



# Association of Towns

*of the State of New York*

**Christopher A. Koetzle**  
*Executive Director*

**Sarah B. Brancatella**  
*Deputy Director*

**Lori A. Mithen-DeMasi**  
*Chief Counsel*

**Dana K. Campbell**  
*Counsel*

**Kimberly A. Splain**  
*Chief Fiscal Officer*

**Kathleen N. Hodgdon**  
*Association Counsel*

Dear Town Clerk:

PLEASE READ AT FIRST 2025 TOWN BOARD MEETING

Contains Dated Material to be RETURNED

The 2025 Training School & Annual Meeting of the New York Association of Towns (NYAOT) will be held at the New York Marriott Marquis, February 16-19, 2025. This is NYAOT's premier training event attended by more than 1,000 town officials and exhibitors. Our 2025 meeting has new experiences and a new format that we believe will enhance the conference experience. For further information, including a copy of the tentative conference agenda, we encourage you to visit our website at [www.nytowns.org](http://www.nytowns.org). The following is a brief outline of events:

**INFORMATIONAL HEARING** Sunday afternoon, February 16.  
The informational hearing presents an opportunity to ask questions on NYAOT's Annual Budget. Please note that we are holding a separate session on January 23, 2025 at 11 a.m. via zoom to give members an opportunity to ask questions about our 2025 resolutions that make up our legislative platform. A link to register will be emailed and available on our website soon.

**GENERAL OPENING SESSION** Monday morning, February 17

**CONFERENCE CLASSES** Monday, February 17 – Tuesday, February 18

**ANNUAL MEETING (Official Delegates)** Tuesday morning,  
February 18

**INAUGURAL AWARDS DINNER (optional)** Tuesday evening,  
February 18

Information on the Annual Meeting and Delegates

NYAOT's Constitution and Bylaws (a copy of which is available at our website [www.nytowns.org](http://www.nytowns.org) under the Members section) provides that

*Serving Towns Since 1933*

[www.nytowns.org](http://www.nytowns.org)

150 State St. Suite 203 • Albany, NY 12207 • (518)465-7933 • [info@nytowns.org](mailto:info@nytowns.org)

each member town in good standing may vote on the election of officers for NYAOT and our Legislative Priorities for 2025 at the Annual Meeting. Below is a series of Frequently Asked Questions:

*What does it mean to be a delegate at the NYAOT's Annual Meeting?*

Every year, NYAOT holds its Annual Meeting where members vote on different issues, including the election of NYAOT's president and vice presidents, and NYAOT's legislative platform. A delegate is, quite simply, the person the town designates to vote on behalf of the town at the business meeting. This year, the Annual Meeting will be held Tuesday, February 18 at 8 a.m.

*Who can be a delegate?*

Any officer, employee, or appointed representative of a member town in good standing at the time of the meeting.

*What does it mean to be a member in good standing?*

Any town that has paid its dues for the year 2025 BEFORE the Annual Meeting is a member in good standing.

*How does the town designate its delegate?*

The town board should adopt a resolution appointing an officer, employee, or representative to the position of delegate. The town can also designate an alternate delegate, who will assume delegate voting responsibilities if the delegate cannot vote for any reason. The town then fills out the Certificate of Designation and returns it to NYAOT by February 7, 2025 so that the Credentials Committee may review and establish a delegate's eligibility to vote.

A copy of the proposed 2025 Legislative Program for delegates to vote on was developed at a joint meeting of the Executive Committee and the Resolutions Committee and is attached for review. So that member towns and delegates have an understanding of the proposed resolutions prior to the Annual Meeting on Tuesday, February 18, 2025, as noted above, NYAOT will be holding an informational zoom session on January 23, 2025 at 11 a.m. You do not need to be designated as a delegate to attend, but we encourage all towns who plan to send a delegate to vote to have a representative participate in this call.

#### Other Information

The conference fee, together with other actual and necessary expenses of town officers and employees authorized by the town boards to attend, are a legal town charge under General Municipal Law § 77-b. Registration receipts will be issued. They should be retained by each town officer or employee attending and should be attached to claim vouchers presented to town boards for reimbursement of attendance expenses.



# Association of Towns

*of the State of New York*

**Christopher A. Koetzle**  
*Executive Director*

**Sarah B. Brancatella**  
*Deputy Director*

**Kimberly A. Splain**  
*Chief Fiscal Officer*

**Kathleen N. Hodgdon**  
*Association Counsel*

**Lori A. Mithen-DeMasi**  
*Chief Counsel*

**Dana K. Campbell**  
*Counsel*

Dear Town Official:

As chair of the New York Association of Towns Nominating Committee, I am pleased to announce the committee's selections for the Executive Committee elected officers for the May 1, 2025 - April 30, 2026 term (enclosed).

The Executive Committee oversees NYAOT operations as its governing board, adopts the Association's budget and works on key legislative issues at the state and federal levels. These six town officials represent a variety of offices, geographic regions and town classifications. In addition, these six town officials have shown an interest in town government and the work of the New York Association of Towns.

The nominations will be voted on by the delegation to the Annual Business Meeting on Feb. 18, 2025.

Thank you for considering these nominations.

Sincerely,



Andrea Nilon  
Nominating Committee Chair

*Serving Towns Since 1933*

[www.nytowns.org](http://www.nytowns.org)

150 State St. Suite 203 • Albany, NY 12207 • (518) 465-7933 • [info@nytowns.org](mailto:info@nytowns.org)



# CERTIFICATE OF DESIGNATION

In order to establish eligibility and credentials to vote at the 2025 Business Session,  
this form must be filed with:

ASSOCIATION OF TOWNS OF THE STATE OF NEW YORK,  
150 STATE STREET, SUITE 203, ALBANY, NY 12207

by **FEBRUARY 7, 2025**

**TO: OFFICERS AND MEMBERS OF THE  
Association of Towns of the State of New York**

*To Ensure Correct Spelling On Badges, Please Print Or Type*

I, \_\_\_\_\_, Town Clerk of the Town of \_\_\_\_\_,  
in the County of \_\_\_\_\_ and State of New York DO HEREBY CERTIFY  
that the town board of the aforesaid town has duly designated the following named person  
to attend the Annual Business Session of the Association of Towns of the State of New York, to  
be held during February 18, 2025, and to cast the vote of the aforesaid town, pursuant to §6 of  
Article III of the Constitution and Bylaws of said Association:

NAME OF VOTING DELEGATE \_\_\_\_\_

TITLE \_\_\_\_\_ E-MAIL ADDRESS \_\_\_\_\_

ADDRESS \_\_\_\_\_

In the absence of the person so designated, the following named person has been designated  
to cast the vote of said town:

NAME OF ALTERNATE \_\_\_\_\_

TITLE \_\_\_\_\_ E-MAIL ADDRESS \_\_\_\_\_

ADDRESS \_\_\_\_\_

In WITNESS WHEREOF, I have hereunto set my hand and the seal of said town  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Town Clerk



## Nominees for 2025-2026 Association of Towns' Elected Officers



Central School system, and currently serves as the school tax collector. Equipped with a need to get involved with things that need to be done, Lori has experience with several leadership and service organizations. Lori has served on both the Executive Committee and Resolutions Committee of the Association of Towns since 2009. Lori believes AOT is powerful voice for town officials in working with our state and federal leaders and provides excellent training and networking opportunities. Lori also serves on AOT's Audit and Finance Committee. She is currently a member of both the New York State and Onondaga County Association of Tax Receivers and Collectors, where she has served in various executive positions including president, vice president and secretary as well as on the Foundation Board of the Skaneateles Chamber of Commerce. She is also a parishioner of St. Mary's of the Lake Church, Chaplain of the Skaneateles American Legion Unit 0239 Auxiliary, a Master Gardner with Cornell Cooperative Extension, Skaneateles Garden Club, volunteer driver for local chapter of Meals on Wheels and active member of the Skaneateles Rod and Gun Club.

### *Nominee for 3<sup>rd</sup> Vice President*



**Receiver of Taxes Holly Perlowitz**

Town of Ossining, Westchester County  
(Population 40,061  
*Source: 2020 census*)

**4<sup>th</sup> Vice President Receiver of Taxes Holly Perlowitz MBA, CPA**, the second-term tax receiver for the Town of Ossining in Westchester County, began her career in public accounting with Deloitte and then spent 26 years in banking with Emigrant Savings Bank, mostly running the bank's mortgage company operations and finance. Holly currently serves as the First Vice President of the New York State Association of Tax Receivers and Collectors (NYSATRC) and is an active member of the Westchester County Association of Tax Receivers. Holly is also

treasurer of the Ossining Microfund, an association established 17 years ago to provide interest-free emergency loans to local residents of the Town of Ossining. Previously, Holly served on the board of local affordable housing organizations. Holly lives in Ossining with her husband, with whom she has three adult children and two grandchildren. Holly is also actively involved in AOT and serves on the Executive Committee, Resolutions Committee, and the Audit and Finance Committee. Holly became active in AOT through AOT's tax collection training, where she found AOT's knowledge, accessibility, training and networking opportunities to be unmatched.

### *Nominee for 4<sup>th</sup> Vice President*



**Town Supervisor Michael Cashman**

Town of Plattsburgh, Clinton County  
(Population 19,841  
*Source: 2020 census*)

**5<sup>th</sup> Vice President Town Supervisor Michael Cashman** was first elected to the town supervisor position in 2015 with 61 percent of the vote. He is passionate about his service to making the community a better place to live, work, play and invest in. While serving as Plattsburgh Town Supervisor, his focus has included a myriad things including infrastructure, economic development and numerous public/private partnerships to advance the town in a cost-effective manner. He has been tapped by various organizations to represent the region and his expertise on wide range of subject matters. Locally, he serves at the Chair of the Clinton County Supervisors Association and was tapped to join the Executive Committee of the Association of Towns. In June 2020, Michael was elected as the Chair of the New York State Commission on National and Community Service, which serves as the lead state entity responsible for networking volunteer resources and carrying out civic engagement initiatives as identified by the governor and collaborates with local, state and national

## Nominees for 2025-2026 Association of Towns' Elected Officers



volunteer agencies, government, and other public and private entities to achieve its mission. Michael has also served as a member of SUNY Plattsburgh's College Council since June 2022, an oversight and advisory body to the campus and to the president and senior administration of SUNY Plattsburgh. Michael proudly calls the Town of Plattsburgh his home along with his wife, Olivia, a veterinarian, and their dogs.

### *Nominee for 5<sup>th</sup> Vice President*



#### **Town Receiver of Taxes**

##### **Jillian Guthman, Esq.**

Town of Huntington, Suffolk  
County

(Population: 204,127

Source: 2020 Census)

**Executive Committee Member Jillian Guthman, Esq.** currently serves as the elected Receiver of Taxes and EEOC Officer in the Town of Huntington, Suffolk County. In her capacity as Receiver of Taxes, she serves her community with a focus on fiscal integrity and excellence in service. In her capacity as the EEOC Officer, she chairs hearings on employment discrimination and harassment complaints and oversees compliance and training. Prior to her service as the Receiver of Taxes, Jillian served as the Town's Director of Human Resources, where she supervised town employees and oversaw several town departments, including the Senior Division, Veterans Affairs Division, Women's Division, Minority Affairs Division and the Division for Persons with Disabilities. She also served in the town attorney's office, first as an assistant town attorney and then as a deputy town attorney where she managed the daily department duties and worked on a variety of legal issues including, land use, employment, contracts, torts, and legislation. She began her legal career in the New York City Corporation Counsel's Office, as a legal student specialist. She also served as an assistant district attorney in Suffolk County and the village attorney for the Village of Hempstead.

Jillian became involved with the Association of Towns more than 20 years ago when she was working in the Huntington Town Attorney's office. She enjoyed the networking opportunities to meet town officials and share ideas as well as the great source of information on town issues that the Association provided. Jillian joined the Association's Resolutions Committee in 2020 and the Executive Committee in 2022, where she continues to bring a member-focused perspective to AOT's work, services and administration.

She received a Bachelor of Arts degree in Psychology at St. John's University and a law degree from Touro College's Jacob D. Fuchsberg Law Center. She has practiced law for over 20 years. As a lifelong resident in the Town of Huntington, she currently resides in Melville with her daughter. Jillian is also the proud daughter of a Korean War Veteran and enjoys history and traveling.



**2025 BUDGET  
THE ASSOCIATION OF TOWNS  
OF THE STATE OF NEW YORK**

**REVENUE**

**MEMBERSHIP DUES** 980,000.00

**ANNUAL MEETING** 190,000.00

**INTEREST EARNINGS** 110,000.00

*FINANCE SCHOOL* 78,500.00

*HIGHWAY SCHOOL* 80,000.00

*NEWLY ELECTED SCHOOL* 15,000.00

*P&Z SCHOOL* 15,000.00

*PERSONNEL SCHOOL* 0.00

*WEBINARS*

**SPECIAL SCHOOLS** 188,500.00

**PUBLICATIONS** 58,000.00

*NYMIR* 775,000.00

*MEP* 5,000.00

*WCA* 792,828.00

**NYMIR/WCA/MEP** 1,572,828.00

**TOTAL REVENUE** 3,099,328.00

# 2025 BUDGET

## THE ASSOCIATION OF TOWNS OF THE STATE OF NEW YORK

### EXPENDITURES

BANK SERVICE CHARGE	6,000.00
INVESTMENT ADVISORY FEES	27,000.00
COMPUTER/NETWORK EXPENSE	10,000.00
CREDIT CARD FEES	14,000.00
LASERFICHE SYSTEM	2,494.00
LEGAL EXPENSE	0.00
MARKETING EXPENSE	7,500.00
OFFICE EXPENSES	10,000.00
ACCOUNTING	10,000.00
<b>OFFICE EXPENSES</b>	<b>86,994.00</b>
COMPUTER HARDWARE/SOFTWARE	80,000.00
OFFICE EQUIPT	2,500.00
EQUIPT RENATL/MAINTENANCE	15,000.00
<b>OFFICE EQUIPT</b>	<b>96,500.00</b>
<b>RENT</b>	<b>140,589.00</b>
<b>GENERAL POSTAGE</b>	<b>11,000.00</b>
<b>TELEPHONE</b>	<b>11,000.00</b>
<b>PUBLICATIONS</b>	<b>223,000.00</b>
<b>SALARIES</b>	<b>1,352,350.00</b>
<b>NYS RETIREMENT</b>	<b>175,000.00</b>
<b>HEALTH INSURANCE</b>	<b>220,000.00</b>
DISABILITY	1,000.00
LIBILITY	2,050.00
PAID FAMILY LEAVE INS.	5,000.00
WORKER'S COMP/PFL	2,500.00
<b>INSURANCE OTHER</b>	<b>10,000.00</b>
<b>NATaT</b>	<b>40,000.00</b>
<b>ANNUAL MEETING</b>	<b>310,000.00</b>
<b>EXECUTIVE COMMITTEE</b>	<b>85,000.00</b>
<b>EXECUTIVE DIRECTOR EXPENSE</b>	<b>10,200.00</b>
INFORMATION RESOURCE	45,000.00
PROFESSIONAL AFFILIATIONS	5,000.00
LOBBYING	85,000.00
MEETINGS/TRAVEL	15,000.00
TRAINING/EDUCATION	15,000.00
<b>HEARINGS, MTGS, LOBBYING</b>	<b>165,000.00</b>
<b>NYMIR/WORKERS COMP.</b>	<b>1,500.00</b>
FINANCE SCHOOL	67,500.00
HIGHWAY SCHOOL	74,695.00
NEWLY ELECTED SCHOOL	10,000.00
P&Z SCHOOL	9,000.00
<b>SPECIAL SCHOOLS</b>	<b>161,195.00</b>
<b>TOTAL EXPENDITURES</b>	<b><u><u>3,099,328.00</u></u></b>



# SUNDAY, FEBRUARY 16, 2025

## Informational Hearing on Proposed Resolutions

Christopher Koetzle, Executive Director; Lori Mithen-Demasi, General Counsel; Sarah Brancatella, Legislative Director and Counsel; and Katie Hodgdon, Counsel; New York Association of Towns

Sunday, February 16, 2025

2:00 p.m. – 5:00 p.m., Julliard/Imperial, 5th Floor

In this hearing, the Association of Towns' executive director, first vice president and legal staff will provide an overview of the proposed resolutions for the Association's 2025 Legislative Platform, to be voted on during the business meeting. Any questions or concerns regarding the resolutions will be addressed at this hearing.

# MONDAY, FEBRUARY 17, 2025

## Opening General Session

Monday, February 17, 2025

8:00 a.m. – 10:30 a.m., Broadway Ballroom, 6th Floor

Includes invited speakers.

## Session One, Day One

Core A: Cybersecurity

### **Justice Track**

Monday, February 17, 2025

10:00 a.m. - 10:50 a.m., Duffy/Columbia, 7<sup>th</sup> Floor

## Session One, Day One

Working Together for a Better New York: A Conversation with NYSAC, NYCOM and AOT

Monday, February 17, 2025

10:30 a.m. - 11:20 a.m., Imperial/Juilliard, 5th Floor

## Session One, Day One

Taking the Grants Journey: An Essential Guide to Funding Success

Monday, February 17, 2025

10:30 a.m. - 11:20 a.m., Belasco/Broadhurst 5th Floor

## Session One, Day One

Energy Pathway to Maximize IRA Tax Credit Monetization for Towns

Monday, February 17, 2025

10:30 a.m. – 11:20 a.m., Alvin/Carnegie, 5th Floor

## Session One, Day One

Valuing renewable energy projects and negotiating PILOTs

Monday, February 17, 2025

10:30 a.m. - 11:20 a.m., Booth/Edison, 5th Floor

## Session One, Day One

## PFAS & Forever Chemicals in Wastewater: Future

Regulations & Possible Funding For Compliance Mandates

Monday, February 17, 2025

10:30 a.m. - 11:20 a.m., Shubert Complex, 6th Floor

## Session One, Day One

Strategic Planning Best Practices

Monday, February 17, 2025

10:30 a.m. – 11:20 a.m., Majestic Complex, 6th Floor

## Session One, Day One

Fiscal Oversight Responsibilities of the Town Board

Monday, February 17, 2025

10:30 a.m. - 11:20 a.m., Empire Complex, 7th Floor

## Session One, Day One

Incentive Zoning

### **Continuing Legal Education Track**

Monday, February 17, 2025

10:30 a.m. – 11:20 a.m., Astor Ballroom, 7<sup>th</sup> Floor

## Session Two, Day One

Core A: Ethics I

### **Justice Track**

Monday, February 17, 2025

11:00 a.m. – 11:50 a.m., Duffy/Columbia, 7th Floor

## Session One, Day One

DNA

### **Court Clerk Track**

Monday, February 17, 2025

10:30 a.m. - 11:20 p.m., Harlem, 7th Floor

Session One, Day One  
Visualize, Manage, and Share Your Data for Enhanced  
Collaboration and Decision Making  
Monday, February 17, 2025  
10:30 a.m. – 11:20 p.m., Soho Complex, 7th Floor

Session Two, Day One  
The Future is Now: Managing the Talent Pipeline Amid the  
Changing Needs of the Workforce

Session Two, Day One  
Inside the Edgemont Village Incorporation Impact Study  
11:30 a.m. – 12:30 p.m., Belasco/Broadhurst, 5th Floor

Session Two, Day One  
Avoiding Insurance Pitfalls  
Monday, February 17, 2025  
11:30 a.m. – 12:30 p.m., Alvin/Carnegie, 5th Floor

Session Two, Day One  
Housing and Economic Development in the Rural  
Adirondacks: Regulatory Impacts  
Monday, February 17, 2025  
11:30 a.m. – 12:30 p.m., Booth/Edison, 5th Floor

Session Two, Day One  
Drinking Water Source Protection Program (DWSP2)  
Monday, February 17, 2025  
11:30 a.m. – 12:30 p.m., Shubert Complex, 6th Floor

Session Two, Day One  
Local Government Regulation of Wireless Facilities IV  
Monday, February 17, 2025  
11:30 a.m. – 12:30 p.m., Majestic Complex, 6th Floor

Session Two, Day One  
Fiscal Oversight Responsibilities of Town Officers and  
Employees Part 1  
Monday, February 17, 2025  
11:30 a.m. – 12:30 p.m., Empire Complex, 7th Floor

Session Two, Day One  
Real Property Tax: Case and Statutory Law Update  
**Continuing Legal Education Track**  
Monday, February 17, 2025  
11:30 a.m. – 12:30 p.m., Astor Ballroom, 7<sup>th</sup> Floor

Session Two, Day One  
DWI  
**Court Clerks Track**  
Monday, February 17, 2025  
11:30 a.m. – 12:30 p.m., Harlem, 7th Floor

Session Two, Day One  
Speed Limit Reduction: How to Establish Safe Speeds in  
Your Community  
Monday, February 17, 2025  
11:30 a.m. – 12:30 p.m., Soho Complex, 7th Floor

Session Three, Day One  
Core A: Legislative Updates 2025  
**Justice Track**  
Monday, February 17, 2025  
12:00 p.m. – 1:00 p.m., Duffy/Columbia, 7th Floor

Session Lunch, Day One  
Workforce Development Summit: A Discussion with Key  
Players in the Industry  
Monday, February 17, 2025  
12:40 p.m. – 1:30 p.m., Astor Ballroom, 7<sup>th</sup> Floor

Session Three, Day One  
Employee Benefit Cost Trends and Options  
Monday, February 17, 2025  
2:00 p.m. – 2:50 p.m., Imperial/Juilliard, 5th Floor

Session Three, Day One  
24/7 Citizen Service: Transforming Town Halls with AI  
Monday, February 17, 2025  
2:00 p.m. – 2:50 p.m., Belasco/Broadhurst, 5th Floor

Session Three, Day One  
Building a Safer Town: Five Cybersecurity Tips for Meeting  
Compliance Requirements  
Monday, February 17, 2025  
2:00 p.m. – 2:50 p.m., Alvin/Carnegie, 5th Floor

Session Three, Day One  
Exempt Entities Update under RPTL 420-a  
Monday, February 17, 2025  
2:00 p.m. – 2:50 p.m., Booth/Edison, 5th Floor



Rising Property Values and the Impact Assessments Have on Municipal Finances  
Monday, February 17, 2025  
2:00 p.m. - 2:50 p.m., Shubert Complex, 6th Floor

Session Three, Day One  
Towns Rule! The benefits of having home rule and the need to preserve it  
Monday, February 17, 2025  
2:00 p.m. - 2:50 p.m., Majestic Complex, 6th Floor

Session Three, Day One  
Fiscal Oversight Responsibilities of Town Officers and Employees Part 2  
Monday, February 17, 2025  
2:00 p.m. - 2:50 p.m., Empire Complex, 7th Floor

Session Three, Day One  
Dangerous Dogs  
**Court Clerk Track**  
Monday, February 17, 2025  
2:00 p.m. - 2:50 p.m., Harlem, 7th Floor

Session Four, Day One  
Core A: Domestic Violence Law Updates and Hope Cards  
**Justice Track**  
Monday, February 17, 2025  
2:00 p.m. - 2:50 p.m., Duffy/Columbia, 7th Floor

Session Three, Day One  
Collective Bargaining 101  
**Continuing Legal Education Track**  
Monday, February 17, 2025  
2:00 p.m. - 2:50 p.m., Astor Ballroom, 7th Floor

Session Three, Day One  
I don't want another cemetery! - Cemetery Abandonment and the Changes in Cemetery Laws and Regulations Impacting Towns  
Monday, February 17, 2025  
2:00 p.m. - 2:50 p.m., Soho Complex, 7th Floor

Session Four, Day One  
Serving Those Who Serve: Employee Well Being in the Public Sector  
Monday, February 17, 2025  
3:00 p.m. - 3:50 p.m., Imperial/Juilliard, 5th Floor

Session Four, Day One  
Getting Dirty: Using Infrastructure to lay the Foundation for Community Revitalization  
Monday, February 17, 2025  
3:00 p.m. - 3:50 p.m., Belasco/Broadhurst, 5th Floor

Session Four, Day One  
NYS Homes & Community Renewal's Grant Sources  
Monday, February 19, 2024  
3:00 p.m. - 3:50 p.m., Alvin/Carnegie, 5th Floor

Session Four, Day One  
Washing Checks and (Not) Waiving Penalties: Hot Topics in Real Property Tax Collection  
Monday, February 17, 2025  
3:00 p.m. - 3:50 p.m., Booth/Edison, 5th Floor

Session Four, Day One  
Unlock the Power of Clean Energy: Energy Efficiency, Electrification, Solar, Geothermal and More  
Monday, February 17, 2025  
3:00 p.m. - 3:50 p.m., Shubert Complex, 6th Floor

Session Four, Day One  
Why Buy Thru NY: Benefits of Using OGS Centralized Contracts  
Monday, February 17, 2025  
3:00 p.m. - 3:50 p.m., Majestic Complex, 6th Floor

Session Four, Day One  
Improving the Effectiveness of the Governing Boards' Audit of Claims  
Monday, February 17, 2025  
3:00 p.m. - 3:50 p.m., Empire Complex, 7th Floor  
Session Four, Day One  
Special Districts: 101 Town Special Improvement Taxing Districts  
**Continuing Legal Education Track**  
Monday, February 17, 2025  
3:00 p.m. - 3:50 p.m., Astor Ballroom, 7th Floor

Session Five, Day One  
Core A: Current DWI Practice Examined  
**Justice Track**  
Monday, February 17, 2025  
3:00 p.m. - 3:50 p.m., Duffy/Columbia, 7th Floor

Session Four, Day One

Town Ordinances

**Court Clerk Track**

Monday, February 17, 2025

3:00 p.m. - 3:50 p.m., Harlem, 7th Floor

Session Four, Day One

Council of Governments Model: A Unique Way to Share Services

3:00 p.m. - 3:50 p.m., Soho Complex, 7th Floor

Session Five, Day One

Exploring Retiree Healthcare Solutions

Monday, February 17, 2025

4:00 p.m. - 5:00 p.m., Imperial/Juilliard, 5th Floor

Session Five, Day One

Media Training for Towns

4:00 p.m. - 5:00 p.m., Belasco/Broadhurst, 5th Floor

Session Five, Day One

How Taking Climate Action Can also Save Your Town

Money Department of Environmental Conservation Staff

Monday, February 17, 2025

4:00 p.m. - 5:00 p.m., Alvin/Carnegie, 5th Floor

Session Five, Day One

AOT vs OSC (Tax Collection Potpourri)

Monday, February 17, 2025

4:00 p.m. - 5:00 p.m., Booth/Edison, 5th Floor

Session Five, Day One

Solar Renewables: Implementation Models, Bill Credits and Energy Savings for Local Governments

Monday, February 17, 2025

4:00 p.m. - 5:00 p.m., Shubert Complex, 6th Floor

Session Five, Day One

Ambulance Service in Rural New York State

Monday, February 17, 2025

4:00 p.m. - 5:00 p.m., Majestic Complex, 6th Floor

Session Five, Day One

Ask the OSC Auditors

Monday, February 17, 2025

4:00 p.m. - 5:00 p.m., Empire Complex, 7th Floor

Session Five, Day One

Parking Programs

**Court Clerk Track**

Monday, February 17, 2025

4:00 p.m. - 5:00 p.m., Harlem, 7th Floor

Session Six, Day One

Core A: Animal Cruelty

**Justice Track**

Monday, February 17, 2025

4:00 p.m. - 5:00 p.m., Duffy/Columbia, 7th Floor

Session Five, Day One

New York State Voting Rights Act: Are You Ready?

**Continuing Legal Education Track**

Monday, February 17, 2025

4:00 p.m. - 5:00 p.m., Astor Ballroom, 7th Floor

Session Five, Day One

Local Leader's Toolkit for Attracting Housing Investment

Monday, February 17, 2025

4:00 p.m. - 5:00 p.m., Soho Complex, 7th Floor

## TUESDAY, FEBRUARY 18, 2025

General Session

Tuesday, February 18, 2025

8:00 a.m. - 10:00 a.m., Broadway Ballroom, 6th Floor

Includes invited speakers.

Session One, Day Two

Turning Plans into Action: Strategies for Effective Implementation

Tuesday, February 18, 2025

10:00 a.m. - 10:50 a.m., Imperial/Juilliard, 5th Floor

Session One, Day Two

Tourism in Your Town: How to Optimize Beneficial Outcomes and Add Vitality to Your Community

Tuesday, February 18, 2025

10:00 a.m. - 10:50 a.m., Belasco/Broadhurst, 5th Floor



Session One, Day Two  
Addressing Attendance Concerns  
Tuesday, February 18, 2025  
10:00 a.m. – 10:50 a.m., Alvin/Carnegie, 5th Floor

Session One, Day Two  
Special Use Permits  
Tuesday, February 18, 2025  
10:00 a.m. – 10:50 a.m., Booth/Edison, 5th Floor

Session One, Day Two  
Procurement Part 1 (Competitive Bidding and  
Procurement Policy)  
Tuesday, February 18, 2025  
10:00 a.m. – 10:50 a.m., Empire Complex, 7th Floor

Session One, Day Two  
Advanced Fiscal 2025

**Court Clerk Track**

Tuesday, February 18, 2025  
10:00 a.m. – 10:50 a.m., Harlem, 7th Floor

Session One, Day Two

Core B: Fiscal Review

**Justice Track**

Tuesday, February 18, 2025  
10:00 a.m. – 10:50 a.m., Duffy/Columbia, 7th Floor

Session One, Day Two

Astride Two Worlds: Ethical Considerations for  
Government Attorneys

**Continuing Legal Education Track**

Tuesday, February 18, 2025  
10:00 a.m. – 10:50 a.m., Astor Ballroom, 7th Floor

Session One, Day Two

PFAS Removal and Destruction for Water and  
Wastewater

Tuesday, February 18, 2025  
10:00 a.m. – 10:50 a.m., Soho Complex, 7th Floor

Session Two, Day Two

Community Solar the Right Way

Tuesday, February 18, 2025  
11:00 a.m. – 12:30 p.m., Imperial/Juilliard, 5th Floor

Session Two, Day Two

Responsibilities and Legal Requirements of Building  
Code Enforcement: How It Can Benefit Your Community

Tuesday, February 18, 2025  
11:00 a.m. – 12:30 p.m., Belasco/Broadhurst, 5th Floor

Session Two, Day Two

Employee Counseling and Progressive Discipline

Tuesday, February 18, 2025  
11:00 a.m. – 12:30 p.m., Alvin/Carnegie, 5th Floor

Session Two, Day Two

Skills That Make Great Board Members

Tuesday, February 18, 2025  
11:00 a.m. – 12:30 p.m., Booth/Edison, 5th Floor

Session Two, Day Two

Procurement Part 2 (Municipal Procurement Potpourri)

Tuesday, February 18, 2025  
11:00 a.m. – 12:30 p.m., Empire Complex, 7th Floor

Session Two, Day Two

Americans with Disabilities Act Compliance Part 2

**Court Clerk Track**

Tuesday, February 18, 2025  
11:00 a.m. – 12:30 p.m., Harlem, 7th Floor

Session Two, Day Two

Core B: CPL 530.60 Modification of Securing Orders

**Justice Track**

Tuesday, February 18, 2025  
11:00 a.m. – 12:00 p.m., Duffy/Columbia, 7th Floor

Session Two, Day Two

Diversity, Equity, Inclusion and Ethics In Real Property  
Taxation and Assessment

**Continuing Legal Education Track**

Tuesday, February 18, 2025  
11:00 a.m. – 12:30 p.m., Astor Ballroom, 7th Floor

Session Two, Day Two

Municipal Infrastructure Funding Experience: Uncover  
Opportunities – Part 1

Tuesday, February 18, 2025  
11:00 a.m. – 12:30 p.m., Soho Complex, 7th Floor

Session Three, Day Two  
Protecting the Integrity of the Courts: Cybersecurity and Ethics

**Court Clerk Track**

Tuesday, February 18, 2025  
12:00 p.m. – 1:00 p.m., Harlem, 7th Floor

Session Three, Day Two  
Ethics 2 – Local Connections, Meetings and Interactions with the Municipality

**Justice Track**

Tuesday, February 18, 2025  
12:00 p.m. – 1:00 p.m., Duffy/Columbia, 7th Floor

Lunch Summit, Day Two  
Renewable Energy Development and the Role of Local Governments

12:40 p.m. – 1:30 p.m., Empire Complex, 7th Floor

Session Three, Day Two  
Town Clerk Roundtable  
Tuesday, February 18, 2025  
2:00 p.m. – 2:50 p.m., Imperial/Juilliard, 5th Floor

Session Three, Day Two  
Local Road Safety Plans  
Tuesday, February 18, 2025  
2:00 p.m. – 2:50 p.m., Belasco/Broadhurst, 5th Floor

Session Three, Day Two  
Workplace Accommodations and the Interplay of Various State & Federal Statutes  
Tuesday, February 18, 2025  
2:00 p.m. – 2:50 p.m., Alvin/Carnegie, 5th Floor

Session Three, Day Two  
Subverting the Dominant Paradigm: Europe's Journey of Replacing "Predict and Provide" Thinking with just the Opposite and What It Can Teach Us  
Tuesday, February 18, 2025  
2:00 p.m. – 2:50 p.m., Booth/Edison, 5th Floor

Session Three, Day Two  
The Annual Financial Report- Filing with OSC and Common Errors  
Tuesday, February 18, 2025  
2:00 p.m. – 2:50 p.m., Empire Complex, 7th Floor

Session Four, Day Two  
Conduct in the Courts: Addressing Sexual Harassment and Bias

**Court Clerk Track**

Tuesday, February 18, 2025  
2:00 p.m. – 2:50 p.m., Harlem, 7th Floor

Session Four, Day Two  
Core B: Anti-Bias

**Justice Track**

Tuesday, February 18, 2025  
2:00 p.m. – 2:50 p.m., Duffy/Columbia, 7th Floor

Session Four, Day Two  
Practical Housing Code Compliance: How to Uphold Your Housing Code without Overburdening Your Residents

**Continuing Legal Education Track**

Tuesday, February 18, 2025  
2:00 p.m. – 2:50 p.m., Astor Ballroom, 7th Floor

Session Three, Day Two  
Municipal Infrastructure Funding Experience: Welcome to the Funder Games! Part 2  
Tuesday, February 18, 2025  
2:00 p.m. – 2:50 p.m., Soho Complex, 7th Floor

Session Four, Day Two  
Safety in Numbers: Building a Culture of Prevention and Protection  
Tuesday, February 18, 2025  
3:00 p.m. – 3:50 p.m., Imperial/Juilliard, 5th Floor

Session Four, Day Two  
When Should We Post Weight Limits Towns Roads  
Tuesday, February 18, 2025  
3:00 p.m. – 3:50 p.m., Belasco/Broadhurst, 5th Floor

Session Four, Day Two  
Joint Boards: Options for Intermunicipal Review Boards  
Tuesday, February 18, 2025  
3:00 p.m. – 3:50 p.m., Booth/Edison, 5th Floor

Session Four, Day Two  
Which Fund is it Anyway? – A/DA vs B/DB and more!  
Tuesday, February 18, 2025  
3:00 p.m. – 3:50 p.m., Empire Complex, 7th Floor



Session Five, Day Two  
Legislative Updates and Hope Cards  
**Court Clerk Track**  
Tuesday, February 18, 2025  
3:00 p.m. - 3:50 p.m., Harlem, 7th Floor

Session Five, Day Two  
Core B; Summary Proceedings Updates 2025  
**Justice Track**  
Tuesday, February 18, 2025  
3:00 p.m. - 3:50 p.m., Duffy/Columbia, 7th Floor

Session Four, Day Two  
Can I Delete That? Social Media, Public Officials and the  
First Amendment  
**Continuing Legal Education Track**  
Tuesday, February 18, 2025  
3:00 p.m. - 3:50 p.m., Astor Ballroom, 7th Floor

Session Four, Day Two  
Emergency Incident Command: Flexible Response to  
Dynamic Situations  
3:00 p.m. - 4:00 p.m., Soho Complex, 7th Floor

Q&A with the Association of Towns' Legal Staff  
Tuesday, February 18, 2025  
4:00 p.m. - 5:00 p.m., Imperial/Julliard, 5th Floor

Session Five, Day Two  
Agrivoltaics: Co-Locating Solar and Agriculture  
4:00 p.m. - 5:00 p.m., Belasco/Broadhurst, 5th Floor  
Session Five, Day Two  
Using Financial Reports for Effective Board Oversight &  
Decision Making  
Tuesday, February 18, 2025  
4:00 p.m. - 5:00 p.m., Empire Complex, 7th Floor

Session Six, Day Two  
Parking Program  
**Court Clerk Track**  
Tuesday, February 18, 2025  
4:00 p.m. - 5:00 p.m., Harlem, 7th Floor

Session Six, Day Two  
Summary Proceedings Updates 2025  
**Justice Track**  
Tuesday, February 18, 2025  
4:00 p.m. - 5:00 p.m., Duffy/Columbia, 7th Floor

Session Five, Day Two  
**Continuing Legal Education Track**  
The Anatomy of an Article 78 Proceeding  
Tuesday, February 18, 2025  
4:00 p.m. - 5:00 p.m., Astor Ballroom, 7th Floor



# 2025

## ***Proposed Legislative Program***

1. Preserve and Support Home Rule
2. Maintain and Increase Aid and Incentives to Municipalities Funding
3. Declare General Ambulance Service an Essential Service and Provide Service Funding
4. Increase the Salary Cap for Retired Public Officials Returning to Public Service
5. Reform Tier 6 of the New York State and Local Retirement System
6. Create a Dedicated Funding Source for Commercial Driver's License (CDL) Training
7. Amend Civil Service Rules to Create a More Efficient Hiring Process for Public Employers
8. Provide Towns with Negotiation Authority in PILOT Agreements that Impact Their Tax Base
9. Reform Inequities in the Real Property Tax Cap Formula
10. Support Highway, Bridge and Transportation Funding
11. Increase or Repeal the Tax Levy Limits for Highway Equipment Purchases
12. Provide All Towns with the Option to Set Speed Limits on Local Roads
13. Create a Dedicated Funding Program for Municipal Water and Sewer Infrastructure
14. Reform Public Service Law Article 8
15. Support Dedicated Funding for PFAS Testing, Remediation, and Prevention
16. Foster Opportunities for Smaller Scale Renewable Energy Development in Participating Towns
17. Provide Guidance and Resources for Battery Energy Storage Systems (BESS)

**Submitted for consideration to the Association of Towns Resolutions Committee**

***Michael Marinaccio, Town Supervisor, Town of Dickinson, Broome County  
First Vice President, Association of Towns, Chair of the Resolutions Committee***



# 2025 Proposed Resolutions

## *General Government*

### **Resolution No. 1 Preserve and Support Home Rule**

WHEREAS, the New York State Constitution grants broad home rule powers to local governments and places restrictions on the state Legislature in order to preserve these powers; and

WHEREAS, home rule authority encompasses a wide range of subjects, including but not limited to, the authority to: adopt, amend and repeal local laws in the exercise of a town's functions, powers and duties; share services with other local governments; levy and collect rents and penalties in a town; adopt, amend and repeal zoning regulations; and

WHEREAS, under *Municipal Home Rule Law and the Statute of Local Governments*, local governments' home rule powers must be liberally construed; and

WHEREAS, New York is one of many states across the country granting local governments home rule authority, and this authority should be recognized at the federal level; and

WHEREAS, the exercise of home rule powers allows local governments to meet the unique and diverse needs of local residents while also fostering citizen participation in government; and

WHEREAS, New York's diverse communities are best served by maintaining the principles of home rule, including those set forth in the state Constitution, Local Government Bill of Rights, Statute of Local Governments and the Municipal Home Rule Law; NOW THEREFORE BE IT

**RESOLVED**, that the Association of Towns calls on the Governor and the state Legislature to preserve and strengthen home rule; and BE IT FURTHER

**RESOLVED**, that the Association of Towns will oppose any state or federal initiative that would weaken or eliminate New York's long-standing tradition of home rule and local government authority.

#### **Background**

This resolution is routinely included in AOT's Legislative Program and looks to preserve and strengthen home rule and bolster the authority and autonomy town governments need to make local decisions and better serve town residents. Broadly defined, home rule is a way for the state to transfer a portion of its governmental powers to local governments by allowing them to manage their own affairs. Granted in 1963-64, over the years, various court case decisions and legislative enactments have eroded home rule authority, preempting towns from acting or making decisions on issues of local concern. Questions or requests for additional information may be directed to Deputy Director Sarah Brancatella.

### **Resolution No. 2 Maintain and Increase Aid and Incentives to Municipalities Funding**

WHEREAS, the Aid and Incentives to Municipalities (AIM) Program is a source of unrestricted aid wherein revenue is redistributed and shared with towns, cities (except New York City), and villages in New York State; and

WHEREAS, unrestricted aid funded by the state demonstrates a strong partnership between local governments and the state and provides a way for the state to support to local governments and keep real property taxes down; and

WHEREAS, towns are required to comply with state mandates, such as the payment of prevailing wages for municipal projects, without any significant funding source; and

WHEREAS, the state included a much appreciated additional \$50 million in AIM funding in last year's budget; and



# 2025 Proposed Resolutions

WHEREAS, when adjusting for inflation, AIM funding should be funded at \$1.03 billion; NOW THEREFORE BE IT

**RESOLVED**, that the Association of Towns calls on the Governor and state Legislature to increase the state-funded AIM appropriations by \$210 million to account for the rate of inflation and increased costs borne by local governments.

## Background

Revenue sharing between New York State and local governments has taken various forms over the years, and when the Aid and Incentives to Municipalities (AIM) Program was established as part of the state budget in 2005-2006, its goal was an improved and streamlined way for the state to redistribute state revenue to towns, cities, and villages. AIM is the only general revenue sharing funding available to municipalities, meaning that a town can spend AIM funding it receives how it best sees fit. This resolution requests that AIM payments be funded to \$1.03 billion to account for inflation, which would be an approximate \$210 million increase over last year's level, including the \$50-million temporary increase. Questions or requests for additional information may be directed to New York Association of Towns (NYAOT) Deputy Director Sarah Brancatella.

## Resolution No. 3

### Declare General Ambulance Service an Essential Service and Provide Service Funding

WHEREAS, the emergency management system (EMS) in New York is in crisis due to declining volunteerism, lack of public funding, inadequate staffing, rising costs, insufficient insurance reimbursement, and rising call volumes, among other reasons; and

WHEREAS, towns currently have the option of contracting for ambulance services or becoming a provider itself; and

WHEREAS, many towns are having difficulty finding providers to contract with, or the cost of such contracts are increasing significantly; and

WHEREAS, safe, reliable treatment and transportation from trained individuals in emergency situations is necessary for public health; NOW THEREFORE BE IT

**RESOLVED**, that the New York Association of Towns (NYAOT) calls on the Governor and Legislature to declare general ambulance services an essential service in New York; and BE IT FURTHER

**RESOLVED**, that NYAOT calls on the Governor, Legislature, and state agencies to support ambulance service through dedicated funding and providing other forms of financial assistance, such as grants programs and increasing Medicaid reimbursements.

## Background

In 2023, the state issued a report titled *2023 Evidence Based EMS Agenda for the Future* (available at [https://www.health.ny.gov/professionals/ems/docs/february\\_2023\\_sustainability\\_tag.pdf](https://www.health.ny.gov/professionals/ems/docs/february_2023_sustainability_tag.pdf)) based on a 2021 report *EMS in Crisis, A New York State Perspective*. In the 2023 report, the recommendations from the state task force established key recommendations to support EMS including, but not limited to, declaring EMS an essential service (and a definition of what that means), creating a grant program to help providers improve response metrics, and having evidence-based Medicaid reimbursement rates. Other recommendations included authorizing and funding counties to facilitate EMS coordination, something that is consistent with the Office of the State Comptroller's report finding an increasing number of counties getting involved in EMS service (see <https://www.osc.ny.gov/files/local-government/publications/pdf/ems-report-2024.pdf>)

In 2024, legislation was introduced (A3392c/S4020c) that: declared EMS an essential service to which every New Yorker is entitled to receive in a reliable manner; ensured that EMS is provided pursuant to uniform state standards and that EMS practitioners and systems are properly trained; and required every municipality outside of New York City to ensure that EMS or General Ambulance Service (GAS) is provided, either acting individually, jointly or through the creation of new special districts, including new authority for counties to create special districts. NYCOM and NYSAC supported the bill, NYAOT issued a memorandum seeking modifications – specifically, clarification that a county-created ambulance district has the authority to levy taxes, clarification on overlapping districts, and funding for any mandates on local



# 2025 Proposed Resolutions

governments. The resolution is broader than the legislation, and mirrors legislative priorities of NYCOM and NYSAC asking for general ambulance service to be declared essential, as well as provide funding. Questions or requests for additional information may be directed to Deputy Director Sarah Brancatella.

## ***Workforce Development***

### **Resolution No. 4**

#### **Increase the Salary Cap for Retired Public Officials Returning to Public Service**

WHEREAS, many towns rely on the service of retired public officers and employees who rejoin the public workforce; and

WHEREAS, under Retirement and Social Security Law § 212, unless they are 65 or older, public retirees may only earn up to \$35,000 from post-retirement public employment without diminution of retirement earnings; and

WHEREAS, the retiree salary cap has not been increased since 2020, and does not keep pace with inflation; and

WHEREAS, towns are having difficulty filling vacancies in their workforces due, in part, to the inability to offer competitive salaries; and

WHEREAS, raising the retiree salary cap makes post-retirement work in towns more enticing while simultaneously allowing towns to employ experienced individuals at a reduced cost, thus saving taxpayer money; NOW THEREFORE BE IT

**RESOLVED**, that New York Association of Towns calls upon the Governor and the Legislature to amend state law to increase from \$35,000 and attach an annual cost of living (COLA) increase to the salary cap placed on retired public employees who continue their public service.

#### **Background**

As a way to keep property taxes down, many towns rely on retired public employees to provide local services and public protection. The state allows retirees to work for a participating employer in the retirement system, provided that their compensation does not exceed \$35,000 (Retirement and Social Security Law § 212). The salary limitations set forth in Retirement and Social Security Law § 212 were increased annually between 1996 and 2004 to account for inflation, but has been changed only twice since then – once in 2007, and once in 2020 to its current rate of \$35,000. Questions or requests for additional information may be directed to Deputy Director Sarah Brancatella.

### **Resolution No. 5**

#### **Reform Tier 6 of the New York State and Local Retirement System**

WHEREAS, Chapter 18 of the Laws of 2012 established Tier 6 of the New York State and Local Retirement System, which amends the retirement benefits of public employees who establish membership in a public employee retirement system on or after April 1, 2012; and

WHEREAS, reforms to Tier 6 have made jobs in the public sector less attractive and thus made it harder for the state and local governments to recruit and retain workers; and

WHEREAS, local government employees perform essential services in their communities; and

WHEREAS, it is critical for local governments to recruit and retain skilled qualified workers to maintain government operations; NOW THEREFORE BE IT

**RESOLVED**, that the New York Association of Towns calls on the Governor and the Legislature to reform Tier 6 to develop cost-effective options to improve local government workforce development.



# 2025 Proposed Resolutions

## Background

Within New York State's retirement system, "Tier 5" refers to a pension plan for public employees who joined between Jan. 9, 2010, and March 31, 2012, while "Tier 6" applies to those who joined on or after April 1, 2012. Local government Tier 5 members pay 3 percent of their gross salary for all years they are employed by a public employer, whereas Tier 6 employees pay between 3 percent and 6 percent, depending on their income level. Additionally, Tier 5 members receive full retirement benefits starting at age 62, whereas Tier 6 members must wait until 63.

The Civil Service Employees Association (CSEA), which represents over 300,000 members in state and local governments, reports that local governments have lost nearly 28,000 positions between 2012 and 2023. It attributes this, in part, to Tier 6 not providing enticing enough benefits for people to join public service (see New York State Civil Service and Pensions Committee Testimony, October 11, 2023, available at [www.nysenate.gov/sites/default/files/admin/structure/media/manage/filefile/a/2023-10/csea.pdf](http://www.nysenate.gov/sites/default/files/admin/structure/media/manage/filefile/a/2023-10/csea.pdf)). On the other hand, others point to the money saved by Tier 6 and the financial onus reform would place on public employers (see e.g. [www.nysenate.gov/sites/default/files/admin/structure/media/manage/filefile/a/2023-10/empire-center-for-public-policy.pdf](http://www.nysenate.gov/sites/default/files/admin/structure/media/manage/filefile/a/2023-10/empire-center-for-public-policy.pdf)).

Finally, some Tier 6 reforms were included in the 2024-2025 state budget, including:

- Final average earnings: Tier 6 employees' pension benefits are now based on the average of their highest three years of earnings, instead of five years. This change applies to employees who retire on or after April 1, 2024 for the Police and Fire Retirement System and April 20, 2024 for the Employees' Retirement System.
- Overtime earnings: Overtime earnings are now excluded from pension contribution rates for two more years.

Questions or requests for additional information may be directed to Deputy Director Sarah Brancatella.

## Resolution No. 6

### Create a Dedicated Funding Source for Commercial Driver's License (CDL) Training

WHEREAS, there is a shortage of commercial drivers in New York; and

WHEREAS, commercial drivers are essential employees in state and local government operations and perform critical functions to ensure roadways and highways are safe for travelers; and

WHEREAS, the state recently expanded the eligible pool of individuals that may obtain a Commercial Driver's License (CDL); and

WHEREAS, further action is needed to increase the number of CDL operators in the state and address the worker shortage at both the state and local government levels; NOW THEREFORE BE IT

**RESOLVED**, that the New York Association of Towns (NYAOT) calls on the Governor and Legislature to create a dedicated funding source to establish a Commercial Driver's License (CDL) training cost-reimbursement program for state and local government employees in New York State.

## Background

This is a new resolution. The state has acknowledged a severe shortage of commercial drivers and has taken legislative action to tackle this important issue. Specifically, in 2021, the state established a Class A young adult commercial driver's license (CDL) class, which expanded the pool of eligible drivers to include 18 - 20 year olds to operate tractor-trailers and other vehicles after taking the requisite training (see Chapter 618 of the Laws of 2021). In adopting the law, the state indicated that commercial drivers are the backbone of the state's economy and that it is increasingly difficult to recruit commercial drivers. While expanding the pool of eligible drivers is a step toward beginning to address the critical commercial driver shortage, local governments are still facing a shortage of eligible and properly trained drivers to deliver essential government services, including plow trucks and construction vehicles.

Obtaining the required training for a CDL is costly, with CDL Class A Commercial Truck Driver training classes totaling approximately \$7,000 for a 10-week training program at SUNY-Canton, deterring potential commercial drivers that would otherwise operate heavy machinery, but for the cost of the training. To this end, NYAOT believes



# 2025 Proposed Resolutions

that a dedicated funding stream that reimburses the costs associated with obtaining a CDL license to CDL drivers that thereafter engage in local or state government employment as a CDL license operator for a period of three years will both create jobs for CDL operators and reduce the driver shortage that is plaguing the industry. This is a straightforward and practical solution that will reverberate across the state. Questions or requests for additional information may be directed to Association Counsel Katie Hodgdon.

## **Resolution No. 7**

### **Amend Civil Service Rules to Create a More Efficient Hiring Process for Public Employers**

WHEREAS, many public sector employers are struggling to find qualified employees to fill positions; and

WHEREAS, towns must follow civil service rules and regulations on hiring; and

WHEREAS, the statutory framework and the civil service rules and regulations pose many unnecessary burdens to hiring qualified employees to do the work of the people; and

WHEREAS, amendments to civil service rules that could be easily implemented would alleviate some of these burdens without diminishing the quality of the public sector workforce; and

WHEREAS, amendments to civil service could include, but are not limited to, things like:

- making a provisional employee permanent if a test is not offered within nine months after an individual is provisionally appointed to a position; or if an exam is offered within nine months, the provisional appointee is scored on a pass/fail basis
- removing professions licensed by New York State from the competitive classification; NOW THEREFORE BE IT

**RESOLVED**, that the Association of Towns calls on the Governor and the state Legislature to amend civil service rules to make the hiring process easier for public employees by allowing provisional appointees to automatically become permanent employees after nine months if no exam is available in that time period and by declaring that professions licensed by New York State should not be classified as competitive.

#### **Background**

Public employers across the board are having difficulty filling vacant positions. NYAOT has worked with other organizations to identify civil service reforms that would not undermine union protections in order to ease some of the civil service hiring requirements that can be burdensome or thwart the ability to find candidates. These recommendations include:

#### **1. Transitioning from Provisional to Permanent Appointments**

Municipalities may hire individuals on a provisional basis if a current list does not exist to fill the position. However, this creates a situation where individuals may be stuck as a provisional appointment for years, and they will lose their position if an eligible list gets released and they did not rank among the top 3. Putting a cap on the maximum timeframe for provisional status would help reduce: organizational impacts, job uncertainty for potential candidates and the costs of onboarding new staff, as well as increase the ability to recruit staff. Furthermore, allowing a provisional hire who has been successfully working in a position to take a test on a pass/fail basis would increase the chance that the organization could retain an employee successfully working in a position.

#### **2. Remove professions licensed by New York State from the competitive classification**

Subjecting professions that require a license from New York State to a competitive examination to determine if they are qualified for a position is superfluous. The fact that an individual has a license from the state should sufficiently establish that a candidate meets or exceeds the minimum job qualifications.

Questions or requests for additional information may be directed to Deputy Director Sarah Brancatella.



# 2025 Proposed Resolutions

## *Tax & Finance*

### **Resolution No. 8**

#### **Provide Towns with Negotiation Authority in PILOT Agreements that Impact Their Tax Base**

WHEREAS, the tax-exempt status of real properties shift the tax burden to non-exempt owners, increasing their real property tax liability; and

WHEREAS, Industrial Development Agencies (IDAs) have the ability to negotiate payment in lieu of taxes (PILOT) agreements on certain tax-exempt properties; and

WHEREAS, county IDAs comprised nearly 62 percent of IDA projects in 2022; and

WHEREAS, nearly \$854 million was collected through PILOT agreements in 2022; and

WHEREAS, town real property tax bases are impacted by county IDA agreements; and

WHEREAS, despite being an affected tax jurisdiction with impacts to their tax base, towns are often not consulted or considered when binding PILOT agreements are executed; NOW THEREFORE BE IT

**RESOLVED**, that the New York Association of Towns (NYAOT) requests legislative action to ensure that governing bodies of affected tax jurisdictions have the ability to approve agreements that impact the tax jurisdiction's real property tax base.

#### **Background**

This is a new resolution. In 2023, over \$1.82 billion of real property had tax-exempt status in its taxing jurisdiction, with more than half of the tax base exempt in a number of towns (see *Exemptions from Real Property Taxation in New York State: 2023 County, City, and Town Assessment Rolls*). The exempt status of real property shifts the real property tax burden to non-exempt owners, driving up real property taxes. To counter this, IDAs have the ability to negotiate PILOT agreements that govern properties with a qualifying project and provide financial payments and other incentives to "affected tax jurisdictions."

While towns are "affected tax jurisdictions" that fail to receive real property tax payments due to the tax-exempt status of a property engaged in a project overseen by an IDA (see Real Property Tax Law § IDA 854 [1]6), towns are excluded from or, at best, offered a symbolic seat at the table in negotiations with the IDAs and developers on projects, with counties determining the interests of all of the affected tax jurisdictions. Indeed, county IDAs comprised 61.8 percent of all active IDA projects in 2022 (see *Performance of Industrial Development Agencies in New York State*, May 2024), and all county tax-exempt projects impact the town tax base located within those counties.

The total tax exemptions for IDA projects in 2022 amounted to nearly \$2 billion in 2021, with real property tax exemptions representing \$1.7 billion of the total tax exemptions. This is a staggering amount of money that severely impacts the tax base in each of the jurisdictions the projects occur in, as the exempt status of properties naturally shifts the burden to the non-exempt property owners. Importantly, almost \$854 million was collected through PILOT agreements in 2022, an increase of nearly \$300 million from the \$555 million that was collected a decade prior in 2012 (see *Performance of Industrial Development Agencies in New York State*, May 2024). While PILOT agreements are intended to ameliorate the impact of the tax-exempt status of real properties, all impacted taxing jurisdictions do not have parity in the negotiating process, and consequently, are often bound by agreements that negatively impact their tax base. Accordingly, NYAOT requests the inclusion of language in the law that ensures that all governing bodies of affected tax jurisdictions approve agreements impacting the tax jurisdiction's real property tax base.

Questions or requests for additional information may be directed to Association Counsel Katie Hodgdon.



# 2025 Proposed Resolutions

## **Resolution No. 9 Reform Inequities in the Real Property Tax Cap Formula**

WHEREAS, the real property tax cap, which was designed to limit the property taxes levied by local governments to 2 percent or the rate of inflation, whichever is less, contains inequities that penalize towns; and

WHEREAS, New York State governs how towns raise revenue, and property taxes are a primary source of revenue for towns; and

WHEREAS, other sources of revenue have been stagnant while expenses and inflation continue to increase; and

WHEREAS, towns are required to include costs associated with infrastructure projects in their tax cap calculation, while other entities have the ability to exclude these costs; and

WHEREAS, towns are facing significant increases in healthcare market rates approved by the state; and

WHEREAS, local governments are unable to hire or retain employees to perform essential government services due to a variety of factors, including budgetary limitations; and

WHEREAS, towns are required to include improvement district costs in their tax cap calculation despite these districts being a separate taxing entity that provide essential services; and

WHEREAS, despite these inequities, the Property Tax Cap was made permanent in 2019; NOW THEREFORE BE IT

**RESOLVED**, that the New York Association of Towns (NYAOT) calls on the Governor and Legislature to adopt tax cap reforms to remedy inequities in the formula, including but not limited to, removing infrastructure project costs from the calculation, capping the inclusion of increased healthcare premium costs to 2 percent of such costs, excluding salary adjustments necessary for workforce development, and removing special improvement district costs from the tax cap calculation.

### **Background**

This resolution regularly appears on NYAOT's legislative priorities platform. The real property tax cap (General Municipal Law § 3-c), which established a limit on the annual growth of property taxes levied by local governments and school districts to 2 percent or the rate of inflation, whichever is less, was adopted in 2011 and made permanent in 2019. As responsible fiscal managers, local governments exercising their statutory authority to override the cap do so to meet a pressing or urgent need for their residents. Towns have consistently demonstrated that they will comply with the cap to the extent practicable; however, inequities in the formula remain that must be addressed.

NYAOT has identified simple adjustments that can be made to the tax cap formula that would remedy the inequities in the tax cap and allow towns and other local governments to implement the cap in a less deleterious manner. Specifically, towns are required to include infrastructure costs in their tax cap calculation. Conversely, school districts are not required to include these costs in their tax cap calculation because they are subject to referendum requirements and voter approval. However, most if not all town capital projects are also subject to referendum requirements, either via the financing process or through the reserve fund process (see General Municipal Law § 6-c, Town Law § § 81 & 220, and Local Finance Law § 35.00). Despite town infrastructure projects receiving voter approval through the referenda process, towns must include these costs in their tax cap calculation. This glaring inequity should be remedied to apply the exclusion of infrastructure costs for both school districts and local governments.

Additionally, health insurance costs continue to rise, with the Department of Public Service approving an 8.4 percent increase in premiums in small group markets in 2025, which many towns offer to their employees and officers. This increase, which is well over the 2 percent tax cap, is another example of how towns must strategize to stay beneath a cap that includes mandatory increases that far exceed that cap. Ultimately, this is a no-win situation that will result in the loss of essential governmental services. To counter this inequity, NYAOT believes that any insurance premium increases in excess of 2 percent of the prior year should be excluded from the tax cap calculation, enabling towns to continue to provide necessary healthcare coverage while staying within the tax cap.

Moreover, towns from across New York State are facing severe challenges in finding and retaining employees at all levels of government, from comptrollers and architects to maintenance equipment operators. Towns cannot compete with private sector wages, and tax cap limitations further restrict local governments from providing compensation



# 2025 Proposed Resolutions

packages that would attract employees. To curb this inequity, NYAOT requests that any costs associated with workforce development, including salary increases, be excluded from the tax cap calculation. This reform would benefit both local governments that need to fill critical positions and the residents that these jurisdictions serve, as a quality workforce ensures that government services are provided in a timely and efficient manner.

A final consideration for the tax cap is to exclude the costs associated with special improvement districts from the tax cap calculation, as these districts are a separate taxing entity that provide essential services. Including these costs in the tax cap calculation serves as a disincentive to take on needed projects and necessary updates, as they are often costly and require the override of the tax cap. Accordingly, excluding these improvement districts from the town's tax cap calculation will ensure that important projects are completed and provide equity to towns that are currently unfairly penalized with the inclusion of these costs in their tax cap calculation.

Questions or requests for additional information may be directed to Association Counsel Katie Hodgdon.

## *Highway & Transportation*

### **Resolution No. 10 Support Highway, Bridge and Transportation Funding**

WHEREAS, in 2022, the state approved a \$32.8 billion Five-Year NYSDOT Capital Plan, which will be in place SFY 2022-23 through 2026-27 and included funding for local roads and bridges; and

WHEREAS, New York State is scheduled to receive \$13.6 billion in federal funding through federal fiscal year 2026 pursuant to the Infrastructure Investment and Jobs Act (IIJA), which helps fund the Five-Year NYSDOT Capital Plan; and

WHEREAS, a safe and dependable transportation network is essential to protect users of New York's roads, bridges and mass transit and to encourage and sustain economic development; and

WHEREAS, studies of New York's extensive local road system continue to identify a multi-billion dollar shortfall in funding for local roads and bridges; and

WHEREAS, the National Highway Construction Cost Index continues to increase above the rate of inflation, thereby straining local resources to fund transportation projects; NOW THEREFORE BE IT

**RESOLVED**, that the New York Association of Towns (NYAOT) calls on the Governor and the Legislature to maintain, support, and increase funding for CHIPS, PAVE-NY, BridgeNY, Extreme Winter Recovery, POP, State Touring Routes and other transportation funding in the 2025-2026 State Budget and to continue to provide stable and sustainable long-term funding for local infrastructure.

#### **Background**

Predictable and reliable highway funding to repair, restore, and maintain local roads and bridges is crucial to ensure the safety of the traveling public, strengthen our economy, and lower property taxes. This resolution calls upon our state partners to continue to support local transportation funding for core programs like CHIPS and new programs like PAVE-NY, BridgeNY, Extreme Winter Recovery and POP.

Prior to the pandemic, the New York State Association of Town Highway Superintendents estimated that local governments should be receiving an additional \$1.3 billion annually in state highway funding to address need and usage patterns. This need is outpacing funding amounts; even with the increases from last year, more funding is necessary. There are more reports highlighting the state of New York's infrastructure and funding needs:

*Locally Owned Roads by the Numbers (OSC 2022):* <https://www.osc.ny.gov/files/local-government/publications/pdf/locally-owned-roads-by-the-numbers.pdf>

*The Condition of Locally Owned Bridges in New York State (OSC 2024):* <https://www.osc.ny.gov/files/local-government/publications/pdf/the-condition-of-locally-owned-bridges-in-new-york-state.pdf>



# 2025 Proposed Resolutions

*2022 Report Card for New York's Infrastructure (ASCE 2022): <https://infrastructurereportcard.org/state-item/new-york/>*

*New York Transportation by the Numbers (TRIP Reports 2024): <https://tripnet.org/research-news/?states=new-york>*

NYS DOT has posted individual allocation amounts and program details on its website: <https://www.dot.ny.gov/programs/chips/chips-budget>.

## **Infrastructure Investment and Jobs Act**

New York receives federal transportation funding for roads and bridges. Federal surface transportation funding was included in the federal Infrastructure Investment and Jobs Act, which was signed into law on Nov. 15, 2021, providing authorization for federal aid highway programs nationwide as follows: \$52.5 billion in FY 2022, increasing 2 percent every year, and reaching \$56.8 billion in FY 2026. More Information is available on the Federal Highway Administration website <https://www.fhwa.dot.gov/bipartisan-infrastructure-law/>

## **Five-Year NYSDOT Capital Plan and Funding**

The 2022-2023 state budget included \$32.8 billion for a new five-year DOT capital-funding plan, which will be in effect between state fiscal year 2023 through state fiscal year 2027 and includes annual funding recommendations (subject to state appropriation) as follows:

- CHIPS \$538.1 million annually
- Marchiselli \$39.7 million annually
- Extreme Winter Recovery \$100 million annually
- PAVE-NY \$150 million annually
- BridgeNY \$200 million annually
- State Touring Routes \$100 million annually
- Pave our Potholes (POP) \$100 million annually

## **Highway Funding in the Enacted 2024-2025 State Budget**

The Executive Budget proposed highway funding consistent with the Five-year Capital Plan, which would have resulted in a \$60 million decrease in CHIPS and a \$40 million decrease in State Touring Routes funding from the prior state fiscal year. The Legislature proposed some increases with the final state budget restoring funding at the same level as last year.

- CHIPS \$598.1 million
- Marchiselli \$39.7 million
- Extreme Winter Recovery \$100 million
- POP \$100 million
- PAVE-NY \$150 million
- BridgeNY \$200 million
- State Touring Routes \$140 million

Questions or requests for additional information may be directed to Chief Counsel Lori Mithen-DeMasi.

## **Resolution No. 11**

### **Increase or Repeal the Tax Levy Limits for Highway Equipment Purchases**

WHEREAS, Highway Law § 271 imposes a general \$60,000 limitation on a town's authority to levy taxes to fund certain

# 2025 Proposed Resolutions

highway equipment purchases; and

WHEREAS, the general limitation of \$60,000 was set in 1959 (see L 1959, ch. 551); and

WHEREAS, this levy limitation may only be increased by permissive referendum or special state legislation; and

WHEREAS, the various amendments to Highway Law § 271 providing different thresholds by town and county has led to a complex web of exceptions making compliance confusing; and

WHEREAS, this statutory levy limitation is not reflective of the current costs for modern highway equipment, with a single snowplow costing nearly three times as much as most towns may levy for highway equipment purchases annually; and

WHEREAS, town officials are residents of the towns that they serve and are good stewards of taxpayer resources; and

WHEREAS, towns maintain over 60,000 miles of town roads and thousands more miles through intermunicipal agreements or through contracts with New York State Department of Transportation; and

WHEREAS, modern highway equipment can ensure that towns may safely, economically and efficiently maintain New York's roads; and

WHEREAS, towns are subject to a general tax cap under General Municipal Law § 3-c, which was not in effect when the levy limit for highway equipment purchases was set in 1959; and

WHEREAS, many towns are forced to incur the expense of debt to fund needed highway equipment purchases or fund the cost of a referendum thereby costing property taxpayers more for the same equipment or delay purchasing highway equipment needed to ensure the safety of our roads and the efficiency of highway operations; NOW  
THEREFORE BE IT

**RESOLVED**, that the Association of Towns supports legislation amending or repealing Highway Law § 271 to authorize all towns to increase the amount of taxes they can levy annually without the expense of a referendum to purchase highway equipment.

## Background

Highway Law § 271(3)(a)(4) limits the amount of money that a town may levy and collect annually to fund purchases of "stone crushers, power rollers, motor trucks, scarifiers, concrete mixers, traction engines or road machines for grading and scraping, equipment, tools and other implements." Several reasons underscore the need for a change in this levy limit:

- **Outdated Threshold:** The \$60,000 cap was set nearly 70 years ago, long before modern highway equipment was designed. Today's vehicles and machines, such as snowplows, cost exponentially more. A snowplow truck can easily cost three times more than the annual cap allows.
- **Need for Safe Roads:** Towns are responsible for maintaining over 60,000 miles of local roads – a crucial task that requires modern equipment to perform safely and efficiently. Many towns also manage roads through intermunicipal agreements or contracts with the New York State Department of Transportation, which means these funding constraints impact more than just town highways.
- **Rising Costs of Equipment:** The increasing cost of highway equipment presents a financial burden for towns. To overcome the \$60,000 cap, some towns have resorted to special legislation or costly permissive referendums. In many cases, towns are forced to either delay vital purchases or take on debt to meet the equipment needs, ultimately costing taxpayers more.
- **The Tax Cap Complications:** On top of the \$60,000 limit, towns are also subject to a general property tax cap under General Municipal Law § 3-c. This tax cap, which was implemented decades after the highway equipment levy limit was established, adds another layer of financial complexity, further restricting the ability of towns to raise revenue for essential equipment.

There are numerous benefits to increasing or repealing the highway equipment purchase tax levy limitation, such as:

- **More Flexibility in Budgeting:** By removing or increasing the levy limit, towns would gain the flexibility to



# 2025 Proposed Resolutions

manage their highway equipment needs more effectively. They could allocate sufficient funds without having to go through the cumbersome process of special legislation or costly referendums.

- **Better Equipment for Public Safety:** With modern machinery, towns can perform road maintenance more efficiently, ensuring safer driving conditions for residents. From plowing snow in the winter to grading roads in the summer, having the right equipment is vital for public and worker safety.
- **Financial Efficiency:** Removing the highway equipment purchase tax levy cap would help towns avoid the need to incur additional debt or deal with the financial strain of a referendum. This would save taxpayer money in the long run, while also reducing delays in equipment purchases.
- **Fair and Updated Funding Mechanism:** The resolution would align the funding limits with the realities of modern equipment costs and the current tax environment. It reflects the need for towns to be able to maintain their roads without facing undue financial restrictions.

Questions or requests for additional information may be directed to Chief Counsel Lori Mithen-DeMasi.

## **Resolution No. 12 Provide All Towns with the Option to Set Speed Limits on Local Roads**

WHEREAS, in New York state, 55 mph is the statutory speed limit on all roads unless otherwise posted; and

WHEREAS, Vehicle and Traffic Law § 1643 authorizes all cities and villages, regardless of classification or population, to set speed limits on roads other than certain state highways; and

WHEREAS, Vehicle & Traffic Law § 1662-a authorizes only certain towns (i.e., suburban towns or those with over 50,000 in population, which is less than 10 percent of towns) to set speed limits on highways within a town other than state highways maintained by the state; and

WHEREAS, all other towns must submit a request through the county highway superintendent to the New York State Department of Transportation (DOT) requesting a lower speed limit be set on local roads within the town; and

WHEREAS, reducing speed limits on local highways is an effective way to limit the severity and frequency of accidents; and

WHEREAS, towns are concerned that it can take an extended period of time for DOT to process requests for speed limit reductions; and

WHEREAS, towns, as the entities in charge of highway maintenance and local traffic patterns, are well positioned to evaluate the areas where reducing the speed limit would be beneficial; and

WHEREAS, town officials are legally required to set speed limits based upon the same engineering standards and traffic investigation techniques that cities, villages and DOT must employ; NOW THEREFORE BE IT

**RESOLVED**, that the Association of Towns calls on the Legislature and Governor to amend Vehicle and Traffic Law § 1662-a so that all town boards have the option, via local law, to set speed limits within their jurisdictions pursuant to the requirements outlined in Vehicle and Traffic Law § 1662-a.

### **Background**

This resolution periodically appears on AOT's legislative priorities. Currently, 55 miles per hour is the statutory speed limit on local roads unless otherwise posted (see Vehicle and Traffic Law § 1180-a [1]). All cities and villages, regardless of population, have the authority to set local speed limits (see Vehicle and Traffic Law § 1643), but only certain towns (suburban class towns, towns with populations exceeding 50,000 or towns with special state authorization) have the authority to reduce speed limits on local roads (see Vehicle and Traffic Law § 1662-a). Most towns do not have the authority to set local speed limits and instead are required to request the Department of Transportation consider a speed limit reduction (see Vehicle and Traffic Law § 1622).

This resolution requests a statutory amendment to allow towns not currently covered under Vehicle and Traffic Law § 1662-a to adopt a local law to opt into setting speed limits on local roads instead of petitioning the Department



# 2025 Proposed Resolutions

of Transportation to consider a speed limit reduction. Municipalities with the authority to set speed limits on local roads must do so under the certification of a licensed professional engineer that specializes in traffic operations, which ensures that speed limits are properly set. In addition, towns that lack the staff or resources to comply with the required engineering certifications could continue to request speed limit reductions through the New York State Department of Transportation.

Questions or requests for additional information may be directed to Chief Counsel Lori Mithen-DeMasi.

## *Energy, Environment & Infrastructure*

### **Resolution No. 13**

#### **Create a Dedicated Funding Program for Municipal Water and Sewer Infrastructure**

WHEREAS, under the New York State constitution every person has a right to clean air, water, and a healthful lifestyle; and

WHEREAS, many municipalities own water and sewer systems, stormwater facilities and other infrastructure critical to ensuring this right; and

WHEREAS, much of this infrastructure was constructed decades ago and requires significant upgrades in addition to regular maintenance; and

WHEREAS, water and sewer systems are critical to support affordable housing development; and

WHEREAS, New York State currently provides application-based funding assistance on a case-by-case basis and low- to no-interest loans to fund improvements to local water and sewer infrastructure; and

WHEREAS, dedicated funding is conducive to long-term capital planning, a practice encouraged by the Office of the State Comptroller; and

WHEREAS, the state initiated the Consolidated Local Street and Highway Improvement Program in 1981, which provides consistent funding assistance for the maintenance of local roads and offers a successful model on how to distribute statewide assistance through a fair and equitable formula; NOW THEREFORE BE IT

**RESOLVED**, that the New York Association of Towns calls on the Governor and Legislature to create a dedicated funding program for municipal water and sewer infrastructure using a fair and equitable formula to distribute funds annually to municipalities.

#### **Background**

This proposal was included in NYAOT's 2024 Legislative Priorities, and throughout the year there has been some progress. For example, a proposal creating a CHIPS-like dedicated water and sewer fund for municipalities funded at \$100 million was included in the Senate one-house budget proposal. Additionally, standalone legislation outlining this proposal carried in both houses to provide funding based on the total length and size of all pipelines and mains owned and operated by the municipality (S4350A/A3133A-A6155).

NYAOT has also been collaborating with our sister organizations at NYCOM and NYSAC on this initiative, which they also support.

New York's aging infrastructure is in dire need of updating and requires a significant financial investment. The Office of the State Comptroller reports that the estimated cost of necessary drinking water investments in New York range between \$22 billion and \$39 billion (see *Drinking Water Systems in New York: The Challenges of Aging Infrastructure*, February 2017), and the Department of Environmental Conservation has reported that it would cost \$36.2 billion over 20 years to repair, replace and update New York's aging wastewater infrastructure.

New York State principally provides funding for water, sewer and stormwater infrastructure through grants and low- to no-interest loans. In addition to these options, local governments would significantly benefit from a dedicated



# 2025 Proposed Resolutions

funding program similar to CHIPS that would provide annual funding towns could rely on, budget for, and incorporate into multiyear capital management plans. Finally, this proposal aligns with the 2021 amendment to New York's Constitution, which gives every person the right to clean air, water, and general health, as well as other state initiatives, like affordable housing development.

Questions or requests for additional information may be directed to Deputy Director Sarah Brancatella.

## **Resolution No. 14 Reform Public Service Law Article 8**

WHEREAS, Public Service Law Article 8 contains the processes to site major renewable energy projects and major energy transmission facilities; and

WHEREAS, over the years, changes to these processes have eroded the home rule authority of host municipalities and their ability to engage fully in the siting process; and

WHEREAS, town officials are elected to represent the interests of New Yorkers and must be afforded a full opportunity to meaningfully participate in proceedings that have a significant impact in their community; and

WHEREAS, local laws are adopted with the best interest of the community overall in mind; and

WHEREAS, towns are critical partners to renewable energy development and energy transmission offering a unique and important perspective and should be treated as such under the law; NOW THEREFORE BE IT

**RESOLVED**, that the New York Association of Towns calls upon the Governor and Legislature to amend Public Service Law Article 8 in the following ways: reinstate automatic adjudicatory hearings where host municipalities are parties as of right, and return to the standard previously used to determine the applicability of local laws to proposed projects.

### **Background**

In 2020, the process to site major renewable energy facilities was changed when the state adopted legislation as part of that year's budget removing the siting process from Public Service Law Article 10 and creating a new process under Executive Law § 94-c. Last March, the 2024-2025 New York State Budget included legislation commonly referred to as "The RAPID Act," which, among other things, changed the process to site major electronic transmission facilities to mirror the process for siting major renewable energy projects. It also moved the process to site major renewable energy projects from Executive Law § 94-c to Public Service Law Article 8 along with the process to site major electronic transmission facilities.

Prior law for the siting of major electronic transmission facilities and major renewable energy facilities automatically allowed host municipalities to be parties to the siting process, meaning towns could submit testimony, cross-examine witnesses of other parties, and file briefs in the case (see e.g. Public Service Law § 124 [1] [i]). Under the processes outlined in Public Service Law Article 8, a host municipality must overcome various hurdles be considered a party to the proceeding, and even then, a limited public hearing may be held rather than a full examination of the issues. Specifically, a host municipality must file a statement with the New York State Office of Renewable Energy Siting (ORES) regarding whether the proposed project complies with the municipality's applicable local laws. Where a municipality claims the proposed project does not, ORES may hold a public or an adjudicatory hearing on the issues presented. A public hearing under this process could be limited to the submission of public statements without the benefit of cross-examining witnesses.

Additionally, the standard used to determine if local laws should be overturned was changed. Previously, local laws could be overturned as part of the siting of major electronic transmission facilities if "as applied to the proposed facility such is unreasonably restrictive in view of the existing technology, or of factors of cost or economics, or of the needs of consumers whether located inside or outside of such municipality," (see Public Service Law § 126; see also Public Service Law § 168). However, Public Service Law Article 8 allows ORES to exempt an applicant from complying with municipal requirements when ORES determines the requirements are "unreasonably burdensome in view of the CLCPA targets, the environmental benefits" and "the public need for the proposed project," (Public Service Law § 140[5]). Local laws are adopted with the best interest of the community overall in mind, and environmental goals should not



# 2025 Proposed Resolutions

be the primary metric for determining whether carefully crafted local legislation should be overturned. Therefore, this resolution asks the Legislature to amend the Public Service Law Article 8 by reinstating that part of the process by which adjudicatory hearings are automatically held and host municipalities are parties to that as of right. It also asks that the standard to overturn local laws be reverted to the standard that was previously applied under Public Service Law Article 7 and Public Service Law Article 10.

## **Resolution No. 15**

### **Support Dedicated Funding for PFAS Testing, Remediation, and Prevention**

WHEREAS, emerging contaminants and pollutants, such as per- and poly-fluoroalkyl substances (PFAS), are widely used in industrial and consumer products and pose significant threats to public health; and

WHEREAS, public water systems must comply with state and federal maximum contaminant levels (MCLs) by regularly monitoring for contaminants, notifying health departments and the public if MCLs are exceeded, and working with health departments on plans to bring water systems into compliance; and

WHEREAS, funding to assist municipalities on mandates related to PFAS are primarily awarded on a grant basis; and

WHEREAS, safe water systems are imperative to public health, economic development, affordable housing development, and virtually all parts of the community; NOW THEREFORE BE IT

**RESOLVED**, that the New York Association of Towns (NYAOT) supports the creation of a dedicated funding source to assist municipalities with testing and remediation requirements and preventative measures related to PFAS.

#### **Background**

According to a 2024 analysis from the American Water Works Association (AWWA), drinking water treatment for PFAS alone will require more than \$40 billion in capital improvements over the next five years. PFAS have entered into public water systems and landfill leachate through no fault of local governments; however, municipalities are responsible for the cost of remediation efforts. New York has some of the nation's highest standards for PFAS testing and MCLs, and the Environmental Protection Agency recently adopted similar standards that expanded what types of PFAS must be tested for. While money is available through grants and lawsuit settlements with entities that contributed to PFAS contamination, in New York there is no dedicated fund for local governments to address this public health issue. This resolution supports funding for municipalities to treat, prevent, and test for PFAS in their communities.

## **Resolution No. 16**

### **Foster Opportunities for Small-Scale Renewable Energy Development in Participating Towns**

WHEREAS, the New York State Climate Leadership and Community Protection Act (CLCPA) has a goal to generate at least 70 percent of its electricity from renewable energy sources by 2030 and achieve 100 percent zero-emission electricity by 2040; and

WHEREAS, renewable energy projects that are not under the jurisdiction of the Office of Renewable Energy Siting (ORES), such as community solar, are critical to helping the state achieve these goals; and

WHEREAS, state programs, like the Clean Energy Communities, could be used to foster smaller scale renewable energy development in towns that choose to participate; and

WHEREAS, additional resources, training opportunities, and incentives to those municipalities that want smaller scale renewable energy projects would support CLCPA goals; NOW THEREFORE BE IT

**RESOLVED**, that the New York Association of Towns calls on the Governor and Legislature to use state programs and resources, like the Clean Energy Communities, to assist participating municipalities with smaller scale renewable energy development in their towns.



# 2025 Proposed Resolutions

## Background

Renewable energy projects with a nameplate capacity of under 25 megawatts are still subject to municipal zoning and other local laws. Local governments are still often viewed as having overly restrictive local laws hindering this development. Perhaps due to this fundamental misperception or misunderstanding of municipal zoning law, some parties suggest that preempting local government authority in relation to these projects is an avenue the state should pursue. This resolution advises that, rather than preemption, the state should use its resources, like the Clean Energy Communities program, to help train and educate town officials on smaller scale projects.

## Resolution No. 17

### Provide Guidance and Resources for Battery Energy Storage Systems (BESS)

WHEREAS, energy storage systems play a critical roles in reaching New York State's CLCPA goals by dispatching stored energy when and where it is needed the most without relying on other, older forms of energy generating plants; and

WHEREAS, renewable energy developments continue to grow, thus warranting a greater need for energy storage systems; and

WHEREAS, various issues may arise around battery energy storage systems (BESS), such as the potential for fires or the release of toxic chemicals into surrounding soil and water; and

WHEREAS, towns are responsible for protecting the health, safety, and welfare of their residents; and

WHEREAS, guidelines and education on battery energy storage systems will help towns manage potential issues and create safe and practical permitting rules; NOW THEREFORE BE IT

**RESOLVED**, that the New York Association of Towns (NYAOT) calls on the Governor, the Legislature, and state agencies to dedicate resources toward offering guidance and education to local elected officials on battery energy storage systems.

## Background

Battery energy storage systems are used in concert with renewable energy projects so that, for example, a building getting its energy needs from a solar system does not go without on a cloudy day. However, battery energy storage systems can present a number of issues, including concerns about toxic chemical runoffs, fire, and explosions. Additionally, there are special considerations for firefighters responding to situations at these systems (see *Considerations for Fire Service Response to Residential Battery Energy Storage System Incidents*, Dec. 4, 2023; International Association of Firefighters). Although NYSERDA has published a model local law and guidebook on battery energy storage systems, NYAOT has received a number of requests from member towns asking for more training and guidelines from the state on how to manage these concerns. As such, this resolution asks for more state resources to be dedicated to assisting local governments with battery energy storage systems.

**NOTES**