

**TOWN OF PLATTSBURGH**  
**TOWN BOARD WORK SESSION**  
**June 13, 2024**

**Resolution No. 024-143**

**Host Community Agreement Between Town of Plattsburgh  
and Saranac Power Partners, L.P. – Second Amendment**

**WHEREAS**, the Clinton County Industrial Development Agency (the “Agency”) and Saranac Power Partners, L.P. (the “Company”), are considering a second amendment (the “Second Amendment to Amended and Restated PILOT”) to a certain amended and restated payment in lieu of tax agreement dated as of January 1, 2018 (the “Initial Amended and Restated PILOT”) by and among the Agency, the Company and the PILOT Mortgage Agent (as defined in the Initial Amended and Restated PILOT); and

**WHEREAS**, as a result of discussions had by the Agency with the Town of Plattsburgh (the “Town”), the Beekmantown Central School District (the “District”) and Clinton County (the “County”), as the affected jurisdictions (within the meaning of such term in Section 854(16) of the New York State General Municipal Law) (the “Affected Tax Jurisdictions”), the Agency and the Affected Tax Jurisdictions desire that the District enter into a host community agreement (the “HCA”) with the Company in lieu of receiving payments under the Initial Amended and Restated PILOT, as amended; and

**WHEREAS**, Section 858(15) of the New York State General Municipal Law requires the Agency to obtain the written consent of the Affected Tax Jurisdictions when the Agency proposes to allocate and distribute payments in lieu of taxes (each a “PILOT Payment”) to the Affected Tax Jurisdictions in a manner that is different from the distribution and allocation of real property tax payments that would be in effect if the Agency was not involved in the Project and the Project Facility was not exempt from real property taxes (as each capitalized term is defined in the Initial Amended and Restated PILOT); and

**WHEREAS**, the effect of the District receiving payments under an HCA in lieu of the Initial Amended and Restated PILOT, as amended, is that the District’s allocation of PILOT Payments would be equal to zero percent (0%); and

**WHEREAS**, the Agency desires that the County, the Town, and the District each adopt resolutions approving the terms of the Second Amendment to Amended and Restated PILOT; and

**NOW THEREFORE, BE IT RESOLVED** by the Town as follows:

**Section 1.** For the purpose of satisfying the requirements contained in Section 858(15) of the New York State General Municipal Law, the Town hereby approve the terms and conditions of the Second Amendment to Amended and Restated PILOT, including, but not limited to, the terms of the distribution and allocation of the PILOT Payments thereunder.”

**Motion:**

**Seconded by:**

**Discussion:**

**Yes   No   Absent   Carried   Tabled**

**Thomas E. Wood  
Barbara E. Hebert  
Charles A. Kostyk  
Dana M. Isabella  
Michael S. Cashman**

**DRAFT**