

**RESOLUTION OF THE TOWN BOARD OF RIPLEY FOR
APPROVAL OF A HOST COMMUNITY AGREEMENT FOR THE
SOUTH RIPLEY SOLAR PROJECT**

WHEREAS, Connectgen Chautauqua County LLC, a limited liability company duly organized and validly existing under the laws of the State of Delaware and authorized to transact business in the State of New York (the “Company”) has submitted an application (the “94-c Application”) to the New York State Office of Renewable Energy Siting (“ORES”) pursuant to Section 94-c of the New York Executive Law and its implementing regulations (the “Section 94-c Process”) to obtain a permit (a “94-c Permit”) to construct a solar-powered electric generating facility (the “Project”) on land located in the Town of Ripley; and

WHEREAS, the Town Board does not have the power to approve or deny the 94-c Permit, but intends to participate in the Section 94-c process to the extent permitted by ORES; and

WHEREAS, the Town understands that if ORES awards a 94-c Permit to the Company, the Company is required to provide a Host Community Benefit payment to the Town of Ripley pursuant to Rule 900-6.1(f) of the ORES regulations;

WHEREAS, the Company has provided a draft Host Community Agreement for the Town Board’s review, which is attached to this resolution in its entirety; and

WHEREAS, the draft Host Community Agreement would guarantee yearly payments to the Town of Ripley for 30 years after the Project commences operation, with such payments totaling \$36,870,374 over the life of the agreement; and

WHEREAS, in the first year of payments the Town is expected to receive from the Company a minimum revenue amount of \$1,000,000 and it is estimated that \$189,000 of the minimum revenue amount will be paid in special district taxes benefiting the Ripley Fire District; and

WHEREAS, The Town’s approval of the HCA does not approve the 94-c Application or provide the Company with the 94-c Permit required to construct and operate the Project, or prohibit the town from participating in the 94-c Process to the extent it is permitted by ORES; and

WHEREAS, The Town of Ripley and the Company desire to enter into a Host Community Agreement to mitigate some of the potential impacts on the

Town that may result from the Construction, operation, and maintenance of the Project;

NOW, THEREFORE, it is resolved that the Town Board hereby authorizes and approves the Host Community Agreement, between the Company and the Town, that has been presented to the Town Board;

AND THEREFORE, the Town Supervisor is hereby authorized and directed to execute and deliver the Host Community Agreement, and to execute such other documents as may be reasonably necessary to give force and effect to that agreement;

AND THEREFORE, that this resolution shall take effect immediately.

The question of the foregoing resolution was duly put to a vote as follows:

Town Board Member:	Yes	No	Abstain
<u>Town Supervisor Douglas Bowen</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Council Member Patricia Hathaway</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Council Member John Trevelline</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Council Member Michael Rowe</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Council Member Philip Chimera</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: December 30, 2021

Ripley, New York

By order of the Town Board of the Town of Ripley, New York.

Douglas Bowen, Town Supervisor