

Board of Supervisors
WAYNE COUNTY

RESOLUTION NO. 942-05: ADOPT LOCAL LAW TO AMEND LOCAL LAW NO. 3-2002 AS AMENDED BY LOCAL LAW NO. 07-2002, LOCAL LAW NO. 2-2003, LOCAL LAW NO. 04-2003, LOCAL LAW NO. 1-2004, LOCAL LAW NO. 2-2004, LOCAL LAW NO. 3-2004, LOCAL LAW NO. 5-2004 and LOCAL LAW 5-2005 IN RELATION TO THE BOUNDARIES OF SAID EMPIRE ZONE, AUTHORIZING THE WAYNE COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO MAKE APPLICATION FOR REDESIGNATION OF CERTAIN AREAS WITHIN THE COUNTY OF WAYNE AS AN EMPIRE ZONE

Mr. Spickerman presented the following:

WHEREAS, a local law amending Local Law No. 3-2002 authorizing 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 November 15, 2005; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors, on December 20, 2005 at 10:00, 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. 6-2005

A local law amending Local Law No. 3-2002 as amended by Local Law No. 7-2002, Local Law no. 2-2003, Local Law No. 4-2003, Local Law No. 1-2004, Local Law No. 2-2004, Local Law No. 3-2004, Local Law No. 5-2004 and Local Law No. 5-2005 entitled "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".

WHEREAS, the New York State Legislature and the Governor have enacted into law changes to the Empire Zones program, whereby each existing Empire Zone must configure its existing zone acreage into six "distinct and contiguous" areas;

WHEREAS, pursuant to Section 957(d)(1) of the General Municipal Law, as amended, the county of Wayne hereby authorizes the Wayne County Industrial Development Agency to prepare and submit Wayne County's application for redesignation of the existing Empire Zone into six "distinct and contiguous areas", including a description of the areas identified for such redesignation, to the New York State Commissioner of Economic Development for ultimate approval by the Empire Zones Designation Board; and

WHEREAS, such designation could greatly benefit the County in that new businesses would be encouraged to locate in the zone area, existing businesses would be encouraged to expand in the zone area, and new and expanded businesses would generate new jobs for Wayne County residents;

WHEREAS, a draft of the amended Zone Development Plan, adopted pursuant to Section 962(z) of the General Municipal Law, is also hereby approved, and is hereby authorized to be submitted along with the redesignation application to the New York State Commissioner of Economic Development;

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

Section 1. The Wayne County Industrial Development Agency is hereby authorized and empowered to submit an application for redesignation of certain areas within the County of Wayne as an Empire Zone; provided, however, that such authorization and empowerment shall be conditioned upon the concurrence, through properly adopted resolutions with respect to such application of the governing bodies of any and all cities, towns and villages in which such zone is located.

Section 2. The boundaries of said 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 requirements of Section 963 of the General Municipal Law, the Wayne County Industrial Development Agency's finance officer shall continue to serve as the Local Empire Zone Certification Officer of the Wayne County Empire Zone, and shall, pursuant to the regulations promulgated pursuant to Article 18-B of the General Municipal Law, 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 businesses enterprises that are eligible to receive those benefits referred to in Section 966 of the General Municipal Law, and

any other applicable statutes.

Section 4. Pursuant to Article 18-B of the General Municipal Law, the Empire Zone Administrative Board as presently constituted is hereby continued. The Local Empire Zone Administrative Board, pursuant to Section 963(a) of the General Municipal Law, as amended, shall approve for certification by the Zone Certification Officer, the New York State applications of those businesses eligible for certification to receive the benefits required of it pursuant to Section 963(b) of the General Municipal Law,

Section 5. This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to give at least five days notice of such hearing by posting such notice upon the bulletin board at the County Court House, Lyons, New York, and by publishing such notice at least once (1) in the official newspapers of the County of Wayne.

Mr. Pascarella moved the adoption of the resolution. Seconded by Mrs. Chittenden. Upon roll call, all Supervisors voted Aye. Absent – Supervisor Guelli. The Chairman declared the Resolution 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 20th day of December 2005 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 20th day of December 2005.

Clerk of the Board