

**BOARD OF SUPERVISORS
WAYNE COUNTY**

RESOLUTION NO. 611-02: ADOPTING LOCAL LAW IN RELATION TO AUTHORIZING THE WAYNE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ON BEHALF OF THE COUNTY OF WAYNE, TO MAKE APPLICATION FOR DESIGNATION OF CERTAIN AREAS WITHIN THE COUNTY OF WAYNE AS AN EMPIRE ZONE

Mr. Spickerman presented the following:

WHEREAS, a proposed local law in relation to authorizing the Wayne County Industrial Development Agency on behalf of the County of Wayne, to make application for designation of certain areas within the County of Wayne as an Empire Zone was presented to the Board of Supervisors on July 16, 2002; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on August 20, 2002 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. 3-2002**

A local law authorizing the Wayne County Industrial Development Agency on behalf of the County of Wayne, to make application for designation of certain areas within the County of Wayne as an Empire Zone.

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF WAYNE, as follows:

Section 1.

The Wayne County Industrial Development Agency on behalf of the County of Wayne, is hereby authorized and empowered to prepare and submit an application for designation of certain areas within the County of Wayne as an Empire Zone, provided, however, that such authorization and empowerment shall be conditioned upon the prior concurrence with respect to such application of the governing bodies of any and all cities, towns and villages in which said certain areas are located.

Section 2.

The boundaries of said certain areas to be included in said Empire Zone shall be as set forth in Schedule A which is attached hereto and made a part hereof.

Section 3.

Pursuant to the requirements of Section 963 of Article 18-B of the General Municipal Law, the Finance Officer of the Wayne County Industrial Development Agency, shall serve as the Local Empire Zone Certification Officer of Wayne County's Empire Zone, and shall perform the following duty, to wit: certify, jointly with the New York State Commissioner of Economic Development and the New York State Commissioner of Labor, those business enterprises that are eligible to receive benefits referred to in Section 966 of the General Municipal Law.

Section 4.

Pursuant to Section 963 of Article 18-B of the General Municipal Law, a Local Empire Zone Administrative Board (the "Board") is hereby established. Pursuant to Section 957(e) of Article 18-B of the General Municipal Law, the Board shall consist of not less than six (6) members. All appointments to the Board shall be made by the Wayne County Board of Supervisors. The appointments shall be for terms to be established by the Wayne County Board of Supervisors, in its sole discretion. Pursuant to the above-cited statute, the members of the Board shall not include the Local Empire Zone Certification Officer, and shall be representative of local business, organized labor, financial institutions, local educational institutions, community organizations and at least one resident of the Empire Zone. The Chairperson of the Board shall be a Supervisor of the Wayne County Board of Supervisors. The Board shall perform all duties required of it pursuant to Section 963(b) of Article 18-B of the General Municipal Law.

Section 5.

Pursuant to Section 964 of Article 18-B of the General Municipal Law, there may also be established as many as three Zone Capital Corporations.

Section 6.

The Action involves an unlisted action as said term is defined under SEQR. The review is uncoordinated. Based upon the review of the EAF and related documents delivered by the Wayne County Industrial Development Agency it is hereby found and determined that (i) the Action will result in no major impacts and, therefore, is one which may not

cause significant damage to the environment; (ii) the Action will not have a significant effect on the environment as such term is defined in SEQR; and (iii) no environmental impact statement as such term is defined in SEQR, need be prepared for the Action. This determination constitutes a negative declaration for purposes of SEQR. These findings are incorporated in Part II of the EAF.

Section 7.

This local law shall take effect upon filing with the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to number the local law in conformance with the filing requirements of the Secretary of State and to file the local law with the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

Mr. Wetherell moved the adoption of the resolution. Seconded by Mrs. Chittenden. Upon roll call, adopted.

Clerk of the Board of Supervisors,
County of Wayne

I, hereby certify that I have compared the foregoing copy of a resolution with the original duly adopted by the above mentioned Board at a session held on the 20th day of August 2002 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 said Board, this 21st day of August 2002.

_____ Clerk