

HEAP Block Grant Advisory Council Meeting

Thursday, November 2, 2023

A meeting of the Block Grant Advisory Council was held via WebEx on Thursday, November 2, 2023. The meeting began at 1:00 pm.

Attendees

Andrew Bryk, Director, HEAP & LIHWAP, OTDA

Andy Stone, Executive Director, NYS Weatherization Directors Association

Darrell Metcalf, OTDA Division of Legal Affairs

Emily Urban, NYS OTDA HEAP

Kenneth Gossel, National Fuel Gas

Kira Pospesel, Commissioner, Greene County Social Services

Shiran Ybanez, New York City HEAP

Vivvy Williams, BGAC secretary

Discussion

Ken Gossel: Hi, good afternoon, everybody. This is Ken Gossel, your Interim Chair for the HEAP Block Grant Advisory Council. Today is November 2nd, 2023. We are here with various individuals who are on the Council, other members from OTDA. As we start, I'm going to ask everybody to identify themselves please.

Shiran Ybanez: Shiran Ybanez NYC HEAP, New York City.

Vivvy Williams: I'm Vivvy Williams, Secretary for the BGAC.

Kira Pospesel: Good afternoon, folks. It's Paul Brady and Kira Pospesel. We have an echo, going to try to figure out if that's us. We're fixing our technical difficulties.

Darrell Metcalf: This is Darrell Metcalf, the OTDA Division of Legal Affairs.

Andrew Bryk: Good afternoon, it's Andrew Bryk, I am the Home Energy Assistance Director at the New York State Office of Temporary and Disability Assistance. I will throw it over to Emily.

Emily Urban: Hi, good afternoon. Emily Urban, New York State Heap Bureau Chief.

Ken Gossel: Thank you all for joining. And welcome and happy HEAP opening yesterday. It's an exciting time for all of us involved and look forward to another great season. I first wanted to start with your invitation to the meeting was the minutes from the last meeting, August 3rd. I

was wondering if everybody has had an opportunity to review them and has any changes to those minutes, corrections?

Andrew Bryk: I know Darrell supplied Vivvy with a handful of them earlier, that will be making it into the final version. Darrell or Vivvy would you like to Highlight those?

Darrell Metcalf: Sure, I can do that. So, page 5, the last paragraph, Andrew said, "We know the debt feeling back in December" I have a strong presumption that that is debt ceiling and not feeling. Andrew is that correct?

Andrew Bryk: Correct, correct, Darrell, thank you.

Darrell Metcalf: Okay, on page 6 I think it's a transcription issue where it uses the acronym for LIHWAP and it spells it out L I W A P it should in fact be LIHWAP. On page 8, Ken you're talking, and it says, "For the Commissioner's sake, I'll say it would be even better if it could open the hearing on October 16th", I believe the intent was heating.

Ken Gossel: That's fine. I had the same one Darrell, thank you. Or just could open on October 16th, remove the words the hearing, but the intent was the OTDA regular opening. So, either way, heating is fine or just remove the words hearing, thank you.

Darrell Metcalf: Okay. On page 9 where it addresses the names of the Senate and Assembly house leaders, those names are misspelled, it should be Carl Heastie H E A S T I E and Stewart Cousins not Stewart Cotton. Also, on page 9 oh, nope that was something else. On page 10, Ken you were accepting the motion to approve February ND's meeting minutes, it should be 2nd, February 2nd, meeting minutes. Those were the things that I noticed.

Ken Gossel: Thank you.

Andrew Bryk: Does anyone else have any edits, sorry Ken, you go ahead please.

Ken Gossel: Any other edits? Thanks Darrell, good catches. There being none, I'll accept a motion to accept the August 3rd meeting minutes as revised.

Andy Stone: So moved, Ken.

Ken Gossel: Thank you, Andy. A second please?

Kira Pospesil: This is Kira, I'll second it.

Ken Gossel: Thank you. All in favor?

All: Aye.

Ken Gossel: Any opposed? None opposed. Motion passed. I am going to turn it over to OTDA our first item on the agenda updates the 2023/2024 program.

Emily Urban: Hi, good afternoon. I also wanted to note that Vivvy will be sending over a document to everybody. This was requested at the last meeting. It was the final numbers from last year's program. So, that will be coming over. There is also some information on this year's program, so you have all the dates and benefit amounts in the same place. So, Vivvy will be either attaching that to this meeting notice or sending it in a separate e-mail, shortly. And just to wrap up last year's program before Andrew gets into this year, our final funding was \$560

million. Our regular benefit component we had 1.6 million benefits, \$326 million expended. Emergency, we landed at 137,000 with \$81 million spent. Heating Equipment Repair and Replacement we did about 3,000 and we spent \$9 million. Clean and Tune we did 6,200 and we were at \$1.9 of \$2 million allocated. That's the most we've ever spent on Clean and Tune. Cooling, we landed at 21,000 cooling and \$17 million spent there. Any questions on last year before we move onto our current program? Alright, then I will throw it over to Andrew to talk about funding.

Andrew Bryk: Thanks, Emily. Okay, on the 24th of October, the US Department of Health and Human Services released \$3.7 billion as a result of the continuing resolution and the Investment in Jobs Act. It's the fourth installment of that, so we do have funds in-house, New York State receives a little less than 10% of the allocation that was released. We received about \$360 million for this program year which represents 90% of the eventual funding that we may receive, depending on what Congress ends up doing. So, that we are at 360, it could be another \$36 thousand give or take a little bit at the end of the day. We did anticipate lower funding this year. As you know across the nation last year, the program was funded about \$6.1 billion, so it's about \$2 billion less than it had been in the previous year nationally. So, even though that is a significant cut, we did anticipate that, and it was just an unfortunate thing with all the pandemic supports that we've seen over the last few years be extended. So, that's basically where we are at for this point, and we do not know anything else until after November 17th when Congress will reconvene. They will either have to pass an omnibus budget at that point or another continuing resolution to continue funding the government. But I do applaud HHS for getting the funds out that were available to them as quickly as they did. So, we are in good shape opening the program, although it is considerably less funding than we had last year in totality. That's just the nature of the Congress that we have right now. So, we can only hope that there is additional funding, but at this point, there is no plans for anything additional from what we've received and what was proposed in the continuing resolution.

Kira Pospesel: Andrew, can I ask you a question about that.

Andrew Bryk: Sure.

Kira Pospesel: So, if the government is shut down then the local districts will have to proceed as these are all emergency applications?

Andrew Bryk: No, we will still have funding and we will proceed as always, we are going to operate our program just as we have. We have funds in-house, we will be able to continue making payments and it's just the remainder of the funds, when we get later into the program where, do we have funds to do anything additional, or do we have to shut programs down. Right now, I don't want to jump on Emily's presentation, but we know that we're at March 15th for Regular. We can make it through March 15th. Do we extend it or do we not? And that's really what that \$36 million difference will be at the end of the day. Do we have enough to do a second emergency? Do we have to shut down the components? Do we need to relook at the benefits as we get out past into the cold weather period to see if we need to shift funds around.

Kira Pospesel: Thank you, I appreciate that, makes me feel better.

Andrew Bryk: It's going to be a fun year, but I think we're in good shape starting out. And to that, I know Emily is probably going to talk about it, but I know payments are going to start going out the door, so that is probably the best thing that we can really throw out there right now, is that the autopay is run, and payments are going to start flying, and with that, I'm turning it over to Emily.

Emily Urban: Thank you, Andrew. So, the next 3 items on the agenda were the 2023/2024 dates of operation, components, and benefits levels. Rather than talk about those as 3 separate items, I probably will be covering all 3. So, our dates of operation, these were all in our state plans. We opened up the Regular benefit component yesterday on November 1st. It's going really great, no major problems reported. As Andrew said, we have a closing date for the Regular component on March 15th, 2024. The Emergency benefit component will open up on January 2nd, and also operate through March 15th. Our Heating Equipment Repair and Replacement and Clean and Tune, those are both operating year-round still, so those both opened up on October 2nd. And our Cooling benefit will open up on April 15th, 2024, and operate until August 30th, 2024, or until funding is exhausted. And on the cooling benefit, we did move that opening date back 2 weeks, and that was to allow more applicants to apply for cooling and get those air conditions installed before the hot weather period begins. So, all of these closing dates could be shortened or extended, as Andrew said, depending on demand and available funding. These dates are really similar to last year's dates with the exception of cooling, as I previously stated.

There is only one emergency benefit planned at this time, but as in previous years, we will evaluate our funding after the emergency benefit component opens, and whether there is a need and ability to offer a second emergency.

For our benefit amounts, they are very similar to what we had planned for last year. So, oil, kerosene, and propane is \$900, deliverable wood, pellets, or coal are at \$635, and natural gas or electric heat that base benefit is \$400. So, if you'll remember last year, those are the benefit amounts that we had planned to operate last year before we got the supplemental funding and increased our regular benefit. So, as Andrew said, we did expect to not get that supplemental funding, so we had to scale back our regular benefit to reduce those back to a "normal" program year. Those are the base benefits. We have add-ons for our regular benefits, and those have not changed since last year either. For tier 1, the add-on is \$41, the vulnerable add-on is \$35 for a maximum of \$76 added onto that base benefit if the household has both tier 1 income and a vulnerable household member. For our emergency component, those are the same as they were last year and the year prior. So, that's \$900 on oil, kerosene, and propane. \$635 for wood, pellets, and coal. The domestic electric is \$185, if you have combined natural gas and electric, it's \$585. Electric heat emergencies are \$585, and natural gas emergencies is \$400.

And finally, our heat included benefits, they have also not changed since last year, so if the household's heat is included in their rental costs, and their income falls within tier 1, they will receive a \$50 benefit, and if their income falls within tier 2, they will receive a \$45 benefit. Those can either be paid directly to the household on their EBT card or preferably to the household's utility vendor if they pay for their electric. And finally, we have our Heat and Eat benefit and that is \$21.

Our benefit maximum for Repair Replacement, Clean and Tune, and Cooling, those are all based on the actual cost of the service. So, the maximum for a repair is up to \$4000, replacement maximum is \$8000, you might remember both of those were increased last year to accommodate for the increased cost to our vendors for materials and labor. Our Clean and Tune maximum is \$500, that was also increased last year. And then our maximum for cooling is up to \$1000 for a wall sleeve unit, that is mostly in high rise buildings, and up to \$800 for window, portable air conditioners, or fans. So, no changes to those from last year. We allocated \$10 million to furnaces and \$2 million to Clean and Tune. Last year was the first year we came very close to exhausting those benefits. We were kind of throwing around having to close those over the summer, but fortunately, we were able to squeak by and operate until the end of September and then reopen this year's program on October 1st. So, that was great. It was due in large part due to the increased benefits last year or the benefit maximums last year. But they were great components, there was a lot of interest in those, and we are seeing the same this year, no slowing down.

Our maximum resource limit this year for furnaces, this is kind of a big change to our plan, we increased the maximum resource limit to \$10,000 per household. That was previously, I believe, \$3,500 per household, so that maximum increased to \$10,000, so now a household applying for a furnace can have up to \$10,000 in resources that they do not have to put towards their furnace.

\$15 million is allocated to Cooling. This is the same as we allocated last year. We did go a little bit above that last year. And that funding was exhausted in about 10 weeks, so, as usual, it went really fast. The last 2 years, we've gone through our cooling funding extremely fast, which is great, that is due in large part to 2 years ago, we got rid of the medical requirement, and that was opened up to everybody. Last year, we did bring back the medical requirement just so we could prioritize the cooling equipment to households with a medical need. But if the household had somebody vulnerable based on their age, age 60 or older or under age 6, they met that medical requirement without having to provide a separate medical condition. So, a lot of our households do have somebody vulnerable based on their age, so a lot of the households still qualified for that cooling benefit, so it went extremely fast.

And that is it on this year's program that we've planned. Are there any questions on that?

Kira Pospesel: Emily, this is Kira, do you think there's enough money in the Clean and Tune?

Emily Urban: So, we did use \$2 million or \$1.9 million last year, and we do have \$2 million again this year, so hopefully there's enough. We watch it pretty closely, so we'll see if it's approaching that \$2 million to see if we either have to shut down the benefit or allocate additional funding to that if the funding is available.

Kira Pospesel: And the reason I bring that up is because by the time October comes around, most of the vendors are no longer doing that because we're starting to go into a cold season, so I wondered if everybody actually used it.

Emily Urban: Yeah, I mean, it's a cyclical program anyway, so it's kind of, if they didn't apply last year, they applied the year before. So, it all kind of rolls in that way. I don't know if I'm explaining this correctly, but either way, we will be watching that \$2 million really closely to see if

it is the appropriate amount for that benefit. But I hear you. Other questions on the program that we're operating. Alright, then I will pass it back to Andrew.

Kira Pospel: I do have one question, Andrew said money was going to be flowing, can you tell me a date of when it's going to be flowing?

Emily Urban: In three weeks, I don't have the exact date off the top of my head, but it is around the third week of November is when those payments are going to be hitting the street.

Kira Pospel: Perfect, perfect, thank you.

Andrew Bryk: That's a good position for us to be in especially with the deliverable fuels. Sorry, Ken.

Ken Gossel: No offense.

Andrew Bryk: It's early on and we really are concerned about those deliverable fuels, and that's just how it is. That said, all payments will start going out the door once we make that initial push, so that will be a wonderful thing.

The next item on the agenda is to talk about the BGAC recruitment. This has been an ongoing thing. There is a couple of different things going on: 1) staff have been working on a Block Grant website, its live, so we have a Block Grant website which lists all of the current members appointed or non, it lists the background of the Block Grant, and we have also, on another avenue reached, we have put together letters to the Governor and the Speaker, Speaker Carl Heastie and Senate President Pro Tempore Andrea Stewart-Cousins to request nominations to the Block Grant. It has actually been an interesting process. I was always of the mindset it was 8/4/4 and as we've done our research, it's really a ratio depending on the number of appointees the Governor appoints, and then the other two bodies, there is a ratio of 2/1 ratio, the other two bodies can appoint members. So, it doesn't necessarily have to be 16 members, it could be more, it could be less, it could fluctuate there. The bottom line is that we're trying to make sure that we have enough for a quorum, that we have a good group, whether it be advocates, local districts, vendors, utilities, weatherization to make sure that we have a good representation of voices on the Block Grant so that it is a good conversation, a robust conversation. I know that we all miss Charlie, but Charlie was that public advocate voice that we've lost, and he always kept us honest, and put us into those conversations that were, "Come on let's have a better...", but he kept us honest, you know. And so, I think an advocate would be a welcome individual to our group, and I do hope that all of the elected officials that we've reached out to take it seriously, and that we make this group a little more robust, so it's not just, you know, I love us, don't get me wrong, but let's expand the group and see if there's other perspectives that we can take into account that will assist us to administer the program. Any comments, any input?

Ken Gossel: No, thanks for doing that, Andrew. We do need that voice or multiple voices just that we're always getting perspective of really what's happening out there and how our customers are feeling and reacting. We all have a pretty good sense of that, but it doesn't hurt to get other's views, so thanks for doing that. Would you share maybe the site the website where it's located?

Andrew Bryk: We will do so.

Ken Gossel: Thank you. Are we on to new business, or do you have more?

Andrew Bryk: Nope, we are on to new business.

Ken Gossel: I'll open the floor; anybody have new business to bring forward? I can start. Andrew and I have had a discussion in the past a little bit about potentially having availability earlier by utilities of the pull-down recipients from the September runs, the SNAP benefit, and the Public Assistance recipients. I have talked to the Department of Public Service staff about that, and I'm hopeful for next year that during the summer, we can come through and address the possibility of OTDA being able to share that list at least with any utility that's interested in getting it, and this can also help the districts. But from our standpoint, one of the things that we'll do is if we've identified individuals or households that are going to be receiving the HEAP benefit that account may be in collections, later in the season or late summer, and we can discontinue collections based on the likelihood that they're going to get a HEAP grant, so not put them out of service, not force them perhaps to go to the county offices for other assistance to get service back on. If we disconnect, all the utilities have to do a dormant review, really starting October 1st, and there is time and expense associated with that. And then ultimately when the customer does get a HEAP benefit, we're restoring service for that benefit and there is a cost and expense too, and the time the customer has to take to be there to get service restored, but pressure testing lines and all that type of thing. Long way of saying, there's a lot of expense really that could be avoided if we understand that there's a likelihood of a HEAP benefit that's in the offing. And I would add, as in the past we've maybe discussed, there would be no guarantee if that individual is no longer eligible for HEAP at the time HEAP opens, etc. We're not expecting that we were to get paid in exchange for that. So, something I'd like to explore further, because I think it would benefit a whole lot of people on this call, but especially our clients and customers.

Andrew Bryk: I have a few follow ups on that, I think I should probably shelf them and I will ask them at a later date, I'm just wondering about the impacts of suspensions and ultimate collection, and the continued accumulation of arrears during that time period if the disconnect or the collection activities were to be suspended, that it would be unintended outcomes of that.

Ken Gossel: Yeah, so I fully expect, hopefully you can take it back to your legal team and have those types of discussions. I'd welcome having staff involved, Department of Public Service staff as well in the discussions, and if it makes sense, hopefully we can look to implement something. From a gas side, I can tell you it might be different on the electric side, but there's not a lot of usage in the summer, mostly it's heating load late fall even while people are starting to turn their furnaces on, but there's not significant growth of arrears at that time of season for natural gas utilities, anyway.

Andrew Bryk: Thank you, Ken.

Ken Gossel: Sure, thank you. And as I said, since that happens next summer, we've got plenty of time. Any other items in new business that anyone wants to bring to the attention of the Committee? None, we're wrapping up this meeting pretty quickly. Is there thought, if I could ask, I know we are trying to meet in person, at least once a year anyway, is there thought as to whether we can be doing that next year? I know there's some period in time in which you need to book the room and whatnot. But is there a desire to meet in person again in studio?

Vivvy Williams: Well, at this time, the dates that we have for 2024 are still going on as WebEx, but it's a possibility. I mean, I didn't get any kickback from the last time I was trying to do it for us to get into the media center. So, it might be. I'll have to look into that.

Ken Gossel: Yeah, so let me list the dates or express them, thank you for setting them up, for 2024 Thursday February 1st, not probably a great time of year to travel. Thursday May 2nd, Thursday August 1st, and Thursday December 7th, a little later than normal. Anybody have a thought? It might take 6 months or so for us to be able to book that center, but anybody have a desire for let's say a May or August meeting in Albany, if that can be arranged?

Andy Stone: I'm fine with that. Either one is fine as long as we can get the studio.

Vivvy Williams: Okay May or August, okay.

Kira Pospel: Paul and I were actually saying the same thing, May or August.

Vivvy Williams: May or August, okay, so I'll look into that for May or August, and I'll send information out to you letting you know.

Ken Gossel: Fantastic. We'll get to meet some new blood as well for those meetings in person, that would be great. Any other items of new business?

Emily Urban: If I could just suggest May as the in person meeting just because it's right around the time of our needs assessment, so there's a lot of good items going on in the springtime. By August, our state plan is pretty much set by that or at least the draft is, so it may be useful. Hopefully, we will have more people by May to meet.

Ken Gossel: I think it's a great idea.

Andy Stone: That's a good idea, Emily.

Ken Gossel: So, thanks Vivvy, for checking, as well on that. Any other items of new business? I will accept a motion to adjourn.

Kira Pospel: I will make that motion, Ken.

Ken Gossel: Thank you, Kira.

Andy Stone: I'll second, Ken.

Ken Gossel: Thank you, Andy for second. All in favor?

All: Aye.

Ken Gossel: Opposed? None. We are concluded with the meeting. Have a wonderful HEAP season. Thank you for our friends at OTDA for all that you do. I know there is a tremendous amount that goes into it, thank you as well Commissioners for what happens on the ground and Andy and others, greatly appreciate the work that you do. All have safe holidays and look forward to talking with you again over this in early February.