

9th Day  
Wednesday, April 8, 2015  
1:00 p.m.

The Board of Supervisors met pursuant to adjournment in their room in the Court House, Chairman Hoffman presiding.

Upon roll call, all Supervisors were present, except Supervisors Kolczynski and Park who were absent today.

The Chairman opened with the Pledge of Allegiance, led by Supervisor Spickerman.

County Administrator James Marquette and County Attorney Daniel Connors were also present for this special session of the board.

#### **APPROVAL OF MINUTES:**

Mr. LeRoy moved, seconded by Mrs. Crane to waive the reading of the minutes of the previous meeting and approve them as distributed. Upon roll call, carried.

**EXECUTIVE SESSION:** Mr. Groat moved, seconded by Mr. LeRoy that the Board go into Executive Session at 1:02 p.m. to discuss a personnel matter. Upon roll call, carried.

**REGULAR SESSION:** Mr. Hammond moved, seconded by Mr. LeRoy that the Board resume regular session at 1:15 p.m. Carried.

#### **OTHER BUSINESS**

Mr. Hammond moved, seconded by Mr. Manktelow that two (2) resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Supervisors Kolczynski and Park were absent. Motion Carried.

#### **RESOLUTION NO. 250-15: SETTING DATE FOR PUBLIC HEARING ON PROPOSED A 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**

Mrs. Marini presented the following:

WHEREAS, Wayne County Local Law No. 3-2005 does not include certain tax map parcels that comprise portions of the RE Ginna Nuclear Power Plant, LLC, which are intended to be made exempt from taxation pursuant to local law and made subject to a Payment-in-Lieu of Taxes agreement; and

WHEREAS, it is the intent of Wayne County to repeal Local Law No. 3-2005 and to adopt this local law providing for the tax exemption of all tax map parcels comprising portions of the R.E. Ginna Nuclear Power Plant; and

WHEREAS, it is further the intent of Wayne County that Local Law No. 3-2005 shall be repealed and replaced by this local law upon filing with the Department of State; now, therefore, be it

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on **Tuesday, April 21, 2015 at 9:05 a.m.** in the Supervisors' Chambers in the County Court House, Lyons, New York, on the following proposed local law:

#### **COUNTY OF WAYNE — STATE OF NEW YORK INTRO NO. 2 - LOCAL LAW NO. \_\_\_ 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.

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. Smith moved the adoption of the resolution. Seconded by Mrs. Crane.

County Attorney Connors addressed the Board, explaining the details of this negotiation

process for the purpose of amending the PILOT agreement for R.E. Ginna Nuclear Power Plant, LLC. Mr. Connors stated that Wayne County Local Law No. 3-2005 does not include certain tax map parcels that comprise portions of the RE Ginna Nuclear Power Plant, LLC.; and indicated that the Board would need to repeal this current local law. This modified version will provide for the tax exemption of all tax map parcels that comprise portions of the R.E. Ginna Nuclear Power Plant.

Upon roll call, adopted.

**RESOLUTION NO. 251-15: AUTHORIZATION TO APPOINT MARGARET HAROFF AS INTERIM NURSING HOME ADMINISTRATOR AND SET SALARY**

Mr. Groat presented the following:

WHEREAS, On March 18, 2015 the Board of Supervisors formally accepted the resignation of Nursing Home Administrator Cathie Chabrier effective April 23, 2015; and

WHEREAS, the County is required to have a licensed nursing home administrator in charge of the Nursing Home; and

WHEREAS, Margaret Haroff is the former Nursing Home Administrator and is willing to serve in that capacity on an interim basis through July, 2015, and is in the process of having her nursing home licenses reinstated; and

WHEREAS, said license will be reinstated in advance of April 23, 2015, the effective date of Cathie Chabrier' s resignation; and

WHEREAS, the Wayne County Board of Supervisors is desirous of appointing Margaret Haroff to the position on an interim basis; now, therefore, be it

RESOLVED, that Margaret Haroff is hereby appointed as Interim Nursing Home Administrator effective at 5:00 pm on April 23, 2015 at a pro-rated salary based on \$90,000 per annum; and be it further

RESOLVED, Margaret Haroff will be placed on the County payroll effective April 24, 2015 and available to consult with County Nursing Home Staff; and be it further

RESOLVED, effective on May 4, 2015 Margaret Haroff will serve the Nursing Home on a full time basis at a minimum of 37.5 hours per week through July 31, 2015; and be it further

RESOLVED, that during this interim period of service, the Interim Nursing Home Administrator will be reinstated to the County's Health Insurance Program at the same employer contribution level as when she left County service; and be it further

RESOLVED, that the County Administrator is authorized to approve a total of up to three paid days of personal or sick leave for the individual named herein during the three month interim appointment.

Mr. Hammond moved the adoption of the resolution. Seconded by Mr. Colacino. Upon roll call, adopted.

**ADJOURNMENT**

The next scheduled meeting of the Board is **Tuesday, April 21, 2015 at 9:00 a.m.**

Mrs. Marini moved, seconded by Mrs. Crane, that the board adjourn at 1:20 p.m. Carried.

Sandra J. Sloane, Clerk, Wayne County Board of Supervisors  
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