

Authorizing The County To Pay For The Cost Of The Safety Net Program Thereby Relieving The Various Municipalities Of Responsibility For Payment

Referred to: The Social Services Committee (Chairman Wawro and Legislators Lopez, Ronk, Parete and Rodriguez) and the Ways and Means Committee (Chairman Gerentine and Legislators Harris, Maio, Maloney, Gregorious, Provenzano and Rodriguez).

Chairman of the Ways and Means Committee, Richard A. Gerentine, Majority Leader Kenneth Ronk, Jr., Minority Leader David B. Donaldson, and Legislator Jeanette Provenzano offer the following:

WHEREAS, the Safety Net program is a State program not required or funded by the Federal Government that provides welfare benefits to able-bodied single adults and others that are not eligible for the Federal Temporary Assistance for Needy Families (TANF) Program; and

WHEREAS, State Social Services Law mandates that the local share of the Safety Net program is to be funded by Towns and Cities; and

WHEREAS, in 1946 the State Legislature voted to continue the mandate that local governments fund a substantial share of this program, but put in place an option that Counties could vote to transfer this State mandated burden from the Town and City property tax levy, to the County property tax levy; and

WHEREAS, traditionally, the local share of the Safety Net program was 50% of program costs, but as part of the 2011-12 State Budget, the Senate and Assembly voted to increase the local share of the Safety Net program to 71% of program costs, thus, dramatically increasing the burden on our Towns and the City of Kingston; and

WHEREAS, Section 72 of the New York State Social Services Law authorizes the Ulster County Legislature to direct that the cost of all or any part of the assistance and care for which the Towns and City are made responsible for under the provisions of subdivisions one and two of section sixty-nine of the Social Services law be a charge on the County Social Services District administered under the direction of the County Commissioner; and

WHEREAS, in 2012 the Ulster County Legislature adopted Resolution 289 “Authorizing Ulster County To Pay For The Cost of The Safety Net Program Thereby Relieving The Various Municipalities Of Responsibility For Payment”; and

WHEREAS, Resolution 289 of 2012 provided that for calendar year 2013, 33% of the local share of the Safety Net Program would be borne by Ulster County and not billed to any municipality therein; and

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WHEREAS, the Legislature desires to continue the takeover of costs associated with the Safety Net Program pursuant to the provisions of Section 72 of the New York State Social Services Law; and

WHEREAS, as a result of prudent fiscal management on the part of Ulster County government, the County is in a position, in 2014, to continue and increase its takeover of the Safety Net costs and completely take such costs over in calendar year 2015; now, therefore be it

RESOLVED, that pursuant to the provisions of Section 72 of the Social Services Law, the County of Ulster hereby agrees to pay sixty six percent of the local share of the Safety Net Costs effective January 1, 2014, and effective January 1, 2015, the County of Ulster hereby agrees to pay one hundred percent of the local share of the cost of the Safety Net program; and, be it further

RESOLVED, that any outstanding charges yet to be paid to the County by any municipality for costs associated with the Safety Net Program shall continue to be due and owing, and shall be paid by the respective municipality; and, be it further

RESOLVED, that this resolution shall be deemed rescinded and null and void the next first day of January should the local Ulster County Sales and Compensating Use Tax rate (the County portion not the State portion) becomes less than 4%; and, be it further

RESOLVED, that this resolution shall further be deemed rescinded and null and void unless Assembly Bill 5130 of 2013 (introduced by Member of the State Assembly Frank Skartados) or Senate Bill 4516 of 2013 (introduced by Member of the State Senate William Larkin) becomes law in a manner enabling the local sales and compensating use tax for Ulster County to be at a rate of 4% on December 1, 2013; and, be it further

RESOLVED, that the Finance Commissioner is hereby authorized and directed to notify the Clerk of the Legislature if at any time the County portion of the Ulster County Sales and Compensating Use Tax falls beneath 4%; and, be it further

RESOLVED that the Clerk of the Ulster County Legislature is hereby authorized and directed to send a certified copy of this resolution to each Town Clerk in Ulster County and to the Mayor and Clerk of the City of Kingston within ten days after the adoption of this resolution; and, be it further

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RESOLVED, that the Commissioner of Social Services and the Commissioner of Finance are hereby authorized to take any and all steps necessary to implement this resolution,

and moves its adoption

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0
(Legislator Robert Parete arrived at 7:45 PM)

Passed Committee: Social Services on July 8, 2013

Passed Committee: Ways and Means on July 16, 2013

FINANCIAL IMPACT:

2013 estimated: \$1,969,346
2014 estimated: \$4,072,787
2015 estimated: \$6,693,170

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 23rd Day of July, 2013, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 24th Day of July in the year Two Thousand and Thirteen.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
26th Day of July, 2013.

Approved by the County Executive this
5th Day of August, 2013.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

[s] Michael P. Hein
Michael P. Hein, County Executive