



NEW YORK STATE  
SCHOOL FACILITIES ASSOCIATION

# TESTIMONY

By

**NEW YORK STATE SCHOOL FACILITIES ASSOCIATION**  
*(FKA, NYS Association of Superintendents of School Buildings & Grounds)*

Joint Fiscal Committees of the New York State Legislature  
Hearing on the FY 2022-23 Executive Budget

January 26, 2022

On behalf of New York State School Facilities Association (NYSSFA) and our 600 School Facilities Professional members working in the State's public school districts and BOCES, we are grateful for the opportunity to share our recommendations regarding the 2022-23 Executive Budget and present our 2022 priorities.

NYSSFA is a professional organization of the dedicated men and women responsible for maintaining and operating thousands of school buildings and facilities across New York. NYSSFA members are committed to ensuring the safety, health and comfort of the students and staff.

Our skills and experience as Directors of School Facilities that enable us to provide a safe and healthy environment have never been more tested than during the past two years. COVID-19 has required our immediate and ongoing attention.

At the start of the reopening process, our focus was on cleaning, disinfecting and sanitation. Over time, our attention turned to classroom configurations, air filtration, and personal protection equipment. Each school has managed varying degrees of in-person, hybrid and remote learning and we have continued to address the health and safety needs of our facilities while managing extreme staffing challenges.

Maintaining a safe and healthy environment takes a team of professionals and ongoing resources to manage immediate and long-term maintenance while planning for larger construction projects to meet our school communities' needs. Two years, we would never have imagined the need to source the type and amounts of products we are currently consuming. We have been forced to find new vendors and expend more resources in securing the needed equipment to keep in-person instruction possible. Supply chain issues and staffing challenges make everyday maintenance and upkeep challenging. Projects take longer and costs have increased.

**NYSSFA appreciates that the Executive budget proposal fully funds building aid and does not seek to modify the existing formula like past proposals.**

## **2022-23 EXECUTIVE BUDGET PROPOSALS**

### Building and Transportation Aid Forgiveness (ELFA)

The Executive budget proposal would authorize the State Education Department to forgive building and transportation aid penalties deemed to be the result of inadvertent clerical errors. ***NYSSFA appreciates this consideration.***

### Electronic School Buses (ELFA)

The Executive Budget proposal would require that all newly purchased school buses be zero emissions by 2027 and all school buses on the road be zero emissions by 2035. The proposal includes state funding to support funding for zero-emission bus infrastructure, including charging stations, and purchasing or leasing electric buses. This proposal would also authorize districts to lease or finance zero emissions buses for 10 years (rather than the current 5). NYSSFA

appreciates the Governor's goal to reduce emissions. We recommend that the Governor work with School Facilities Directors to ensure that schools have the capacity to meet these goals. School transportation is accomplished through both school owned and operated fleets and via contracted transportation providers. Not all school districts have the space and infrastructure to manage a transportation fleet. Since many of our schools are older, the ability to retro-fit the infrastructure to house charging stations may be challenging. Working with the individual needs of our various school by partnering with School Facility Directors will help to make sure the Governor's goals can be realized across our diverse state.

#### Clean Water State Revolving Loan Fund (TED)

The Executive budget proposal includes language that would allow the Environmental Facilities Corporation (EFC) to offer public school districts financing for wastewater and storm water infrastructure projects. **NYSSFA appreciates the opportunity to leverage this financing.**

#### Retiree Income Waiver (ELFA)

The Executive budget proposal seeks to authorize public sector retirees to work for a public school without a waiver and without reduction in their retirement benefits, regardless of the amount earned. If adopted this provision would remain in effect until June 30, 2024. **NYSSFA appreciates this proposal as it may assist in recruiting staff. However, NYSSFA would also recommend targeted resources to school maintenance staff to ensure our school buildings and grounds have the staff needed to manage the increased health and safety demands.**

## NYSSFA PROPOSALS

### CAPITAL OUTLAY

NYSSFA recommends a proposal to increase the cost threshold for school construction projects. This measure would provide cost and administrative relief to districts, as well as a cost savings to the State.

Under current law, for projects wholly funded through capital outlay and which have a total cost of no more than \$100,000, districts' base year capital outlay expenses can be reimbursed through building aid. This allows districts to avoid being subject to lengthy assumed amortization schedules of ten, fifteen, and twenty years and instead receive the amount they spend as they spend it. This is helpful for districts, as they receive funding when they need it, and for the state, which then avoids paying interest on the reimbursement.

However, costs are rising, technological advances are creating greater demand for capital improvements, and districts are finding it difficult to fund these projects in real time. Less than 200 school districts take advantage of the program. Few high-needs schools take advantage of the program. We ask that the FY 2022-23 State Budget contain provisions to increase the \$100,000 threshold for eligibility to a more reasonable \$250,000 in order to help districts meet these demands and to achieve savings on interest payments to the state. While there may be

initial additional costs to the state, we believe that savings will be realized overtime by doing repairs timely and outside the bonding process.

**NYSSFA recommends that the following language be added to the 2022-23 budget:**

Subparagraph 1 of paragraph b of subdivision 6-f of section 3602 of the education law, as added by section 19 of part H of chapter 83 of the laws of 2002, is amended to read as follows:

(1) has a total project cost of [~~one hundred~~] **two hundred fifty** thousand dollars or less; provided however, that for any district, no more than one project shall be eligible pursuant to this subparagraph for an apportionment within the same school year;

**ENERGY RESERVE FUND**

NYSSFA recommends that school districts be authorized to establish an Energy Reserve Fund and allow each school district's Board of Education to create and manage such funds.

Energy costs for schools in New York State remain very unpredictable, making it nearly impossible for school districts to adequately budget for energy expenses. The current market is a perfect example. While ultimately energy efficiency is the key to long term energy cost savings for school facilities, the NYSSFA recommends that the Legislature establish within the 2022-23 state budget the authority for school districts to establish an Energy Reserve Fund to address these volatile markets.

The fund would be limited to 150% of a District's highest fiscal year energy cost. At the end of each fiscal year, unexpended funds may either be transferred to the reserve or applied to the appropriations of the next succeeding fiscal year's budget

**CONCLUSION**

On behalf of the New York State School Facilities Association (NYSSFA), we would like to thank you for your continued support of clean, healthy, well-maintained school facilities and the opportunity to offer our professional insight.