

WARREN COUNTY  
NATIONAL ASSOCIATION OF COUNTIES/NEW YORK STATE ASSOCIATION OF COUNTIES COMMITTEE  
AGENDA  
DECEMBER 1, 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 – *November 3, 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 – *Julie Butler, Purchasing Agent, to update on her discussions with Amazon representatives and provide insight to Committee.*
  2. Employee Retention Interviews – Livingston County example – *Jackie Figueroa, Human Resources Director, to provide opinion on whether something similar will work for Warren County.*
  3. Employee Appreciation Day – Saratoga County example – *matter to be reviewed by new County Administrator in 2023.*
  4. Support for Board of Directors; Children with Special Needs; and Standing Committee on Public Health and Mental Health Resolutions as referred with comments by the Director of Health Services:
    - Resolution Urging the Governor and State Legislature to Gradually Eliminate the County Fiscal Responsibility for Preschool Special Education and Summer School Special Education Programs (*This belongs to schools- schools already pay for Special Ed- promote seamless transition.*)
    - Resolution in Support of Addressing COVID's Impact on the Low Morale and Exodus of Professionals from New York's Public Workforce through the Issuance of Workforce Bonuses, Stipends, and Enhanced Retirement Benefits to Sustain the State's Public Infrastructure (*Desperate Need*)
    - Resolution Calling for Study and Reform of New York State Civil Service System to Support Local Government Employee Recruitment (*Hard for LHDs to remain competitive when locked into Civil Service grade/test system*)
    - Resolution Urging the Governor and State Legislature to Increase the Pre School Special Education Administration Rate for Counties (*Urgent need- Warren County appropriated \$3,150,919 in 2021- NYS reimbursement rate is 59.5%*)
    - Resolution Urging the Governor and State Legislature to Adjust the Early Intervention Rate Structure to Improve Access to these Services for Children Who Live in Poverty and Rural Areas (*Desperate Need- Therapists must drive house to house and don't want to see children in remote areas*)
    - Resolution Urging the State of New York to Require School Districts to Administer and Fund Pre-School Special Education and Early Intervention Services (*EI, Preschool, and Special ED all need to be under school for continuity of care for those in need- All are EDUCATIONAL programs.*)
    - Resolution Enact an Emergency System to Address the Scarcity of Providers of Therapeutic Services for Early Intervention Care (*There is a shortage/ Need to increase resources/ Emergency legislation needed to relax EI regs re service provision when providers are Not available*)
    - Resolution Urging the Governor and State Legislature to Increase County Reimbursement for Early Intervention Transportation Services (*Transportation is costly! Warren County spent \$18,368 (less because of COVID) and anticipated \$65,000 for 2022 for EI related transportation*)

- Resolution Support of Fully Funding the Implementation of the 2019 Elevated Blood Lead Level Mandate  
*(Lead level requiring intervention went from 15mcg/dl to 5 mcg/dl, increasing demand on staff)*
  - Resolution Support of Enactment of Legislation to Amend the Public Health Law in Relation to Municipal Limited Health Care Service Facilities  
*(Strongly support- LHDs are gap filling and not hospitals etc- it is not realistic to comply with the same regulations!)*
5. Support for Standing Committee on Public Health and Mental Health Resolution, as referred by Director of Office of Community Services:
- Resolution Requesting Targeted State Investments in Programming and Policies to Develop and Fund Core Local Services to Decrease the Use of Emergency Departments (EDs) for the Treatment of Children and Youth with Complex Behaviors Health Needs
6. Support for Standing Committee on Public Safety Resolution as referred by the Criminal Justice & Public Safety Committee:
- Resolution Encouraging the State Legislature and Governor to Enact Legislation to Require Reporting of Sex Offenders in Short Term Rentals

National Association of Counties (NACo)

1. NACo High Performance Leadership Program – *update on any additional nominations received.*  
*Cost to participate in 12 week program starts at \$1,995 (discounts may be available)*
2. NACo 2023 Legislative Conference February 11-14, 2023 - [2023 NACo Legislative Conference](#)  
*Early Bird registration ends December 10, 2022*

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

1 **2022 NYSAC Fall Seminar**  
2 **NYSAC Board of Directors**  
3 **Resolution #3**

4  
5 **Resolution Urging the Governor and State Legislature to Gradually**  
6 **Eliminate the County Fiscal Responsibility for Preschool Special Education**  
7 **and Summer School Special Education Programs**

8  
9 **WHEREAS**, Chapter 23 of the Laws of 1989 established the Preschool Program for  
10 Children with Handicapping Conditions as 4410 of the Education Law; and

11  
12 **WHEREAS**, the original law included a provision to limit the county fiscal  
13 responsibility to 25 percent by the 1993-94 school year; and

14  
15 **WHEREAS**, a gubernatorial statewide task force on reforming preschool special  
16 education determined that counties should be removed completely from financing the  
17 state's preschool special education program; and

18  
19 **WHEREAS**, the State has enacted legislation to provide universal prekindergarten for  
20 all age eligible children in New York State to be financed 100 percent with state  
21 resources; and

22  
23 **WHEREAS**, the State also requires counties to support 10 percent of summer school  
24 special education 4408 program costs for all children; and

25  
26 **WHEREAS**, Governor Hochul has approved a 15 percent provider rate increase,  
27 amounting to more than \$240 million in additional funding; and

28  
29 **WHEREAS**, NYSAC estimates the financial cost borne by counties for this rate  
30 increase is approximately \$50 million annually; and

31  
32 **WHEREAS**, the adopted SFY 2023 Budget did not include any funding to offset this  
33 new rate increase, thus expanding an already underfunded county mandated cost; and

34  
35 **WHEREAS**, the fact that other states do not require county government to pay for  
36 these special education expenses and the failure of New York State to fully fund its  
37 promised share of preschool special education program costs contributes directly to  
38 New York's highest in the nation property tax burden.

39  
40 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
41 Counties (NYSAC) calls on Governor Kathy Hochul and the New York State Legislature  
42 to implement a plan to gradually remove counties from the fiscal responsibility of  
43 paying for preschool and summer school special education programs; and

44  
45 **BE IT FURTHER RESOLVED**, in the first phase, the State must cap the annual  
46 county share growth for state fiscal year 2023 at no more than two percent to mirror the

1 allowable growth in the property tax cap or the average of the last three years of an  
2 individual county's costs, whichever is less; and  
3  
4 **BE IT FURTHER RESOLVED**, the second phase should include capping county  
5 fiscal liability at a zero percent increase for preschool special education and then  
6 implementing a multi-year plan to incrementally reduce the county fiscal liability for  
7 this program to no more than 25 percent as intended at the inception of the program to  
8 help reduce pressure on property taxes; and  
9  
10 **BE IT FURTHER RESOLVED**, the third phase should gradually reduce the county  
11 fiscal responsibility to zero for both preschool and summer school special education  
12 costs; and  
13  
14 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
15 of New York encouraging member counties to enact similar resolutions; and  
16  
17 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to  
18 the Governor of the State of New York, the New York State Legislature and all others  
19 deemed necessary and proper.  
20

1 **2022 NYSAC Fall Seminar**  
2 **NYSAC Board of Directors**  
3 **Resolution #4**

4 **Resolution in Support of Addressing COVID’s Impact on the Low Morale**  
5 **and Exodus of Professionals from New York’s Public Workforce through**  
6 **the Issuance of Workforce Bonuses, Stipends, and Enhanced Retirement**  
7 **Benefits to Sustain the State’s Public Infrastructure**

8  
9 **WHEREAS**, the pandemic has presented historic challenges to the response  
10 capabilities of public first responders; and

11  
12 **WHEREAS**, these professionals, who were already taxed by pre-pandemic workloads  
13 that extended beyond available resources, saw an explosion of critical tasks and  
14 responsibilities to combat and mitigate transmission of the COVID-19 virus; and

15  
16 **WHEREAS**, not only were local public staff subject to this tremendous increase in  
17 workload, but they were also faced numerous other challenges, including daily exposure  
18 to risk of infection, worry for their own loved ones, and hostility from a public that was  
19 and remains conflicted on compliance with response activities; and

20  
21 **WHEREAS**, a consortium of researchers from the NYS Association of County Health  
22 Officials (NYSACHO), the State University of New York (SUNY) Oneonta, Bassett  
23 Healthcare Network Research, and Utica University convened to conduct a statewide  
24 survey of public workers and compiled the findings in a report entitled “Pain and  
25 Perseverance;” and

26  
27 **WHEREAS**, more than 200 staff responded to the survey, documenting the profound  
28 impact these factors have had on public workers; and

29  
30 **WHEREAS**, the survey data indicate:

- 90.4% of respondents have felt overwhelmed by workload;
- 75.6% felt disconnected from family and friends because of workload;
- 65% felt unappreciated at work and 75% felt inadequately compensated;
- 35% received job-related threats because of work by members of the public;
- 55% felt bullied or harassed because of this work by the members of the public;
- 30% have received some sort of hate mail/email/messages from the public; and

31  
32 **WHEREAS**, these findings amount to a crisis within the ranks of the public workforce,  
33 triggering a significant exodus from the field by many workers and leaders that has  
34 further caused staff and resource shortages; and

35  
36 **WHEREAS**, local health departments have lost between 17% and 31% of their staff  
37 since March 2020 due to early retirements and other reasons related to the pandemic;  
38 and

1 **WHEREAS**, between 2019 and 2022, total vacancies in local health departments  
2 (LHDs) increased by 951 positions across 34 counties due to limited funding, inability to  
3 find qualified candidates, and hiring freezes; and

4  
5 **WHEREAS**, counties are challenged to recruit, retain, and employ new public  
6 professionals entering the field because many are drawn to the private for-profit sector  
7 and health care systems for work; and

8  
9 **WHEREAS**, experienced and trained workers will need to replace those who have  
10 retired or departed from LHDs due to stressors related to their jobs during the  
11 pandemic; and

12  
13 **WHEREAS**, the broad scope of public threats to our communities, coupled with the  
14 deleterious impact of underinvestment on the capabilities and mental health status of  
15 our public workforce, demands continued vigilance and continual investment by the  
16 state.

17  
18 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
19 Counties (NYSAC) calls on the Governor and State Legislature to work with Congress to  
20 pass the Public Health Loan Repayment Program, which includes \$25 million to support  
21 loan repayment for public professionals who agree to serve three years in a local, state or  
22 tribal health department; and

23  
24 **BE IT FURTHER RESOLVED**, that the Governor and Legislature include a one-  
25 time, state funded two-year retirement credit for all county health officials who worked  
26 during the state of emergency for the COVID-19 pandemic in the FY 2024 State Budget;  
27 and

28  
29 **BE IT FURTHER RESOLVED**, that the Governor and Legislature protect and  
30 continue to increase Article 6 public infrastructure funding in the FY 2024 state budget;  
31 and

32  
33 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
34 of New York encouraging member counties to enact similar resolutions; and

35  
36 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to  
37 The Governor of the State of New York, the New York State Legislature, NYSDOH  
38 Commissioner Mary Bassett, and all others deemed necessary and proper.

1 **2022 NYSAC Fall Seminar**  
2 **NYSAC Board of Directors**  
3 **Resolution #5**  
4

5  
6 **Resolution Calling for Study and Reform of New York State Civil Service**  
7 **System to Support Local Government Employee Recruitment**

8  
9 **WHEREAS**, in New York, 16.4 percent of the workforce are employed by state, local, or  
10 federal level governments, providing needed services to our residents; and

11  
12 **WHEREAS**, prior to the COVID pandemic, the New York public sector was being asked  
13 to do more with less, as the total workforce was down 4.5 percent from 2010; and

14  
15 **WHEREAS**, a recent study by the Bureau of Labor Statistics showed this downturn in  
16 public employment levels has only gotten worse, as the number of private-sector jobs  
17 surpassed its pre-pandemic level, while there are 664,000 fewer people employed in the  
18 public sector; and

19  
20 **WHEREAS**, NYSAC members have all expressed concerns over recent trends of hiring  
21 and retaining quality employees, as this downturn in employment numbers is putting  
22 more stress on local governments' abilities to provide needed services; and

23  
24 **WHEREAS**, New York's counties all are seeking to increase employment numbers and  
25 create a qualified and diverse workforce; and

26  
27 **WHEREAS**, current restrictions caused by NYS Civil Service Laws create hurdles that  
28 are stalling local governments' ability to expand their workforce; and

29  
30 **WHEREAS**, while current NYS Civil Service Laws were put in place with good  
31 intentions, most were implemented prior to current societal and technological  
32 advancements and the time to study and improve this system is long overdue; and

33  
34 **WHEREAS**, State Civil Service system changes are needed for county governments to  
35 compete with the private sector for potential employees, including the ability to more  
36 quickly respond to candidates seeking employment; and

37  
38 **WHEREAS**, New York's Public Officers Law (POL) § 3 requires certain employees  
39 reside in the political subdivision or municipality in which they hold such public office;  
40 and

41  
42 **WHEREAS**, since the 1970s, the State has authorized over 70 exceptions to POL  
43 residency requirements, including for police officers, in recognition that for many job  
44 specifications it is important to increase the potential hiring pool to obtain highly skilled  
45 employees; and

1 **WHEREAS**, now counties are in a hiring crisis due to the shrinking the potential hiring  
2 pool and the increase in needed county skilled labor; and

3  
4 **WHEREAS**, county governments need hiring flexibility and are best situated to know  
5 what job titles should have residency requirements and which should have flexibility to  
6 ensure efficient and quality county services; and

7  
8 **WHEREAS**, specific changes to NYS Civil Service Laws allowing for greater local  
9 government flexibility and quicker response time to hire needed employees include but  
10 are not limited to:

- 11 • Continuous Recruitment—allowing local governments the option to hold  
12 examinations continuously for candidates to apply at any time to take  
13 recruitment examinations;
- 14 • Electronic Canvassing Process—allowing email and phone contacts in lieu of  
15 mailing letters;
- 16 • Standard Grading Metrics should be simplified, understandable and predictable  
17 in order to assist potential applicants to take multiple-choice exams, as well as  
18 complete experience-based exams; and
- 19 • Licensed Occupation Local Approval—allowing local governments to bypass  
20 exam or civil service requirements for positions that require already approved  
21 and obtained New York accredited licenses.

22  
23 **NOW, THEREFORE, BE IT RESOLVED**, the State must immediately study and  
24 reform NYS Civil Service Law; and

25  
26 **BE IT FUTHER RESOLVED**, that New York State of Association of Counties  
27 (NYSAC) calls for the State of New York to amend Public Officers Law § 3 and allow for  
28 full Home Rule Authority to determine county employee residency requirements; and

29  
30 **BE IT FURTHER RESOLVED**, this study and reform must result in local  
31 governments' having more flexibility in hiring practices and the ability to more quickly  
32 respond to potential employees; and

33  
34 **BE IT FURTHER RESOLVED**, counties seek these changes to meet public service  
35 needs with a quality workforce that best reflects the residents they serve; and

36  
37 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
38 of New York encouraging member counties to enact similar resolutions; and

39  
40 **BE IT FURTHER RESOLVED** that New York State Association of Counties shall  
41 forward copies of this resolution to Governor Kathy Hochul, the New York State  
42 Legislature and all others deemed necessary and proper.

1 **2022 NYSAC Fall Seminar**  
2 **Standing Committee on Children with Special Health Care Needs**  
3 **Resolution #1**

4  
5 **Resolution Urging the Governor and State Legislature to Increase the Pre-**  
6 **School Special Education Administration Rate for Counties**

7  
8 **WHEREAS**, Chapter 23 of the Laws of 1989 established the Preschool Program for  
9 Children with Handicapping Conditions as 4410 of the Education Law; and

10  
11 **WHEREAS**, the original law included a provision to limit the county fiscal  
12 responsibility to 25 percent by the 1993-94 school year; and

13  
14 **WHEREAS**, section 4410 of the Education Law entitles counties to receive  
15 administrative cost reimbursement of seventy-five (\$75) dollars per eligible preschool  
16 student with a disability; and

17  
18 **WHEREAS**, the administrative cost reimbursement rate of seventy-five (\$75) dollars  
19 per eligible preschool student with a disability has not been increased in almost twenty  
20 years for counties and does not meet the needs of the existing expenses.

21  
22 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of  
23 Counties (NYSAC) calls on Governor Kathy Hochul and the New York State Legislature  
24 to increase the administrative cost reimbursement rate for counties to match the same  
25 methodology used to determine the administrative reimbursement rate for school  
26 districts administering regular education children education services; and

27  
28 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
29 of New York encouraging member counties to enact similar resolutions; and

30  
31 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to  
32 The Governor of the State of New York, the New York State Legislature and all others  
33 deemed necessary and proper.

1 **2022 NYSAC Fall Seminar**  
2 **Standing Committee on Children with Special Health Care Needs**  
3 **Resolution #2**

4  
5 **Resolution Urging the Governor and State Legislature to Adjust the Early**  
6 **Intervention Rate Structure to Improve Access to these Services for**  
7 **Children Who Live in Poverty and Rural Areas**

8  
9 **WHEREAS**, the structure of the Early Intervention rate methodology promotes  
10 inequitable availability of Early Intervention services in New York City and New York  
11 State; and

12  
13 **WHEREAS**, because Early Intervention rates are set for entire counties, and there are  
14 no requirements in the New York State Early Intervention Provider Agreement for  
15 providers to serve the entire county that they have identified in their catchment area,  
16 providers are free to choose which neighborhoods to provide Early Intervention services  
17 in; and

18  
19 **WHEREAS**, since the rates are flat across each county, there is no incentive for  
20 providers to serve children in poverty, children who live in rural areas, or communities  
21 of color; and

22  
23 **WHEREAS**, the current structure of the Early Intervention methodology  
24 promotes unequal availability of Early Intervention services in New York City and New  
25 York State.

26  
27 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
28 Counties calls on the Governor and State Legislature to allocate State funding for a  
29 twenty percent rate increase for services provided to children in census tracts where the  
30 percentage of the population below poverty is 20 percent or higher; and in areas that  
31 require service providers to travel more than 30 minutes between sessions to provide  
32 services for children; and

33  
34 **BE IT FURTHER RESOLVED**, any provider rate increase will be administered using  
35 State funding to ensure localities are not subject to additional EI program expenses;  
36 and

37  
38 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of  
39 New York encouraging member counties to enact similar resolutions; and

40  
41 **BE IT FURTHER RESOLVED**, the New York State Association of Counties shall  
42 forward copies of this resolution to the Governor of the State of New York, the New York  
43 State Legislature and all others deemed necessary and proper.

1 **2022 NYSAC Fall Seminar**  
2 **Standing Committee on Children with Special Health Care Needs**  
3 **Resolution #3**

4  
5 **Resolution Urging the State of New York to Require School Districts to**  
6 **Administer and Fund Pre-School Special Education and Early Intervention**  
7 **Services**

8  
9 **WHEREAS**, as there is no mention of education in the United State Constitution,  
10 education is considered a reserved power for the states; and

11  
12 **WHEREAS**, Article XI, Education in the New York Constitution states in Section 1,  
13 “The legislature shall provide for the maintenance and support of a system of free  
14 common schools, wherein all the children of this state may be educated.”; and

15  
16 **WHEREAS**, in the school-funding and educational-rights case Campaign for Fiscal  
17 Equity (CFE) v. State of New York, the New York Court of Appeals, the state’s highest  
18 court, held that children are entitled to a sound basic education; and

19  
20 **WHEREAS**, there is substantial understanding that the early years of a child’s life are  
21 critical to their social, emotional, behavioral, and academic development in preparation  
22 for entry into New York’s free common schools; and

23  
24 **WHEREAS**, early childhood intervention is essential to mitigating development issues  
25 that put children at substantial educational risk before entry into New York’s free  
26 common schools; and

27  
28 **WHEREAS**, early childhood intervention programs result in indisputable, documented  
29 social, emotional, behavioral, and academic benefits at the appropriate time for young  
30 children; and

31  
32 **WHEREAS**, New York State’s Early Intervention program has been plagued by a  
33 shortage of qualified providers whose pay raises have been few and far between; and

34  
35 **WHEREAS**, children who are qualified and required to be provided services within  
36 thirty (30) days of being identified end up on waiting lists sometimes for months; and

37  
38 **WHEREAS**, a new approach is needed to provide these services to maximize the  
39 benefit to qualified children.

40  
41 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
42 Counties calls on the Governor and State Legislature to authorize and fully fund local  
43 school districts making them responsible for pre-school special education services and  
44 early childhood intervention programs; and

1 **BE IT FURTHER RESOLVED**, should local school districts have difficulties housing  
2 or providing Early Intervention Services programs, they must engage a Board of  
3 Education Cooperative Service (BOCES) to provide cooperative programs, including  
4 private providers, to ensure the delivery of EIS programs to all young children in need;  
5 and  
6

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

10 **BE IT FURTHER RESOLVED**, the New York State Association of Counties shall  
11 forward copies of this resolution to the Governor of the State of New York, the New York  
12 State Legislature and all others deemed necessary and proper.

1 **2022 NYSAC Fall Seminar**  
2 **Standing Committee on Children with Special Health Care Needs**  
3 **Resolution #4**

4  
5 **Resolution to Enact an Emergency System to Address the Scarcity of**  
6 **Providers of Therapeutic Services for Early Intervention Care**

7  
8 **WHEREAS**, prior to and throughout the COVID-19 pandemic, New York State has  
9 observed a growing insufficiency of speech, occupational, physical and applied  
10 behavioral therapists to render related services to care for our children with special  
11 needs both in-the-home and early intervention settings; and

12  
13 **WHEREAS**, counties are responsible for ensuring that services developed in an  
14 Individualized Family Service Plan (IFSP) begin in a timely fashion, namely thirty (30)  
15 days from the date of the authorization; and

16  
17 **WHEREAS**, counties are required to assign providers to a child's IFSP that have  
18 current provider agreements with the State Department of Health and are listed by  
19 county in the New York Early Intervention System (NYEIS) database; and

20  
21 **WHEREAS**, providers listed in the NYEIS database are frequently unavailable to  
22 provide services to a child due to a variety of factors, including the area in which the  
23 child resides, providers only accepting referrals for one or two children enrolled in the  
24 Early Intervention Program (EIP) due to other commitments, full caseloads, or outdated  
25 listings for providers who no longer participate with the Early Intervention Program;  
26 and

27  
28 **WHEREAS**, because of the decline of participating and available providers, counties  
29 are not able to provide the Early Intervention services required under the law, even to  
30 already enrolled eligible children, sometimes leading to placement on wait lists; and

31  
32 **WHEREAS**, research demonstrates that the growth and brain development of infants  
33 and toddlers is at its highest in years 0-2, and the developmental progress of children  
34 identified with special needs could be hampered by any delays in services; and

35  
36 **WHEREAS**, the Standing Committee on Children with Special Health Care Needs has  
37 historically called upon the State to incentivize the aforementioned career paths to  
38 increase qualified candidates, and while that is one solution to a multi-faceted issue,  
39 many children have been left with little or no provisions and there are no permanent  
40 systems currently to proactively address when counties and have hit critical levels; and

41  
42 **WHEREAS**, it is with great awareness that needs can fluctuate with each child and  
43 setting; however, we should do our best to have a system to call upon in the event of a  
44 provider shortage.

45  
46 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
47 Counties calls upon the Governor and New York State Legislature to do a needs analysis

1 report with each county to quantify and identify provider need over the last 3 years to  
2 gain an understanding of the state of scarcity; and

3  
4 **BE IT FURTHER RESOLVED**, a plan to establish a pool of retired or licensure  
5 candidates to operate under a licensed professional in the execution of an IEP, IFSP or  
6 504 plan be created; and

7  
8 **BE IT FURTHER RESOLVED**, this effort, inspired by the spirit of Executive Order 4  
9 “Declaring a Statewide Disaster Emergency Due to Healthcare Staffing Shortage in the  
10 State of New York” specifically mention services related to nursing within Subdivision 5  
11 of Section 6907 and Section 6908 of the Education Law related to the use of graduates  
12 of State Education Department registered, licensure qualifying nurse practitioner  
13 education programs to be employed to practice for 180 days immediately following  
14 successful completion of a New York Registered license qualifying program, provided  
15 that the graduate files with the State Education Department an application for  
16 certification...” as well as the ability to “practice nursing under the supervision of a  
17 registered professional nurse” be a guide to how an emergency pool of providers could  
18 be generated; and

19  
20 **BE IT FURTHER RESOLVED**, this plan should be seen as temporary, and usage  
21 evaluated yearly; and

22  
23 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
24 of New York encouraging member counties to enact similar resolutions; and

25  
26 **BE IT FURTHER RESOLVED**, the New York State Association of Counties shall  
27 forward copies of this resolution to the Governor of the State of New York, the New York  
28 State Legislature and all others deemed necessary.

1 **2022 NYSAC Fall Seminar**  
2 **Standing Committee on Children with Special Health Care Needs**  
3 **Resolution #5**

4  
5 **Resolution Urging the Governor and State Legislature to Increase County**  
6 **Reimbursement for Early Intervention Transportation Services**

7  
8 **WHEREAS**, counties are responsible for ensuring that services developed in  
9 Individualized Family Service Plans (IFSP) are delivered to children in the Early  
10 Intervention Program (EIP), respectively, including transportation to these services, as  
11 needed; and

12  
13 **WHEREAS**, counties either contract with third-party transportation vendors or  
14 reimburse parents at the standard IRS mileage rate to transport children in the EIP to  
15 and from necessary services; and

16  
17 **WHEREAS**, counties are fiscally responsible for the costs of transportation to and  
18 from Early Intervention (EI) services for non-Medicaid eligible children beyond the New  
19 York State Department of Health (NYSDOH) reimbursement rate at 49 percent of cost;  
20 and

21  
22 **WHEREAS**, under State Plan Amendment 18-0029, as of Fall 2022, EI reimbursement  
23 methodology will be switching to a fee-for-service model with a set EI Transportation  
24 Rate; and

25  
26 **WHEREAS**, after this switch, the NYSDOH will only reimburse county EI  
27 transportation costs at 49 percent of the set rate, rather than at 49 percent of actual  
28 transportation costs paid out of County escrow; and

29  
30 **WHEREAS**, this change is expected to increase costs to counties and local taxpayers  
31 for EI transportation services, while reducing the State's costs for EI transportation; and

32  
33 **WHEREAS**, many counties expect this change to increase their upfront transportation  
34 costs paid out of the County Escrow and reduce the State reimbursement share for EI  
35 transportation services; and

36  
37 **WHEREAS**, transportation to and from EI services consume a large and growing  
38 percentage of local public health budgets, with average total, annual transportation  
39 costs per county of \$92,932, for EI from the previous fiscal year; and

40  
41 **WHEREAS**, across counties the average total, annual transportation costs per child  
42 were \$4,013 in the EIP in Fiscal Year 2021, a 16 percent increase from the previous  
43 fiscal year; and

1 **WHEREAS**, many counties, particularly in rural areas of the state, only have one,  
2 third-party transportation vendor available to provide transportation services, allowing  
3 these transportation providers a monopoly to increase their rates.

4  
5 **NOW, THEREFORE BE IT RESOLVED**, the New York State Association of  
6 Counties (NYSAC) calls on the Governor and the New York State Legislature to increase  
7 the State reimbursement rate for EI transportation services; and  
8

9 **BE IT FURTHER RESOLVED**, that the NYSDOH continue to reimburse counties  
10 based on actual, incurred transportation costs, rather than at a pre-set rate that does not  
11 accurately reflect true costs of EI transportation services; and  
12

13 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
14 of New York encouraging member counties to enact similar resolutions; and  
15

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

1 **2022 NYSAC Fall Seminar**  
2 **Standing Committee on Public Health/Mental Health**  
3 **Resolution #1**

4 **Resolution in Support of Fully Funding the Implementation of the 2019**  
5 **Elevated Blood Lead Level Mandate**

6 **WHEREAS**, lead poisoning prevention activities are delivered by local health  
7 departments; and

8  
9 **WHEREAS**, when the definition of elevated blood lead level (EBLL) was lowered from  
10 10 to 5 ug/dL or greater, the State only allocated an additional \$9.7 million for Article  
11 Six state aid; and

12  
13 **WHEREAS**, this investment falls short of the \$40 million needed to implement this  
14 work and protect children, thereby placing the majority of the cost burden (\$30.3  
15 million) on the local tax levy; and

16  
17 **WHEREAS**, this estimated need is based on an average cost per case of nurse case  
18 management of \$713 and an average cost of \$2,123 per case for environmental  
19 management activities; and

20  
21 **WHEREAS**, at the January 29, 2020, Lead Poisoning Prevention Advisory Council  
22 meeting, the New York State Department of Health (NYSDOH) presented data on the  
23 first quarter of implementation that showed an additional 1,725 children between the  
24 ranges of 5-9 µg/dL required interventions; and

25  
26 **WHEREAS**, while this highlights the importance of lowering the EBLL, it also  
27 represents the equivalent to 2.5 years of work occurring in a single quarter when  
28 compared to prior years; and

29  
30 **WHEREAS**, counties recognize the extraordinary impact the COVID-19 pandemic has  
31 had on children and families at risk for lead exposure due to stay-at-home orders,  
32 remote learning, and barriers to attending pediatric appointments and access testing for  
33 lead screening; and

34  
35 **WHEREAS**, in 2021, the Centers for Disease Control and Prevention (CDC) further  
36 lowered the recommendation to 3.5 µg/dL, which, if adopted by New York State, would  
37 cost an additional \$30 million to implement locally; and

38  
39 **WHEREAS**, new and expanded duties placed on local health departments, as well as  
40 existing duties that are underfunded, may result in increased civil liability for our county  
41 governments; and

42  
43 **WHEREAS**, county governments will allocate existing and new investments to support  
44 the lower EBLL through this program to secure and maintain the necessary staffing and  
45 other resources required to accomplish the goals set forth by the state mandate, while

1 also ensuring that New York State keeps its promise to property taxpayers through its  
2 enactment of a permanent property tax cap.

3  
4 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
5 Counties (NYSAC) calls on the Governor and State Legislature to increase the  
6 appropriation for NYSDOH's Lead Poisoning Prevention Program to fully cover the cost  
7 of the current expanded mandate and any future policy changes; and  
8

9 **BE IT FURTHER RESOLVED**, NYSAC calls on the Governor and Legislature to  
10 distribute all funding necessary to local health departments through existing grant  
11 mechanisms to implement the expanded mandate; and  
12

13 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
14 of New York encouraging member counties to enact similar resolutions; and  
15

16 **BE IT FURTHER RESOLVED** that NYSAC shall forward copies of this resolution to  
17 the Governor of the State of New York, the New York State Legislature, NYSDOH  
18 Commissioner Mary Bassett, and all others deemed necessary and proper.

1 **2022 NYSAC Fall Seminar**  
2 **Standing Committee on Public Health/Mental Health**  
3 **Resolution #2**

4 **Resolution in Support of Enactment of Legislation to Amend the Public**  
5 **Health Law in Relation to Municipal Limited Health Care Service Facilities**

6  
7 **WHEREAS**, under current law, the 58 local health departments (LHDs) in New York  
8 State that provide any direct health care services in clinic settings are regulated under  
9 Article 28 of the Public Health Law as diagnostic and treatment centers; and

10  
11 **WHEREAS**, most LHDs provide only a limited set of direct care services necessary to  
12 support their mandated, core public health activities, as defined under Article 6 of the  
13 Public Health Law; and

14  
15 **WHEREAS**, the existing Article 28 statute and regulations are intended, and were  
16 originally written, to govern hospitals and other “full-service” diagnostic and treatment  
17 centers; and

18  
19 **WHEREAS**, at an earlier point in the state’s history, many LHDs served as safety net  
20 providers of direct primary care, but, today, very few LHDs continue to provide a level of  
21 direct primary care services similar to those provided in the traditional Article 28  
22 regulated facilities; and

23  
24 **WHEREAS**, in most communities, this need is now met by other safety net providers,  
25 such as federally qualified health care centers and expanded hospital-based clinics; and

26  
27 **WHEREAS**, despite this change in service provision, LHD Article 28 facilities are still  
28 required to comply with all current regulations, regardless of the applicability to the  
29 more limited public health services they provide, such as vaccinations; and

30  
31 **WHEREAS**, meeting these stringent — and often onerous and expensive — regulatory  
32 mandates impose significant administrative costs on municipalities, and thus, on local  
33 property taxpayers; and

34  
35 **WHEREAS**, counties believe that the update to the Public Health Law proposed in  
36 A.5177 (Paulin) will enable the State Commissioner of Health to revise the regulations  
37 that are now unnecessarily complex for most LHDs, ensuring that the requirements  
38 reflect the level of services that they provide.

39  
40 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
41 Counties (NYSAC) calls on the Governor and State Legislature to revise the current  
42 Article 28 regulatory framework for municipal limited health care service facilities; and

43  
44 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
45 of New York encouraging member counties to enact similar resolutions; and

1 **BE IT FURTHER RESOLVED** that NYSAC shall forward copies of this resolution to  
2 the Governor of the State of New York, the New York State Legislature, NYSDOH  
3 Commissioner Mary Bassett, and all others deemed necessary and proper.

1 **2022 NYSAC Fall Seminar**  
2 **Standing Committee on Public Health/Mental Health**  
3 **Resolution #4**

4  
5 **Resolution Requesting Targeted State Investments in Programming and**  
6 **Policies to Develop and Fund Core Local Services to Decrease the Use of**  
7 **Emergency Departments (EDs) for the Treatment of Children and Youth**  
8 **with Complex Behavioral Health Needs**

9  
10 **WHEREAS**, the Local Governmental Units (LGUs)/Directors of Community Services  
11 (DCSSs) have specific responsibilities and authority under the Local Services provisions  
12 of Article 41 of the NYS Mental Hygiene Law (MHL) for planning, development,  
13 implementation, and oversight of services to adults and children in their counties  
14 affected by mental illness, substance use disorder, and intellectual/developmental  
15 disabilities (I/DD); and

16  
17 **WHEREAS**, localities continue to struggle with an overwhelmed community-based  
18 system of care that is unable to adequately support children and youth with co-occurring  
19 disorders; and

20  
21 **WHEREAS**, the Directors of Community Services (DCSSs) are seeing firsthand and have  
22 growing concerns regarding the upward trend in children and youth with complex  
23 behavioral health needs ending up in EDs due to unmet needs; and

24  
25 **WHEREAS**, State inpatient bed closures and a lack of available crisis services have  
26 significantly impacted counties' ability to provide this higher-level care and has resulted  
27 in various placements in last-resort settings, which are not appropriate and sometimes  
28 detrimental to the treatment goals; and

29  
30 **WHEREAS**, some at-risk youth have been placed out of the State for residential  
31 services, reflecting the need to develop additional appropriate services within New York  
32 with a full spectrum of services available; and

33  
34 **WHEREAS**, over the last several years, there has been a substantial rise in the  
35 numbers of children and youth languishing in EDs without the ability to be connected to  
36 appropriate care; and

37  
38 **WHEREAS**, EDs are a suboptimal setting for children and youth, particularly if they  
39 are not at imminent risk of harm to themselves or others, and often offer overstimulating  
40 environments, exposure to other psychiatrically and medically ill individuals, and an  
41 absence of appropriate assessment and treatment; and

42  
43 **WHEREAS**, according to a 2021 report by the Healthcare Association of NYS  
44 (HANYS), a 15-year-old youth was placed in an ED for over three months after a  
45 yearlong search for residential placement, which resulted in over \$195,000 in hospital  
46 costs and, after over 6 months in the ED, a 16-year-old patient decompensated so

1 severely and required oversight by two public safety officers and three to five beds to  
2 minimize disruption to other patients; and

3  
4 **WHEREAS**, a child in Franklin County with a significant trauma history and diagnosed  
5 conduct disorder was placed in a standard ED and languished for 8 weeks after being  
6 denied admission at a sister hospital within the same health system that contained a  
7 9.39 unit; and

8  
9 **WHEREAS**, the State must make appropriate targeted investments to include local  
10 resource streams for localities to initiate treatment models with proven success, such as  
11 expansion of intensive treatment programs and prevention and early intervention  
12 programs (including mobile crisis response and family and caregiver supports);, and

13  
14 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
15 Counties (NYSAC) calls on the Governor, Division of Budget (DOB), Office for People  
16 with Developmental Disabilities (OPWDD), Office of Addiction Services and Supports  
17 (OASAS), Office of Mental Health (OMH), Department of Health (DOH), and  
18 Legislature to ensure these critical program and policy investments are met with the  
19 utmost urgency and addressed during the SFY 2024 budget cycle; and

20  
21 **BE IT FURTHER RESOLVED**, New York State needs to address, develop, and fund  
22 core local services to address the use of EDs for the treatment of children and youth with  
23 complex behavioral health needs; and

24  
25 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
26 of New York State encouraging member counties to enact similar resolutions; and

27  
28 **BE IT FURTHER RESOLVED**, NYSAC forward copies of this resolution to the  
29 Governor of the State of New York, the New York State Legislature, and all others  
30 deemed necessary and proper.

1 **2022 NYSAC Fall Seminar**  
2 **Standing Committee on Public Safety**  
3 **Resolution #7**

4  
5 **Resolution Encouraging the State Legislature and Governor to Enact**  
6 **Legislation to Require Reporting of Sex Offenders in Short Term Rentals**

7  
8 **WHEREAS**, *Megan's Law* is named after seven-year-old Megan Kanka, a New Jersey  
9 girl raped and killed by a known registered sex offender who had moved across the  
10 street from the family without their knowledge; and

11  
12 **WHEREAS**, in the wake of the tragedy, the Kankas sought to have local communities  
13 warned about sex offenders in the area; and

14  
15 **WHEREAS**, all states now have a form of *Megan's Law*; and

16  
17 **WHEREAS**, New York State's version of *Megan's Law*, named The Sex Offender  
18 Registration Act (SORA), was signed by Governor Pataki in July 1995; and

19  
20 **WHEREAS**, in May 1996, Congress amended the Violent Crime Control and Law  
21 Enforcement Act of 1994 to require the release of relevant information to protect the  
22 public from sexually violent offenders; and

23  
24 **WHEREAS**, on May 17, 1996, President Clinton signed this federal version of *Megan's*  
25 *Law*, which mandated uniform sex offender registration in all 50 states, providing for  
26 community notification by allowing states to disclose information about registered sex  
27 offenders; and

28  
29 **WHEREAS**, in 2006, the State of New York strengthened NY's Megan's Law to require  
30 Level 1 offenders (low risk) to register for 20 years, unless they have a designation (e.g.  
31 sexual predator, sexually violent offender, or predicate sex offender), in which case they  
32 must register for life, and Level 2 offenders (moderate risk) and Level 3 offenders (high  
33 risk) must register for life; and

34  
35 **WHEREAS**, over the past five years, the popularity of short-term rentals (STRs), like  
36 AirBNB, VRBO, and other STR platforms has dramatically increased across the nation  
37 and state; and

38  
39 **WHEREAS**, many states, including Texas and Florida, are considering legislation to  
40 authorize municipalities to enact local laws to ban sex offenders or restrict sex offender  
41 activity with respect to STRs; and

42  
43 **WHEREAS**, state law governing sexual predators from using STRs has not moved fast  
44 enough with the change in how people decide to vacation; and

45  
46 **WHEREAS**, parents have the right to know who their neighbors are and should feel  
47 comfortable letting their children play safely outdoors on their own property.

1 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of  
2 Counties (NYSAC) encourages the Governor and State Legislature to enact legislation  
3 that would:

- Require any registered sex offender staying at a short-term rental in a residential neighborhood to inform the STR host owner, and/or managing company 48 hours before arriving on the premises.
  - The STR host, owner and/or managing company should be required to inform local police, as well as any neighbor within 1,000 feet of that STR
  - Failure to do so would result in immediate imprisonment for the registered offender and a \$10,000 fine, respectively for the STR host, owner, and/or managing company.
- Prohibit sex offenders from acting as hosts, property managers, or owners of str.
- Prohibit sex offenders from being an on-site employee of the STR.
- Require this information to be included as part of the state's sex offender registry or local registry.

4 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties  
5 of New York State encouraging member counties to enact similar resolutions; and  
6

7 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to  
8 the Governor of the State of New York, the New York State Legislature, and all others  
9 deemed necessary and proper.  
10



# HIGH PERFORMANCE LEADERSHIP ACADEMY



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