudden, we've lost VLT aid, and we've got to start scrambling to meet with the Legislators to get it back in there.

Jean Raymond

I tend to think that maybe then perhaps what we ought to do is instead of deciding what to put in here, determine if there's anything we should take out, and we'll just send it as it sits with, unless there's something that's just irrelevant.

Mo Wright

Well, I think, Mike makes a good point.

Jean Raymond

I agree with you.

Mo Wright

Maybe we could just go through, have Ridge go through this and change wording on, instead of you know, right now that they have restored VLT aid, and they've restored to 20%, hold back, but we could put something in those saying, you know, look in the past they've attempted to take our VLT aid, they've attempted to cut 20%. And we're opposed to it from the beginning, or I mean, I think we need to make a strong stand ahead of time before they even start putting a budget together, that we're not going to stand for that anymore.

Jean Raymond

Then perhaps the better approach, and I agree with you, I think perhaps maybe the better approach is simply to have our legislative agenda from 2021 simply reworded to apply to 2022. Does that work for everybody else?

Mo Wright

I think it makes a lot of sense.

Mike Smith

Yeah.

Jean Raymond

Preston, are you okay with that?

Mo Wright

Show our concerns beforehand (illegible) put together?

Jean Raymond

Preston, are you okay with that approach?

Preston Allen

Yeah.

Jean Raymond

Okay. I don't see, I'm just looking here, I don't see anything that can't be reworded for the same purpose. On the Federal level, we had airport improvement funding, we always need airport money, COVID relief funds for municipalities.

Mo Wright

I think one thing we should talk about putting in our State part, though is, you know, the State got a bunch of this stimulus money also for basically infrastructure, and we should force their hand use some of that for some of this broadband infrastructure too.

Jean Raymond

We have that down as

Mo Wright

In Federal, I see, we have it for the Federal.

Jean Raymond

I think we could reword that.

Mo Wright

But there's nothing in the State to, you know, let's hold their feet to the fire and they've got all this funding that's supposed to be used first thing. Let's make them update or mapping at the very least, so that when the FCC starts going out some of this money we got our ducks in a row to get some of it. I think that we need to put some pressure on the state to do that.

Jean Raymond

And I think we could take item number three from the federal legislation and simply reword it and put it as item number 12. And add the mapping.

Mo Wright

Sure. But we still need I mean, federal funding is there for it but.

Jean Raymond

Leave it there in the federal but then take firstly, the same language with added accurate up to date mapping.

Mo Wright

I think it's important if we can't, we've got to make sure that they know we're keeping our eye on how they're spending those stimulus funds.

Mike Smith

If for nothing else, they can do the mapping, the state can handle the mapping of it

Jean Raymond

As they should.

Mike Smith

That's a bonus to us in my opinion.

Jean Raymond

I think that's fine. Okay, then everybody's picking up the gist of this because so we can have it reworded. This will go to Law and Finance. I believe.

Mo Wright

I think Jean that's a good idea. But I think that in the grand scheme of things, I think the County is wise to do a lot of the mapping on their own to make sure it's done right. The State is going to, I think the State is gonna take a lot of the shortcuts that the FCC has in some of their census blocks.

Jean Raymond

Why don't we request that the State supply funding for the Counties to do the mapping?

Mo Wright

That's fine, I just think we need to, I think the Counties need to at least have some kind of oversight on these mapping to make sure that they're correct.

Jean Raymond

I think they have to be done locally. And I think not just at the county level, you and I sat through some of these conversations at NYSAC, it's also very often needs to be done at the local level, maybe the County could oversee.

Mo Wright

That's why we can't trust the State to do it.

Jean Raymond

Oh, no, I know, I think we can trust the State to pay for it or pay a portion of the cost of it.

Mo Wright

That's fine.

Jean Raymond

Maybe possibly match, I don't know that I want to say it publicly per se, but match some State funding with local funding?

Mo Wright

Well, let's not say that.

Jean Raymond

No, I said (illegible). No they pay for the whole thing, and we will oversee it and administer it. Okay, if we do those things, then we would have 12 items under the State and we would have three items under the Federal.

Mike Smith

So for just for record keeping, for number 12, we're going to ask for provide funding for broadband mapping at the County level.

Mo Wright

Mandate mapping in infrastructure, I wouldn't just limit it to mapping I mean, let's, let's make them spend some of their money there, instead of. We don't want to make them make them think that we're going to be happy just with mapping, we're gonna need more than just mapping money, we're gonna need some infrastructure money, too. So let's, let's keep their feet to the fire on that.

Jean Raymond

Until we see what the mapping results are. We don't even know what's needed.

Mo Wright

That's right. I don't want to let them off the hook to say here, here's your maps, do what you want with them. And that's all.

Jean Raymond

No. I agree with you. And I think, quite honestly, that when we get into the Adirondack area where there's long stretches, where there's no reason that even have infrastructure, that's where we need the State's assistance financially, because it's their land that's blocking us from being able to have enough people per mile or whatever.

Mo Wright

Their demands and their policies.

Jean Raymond

And their policies too Yes. Under the NYSAC Resolutions, there are five. One is to increase in fully fund County Law 18-B, which is the assigned counsel pay rates. Number two is calling on the Governor to complete the Affordable Care Act, enhanced Medicaid assistance percentage reconciliations and pay us what they owe us. And these are the priorities coming out a NYSAC so they will be pushing these as well. Number three is allocating unrestricted resources to the local health departments to fortify provision of core health public services. We need anything that has to do with putting money in our County to help with Public Health services, because we are going to be spending a very a lot of money to do what is in fact almost an unfunded mandate, since they're making us become a Public Health Department. And number four is calling on the Governor and Legislature to suspend any further state diversion of local sales tax for distressed health facilities. And sunset the law immediately. I thought there were five there are four, those are the four coming out in NYSAC. So if everybody's comfortable with asking Ridge, did I see Ridge come in or did he come in and leave?

Steve Bulger

I think he had to leave. He's got something going on. So just to make sure, Madam Chair, we're on your wavelength here in the committee, we will update the language of our 2021 based on the conversations we had, especially on the infrastructure and mapping, request for funding on broadband, add that as item 12, tweak some of the language on some of the other ones, instead of restore, it will probably be maintain the funding.

Mike Smith

Make them current.

Steve Bulger

Yeah, exactly. And you would want this ready for Law and Finance. Is that the plan?

Mo Wright

I don't think that the legislature is not even going to be back in session until first of the year.

Jean Raymond

I think that we want to, if we can have it ready, either. I think with the new timelines the way they are, it's complicated. Maybe not the next Law and Finance, because it's probably due yesterday. But the next one after that and then get once it's approved by, that would probably be October, it would be November. Okay, once it's approved in November, get a copy of it to our Legislators so that they can do their behind the scenes, and their staff behind the scenes, checking on what's going into the budget.

Mo Wright

Jean, should we include something on the 911 funding that, you know, the Counties are getting screwed on that 911 funding? I mean they're collecting \$200 million a year, and the Counties are getting, like a 10% of that bag for 911. If nothing else, you know, we can talk to the Legislature about it, they're probably not, but maybe we just need the public to know how bad the counties are getting. I mean, the public's the one paying this bill on their surcharge, on their bills for 911, and the State's putting the money in the general fund. I mean, and a lot of the public don't know that.

Jean Raymond

I certainly have no objection, we did not have it in our Legislative agenda.

Mo Wright

I just think it's something we, you know there's money out there for the counties for this 911. That's earmarked money that the State has just been putting in their general fund for years. And only giving the counties a small percentage of it, I think it's wrong. And I think if the public knew that, maybe we can put some pressure on people to get some of that funding that's needed for upgrade our 911 systems,

Jean Raymond

Well and it certainly is needed and going to be more needed. Because as we increase the number of our population, and people are moving into the area, there's more and more people.

Mo Wright

I just think we should work that into our message here somewhere.

Jean Raymond

Is everybody okay with that?

Steve Bulger

Add item number 13?

Jean Raymond

Yep.

Mo Wright

Sure. I have no problem if Ridge and Steve go through this and they see something that's redundant and want to combine a couple, you know, let's.

Jean Raymond

Well, my next question after we finished with these was, if they had anything else that they wanted to add to it that's come up since we've done this. And I certainly would leave it to your discretion to look through what's coming out, what you're hearing, what the scuttlebutt you get as County Administrator, because I know you're in the loop on a lot of that stuff. And I have no objection to adding any input because we can meet again, or we can just simply review it internally, by email or, and have it go on to Law and Finance.

Steve Bulger

Great suggestion, we will get together with a bunch of us to hear different things and to see if there is something that would be appropriate to bring to your Committee to add.

Jean Raymond

I don't even know that we need to have a committee meeting to add it because it's going to go through Law and Finance anyway.

Mike Smith

Well if it's gonna be edited and updated, you've got time to add things to it, and then at our next meeting, we finalize it.

Jean Raymond

Yeah, the only problem is I want to make sure we get it to our Legislators in a timely fashion. And our next meeting has been, I cancelled the October meeting of this committee, like a month ago, because of other conflicts, because I didn't see any reason to have a meeting in the end of October for November's Board meeting because there's nobody there. There's no rush to have a meeting, you can have a meeting at the end of November, and still get everything to them before they get back in January. So rather than having another committee meeting, which is going to draw it out to where if we had a Committee meeting, we couldn't have the committee meeting until the end of November, which will be for the December committee meeting. Follow that. That makes sense? I mean, if something controversial comes up, or if you want to add a bunch of stuff.

Steve Bulger

We can certainly copy you and the Committee members on everything and then give it back to us with your comments if that sounds okay.

Jean Raymond

And frankly, if you have a draft, I have no objection if you want to copy all of the Board of Supervisors, you know, let them know. It's just I'm sure I will get used to it. But it's hard to teach old dogs new tricks. And I'm having trouble with this timing business of when you have to have a meeting and have stuff in and prior to a meeting and I just think it's difficult sometimes.

Michael Hartnett

So if I may and just jump in?

Jean Raymond

Absolutely.

Michael Hartnett

Thank you. SO just a couple of, one question I would have is, generally as I understand it, and correct me if I'm wrong, this committee usually in March forwards a Legislative agenda. Would this be, how I'm conceptualizing it as an update, or you know, a check in on that legislative agenda, or amendment thereto?

Jean Raymond

Because they requested us to give them, the Legislative, our Assembly members and Senators requested us to give them information, prior to the budget coming out, on what kinds of things they would want, we would want included or not included in the budget. So that they, because they work behind the scenes. They're doing the budget now. So their staffers, the people from the Association of Towns, the people from NYSAC, and NYCOM are all working back channels with the staff people on what's getting in and what's not getting in the budget. So this is to accommodate them. And so this is simply, this would be our original 2021 spring Legislative agenda updated to now, or a month from now.

Michael Hartnett

And then with respect to Resolution passing. I would suggest one of two ways. One is if this Committee is willing to approve this in principle and forward it to Law and Finance subject to editorial revisions on specific language as Chairperson, or with the relaxing of the Open Meetings law or the new legislation regarding phone, perhaps circulating a draft and meetings I think can be called in much quicker fashion to have another.

Jean Raymond

We could do that, whichever way works.

Michael Hartnett

So I would defer on what you would approve,

Jean Raymond

And a lot of the stuff that's in this agenda is not new. It's been approved and approved and approved month after year after year. So it's not like we've come up with some innovative, something new.

Michael Hartnett

So if I could offer to come up with a draft in conjunction with Steve's office and circulate it, and then perhaps enlist Therese's assistance in calling a special meeting of this Committee to forward that resolution to Law and Finance.

Jean Raymond

Does that work for everybody?

Mo Wright

That's fine.

Jean Raymond

Preston?

Preston Allen

Yeah, that works.

Jean Raymond

Okay. So very good. And we could, if something doesn't work out, we can change it. It's just that this time of year for most of us, this is a very busy time of year with Town budgets and other kinds of things going on and trying to figure out where we are from day to day with COVID. It's, meetings are difficult. So if we can do it virtually, that's even better.

Michael Hartnett

If I may, one more comment, you indicated issues that are hot button issues, in working with Mike Naughton extensively on Solar projects and PILOT projects. One thing I would offer out there is the legislation on local control over those projects is being pulled away very, very rapidly. And I would add that to be.

Jean Raymond

the Association of Towns and NYSAC and probably NYCOM, I don't know, are all over that. So that could be something that if you want to take the time or I will, to pull the Resolutions from NYSAC and in December the Association of Towns Resolutions will be approved. And I think they were approved last year the same way with the whole home rule issue. We can certainly direct that those kinds of resolutions on solar, go directly from your office, I think we can anyway, directly to Law and Finance for support, because they're supported by our organizations that we're members of. Do you remember off the top of your head what came out of NYSAC?

Mo Wright

The resolution?

Jean Raymond

On solar.

Mo Wright

They had a resolution. I don't know what it, it's in the packet I believe.

Jean Raymond

Yeah, I just don't have it with me. But there were a number, like 80 pages of Resolutions that came out of NYSAC. And I think we sent back, did you take them back?

Mo Wright

Take it back. I've got it at home.

Jean Raymond

Somebody brought them back to you.

Steve Bulger

We got a copy.

Jean Raymond

Oh, it was Ridge, I think brought it back. Yeah. So you could check and see on what they have in solar. This has been a big thing because it has to do with the idea that if Towns can't act fast enough that after I think 60 days, they are deemed automatically approved.

Michael Hartnett

Correct and for bigger projects, the bigger the project, there are some situations where there's no local planning authority to object to it, which I believe would be of very much interest to local Town Supervisors and County Legislators

Jean Raymond

Flies completely in the face of Home Rule in general. And, again, we don't know specifically what the new Governor's office, how they will react to this. She was a town legislator for 8 or 10 or 12 years before she became, then she was a Deputy County Clerk and then a County Clerk, and then a Congresswoman. So she's got a huge background in the different levels of government and understands at least what it means to government. So yeah, I think something like that that's already been approved by either NYSAC or the Association, well maybe not the Association of Towns but NYSAC at least, as our organization and all the Resolutions that you have that came back from NYSAC that were approved. And I know Mo was in on a lot of them and I sit on the Resolutions Committee as well as the Transportation Committee. So they take a lot of time to go over those Resolutions. They take days sometimes to figure out exactly what word comes first, and what more come second. So they're well, well done. But they could go directly to Law and Finance if we wanted to support them. Any other discussion on item three? Item four. We received and you have copies of a Resolution from the City of Saratoga Springs regarding 2am bar closing time. They are asking that the County support their request to have all the bars in Saratoga County closed at two o'clock am. Because apparently there is, I'm not entirely sure why, but it has to be done by the County. And what I am suggesting is that we take a thorough look at this. I know to my knowledge, it's been through the Cuntly twice, and twice

the County has turned it down. It would seem to me that we need to find out, and I hate to do this, because we just gave you a bunch of work to do. But you have other people upstairs too. I would like to see this Committee get some information. First of all, on what the County has done in the past. I am aware of at least two times and there may have been others before it. I would also like to know where this came from? Is this legislation that came out of the Legislature in Albany signed by the Governor that says you have to do it that way? Is it something in the Constitution? Or is it something that State Liquor Authority just thought up as hey that'll be convenient for us? Because I think it would seem to me, and this is only my opinion, that it really ought to be another Home Rule decision, at a minimum, based on the size of the community or the number of establishments in a community, or any community. If the community doesn't want their bars open past midnight? Why does the whole county have to say, oh, no, we can't do that. We have some very conservative communities in this State. Down in, I can think it's particular in Dutchess and to certain extent, I think maybe it's Putnam County or parts of Rockland, very conservative communities who maybe don't want a bar open at all? Maybe they don't want it open after 10 o'clock at night? And why should the entire County decide when it's open or closed? And I would like to think about, maybe we could recommend some Legislation or some changes in regulation that make it much more a Home Rule item where we don't have to all just jump in and decide how to do it. And it's especially right now, with any kind of establishment, whether it's a bar or a restaurant, any kind of public establishment, they're barely surviving, you know, that extra hour to a business could be the difference between life and death for a business.

Mo Wright

Have we heard from any of the merchants' associations on this? I mean, I can't believe there's any of the Chambers or anybody that's in favor of this. Has anybody piped in on this at all?

Jean Raymond

I have heard nothing from anybody. I have a meeting, which I have no idea what it's about, just in general with, Center for Economic growth, whatever it used to be the Southern Saratoga Chamber. Probably next week or the week after, maybe that's one of the items he wants to talk about. Although he didn't say why, he just said he wanted to come up and meet with me. What I do know is that both times that I was on this Board, and it was brought up to this Board, in a similar fashion, it was soundly defeated. So it may be that there is a feeling that they don't have to communicate with us. But on the other hand, I would like to have more information. I think that there's a number of you that are new. I think, Mike, you weren't here for either those times. Mo, you were here for one of them? I don't know if Preston was. I think it's time, we've got a lot of new Board members who should be aware of the information. Nothing is going to change between now and January. So we could take time to gather information, be clear. I think the problem goes away right after Labor Day anyway that they're having. So let's get some real information and see if we can't find a way that respects their wishes, that maybe doesn't have to tie the entire County into making the decision.

Mo Wright

In my opinion bail reform would do better to take care of this problem than closing the bars at two o'clock in the morning. That's just my opinion at this point.

Jean Raymond

Maybe we can combine both recommendations. Just a little bail reform would go a long way. But if you don't mind, I would appreciate it.

Michael Hartnett

I'd be happy to. Inquiry as to format. Do you want that as the legal process, the historical process, both? Is it intended to be for public consumption? Or do you want that to members of the committee?

Jean Raymond

Oh I don't care if it's for public consumption I think public information.

Jean Raymond

(Illegible Mr. Hartnett and Ms. Raymond speaking at the same time)

Michael Hartnett

So I'll word it in a non-attorney client privilege manner as just an informational.

Jean Raymond

If you come across something that should be Attorney Client privilege, put it in a separate memo but I can't think of anything that would have any bearing on that. I'd just be more curious as the history of how it got here. I mean, a lot of these laws on liquor consumption, I don't even know I know when I had a business, you couldn't sell beer before eight o'clock in the morning. I don't know if that's still the case.

Michael Hartnett

That is the case. Four-hour window, five hours on Sundays.

Jean Raymond

County Administrator has to leave for a phone call with the Governor. So (illegible) not as important as the Governor. But they used to not be able to sell alcohol and beer before noon on Sunday, I don't know if that's still the law?

Michael Hartnett

Nine o'clock on Sundays.

Jean Raymond

Nine o'clock.

Michael Hartnett

In Saratoga County.

Preston Allen

The resolution that they did says 10 o'clock.

Michael Hartnett

10 o'clock? It's a bigger window of time that you can't on Sundays.

Jean Raymond

I just have no idea like how these rules came about from when there was no alcohol allowed during Prohibition. And it's almost like a loosening of the laws. And I just I'm not sure I understand why we're trying to tell businesses how to operate. Maybe you have a business where everybody works in (illegible) goes to church on Saturday.

Michael Hartnett

I would be happy to. I know that Mr. Dorsey did a lot of work on this the last time it came through. So I'll pull all his files and do a new rundown in a public way consumable format.

Jean Raymond

And if you have any reason to need to go and look at establishments across the County, at different times, I think that's a reasonable thing that you could do. Maybe take a Board member two along with you that wants to observe the process. Take a field trip. We've been going to field trips to see records management, certainly you could do field trips for that. Anything else anybody wants to add to the two o'clock bar closing time? Any other business to come before this committee?

Mike Smith

Motion to adjourn.

Mo Wright

Second.

Jean Raymond

By Mr. Smith, second by Mr. Wright. All those in favor.

Several Supervisors

Aye.

Jean Raymond

Any opposed? Meeting is adjourned. Thank you all very much.