

The Legislature of Rockland County



NANCY LOW-HOGAN

Legislator, District 17

Chairwoman, Economic Development Committee

Vice-Chairwoman, Environmental Committee

AGENDA
ECONOMIC DEVELOPMENT COMMITTEE
TUESDAY, FEBRUARY 11, 2014
6:45 PM

ROLL CALL

ADOPTION OF MINUTES, MEETING OF SEPTEMBER 12, 2013

1. REF. #5614 - APPROVAL OF PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT BETWEEN NRG BOWLINE, LLC, HUDSON VALLEY GAS CORPORATION, VILLAGE OF HAVERSTRAW, VILLAGE OF WEST HAVERSTRAW, TOWN OF HAVERSTRAW, HAVERSTRAW-STONY POINT CENTRAL SCHOOL DISTRICT, COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY FOR PROPERTY CONSISTING OF APPROXIMATELY 249 ACRES ALONG WITH A 700 MEGAWATT ELECTRIC GENERATING FACILITY, COMMONLY REFERRED TO AS THE BOWLINE ELECTRIC GENERATING FACILITY AND HUDSON VALLEY GAS CORPORATION, LOCATED IN THE TOWN OF HAVERSTRAW, VILLAGE OF HAVERSTRAW, VILLAGE OF WEST HAVERSTRAW UNDER VARIOUS TAX MAP BLOCK AND LOT NUMBERS (IDENTIFIED IN THE PILOT AGREEMENT) AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE (DEPARTMENT OF FINANCE) {PILOT]
(STEPHEN DEGROAT, COMMISSIONER, FINANCE) DL#2014-00393

"The Rockland County Legislature is committed to full compliance with the Americans with Disabilities Act. To that end, the Legislature is committed to creating an accessible environment for all. To request accommodations that you may require, please call Damaris Alvarez at 845-638-5248 (845-708-7899 for TTY/TDD). Please request these accommodations three (3) days in advance so that we can seek to meet your needs."

ED021114.AGA
SED

WHEREAS, HVG owns a portion of the Project Facility associated with a gas pipeline and NRG owns the balance of the Project Facility; and

WHEREAS, NRG and HVG wish to enter into an agreement with the County of Rockland, for payment of monies in lieu of taxes ("PILOT") pursuant to General Municipal Law 925-1; and

WHEREAS, The PILOT would exempt the Project Facility from General Ad Valorem Taxes levied or imposed by the County for the term of the agreement, commencing on March 1, 2014 and expiring on February 28, 2020, covering taxes that would otherwise be due with respect to the 2014 through 2020 Town, County, School District, and Villages of Haverstraw and West Haverstraw assessments; and,

WHEREAS, For the seven (7) year term of the PILOT (i.e., the 2014 to 2020 assessment rolls inclusive), the total payments to all jurisdictions involved will be \$2.7 million; and,

WHEREAS, For the seven (7) year term of the PILOT (i.e., the 2014 to 2020 assessment rolls inclusive), the County's portion of the \$2.7 million will be approximately \$127,700; and,

WHEREAS, Upon execution of the agreement, the County is required to refund NRG overpaid real property taxes in the estimated sum of \$358,632.00; and,

WHEREAS, The Village of Haverstraw, the Village of West Haverstraw, Town of Haverstraw, the Haverstraw-Stony Point Central School District and the Rockland County Industrial Development Agency are also in the process of approving this agreement; and

WHEREAS, Committees of the Legislature have met, considered and approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves a Payment In Lieu Of Taxes (PILOT) agreement with NRG Bowline, LLC and Hudson Valley Gas Corporation, the Village of Haverstraw, the Village of West Haverstraw, the Town of Haverstraw, the Haverstraw-Stony Point Central School District, County of Rockland and County of Rockland Industrial Development Agency for payment of monies in lieu of taxes as set forth in the attached agreement, and authorizes its execution by the County Executive, subject to the approval of the County Attorney, and only upon the agreement of all parties.

AR:dc
2014-00393
1/29/14

EXHIBIT "A"

DESCRIPTION OF REAL PROPERTY

LEGAL DESCRIPTION ATTACHED HERETO.

Together with:

All articles of personal property, all machinery, apparatus, equipment, appliances, floor coverings, furniture, furnishings, supplies, materials, fittings and fixtures of every kind and nature whatsoever and all appurtenances acquired by the Company now or hereafter attached to, contained in or used or acquired in connection with the Project Facility or placed on any part thereof, though not attached thereto, including, but not limited to, pipes, screens, fixtures, heating, lighting, plumbing, ventilation, air conditioning, compacting and elevator plants, call systems, stoves, ranges, refrigerators and other lunch room facilities, rugs, movable partitions, cleaning equipment, maintenance equipment, shelving, flagpoles, signs, waste containers, outdoor benches, drapes, blinds and accessories, sprinkler systems and other fire prevention and extinguishing apparatus and materials, motors, machinery; and together with any and all products of any of the above, all substitutions, replacements, additions or accessions therefor, and any and all cash proceeds or non-cash proceeds realized from the sale, transfer or conversion of any of the above.

And which is also known as the following tax parcels, as such tax parcels may be modified from time to time:

Tax Parcels Located in the Town of Haverstraw (outside of Haverstraw Village and West Haverstraw Village):

622.089-9999-134.200/1001 (formerly 600.00-277-1)
622.089-9999-134.200/1011 (formerly 600.00-277-2)
622.089-9999-134.200/1021 (formerly 600.00-277-3)
622.089-9999-134.200/1031 (formerly 600.00-277-4)
622.089-9999-134.200/1041 (formerly 600.00-277-5)
622.089-9999-134.200/1051 (formerly 600.00-277-6)
622.089-9999-134.200/1061 (formerly 600.00-277-7)
622.089-9999-134.200/2001 (formerly 600.00-333)
622.089-9999-134.200/2011 (formerly 600.00-334)
20.16-2-4
21.17-1-2
21.17-1-3
21.17-1-4
21.17-1-5
27.05-1-1
27.05-1-2
27.05-1-3
27.05-1-4
27.05-1-5

Tax Parcels Located in West Haverstraw Village

26.07-4-4
26.07-4-5
26.07-4-6
26.07-5-71
26.07-5-72
26.08-2-39
26.08-3-32
26.08-3-33
622.003-9999-134.200/1001 (formerly 600.00-324)
622.003-9999-134.200/2001 (formerly 600.00-325)
622.003-9999-134.200/2011 (formerly 600.00-330)

Tax Parcels Located in Haverstraw Village:

27.05-2-2
27.05-2-3
27.05-2-4
27.05-2-6
27.09-1-2
27.09-1-1

on the official tax maps of the Town, Haverstraw Village and West Haverstraw Village, as the case may be.

EXHIBIT "B"

RESOLUTIONS

The following resolutions are attached hereto:

Town Authorizing Resolution, dated February __, 2014
Haverstraw Village Authorizing Resolution, dated February __, 2014
West Haverstraw Village Authorizing Resolution, dated February __, 2014
School District Authorizing Resolution, dated February __, 2014
County Authorizing Resolution, dated February __, 2014
Agency Authorizing Resolution, dated February __, 2014