RESOLUTION

A regular meeting of the Tompkins County Industrial Development Agency was convened in public session on December 14, 2017 at 4:00 p.m. in the Tompkins County Legislative Offices, 121 E. Court Street, Ithaca, New York.

The meeting was called to order by the chair and upon the roll being duly called, the following members were:

PRESENT: Jim Dennis, Martha Robertson, Will Burton, Jennifer Tavares, Rich John, Swante Myrick

EXCUSED: Grace Chiang

THE FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by , seconded by

Jennifer Tavares

RESOLUTION CLASSIFYING A CERTAIN PROJECT AS A TYPE I ACTION AND DECLARING THE INTENT OF THE TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO BE LEAD AGENCY FOR PURPOSES OF A COORDINATED REVIEW PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

WHEREAS, the Tompkins County Industrial Development Agency (the “Agency”) is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the “State”), as amended; and

WHEREAS, NY Newfield IV, LLC and NY Newfield V, LLC (together, the “Applicants”), submitted separate applications requesting that the Agency grant financial assistance and incentives for the construction and operation of a ground-mounted solar energy system to be located on adjacent parcels totaling approximately 25.76 acres and located on the south side of Millard Hill Road in the Town of Newfield, Tompkins County (together, the “Project”); and
WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), the Agency is required to make a determination whether the "action" (as said quoted term is defined in SEQRA) to be taken by the Agency may have a "significant impact on the environment" (as said quoted term is utilized in SEQRA); and

WHEREAS, to aid the Agency in determining whether the Project may have a significant impact upon the environment, the Applicants prepared and submitted to the Agency a single Environmental Assessment Form (the "EAF") with respect to the Project; and

WHEREAS, the Agency has not approved the Project; and

NOW, THEREFORE, be it resolved by the members of the Tompkins County Industrial Development Agency as follows:

(1) Based upon an examination of the EAF prepared by the Company, the criteria contained in 6 NYCRR §617.7(c), and based further upon the Agency's knowledge of the area surrounding the Project, all the representations made by the Applicants in connection with the Project, and such further investigation of the Project and its environmental impacts as the Agency has deemed appropriate, the Agency makes the following findings and determinations with respect to the Project pursuant to SEQRA:

(A) The Project consists of the components described above in the third WHEREAS clauses of this resolution; and

(B) The Project constitutes a "Type I Action" (as said quoted term is defined in SEQRA); and

(C) As a consequence of the foregoing, the Agency hereby declares its intent to act as "Lead Agency" (as said term is defined in SEQRA) with respect to a coordinated environmental review of the Project pursuant to SEQRA; and

(D) The Agency's counsel shall arrange for publication and distribution of its notice of intent to be "Lead Agency" and is hereby authorized to take such actions as are necessary and appropriate to assist the Agency in fulfilling the requirements under SEQRA for the Project and to work with the Applicants' environmental consultant in connection therewith.

(2) A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.
(3) 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**

Jim Dennis  
Svante Nygren  
Martha Robertson  
Will Burbank  
Rich John  
Jennifer Taves

**NAY**

The foregoing Resolution was thereupon declared duly adopted.
I, the undersigned Secretary of the Tompkins County Industrial Development Agency, DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Tompkins County Industrial Development Agency (the “Agency”) held on December 14, 2017, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Agency this 14th day of December, 2017.

Tompkins County Industrial Development Agency

[Signature]

, Secretary

(SEAL)