

**Board of Supervisors**  
Lyons, New York 14489

**RESOLUTION 168-23: ADOPTION OF PROPOSED LOCAL LAW TO OPT OUT OF THE EXEMPTION FROM TAXATION FOR CERTAIN ENERGY SYSTEMS UNDER REAL PROPERTY TAX LAW §487 FOR THE COUNTY OF WAYNE**

Mr. Johnson presented the following:

WHEREAS, a proposed local law to opt out of the exemption from taxation for certain energy systems under real property tax law §487 for the County of Wayne was presented to the Board of Supervisors on February 23, 2023; and

WHEREAS, a public hearing on the proposed local law was held on March 21, 2023 at 9:05 a.m. 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. 3-2023**

A local law to allow for expansion of the use of videoconferencing, under extraordinary circumstances, to conduct open meetings within the County of Wayne.

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

**COUNTY OF WAYNE – STATE OF NEW YORK**

Local law to opt out of the exemption from taxation for certain energy systems under real property tax law §487, as most recently amended by chapter 59 of the session laws of 2021.

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

**SECTION 1: TITLE**

This Local Law shall be entitled “A Local Law to opt out of the Exemption from Taxation for Certain Energy Systems”

**SECTION 2: AUTHORITY**

This Local Law is enacted pursuant to §487 of the New York State Real Property Tax Law, as most recently amended by Chapter 59 of the Session Laws of 2021.

**SECTION 3: INTENT AND PURPOSE**

Pursuant to subsection 8 of the said §487 of the New York State Real Property Tax Law, the County of Wayne by this Local Law provides that no exemption under §487 of the Real Property Tax Law shall be applicable to real property in the County, including and with respect to solar or wind energy systems constructed subsequent to the effective date of this Local Law, nor for any micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment or electric energy storage system, or fuel-flexible linear generator electric generating system constructed subsequent to the effective date of this Local Law.

**SECTION 4: EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Secretary of State and shall be applicable to all assessment rolls prepared pursuant to the first taxable status date occurring on or after the effective date of this Local Law.

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



**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 the 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 21<sup>st</sup> day of March, 2023 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 21<sup>st</sup> day of March 2023.

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