

**REQUEST TO CALL SPECIAL MEETING**

To the Clerk of the Board of Supervisors:

You are hereby directed to call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held via Zoom on **Friday, April 29, 2022 at 4:00 p.m.** for the following purposes:

FIRST: The Board will meet then convene to discuss cents per gallon rate of sales and compensating use taxes on motor fuel and diesel motor fuel.

SECOND: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York  
April 27, 2022

Philip W. Eygnor, Chairman  
Wayne County Board of Supervisors

**NOTICE OF SPECIAL MEETING**

State of New York  
Wayne County  
Office of the Clerk of the Board of Supervisors

Upon direction of the Chairman of the Board of Supervisors of the County of Wayne, I do hereby call a Special Meeting of the Board of Supervisors of Wayne County, New York, to be held via Zoom, on **Friday, April 29, 2022 at 4:00 p.m.**, for the following purposes:

FIRST: The Board will meet then convene to discuss cents per gallon rate of sales and compensating use taxes on motor fuel and diesel motor fuel.

SECOND: To hear, consider and act upon any other matter which may be brought to the Board in the same manner and to the same effect as if the Board were convened in regular session.

Dated at Lyons, New York  
April 27, 2022

Debbie Ann Liseno, Deputy Clerk  
Wayne County Board of Supervisors

9<sup>th</sup> Day  
Friday, April 29, 2022

Pursuant to call, a Special Meeting of the Board of Supervisors was held via Zoom in the Supervisors Conference Room in the Court House, Chairman Eygnor presiding.

Upon roll call, all Supervisors were present except Supervisor Robusto who was absent for this afternoon's session.

County Administrator Rick House, County Attorney Daniel Connors, Treasurer Patrick Schmitt and Supervisor James Brady were in physical attendance for this special board session called to order.

**OTHER BUSINESS**

**RESOLUTION 244-22: ELECTION OF A CENTS PER GALLON RATE OF SALES AND COMPENSATING USE TAXES ON MOTOR FUEL AND DIESEL MOTOR FUEL IN LIEU OF THE PERCENTAGE RATE OF SUCH TAXES, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

Mrs. Bender presented the following:

RESOLVED, that the Wayne County Board of Supervisor adopts the following:

SECTION 1. Resolution No. 150 of 1967, as amended, is amended by adding a new section 4-B to read as follows:

Section 4-B. Cents per gallon rate of sales and compensating use taxes on motor fuel and diesel motor fuel.

Notwithstanding any provision of this enactment to the contrary, in lieu of the percentage rate of sales and compensating use taxes imposed on receipts from the retail sale of and consideration given or contracted to be given for, or for the use of, motor fuel and diesel motor fuel, such taxes shall be imposed at a rate of cents per gallon of such motor fuel or diesel motor fuel, in the manner prescribed by subdivision (m) of section 1111 of the New York Tax Law, provided that, for purposes of calculating the cents per gallon rate of tax, such receipts or consideration shall be limited to two (2) dollars per gallon of either such fuel. Provided that, if the average price of such fuels changes as described in such subdivision (m) of section 1111 of the Tax Law, the Commissioner of Taxation and Finance shall adjust the cents per gallon tax rate on such fuels in the manner prescribed in such subdivision (m) of section 1111 of the Tax Law.

SECTION 2. This resolution shall take effect June 1, 2022; and shall expire and be deemed repealed on December 1, 2022.

Mr. Brady moved the adoption of the resolution. Seconded by Mr. Mettler. Upon roll call, adopted.

**ADJOURNMENT:**

The next scheduled Board Meeting will be **Tuesday, May 17, 2022 at 9:00 a.m.** On motion of Mr. Brady and seconded by Mrs. Leonard the Board adjourned the meeting at 4:13 p.m. Carried.

Kelley P. Loveless, Clerk, Wayne County Board of Supervisors

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