

CORPORATE RESOLUTION CERTIFICATION

I HEREBY CERTIFY that the following is a true and correct copy of resolution 16-24-07 duly adopted at a meeting of the Board of Directors of **The Board of Hudson River – Black River Regulating District** a corporation incorporated under the laws of the State of New York duly called and held on the 12th day of July, 2016, a quorum then being present; that the said resolution has been entered upon the regular minute book of the corporation and are in accordance with the certificate of incorporation and the by-laws and are now in full force and effect:

RESOLVED that pursuant to NY ECL §15-2121, the Board of the Hudson River-Black River Regulating District certifies such apportionment to the Department of Environmental Conservation for its approval.

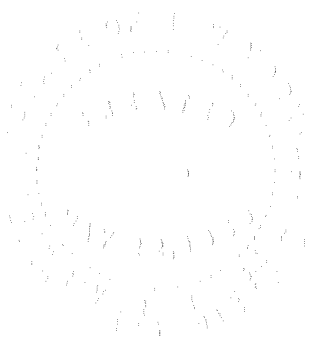
I FURTHER CERTIFY that the names of the persons holding titles referred to in the foregoing resolutions are as follows:

NAME	TITLE
Mark Finkle	Chairperson
Albert Hayes	First Vice Chair
David Berkstresser	Second Member
Anthony Neddo	Board Member
Jeffrey Rosenthal	Board Member

(Corporate Seal)

Treasurer: Bill J. F...

Date: 7/14/16



16-24-07

**RESOLUTION TO APPROVE AN APPORTIONMENT
FOR THE BLACK RIVER AREA**

WHEREAS, the Board of the Hudson River-Black River Regulating District has determined the total cost to operate and maintain the Regulating District's Black River Area facilities (Stillwater, Old Forge/6th Lake, Hawkinsville Reservoirs); and

WHEREAS, NY ECL §15-2121(2) and §15-2125(2) require the Regulating District Board to apportion such cost, less the amount chargeable to the state, among the public corporations and parcels of real estate benefited, in proportion to the amount of benefit which shall inure to each such public corporation and parcel of real estate by reason of such reservoir; and

WHEREAS, the Regulating District Board has determined that by grouping the towns, cities, villages within each county, the potential for disparate treatment of one individual property, neighborhood or municipality when compared to others diminishes; and

WHEREAS, the attached written apportionment shows the name of each public corporation, and the name and a brief description of each parcel of real estate, benefited and the proportion of such cost less the amount chargeable to the state to be borne by each, expressed in decimals and the amount to be paid by each such public corporation or the owner or owners of each such parcel of real estate; and

WHEREAS, the amount to be paid by each such public corporation or the owner(s) of parcels of real estate is determined by multiplying the total cost less the amount which may be chargeable to the state by the decimal representing the proportion thereof to be borne by each public corporation or owner of parcels of real estate; and

WHEREAS, the Regulating District Board, or a majority of its members, have viewed the public corporations and parcels of real estate benefited; and

WHEREAS, NY ECL §15-2121 requires that the Regulating District Board shall, upon its approval of the apportionment, certify such apportionment to the Department of Environmental Conservation for approval; and

WHEREAS, the Regulating District Board, after serving a copy of such apportionment as provided at NY ECL §15-2121, shall notice or publish the time and place at which the Board will meet to hear any public corporation or person aggrieved by the Board's apportionment determination; and

WHEREAS, following such apportionment grievance hearing, such apportionment if not modified shall become final and conclusive; or if modified, following approval of the modified apportionment by the Department of Environmental Conservation, such apportionment as so modified shall become final and conclusive; and

Approved at the July 12, 2016 Board Meeting

16-24-07

NOW THEREFORE BE IT RESOLVED, the Board of the Hudson River-Black River Regulating District does hereby adopt the attached "State of New York Hudson River-Black River Regulating District Stillwater, Old Forge/6th Lake, Hawkinsville Operation and Maintenance Cost and Apportionment of Operation and Maintenance Cost" apportionment for the Regulating District's Black River Area facilities to supercede the apportionment adopted by the Board May 8, 1988; and

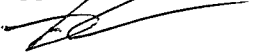
BE IT FURTHER RESOLVED, pursuant to NY ECL §15-2121, the Board of the Hudson River- Black River Regulating District certifies such apportionment to the Department of Environmental Conservation for its approval; and

BE IT FURTHER RESOLVED, the Board of the Hudson River-Black River Regulating District directs staff to publish in the Regulating District's newspapers of record notice of a date and time, to coincide with a Board meeting not less than 45 days following Department of Environmental Conservation's approval of said apportionment, at which the Board will hear any public corporation or person aggrieved by the Board's apportionment determination; and

BE IT FURTHER RESOLVED, that the Regulating District Board's apportionment shall, upon becoming final and conclusive, also be deemed to fix and determine the apportionment and basis of apportionment of all subsequent expenses to be incurred in the maintenance and operation of the Regulating District's Black River Area facilities.

Attachment

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Berkstresser and seconded by Mr. Rosenthal that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle.....	<u> X </u>	<u> </u>	<u> </u>
Mr. Hayes.....	<u> X </u>	<u> </u>	<u> </u>
Mr. Berkstresser	<u> X </u>	<u> </u>	<u> </u>
Mr. Neddo	<u> X </u>	<u> </u>	<u> </u>
Mr. Rosenthal.....	<u> X </u>	<u> </u>	<u> </u>