

**TOWN OF EATON
TOWN BOARD RESOLUTION**

June 10, 2025

**APPROVING THE INTERMUNICIPAL AGREEMENT BETWEEN THE TOWNS OF FENNER,
NELSON, EATON AND SMITHFIELD FOR THE TOWN OF FENNER TO ACT AS THE
PAYEE AND DISBURSER OF LOCAL AGENCY ACCOUNT FUNDS
FOR THE HOFFMAN FALLS WIND PROJECT.**

The following resolution was offered by _____, who moved its adoption, and seconded by _____, to wit:

WHEREAS, Hoffman Falls Wind, LLC, a wholly-owned subsidiary of Liberty Renewables, Inc., is the Applicant for a 100 megawatt wind facility set to be located within Towns of Nelson, Fenner, Eaton and Smithfield (the "Hoffman Falls Wind Project"), pursuant to New York State Public Service Law Article VIII, and related regulations (DMM No 23-02976); and

WHEREAS, pursuant to Article VIII of the State Public Service Law, municipalities, and other locally affected parties, may request funding from Hoffman Falls Wind, LLC, to offset certain expenses they incur in participating in the State permitting process ("intervenor funding"); and

WHEREAS, on April 17, 2024, the Towns of Fenner, Nelson, Eaton and Smithfield were awarded a total amount of \$75,000 from the Local Agency Account Fund ("LAAF") to hire Costello, Cooney & Fearon, PLLC and C&S Companies to provide legal and engineering services, respectively, in the Hoffman Falls Wind Project; and

WHEREAS, one Town may serve as the payee and disbursing officer of said funds on behalf of all Towns; and

WHEREAS, an Intermunicipal Agreement between the Towns of Fenner, Nelson, Eaton and Smithfield has been drafted, naming the Town of Fenner as the receiver of the intervenor funds and responsible for disbursing the necessary fees to Costello, Cooney & Fearon and C&S Companies; and

WHEREAS, the Town of Eaton Town Board desires for the Town of Fenner Town Supervisor to sign and enter into the Agreement.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Eaton hereby approves the Intermunicipal Agreement between the Towns of Fenner, Nelson, Eaton and Smithfield and grants permission for the Town of Eaton Town Supervisor to sign the Intermunicipal Agreement.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

David Verne	Councilor	Voted	Yes/No
Jean Hilts	Councilor	Voted	Yes/No
Stephen Dickerson	Councilor	Voted	Yes/No
Jeff Golley	Councilor	Voted	Absent
Joseph Wicks	Supervisor	Voted	Absent

The foregoing resolution was thereupon declared duly adopted.

DATED: June 10, 2025

CERTIFICATION

STATE OF NEW YORK)
COUNTY OF MADISON)

I, the undersigned Clerk of the Town of Eaton, Madison County, New York, **DO HEREBY CERTIFY:**

That I have compared the foregoing Resolution with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town of Eaton.

June 10, 2025.

DEAN CURTIS
Town Clerk

(SEAL)