

RESOLUTION # of 2021

**INTENT TO CONTINUE THE TOWN OF NEW PALTZ’S COMMUNITY CHOICE
AGGREGATION (CCA) PROGRAM BY CONTINUING TO OFFER ELECTRICITY SUPPLY
AND INCORPORATING OPT-OUT COMMUNITY DISTRIBUTED GENERATION**

At a meeting of the Town Board of the Town of New Paltz, Ulster County, New York, held via videoconference in said Town on the 1st day of April, 2021, at 7 o'clock P.M., prevailing time.

The meeting was called to order by Supervisor Bettez, and upon roll being called, the following roll was taken:

	<u>PRESENT</u>	<u>ABSENT</u>
Supervisor Neil Bettez	_____	_____
Council Member Daniel Torres	_____	_____
Council Member Alex Baer	_____	_____
Council Member David Brownstein	_____	_____
Council Member Julie Seyfert-Lillis	_____	_____

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

WHEREAS, the Town of New Paltz wishes to maintain control of sourcing their electricity supply, reduce electricity costs, access 100% renewable sources of electricity and catalyze the development of renewable power plants in New York;

WHEREAS, on May 16, 2019 the Town of New Paltz enacted Local Law No. 5 of 2019, “Community Choice Aggregation”, enabling a Community Choice Aggregation Program;

WHEREAS, on June 4, 2019, the Town of New Paltz engaged the services of Joule Assets, Inc. (“Joule”) as CCA Program Administrator for the Municipal Program;

WHEREAS, the Town of New Paltz entered into an Electricity Supply Agreement to provide 100% renewable electricity supply to eligible residents and small businesses who did not opt-out from July 1, 2019 through June 30, 2021;

WHEREAS, the Town of New Paltz intends to continue the CCA Program and access additional benefits for eligible residents and small businesses by continuing to offer electricity supply and in addition incorporating an Opt-out Community Distributed Generation (“Opt-out CDG”) offering;

WHEREAS, Opt-out CDG offers guaranteed savings on electricity bills and supports the local development of solar projects through an agreement with a CDG project developer/owner (“CDG Sponsor”);

WHEREAS, a CCA Program incorporating electricity supply and Opt-out CDG will maximize the financial and environmental benefits to participating residents and small businesses;

WHEREAS, the Town of New Paltz seeks to obtain competitive bids from electricity suppliers (each a “Supplier”) pursuant to a request for proposal (the “Supply RFP”), that is intended to result in a three- party Electricity Supply Agreement between the selected Supplier, the Town of New Paltz and Joule that, among other things, will govern the terms of provision of the electricity supply by Supplier for the Municipal Program;

WHEREAS, the Electricity Supply Agreement (in the form attached hereto), has been reviewed and

approved for form by the Town of New Paltz Attorney, and has been deemed to provide benefits, adequate protections, and minimize risk to the Town of New Paltz.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes Joule to issue a Supply RFP consistent with the provisions of this Resolution, with bids to be evaluated based upon compliance with the specifications of the Supply RFP including, without limitation, price and term parameters, and Supplier’s acceptance of all material terms of the Electricity Supply Agreement;

BE IT FURTHER RESOLVED, that the Town Board approves the Electricity Supply Agreement in substantially the form attached to this Resolution as Exhibit A, such form to be included in the Supply RFP;

BE IT FURTHER RESOLVED, that Joule in its role as Administrator for the CCA Program shall, among other things, manage the energy procurement process, prepare and issue the Supply RFP, and make recommendations for award to the Town of New Paltz; provided however, that the Town of New Paltz will, through the Supervisor, make the final award decision;

BE IT FURTHER RESOLVED, that subject to the conditions that the awarded Supplier has been prequalified as required by Joule and that the awarded bid meets the specifications established in the Supply RFP, the Supervisor is authorized to execute an Electricity Supply Agreement on behalf of the Town of New Paltz in substantially the form attached hereto with the awarded Supplier and Joule in a timely fashion; provided, however, that the Town of New Paltz is under no obligation to award the Supply RFP for any bid that fails to meet the specifications established in the Supply RFP. In addition, the Town of New Paltz is under no obligation to award the Supply RFP if any of the conditions of the CCA Administration Agreement shall not be met.

BE IT FURTHER RESOLVED, that the Town of New Paltz authorizes Joule to prepare or include the Town of New Paltz in an Opt-out CDG Implementation Plan for submission to and approval from the New York State Department of Public Service;

BE IT FURTHER RESOLVED, that the Town of New Paltz authorizes Joule to enter into negotiations on Town of New Paltz’s behalf, with Utility and CDG Sponsor(s) for incorporation of Opt-out CDG into existing CCA Program; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to enter into any agreements on behalf of the Town of New Paltz in relations to Opt-out CDG consistent with this resolution in the Supervisor’s reasonable discretion.

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Supervisor Neil Bettez	_____	_____	_____
Council Member Daniel Torres	_____	_____	_____
Council Member Alex Baer	_____	_____	_____
Council Member David Brownstein	_____	_____	_____
Council Member Julie Seyfert-Lillis	_____	_____	_____

The resolution was thereupon duly adopted.