

WARREN COUNTY
NATIONAL ASSOCIATION OF COUNTIES/NEW YORK STATE ASSOCIATION OF COUNTIES COMMITTEE
AGENDA
NOVEMBER 3, 2022

COMMITTEE MEMBERS: Supervisors Seeber, Hogan, Braymer, Leggett and Driscoll

- I. Committee meeting called to order by Chair
- II. Approval of minutes of prior Committee Meeting – *October 6, 2022*
- III. Privilege of the floor and public comment
- IV. Action Agenda/New Business Items:
See below for possible action taken due to discussion items

- V. Discussion Items:
New York State Association of Counties (NYSAC)
 1. Amazon Prime business opportunity – *representative Travis Brown to attend meeting virtually to provide information and answer questions.*
 2. Employee Retention Interviews – Livingston County example
 3. Employee Appreciation Day – Saratoga County example
 4. Support for Standing Committee on Public Safety Resolution:
 - Encouraging the State Legislature and Governor to Enact Legislation to Provide Local Discretion on Pre-Sentence Investigations in Plea Deals Resulting in Less than 1 Year Imprisonment
 5. Support for Standing Committee on Medicaid and Human Services Resolutions:
 - Resolution calling on the New York Congressional Delegation to Support Federal Legislation that Exempts Qualified Residential Treatment Programs from the Federal Medicaid Intentions for Mental Disease (IMD) Exclusion and for New York State to Provide State-Only Medicaid Funding to Cover any loss of Federal Funds until the Exemption is Achieved
 - Resolution calling on Governor and State Legislature to increase State Funding Support for the Foster Care Block Grant to Pay for the Rate Increase Enacted in the SFY 2023 Budget, and also Increase State Funding for Safety Net Programs
 - Resolution Urging the Governor and New York State Legislature to Become a True Partner by Focusing on Rent Allowance and Standard of Need which must Include the Restoration of 50/50 Cost Sharing for Safety Net Programs, and Clarify its Homelessness Prevention Goals by Making Permanent Housing the Central Focus

- National Association of Counties (NACo)
 1. NACo High Performance Leadership Program – *nominations for training- interest from DSS, Health Services, County Administrator*
 2. NACo 2023 Legislative Conference February 11-14, 2023 - [2023 NACo Legislative Conference](#)

- Other
 1. Submission of Best Practices by Warren County Departments
 2. Goals for these committee meetings, updates by members on NACo/NYSAC committee members and any other items for future topics to be discussed by this committee

- VI. Referrals/Pending Items: None.
- VII. Privilege of the floor and public comment
- VIII. Motion to adjourn

1 **2022 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #3**
4

5 **Resolution Encouraging the State Legislature and Governor to Enact**
6 **Legislation to Provide Local Discretion on Pre-Sentence Investigations in**
7 **Plea Deals Resulting in Less than 1 Year Imprisonment**
8

9 **WHEREAS**, currently, New York State Criminal Procedure Law (CPL) section 390.30
10 requires county probation departments to conduct investigations and complete pre-
11 sentence investigation (PSI) reports for the court; and
12

13 **WHEREAS**, currently, the City of New York has the authority to decide whether a PSI
14 is necessary in these situations; and
15

16 **WHEREAS**, counties also believe that this legislation will reduce the workforce
17 shortage and some of the current burden placed on Probation Departments, District
18 Attorney's Offices, Public Defender Offices, Sheriff's Offices, and the Courts by not
19 relaying on unnecessary PSI's prior to sentencing; and
20

21 **WHEREAS**, this legislation will also ensure a common statement practice for the use
22 of PSIs across New York State when there is a plea agreement in place for local
23 incarceration of up to 365 days and will aide in expediting sentencing those defendants
24 who are incarcerated in county jails.
25

26 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
27 Counties (NYSAC) encourages the Governor and State Legislature to enact legislation
28 A.4998 (Paulin) that would correct a deficiency within the existing statute under the
29 very specific circumstances when a PSI report is not required regarding a sentence of
30 imprisonment of one year or less so long as the sentence was negotiated and agreed to
31 by the defendant, the district attorney, and the court at the time of a defendant's plea of
32 guilty; and
33

34 **BE IT FURTHER RESOLVED**, the bill grants local probation department discretion
35 regarding the requirement of a pre-sentence investigation and written report would be
36 eliminated when a term of imprisonment for 365 days or less has been agreed upon by
37 the parties with consent of the judge as a result of a conviction or revocation of a
38 probation sentence; and
39

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
42

43 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
44 the Governor of the State of New York, the New York State Legislature, and all others
45 deemed necessary and proper.

1 **NYSAC 2022 Fall Seminar**
2 **Standing Committee on Medicaid and Human Services**
3 **Resolution #1**

4
5 **Resolution Calling on the New York Congressional Delegation to Support**
6 **Federal Legislation that Exempts Qualified Residential Treatment**
7 **Programs from the Federal Medicaid Institutions for Mental Disease (IMD)**
8 **Exclusion and for New York State to Provide State-Only Medicaid Funding**
9 **to Cover Any Loss of Federal Funds Until the Exemption is Achieved**

10
11 **WHEREAS**, in 2018, Congress enacted the Family First Prevention Services Act
12 (FFPSA), which includes numerous provisions to alter how the federal government will
13 reimburse for certain foster care maintenance payments; and

14
15 **WHEREAS**, a major provision of the FFPSA amends Title IV-E of the Social Security
16 Act to limit foster care maintenance payments (FCMPs) to 14 days for children placed in
17 child care institutions (CCIs or congregate care settings); and

18
19 **WHEREAS**, the limitations on federal Title IV-E funding supports in the FFPSA are
20 well intentioned as a pathway to prioritize family-based placement of youth with kinship
21 and non-relative foster care, but it ignores the reality of the types of specialized services
22 that many foster care youths require, and existing provider networks in many states can
23 support; and

24
25 **WHEREAS**, local departments of social services work closely with OCFS and voluntary
26 agencies to reduce the use of congregate care and to place children with relatives and
27 foster parents; and

28
29 **WHEREAS**, children with complex needs rely on services offered in residential
30 settings; and

31
32 **WHEREAS**, if these placements become ineligible for federal funding, some service
33 providers will discontinue their programs, and others will exist solely on state and local
34 funding; and

35
36 **WHEREAS**, under the New York State Foster Care Block Grant, the entire burden
37 would be on counties unless the state makes a specific new fiscal commitment; and

38
39 **WHEREAS**, the State is currently pursuing a temporary 1115 Medicaid waiver as the
40 solution to this problem; and

41
42 **WHEREAS**, the waiver the State is submitting is so restrictive many providers indicate
43 the rules would not enable them to continue providing services; and

44
45 **WHEREAS**, this would lead to New York State not being able to maintain residential
46 capacity for children, who have been victims of abuse and neglect and who need an
47 array of specialized services and a safe place to live.

1 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
2 Counties (NYSAC) calls on the New York State congressional delegation to support a
3 federal law change to exempt Qualified Residential Treatment Programs that provide
4 services to foster care youth from the federal Medicaid IMD exclusion; and

5
6 **BE IT FURTHER RESOLVED**, the State of New York should provide state-only
7 Medicaid funding support to cover any loss of federal funds until the federal law change
8 is achieved; and

9
10 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties of
11 New York State, encouraging member counties to enact similar resolutions; and

12
13 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
14 Governor Kathy Hochul, the New York State Legislature, the New York congressional
15 delegation and all others deemed necessary and proper.

1 **NYSAC 2022 Fall Seminar**
2 **Standing Committee on Medicaid and Human Services**
3 **Resolution #2**

4
5 **Resolution Calling on the Governor and State Legislature to Increase State**
6 **Funding Support for the Foster Care Block Grant to Pay for the Rate**
7 **Increase Enacted in the SFY 2023 Budget and Also Increase State Funding**
8 **for Safety Net Programs**
9

10 **WHEREAS**, over the last 15 years, the State has devolved away from their historic and
11 constitutional responsibility to provide social services and support for low-income
12 families and individuals, as demonstrated through significant reductions in state
13 financial support for these programs, thereby shifting state costs and responsibilities to
14 counties and New York City; and

15
16 **WHEREAS**, these state funding shifts have increased county and New York City social
17 services costs by hundreds of millions of dollars annually because the state requires that
18 all services still be provided in full, sometimes including new and more comprehensive
19 service levels, but with fewer state resources; and

20
21 **WHEREAS**, these cuts include lowering state fiscal matching funds for Safety Net
22 Programs from 50 percent to 29 percent along with maximizing federal funding to offset
23 some of this loss, but the federal funds no longer offset losses for most counties today;
24 and

25
26 **WHEREAS**, the enacted State Fiscal Year 2023 budget eliminated the 45-day waiting
27 period for cash assistance under the Safety Net Program, which will increase county
28 (\$22 million) and New York City (\$40 million) costs by \$62 million annually; and

29
30 **WHEREAS**, state funding support for the Foster Care Block Grant was cut by \$62
31 million in State Fiscal Year 2018, a 14 percent reduction; and

32
33 **WHEREAS**, the enacted State Fiscal Year 2023 budget included provisions to settle
34 longstanding state litigation related to inadequate foster care rates paid to foster parents
35 in New York City; and

36
37 **WHEREAS**, counties were not a party to this settlement, nor consulted during state
38 settlement negotiations; and

39
40 **WHEREAS**, state funding for the Foster Care Block Grant is capped, which means
41 counties are required to pay the full cost of the scheduled rate increases that will be
42 spread over two years and will likely range between 20 percent to 50 percent when fully
43 implemented; and

44
45 **WHEREAS**, initial estimates of new costs upon full implementation are \$200 million,
46 (\$117 million for New York City and \$83 million for the 57 counties); and

1 **WHEREAS**, in a recent state negotiated settlement to end litigation related to the
2 adequacy of state resources provided for indigent criminal defense services, the Hurrell-
3 Haring agreement provided 100 percent state funding support for all new costs of the
4 settlement, and this should be the model for all state settlements that increase costs.
5
6 **NOW, THEREFORE, BE IT RESOLVED** the New York State Association of
7 Counties (NYSAC) urges the Governor and State Legislature to fully fund the foster care
8 rate increases included in the SFY 2023 budget; and
9
10 **BE IT FURTHER RESOLVED**, NYSAC urges the Governor and Legislature to
11 increase the state’s 29 percent Safety Net Program share back to 50 percent without
12 further reducing any other public assistance reimbursement before considering future
13 benefit expansions in this program; and
14
15 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
16 New York State encouraging member counties to enact similar resolutions; and
17
18 **BE IT FURTHER RESOLVED**, NYSAC shall forward copies of this resolution to
19 Governor Kathy Hochul, the New York State Legislature, and all others deemed
20 necessary and proper.

1 **NYSAC 2022 Fall Seminar**
2 **Standing Committee on Medicaid and Human Services**
3 **Resolution #3**

4
5 **Resolution Urging the Governor and New York State Legislature to Become**
6 **a True Partner by Focusing on Rent Allowance and Standard of Need Which**
7 **Must Include the Restoration of 50/50 Cost Sharing for Safety Net**
8 **Programs, and Clarify Its Homelessness Prevention Goals by Making**
9 **Permanent Housing the Central Focus**

10
11 **WHEREAS**, homelessness and housing affordability continue to be major concerns
12 across the state; and

13
14 **WHEREAS**, the COVID-19 pandemic has made the situation worse through increased
15 rental rates, decreased housing supply and an increased reliance on temporary housing
16 assistance in shelters and motels; and

17
18 **WHEREAS**, the expansion of remote work and other factors has led to rising rents in
19 suburban areas at a rate approaching urban centers with the gap in premiums paid
20 between urban centers and suburban areas being cut by more than 53 percent; and

21
22 **WHEREAS**, this means rents are higher everywhere, with the northeast region seeing
23 the second highest rent increases nationwide with New York City setting record highs
24 for median rent in 2022; and

25
26 **WHEREAS**, Emergency Rental Assistance funding provided by Congress to prevent
27 people from losing their homes and increasing homelessness was an essential strategy
28 as the human hardships would have been far more devastating if we had not kept people
29 housed; and

30
31 **WHEREAS**, the homeless population is facing new problems as the needs of families
32 have become more complicated; and

33
34 **WHEREAS**, regardless of family size and demographics, many of those facing
35 homelessness or seeking emergency shelter can have challenging medical needs, mental
36 health and substance abuse issues, some are registered sex offenders, and still others are
37 state prison parolees or on probation; with some facing several of these challenges at the
38 same time; and

39
40 **WHEREAS**, the state is implementing new hotel regulations that could reduce the
41 number of units available to homeless families and leaving county officials with very
42 limited options that may be less effective and more expensive in managing local
43 homeless populations; and

44
45 **WHEREAS**, the state requires counties to fund 71 percent of costs for Safety Net
46 individuals and 100 percent of the costs of administering these programs; and

1 **WHEREAS**, local social service districts focus scarce resources on achieving
2 permanent housing, preventing homelessness and providing temporary placement; and

3
4 **WHEREAS**, counties maintain that preventing homelessness in the first place is the
5 best way to keep families safe and secure; and

6
7 **WHEREAS**, counties maintain that while it is important to provide help in a crisis, it is
8 better policy to maintain stability and prevent emergencies by providing sufficient
9 resources up front.

10
11 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
12 Counties (NYSAC) calls on the Governor and state legislature to prioritize permanency
13 in housing and to update rental allowances and the standard of need which have not
14 been properly updated in decades to fully address the dramatic growth in housing,
15 energy and food costs; and

16
17 **BE IT FURTHER RESOLVED**, as part of the effort the state must restore the Safety
18 Net state share to 50 percent; and

19
20 **BE IT FURTHER RESOLVED**, the State should pare back or end highly burdensome
21 hotel and motel regulations that end up limiting the supply of rooms available to
22 counties that have little choice but to rely on this method of temporary housing; and

23
24 **BE IT FURTHER RESOLVED**, the State should coordinate a timely transition to
25 supportive housing for the highest need individuals with mental health and substance
26 abuse issues in collaboration with OTDA, other state agencies, and local social services
27 districts; especially those that have been repeatedly homeless and in need of supportive
28 placements overseen by OMH, OASAS, OPWDD and DOCCS; and

29
30 **BE IT FURTHER RESOLVED**, the State should target funding to counties that
31 allows them to work with community partners to develop service models that achieve
32 permanency through innovative and flexible approaches that meet local needs; and

33
34 **BE IT FURTHER RESOLVED**, the State should work with counties in developing a
35 public education campaign to ensure people better understand the plight of families and
36 individuals struggling with homelessness and how everyone can benefit by helping them
37 achieve stable housing in our communities; and

38
39 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
40 of New York State encouraging member counties to enact a similar resolution; and

41
42 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
43 Governor Kathy Hochul, the Office for Temporary Disability Assistance and all others
44 deemed necessary and proper.