

OFFICE OF THE CLERK OF THE LEGISLATURE

Christopher A. Jones
Clerk of the Legislature
315-349-8230



46 East Bridge Street
Oswego, New York 13126
315-349-8237 fax

NOTICE OF ADOPTION

Per Section 214 of the County Law, you are hereby notified that on June 26, 2019, the Oswego County Legislature adopted the following:

COUNTY OF OSWEGO LOCAL LAW NUMBER 1 OF 2019
“A LOCAL LAW GRANTING AN EXEMPTION FROM GENERAL AD VALOREM
TAXATION, SPECIAL AD VALOREM LEVIES, AND SPECIAL ASSESSMENTS AS
PROVIDED FOR UNDER REAL PROPERTY TAX LAW§485 AND §490
REGARDING THE JAMES A. FITZPATRICK FACILITY”

Copies of Local Law #1 of 2019 are posted in the Oswego County Courthouse on East Oneida Street in Oswego, at the County Clerk’s Office at 46 E. Bridge Street in Oswego and available online at oswegocounty.com. Requests can also be e-mailed to chris.jones@oswegocounty.com

By Order of the Oswego County Legislature
June 26, 2019
Christopher A. Jones, Clerk

RESOLUTION NO. 130

A RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 1 OF 2019, ENTITLED "A LOCAL LAW GRANTING AN EXEMPTION FROM GENERAL AD VALOREM TAXATION, SPECIAL AD VALOREM LEVIES, AND SPECIAL ASSESSMENTS AS PROVIDED FOR UNDER REAL PROPERTY TAX LAW §485 AND §490 REGARDING THE JAMES A. FITZPATRICK FACILITY"

By Legislator David Holst:

WHEREAS, a public hearing was held on June 26th, 2019 and all interested parties having had an opportunity to be heard,

NOW, upon the recommendation of this body, be it

RESOLVED, that Local Law Number 1 of the year 2019 entitled "A LOCAL LAW GRANTING AN EXEMPTION FROM GENERAL AD VALOREM TAXATION, SPECIAL AD VALOREM LEVIES, AND SPECIAL ASSESSMENTS AS PROVIDED FOR UNDER REAL PROPERTY TAX LAW §485 AND §490 REGARDING THE JAMES A. FITZPATRICK FACILITY" be and is hereby adopted and enacted in its entirety.

ADOPTED BY A VOICE VOTE ON JUNE 26, 2019:

YES: 18 NO: 0 ABSENT: 7 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

**COUNTY OF OSWEGO
LOCAL LAW NUMBER 1 OF 2019**

**A LOCAL LAW GRANTING AN EXEMPTION FROM GENERAL AD VALOREM
TAXATION, SPECIAL AD VALOREM LEVIES, AND SPECIAL ASSESSMENTS
AS PROVIDED FOR UNDER REAL PROPERTY TAX LAW §485 AND §490
REGARDING THE JAMES A. FITZPATRICK FACILITY**

BE IT ENACTED by the County Legislature of the County of Oswego as follows:

SECTION 1. Purpose and Intent.

The County of Oswego, by and through its Legislature, hereby finds and determines that it is in the best interests of the County to enter into a tax agreement with, and to grant a real property tax exemption under law for, the James A. FitzPatrick Nuclear Power Plant at this time. The purpose of this local law is to provide for an exemption from general *ad valorem* taxation, special *ad valorem*, levies and special assessments as provided for under New York State Real Property Tax Law §§485 and 490 regarding the James A. FitzPatrick Nuclear Power Plant owned by Exelon FitzPatrick, LLC, a subsidiary of Exelon Generation Company, LLC, being a nuclear powered electric generating facility and located in the Town of Scriba, County of Oswego and State of New York for the purpose of entering into a tax agreement to become effective July 1, 2019 with such exemption commencing for County tax purposes on January 1st, 2020 at 12:01 a.m. and expiring at 11:59 p.m. on December 31st, 2024.

SECTION 2. Property Affected:

The nuclear powered electric generating facility covered by this local law shall include Tax Parcel ID Numbers: 095.00-10-01.000 (*non-ceiling railroad*); 095.00-01-14.200 (*Nuclear Plant*); 095.00-01-50 (*Wellness Center*) together with any associated equipment, improvements, or land comprising the facility, being and intending to cover the facility for the period of this local law, notwithstanding any subsequent changes in Tax Map ID numbers, if any.

SECTION 3. Tax District:

This local law only covers taxes issued by the County of Oswego, the taxing district.

SECTION 4. Rights Reserved:

Notwithstanding the exemption granted hereunder for the tax roll section of the property as of the March 1st, 2024 taxable status date, the County expressly reserves the right to issue a county real property tax bill for the year 2025 if no other exemption is subsequently granted by local law or no other agreement is struck regarding the property affected herein.

SECTION 5. Effective Date.

This law shall become effective upon its adoption. The exemption granted hereunder to the nuclear powered electric generating facility, however, shall commence on at January 1st, 2020 at 12:01 a.m. and shall expire at 11:59 p.m. on December 31st, 2024. This local law and the exemptions granted hereunder shall only become effective if and when a tax agreement for payment in lieu of taxes is agreed upon and executed by the County of Oswego. For the purposes of convenience, the County may enter into a joint tax agreement together with other taxing jurisdictions regarding the property affected herein or the county may execute same individually.

SECTION 6. Termination:

This local law, and the exemptions granted hereunder, shall terminate on December 31st, 2024 at 11:59 p.m.

SECTION 7. SEQRA Determination:

This Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(26) of Title 6 of the New York Code of Rules and Regulations in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. The Oswego County Office of Tourism, Planning & Community Development is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this local law.

SECTION 8. Severability:

If any portion of this local law is found to be invalid by a court of competent jurisdiction, or because of intervening changes in New York State or Federal Law, the rest and remainder thereof shall not be affected thereby and shall remain in full force and effect.

SECTION 9. Filing.

A copy of this local law shall be filed with the New York State Secretary of State, the Clerk of the County of Oswego, the Clerk of the Town of Scriba, the Clerk of the Mexico Academy and Central School District and the NYS Commissioner of Taxation and Finance no later than thirty (30) days after its adoption.

By Order of the Oswego County Legislature
June 26, 2019
Christopher A. Jones, Clerk

OSWEGO COUNTY LEGISLATURE