



12/15/21

SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 324 - 2021

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

APPROVING A 2021 SARATOGA COUNTY LEGISLATIVE PROGRAM UPDATE

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 Update

State

- 1. Maintain Full 20% Local Assistance.** The 2022 Executive Budget proposed a reduction of State Aid to counties from 20% to 15% to help close the State's budget gap. Eventually these funds were restored. Regardless, the State should maintain, at minimum, the entire 20% of aid to counties, who face their own fiscal challenges due to the COVID-19 pandemic. Should the state face a budget gap, 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 are funded, authorizing the Comptroller to withhold County sales tax disbursements to make AIM payments instead of those payments coming from the State's General Fund. 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. 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. The withholding of sales tax to aid distressed hospitals and nursing homes is scheduled to sunset at the end of FY 2022. The State should not extend this program as aid to these facilities have historically been the responsibility of the State and Federal governments.

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.
4. **Oppose Proposed Amendments to Tax Law to End Racing Subsidies** State Assemblymember Linda Rosenthal (Assembly District 67 – Manhattan), has introduced legislation (A.8468) to redirect revenue funding from Video Lottery Terminal gaming from the state’s horse racing industry towards other public uses. This would have devastating impacts on the local economy and the historic Saratoga Race Course. Horse racing in New York is responsible for thousands of jobs and has a \$3 billion economic impact on the state. Horse racing at Saratoga continues to be an international attraction and just this year had a record-setting meet where attendance surpassed 1 million for the sixth consecutive year. This proposed legislation should be strongly opposed by our representatives.
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 2022, all of the County property tax revenue will be consumed by unfunded mandates, plus an additional \$2,958,505 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 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. **Support State Funding of Broadband Infrastructure Expansion.** Supporting a plan to allow counties to ensure accurate mapping of broadband service and manage infrastructure development to best meet the need of residents and businesses to foster economic growth and access to internet and cellular services.
7. **Continued Support for an Overhaul of Recent Criminal Justice Reforms.** Saratoga County supports Senator Tedisco’s S.1523A 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 Offices, and Public Defender 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 11/19/21, these bills are currently at the committee level, awaiting addition to the Floor Calendar.

- 8. 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%.
- 9. Support Enhancements to NYS Historic Tax Credit.** Assembly Bill A.3670, introduced by Assemblywoman Woerner, calls for enhancements to the NYS Historic Tax Credit be included in the state 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.
- 10. Secure Continued Funding for Veterans Peer-to-Peer Program.** The Joseph P. Dwyer Veterans Peer-to-Peer Support Program 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 budget cycle, and any residual funding still available should be released to counties if the program is not fully funded in the 2023 budget.
- 11. Continued Support for the New Generation Farmland Protection Fund.** Building upon Assemblywoman Woerner’s success in securing \$400,000 in funding for the Farmland for a New Generation Program - specifically named to American Farmland Trust (AFT) - in the 2022 Enacted Budget, we are advocating for continued investment in this program. 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 of affordable land is a major barrier for new farmers.
- 12. 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.

- 13. Support Amendment to Executive Law §94-c, to Restore Local Control Over Development.** Executive Law §94-c, which became effective in April 2021, created the Office of Renewable Energy Siting, and allows that office in certain instances to “elect not to apply, in whole or in part, any local law or ordinance” when considering Large Scale Renewable project permits. The effect of this provision is a complete elimination of any local control over the approval and siting of Large-Scale Renewable projects. The County would support the amendment of this law to restore the ability of local municipalities to have input and control over the siting of large-scale development in their communities.
- 14. Secure state funding to allow for the transition to a full-service Public Health Department.** Appropriating a minimum of \$3 million in state funding to support Saratoga County’s transition from a Department of Public Health Services to a full-scale Local Public Health Department and the expansion of duties and responsibilities by the county as a result of this transition. Saratoga County will be the first county in more than 20 years to undergo such a transition, New York State should continue to provide technical assistance on the transition while securing funding to allow for a smooth transition of operations and responsibility from the State Department of Health to Saratoga County Department of Public Health.
- 15. Support Local Municipal Control to Determine Hours of Retail Sale of Alcoholic Beverages.** Currently, New York State’s Alcohol Beverage and Control Laws provide counties with an opportunity to submit a request to the State Liquor Authority to restrict hours of sale of alcoholic beverages on a county-wide basis. The Board supports a change to this law to allow for both local municipalities to make requests directly to the State Liquor Authority, and for the State Liquor Authority to determine hours of retail sale of alcoholic beverages based on municipality without requiring county-wide actions and restricting sales in a neighboring town, city, or village.

Federal

- 1. Support Continued 100% Airport Improvement Program (AIP) Funding.** The American Rescue Plan Act provided 100% AIP (Airport Improvement Program) funding resulting in no County share needed for the airport grants in 2021. This provided a savings of about \$250,000 for Saratoga County. The County airport has a critical safety improvement scheduled for construction again this year. The County supports continued 100% AIP Funding to ensure critical improvements are accomplished.
- 2. Continued Support Federal COVID Relief Funds for Municipalities.** Counties continue to be on the front lines of the pandemic response efforts. Increased funding to Local Health Departments and other critical infrastructure supported by the county would provide stability so the pre-COVID economy can be restored and reinvigorated. Continued support from the federal government will ensure that counties can provide important constituent services to residents while responding to, or mitigating, the impact of COVID and providing relief from the negative economic impacts of the pandemic emergency.

- 3. Support Federal Broadband Infrastructure Expansion Funding.** Support any additional federal broadband infrastructure legislation that will be considered in 2022. It is particularly important that the Federal Communications Commission finish updating 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 and provide technical and financial assistance to counties to allow for the construction and maintenance of broadband and cellular infrastructure. 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.