

COMMITTEE OF THE WHOLE LEGISLATURE MEETING MINUTES  
January 18, 2018

The Broome County Legislature met for a Committee of the Whole Legislature meeting to discuss the New York State budget process and the local effect of various issues on Broome County with Senator Frederick Akshar on Thursday, January 18, 2018 in the Legislative Conference Room, Sixth Floor, Edwin L. Crawford County Office Building, Binghamton, New York.

Members Present: D.J. Reynolds (Chair), S. Flagg (Majority Leader), M. Whalen (Minority Leader), C. O'Brien, M. Kaminsky, R. Weslar, G. Baldwin, D.D. Reynolds, J. Shaw, R. Heebner, K. Wildoner, M. Sopchak, S. Baker

Members Absent: R. Keibel, M. Pasquale

Others Present: A. Martin, J. Bertoni, R. O'Donnell, Legislature; K. McManus, H. McCrory, C. Kramer, County Exec's Office; J. Knebel, S. Kane, OMB; R. Behnke, County Attorney; J. Mihalko, C. Dziedzic, Clerk's Office; F. Akshar, A. Capozzi, B. Fetterman, NYS Senate

The Committee of the Whole Legislature meeting was called to order by Chairman Reynolds at 4:00 PM.

The Chairman stated that Senator Akshar had requested an audience with the full Legislature to discuss questions Legislators might have and the current statuses of various issues as budget season approaches.

After a brief introduction, the Senator stated he wished to dialogue and interact with elected officials at the local level and hear the issues that were important to the Legislature.

The Senator stated that the Majority Conference was very concerned with the Governor's proposed budget, amounting to a deficit of \$4.4 billion and almost \$1 billion in new taxes and fees. The Senator stated the Majority hopes to stay within the self-imposed 2% spending cap.

Responding to a question from Mr. Whalen, the Senator stated be open to further discussion on leveling a new tax for all internet-based companies to ensure online companies are operating at the same level as regular companies.

Mr. Weslar asked the Senator to work against unfunded State mandates that add stress to local economies.

The Senator stated he was currently working on a Mandate Relief Package to help with unfunded mandates. He further stated there was significant interest in the State taking over Medicaid costs from the local municipalities.

Responding to a question from the Chairman, the Senator stated that one of the priorities of their Mandate Relief Package is to ensure no increases to new or existing mandates that would render any potential savings to Counties as redundant.

Responding to a follow-up question from the Chairman, the Senator stated that funding District Attorney salary increases is one of their packages top priorities.

Responding to a question from Mr. Sopchak, the Senator stated some of the Governor's proposed policies are the types of governmental behavior that are to blame for people and companies leaving New York State for better economic climates elsewhere.

Responding to a question from Mr. Shaw, the Senator stated that he would have a difficult time reconciling the amount of funding necessary to build a bridge from Endwell to Vestal, however he was committed to securing funds from the Department of Transportation to complete the 17c corridor.

Responding to a question from Mr. Flagg, the Senator stated that rather than trying to circumvent the Federal government with flashy gimmicks, those at the State-level need to self-reflect and weigh spending decisions more responsibly.

Responding to a follow-up question from Mr. Flagg, the Senator stated he was quite confused by the Governor's State of the State address and that he believed the administration was also confused when developing some of the proposed policies.

Responding to a question from the Chairman, the Senator stated he would prioritize making the State/County DMV fee-sharing more equitable.

Responding to a question from Mr. D.D. Reynolds, the Senator stated that the issue of the State taking over indigent defense costs was a topic of discussion, among much of the County's unfunded mandates. He further stated that he could not provide any specific timeline and it was unlikely the County would see relief in this aspect any time soon.

Responding to a question from Mr. Shaw, the Senator stated that he and the Chairman have had conversations regarding the County-run Willow Point Nursing Home, but could offer no specific insights on how to help with the financial hardships regarding nursing home administration.

Responding to a question from the Chairman, the Senator stated he would provide more specific detail regarding State funding for new operating costs in implementing the Raise the Age legislation. He further stated that none of the costs to implement this legislation would be borne by localities.

The Senator stated that last year the Republican majority made significant changes to worker's compensation and that he currently was sponsoring a bill that would shift the worker's compensation model from Absolute Liability to Comparative Liability. In-so-doing, it would ensure that these cases were litigated, as opposed to accepting high settlements. However, the Senator further stated that special interest groups like Organized Labor and the Trial Attorneys were making this issue difficult to approach and that he was unsure if leadership from either house is willing to take on such a contentious issue. The Senator hopes to deal with the Scaffold Law in the same manner that they dealt with Worker's Compensation and that these issues were at the heart of driving people and business away from our State.

Responding to a question from Mr. Heebner, the Senator stated his priority was to allow Contractors to defend themselves against liability suits, though he was sure this issue would not be settled any time soon.

Responding to a follow-up question from Mr. Heebner, the Senator stated that in the current political climate, he was unsure if the Governor would be willing to take on special interest groups such as Organized Labor and the Trial Attorneys.

Responding to a question from the Chairman, the Senator stated he would support a bill that would allow the Home-Rule 1% sales tax extender to be driven by the locality, so the extension could be passed at their own discretion, rather than counties having to go back to the State every few years for permission.

Responding to a question from Mr. Baker, the Senator stated that the Safe Act was effectively an additional database for the New York State Police to have for their own reference, apart from the databases already utilized by the State and clerk's office around New York State. He further stated that he was concerned with the amount of manpower being utilized, perhaps unwisely, in order to create, catalogue and maintain said database. As State Trooper numbers are already down significantly, this may not be the most effective use of their authority.

Responding to a follow-up question from Mr. Baker, there was no way the Safe Act would be fully appealed and that both houses were responsible for implementing the legislation. He further stated that those at the State level need to have an informed, responsible discussion on the issue of Gun Control and that he was in favor of some portions of the Safe Act. He further stated that he believed there was not enough political courage or willingness amongst his colleagues to pursue a full repeal of the Safe Act.

Responding to a question from Mr. Flagg, the Senator stated he has set aside \$125,000-\$150,000 for the County to use to better the situation at the Broome County Airport, however he was unwilling to release those funds without a clear, defined plan as to how these earmarked funds can be used to produce tangible results and increase ridership.

Responding to a question from Ms. O'Brien, the Senator stated they must push back against the Governor's policies, such as Worker's Compensation Insurance, in order to attract more businesses. He further stated that the current policies are abysmal and explain the negative business climate in New York. The Governor is making irresponsible investments in the wrong areas and subsidizing inviable businesses throughout the State. When that money runs out, these businesses will not stay.

Responding to a question from the Chairman, the Senator stated he was excited to hear the District Attorney had considered developing a diversion program in relation to the coming Detox Center. He further stated that there are interested parties currently laboring to ensure OASAS funds are spent to assist incarcerated individuals and increasing diversion program availability.

Responding to a question from Mr. Shaw, the Senator stated they have tried to consolidate primary elections for a few years, however he was unsure if they had made any progress. He does not support the Democrat-proposed June date, but would be supportive of a late July date.

Responding to a question from the Chairman, the Senator stated that there would be no movement on early voting as long as the Republican maintains the majority.

Responding to a question from the Chairman, the Senator stated that making the tax-cap permanent was a priority to his colleagues within the State Senate.

Responding to a question from Mr. Whalen, the Senator stated that he would be willing to have a conversation if the need should ever arise to extend the tax cap.

Responding to a question from Mr. Baker, the Senator stated he would be open to having discussions about helping smaller communities that are struggling with the tax cap and he welcomed suggestions.

In response, the Chairman stated that the State taking over Medicaid would certainly help local municipalities with tax cap issues.

Responding to a question from the Chairman, the Senator stated that the District Attorney's Traffic Diversion Program may be a good source for funding assistance with respect to any School Resource Officer programs. He further stated that there is no discussion at his level to fund School Resource Officers at this time and that he did not think it would be a priority amongst his colleagues.

After an open invitation to address the Committee was extended, the Sheriff stated that the State would soon reduce Prisoner Transportation funding, placing another substantial burden local taxpayers. The Senator stated that was the first time he had heard of this funding being withdrawn.

There being no further business to come before the Committee at this time, a motion to adjourn was made by Mr. Flagg, seconded by Ms. O'Brien. The meeting adjourned at 4:56 PM.