

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 145/2015

RE: AUTHORIZING ADDITIONAL FUNDING FOR SERVICES PERTAINING TO THE CRICKET VALLEY PROCEEDING AND AMENDING RESOLUTION NO. 103/2015

WHEREAS, Cricket Valley Energy Center, LLC has filed an application pursuant to Public Service Law Article VII for authorization to construct and operate a new approximately 14.6 mile 345-kilovolt transmission line to connect the Cricket Valley Energy Center, LLC generation facility in the Town of Dover, New York to the Pleasant Valley substation owned by Consolidated Edison Company of New York, Inc. in the Town of Pleasant Valley, New York; and

WHEREAS, pursuant to Public Service Law § 125(5), a fund the amount of \$50,000 for intervenor funding had been established for the proceeding. The purpose of the intervenor funding is to allow parties to contribute to the development of the complete record leading to an informed Public Service Commission decision, and to foster broad public participation in the proceeding; and

WHEREAS, the Town was awarded intervenor funding in an amount not to exceed \$6,500 pursuant to the ruling issued on September 26, 2014 which was fully expended; and

WHEREAS, no additional interveror funding is or will be made available; and

WHEREAS, the Town had agreed to work jointly with the Town of LaGrange and the Town of LaGrange Special Counsel with respect to this matter; and

WHEREAS, the Town believes it in the best interests of the Town to continue to be able to participate even in a limited manner in these proceedings; and

WHEREAS, the Town has retained the services of Gary S. Bowitch, Esq., Bowitch &

Coffey, LLC, Albany, New York to jointly proceed with the Town of LaGrange with the Town of Pleasant Valley's contribution not to exceed \$5,000; and

WHEREAS, the Town of LaGrange has agreed to contribute equally towards this joint representation; and

WHEREAS, additional funds are again necessary to continue with the proceeding, with the Town of Pleasant Valley share not to exceed an additional \$2,500; and

WHEREAS, the Town Board wishes to amend Resolution No. 103/2015 to increase the Town of Pleasant Valley's contribution to an amount not to exceed \$7,500; and

WHEREAS, there are sufficient funds available in the judgment and claims line of the 2015 adopted Town budget; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby authorizes the increase in funds for the retention of the services of Gary S. Bowitch, Esq. as part of a cooperative engagement agreement in an amount not to exceed \$7,500 from funds from the judgement and claims line of the 2015 adopted Town budget and such funds are appropriated therefore; and be it further

RESOLVED, that terms of the engagement agreement dated May 8, 2015 that is authorized by Resolution No. 109/2015 shall continue to remain in full force and effect.

MOTIONED BY: _____

SECONDED BY: _____

DATED: August 12, 2015

ROLL CALL:	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	_____	_____
Councilman Figliozzi	_____	_____
Councilman Latino	_____	_____
Councilwoman Milicaj	_____	_____
Supervisor Campbell	_____	_____