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 or brenda@co.steuben.ny.us

Robert A. Green, Jr., President – Ontario County
Peter Yendell, 1st Vice President – Livingston County
Shelley Stein, 2nd 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

LIVINGSTON COUNTY HOST

DATE:	**FRIDAY, August 19, 2016**
TIME:	9:30 A.M. - Registration/Continental Breakfast
LOCATION:	**Double M Schuster Barn** *Please dress CASUAL, we will be in a barn with uneven floors* **6464 Liberty Pole Road, Sparta, NY 14437**
RESERVATIONS:	**NO LATER THAN** Friday, August 12, 2016 ($20.00 covers registration, etc.) Michele Rees, Clerk of the Board 585/243-7030 mrees@co.livingston.ny.us

AGENDA

9:30 AM Arrival and Registration with Continental Breakfast

10:00 AM
Call to Order – Association President, Robert A. Green, Jr.
Pledge of Allegiance to the Flag
Invocation
Roll Call of Counties
Welcome from Host County – Eric Gott, Board Chair
Approval of Minutes
- June 17, 2016

Approval of Treasurer's Report
- July 29, 2016

Correspondence
-

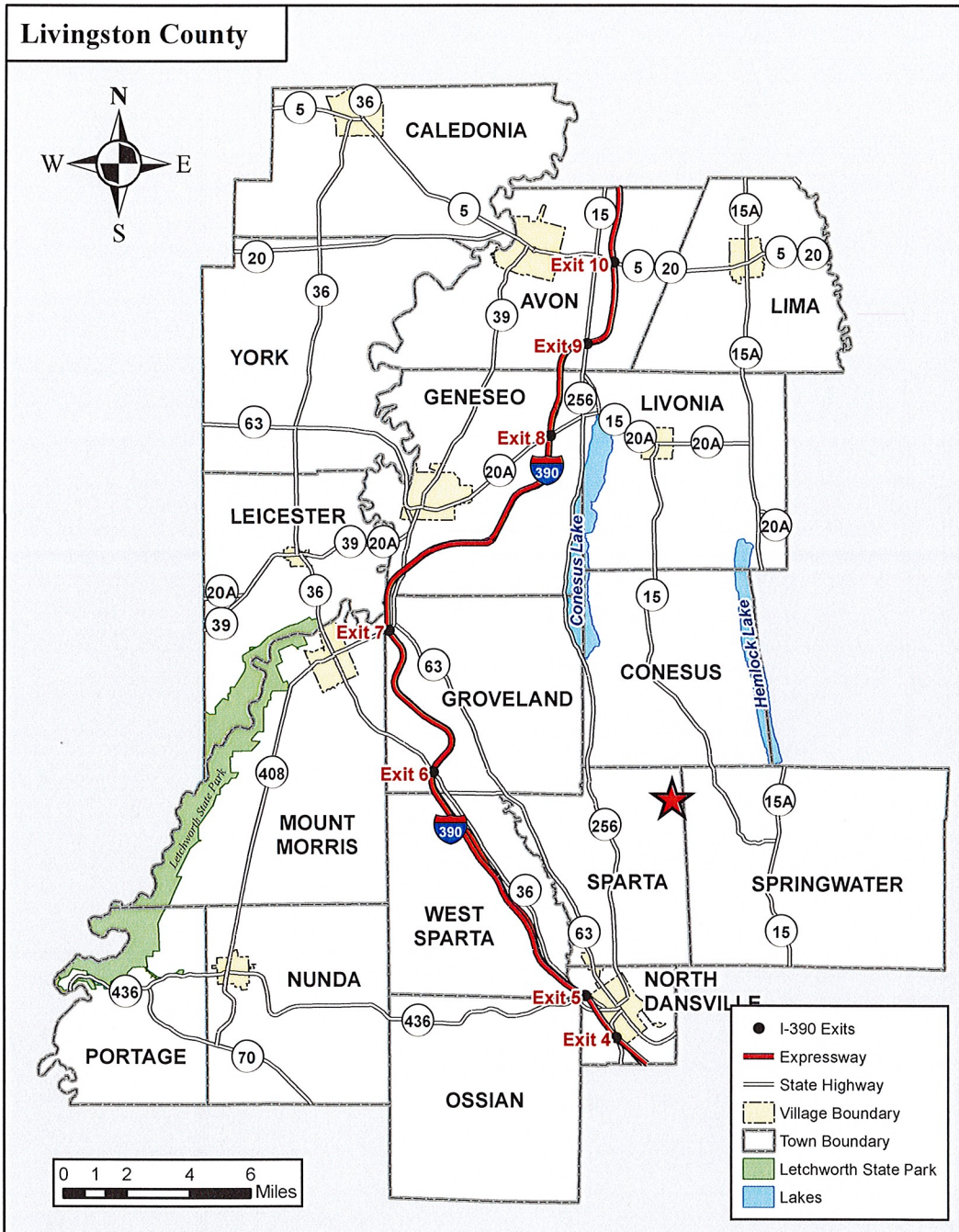
Comments by members and guests
NYSAC ~
Old Business
New Business
Resolutions

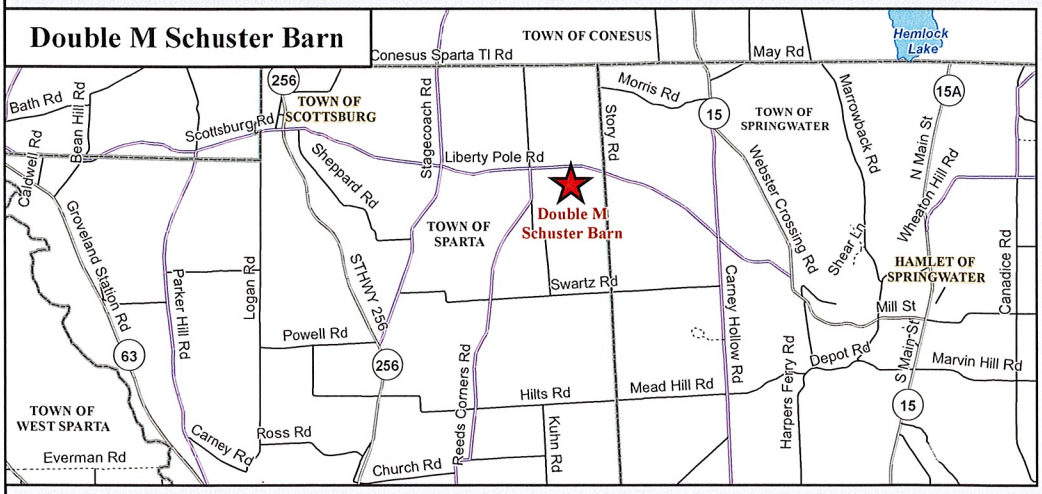
11:00 AM Presentation: Agri-Business & Tourism in Livingston County
- Craigs Station Creamery & Project Gardens – Brian Paris
- Livingston County Chamber of Commerce – Elissa Leuer, Director of Tourism & Marketing

11:30 AM Adjournment and Lunch (Lunch provided by Partyman Catering & Rental)

Directions to Double M Schuster Barn

6464 Liberty Pole Road, Dansville, NY 14437





Map prepared by the Livingston County Planning Department: July 2016
M:\ARCVIEW\directions\Schuster_directions2016_intercountylogo.mxd

From the North via I-390/Exit 9

- Take Interstate 390 South to Exit 9/Lakeville.
- Make a left off the exit onto Route 15 (Lakeville Rd).
- At the fork, head straight on Route 256 (West Lake Rd)
- Continue on Route 256 for 13.5 miles.
- In the hamlet of Scottsburg, turn left on Springwater Rd (Co Rd 1A). Springwater Rd turns into Liberty Pole Rd (Co Rd 38). Travel on Co Rd 1A/Co Rd 38 for 2.7 miles.
- The Schuster Barn entrance is on the right.

From the East via Route 5 & 20

- Take Route 5&20 west toward Lima/Avon.
- In the Village of Lima, turn left on Route 15A.
- Follow signs for Route 15A for 18.7 miles.
- In the hamlet of Springwater, turn right on Route 15 (Mill Street).
- After 1.5 miles, turn left onto Liberty Pole Road (Co Rd 38).
- After 2.4 miles, the Schuster Barn entrance is on the left.

From the West via Route 63

- Take Route 63 South toward York/Geneseo.
- After passing through the Village of Geneseo a short distance, continue on Route 63 for 9.7 miles.
- In the hamlet of Groveland Station, turn left on Scottsburg Road (Co Rd 1). Continue traveling east on this road for 5.5 miles.
- Co Rd 1 turns into Co Rd 1A, and then into Co Rd 38 (Liberty Pole Road) .
- The Schuster Barn entrance is on the right.

From the South via Route 36

- Take Route 36 North toward North Dansville.
- Continue on Route 36 into the Village of Dansville.
- Go under the I-390 overpass. Follow signs for Route 63 (Clara Barton St).
- Turn left on Main St (Route 63).
- Take the second right at Perine St (Route 256)
- Turn left on Health St (Route 256).
- Continue on Route 256 for 5 miles.
- Turn right onto Stagecoach Road (Co Rd 71).
- Take second right onto Liberty Pole Road (Co Rd 38).
- The Schuster Barn entrance is 1.2 miles on the right.

From the South via I-390/Exit 3

- Take Interstate 390 North to Exit 3, Wayland.
- Make a left off the exit onto Route 15 North.
- Travel 6.8 miles on Route 15, passing through the Village of Wayland.
- In the hamlet of Springwater, turn left on Mill Street (Route 15).
- Travel 1.5 miles and turn left on Liberty Pole Road (Co Rd 38).
- The Schuster Barn entrance is 2.4 miles on the left

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MINUTES - June 17, 2016

The meeting, held at Wings of Eagles Discovery Center, Horseheads, NY, hosted by Chemung County, was called to order by Association President Bob Green *(Ontario)* 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 *(2),* Cayuga *(1/1)*, Chemung *(4/7),* Genesee *(1),* Livingston *(3/2),* Monroe *(2)* Ontario *(2),* Orleans *(1),* Seneca *(1)*, Seneca *(1)* Steuben *(3),* Wayne *(3)*, Wyoming *(2/1),* and Yates *(1).* ***29 members, 14 guests* in attendance.**

Welcome from Host County

Chemung County Legislature Chair Donna Draxler welcomed everyone to the Discover Center. She proudly mentioned many historical facts and economic qualities of Chemung County. The area is known as Mark Twain Country, it is the Glider Capital of the World, it is known for Space industry and retired NASA Astronaut Eileen Collins, and also being the Gateway to the Finger Lakes. She ended by noting the success of the Corning Community College Leadership conference in April. The success of this conference is due, in part, to the financial support of Inter County Association. She looks forward to an even greater program next year.

Approval of Minutes

P. Marini *(Wayne),* made the motion, seconded by J. Pastrick *(Chemung),* to accept the minutes of the May 13, 2016, as written; motion carried.

Approval of Treasurer's Report

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

	-	+	Net
Treasury Balance ending April 30, 2016			**$6,231.96**
"Cash Box" as of May 31, 2016		$30.00	
Check Book Balance as of May 31, 2016		$6,083.96	
Receipts:			
April Meeting Registrations – Monroe County attendees		$40.00	
Dues – Erie, Seneca and Yates		$150.00	
May Meeting Registrations – Ontario County Meeting (35 paid attendees)		$700.00	
Disbursements:			
Ck#1159 – Canandaigua Yacht Club – Ontario County Meeting	$1,008.00		
Treasury Balance ending May 31, 2016			**$6,113.96**

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NYSAC Update

Association President Green introduced Patrick Cummings, Counsel to NYSAC Program Specialist, who presented an Albany update. He addressed the following topics and items of interest. The State Legislature is still in session. It is expected that the Senate will leave today, June 17, and Assembly should leave late Saturday, June 18. It is not too late to send messages to our representatives.

- Indigent Defense Bill, this has passed Senate and likely to pass in Assembly today. Real fiscal relief comes to counties in 2018.
- Bill to reimburse counties for a state mandated DA Salary increase. This has passed Senate and likely to pass in Assembly today.
- Preserving local Departments of Motor Vehicles. Current fee sharing arrangement between local DMVs and State are at 12.7%, a portion of the fees collected for work performed at county DMVs. 98% of all online DMV transactions are kept by the State. This fee structure is not expected to change in 2017.
- Legislation relating to Volunteer Firefighters' Benefits Law. This has passed in one house, not yet in the other; it is still being debated.
- Solid Waste Management relates to governing solid waste facilities and NYSAC continues to advocate on behalf of counties.
- Ethics reform. Debate continues.
- Benchmarking: Still in the hands of the Comptroller's Office. We are not sure what is taking so long to look into this.
- 911 Surcharge. Technical changes continue to be a burden on counties. The surcharge collected should go to 911 centers, but was diverted to state budget.

Mr. Cummings introduced Bryan Ousterhout from McFarland Johnson. Mr. Ousterhout briefly presented information on mobile mapping. He showed the association how 3D laser scanning can portray and analyze various topographical features including population density, road locations, wetland locations, and property boundaries.

Old Business:

M. Morris (*Yates*) revisited the topic of benchmarking. Resolution 2015-IC-20, entitled 'Resolution in Support of Establishing Statewide Benchmarks for Measuring the Efficiency of State and Local Governmental Functions' was adopted by the association in June 2015. As of this date, there has been no response from the NYS Comptroller's Office. He would like to see the establishment and use of statewide benchmarking to promote efficiency throughout the state.

R. Green (Ontario) acknowledged Mr. Morris' frustration. He referred the question to Pat Cummings (*NYSAC*). Pat will communicate with Mark LaVigne who has been pursuing a response and possibly some direction from the comptroller.

Resolutions:

FINAL NUMBER	PRESENTING COUNTY	RESOLUTION TITLE	ACTION TAKEN
36	Steuben	Memorializing the Governor and State Legislature in Support of Bill No. S07209, Allowing for Flexibility of Off-Hour Arraignments at Local Courts	***Motion to adopt*** made by C. Ferratella (*Steuben*), seconded by M. Didio (*Cayuga*). ***motion carried unanimously.***
37	Cattaraugus	Endorsing the NYS Office of Indigent Legal Services Criteria and Procedures for Determining Assigned Counsel Eligibility	***Motion to adopt*** made by D. Draxler (*Chemung*), seconded by R. Neal (*Cattaraugus*). ***motion carried unanimously***
38	Cattaraugus	Urging Governor Cuomo and State Legislature to Fully Reimburse Municipal Self-Insured Workers' Compensation Plans	***Motion to adopt*** made by D. Draxler (*Chemung*), seconded by R. Neal (*Cattaraugus*). ***motion carried unanimously***

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39	Ontario	Resolution of Support of Proposed Paint Stewardship Program NYS Senate Bill 4926C and Assembly Bill 6199C	***Motion to adopt*** made by B. Green (*Ontario*), seconded by J. Sheppard (*Seneca*). Following discussion and roll call vote, by a show of hands, ***motion carried, with 14 yaes and 10 nays.***
None	Cattaraugus	Urging Adoption of Defense Mandate Relief Act (A.6202C & S.6314A) and Endorsing NYS Responsibility to Fully Fund All County Public Defense Programs, Including any Increased Costs Incurred by Complying with the Office of Indigent Legal Services' Standards	NO ACTION REQUIRED, SAME AS INTER COUNTY RESOLUTION NO. 28-2016, ADOPTED April 15, 2016

Presentation/Program:

City of Elmira, Department of Community Development Director Jennifer Miller, welcomed the association to the region. She spoke about the revitalization projects and economic growth that she works with daily. The city benefits by working with Elmira College, for example, on the city's vision to invest in community and economic development projects. This process helps revitalize and enhance the local community.

The Association thanked Ms. Miller for her presentation.

Adjournment: On motion of J. Davis *(Wyoming)*, seconded by S. Stein *(Genesee)*, the meeting was adjourned at 11:45 AM followed by lunch; motion carried.

Respectfully submitted,

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

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Resolutions submitted by member counties.
August 19, 2016

INTRO	PRESENTING COUNTIES	RESOLUTION TITLE	
1	Wyoming	Resolution Petitioning Governor Cuomo and the State Legislature to Repeal Legislation Which Moves the STAR Exemptions From a Real Property Tax Exemption to a Personal Income Tax Credit	
2	Cattaraugus	Resolution Urging Governor Cuomo to Sign into Law Public Defense Mandate Relief Act	

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RECEIVED
JUN 30 2016
BOARD OF SUPERVISORS

#25

RESOLUTION NO. 16-262
(June 14, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION OF THE WYOMING COUNTY BOARD OF SUPERVISORS PETITIONING GOVERNOR CUOMO AND THE STATE LEGISLATURE TO REPEAL LEGISLATION WHICH MOVES THE STAR EXEMPTION FROM A REAL PROPERTY TAX EXEMPTION TO A PERSONAL INCOME TAX CREDIT

WHEREAS, Included in the 2016/2017 New York State Budget is enacted legislation to convert the STAR real property tax exemption to a Personal Income Tax (PIT) credit; and

WHEREAS, This transition is supported by both the New York State Assessors Association and the New York State Association of County Directors of Real Property Tax Services as New York State is better equipped to ensure the accuracy of this exemption; and

WHEREAS, This transition to a PIT credit would start with any STAR exemption that was granted for property owners that were not eligible as of March 2, 2015; and

WHEREAS, This transition would result in much confusion to the local property owner who has been under the assumption that they would be eligible for the exemption since they applied with their local Assessor; and

WHEREAS, When additional confusion is added to an already complicated property tax system taxpayers become more frustrated with the whole tax system; and

WHEREAS, This transition will require the Assessors' Offices in Wyoming County to send out approximately 340 denial letters for this exemption which will increase the amount of phone calls, letters, and foot traffic to explain why the denial has to occur when an approval was already sent out; and

WHEREAS, This unexpected additional property tax amount may also result in higher than normal unpaid school tax bills, forcing the County to relevy the unpaid amounts with additional penalties and interest thereby increasing the tax burden on these individuals, as well as causing the County to have to make school districts whole in tax collection for higher than normal amounts; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors on recommendation of the Finance Committee petitions New York State to delay this transition to any STAR exemption that was granted after the 2016 Assessment Roll to more adequately inform the public of this important change in their taxes; and be it

FURTHER RESOLVED, That the Clerk of this Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, New York State Association of Counties, Inter-County Association of Western New York and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1476 **Noes:** **Absent:** 123 (Castile) **Abstain:**

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(42)

Cattaraugus County

ACT NO. 317-2016

by Mrs. Stockman

RECEIVED
JUN 30 2016
BOARD OF SUPERVISORS

URGING GOVERNOR CUOMO TO SIGN INTO LAW PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/A.10706)

Pursuant to Section 153 of the County Law.

I. WHEREAS, it is a fundamental right of all persons in the United States to be represented by counsel in all criminal prosecutions; and in the case of Gideon vs. Wainwright, 372 U.S. 335, the United States Supreme Court ruled that persons who were unable to afford counsel had a constitutional right to be defended by an appointed attorney paid by the State, and

II. WHEREAS, New York State Senate and Assembly have passed historic legislation entitled Public Defense Mandate Relief Act (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the state's obligation to provide representation for those financially unable to afford counsel commencing incrementally in 2017 and reaching 100% in 2023 and thereafter, and

III. WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) will give the Indigent Legal Service Office the authority "to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of [Executive Law 832], including to (i) ensure the presence of counsel at the first appearance of any eligible defendant charged with a crime, (ii) establish caseload/ workload regulations for attorneys providing mandated representation, and (iii) improve the quality of mandated representation", and

IV. WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) also requires that the various counties and New York City receive an amount equal to the amount paid from the Indigent Legal Services Fund to the counties and NYC in March 2010, and

V. WHEREAS, New York State has entered into an agreement to settle the Hurrell-Harring vs. State of New York class action lawsuit and has begun to expend substantial amounts of State funds to create a more equitable and Constitutional system of representation in only the five settlement counties and creating an unequal system of justice in the remaining counties of the State, and

VI. WHEREAS, by entering into such agreement and funding additional services in only the five settlement counties, the State acknowledges that it is constitutionally required to fund public defense services and to fund initiatives to improve the quality of public defense, ensure representation at arraignment, implement caseload standards for providers of indigent legal services, and implement statewide standards for determining eligibility for mandated representation, and

VII. WHEREAS, requiring counties to finance the State's obligation to provide public defense services imposes a significant uncontrollable financial burden on counties dependent on real property taxes to fund needed services and subject to a State-imposed tax cap that would be remedied under the Public Defense Mandate Relief Act (S.8114/A.10706) as passed by the New York State Senate and Assembly, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby strongly urges Governor Cuomo to sign the Public Defense Mandate Relief Act (S.8114/A.10706) when it is delivered to him, fulfilling the State's obligation under Gideon vs. Wainwright, 372 U.S. 335, relieving the taxpayers of Cattaraugus County and the other counties of the State and New York City to fund this State mandate, and be it further

II. RESOLVED, that a copy of this resolution be sent to Governor Cuomo, Senate Majority Leader Flanagan, Senator Young, Assembly Speaker Heastie, Assemblyman Giglio, the New York State Office of Indigent Legal Services (ILS), the New York State Defenders Association (NYSDA), the New York Civil Liberties Union (NYCLU), the Chief Defenders Association of New York (CDANY), the New York State Association of Counties (NYSAC), and the Inter-County Association of Western New York.

STATE OF NEW YORK)
COUNTY OF CATTARAUGUS)

I, Lori A. Pangborn, Deputy Clerk of the Legislature of the County of Cattaraugus, New York, do hereby certify that I have compared the foregoing resolution with the original thereof on file in my office and duly adopted by said Legislature at a meeting of said Legislature on the 22nd day of June, 2016, and that the same is a true and correct copy of such resolution and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the seal of said County this 24th day of June, 2016.

Lori A. Pangborn

Deputy Clerk Cattaraugus County Legislature