

**Board of Supervisors  
WAYNE COUNTY**

**RESOLUTION NO. 297-15: ADOPTION OF LOCAL LAW TO REPEAL LOCAL LAW NO. 3 OF 2005, AND ENACT A NEW LOCAL LAW AUTHORIZING THE EXEMPTION OF THE R.E. GINNA NUCLEAR POWER PLANT, LLC FROM TAXATION AND AUTHORIZING THE COUNTY OF WAYNE TO ENTER INTO A PAYMENT-IN-LIEU OF TAXES AGREEMENT**

Ms. Park presented the following:

WHEREAS, a proposed local law to Repeal Local Law No. 3-2005 and enact a new Local Law authorizing the exemption of the R.E. Ginna Nuclear Power Plant, LLC from taxation and authorizing the County of Wayne to enter into a payment-in-lieu of taxes agreement, was presented to the Board of Supervisors on Wednesday, April 8, 2015; and

WHEREAS, a public hearing on the proposed local law was held on Tuesday, April 21, 2015 at 9:05 a.m. in the Supervisor's Chambers in the County Court House, 26 Church Street, Lyons, New York, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore be it

RESOLVED, that said local law is hereby adopted to read as follows:

**COUNTY OF WAYNE – STATE OF NEW YORK  
LOCAL LAW NO. 2 FOR THE YEAR 2015**

A Local Law to Repeal Local Law No. 3-2005, and Enact a New Local Law Authorizing the Exemption of the R.E. Ginna Nuclear Power Plant, LLC from Taxation and Authorizing the County of Wayne to Enter into a Payment-In-Lieu of Taxes Agreement.

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE**, as follows:

**SECTION 1.** Section 485 and 490 of the Real Property Tax Law of the State of New York allow the County of Wayne (the "County") to exempt nuclear power electric generating facilities located within the County from taxation, special ad valorem levies, and special assessments imposed by the County.

**SECTION 2.** R.E. Ginna Nuclear Power Plant, LLC ("Company") is the owner of the R.E. Ginna Nuclear Power Plant ("Plant").

**SECTION 3.** The Plant has a nameplate rated capacity of 583 megawatts contains real property located in the County and identified on the Town of Ontario tax rolls as Tax Parcels SBL #62119-00-620478 (f/k/a 62119-00-620947), Tax Parcel SBL #62119-00-860424, Tax Parcel SBL #62119-00-426493, Tax Parcel SBL #62119-00-315465, Tax Parcel SBL #62119-00-483350, Tax Parcel SBL #62119-00-620478.1, and Tax Parcel SBL#62119-00-620478.2, as such parcels may be renumbered or supplemented from time to time, and includes, without limitation, cooling facilities that extend or may extend into Lake Ontario, any equipment used in generating electricity using nuclear power, equipment leading from the Nuclear Facility to the point of interconnection with the electric transmission system, and property that is or becomes located on the land, but shall not include any equipment in the electric transmission system or any property owned by RG&E.

**SECTION 4.** Pursuant to Real Property Tax Law Section 485, the County is permitted to enter into payment-in-lieu of taxes agreements with the owners of such nuclear powered electric generating facilities providing for payments in-lieu of taxes to be made for no longer than the period during which any such facility is exempt from taxation pursuant to said Section 485 and the Local Law.

**SECTION 5.** The County to the fullest extent permitted by Real Property Tax Law Sections 485 and 490 hereby exempts the Plant from taxation, special ad valorem levies, and special assessments proposed by the County commencing January 1, 2016.

**SECTION 6.** The County is authorized to enter into a Payment In-Lieu of Taxes Agreement with the Company, Wayne Central School District, and the Town of Ontario with respect to the Plant which will provide for said payment in-lieu of taxes.

**SECTION 7.** This local law shall be filed with the Office of the Clerk of the County as required by law, the Clerks of the Town of Ontario and the Wayne Central School District, and the New York State Board of Real Property Services within thirty (30) days of the adoption thereof.

**SECTION 8.** This local law shall take effect immediately upon the date it is filed in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

Mr. Smith moved the adoption of the resolution. Seconded by Mrs. Marini. Upon roll call, adopted.

WAYNE COUNTY  
**Board of Supervisors**  
LYONS, NEW YORK

**This is to Certify** that I, the undersigned, Clerk of the Board of Supervisors of the County of Wayne, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Board of Supervisors of said County at a session held on the 21st day of April 2015 and that the same is a true copy of said original and of the whole thereof.

**In Witness Whereof**, I have hereunto subscribed my name and affixed the official seal of the Board of Supervisors of the County of Wayne, this 21st day of April 2015.

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Clerk of the Board

