

## **RESOLUTION**

A regular meeting of the Steuben County Industrial Development Agency was convened on February 28, 2008 at 12:00 p.m.

The following resolution was offered and seconded, to wit:

**Resolution No. 02/08/06**

### **RESOLUTION OF THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE APPROVAL OF A LEASE OF LANDS OF THE AGENCY WITHIN THE TOWN OF COHOCTON, NEW YORK**

**WHEREAS**, by Title 1 of Article 18-A of the General Municipal Law ("GML") of the State of New York (the "State"), as amended, and Chapter 1789 of the laws of 1972 of the State (hereinafter collectively called the "Act"), the **STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter the "Agency") was created as a public benefit corporation of the State; and

**WHEREAS**, the Public Authorities Accountability Act of 2005 (the "PAAA"), which was signed into law on January 13, 2006 as Chapter 766 of the Laws of 2005, was enacted by the New York State Legislature to insure greater accountability and openness of public authorities throughout the State; and

**WHEREAS**, pursuant to Section 2 of the Public Authorities Law ("PAL"), of the State, the provisions of the PAAA apply to certain defined "local authorities" including the Agency; and

**WHEREAS**, pursuant to Section 2897 of the PAL, certain procedures are required to be followed when property of a local authority is to be disposed;

**WHEREAS**, the PAL defines a lease of local authority property as a disposition of the real property of a local authority;

**WHEREAS**, by resolution dated January 24, 2008, the Agency did authorize certain financial assistance to Canandaigua Power Partners, LLC and Canandaigua Power Partners II, LLC (the "Companies") concerning wind farm projects located within the Town of Cohocton, Steuben County, New York (the "Projects");

**WHEREAS**, as part of the Projects, it is necessary for the Companies to utilize certain lands owned in fee title by the Agency to install underground wires, pipes and other improvements;

**WHEREAS**, there has been presented to this meeting, for approval, a proposed lease (the "Lease") between the Companies and the Agency covering the period of twenty five (25) years with an option to the Companies to extend for an additional twenty (20) years.

**NOW**, on motion made and seconded, it is

**RESOLVED** that the Board does find that the Lease in the form and content presented, does further an economic development interest of the Agency;

**RESOLVED**, that the Lease is approved and that the chairman, or executive director of the Agency, is authorized to execute the Lease on behalf of the Agency.

The question of the adoption of the foregoing Resolution was duly put to a vote resulting as follows:

George Connors	Voting	Yes
Michael Doyle	Voting	Yes
Douglas Malone	Voting	Yes
Michael Nisbet	Voting	Yes
Philip Roche	Voting	Yes
John Sirianni	Voting	Yes
Richard Weakland	Voting	Yes

Dated: February 28, 2008