



# Champlain Hudson Power Express

## Appendix D- Route Resolutions

November 2019

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## **I. Town of Putnam**

### **Resolution No. 51 of 2018**

Resolution of the Putnam Town Board  
Washington County, New York 12861

March 8, 2018

14 Putnam Center Road  
Putnam, New York  
(518) 547-8317

WHEREAS, the Champlain Hudson Power Express, Inc. (CHPEI) is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States border with Canada to Queens, New York; and

WHEREAS, CHPEI has advised the Putnam Town Board that the Project will supply clean, renewable hydroelectricity to New York State; and

WHEREAS, CHPEI has advised the Putnam Town Board that the Project has received both State and Federal approvals to proceed with the project; and

WHEREAS the Project route was originally located under the waters of Lake Champlain (the "Water Route"), extending through lower Lake Champlain (the "Original Putnam Routing"); and

WHEREAS, for a variety of practical and environmental reasons intended to decrease environmental impacts and improve constructability, CHPEI has determined that a portion of the Project is better suited to bypass and leave the original Water Route and continue underground through a portion of the Town of Putnam and other communities ("Putnam Underground Route") before re-entering the Water Route at some point further south of the Town of Putnam; and

WHEREAS, CHPEI has developed an alternate, proposed Underground Route in which the route of the electric transmission equipment departs the



Water Route at the shoreline of Lake Champlain in the vicinity of County Route 3 in the Town of Putnam, then extending along County Route 3 for approximately one (1) mile, then turning south onto Lake Road, continuing for approximately two (2) miles, connecting with NYS Route 22 and continuing south approximately two (2) miles to the southern boundary of the Town of Putnam, continuing through the Town of Dresden and beyond; and

WHEREAS, the CHPEI advises the Town of Putnam that the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions, creating jobs, including local jobs during the Project's construction time; and

WHEREAS, CHPEI has indicated its intention to generate tax revenue, either directly or via allowable payment in lieu of taxes (PILOT), to the Town of Putnam, the Putnam Central School District and the County of Washington at such time the Project commences operation; and

WHEREAS; once construction of the Project commences, no services will be required of any Town of Putnam departments or from the Putnam Central School District; and

WHEREAS, CHPEI is seeking the endorsement of the Town of Putnam for the proposed alternate Putnam Underground Route; and

WHEREAS, CHPEI believes that endorsement of the alternate Putnam Underground Route by the Putnam Town Board is a key pre-requisite to obtaining all final Project permits and approvals from all authorities with jurisdiction over the Champlain Hudson Express Project;

NOW, THEREFORE BE IT RESOLVED,

1. The Town Board of the Town of Putnam has been advised by CHPEI about the general scope of the Champlain Hudson Express Project and the proposed alternate underground routing of electric transmission equipment through the Town of Putnam and beyond.



2. The Town Board of the Town of Putnam understands that the proposed alternate underground route for the Project's electric transmission equipment departs the original Water Route at the shoreline of Lake Champlain in the vicinity of County Route 3, extending along County Route 3 for approximately one (1) mile, then turning south onto Lake Road, continuing for approximately two (2) miles, connecting with NYS Route 22 and continuing south approximately two (2) miles to the southern boundary of the Town of Putnam, continuing through the Town of Dresden and beyond.
3. The Town Board of the Town of Putnam hereby consents to the proposed alternative underground routing so that CHPEI may seek and obtain any and all permits and approvals for the proposed alternate underground routing plan through the Town of Putnam for the Champlain Hudson Power Express Project, and once obtained to enter the Town of Putnam for the purpose of planning, laying down, constructing, installing, repairing and maintaining its wires, conductors, conduits, equipment and other fixtures in and under the streets, roads, public parks and other places located in the Town of Putnam, County of Washington, and State of New York in accordance with the requirements of any and all of CHPEI's plans, amended and revised plans; subject to all federal, state, county and local approvals, permits, and authority; and further subject to the jurisdiction of any other county or state government entity with jurisdiction or authority over, under and across the proposed alternate underground route.
4. The Town Board of the Town of Putnam hereby authorizes and directs the Putnam Town Clerk to forward a certified copy of this resolution to Transmission Developers, Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, New York 122907 to be included in the Champlain Hudson Power Express, Inc. application to amend its New York State





Certificate of Environmental Compatibility and Public Need and any other or further required applications for amendments to the Federal Permits for the alternate underground route described hereinabove for the Champlain Hudson Power Express Project.

5. The terms of this resolution of the Putnam Town Board shall take effect immediately.

The question of the adoption of the foregoing resolution was duly discussed and put to a roll call vote as follows:

Ayes: 5

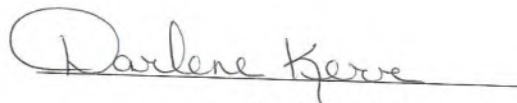
Nays: 0

Thereupon, the foregoing resolution was duly adopted.

Dated this 8th day of March, 2018.

I hereby certify that this Resolution was duly adopted by the Town Board of the Town of Putnam at the regular meeting of the Town Board conducted on March 8, 2018.

Seal



Darlene Kerr  
Putnam Town Clerk



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## II. Town of Dresden

DRESDEN, N.Y.  
WASHINGTON COUNTY



FROM THE DESK OF  
DRESDEN TOWN CLERK/ TAX COLLECTOR

Marcinda Wilbur  
1 Lillians Way  
Clemons, NY 12819  
Ph. 518-499-1813  
Fax 518-499-2763

September 9, 2018

Transmission Developers, Inc.  
The Pieter Schuyler Building  
600 Broadway St.  
Albany NY 12207

Dear Sirs:

Please find enclosed a certified copy of the approved resolution passed during the Town of Dresden Town Board Meeting held on August 13, 2018.

In accordance with paragraph #2, I have affixed the town seal and ascribed my signature to the foregoing document.

If there are any questions please don't hesitate to contact me during business hours at the number above.

Sincerely,

Marcinda Wilbur Dresden Town Clerk  
C/c Supervisor P. Ferguson

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**TOWN BOARD OF THE TOWN OF DRESDEN  
COUNTY OF WASHINGTON, STATE OF NEW YORK**

Resolution No. 15 of 2018

Adopted August 13, 2018

Introduced by Councilman Greenough  
Who moved its adoption

Seconded by Councilman Raymond

**Resolution adopting Champlain Hudson Power Express Project, Inc. Alternative Routing in the  
Town of Dresden, New York**

**WHEREAS**, CHPEI is developing the Champlain Hudson Power Express Project ("the Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York; and

**WHEREAS**, the Project will supply clean, renewable hydroelectricity to New York State; and

**WHEREAS**, the State and Federally-approved Project route was originally located underwater in lower Lake Champlain (the Water Route") (the Original Dresden Routing"); and

**WHEREAS**, Champlain Hudson Power Express, Inc. ("CHPEI") has discussed the project with the Town of Dresden ("Dresden Host Community"), as the Project will be located within this community;

**WHEREAS**, the Original Dresden Routing led CHPEI to develop an alternative routing (the New Dresden Routing") in the Town of Dresden, NY that departs the Water Route in the Town of Dresden, NY and travels underground along County Route 22 for approximately two miles longer than the Original Dresden Routing; and

**WHEREAS**, the New Dresden Routing is proposed with a view towards decreasing environmental impact and increasing constructability; and

**WHEREAS**, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and jobs, including local jobs during the Project's construction; and

**WHEREAS**, in recognition that CHPEI will generate tax revenue to Washington County, the Town of Dresden, and the Whitehall School District once the project commences operation; and

**WHEREAS**, once the project commences operation it will not require ongoing services of Town departments or local schools; and

**WHEREAS**, CHPEI desires that the Town of Dresden endorse the Project and the New Dresden Routing within the Town of Dresden; and

**WHEREAS**, CHPEI believes that the Town of Dresden endorsement is a key prerequisite to obtaining all final Project permits and approvals;



**NOW, THEREFORE, IT BE RESOLVED,**

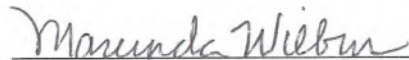
1. That the Town Board of the Town of Dresden is fully familiar with the Project, including the scope of the work to be performed by CHPEI within the Town of Dresden in furtherance of the Project.
2. That, the Town Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers, Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
3. That the Town Board of the Town of Dresden hereby grants its consent to CHPEI in accordance with section 11 of New York's Transportation Corporations Law to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and places in the Town of Dresden in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.
4. This resolution shall take effect immediately.

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

Councilman Barber	Aye
Councilman Wilbur	Aye
Councilman Greenough	Aye
Councilman Raymond	Aye

The foregoing resolution was thereupon declared duly adopted the 13<sup>th</sup> day of August, 2018.

(Seal)

  
Marcinda Wilbur Dresden Town Clerk

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### III. Town of Whitehall

#### TOWN OF WHITEHALL

57 Skenesborough Drive  
Whitehall, NY 12887  
Phone : (518) 499-1535 Fax : (518) 499-1546  
Email: townofwhitehall@live.com  
Supervisor, John Rozell

Councilperson, Christopher Dudley Sr.

Councilperson, Timothy Kingsley

Town Clerk, Julie Millett

Councilperson, David Hollister

Councilperson, Stephanie Safka

#### RESOLUTION # 33

Motion made by Councilperson Hollister

Seconded by Councilperson Safka

**WHEREAS**, CHPEI is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current (HVDC) electric transmission facility extending from the United States' border with Canada to Queens, New York; and

**WHEREAS**, the Project will supply clean, renewable hydroelectricity to New York State; and

**WHEREAS**, the State and Federally-approved Project route within the Town of Whitehall, NY originally included approximately 4.7 miles located on right-of-way property owned by Canadian Pacific Railway (the "Rail ROW") (the Original Whitehall Routing); and

**WHEREAS**, Champlain Hudson Power Express, Inc. ("CHPEI") has discussed the project extensively with the Town of Whitehall ("Whitehall Host Community"), as the Project will be located within this community; and

**WHEREAS**, the Original Whitehall Routing led CHPEI to develop an alternative routing (the "New Whitehall Routing") to include the Rail ROW until it diverts to Old North Route 4 for approximately 0.2 miles to the southern Town of Whitehall boundary where it then continues in the Town of Fort Ann; and

**WHEREAS**, the New Whitehall Routing is proposed with a view towards decreasing environmental, and community impacts and increasing constructability; and

**WHEREAS**, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and jobs, including local jobs during the Project's construction; and

**WHEREAS**, in recognition that CHPEI will generate tax revenue to Washington County, the Town of Whitehall and the Whitehall Central School District once the project commences operation; and

**WHEREAS**, once the project commences operation it will not require ongoing services of Town departments or local schools; and

**WHEREAS**, CHPEI desires that the Town of Whitehall endorse the Project and the New Whitehall Routing within the Town of Whitehall; and

**WHEREAS**, CHPEI believes that the Town of Whitehall endorsement is an essential prerequisite to obtaining all final Project permits and approvals; and

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Town Board of the Town of Whitehall is fully familiar with the Project, including the scope of the work to be performed by CHPEI within the Town of Whitehall in furtherance of the Project.
2. That, the Town Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
3. That the Town Board of the Town of Whitehall hereby grants its consent to CHPEI in accordance with section 11 of New York's Transportation Corporations Law to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and places in the Town of Whitehall in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.
4. This Resolution shall take effect immediately.

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

Supervisor John Rozell, aye

Councilperson Stephanie Safka, aye

Councilperson David Hollister, aye

Councilperson Timothy Kingsley, aye

Councilperson Christopher Dudley Sr., aye

The foregoing resolution was thereupon declared duly adopted.

#### CERTIFICATION

I, Julie Millett, the duly qualified and acting Town Clerk of the Town of Whitehall, New York, do hereby certify that the preceding Resolution was duly adopted at a regular meeting of the Town of Whitehall held on March 21, 2018 that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand affixed the seal of the Town of Whitehall, NY this 21<sup>st</sup> day of March, 2018.

DATED: March 21, 2018

Whitehall, New York

Julie A. Millett

Town Clerk of the Town of Whitehall

Washington County, New York





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## IV. Town of Fort Ann

### TOWN BOARD OF THE TOWN OF FORT ANN COUNTY OF WASHINGTON, STATE OF NEW YORK

RESOLUTION NUMBER 61 OF 2018  
Adopted March 12, 2018

Introduced by COUNCILMAN HALL who moved its adoption  
Seconded by COUNCILWOMAN WITHERELL

#### RESOLUTION TO SUPPORT CHAMPLAIN HUDSON POWER EXPRESS PROJECT

WHEREAS, CHPEI is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the Project will supply clean, renewable hydroelectricity to New York State; and

WHEREAS, the State and Federally-approved Project route within the Town of Fort Ann, NY originally included approximately 6.6 miles located on right-of-way property owned by Canadian Pacific Railway (the "Rail ROW") (the "Original Fort Ann Routing"); and

WHEREAS, Champlain Hudson Power Express, Inc. ("CHPEI") has discussed the project extensively with the Town of Fort Ann ("Fort Ann Host Community"), as the Project will be located within this community; and

WHEREAS, the Original Fort Ann Routing led CHPEI to develop an alternative routing (the "New Fort Ann Routing") along Old North Route 4 and Old South Route 4 for approximately 3.1 miles from the Towns of Whitehall and Fort Ann boundary to its southern end where it then connects with the Rail ROW for approximately 3.5 miles; and

WHEREAS, the New Fort Ann Routing is proposed with a view towards decreasing environmental, and community impacts and increasing constructability; and



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WHEREAS, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and jobs, including local jobs during the Project's construction; and

WHEREAS, in recognition that CHPEI will generate tax revenue to Washington County, the Town of Fort Ann and the Fort Ann Central School District once the project commences operation; and

WHEREAS, once the project commences operation it will not require ongoing services of Town departments or local schools; and

WHEREAS, CHPEI desires that the Town of Fort Ann endorse the Project and the New Fort Ann Routing within the Town of Fort Ann; and

WHEREAS, CHPEI believes that the Town of Fort Ann endorsement is an essential prerequisite to obtaining all final Project permits and approvals;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Town Board of the Town of Fort Ann is fully familiar with the Project, including the scope of the work to be performed by CHPEI within the Town of Fort Ann in furtherance of the Project.
2. That, the Town Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
3. That the Town Board of the Town of Fort Ann hereby grants its consent to CHPEI in accordance with section 11 of New York's Transportation Corporations Law to

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lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and places in the Town of Fort Ann in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.

4. This Resolution shall take effect immediately.

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

Councilman Fletcher - AYE  
Councilwoman Stark - AYE  
Councilman Hall – AYE  
Councilwoman Witherell – AYE  
Supervisor Moore - AYE

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## V. Town of Glenville

Sponsored by: Christopher A. Koetzle, Town Supervisor  
Submitted by: Michael R. Cuevas, Attorney for the Town

### **RESOLUTION NO. 108-2019**

**Moved by:** Councilwoman Wierzbowski  
**Seconded by:** Councilman Godlewski

**WHEREAS**, Champlain Hudson Power Express, Inc. ("CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York; and

**WHEREAS**, the Project will supply clean, renewable hydroelectricity to New York State; and

**WHEREAS**, the State and Federally-approved Project route within the Town of Glenville originally included approximately 3 miles located on right-of-way property owned by CSX Transportation (the "Rail ROW ") (the "Initial Leg of the Original Town of Schenectady Routing"); and

**WHEREAS**, Champlain Hudson Power Express, Inc. ("CHPEI") has discussed the project extensively with the Town of Glenville ("Glenville Host Community"), as the Project will be located within this community; and

**WHEREAS**, the Initial Leg of the Original Town of Schenectady Routing led CHPEI to develop an alternative routing (the "New Pan Am Railroad Routing") along approximately 5.9 miles located on right-of-way property owned by Pan Am Railroad within the Town of Glenville (Route) bordered between Maple Avenue on the Northeast; and Amsterdam Road, on the Southwest portion of the Town.

**WHEREAS**, the New Pan Am Railroad Routing is proposed with a view towards decreasing environmental, and community impacts and increasing constructability; and

**WHEREAS**, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and jobs, including local jobs during the Project's construction; and

**WHEREAS**, in recognition that CHPEI will generate tax revenue to Schenectady County, the Town and Scotia Glenville Central School District once the project commences operation; and

**WHEREAS**, by a letter agreement to be fully executed as of this date, CHPEI has committed to the funding up to a not to exceed amount as a part of its construction program of certain pedestrian improvements (the "Letter Agreement"); and

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**WHEREAS,** once the project commences operation it will not require ongoing services of Town (Village) departments or local schools; and

**WHEREAS,** CHPEI desires that the Town of Glenville endorse the Project and the New Pan Am Railroad Routing within the Town of Glenville and

**WHEREAS,** CHPEI believes that the Town of Glenville endorsement is an essential prerequisite to obtaining all final Project permits and approvals;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Town Board of the Town of Glenville is fully familiar with and supportive of the Project, including the scope of the work to be performed by CHPEI within the Town of Glenville in furtherance of the Project.
2. That the Town Board of the Town of Glenville directs the Supervisor to execute the Letter Agreement and deliver a copy to the appropriate CHPEI representative.
3. That, the Town Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
4. That the Town Board of the Town of Glenville hereby grants its consent to CHPEI in accordance with section 11 of New York's Transportation Corporations Law to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and places in the Town of Glenville in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.
5. This Resolution shall take effect immediately.

**Ayes:** Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Pytlovany

**Abstentions:** None

**Motion Carried**

Town Board decision on June 12, 2019 (spec. mtg.)

This is a certified copy of the  
original document filed in the  
Office of the Town Clerk of the  
Town of Glenville, New York.  
*Julie Schuyler* 6/26/2019  
Rep. Town Clerk Date

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## VI. Village of Scotia

### RESOLUTION

MOVED by Trustee Rizzo, seconded by Trustee Tiberio that

WHEREAS, CHPEI is developing the Champlain Hudson Power Express Project (the “Project”), a 1,000 MW underground and underwater high voltage, direct current (“HVDC”) electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

WHEREAS, the Project will supply clean, renewable hydroelectricity to New York State; and

WHEREAS, the State and Federally-approved Project route bypassed the Village of Scotia, NY (the “Original Project Routing”) travelling through the Erie Boulevard corridor in Schenectady, NY (“Erie Boulevard Corridor”); and

WHEREAS, Champlain Hudson Power Express, Inc. (“CHPEI”) has discussed the project extensively with the Village of Scotia (“Scotia Host Community”), as the Project will be located within this community; and

WHEREAS, the Original Project Routing led CHPEI to develop an alternative routing (the “New Scotia Routing”) along the Pan Am Railway through the Village of Scotia for approximately 1.2 miles due to recent development of the Erie Boulevard Corridor; and

WHEREAS, the New Scotia Routing is proposed with a view towards decreasing environmental, and community impacts and increasing constructability; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and jobs, including local jobs during the Project’s construction; and



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WHEREAS, in recognition that CHPEI will generate tax revenue to Schenectady County, the Village of Scotia and the Scotia-Glenville Central School District once the project commences operation; and

WHEREAS, once the project commences operation it will not require ongoing services of Village departments or local schools; and

WHEREAS, CHPEI desires that the Village of Scotia endorse the Project and the New Scotia Routing within the Village of Scotia; and

WHEREAS, CHPEI believes that the Village of Scotia endorsement is an essential prerequisite to obtaining all final Project permits and approvals;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Village Board of Trustees of the Village of Scotia is fully familiar with the Project, including the scope of the work to be performed by CHPEI within the Village of Scotia in furtherance of the Project.
2. That, the Village Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
3. That the Village Board of Trustees of the Village of Scotia hereby grants its consent to CHPEI in accordance with section 11 of New York's Transportation Corporations Law to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and places

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in the Village of Scotia in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.

4. This Resolution shall take effect immediately.

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

Aye: Trustee Gifford, Mathes, Rizzo, Tiberio and Mayor Kastberg  
Nay: None

The foregoing resolution was thereupon declared duly adopted.

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I, MARIA SCHMITZ, Village Clerk of the Village of Scotia, NY **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Village Board of Trustees of the Village of Scotia at a regular meeting of the Board of Trustees duly called and held on the 11<sup>th</sup> day of APRIL, 2018; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

**I FURTHER CERTIFY** that all members of said Board of Trustees had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Village of Scotia, NY this 12<sup>th</sup> day of APRIL, 2018.

**DATED:** APRIL 12, 2018  
Scotia, New York

Maria Schmitz

Village Clerk of the Village of Scotia  
Schenectady County, New York

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## VII. Town of Rotterdam

### RESOLUTION NO. 143.18

**WHEREAS**, Champlain Hudson Power Express, Inc. ("CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York; and

**WHEREAS**, the Project will supply clean, renewable hydroelectricity to New York State; and

**WHEREAS**, the State and Federally-approved Project route within the Town of Rotterdam, NY originally included approximately 4.7 miles located on right-of-way property owned by Canadian Pacific and CSX Railways (the "Rail ROW") (the "Original Rotterdam Routing"); and

**WHEREAS**, CHPEI has discussed the project extensively with the Town of Rotterdam, as the Project will be located within this community; and

**WHEREAS**, the Original Rotterdam Routing led CHPEI to develop an alternative routing (the "New Rotterdam Routing") along the CSX Railway for approximately 7.0 miles, beginning at the boundary between the Towns of Glenville and Rotterdam where it then proceeds south through the Town along the railroad; and

**WHEREAS**, the New Rotterdam Routing is proposed with a view towards decreasing environmental, and community impacts and increasing constructability; and

**WHEREAS**, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and jobs, including local jobs during the Project's construction; and

**WHEREAS**, in recognition that CHPEI will generate tax revenue to Schenectady County, the Town of Rotterdam and the Schalmont Central School District once the project commences operation; and

**WHEREAS**, once the project commences operation it will not require ongoing services of the Town of Rotterdam or Schalmont Central School District; and

**WHEREAS**, CHPEI desires that the Town of Rotterdam endorse the Project and the New Rotterdam Routing within the Town of Rotterdam; and

**WHEREAS**, CHPEI believes that the Town of Rotterdam endorsement is an essential prerequisite to obtaining all final Project permits and approvals; **NOW**

**THEREFORE, UPON MOTION OF** Councilmember CHRISTOU, seconded by Councilmember SIGNORE,

### **BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS**

**SECTION 1.** The Town Board of the Town of Rotterdam is fully familiar with the Project, including the scope of the work to be performed by Champlain Hudson Power Express, Inc. ("CHPEI") within the Town of Rotterdam in furtherance of the Project.

4/25/2018

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**SECTION 2.** The Town Board of the Town of Rotterdam is fully familiar with the Project, including the scope of the work to be performed by Champlain Hudson Power Express, Inc. ("CHPEI") within the Town of Rotterdam in furtherance of the Project.

**SECTION 3.** The Town Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.

**SECTION 4.** The Town Board of the Town of Rotterdam hereby endorses the New Rotterdam Routing.

**SECTION 5.** The Town Board of the Town of Rotterdam hereby grants consent to CHPEI in accordance with Section 11 of New York's Transportation Corporations Law to lay down, construct and maintain its wires, conductors, conduits and other fixtures in and under the streets, avenues, public parks and places in the Town of Rotterdam in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.

**SECTION 6.** This resolution shall become effective April 25, 2018.

**DATED:** April 25, 2018

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

4/25/2018

16



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## VIII. Town of Bethlehem

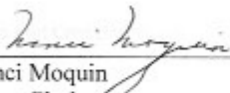
STATE OF NEW YORK )  
COUNTY OF ALBANY ) SS:  
TOWN OF BETHLEHEM)

I, Nanci Moquin, Town Clerk of the Town of Bethlehem, Albany County, New York DO HEREBY CERTIFY as follows:

The attached copy of Resolution # 2019-16 is a true and correct copy of the original resolution approved by the Town Board at the Town Board meeting held on June 12, 2019.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 26th day of June, 2019.



  
Nanci Moquin  
Town Clerk

**Resolution # 2019-16**

**TOWN BOARD  
TOWN OF BETHLEHEM  
ALBANY COUNTY, NEW YORK**

**Resolution on Champlain Hudson Power Express Project - New Bethlehem Routing**

WHEREAS, Champlain Hudson Power Express, Inc. ("CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, the State and Federally-approved Project route within the Town of Bethlehem originally included approximately 3.2 miles located on right-of-way property owned by CSX Transportation, Inc. (CSXT) (the "Original Bethlehem Routing"); and

WHEREAS, the Original Bethlehem Routing led CHPEI to develop an alternative routing (the "New Bethlehem Routing") along approximately 3.3 miles within the Town of Bethlehem, commencing at Feura Bush Road, turning into West Yard Road, continuing to the end of West Yard Road, crossing a CSXT abandoned rail spur to connect onto South Albany Road, then continuing on this route which changes to Bell Crossing Road before becoming Route 54, and finally returning to the CSXT Railroad Right of Way via a private easement; and

WHEREAS, once the project commences operation it will not require ongoing services of the Town of Bethlehem departments or local schools; and

WHEREAS, CHPEI desires that the Town of Bethlehem endorse the Project and the New Bethlehem Routing within the Town of Bethlehem.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Town Board of the Town of Bethlehem is familiar with the Project and has no objections to the New Bethlehem Routing, including the scope of the work to be performed by

CHPEI within the Town of Bethlehem in furtherance of the Project.

2. That, the Town Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.

3. This Resolution shall take effect immediately.

On a motion by Councilman Foster, seconded by Councilman Coffey and a vote of 3 for and 2 against, and 0 absent, this RESOLUTION was adopted on June 12, 2019.

The attached copy of Resolution # 2019-10 is a  
original resolution approved by the Town Board at their June 12, 2019  
June 12, 2019

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## IX. Village of Catskill

### RESOLUTION

WHEREAS, CHPEI is developing the Champlain Hudson Power Express Project (the “Project”), a 1,000 MW underground and underwater high voltage, direct current (“HVDC”) electric transmission facility extending from the United States’ border with Canada to Queens, New York; and

WHEREAS, the Project will supply clean, renewable hydroelectricity to New York State; and

WHEREAS, the State and Federally-approved Project route within the Village of Catskill originally included approximately 0.65 miles located on right-of-way property owned by CSX (the “Rail ROW”) (the “Original Catskill Routing”);

WHEREAS, Champlain Hudson Power Express, Inc. (“CHPEI”) has discussed the project extensively with the Village of Catskill (“Catskill Host Community”), as the Project will be located within this community; and

WHEREAS, the Original Catskill Routing led CHPEI to develop an alternative routing (the “New Catskill Routing”) along approximately 0.24 miles along Allen Street, 0.01 miles on Village Land adjacent to Catskill Creek, 0.02 miles at the West Main Street crossing and 0.01 miles at the Willow Lane crossing, all properties of the Village of Catskill.

WHEREAS, the New Catskill Routing is proposed with a view towards decreasing environmental, and community impacts and increasing constructability; and

WHEREAS, the Project will provide significant economic and environmental benefits to New York State in the form of lower electric rates, by reducing greenhouse gas emissions and providing for jobs, including local jobs during the Project’s construction; and

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WHEREAS, in recognition that CHPEI will generate tax revenue to Greene County, the Town and Village of Catskill and the Catskill Central School District once the project commences operation; and

WHEREAS, once the project commences operation it will not require ongoing services of the Village of Catskill departments or local schools; and

WHEREAS, CHPEI desires that the Village of Catskill endorse the Project and the New Catskill Routing, with the possibility of additional minor changes, within the Village of Catskill; and

WHEREAS, CHPEI believes that the Village of Catskill endorsement is an essential prerequisite to obtaining all final Project permits and approvals;

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the Village Board of the Village of Catskill is fully familiar with and supportive of the Project, including the scope of the work to be performed by CHPEI within the Village of Catskill in furtherance of the Project.
2. That, the Village Clerk is hereby directed to forward a certified copy of this approved resolution to Transmission Developers Inc. at The Pieter Schuyler Building, 600 Broadway, Albany, NY 12207 for inclusion with CHPEI's application for amendment to its New York State Certificate of Environmental Compatibility and Public Need and any required applications for amendments to the Project's Federal Permits.
3. That the Board of Trustees of the Village of Catskill hereby grants its consent to CHPEI in accordance with section 11 of New York's Transportation Corporations Law to lay down, construct and maintain its wires, conductors, conduits and other



fixtures in and under the streets, avenues, public parks and places in the Village of Catskill in accordance with the requirements of CHPEI's Article VII Certificate, as amended and in effect from time to time.

4. This Resolution shall take effect immediately.

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

	Aye	Nay
President: Vincent Seeley	✓	
Trustees: Stanley Dushane	✓	
Joseph Kozloski	✓	
Peter Grasse	✓	
Greg Smith	✓	

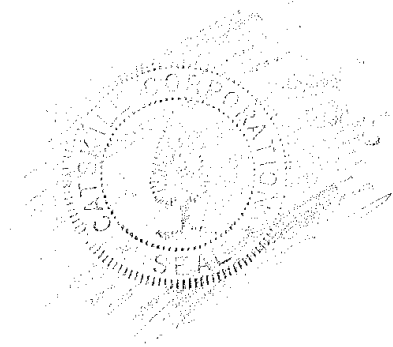
The foregoing resolution was thereupon declared duly adopted.

I, Betsy Cothren, Village Clerk of the Village of Catskill, NY, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Village Board of the Village of Catskill at a regular meeting of the Board duly called and held on the 25<sup>th</sup> day of July, 2018; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

**I FURTHER CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Village of Catskill, this 26<sup>th</sup> day of July, 2018.

**DATED:** July 26, 2018  
Catskill, New York



A handwritten signature in cursive script, appearing to read "Betsy Cothren", is written over a horizontal line.

Village Clerk of the Village of Catskill  
Greene County, New York

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## X. Town of Stony Point

### **MOU CHAMPLAIN HUDSON POWER EXPRESS**

A motion was made by Supervisor Monaghan, seconded by Councilman White and **unanimously carried by a voice vote of all board members present, with Councilman Basile voting no** to approve the Memorandum of Understanding for the Champlain Hudson Power Express as submitted.

### **MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding (the "MOU") effective as of January 1, 2017 by and among Champlain Hudson Power Express, Inc. ("CHPEI"), the Town of Clarkstown, the Town of Haverstraw, the Village of Haverstraw, the Village of West Haverstraw, and the Town of Stony Point (the "Rockland Host Communities") in Rockland County, New York State (each a "Party", and collectively the "Parties")

### **WITNESSETH THAT**

WHEREAS, CHPEI is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current ("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York;

WHEREAS, CHPEI is in receipt of all federal and state siting approvals necessary in order to authorize the construction and operation of the Project, namely, a Presidential Permit issued by the U.S. Department of Energy, a permit issued by the U.S. Army Corps of Engineers, and a Certificate of Environmental Compatibility and Public Need issued by the New York State Public Service Commission (the "Article VII Certificate");

WHEREAS, the Project route within Rockland County, as approved by the Article VII Certificate, includes approximately 5.5 miles located on right-of-way property owned by CSX Transportation, Inc. (the "Rail ROW") and approximately 0.5 miles on U.S. Route 9W in the Town of Clarkstown (the "Original Rockland Routing");

WHEREAS, feedback from the local community with regard to the Original Rockland Routing has led CHPEI to develop an alternative routing (the "New Rockland Routing") that will increase the Project route mileage along U.S. Route 9W to a total of approximately 7.1 miles, with an additional 1.1 miles on other incidental parcels of property and Park Road in Stony Point as such alternative routing is shown in the attached Exhibit "A";

WHEREAS, the New Rockland Routing eliminates reliance on the Rail ROW, with a view towards decreasing environmental, historical, and community impacts and increasing constructability;

WHEREAS, the New Rockland Routing extends along U.S. Route 9W northwards from the Town of Clarkstown through the Villages of West Haverstraw and Haverstraw and the Town of Stony Point;

WHEREAS, making the New Rockland Routing part of the Project design will entail seeking and obtaining an amendment to the Article VII Certificate, and, potentially, amendments to the Project's federal siting approvals (the "Federal Permits");

WHEREAS, CHPEI, the Rockland Host Communities, and engineers and consultants advising or employed by the Rockland Host Communities have reviewed the New Rockland Routing substantially in the form that CHPEI intends to submit to the New York State Public Service Commission (the "PSC") as part of its application for a modification of the Article VII Certificate (the "PSC Application") and, potentially, to the U.S. Department of Energy and the U.S. Army Corps of Engineers as part of applications for amendments to the Federal Permits;

WHEREAS, CHPEI anticipates applying to the Rockland County Industrial Development Agency (the "Rockland IDA") for the financial certainty afforded qualifying projects pursuant to Title 1 of Article 18-A of the New York State General Municipal Law, and, in particular, for a Payment In Lieu of Taxes Agreement, which will ensure that a mutually-agreed to and predictable stream of annual revenue is paid by CHPEI to the Rockland Host Communities and the relevant school districts (the "IDA Application");

WHEREAS, CHPEI believes that endorsement of the Project and the New Rockland Routing by the legislative bodies of the Rockland Host Communities is an

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essential prerequisite to filing the PSC Application, the IDA Application, and applications for amendments to the Federal Permits;

WHEREAS, CHPEI intends to file the PSC Application in early 2018 and the IDA Application sometime thereafter with on-the-record support from the Rockland Host Communities as provided for herein;

WHEREAS, CHPEI acknowledges that the New Rockland Routing will entail installing the Project cables in local roads and in a state highway that serves as a primary transportation artery extending through a particularly dense and diverse urban and suburban landscape, and such installation will cause temporary disruptions and inconveniences to citizens and businesses;

WHEREAS, recognizing the distinct character of these disruptions and inconveniences, CHPEI has developed a program of community benefits, including \$9 million in streetscape improvements (the "Streetscape Funding") and a Haverstraw Bay Community Benefit Fund in the amount of \$22 million to support capital projects within the Rockland Host Communities (the "Fund");

WHEREAS, specific details regarding the Fund, the Streetscape Funding, and the real property taxes (collectively, the "Benefits Package") to be paid by CHPEI to the Rockland Host Communities and the relevant school districts have been assembled and are set forth in a written proposal, which is attached hereto as Exhibit "B";

WHEREAS, CHPEI is prepared to publicly release the details of the Benefits Package and include it in the PSC Application, with a recommendation that it be incorporated into the terms and conditions of the revised Article VII Certificate;

WHEREAS, the Rockland Host Communities are prepared to publicly announce their support for the Project (including for the New Rockland Routing); and

WHEREAS, the legislative bodies of the Rockland Host Communities have approved the terms of this MOU and have authorized and directed their chief executive officers to subscribe on their behalfs to this MOU;

NOW, THEREFORE, in consideration of the foregoing, the terms stated below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. PUBLIC ANNOUNCEMENT

As soon as possible following execution of this MOU, the Parties will agree upon a joint public statement regarding execution of the MOU. This statement will include expressions of support for the Project (including for the New Rockland Routing) from the Rockland Host Communities and will announce CHPEI's offer of the Benefits Package. The Parties believe that time is of the essence with respect to release of this statement, and they intend to begin work on the text as soon as practicable after this MOU has been signed by all of the Parties.

2. FOLLOW-UP ACTIVITIES

The Parties will cooperate in good faith with respect to implementation of the Benefits Package and preparation and filing of the PSC Application and the IDA Application. Furthermore, in the event that CHPEI determines to file any applications for amendments to the Federal Permits in connection with the New Rockland Routing, the Rockland Host Communities will indicate their on-the-record support for any such applications in a timely manner.

3. CONDITION PRECEDENT

The Parties understand and agree that implementation of the Benefits Package is contingent upon CHPEI undertaking the multi-year Project construction phase, after securing all necessary permits and approvals, including, without limitation, a revised Article VII Certificate approving the New Rockland Routing; obtaining full debt and equity funding for all of the costs of Project construction; and advancing to commercial operations on a timeline that substantially conforms to the anticipated development schedule, which currently calls for construction to commence by 2019. Furthermore, the Parties understand and agree that 50% of the Fund will be made available at the time of the completion of the Project's construction funding (the "First Fund Installment") and the remaining 50% will be made available at the time of initiation of Project commercial operations (the "Second Fund Installment"). The Streetscape Funding will be disbursed during the Project construction period pursuant to agreed-upon protocols, but in no event will any disbursement occur earlier than the date upon which the First Fund Installment is made available. For the purposes of this MOU, "completion of the



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Project's construction funding" will be deemed to have occurred as of the date upon which funds sufficient to satisfy all anticipated costs of Project construction have been made available to CHPEI through the securing of equity and debt investments in CHPEI for that purpose and "initiation of Project commercial operations" will be deemed to have occurred as of the date upon which testing and commissioning of the Project is completed, the New York Independent System Operator has been advised of the energizing of the Project, and the first transmission of supply pursuant to a commercial arrangement with a customer or customers has taken place.

4. HANDLING OF AMOUNTS DEPOSITED IN AND EFFECT OF SUSPENSION OF PROJECT DEVELOPMENT ON THE FUND

The Rockland County Host Communities will have discretion regarding the disbursement of their allocable portions of the Fund and the Streetscape Funding, consistent with applicable law and the Benefits Package itself. Neither the First Fund Installment nor the Second Fund Installment shall be refundable. Similarly, disbursed Streetscape Funding shall not be refundable.

5. CONSTRUCTION PERIOD PROTOCOLS

In the preparation and execution of its Project construction program in the Rockland Host Communities, CHPEI will take into account local conditions and appropriately mitigate disruptions and inconveniences to the greatest possible extent.

6. CONSENT TO USE AND OCCUPANCY

To the extent that any of the Rockland Host Communities are the actual owners of any lands, rights-of-way, or other property interests upon which the New Rockland Routing is located, such municipal body hereby consents to the use and occupancy of such lands by CHPEI and the Project.

7. FURTHER ASSURANCES

The Parties agree that they will, at any time and/or from time to time and upon request, do, execute, acknowledge and deliver, or will cause to be done, executed, acknowledged and delivered, all such further acts, instruments, documents, forms, certificates, and assurances as may reasonably be required for the accomplishment of the purposes of the Parties as set forth in this MOU.

GENERAL PROVISIONS

A. ASSIGNMENT

No Party may assign this MOU without the prior written consent of the other Party, which consent shall not unreasonably be withheld, delayed, or conditioned.

B. GOVERNING LAW AND FORUM

This MOU shall be governed by and construed in accordance with the laws of the State of New York, without regard to the conflict of laws principles thereof, and the Parties irrevocably consent to the exclusive jurisdiction of the courts of the State of New York.

D. AMENDMENTS

No change or modification of this MOU shall be valid unless it is in writing and signed by each and every Party hereto.

E. NO PARTNERSHIP OR AGENCY RELATIONSHIP

Notwithstanding any other provision contained herein, this MOU shall not constitute, create, or imply any partnership, joint venture, agency, or fiduciary relationship between the Parties.

F. COSTS

Each Party shall bear its own costs and expenses in connection with all matters relating to this MOU, including, without limitation, the costs and expenses of its legal and other advisors and internal costs and expenses.

G. LIMITATION OF LIABILITY

Under no circumstances shall a Party or any of their respective officers, directors, members, partners, shareholders, employees, agents, or affiliates be liable for: consequential, incidental, or indirect damages; lost profits or opportunities; increased cost of capital; loss of income, revenue, or use; or other business interruption costs, losses, or damages, regardless of whether the same: arise out of statute or operation of law; sound in tort, contract, or otherwise; or relate to or are the result of any performance, mis-performance, or non-performance of any activity contemplated by this MOU.

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IN WITNESS WHEREOF, the Parties have executed this MOU by affixing the signatures of the undersigned duly authorized representatives as of the date appearing in the spaces indicated.

**Champlain Hudson Power Express, Inc.**

**EXECUTIVE SESSION**

At 7:30 pm a motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to adjourn into executive session to discuss personnel matters regarding Parks & Recreation. No further votes will be taken.

**ADJOURN**

The January 23, 2018 Stony Point Town Board meeting adjourned at 7:45pm and no additional votes were taken.

Respectfully submitted

Joan Skinner, Town Clerk

## XI. Town of Haverstraw

24. MEMORANDUM OF UNDERSTANDING WITH CHAMPLAIN HUDSON  
POWER EXPRESS, INC.

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW  
DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO A  
MEMORANDUM OF UNDERSTANDING WITH CHAMPLAIN HUDSON POWER  
EXPRESS, INC. IN REGARD TO THE PROPOSED ELECTRIC TRANSMISSION  
FACILITY ALONG ROUTE 9W.

HAVERSTRAW TOWN BOARD  
JANUARY 22, 2018

STATE OF NEW YORK     }  
ROCKLAND COUNTY     } ss:  
TOWN OF HAVERSTRAW }

I, Raquel Ventura, Clerk of said Town of Haverstraw, County of Rockland, hereby certify that I have compared the foregoing resolution of the Town Board, January 22, 2018, with the original now on file in said office, and find the same to be a true and correct transcript therefrom and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Haverstraw, this 5<sup>th</sup> day of April 2018

*Raquel Ventura*.....Town Clerk

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## **XII. Village of West Haverstraw**

### **RESOLUTION AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING WITH CHAMPLAIN HUDSON POWER EXPRESS, INC.**

**WHEREAS**, Champlain Hudson Power Express, Inc. ("CHPEI") is developing the Champlain Hudson Power Express Project (the "Project"), a 1,000 MW underground and underwater high voltage, direct current

("HVDC") electric transmission facility extending from the United States' border with Canada to Queens, New York; and

**WHEREAS**, CHPEI has represented that is in receipt of all federal and state siting approvals necessary in order to authorize the construction and operation of the Project, subject to amendments made necessary by recent changes to the project route within Rockland County (the "New Rockland Routing") intended to decrease environmental, historical, and community impacts and increase constructability, namely, a Presidential Permit issued by the U.S. Department of Energy, a permit issued by the U.S. Army Corps of Engineers, and a Certificate of Environmental Compatibility and Public Need issued by the New York State Public Service Commission (the "Article VII Certificate"); and

**WHEREAS**, the New Rockland Routing, as approved by the Article VII Certificate, includes approximately 7.1 miles on U.S. Route 9W in Rockland County, of which approximately .9 mile lies within the Village of West Haverstraw; and

**WHEREAS**, CHPEI anticipates applying to the Rockland County Industrial Development Agency (the "Rockland IDA") for the financial certainty afforded qualifying projects pursuant to Title 1 of Article 18-A of the New York State General Municipal Law, and, in particular, for a Payment In Lieu of Taxes Agreement, which will ensure that a mutually-agreed to and predictable stream of annual revenue is paid by CHPEI to the Rockland communities impacted by the project (the "Rockland Host Communities") and the relevant school districts; and

**WHEREAS**, CHPEI believes that endorsement of the Project and the New Rockland Routing by the legislative bodies of the Rockland Host Communities is an essential prerequisite to filing the PSC Application, the IDA Application, and applications for amendments to the Federal Permits; and

**WHEREAS**, CHPEI acknowledges that the New Rockland Routing will entail installing the Project cables in local roads and in a state highway that serves as a primary transportation artery extending through a particularly dense and diverse urban and suburban landscape, and such installation will cause temporary disruptions and inconveniences to citizens and businesses; and

**WHEREAS**, recognizing the distinct character of these disruptions and inconveniences, CHPEI has developed a program of community benefits, including \$9 million in streetscape improvements (the "Streetscape Funding") and a Haverstraw Bay Community Benefit Fund in

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the amount of \$22 million to support capital projects within the Rockland Host Communities (the “Fund”); and

**WHEREAS**, specific details regarding the Fund, the Streetscape Funding, and the real property taxes (collectively, the “Benefits Package”) to be paid by CHPEI to the Rockland Host Communities and the relevant school districts have been assembled and are set forth in a written Memorandum of Understanding between and amongst the parties; and

**WHEREAS**, CHPEI is prepared to publicly release the details of the Benefits Package which includes benefits to the Village of West Haverstraw totaling \$4,728,572, and estimated annual tax revenues of approximately \$95,000; and

**WHEREAS**, the Village Board has reviewed the material terms of the MOU, and, subject to final review and approval by the Village Attorney with respect to form and legality, supports its execution,

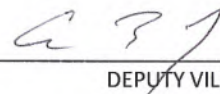
**NOW, THEREFORE**, in consideration of the foregoing, the Village Board hereby expresses its support for the Project, and approves MOU, subject to final review by the Village Attorney as to form and legality, and authorizes the Mayor to execute same on behalf of the Village, and to take such other and further steps, and to execute such other documents, as may be required to effectuate the terms of the parties’ agreement.

Ayes: Mayor D’Amelio, Trustee Nardi, Trustee Lagrow, Trustee Lopez, Trustee Kirschkel  
Noes: None

VILLAGE OF WEST HAVERSTRAW  
STATE OF NEW YORK  
COUNTY OF ROCKLAND

I, CATHERINE B. KOPF, DEPUTY CLERK OF SAID VILLAGE OF WEST HAVERSTRAW, COUNTY OF ROCKLAND, HEREBY CERTIFY THAT I HAVE COMPARED THE FOREGOING COPY OF THIS RESOLUTION – VILLAGE BOARD MINUTES – January 3, 2018 – WITH THE ORIGINAL NOW ON FILE IN SAID OFFICE, AND FIND THE SAME TO BE A TRUE AND CORRECT TRANSCRIPT THEREFROM AND OF THE WHOLE OF SUCH ORIGINAL.

IN TESTIMONY WHEREOF, I HAVE SUBSCRIBED  
MY NAME AND AFFIXED THE SEAL OF  
SAID VILLAGE OF WEST HAVERSTRAW,  
THIS 4<sup>th</sup> day of April 2018.



DEPUTY VILLAGE CLERK



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## XIII. Village of Haverstraw

Incorporated  
*Village Of Haverstraw*

**DEPUTY MAYOR**  
EMILY DOMINGUEZ

**MAYOR**  
MICHAEL F. KOHUT

**CLERK/TREASURER**  
JUDITH R. CURCIO

**TRUSTEES**  
RAFAEL BUENO  
THOMAS WATSON, JR.  
JOEL I. A. SANTANA

Municipal Building  
40 New Main Street  
Haverstraw, New York 10927  
Tele: (845) 429-0300 Fax: (845) 429-0353

**VILLAGE ATTORNEY**  
J. NELSON HOOD, JR.

### **RESOLUTION # 3 – 2018**

Introduced by: Rafael Bueno  
Seconded by: Emily Dominguez

### **NOW THEREFORE BE IT RESOLVED:**

That the Board of Trustees of the Village of Haverstraw has approved, and authorized the Mayor to sign, the following Memorandum of Understanding by and among Champlain Hudson Power Express, Inc. (CHPEI), the Town of Clarkstown, the Town of Haverstraw, the Village of West Haverstraw, the Town of Stony Point, and the Village of Haverstraw in Rockland County, New York:

### Memorandum of Understanding

WHEREAS, CHPEI is developing the Champlain Hudson Power Express Project (the “Project”), a 1,000 MW underground and underwater high voltage, direct current (“HVDC”) electric transmission facility extending from the United States’ border with Canada to Queens, New York;

WHEREAS, CHPEI is in receipt of all federal and state siting approvals necessary in order to authorize the construction and operation of the Project, namely, a Presidential Permit issued by the U.S. Department of Energy, a permit issued by the U.S. Army Corps of Engineers, and a Certificate of Environmental Compatibility and Public Need issued by the New York State Public Service Commission (the “Article VII Certificate”);

WHEREAS, the Project route within Rockland County, as approved by the Article VII Certificate, includes approximately 5.5 miles located on right-of-way property owned by CSX Transportation, Inc. (the “Rail ROW”) and approximately 0.5 miles on U.S. Route 9W in the Town of Clarkstown (the “Original Rockland Routing”);

WHEREAS, feedback from the local community with regard to the Original Rockland Routing has led CHPEI to develop an alternative routing (the “New Rockland Routing”) that will increase the Project route mileage along U.S. Route 9W to a total of approximately 7.1

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miles, with an additional 1.1 miles on other incidental parcels of property and Park Road in Stony Point as such alternative routing is shown in the attached Exhibit “A”;

WHEREAS, the New Rockland Routing eliminates reliance on the Rail ROW, with a view towards decreasing environmental, historical, and community impacts and increasing constructability;

WHEREAS, the New Rockland Routing extends along U.S. Route 9W northwards from the Town of Clarkstown through the Villages of West Haverstraw and Haverstraw and the Town of Stony Point;

WHEREAS, making the New Rockland Routing part of the Project design will entail seeking and obtaining an amendment to the Article VII Certificate, and, potentially, amendments to the Project’s federal siting approvals (the “Federal Permits”);

WHEREAS, CHPEI, the Rockland Host Communities, and engineers and consultants advising or employed by the Rockland Host Communities have reviewed the New Rockland Routing substantially in the form that CHPEI intends to submit to the New York State Public Service Commission (the “PSC”) as part of its application for a modification of the Article VII Certificate (the “PSC Application”) and, potentially, to the U.S. Department of Energy and the U.S. Army Corps of Engineers as part of applications for amendments to the Federal Permits;

WHEREAS, CHPEI anticipates applying to the Rockland County Industrial Development Agency (the “Rockland IDA”) for the financial certainty afforded qualifying projects pursuant to Title 1 of Article 18-A of the New York State General Municipal Law, and, in particular, for a Payment In Lieu of Taxes Agreement, which will ensure that a mutually-agreed to and predictable stream of annual revenue is paid by CHPEI to the Rockland Host Communities and the relevant school districts (the “IDA Application”);

WHEREAS, CHPEI believes that endorsement of the Project and the New Rockland Routing by the legislative bodies of the Rockland Host Communities is an essential prerequisite to filing the PSC Application, the IDA Application, and applications for amendments to the Federal Permits;

WHEREAS, CHPEI intends to file the PSC Application in early 2018 and the IDA Application sometime thereafter with on-the-record support from the Rockland Host Communities as provided for herein;



WHEREAS, CHPEI acknowledges that the New Rockland Routing will entail installing the Project cables in local roads and in a state highway that serves as a primary transportation artery extending through a particularly dense and diverse urban and suburban landscape, and such installation will cause temporary disruptions and inconveniences to citizens and businesses;

WHEREAS, recognizing the distinct character of these disruptions and inconveniences, CHPEI has developed a program of community benefits, including \$9 million in streetscape improvements (the “Streetscape Funding”) and a Haverstraw Bay Community Benefit Fund in the amount of \$22 million to support capital projects within the Rockland Host Communities (the “Fund”);

WHEREAS, specific details regarding the Fund, the Streetscape Funding, and the real property taxes (collectively, the “Benefits Package”) to be paid by CHPEI to the Rockland Host Communities and the relevant school districts have been assembled and are set forth in a written proposal, which is attached hereto as Exhibit “B”;

WHEREAS, CHPEI is prepared to publicly release the details of the Benefits Package and include it in the PSC Application, with a recommendation that it be incorporated into the terms and conditions of the revised Article VII Certificate;

WHEREAS, the Rockland Host Communities are prepared to publicly announce their support for the Project (including for the New Rockland Routing); and

WHEREAS, the legislative bodies of the Rockland Host Communities have approved the terms of this MOU and have authorized and directed their chief executive officers to subscribe on their behalfs to this MOU;

NOW, THEREFORE, in consideration of the foregoing, the terms stated below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

#### 1. PUBLIC ANNOUNCEMENT

As soon as possible following execution of this MOU, the Parties will agree upon a joint public statement regarding execution of the MOU. This statement will include expressions of support for the Project (including for the New Rockland Routing) from the Rockland Host Communities and will announce CHPEI’s offer of the Benefits Package. The Parties believe that time is of the essence with respect to release of this statement, and they intend to begin work on the text as soon as practicable after this MOU has been signed by all of the Parties.

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## 2. FOLLOW-UP ACTIVITIES

The Parties will cooperate in good faith with respect to implementation of the Benefits Package and preparation and filing of the PSC Application and the IDA Application.

Furthermore, in the event that CHPEI determines to file any applications for amendments to the Federal Permits in connection with the New Rockland Routing, the Rockland Host Communities will indicate their on-the-record support for any such applications in a timely manner.

## 3. CONDITION PRECEDENT

The Parties understand and agree that implementation of the Benefits Package is contingent upon CHPEI undertaking the multi-year Project construction phase, after securing all necessary permits and approvals, including, without limitation, a revised Article VII Certificate approving the New Rockland Routing; obtaining full debt and equity funding for all of the costs of Project construction; and advancing to commercial operations on a timeline that substantially conforms to the anticipated development schedule, which currently calls for construction to commence by 2019. Furthermore, the Parties understand and agree that 50% of the Fund will be made available at the time of the completion of the Project's construction funding (the "First Fund Installment") and the remaining 50% will be made available at the time of initiation of Project commercial operations (the "Second Fund Installment"). The Streetscape Funding will be disbursed during the Project construction period pursuant to agreed-upon protocols, but in no event will any disbursement occur earlier than the date upon which the First Fund Installment is made available. For the purposes of this MOU, "completion of the Project's construction funding" will be deemed to have occurred as of the date upon which funds sufficient to satisfy all anticipated costs of Project construction have been made available to CHPEI through the securing of equity and debt investments in CHPEI for that purpose and "initiation of Project commercial operations" will be deemed to have occurred as of the date upon which testing and commissioning of the Project is completed, the New York Independent System Operator has been advised of the energizing of the Project, and the first transmission of supply pursuant to a commercial arrangement with a customer or customers has taken place.

## 4. HANDLING OF AMOUNTS DEPOSITED IN AND EFFECT OF SUSPENSION OF PROJECT DEVELOPMENT ON THE FUND

The Rockland County Host Communities will have discretion regarding the disbursement of their allocable portions of the Fund and the Streetscape Funding, consistent with applicable



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law and the Benefits Package itself. Neither the First Fund Installment nor the Second Fund Installment shall be refundable. Similarly, disbursed Streetscape Funding shall not be refundable.

#### 5. CONSTRUCTION PERIOD PROTOCOLS

In the preparation and execution of its Project construction program in the Rockland Host Communities, CHPEI will take into account local conditions and appropriately mitigate disruptions and inconveniences to the greatest possible extent.

#### 6. CONSENT TO USE AND OCCUPANCY

To the extent that any of the Rockland Host Communities are the actual owners of any lands, rights-of-way, or other property interests upon which the New Rockland Routing is located, such municipal body hereby consents to the use and occupancy of such lands by CHPEI and the Project.

#### 7. FURTHER ASSURANCES

The Parties agree that they will, at any time and/or from time to time and upon request, do, execute, acknowledge and deliver, or will cause to be done, executed, acknowledged and delivered, all such further acts, instruments, documents, forms, certificates, and assurances as may reasonably be required for the accomplishment of the purposes of the Parties as set forth in this MOU.

### GENERAL PROVISIONS

#### A. ASSIGNMENT

No Party may assign this MOU without the prior written consent of the other Party, which consent shall not unreasonably be withheld, delayed, or conditioned.

#### B. GOVERNING LAW AND FORUM

This MOU shall be governed by and construed in accordance with the laws of the State of New York, without regard to the conflict of laws principles thereof, and the Parties irrevocably consent to the exclusive jurisdiction of the courts of the State of New York.

#### D. AMENDMENTS

No change or modification of this MOU shall be valid unless it is in writing and signed by each and every Party hereto.



E. NO PARTNERSHIP OR AGENCY RELATIONSHIP

Notwithstanding any other provision contained herein, this MOU shall not constitute, create, or imply any partnership, joint venture, agency, or fiduciary relationship between the Parties.

F. COSTS

Each Party shall bear its own costs and expenses in connection with all matters relating to this MOU, including, without limitation, the costs and expenses of its legal and other advisors and internal costs and expenses.

G. LIMITATION OF LIABILITY

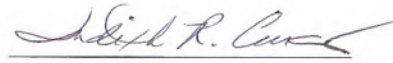
Under no circumstances shall a Party or any of their respective officers, directors, members, partners, shareholders, employees, agents, or affiliates be liable for: consequential, incidental, or indirect damages; lost profits or opportunities; increased cost of capital; loss of income, revenue, or use; or other business interruption costs, losses, or damages, regardless of whether the same: arise out of statute or operation of law; sound in tort, contract, or otherwise; or relate to or are the result of any performance, mis-performance, or non-performance of any activity contemplated by this MOU.

- End MOU -

Motion Passes: All

I, Judith R. Curcio, Clerk/Treasurer of the Village of Haverstraw, New York, do hereby certify that the above resolution was adopted at a Regular Meeting of the Board of Trustees held on January 2, 2018 and is on file and that said resolution has not been altered, amended or revoked and is in full force and effect.

Dated: April 4, 2018  
Haverstraw, New York

  
Judith R. Curcio

Seal of Municipality

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## XIV. Town of Clarkstown

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**TOWN OF CLARKSTOWN  
OFFICE OF THE TOWN ATTORNEY  
INTEROFFICE MEMORANDUM**

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**TO:** Justin Sweet, Town Clerk

**FROM:** Office of the Town Attorney/kh

**SUBJECT:** Memorandum of Understanding by and among Town of Clarkstown, Town of Haverstraw, Village of Haverstraw, Village of West Haverstraw, Town of Stony Point and Champlain Hudson Power Express, Inc. (CHPEI) Regarding the Champlain Hudson Power Express Project

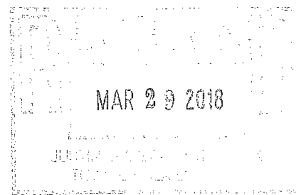
**DATE:** March 28, 2018

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Enclosed is a copy of the Town Board Resolution, adopted January 30, 2018, regarding the above, together with a copy of the fully executed Memorandum of Understanding, for filing in your Office.

Thank you.

Enclosures



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RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN A MEMORANDUM  
OF UNDERSTANDING REGARDING THE CHAMPLAIN HUDSON  
POWER EXPRESS PROJECT

WHEREAS, Champlain Hudson Power Express, Inc. (CHPEI) is developing the Champlain Hudson Power Express Project, a 1,000 MW underground and underwater high voltage, direct current electric transmission facility extending from the United States' border with Canada to Queens, New York; and

WHEREAS, CHPEI is in receipt of all federal and state siting approvals necessary in order to authorize the construction and operation of the Project from the U.S. Department of Energy, the U.S. Army Corps of Engineers, and the New York State Public Service Commission; and

WHEREAS, the Project will connect with the PSC-approved route in the Town of Clarkstown; and

WHEREAS, Rockland County Host Communities should expect to receive benefits in real property taxes and disbursements from the Haverstraw Bay Community Benefit Fund as a direct result of the Project; and

WHEREAS, the Haverstraw Bay Community Benefit Fund is being established by CHPEI in recognition of the localized inconvenience to Host Communities during construction and will support capital projects in each municipality on a pro-rated basis related to miles along public rights of way, municipal property rights and other factors;

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes the Supervisor to sign a Memorandum of Understanding with Champlain Hudson Power Express, Inc., the Town of Haverstraw, the Village of Haverstraw, the Village of West Haverstraw, and the Town of Stony Point in order to share in the Haverstraw Bay Community Benefit Fund.

Dated: January 30, 2018

TB 01-30-18 TA RES CHPEI-kh

*Adapted*

## XV. Washington County



### WASHINGTON COUNTY BOARD OF SUPERVISORS

County Municipal Center  
383 Upper Broadway, Bldg. B.  
Fort Edward, New York 12828  
Tel. (518) 746-2210  
Fax (518) 746-2219  
\*Service by fax not accepted  
Supervisors@co.washington.ny.us

CLERK OF THE BOARD  
Debra R. Prehoda

ARGYLE  
Robert A. Henke, Chairman

PUTNAM  
John R. LaPointe, Vice Chair

CAMBRIDGE  
Cassie Fedler

DRESDEN  
Paul D. Ferguson

EASTON  
Daniel B. Shaw

FORT ANN  
Richard F. Moore

FORT EDWARD  
Terry L. Middleton

GRANVILLE  
Matthew Hicks

GREENWICH  
Sara S. Idelman

HAMPTON  
David K. O'Brien

HARTFORD  
Dana E. Haff

HEBRON  
Brian R. Campbell

JACKSON  
Jay B. Skellie

KINGSBURY  
Dana Hogan

SALEM  
Evera Sue Clary

WHITE CREEK  
Robert E. Shay

WHITEHALL  
John W. Rozell

### MEMO

TO: Rick Chase  
Transmission Developers

FROM: Debra Prehoda, Clerk  
Board of Supervisors

DATE: March 19, 2018

RE: Res. No. 77

Please find enclosed a certified copy of the above mentioned  
resolution adopted by the Board of Supervisors.

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Resolution No. 77 March 16, 2018  
By Supervisors Shaw, Campbell, Shay, Idleman, Haff, O'Brien, Skellie, Hogan

TITLE: To Endorse Concept of the Champlain Hudson Power Express Power Line

WHEREAS, representatives from the Champlain Hudson Power Express project presented the concept and route to the Finance Committee, and

WHEREAS, the project would route two cables down Lake Champlain until they exited the lake in Putnam, then through Washington County to Fort Edward and into Saratoga County, and

WHEREAS, the initial route will be changed somewhat due to discovery of obstructions and other issues, and

WHEREAS, these route changes will require further amended permitting from State and Federal authorities; now therefore be it

RESOLVED, that the Washington County Board of Supervisors hereby endorses the concept of the Champlain Hudson Power Express project; and be it further

RESOLVED, that approval of this project by the Board is contingent upon further permitting by the relevant authorities as well as any local input as may be required.

BUDGET IMPACT STATEMENT: None for this resolution.