

RESOLUTION

NUMBER 114-10

**(RE: AUTHORIZE AN INTERMUNICIPAL AGREEMENT WITH RESPECT TO THE
NORTHERN WESTCHESTER ENERGY ACTION CONSORTIUM)**

WHEREAS, General Municipal Law §239-n authorizes cities, towns and villages in New York to create intergovernmental relations councils to conduct surveys and research, to provide for the distribution of information, to cooperate with county, state and federal agencies, to conduct local and intercommunity planning and to provide a forum for local municipalities to explore and develop areas for municipal cooperative activities as further authorized under Article 5-G of the General Municipal Law; and

WHEREAS, the Cooperating Municipalities share the goal of increasing energy efficiency throughout their communities and reducing energy costs for municipal, educational, not-for-profit, commercial, and residential entities; and

WHEREAS, the Towns of Bedford, Cortlandt, Lewisboro, New Castle, North Castle, North Salem, Ossining, Pound Ridge, Somers and Yorktown and the Villages of Croton-on-Hudson, Mount Kisco, and Ossining and the City of Peekskill in Westchester County, New York are (the “Cooperating Municipalities”).

WHEREAS, the Cooperating municipalities share an interest in:

- a. Establishing Energy Audit Procedures;
- b. Decreasing Energy Demands;
- c. Encouraging Renewable Energy Alternatives;
- d. Maximizing the Benefits of Recycling and Other Solid Waste Management Practices;
- e. Promoting Energy Efficient Land use Planning;
- f. Supporting a Green Innovation Economy;
- g. Informing and Inspiring the Public of Energy Saving Opportunities;
- h. Creating Local Jobs;
- i. Maximizing benefits over the longest possible terms; and
- j. Fostering sustainable practices as integral to local climate action plans in our region; and

WHEREAS, the Cooperating Municipalities share the objective of establishing mechanisms and strategies for:

- a. Implementing a municipal or regional energy management program;
- b. Enhancing the reliability of our electric supply;
- c. Offering the opportunity for homeowners and local businesses to earn money by accessing features of electric markets that pay for intelligent management of energy consumption;
- d. Offering the opportunity for homeowners and local businesses to gain knowledge about their real-time consumption to gain better control over that consumption;
- e. Achieving cost and research savings in the implementation of energy management through collaborative efforts;
- f. Achieving intermunicipal cooperation in other efficient ways; and conservation measures in which there is strength in numbers; and
- g. Analyzing various solid waste management programs in the region for efficiency and conservation measure ; and

WHEREAS, the Cooperating Municipalities wish to explore mutually beneficial ways of:

- a. Securing and sharing Federal, State, and County agency funding to accomplish these efforts and goals;
- b. Coordinating efforts with Federal, State, and County agencies and authorities to assure that activities are compatible with the plans and programs of the cooperating municipalities; and
- c. Leveraging Federal, State, and County resources along with other public and private resources to accomplish these objectives.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The Cooperating Municipalities named herein have joined together to advise and inform their respective residents on methods to accomplish the interests and objectives contained above.
2. The Cooperating Municipalities named herein wish to consolidate and formalize their prior collaborations, some of which comprised agreements known as the Northern Westchester Energy Action Coalition, and to form the Northern Westchester Energy Action Consortium (NWEAC) (hereinafter referred to as the "Consortium") for these long-term purposes to supersede and replace the prior Consortium agreements.

3. The Consortium shall be governed by a Board of Directors, who shall receive no compensation for service as directors. The Board of Directors shall be comprised of one representative selected by each municipality and shall adopt by-laws providing for the further administration, finance and governance of the Consortium, which by-laws are to be approved by each Cooperating Municipality.
4. The Consortium shall recommend specific ways in which the Cooperating Municipalities may accomplish their mutual objectives and interests.
5. The Town of Somers shall be designated the lead municipality to accept and administer funds on behalf of the Consortium.
6. The Board of Directors itself shall designate a Chair who shall serve for a calendar year and the Board shall choose a new Chair each calendar year thereafter. The Chair shall be responsible for timely convening of meetings of the Board and adequate distribution of information to the Board members prior to and as a result of those meetings.
7. This Agreement shall continue in full force and effect and shall continue to be binding upon each of the signatory municipalities unless and until any municipality gives sixty (60) days notice prior to the expiration of any calendar year of their intent to no longer participate in the Consortium.
8. The Consortium members shall contribute an annual fee. The fee for calendar year 2010 is One Thousand (\$1,000.00) Dollars, which shall be paid to the municipality designated as administrator of funds under the terms of this Agreement.
9. The member municipalities in the Consortium have the option have the option to opt-in or opt-out of any program, project, or initiative of the Consortium that is in their best interests and funding capabilities.
10. The meetings of the Consortium Board of Directors will be held in accordance with the By-laws and shall be held at least quarterly. Said meeting dates shall be fixed and provided to all member municipalities whose clerk shall advertise the same.
11. All meetings of the Consortium shall be subject to the Open Meetings Law and notice thereof of any meetings, regular or special, shall be in accordance therewith.
12. Should any additional funds be necessary over and above the annual fee previously set forth herein, the Board shall make a request of the participating municipalities have approved the same prior thereto.

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Cortlandt does hereby authorize and Intermunicipal Ageement with respect to the Northern Westchester Energy Action Consortium.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
JO-ANN DYCKMAN
TOWN CLERK**

**Adopted April 20, 2010
At a Regular Meeting
Held at Town Hall**