

# Inter County Association of Western New York

% Ontario County Board of Supervisors, 20 Ontario Street, Canandaigua, NY 14424  
Phone (585) 396-4447

Email: [karen.demay@co.ontario.ny.us](mailto:karen.demay@co.ontario.ny.us) or [brenda@co.steuben.ny.us](mailto:brenda@co.steuben.ny.us)

Robert A. Green, Jr., President – Ontario County  
Peter Yendell, 1<sup>st</sup> Vice President – Livingston County  
Shelley Stein, 2<sup>nd</sup> Vice President – Genesee County  
Karen R. DeMay, Secretary – Ontario County  
Brenda K. Mori, Treasurer – Steuben County

## RESOLUTION COMMITTEE:

Donna Vickman, Cattaraugus County  
John Pastrick, Chemung County  
David Callard, Orleans County

*Representing the Counties of Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Tompkins, Wayne, Wyoming, and Yates*

## ONTARIO COUNTY HOST

**DATE:** FRIDAY, May 13, 2016  
**TIME:** 9:30 A.M. - Registration/Continental Breakfast  
**LOCATION:** **Canandaigua Yacht Club**  
**3524 County Road 16** (aka West Lake Road)  
**Canandaigua, NY 14424**  
**RESERVATIONS:** **NO LATER THAN** Friday, May 6, 2016  
(\$20.00 covers registration, etc.)  
Karen DeMay, Clerk of the Board  
Phone: (585) 396-4447 Email: [karen.demay@co.ontario.ny.us](mailto:karen.demay@co.ontario.ny.us)

## AGENDA

**9:30 AM** Arrival and Registration with Continental Breakfast  
**10:00 AM** Call to Order – Association President, Bob Green  
Pledge of Allegiance to the Flag  
Invocation  
Roll Call of Counties  
Welcome from Host County – Canandaigua Town Supervisor and Delegate Pam Helming and Chairman of the Board of Supervisors, Jack Marren  
  
Approval of Minutes  
• April 15, 2016  
Approval of Treasurer's Report  
• April 30, 2016  
Comments by members and guests  
NYSAC ~ Mark LaVigne  
  
Old Business:  
New Business:  
Resolutions:



**11:00 AM** **Presentation:** *Kevin Olvany, Canandaigua Lake Watershed Manager, to speak about*  
*“Protecting Our Water Resources.*  
***Blue Green Algae; What We Know, and What We Don't Know”***

**12:00 PM** Adjournment and Lunch

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## *MINUTES – April 15, 2016*

The meeting, held at Wyoming County Agriculture and Business Center, Warsaw, NY, hosted by Wyoming County, was called to order by Association 1<sup>st</sup> Vice President Peter Yendell (*Livingston*) at 10:00 a.m. M. Schuster (*Livingston*) led the Association in the Pledge of Allegiance, and S. Stein (*Genesee*) provided the invocation.

### Roll call of counties

- The following **14** counties answered roll call:

Allegany (3/1), Cattaraugus (4), Cayuga (1/1), Chemung (3/1), Genesee (2), Livingston (2), Monroe (2) Ontario (3), Orleans (2), Seneca (1), Steuben (2), Wayne (3), Wyoming (3/7), and Yates (1). **32 members, 10 guests in attendance.**

### Welcome from Host County

Wyoming County Board Vice Chair Rebecca Ryan welcomed everyone to the Wyoming County Ag and Business Center. She proudly mentioned many historical facts and economic qualities of Wyoming County. The ag and business center has renovated and moved into a building which was built in 1926, formerly housing the Brown Textile Mill. The knitting and milling industry came to Wyoming County in 1841 when Warsaw was established as the county seat. She noted all who have contributed to today's catered lunch and door prizes; thanks to the local chamber and many local businesses. In closing she added, today's speaker, Mr. Bill Maddison, will present the history of this facility and its transformation.

### Approval of Minutes

M. Didio (*Cayuga*), made the motion, seconded by P. Helming (*Ontario*), to accept the minutes of the March 18, 2016, as written; motion carried.

### Approval of Treasurer's Report

M. Pastrick (*Chemung*), made the motion, seconded by S. Stein (*Genesee*), to accept the Treasurer's report dated March 31, 2016; motion carried.

	-	+	Net
Treasury Balance ending February 29, 2016			<b>\$6,641.96</b>
"Cash Box" as of March 31, 2016		\$30.00	
Check Book Balance as of March 31, 2016		\$6,471.96	
<b>Receipts:</b>			
March Meeting Registrations-Steuben County (2 registrations outstanding)		\$680.00	
<b>Disbursements:</b>			
Ck#1155– BrSnug Harbor at Keuka Lake	\$720.00		
Ck#1156– Samantha Gibson (gratuity)	\$100.00		
<b>Treasury Balance ending February 29, 2016</b>			<b>\$6,501.96</b>

**NYSAC Update**

Katie Hohman, NYSAC Program Specialist, reported that work is finishing up on Albany legislative Session. NYSAC will issue priorities in next two months. Of great interest to all counties is the issue of the mandated District Attorney salary increase. NYSAC supports asking the state legislature to amend the state budget or present separate legislation which will provide state reimbursement to counties for this mandate.

Other key issues are:

- Funding for Indigent Defense.
- Funding for 911 centers. (Advocate for PSAP grant dollars, increase surcharge as well as adding charges to pre-paid devices).
- Minimum Wage. A White Paper will be issued by NYSAC in near future.
- Standard Workday webinar on April 19.
- 50<sup>th</sup> Annual Finance School, May 18-20, Syracuse, NY
- Fall Seminar, September 19-21, Niagara Falls, NY
- Report out soon on sales tax revenues.
- NYSAC continues to encourage organ donation, DONATE LIFE
- CHIPS money; \$380 million, new funds, are part of the State Budget
- STAR program changes will be analyzed and forthcoming from NYSAC soon.

At this time S. Stein (*Genesee*) reported on the Corning Community College Leadership conference in April. This was the first year to present this conference and training. Sixteen newly elected officials signed up for the class. Presentations were well done. Donna Draxler (*Chemung*) thanked Inter County Association for its financial support and looks forward to an even greater program next year.

**Old Business:** None

**New Business:** None

**Resolutions:**

FINAL NUMBER	PRESENTING COUNTY	RESOLUTION TITLE	ACTION TAKEN
26	Ontario	Resolution Calling for Support of the NYS Aging Service Network Advocacy Agency	<i>Motion to adopt</i> made by P. Helming (Ontario), seconded by J. Sheppard (Seneca). <i>motion carried unanimously.</i>
none	Genesee	Resolution Opposing Part R of the Article VII TED (Transportation, Economic Development)	NO ACTION REQUIRED, SAME AS INTER COUNTY RESOLUTION NO. 9-2016, ADOPTED MARCH 18, 2016
27	Genesee	Resolution Supporting S.1151 and A.3611 To Be Included in the Adopted FY 2016-17 State Budget	<i>Motion to adopt</i> made by S. Stein (Genesee), seconded by R. Neal (Cattaraugus). <i>motion carried unanimously.</i>
28	Genesee	Calling on the State to Increase Indigent Defense System Funding	<i>Motion to adopt</i> made by S. Stein (Genesee), seconded by S. Labuhn (Cattaraugus). <i>motion carried unanimously.</i>

29	Livingston	Resolution Opposing 12-Week Leave Program in Governor Cuomo's 2016-2017 Proposed Budget	<i>Motion to adopt</i> made by M. Schuster (Livingston), seconded by P. Helming (Ontario). <i>motion carried unanimously</i>
30	Steuben	Memorializing the Governor, The NYS Legislature, and the NYS DEC to Make Municipalities and Landfill Operators Whole for the Additional Costs of Electronics Waste Recycling	<i>Motion to adopt</i> made by C. Ferratella (Steuben), seconded by J. Pastrick (Chemung). <i>motion carried unanimously</i>
31	Steuben	Memorializing the Governor and the NYS Legislature in Support of a Base Aid Increase for Corning Community College	<i>Motion to adopt</i> made by C. Ferratella (Steuben), seconded by B. Mori (Steuben), to approve resolution. <del><i>Motion to amend</i></del> resolution to strike Corning CC and insert all <i>SUNY's community colleges</i> made by P. Yendell (Livingston), seconded by J. Sheppard (Seneca); carried. Following vote, <del>the resolution, as amended,</del> <i>carried unanimously.</i>
32	Ontario	Resolution Calling for State Funding to Update Flood Maps	<i>Motion to adopt</i> made by M. Gates (Ontario), seconded by P. Helming (Ontario). <i>motion carried unanimously</i>

**Presentation/Program:**

Bill Maddison, Project Coordinator for the Wyoming County Ag and Business Center, presented a program on the transformation of the old Brown Textile Mill into a State-of-the-Art, Agriculture and Business Center. The building has been transformed to be an asset for Wyoming County, housing the following entities: Wyoming County Chamber of Commerce and Tourism; Cornell Cooperative Extension; Wyoming County Fire and Building Codes; Wyoming County Planning and Development; USDA Farm Service Agency; USDA Natural Resources Conservation Service; Wyoming County Soil and Water; Wyoming County Industrial Development Agency; and Wyoming County Business Education Council. The County and IDA have worked to make the facility a 'one-stop shop' for all things Wyoming. In addition to the various departments occupying the building, there are classrooms. Following Mr. Maddison's presentation the Association enjoyed a tour of the building.

The Association thanked Mr. Maddison for his presentation.

**Adjournment:** On motion of C. Nesbitt (*Orleans*), seconded by S. LeRoy (*Wayne*), the meeting was adjourned at noon after a tour of the facility and lunch; motion carried.

Respectfully submitted,



\_\_\_\_\_  
Karen R. DeMay, Secretary  
Inter County Association of Western New York

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## TREASURER'S REPORT AS OF APRIL 30, 2016

	-	+	Net
Treasury Balance ending March 31, 2016			<b>\$6,501.96</b>
"Cash Box" as of April 30, 2016		\$30.00	
Check Book Balance as of April 30, 2016		\$6,201.96	
<b>Receipts:</b>			
April Meeting Registrations – Wyoming County (2 registrations outstanding)		\$800.00	
<b>Disbursements:</b>			
Ck#1157 – Kristi Streamer – Amber Latern	\$820.00		
Ck#1158 – Partyman Catering & Rental – deposit for August Mtg @ Livingston	\$250.00		
<b>Treasury Balance ending April 30, 2016</b>			<b>\$6,231.96</b>



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 John Pastrick, Chemung County  
 David Callard, Orleans County

**NOMINATING COMMITTEE:**  
 Mark Schuster, Livingston County  
 Mike Didio, Cayuga County  
 Shelley Stein, Genesee County

## 2016 Meeting Schedule

Meeting Date	Host County	Location
February 3, 2016	NYSAC	ALBANY
February 19, 2016	ONTARIO	Ontario County Safety Training Facility 2914 County Road 48 Canandaigua, NY
March 18, 2016	STEUBEN	Snug Harbor Restaurant 9068A Snug Harbor Drive Hammondsport, NY 14840
April 15, 2016	WYOMING	Wyoming Co. Ag. & Bus. Center 36 Center Street Warsaw, NY 14569
May 13, 2016	ONTARIO	Yacht Club West Lake Road Canandaigua, NY 14424
June 17, 2016	CHEMUNG	Wings of Eagles Discovery Center 339 Daniel Zenker Drive Horseheads, NY 14845
August 19, 2016	LIVINGSTON	Double M. Farm 6464 Liberty Pole Road Dansville, NY
September 2016	NYSAC	
October 21, 2016	GENESEE	
November 18, 2016	CATTARAUGUS	

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*Resolutions submitted by member counties.  
May 13, 2016*

	<b>PRESENTING COUNTIES</b>	<b>RESOLUTION TITLE</b>
No Action Required Passed: 3-18-16	Allegany No. 62-16	Resolution Calling on Governor Cuomo and the State Legislature to Plan for Next Generation 911 in New York State and Create a NYS 911 Department that Supports County Public Safety Answering Points and Enhances Local Emergency Dispatch Services
No Action Required Passed: 3-18-16	Allegany No. 63-16	Resolution Calling on Governor Cuomo and the State Legislature to More Equitably and Efficiently Impose the 911 Surcharge on All Wireless Communications Devices and Use Revenues to Finance County 911
No Action Required Passed: 3-18-16	Allegany No. 64-16	Resolution Urging New York State to Fully Fund All Costs Related to Raising the Age of Criminal Responsibility and Ensure that and Statutory or Administrative Changes Fully Recognize the Responsibility of Locally Elected District Attorneys to Promote Public Safety, Maintain Victims' Rights, and Ensure Accountability in the Justice System
No Action Required Passed: 3-18-16	Allegany No. 65-16	Resolution in Support of Efforts to Improve Probation and Alternatives to Incarceration in New York State in Order to Protect the Public and Reduce Reliance on Prisons and Jails
No Action Required Passed: 3-18-16	Steuben No. 78-16 Allegany No. 80-16	Resolution Calling for an Increase in the Share of Revenue Counties Retain for Providing State DMV Services.
No Action Required Passed: 3-18-16	Allegany No. 108-16	Resolution Supporting Rabies Prevention Across the State and Providing Appropriate Funding Necessary to Achieve This Goal
	Allegany No. 86-16	Resolution to Support Funding for Farmland Preservation and Agricultural Local Assistance Programs.
	Allegany No. 105-16	Resolution Supporting An End To Executive Administrative Cuts, An Increase In The Base Grant, Per Capita Rate, And State Aid Formula That Constitute Article 6 State Aid Reimbursement For Mandated General Public Health Work Undertaken By Local Health Departments As Population Health Partners Of New York State
	Yates No. 180-16 Ontario No. 291-2016, Allegany No. 120-16	Resolution Calling on the State of New York to Fully Reimburse Counties for District Attorney Salary Increases Set by the State.

**RESOLUTION TO SUPPORT FUNDING FOR FARMLAND PRESERVATION AND AGRICULTURAL LOCAL ASSISTANCE PROGRAMS**

Offered by: Resource Management Committee

RECEIVED  
MAY 02 2016  
BOARD OF SUPERVISORS

**WHEREAS**, the enacted 2015/16 state budget included \$50 million from the Special Infrastructure Account for farmland preservation and other strategic initiatives to protect farms and related businesses in the Southern Tier and Hudson Valley, and

**WHEREAS**, when combined with the \$15 million allocation for farmland protection from the Environmental Protection Fund, the enacted budget represented the largest investment in farmland protection in New York State history, and

**WHEREAS**, New York State's funding for agricultural local assistance programs has not seen an increase in many years, and

**WHEREAS**, annually, the executive-proposed state budget does not include funding for many core programs, leaving it to the Legislature to restore funding before the budget is enacted, and

**WHEREAS**, the enacted 2015/16 state budget allocated \$30,231,000 in funding for agricultural local assistance programs, a significant increase over the \$16,183,000 included in the Governor's initial proposal, and

**WHEREAS**, the Governor's 2016/17 proposed budget, released on January 13, 2016, allocated \$20 million to farmland preservation, and \$19,863,000 to agricultural local assistance programs, and

**WHEREAS**, the agriculture industry remains a top contributor to the New York State economy, providing critical jobs, revenues, and food for our state and beyond, and

**WHEREAS**, New York's farmland protection and agricultural assistance programs help sustain this vital industry, and are deserving of a higher level of funding that can be continued in future years, now, therefore, be it

**RESOLVED:**

1. Allegany County supports the historic commitment New York State made in 2015 toward farmland preservation, and urges state lawmakers to sustain this commitment.

2. That Allegany County calls upon the Governor and State Legislature to continue New York's commitment to local farms and the agricultural sector and provide a robust level of funding both for farmland preservation and local assistance programs.

3. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York State Association of Counties and the Inter-County Association of Western New York.

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the 28th day of March, 20 16.

Brenda Rigby Riehle  
Clerk, Board of Legislators, Allegany County

Dated at Belmont, New York this 29th day of March, 20 16

Moved by Graves Seconded by Healy VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Absent \_\_\_\_\_ Voice

**RESOLUTION SUPPORTING AN END TO EXECUTIVE ADMINISTRATIVE CUTS, AN INCREASE IN THE BASE GRANT, PER CAPITA RATE, AND STATE AID FORMULA THAT CONSTITUTE ARTICLE 6 STATE AID REIMBURSEMENT FOR MANDATED GENERAL PUBLIC HEALTH WORK UNDERTAKEN BY LOCAL HEALTH DEPARTMENTS AS POPULATION HEALTH PARTNERS OF NEW YORK STATE**

Offered by: Human Services Committee

**WHEREAS**, the prevention and population health activities of local health departments in NYC and 57 other counties in New York State are essential to the overall health of the State's residents and communities, and crucial to the success of the State's Medicaid Redesign Team efforts, and

**WHEREAS**, unhealthy community environments lead to incidents such as the recent outbreak of Legionnaire's Disease in the Bronx that resulted in the deaths of 12 individuals whose general health was compromised by underlying medical conditions that are aggravated by poor air quality and other characteristics of an unhealthy environment, and

**WHEREAS**, New Yorkers can be, and have been, exposed to deadly communicable diseases such as Ebola that may arrive from other nations via global travelers at any time, and

**WHEREAS**, stable and timely funding to support core public health services delivered by local health departments under Article 6 of the Public Health Law is necessary for the protection of all communities within New York State, and

**WHEREAS**, Article 6 of the Public Health Law currently provides a base grant of either a set amount or a per capita rate of local health department (LHD) expenditures on core public health services, and then State reimbursement for 36 percent of LHD costs beyond the base grant, and

**WHEREAS**, the State has reduced its annual appropriations for Article 6 Public Health spending by 40 percent over the last several years, and

**WHEREAS**, New York State does not allow local governments to recover any of its necessary expenditures on fringe benefits for local health department personnel who provide core public health services mandated under Article 6, and

**WHEREAS**, in state fiscal year 2011-12, the State eliminated the allowance of State Aid for so-called "optional services" by local health departments, such as early intervention (mandated services), medical examiners, dental health services, some environmental health activities, certified home health agencies, and more, and

RECEIVED  
MAY 02 2016  
BOARD OF SUPERVISORS

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**WHEREAS**, administrative actions by the New York State Department of Health (NYSDOH) such as the reduction since 2012, and eventual elimination, of revenue offset; the refusal to cover costs associated with the contribution that other local governmental offices make to the work of their local health department Maintenance in Lieu of Rent (i.e. "MILOR"); and a recent refusal to cover technical assistance in rural counties for well water and septic tank problems that can compromise the sanitation and health of communities throughout rural areas of the state, and

**WHEREAS**, the reduction and eventual elimination of the revenue offset and other administrative actions leads to a reduction in the generation of fee and penalty revenue that, in turn increases the need for local budget cuts, including staff reductions that compromise the capacity of local governments to ensure the provision of the core services necessary to protect the public's health, and

**WHEREAS**, NYSDOH has frequently applied changing and inconsistent standards in what it allows as State Aid claims without advance notice, from quarter to quarter, region to region, or county to county, and

**WHEREAS**, inflation-adjusted payments by New York State for Article 6 state aid to local health departments have declined since 2011, and as a result, local expenditures for public health services and subsequent claims for such state aid have declined dramatically, with New York City claims alone dropping by \$85 million and State Aid payments to New York City declining by \$120 million, and

**WHEREAS**, executive administrative reductions to Article 6 State Aid reimbursement have a negative impact on the ability of local health departments to protect the public including:

- enforcing regulations intended to reduce the incidence and risk of Legionnaire's Disease;
- eliminating the HIV/AIDS epidemic;
- preventing and controlling the spread of communicable diseases;
- responding to the current heroin and opioid epidemic;
- ensuring the safety of the food we eat, the water we drink and the air we breathe;
- ensuring the safety of New Yorkers in camps, beaches and other recreational venues;
- preventing major causes of death and chronic disease such as heart disease, diabetes, asthma and cancer;
- monitoring and control of insect-borne diseases such as Lyme Disease, West Nile Virus, EEE;
- monitoring the public health impact of an influx of unaccompanied minors into the United States and specifically New York State;
- monitoring and responding to international health threats and emergencies, among other public health needs, and

**WHEREAS**, local health departments deserve respect for their dedication to public health and their expertise in population health, and

**WHEREAS**, local health departments require adequate state funding as key partners of the New York State Department of Health in population health efforts to achieve statewide goals set in the New York State Prevention Agenda, and

**WHEREAS**, the current limits on base grants and State Aid combined with increasing administrative cuts and disallowances are creating a cascading negative financial impact on local health departments and eroding their local public health infrastructure, and

**WHEREAS**, New York State has imposed a cap on property taxes that further restricts the ability of local government to fund core public health services, now, therefore, be it

**RESOLVED:**

1. That the Allegany County Board of Legislators calls on the Governor to compensate, within the 2016-17 Executive Budget and subsequent budget years, for significant state funding cuts to local health departments since 2010 by taking the following steps in the Article 6 State Aid for General Public Health Work base grants and reimbursement rates:

- A. Instruct the Division of Budget and NYSDOH to end administrative actions that will result in further erosion of State Aid to local health departments;
- B. Increase the base grant with 100 percent reimbursement of local expenditures on core public health services for partial service counties from \$500,000 to \$550,000; for full service counties from \$650,000 to 750,000; and the per capita rate of the base grant from 65 cents per capita to \$1.30 per capita;
- C. Increase the State Aid reimbursement rate for local health department expenditures beyond the base grant from 36 percent to 38 percent;
- D. Reimbursement for new state mandated activities required of Local Health Departments at 100 percent.

2. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York Department of Health; the New York State Association of Counties and the Inter-County Association of Western New York.

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the 25<sup>th</sup> day of April, 2016.

Brenda Rigby Riehle Dated at Belmont, New York this 26<sup>th</sup> day of April, 2016  
Clerk, Board of Legislators, Allegany County

Moved by LaForge Seconded by Pullen VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Absent \_\_\_\_\_ Voice

Absent: Curran

STATE OF NEW YORK  
YATES COUNTY LEGISLATURE  
CLERK'S OFFICE

Penn Yan, NY, April 20, 2016

I Hereby Certify, That I have compared the preceding with the original thereof, on file in the Office of the Clerk of the County Legislature at Penn Yan, New York, and that the same is a correct transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the County Legislature of Yates County held at Penn Yan, New York on the 19th day of April 2016.

RESOLUTION NO. 180-16

RECEIVED  
MAY 02 2016

**A RESOLUTION CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE COUNTIES  
FOR DISTRICT ATTORNEY SALARY INCREASES SET BY THE STATE**

WHEREAS, on December 24, 2015, New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018, and

WHEREAS, the recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and \$203,000 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary, and

WHEREAS, on April 1st the state approved the Commission's recommendation, and

WHEREAS, New York State Judiciary Law Section 183-a links judicial salaries to county District Attorney (DA) salaries to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on county size and full-time or part-time status, and

WHEREAS, for over 50 years, the state has funded all salary increases that they imposed on the counties, and

WHEREAS, the District Attorneys Association of the State of New York (DAASNY), recognizing the automatic nature of these increases and its effect on local county budgets, and further to support the counties' position, requested in correspondences with state officials that the state fund this salary increase as well; and

WHEREAS, this salary increase recommendation occurred well after all counties set their 2016 budgets in law, and

WHEREAS, to the extent that the Commission's recommendations, do in fact, supersede the provisions of Judiciary Law section 221-d as applicable to District Attorney's annual salary, and

WHEREAS, DA's are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law, and

WHEREAS, on April 1, 2016 the State Legislature enacted a \$150 billion State Budget, but did not include the funding for the \$1.6 million in reimbursement costs for the increase in DA salaries, and

WHEREAS, the state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap, and

WHEREAS, for many counties this salary increase represents approximately 1/3 of their total allowable property tax growth for all government operation in 2016.

NOW, THEREFORE, BE IT RESOLVED, that the County of Yates calls on the State of New York to immediately pass legislation and pay for this increase retroactive to April 1, 2016, and not pass this unfunded mandate on to local taxpayers, and be it further

RESOLVED, that a copy of this resolution be sent to Governor Cuomo, Assemblyman Palmesano, Senator O'Mara, NYSAC, Inter-County, and the District Attorney's Association of the State of New York (DAASNY)

*Conrad C. Hayes*

\_\_\_\_\_  
Clerk of the Legislature

# Ontario County

Board of Supervisors

Canandaigua, New York 14424

RECEIVED  
MAY 02 2016  
BOARD OF SUPERVISORS

Supervisor Singer offered the following resolution and moved its adoption:

**RESOLUTION NO. 291-2016**  
RESOLUTION STRONGLY URGING THE GOVERNOR AND LEGISLATURE TO  
PROVIDE FUNDING FOR MANDATORY INCREASE IN  
DISTRICT ATTORNEY SALARY

WHEREAS, New York State Law for the Commission on Legislative, Judicial and Executive Compensation (the Commission), Chapter 60 of the Laws of 2015 (Part E) establishes county District Attorney salary increases tied to the increase in salary of State Supreme Court judges; and

WHEREAS, Recommendations by the Commission take effect unless modified or abrogated by legislation prior to taking effect; and

WHEREAS, The Commission's recommendation to raise judges' salaries was not modified by State Lawmakers and as such, an unfunded State mandated raise for the Ontario County District Attorney became effective on April 1, 2016; and

WHEREAS, New York State passed its budget on April 1, 2016, and there is no funding provided within the budget to assist counties with this mandated increase; and

WHEREAS, The Personnel and Financial Management Committees both approved this resolution and strongly recommend its adoption; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors strongly urges the Governor and State Legislature to provide funding to reimburse counties for this unfunded mandate; and further

RESOLVED, That certified copies of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Michael Nozzolio, and Senator Rich Funke, and Inter County Association of Western New York.

STATE OF NEW YORK }  
COUNTY OF ONTARIO }



I do hereby certify that I have compared the preceding with the original thereof, on file in the Office of the Clerk of the Board of Supervisors at Canandaigua, New York, and that the same is a correct transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Board of Supervisors of Ontario County held at Canandaigua, New York, on the 21<sup>st</sup> day of April, 2016.

Given under my hand and official seal April 22, 2016

*Kristin A. Harenza*

Kristin A. Harenza, Deputy Clerk  
Board of Supervisors of Ontario County, NY

**A RESOLUTION CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES SET BY THE STATE**

Offered by: Ways & Means Committee

RECEIVED  
MAY 02 2016  
BOARD OF SUPERVISORS

**WHEREAS**, on December 24, 2015, New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018, and

**WHEREAS**, this salary increase recommendation occurred well after all counties set their 2016 budgets in law, and

**WHEREAS**, the recommended increase placed Supreme Court Judges' salaries at \$193,000 in 2016 and \$203,000 in 2018 and placed County Court Judges at 95 percent of a Supreme Court Justice's salary, and

**WHEREAS**, on April 1, the State approved the Commission's recommendation, and

**WHEREAS**, State Judicial Law 183-a links judicial salaries with County District Attorneys' salaries to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on full time or part time status, and

**WHEREAS**, for over 50 years, the State has funded all salary increases that they imposed on the counties, and

**WHEREAS**, District Attorneys are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law, and

**WHEREAS**, on April 1, 2016, the State Legislature enacted a \$150 billion State Budget, but did not include the funding for the \$1.6 million in reimbursement costs for the increase in District Attorney salaries, and

**WHEREAS**, the state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap, and

**WHEREAS**, for many counties this salary increase represents approximately one third of their total allowable property tax growth for all government operation in 2016, now, therefore, be it

Intro. No. 121-16

**RESOLVED:**

1. That the Allegany County Board of Legislators calls on the State of New York to immediately pass legislation and pay for this increase retroactive to April 1, 2016, and not pass this unfunded mandate on to local taxpayers.

2. That the Allegany County Board of Legislators further calls on the State of New York to enact legislation that makes all future increases in a District Attorney's salary attributable to Judicial Law 183-a an obligation to be paid for by the State of New York.

3. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York State Association of Counties and the Inter-County Association of Western New York.

I, Brenda Rigby Riehle, Clerk of the Board of Legislators of the County of Allegany, State of New York, do hereby certify that the foregoing constitutes a correct copy of the original on file in my office and the whole thereof of a resolution passed by said

Board on the 25th day of April, 2016.

Brenda Rigby Riehle

Dated at Belmont, New York this 27th day of April, 2016

*Clerk, Board of Legislators, Allegany County*

Moved by Jessup Seconded by Graves

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Absent \_\_\_\_\_ Voice

Absent: Curran