

RESOLUTION

A reconvened meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened in public session on December 17, 2018, at 11:00 a.m., local time, at the Sullivan County Government Center, 100 North Street, Monticello, New York 12701.

The meeting was called to order by Chairman Ira Steingart, and, upon roll being called, the following members of the Agency were:

	<u>PRESENT</u>	<u>ABSENT</u>
Ira Steingart	[✓]	[]
Suzanne Loughlin	[]	[✓]
Sean Rieber	[✓]	[]
Edward T. Sykes	[✓]	[]
Howard Siegel	[]	[✓]
Scott Smith	[✓]	[]
Paul Guenther	[]	[✓]
Joseph Perrello	[✓]	[]
Carol Roig	[✓]	[]

The following persons were also present:

Jennifer M. Flad, Executive Director
Julio Garaicoechea, Project Manager
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by Joseph Perrello, and seconded by Edward T. Sykes, to wit:

Resolution No. 52 - 18

***RESOLUTION OF THE AGENCY AUTHORIZING THE AGENCY
TO FUND THE DEVELOPMENT OF A MODEL COMMUNITY
CHOICE AGGREGATION ("CCA") PROGRAM IN AN AMOUNT
NOT TO EXCEED \$100,000***

WHEREAS, in 2016 the New York Public Service Commission (PSC) passed rules allowing municipalities to establish CCA programs. CCA programs permit municipalities to source energy on behalf of their residents and businesses for the purpose of increasing energy options beyond those provided by the default utility companies; and

WHEREAS, in 2015 the PSC established the Community Distributed Generation (CDG) program. This program allows individuals to directly participate in local renewable energy projects such as community solar; and

WHEREAS, CCA and CDG can be combined to offer communities greater options and opportunities around their energy sources and uses; and

WHEREAS, CCA programs coupled with CDG can add value through:

- The inclusion of local renewable energy
- Energy cost savings
- Energy price certainty

; and

WHEREAS, CCA enables municipalities (cities, towns or villages) to negotiate electricity prices for all of their residents and small businesses, similar to a bulk-purchase program; and

WHEREAS, the municipal CCA replaces the utility as the default supplier of power on behalf of households and small businesses. By aggregating or combining the purchasing power of the group, the CCA is able to secure a lower price for electricity; and

WHEREAS, CCAs originated in 1995 with a number of communities on Cape Cod and Martha's Vineyard. This program is named the Cape Light Compact and currently serves 205,000 customers from all 21 towns on Cape Cod and Martha's Vineyard; and

WHEREAS, seven states have enacted legislation permitting CCAs, including New York; and

WHEREAS, in 2016 the New York State Public Service Commission (PSC) issued guidelines for the formation of CCAs, and the PSC exercises direct approval authority over CCA program development; and

WHEREAS, the smallest unit of government must choose to join - city, town, or village. Residential and small business utility customers are enrolled on an "opt-out" basis and are defaulted into the program. Opt-out customers can choose to exit the CCA program at their convenience; and

WHEREAS, municipalities must (i) pass a non-binding resolution indicating its intention to explore the possibility of creating a CCA and to begin the process of educating residents about the initiative with help from a local "organizer" or CBO; (ii) draft a local law implementing the CCA, under its home rule authority, and hold a public hearing to give town residents the opportunity to respond and comment; (iii) pass a local law that does not bind the municipality to implementing CCA; and (iv) issue an RFP to identify an administrator of the CCA, and enter into a memorandum of understanding with the administrator to lay out the roles and responsibilities of each partner; and

WHEREAS, the complexity of establishing a CCA program is generally beyond the resources of small units of government, such as the Town and Villages of Sullivan County; and

WHEREAS, there are presently five (5) community solar projects developed or under development in Sullivan County, which in the aggregate could provide a meaningful local source of renewable electric power to CCAs established in Sullivan County; and

WHEREAS, the Agency adopted a Uniform Tax Exemption Policy ("UTEP"), known as Community Distributed Generation UTEP, to encourage and provide financial assistance for the development of sustainable solar energy in Sullivan County; and

WHEREAS, the Agency supports the development of sustainable energy solutions and recognizes that the establishment of CCA programs will create an important purchaser for locally generated solar electricity; and

WHEREAS, the Agency desires to fund an effort to develop a model CCA program which the County, Towns and Villages could use as a template to establish CCA programs; and

WHEREAS, the County Manager has instructed the County's Office of Sustainability to take a lead role in developing a model CCA program, if development of such a model program is funded by the Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AGENCY AS FOLLOWS:

Section 1. The Agency hereby approves funding of the development of a model CCA program, to be developed collaboratively with the County's Office of Sustainability, provided, that the total expenditures associated with development of a model CCA program shall not exceed \$100,000.

Section 2. It is hereby found and determined that all formal actions of the Agency concerning and relating to the adoption of this resolution were adopted in an open meeting of the Agency; and that all deliberations of the Agency and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

Section 3. The Executive Director or Counsel to the Agency is hereby authorized and directed (i) to distribute copies of this resolution to the Company; and (ii) to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.

Section 4. This resolution shall take effect immediately.

THE MEMBERS VOTED ON THE FOREGOING RESOLUTION AS FOLLOWS:

Ira Steingart	☒ Yes	☐ No	☐ Absent	☐ Abstain
Suzanne Loughlin	☐ Yes	☐ No	☒ Absent	☐ Abstain
Sean Rieber	☒ Yes	☐ No	☐ Absent	☐ Abstain
Edward T. Sykes	☒ Yes	☐ No	☐ Absent	☐ Abstain
Howard Siegel	☐ Yes	☐ No	☒ Absent	☐ Abstain
Scott Smith	☒ Yes	☐ No	☐ Absent	☐ Abstain
Paul Guenther	☐ Yes	☐ No	☒ Absent	☐ Abstain
Joseph Perrello	☒ Yes	☐ No	☐ Absent	☐ Abstain
Carol Roig	☒ Yes	☐ No	☐ Absent	☐ Abstain

and therefore, the resolution was declared duly adopted.

STATE OF NEW YORK :
:SS.:
COUNTY OF SULLIVAN :

I, the undersigned Secretary (or Assistant) of the Agency DO HEREBY CERTIFY THAT:

1. I have compared the foregoing copy of a resolution of the Agency with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection with such matter.
2. Such resolution was passed at a meeting of the Agency duly convened in public session on the 17th day of December, 2018 at 11:00 a.m. at the Sullivan County Government Center, 100 North Street, Village of Monticello, Sullivan County, New York, at which the following members were present:

	<u>PRESENT</u>	<u>ABSENT</u>
Ira Steingart	[☒]	[]
Suzanne Loughlin	[]	[☒]
Sean Rieber	[☒]	[]
Edward T. Sykes	[☒]	[]
Howard Siegel	[]	[☒]
Scott Smith	[☒]	[]
Paul Guenther	[]	[☒]
Joseph Perrello	[☒]	[]
Carol Roig	[☒]	[]

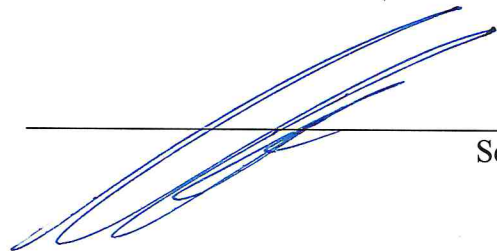
3. The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted follows:

Ira Steingart	[☒] Yes	[] No	[] Absent	[] Abstain
Suzanne Loughlin	[] Yes	[] No	[☒] Absent	[] Abstain
Sean Rieber	[☒] Yes	[] No	[] Absent	[] Abstain
Edward T. Sykes	[☒] Yes	[] No	[] Absent	[] Abstain
Howard Siegel	[] Yes	[] No	[☒] Absent	[] Abstain
Scott Smith	[☒] Yes	[] No	[] Absent	[] Abstain
Paul Guenther	[] Yes	[] No	[☒] Absent	[] Abstain
Joseph Perrello	[☒] Yes	[] No	[] Absent	[] Abstain
Carol Roig	[☒] Yes	[] No	[] Absent	[] Abstain

and therefore, the resolution was declared duly adopted.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of said meeting, (ii) pursuant to Sections 103a and 104 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public and public notice of the time and place of said meeting was duly given in accordance with such Sections 103a and 104, (iii) the meeting in all respects was duly held, and (iv) there was a quorum present throughout.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the 17th day of December, 2018.



Secretary