

SUSPENSION

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS LORIGO, DIXON, MILLS, AND RATH

Re: Support for Fully Funding Erie County's Towns and Villages as was Proposed in the 2019 New York State Budget

WHEREAS, 2019 Aid and Incentives for Municipalities (AIM) funding has been eliminated from almost every town and village in New York State pursuant to the 2019 budget; and

WHEREAS, this honorable body opposed the AIM cuts prior to their inclusion in the finalized and approved version of New York State's 2019 Budget; and

WHEREAS, Governor Cuomo, after passing the 2019 Budget, approved additional legislation that would reimburse towns and villages by directing the Office of the State Comptroller (OSC) to withhold certain sales taxes levied by counties and redirect them to the towns and villages who lost out on AIM funding. This effectively transferred the burden of funding the AIM cuts from New York State to the counties; and

WHEREAS, despite the intent to protect all towns and villages from the AIM cuts certain counties, like Erie and Nassau, cannot have their taxes, interest and penalties diverted; and

WHEREAS, both Erie and Nassau have fiscal stability boards which dictate where some taxes, interests, and penalties collected by the counties can be spent. In this case, the taxes and fees that could be siphoned off by OSC may only be directed to the Erie County Fiscal Stability Board, which must then distribute them back to the county for certain predesignated sharing obligations; and

WHEREAS, this process leaves no money to be distributed by OSC and should be addressed to the benefit of Erie County's towns and villages.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby calls on the New York State Division of Budget, Governor Andrew Cuomo, and New York State Comptroller Thomas P. DiNapoli to address this situation prior to the December 15th deadline to make Erie County's towns and villages whole; and, be it further

RESOLVED, that this honorable body implores Governor Cuomo and the New York State Legislature to restore AIM funding to previous levels going forward and to not place the burden of providing AIM funding on counties; and, be it further

RESOLVED, that in the event the Comptroller and the New York State Division of Budget cannot come to a timely agreement to address this problem, this honorable body urges

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Executive Poloncarz to work to fully fund all towns and villages that are not receiving their county share funding utilizing 2019 surplus, which as of October 15, 2019, is anticipated to be in excess of \$7 million; and, be it further

RESOLVED, that certified copies of this resolution be sent to Governor Andrew Cuomo, New York State Comptroller Thomas DiNapoli, the Western New York Delegation to the New York State Senate and Assembly, and any other part deemed proper and necessary.

Fiscal Impact: None for Resolution