

HN-25-31

RESOLUTION

CITY OF HORNELL, NY

April 21, 2025

BY: Bassage/Hancock

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF HORNELL, NY
CONSENTING TO A PROPOSED PILOT AGREEMENT AND PILOT PAYMENT
DISTRIBUTION TO BE PROVIDED BY THE STEUBEN COUNTY INDUSTRIAL
DEVELOPMENT AGENCY IN CONNECTION WITH A CERTAIN PROJECT (AS
DESCRIBED BELOW) TO BE UNDERTAKEN BY CANISTEO WIND ENERGY LLC**

WHEREAS, CANISTEO WIND ENERGY LLC, for itself or on behalf of an entity to be formed by it or on its behalf (collectively, the "Company"), has submitted an application (the "Application") to the Steuben County Industrial Development Agency (the "Agency") requesting the Agency's assistance with a certain project (the "Project"), consisting of: (i) the acquisition by the Agency of leasehold, easement or other interest in multiple parcels (or portions thereof) of land located in the City of Hornell, the Village of Canisteo, the Towns of Cameron, Canisteo, Greenwood, Jasper, Troupsburg, Hornellsville and West Union in Steuben County, New York (collectively, the "Land"), (ii) the construction, installation and operation on the Land of 66 wind turbines – with a generating capacity of 250 MW – together with the associated collection lines (below grad and overhead), transmission lines, access roads, meteorological towers, two (2) Air Detection Lighting System towers, substation and operation and maintenance (O&M) building (collectively, the "Improvements"), and (iii) the acquisition and installation by the Company in and around the Improvements of certain items of equipment and other tangible personal property to undertake the Project (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, in connection with the Application, and in furtherance of the Project's positive financial impact within the County of Steuben (the "County"), the Company has requested the Agency's consideration for a payment-in-lieu-of-tax agreement ("PILOT Agreement") that would provide twenty (20) years of real property tax exemption relating to the Improvements and a PILOT payment structure as follows: (i) with respect to the transmission line(s), an initial fixed annual PILOT payment (the "Base PILOT Payment"); and (ii) requirement to pay all taxes associated with the value of the Land upon which the Project is situated, as assessed prior to the acquisition of the Land and construction and installation of the Project (the "Land PILOT Payments", such Land PILOT Payments to be distributed by the Agency to the Affected Tax Jurisdictions (as defined hereafter) pro-rata based upon each respective annual tax rate); and

WHEREAS, the Agency and the Company have further requested the City of Hornell's consent to a PILOT distribution structure (the "PILOT Distribution") whereby the Agency would distribute the Base PILOT Payments received from the Company in connection with the Project among Steuben County, the Town of Jasper, the Town of Hornellsville, the Town of Canisteo,

the City of Hornell, the Village of Canisteo, the Jasper-Troupsburg Central School District, the Hornell City School District and the Canisteo-Greenwood Central School District (collectively, the "Affected Tax Jurisdictions"), based upon a negotiated formula; and

WHEREAS, the Agency and the Company have requested the consent of the City of Hornell to the PILOT Distribution pursuant to and in accordance with General Municipal Law Section 858(15), and in reliance upon the same, anticipate entering into certain project development agreements and memorializing the terms of the PILOT Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF HORNELL AS FOLLOWS:

Section 1. The City of Hornell hereby consents to and approves the PILOT Distribution and PILOT Agreement, and authorizes and directs the Agency to undertake the PILOT Distribution pursuant to the terms of the PILOT Agreement.

Section 2. The Mayor of the City of Hornell is hereby authorized to execute and deliver a consent certificate (the "Certificate"), such Certificate to be delivered to the Agency as evidence of the City's consent to undertake the PILOT Distribution.

Section 3. These Resolutions shall take effect immediately.

Carried – 9

Absent – 1 (Peck)

HN-25-32
RESOLUTION

CITY OF HORNELL, NY

April 21, 2025

BY: Valentine/Carbone

WHEREAS, a budget amendment is necessary to, amend the 2024-25 General Fund budget to account for grant funds received for the Police Department.

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Hornell, NY, that the 2024 – 2025 City of Hornell General Fund budget now reflects the following adjustments:

Increase Revenue:

A 4389 – Public Safety Federal Aid by \$151,768.05

Increase Expenditure:

A 3120.21 – Police – Equipment from Grants by \$151,768.05

Carried – 9

Absent – 1 (Peck)

HN-25-33
RESOLUTION

CITY OF HORNELL, NY

April 21, 2025

BY: Davis/Sutfin

RESOLUTION TO SECURE INSTALLATION OF HIGHWAY LIGHTING
STATE ROUTE 36
P.I.N. 6096.32; Construction Contract D265481
City of Hornell

Resolution of the Common Council of the City of Hornell, of the County of Steuben. Agreeing to share costs and responsibilities of highway lighting reconstruction, and new highway lighting construction, along State highway within the geographical jurisdiction of the City of Hornell; as well as a portion of the geographical jurisdiction of the Village of North Hornell that includes Pedestrian Trail Lighting, specifically beginning at Sta. SB 74+50, and ending at Sta. SB 104+50, such highway identified as NY 36 is under consideration under State project with PIN 6096.32 in the County of Steuben.

WHEREAS, the New York State Department of Transportation under a project identified as PIN 6096.32 on NY Route 36 proposes to install highway lighting to include: 13 highway light poles and fixtures, 40 multi-use path light poles and fixtures, associated appurtenances and such along the above State Highway, in the City of Hornell, and in the Village of North Hornell, of the County of Steuben.

WHEREAS, the Common Council of the City of Hornell approves the project and desires to have highway lighting, and pedestrian trail lighting on this highway within its geographical jurisdiction, and a portion of the geographical jurisdiction of the Village of North Hornell described above; and

WHEREAS, the State of New York has agreed to provide as a part of the project the lighting accessories and installations described in Schedule A provided that the City of Hornell agrees to maintain, repair and operate such highway lighting and pedestrian trail lighting for a period of not less than twenty-five years.

NOW, THEREFORE the Common Council of the City of Hornell duly convened and does hereby:

1. RESOLVE that City of Hornell common council does approve the above subject project; and it is hereby
2. RESOLVED that the City of Hornell shall maintain, repair and energize such highway lighting and pedestrian trail lighting; and it is hereby further
3. RESOLVED that the common council of the City of Hornell hereby authorizes the mayor of the City of Hornell to enter into agreement with the State of New York and through the Commissioner of Transportation to commit the City of Hornell to maintain at its own expense the highway lighting and pedestrian trail lighting on the above-identified project; and that such agreement provides that maintenance shall include the repair and replacement of equipment, energizing and the operation of such highway lighting and pedestrian trail lighting; and
4. BE IT FURTHER RESOLVED that the Clerk of this City is hereby directed to transmit electronically one (1) certified and sealed copy of the foregoing resolution to the State Department of Transportation addressed through:
Jesse.Charles@dot.ny.gov

NYSDOT
ATTN: Regional Utility Engineer; Jesse Charles
107 Broadway
Hornell, NY 14843

Clerk

Date

Carried – 9

Absent – 1 (Peck)