

Resolution #2022-5-1 Resolution of the Town Board of the Town of Bennington Requiring that Delaware River Solar Enter into a PILOT Agreement

The Town Board of the Town of Bennington met at a regular board meeting at the Town Hall located at 905 Old Alleghany Road Attica NY 14011 on the 11th day of May, 2022 commencing at 7:30 p.m. at which time and place the following members were:

Supervisor Ellen Grant

Councilman Bernard Frounick

Councilman Joyce Mohun

Councilman Brandon Bryman

Councilman Chis Domes

WHEREAS All Board Members, having due notice of said meeting, and that pursuant to Article 7 S 104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS The Town Board of the Town of Bennington has received notice dated April 5, 2022 from Delaware River Solar which expresses the intent to construct a solar project on Church Road and offers the Town sixty (60) days to respond with the Town's intent to require a contract for payments in lieu of taxes (PILOT), or whether the Town is opting out of the exemption pursuant to Real Property Tax Law (RPTL) 487; and

WHEREAS, The Town Board of the Town of Bennington believes it to be in the best interest of the Town of Bennington to require that Delaware River Solar enter into a PILOT agreement with the Town of Bennington.

NOW, on a motion of Councilman Domes which has been duly seconded by Councilman Bryman, be it

RESOLVED, the Town Board of the Town of Bennington hereby requires that Delaware River Solar enter into a PILOT Agreement with the Town of Bennington; and be it further

RESOLVED, THE Town Board of the Town of Bennington shall provide written notice to Delaware River Solar before June 1, 2022 which suggests that Delaware River Solar is required to enter into a PILOT agreement with the Town; and be it further

RESOLVED, this resolution shall be provided to Delaware River Solar, and filed with the New York State Energy Research and Development Authority (NYSERDA) and the New York State Division of Tax and Finance.

Ayes: 5

Nays: 0

Absent/Abstain: 0

Quorum Present: Yes

Dated 5/11/22



Ellen M. Grant, Supervisor
Town of Bennington