

Professional Services Agreement

Agreement made the date of the last signature below
between

LaBella Associates, D.P.C.
("LaBella")

and

The Town of Greenwood and the Town of West Union
("Client")

for services related to the following Project:

Eight Point Wind Energy Center
Case 16-F-0062

Towns of Greenwood and West Union
Steuben County, NY

LaBella and Client hereby agree as follows:

- 1. Description of Services:** LaBella shall perform the services set forth and described in LaBella's proposal, dated December 8, 2016, a copy of which is attached as *Exhibit A*, in accordance with the terms and conditions of this contract attached as *Exhibit B*.
- 2. Compensation for Services:** Client shall compensate LaBella for its professional services as set forth in LaBella's proposal. LaBella shall submit invoices for services rendered on a monthly basis. Client shall make payment to LaBella no later than fifteen (15) days after the Client's receipt of designated funds from the NYS Statewide Financial System, which is expected to be quarterly, based on a calendar year.

3. **Term:** LaBella shall commence performing its services when Client gives notice to proceed. This Agreement shall terminate when LaBella's services are completed, or as otherwise provided in this Agreement.

LaBella Associates, D.P.C.

By: _____

Title _____

Date: _____

Town of Greenwood

By: _____

Title _____

Date _____

Town of West Union

By: _____

Title _____

Date _____

Exhibit A

LaBella's Proposal

LaBella Associates
Scope Addendum to December 8, 2016 Proposal

Scope of Services – Pre-Application Stage

The following tasks are considered scope items which may be completed during the Pre-Application process of the wind power review project. It is acknowledged that the period of time during which the Pre-Application process will occur is generally unknown, as it is dependent upon a number of project-related factors. However, the end of the Pre-Application process is generally accepted as the time when an Article 10 Application is submitted by the Applicant. It is further acknowledged that the scope of services may be limited by the cap on Intervenor funds available to LaBella, as approved for the Towns by the New York State Board on Electric Generation Siting and the Environment.

Services to be provided by LaBella during the Pre-Application process will include some or all of the following, in response to requests or needs of the Towns and/or their attorney:

- ☐ Provide advice relative to wind turbine placement, especially as related to the Towns' local laws; wind turbine decommissioning and appropriate levels of bonding related to the decommissioning; sound issues; environmental and SEQR issues raised during and post construction; risk assessments; utility issues; feasibility studies; and other issues relevant to wind project development.
- ☐ Review documentation provided by the Applicant and help the Towns ask appropriate and relevant questions related to project development and infrastructure with regard to important local resources. This documentation could include the Preliminary Scoping Statement (PSS), agency comments on the PSS, the Project Sponsor response to agency comments, draft and final Stipulations, among other documents.
- ☐ Participate in the Stipulation negotiation process, as needed, by attending conference calls and/or meetings, providing comments on the Stipulations, asking questions and offering relevant information.
- ☐ Assist the Towns in understanding the nature and impact of aspects of the wind project that are outlined in the PSS and/or the Stipulations, and help the Towns address issues raised in comments, as well as to submit appropriate comments of its own.
- ☐ Provide alternative scenarios to the Applicant that the Applicant may not have considered that would be beneficial to the Towns.
- ☐ Identify problem areas that could arise due to the Project in order to help the Towns to plan and negotiate those issues.
- Work in conjunction with the Towns' attorney to compare the proposed design of the wind power facility to relevant local laws in order to attempt compliance with such laws.
- ☐ As appropriate, communicate with Town officials and participate in public meetings to identify local concerns.

300 State Street, Suite 201 | Rochester, NY 14614 | p 585.454.6110 | f 585.454.3066 | www.labellapc.com

December 8, 2016

David Heckman
Supervisor, Town of Greenwood
2686 St. Rt. 248
Greenwood, NY 14839

RE: Professional Engineering Services for Eight Point Wind Energy Project

Dear Supervisor Heckman:

Thank you for contacting LaBella Associates and for the opportunity to submit our proposal to assist the Town of Greenwood and the Town of West Union in Steuben County.

As you will see in our proposal, we feel strongly that no other firm in the State can match our qualifications and experience with regard to advising municipalities on the development of a utility-scale wind energy project in their community. Our conviction is based on our past experience working with municipalities and agencies engaged in the review of twelve such projects in upstate NY, as well as additional experience in monitoring the construction of such projects and in the preparation and adoption of local laws regulating wind energy development. Our proposed team is made up of the individuals who have been directly involved in each of these prior reviews and our other related experience.

Although the advent of Article 10 has modified both the venue and process for the review of wind energy projects, in substance the municipal concerns encountered in an Article 10 review correspond very closely to those encountered in the past in a SEQRA review. It's worth noting that LaBella's experience in the review of utility-scale wind energy projects is complemented by a much larger body of work with other environmental review and related projects for municipal clients. Finally, our experience with wind energy projects is also augmented by our experience with applications to the Public Service Commission for energy-related projects.

LaBella's proposal is contained in the following pages. Note that in place of a formal contract, we have attached our firm's standard Terms and Conditions for your consideration and review.

We are avidly interested in the opportunity to team with you so as to provide the Town's of Greenwood and West Union the highest level of service and support. We hope that our proposal is responsive to your needs and ask that you contact me directly by telephone (585) 295-6226, or by e-mail rvenvertloh@labellpc.com with any questions, concerns or needs for clarification.

Sincerely,

LaBELLA ASSOCIATES, D.P.C.



Richard T. VenVertloh
Vice President

Firm Introduction

Firm Background

LaBella Associates, a Design Professional Corporation registered and licensed in the State of New York, was formed in 1978 by professional engineer Salvatore A. LaBella. From the very beginning, our goal was to build strong relationships with our clients that drive successful results. We provide services that take a project from start to finish—from an initial study to determine a project’s feasibility to construction administration and start up, and everything in between.

LaBella Today

LaBella has grown significantly over the years, expanding and improving to now offer full-service architecture, engineering, environmental consulting, and planning services. With a staff of over 450 members, and 15 office locations, our clients can rest assured that LaBella Associates has the resources and knowledge to implement successful projects within budget and on time. In recent years, LaBella Associates has been included in the Top 100 Fastest Growing Companies in Rochester, and the Engineering News Record (ENR) Top 500, as well as winning awards for projects at the local, regional and national levels.

Our Philosophy

Our approach to all project types can be summarized simply... **Relationships. Resources. Results.**

Relationships.

There’s a reason LaBella’s motto is “Relationships. Resources. Results.” Relationships come first, and LaBella is committed to achieving client trust and loyalty by demonstrating professional, fair and ethical practices. Client satisfaction is our number one priority and we are committed to building partnerships that will last a lifetime. Strong client relationships offer significant mutual benefits. Increased level of client satisfaction results in a collaborative effort and improved level of understanding on how we can improve your business!

Resources.

Our full service firm has an array of talents and resources in-house to apply to your project. Our staff of experienced professionals excels at finding and bringing together the human, technical, and financial resources needed for successful projects.



from left to right

Robert Healy, AIA, President, Sergio Esteban, PE, CEO, and Robert Pepe, CFO

LaBella’s full service expertise includes:

- Civil/Municipal Engineering
- SEQR, Planning & GIS Services
- Survey & Construction Inspection
- Transportation Engineering
- Architecture & Interior Design
- Mechanical, Electrical, Energy, Plumbing and Process Engineering
- Energy Engineering
- Grant Writing & Administration
- Structural Engineering
- Environmental Consulting Services
- Program Management Office Services

Results.

LaBella Associates strives for excellence with every project we take on. Successful project execution means completing projects on budget, on time and beyond client expectations. Our firm is proactive when it comes to assessing and predicting project challenges, and flexible in our approach to problem solving. We want our clients to know that we’re committed to each and every project from start to finish. The LaBella team will work hard to ensure each phase of the project is completed efficiently and effectively.

Firm Introduction

Headquarters

Rochester, NY Office

LaBella Associates, D.P.C.
300 State Street, Suite 201
Rochester, NY 14614
(585) 454-6110

Regional Offices

Buffalo, NY Office

Olympic Towers
300 Pearl Street, Suite 130
Buffalo, NY 14202
(716) 551-6281

Syracuse, NY Office

235 Harrison Street
Mail Drop #12
Syracuse, NY 13202
(315) 401-5345

Hornell, NY Office

20 Seneca Street
Hornell, NY 14843
(607) 324-0222

Ithaca, NY Office

105 N. Tioga Street, Suite 200
Ithaca, NY 14850
(607) 319-4136

Elmira, NY Office

145 Prescott Avenue
Elmira Heights, NY 14903
(607) 734-8492

Jamestown, NY Office

500 East Sixth Street
Jamestown, NY 14701
(716) 483-3153

Coudersport, PA Office

227 N. Main Street
Coudersport, PA 16915
(814) 274-5037

Scranton, PA Office

Scranton Electric Building
507 Linden Street, Suite 200
Scranton, PA 18503
(570) 342-3101

Cleveland, OH Office

5035 Mayfield Road Suite 107
Lyndhurst, OH 44124
(216) 862-5788

Charlotte, NC Office

1520 South Blvd., Suite 210
Charlotte, NC 28203
(704) 376-6423

Davidson, NC Office

455 South Main Street, Suite 220
Davidson, NC 28036
(704) 3439-2931

Gastonia, NC Office

200 West Main Avenue
Gastonia, NC 28052
(704) 332-6177

Winston-Salem, NC Office

615 St. George Square Court, Suite 300
Winston-Salem, NC 27103
(336) 842-4065

International Offices

Madrid, Spain Office

Parque Euronova
2 Ronda de Poniente
Building 5, Suite H
28760, Tres Cantos, Madrid
Spain
+ 349 1 803 5335

Relevant Experience

LaBella has assisted more than 20 Towns around New York State in reviewing and managing wind energy projects. In fact, it is our belief that we have more experience with wind energy projects than any other consulting firm in upstate New York. In the course of this work, we joined forces with the Steuben County IDA in their environmental review of five wind projects. It is important to note that in each of these projects, LaBella represented the municipality, rather than the wind developer, with our focus being on issues of concern to the Town and its residents.

Our involvement has spanned across a wide range of disciplines including permitting, site plan review, environmental review of detailed technical reports, municipal zoning, comprehensive planning, environmental monitoring during construction (road condition, storm water runoff) and road use agreements. In addition to engineering and environmental review projects, we have been written or reviewed Wind Energy Laws for several municipalities

As wind project review has made the transition from the SEQRA process to the Public Service Commission Article 10 process, LaBella has investigated the many facets of the Article 10 process and studied methods to maximize the effectiveness of municipal participation. LaBella employees also have in-depth experience with the PSC's Article VII process, including the opportunity to provide expert testimony for wind energy projects.

Utility Scale Wind Energy Projects

SCIDA, Ecogen, LLC, Prattsburgh / Italy Wind Farm, Steuben County, NY

LaBella Associates was retained by the Steuben County Industrial Development Agency (SCIDA) to provide SEQR consultation relating to the private development of a \$100 million dollar wind farm. The SEQR process took 22 months and included two phases: Generic Environmental Impact Statement and subsequent project-specific compliance reviews. LaBella was involved from start to finish. The Final GEIS was over 2,600 pages long.

The project initially called for the construction of over fifty 1.5 MW electric generating wind turbines, each about 400 ft. tall from the ground to the tip of the blade. The final

layout included thirty-four 2.5 MW turbines. The project location encompasses two Towns and two Counties. Neither of the Towns initially had zoning. However, one of the Towns did adopt a wind local law after an extensive comprehensive planning process. This project is very controversial in the community and was challenged by a well-funded opposition party. Total project cost: \$100 million. (2004)

There were six major components of LaBella's scope of work:

Compliance with 6NYCRR Part 617 (SEQR Regulations):

This work involved making sure that all procedural steps were followed, including all Board resolutions and SEQR filings, notices, and publications. LaBella helped the IDA adhere to critical timing requirements.

Reviewing Documents and Technical Studies: Not only did this task require an in depth review of all materials, but significant edits and updates were often needed for completeness. Some of the documents reviewed were the Scoping Document, Draft Generic Environmental Impact Statement, Final Generic Environmental Impact Statement, and Findings Statement. LaBella reviewed a variety of technical studies such as: Cultural Resource Assessment, Wetland and Habitat Study, Avian Study and Data Analysis Report, Bat Survey Report, Avian Risk Assessment, Bat Risk Assessment, Agricultural Mitigation Plan, Visual Impact Assessment, Noise Impact Assessment, and Construction/Transportation Assessment. LaBella also played an integral part in resolving public/agency comments to the satisfaction of the IDA and numerous working session meetings were conducted.

Public Meetings: LaBella conducted a scoping public meeting and a SEQR public hearing on behalf of the IDA. These were each highly charged meetings that required a significant amount of preparation and facilitation.

Agency Coordination: On behalf of the IDA, LaBella was instrumental in implementing a proactive partnership with numerous "involved" and "interested" agencies, including Towns and resource agencies. Over the course of the SEQR process, we were able to develop close

Relevant Experience

working relationships with the staff at the DEC and other agencies. These relationships proved to be beneficial to the IDA throughout the process.

Recommendation and Environmental Mitigation: LaBella was integrally involved in working with the IDA to understand the issues and explore different options for mitigation. There were numerous Board meetings that LaBella attended to brief the Board and make recommendations. Six all-day working sessions were held to produce the Final GEIS. LaBella also prepared for and conducted an all day “Special Board Meeting” with the Directors to finalize setback criteria and to determine appropriate mitigations and other conditions for project development. LaBella worked with a professional facilitator to conduct the meeting.

Coordination with IDA and Ecogen Attorneys: Because the project was highly controversial, there was a strong likelihood that there would be subsequent legal challenges. Throughout the process, there was a need to seek legal advice on certain matters. This usually involved coordination with Ecogen’s attorney. LaBella’s understanding of legal principles and issues associated with wind farms was an asset to the team.

Town of Perry, Horizon Wind Energy, Dairy Hills Wind Farm, Wyoming County, NY

The Town of Perry, acting as Lead Agency, retained LaBella for SEQR environmental review and consultation in regard to the Dairy Hills project. This controversial wind farm project was located in the Towns of Perry, Warsaw, and Covington. The project scope included reviewing a supplementary DEIS, following which LaBella wrote the Final EIS. LaBella also supported the site plan review process conducted by the Perry Town Board.

SCIDA, EC&R Northeast, LLC/E. ON Climate & Renewables, Steuben Wind Power Project, Steuben County, NY

The Steuben County IDA, acting as Lead Agency, retained LaBella Associates to provide SEQR services (environmental review and consultation) in regard to the Steuben Wind Development project in the Town of Hartsville and the Town of Hornellsville, New York. The scope of work was similar to the Ecogen Project. Additionally, LaBella was responsible for writing the final EIS including the resolution of all comments.

SCIDA, Global Wind Harvest, Inc. / UPC Wind Management, LLC, Wind Farm Prattsburgh, Steuben & Yates County, NY

The Steuben County IDA, acting as Lead Agency, retained LaBella Associates to provide SEQR services (environmental review and consultation) in regard to the Wind Farm Prattsburgh project in the Town of Prattsburgh (Steuben County) and the Town of Italy (Yates County), New York. The project has been completed and a Findings Statement was issued. The scope of work was similar to the Ecogen Project.

LaBella was additionally retained by the Steuben County IDA to provide environmental consultation services during construction. This involved providing review and oversight of the work performed by UPC Wind Management LLC and their consultants to ensure that the Environmental Compliance program was implemented as set forth in the SEQR Finding Statement.

SCIDA, Clipper Wind Power, Inc, Paragon Wind Farm, Steuben & Schuyler County

The Steuben County Industrial Development Agency, acting as Lead Agency, retained LaBella Associates to



Relevant Experience

provide SEQR services (environmental review and consultation) in regard to the Paragon project in the Town of Hornby (Steuben County) and the Town of Orange (Schuyler County), New York. The original scope of work was similar to the Ecogen Project.

SCIDA & Town of Howard, EverPower Renewables, Inc., Howard Wind Power Project, Steuben County, NY

The Steuben County IDA, acting as Lead Agency, retained LaBella Associates to provide SEQR services (environmental review and consultation) in regard to the Howard project in the Town of Howard. The project has been completed and a Findings Statement was issued. The scope of work was similar to the Ecogen Project.

Additionally, LaBella was retained by the Town of Howard to assist with the review of a wind power application submitted by Howard Wind LLC (EverPower). The engineering services included site plan review, construction plan review, specification review, assistance with building permit issuance, engineering evaluations of Town infrastructure and instrument survey. Acting as the Environmental Monitor during construction, LaBella was responsible for ensuring that the Environmental Compliance program was implemented by Howard Wind LLC as set forth in the SEQR Findings Statement and further defined by the Town. LaBella was also responsible for ensuring compliance with the Town's Road Use Agreement.

Town of Cherry Valley, Reunion Power, LLC, Otsego County, NY

LaBella was retained by the Town of Cherry Valley to provide planning services related to commercial wind energy. In response to a proposed project, the Town passed a moratorium law to provide enough time to develop land use regulations. LaBella assisted the Planning Board and the Town Board in the following areas: development of a local law, consulting on technical issues, assisting with public hearings and related materials, and coordination with the Town's legal counsel.

Town of Cohocton, Dutch Hill & Cohocton Wind Power Projects, First Wind Energy, LLC, Steuben County, NY

LaBella was retained by the Town of Cohocton to assist the Planning Board in their review of site plans for two



commercial wind power projects. LaBella joined a team of other engineers and attorneys who were engaged in a separate review of the project under SEQR. LaBella was responsible for developing standards for site plan completeness based on the unique aspects of development, as well as special provisions contained in the Town's local law. LaBella was involved in presenting the site plans at special Planning Board review sessions

Relevant Experience

and at public hearings that were specifically intended for non-participating adjacent land owners. A two step process for site plan review (interim and final) was instituted and carried out by LaBella.

LaBella was additionally retained by the Town of Cohocton to assist the Code Enforcement officer in the review and oversight of two commercial wind farm projects during the construction phase. Responsibilities included reviewing construction drawings (structural, civil site, electrical) for code compliance and accepted engineering practice. Weekly site visits were conducted to inspect the work and advise the Town regarding compliance with site plans, engineered drawings and special use permit conditions. LaBella was also responsible for coordinating with the environmental monitors, which in this case were supplied by the developer.

Town of Roxbury & Stamford, Invenergy, LLC, Moresville Energy Center, Delaware County, NY

The Town of Roxbury, acting as Lead Agency, retained LaBella for SEQR environmental review and consultation in regard to the Moresville Project. The proposed Moresville Energy Center consisted of 33 wind turbine generators (WTGs) and associated improvements to be located predominantly on a ridgeline between the Towns of Roxbury and Stamford, Delaware County, New York. Fourteen WTGs would be located in Roxbury, ten in Stamford, and nine along the border between the Towns of Roxbury and Stamford. The scope of work included review for compliance with 6NYCRR Part 617 (SEQR Regulations), reviewing documents and technical studies, conducting public meetings, and coordinating inter-agency, Town, and attorney review. Additionally, LaBella worked separately with the Roxbury Planning Board and the Stamford Town Board on site plan and other project issues of concern to the individual municipalities.

Town of Enfield, Enfield Energy, Black Oak Wind Farm, Tompkins County, NY

As the SEQR Lead Agency, the Town of Enfield acting in concert with special counsel, retained LaBella in 2010 for environmental review and technical consultation services in regard to the review Black Oak Wind Farm project, a 7-turbine wind energy project southwest of Ithaca. While the community was supportive of the project, concerns were raised regarding noise, shadow flicker,



visual impacts, wildlife/endangered species, and construction-related impacts to traffic and roads. The DEIS was initially reviewed for adequacy in addressing the Scope, followed by a technical review for scientific accuracy, thoroughness, and balance. The FEIS was compiled with careful attention to the mitigation measures committed to by the developer or desired by the Town.

In 2015, changes in turbine sites triggered the need for a Supplemental EIS. LaBella served in the same role, advising the Town with regard to SEQR in concert with legal counsel. The project has become highly contentious with significant public scrutiny and opposition. LaBella is currently assisting with the review related to issuance of a Wind Energy Permit. LaBella's primary role is to help the Town Board in finding consensus among themselves and responding appropriately to public concerns with regard to noise, safety, setbacks, complaint resolution, decommissioning and property values.

Cortland County, TCI Renewables, Crown City, NY

Cortland County, acting both as SEQR Lead Agency and as a potential project participant, retained LaBella for SEQR environmental review and technical consultation in the

Relevant Experience

review of the proposed Crown City Wind Farm project. The project involved 44-turbines proposed in four towns. LaBella undertook both a completeness review of DEIS to determine if Scope was met, as well as technical review of scientific and factual information presented in the main DEIS text and appendices. Comments and findings were reported in presentations to County Legislature/Committees, and LaBella participated in several public hearings. Significant issues included visual impacts, noise, shadow flicker, community character, property values, wildlife and endangered species, and construction impacts, particularly truck traffic.

Town of Barre, Local Wind Energy Law Review & SEQRA, Orleans County, NY

The Town of Barre retained LaBella to review its Local Wind Energy Law and evaluate the provisions in terms of: effectiveness in managing wind energy development; effectiveness in safeguarding the environment and community resources; avoidance of imposing unnecessary or overly burdensome requirements; and development of a good foundation for a responsible and proactive project review process. The scope of work included providing a summary of comments and, where appropriate, suggestions concerning potential revisions. LaBella also provided SEQRA services relating to adoption of the Local Wind Energy Law.

Town of Kendall, Local Wind Energy Law Review, Orleans County, NY

LaBella was retained by the Town of Kendall to provide a cursory review of the Local Wind Energy Law and to evaluate its provisions in terms of: effectiveness in managing wind energy development; effectiveness in safeguarding the environment and community resources; avoidance of imposing unnecessary or overly burdensome requirements; and development of a good foundation for a responsible and proactive project review process. The scope of work included providing a summary of comments and suggestions concerning potential revisions.

Town of Victor, Local Wind Energy Law Development, Ontario County, NY

LaBella assisted the Town of Victor with the development of a Local Wind Energy Law regulating private commercial and



residential wind energy conversion systems. LaBella evaluated the provisions in terms of: effectiveness in managing wind energy development; effectiveness in safeguarding the environment and community resources; avoidance of imposing unnecessary or overly burdensome requirements; and development of a good foundation for a responsible and proactive project review process. The scope of work included providing a draft document and incorporating comments from involved boards and committees. LaBella also provided SEQR services relating to adoption of the Local Wind Energy Law.

Firm's Approach

1. The Engineering Firm will need to be familiar with AASHTO

- LaBella Associates, a multi-disciplinary firm, includes a Transportation Division with more than 25 design professionals specializing in the design of roads and highways. Our clients range from Towns such as Victor, Campbell, Irondequoit, Clyde, The Village of Hammondsport and all the way up to the NYSDOT and NYS Thruway Authority. The AASHTO "Green Book" is the bible for highway design and serves as the basis for all of our work.
- LaBella has evaluated potential road and highway impacts during the environmental review of 12 upstate NY utility-scale wind energy projects located within 20 Towns. This work has also included Town-wide road assessments, intersection design, pavement evaluations, haul route determinations, construction monitoring and overseeing road maintenance /repair. We have advised our municipal clients (and their attorney's) regarding terms to be included in proposed Road Use Agreements that are designed, in part, to mitigate construction impacts.
- LaBella Associates has also been retained by Tompkins County for a project that seeks to document existing highway conditions in anticipation of high numbers of heavy vehicle usage during large scale projects (including wind). The scope includes identifying how local roads might be affected by proposed energy projects.
- LaBella has provided on-site road monitoring on behalf of our municipal clients during the construction phase of multiple utility-scale wind energy projects including Cohocton and Howard. We have collaborated closely with Town staff in the Department of Public Works to maintain safe and sound roads.

2. The Engineering Firm will need to provide the Towns with sound advice relative to key issues related to wind energy development (turbine placement, bonding and decommissioning, sound, risk, feasibility, etc.) and to be able to give Expert testimony related to those issues.

- LaBella Associates has advised municipal clients regarding the full range of potential environmental impacts encountered in the SEQR review of 12 upstate

- NY utility-scale wind energy projects, including all the issues listed above. Our experience indicates that the primary issues of concern to residents include noise, shadow flicker, wildlife (bird and bat species), road use/deterioration, complaint resolution, and public safety, among others. LaBella has analyzed and studied these issues on multiple occasions (most recently in the summer and fall of 2016 for the Town of Enfield), and equally important, have watched as the body of knowledge surrounding these issues have evolved over a long period of time. Our evaluations and recommendations have also focused upon mitigation measures typically required such as Road Maintenance Agreements, Emergency Response Plans, Wetland Mitigation Plans, Storm Water Pollution Prevention Plans (SWPPPs), Archeological Monitoring Plans, Dispute Resolution Procedures, Decommissioning Plans, and Bonding Requirements.
- LaBella worked with the Steuben County IDA to develop a set of guidelines for the evaluation of wind turbine projects, including a setback regime for towns without zoning. The standards were designed to protect the property values of adjacent landowners from excessive noise exposure and other impacts. We were also retained by the Town of Cohocton to conduct site plan reviews with the code enforcement officer to ensure compliance with local laws.
 - LaBella has conducted engineering and cost analysis to determine reasonable decommissioning requirements and bonding values for clients such as SCIDA and Howard.
 - LaBella has conducted risk assessments for several large transportation projects and is fully versed in the procedures for effective identification and management of risks.
 - Our employees have provided on-site monitoring on behalf of our municipal clients during the construction phase of multiple utility-scale wind energy projects and is familiar with the mitigation, compliance and enforcement issues that can arise during construction in these types of projects.
 - LaBella has written or reviewed the local wind law of multiple upstate New York towns and is particularly familiar with options and issues related to setback requirements (turbine siting relative to occupied

Firm's Approach

- structures, property lines, roads etc.)
- LaBella engineers and environmental consultants have past experience in preparing exhibits for presentation to the NY Public Service Commission in connection with pending applications, in coordinating with DPS staff, and in providing expert testimony to the Commission.

3. The Engineering Firm that is hired will serve the Towns by reviewing the Preliminary Scoping Statement ("PSS") and preparing comments.

- LaBella's work in the wind industry has been exclusively for municipal clients (not developers) where we have earned a reputation for advocating for community interests and maximizing the overall benefit. We approach these projects in a collaborative way with your staff and your attorney's and have been very effective with public outreach.
- Although the adoption of Article 10 has modified both the venue and process, in substance the issues relative to potential impacts correspond closely to those that have instead been encountered during the SEQR review of such projects undertaken by Towns and Counties prior to the adoption of Article 10. LaBella has assisted upstate Towns and Counties in the review of 12 such projects.
- LaBella's approach has encompassed the following:
 - * Assist municipal boards in understanding technical language and reports regarding which they have little experience or limited understanding;
 - * Alert municipalities to potential issues, impacts and risks suggested by various studies and reports; and,
 - * Assist municipal teams in describing their concerns and in proposing mitigating measures or alternatives that would avoid or reduce the risk of a significant adverse impact.

4. The Engineering Firm should be able to provide alternative scenarios and should also help to foresee problem areas that could arise due to the Project in order to help the Towns to plan around those areas.

We are proposing a staff with a wealth of experience that will be a significant benefit to the Town in terms of assuring a "win-win" project for all parties involved. We

are particularly proud of our work with the Steuben County IDA and Towns like Howard and Cohocton where we helped them look for innovative solutions to setback, noise, road use and property value issues at a time when the industry was young and a lot was unknown.

As has been stated above,

- * LaBella Associates has advised municipal clients regarding the full range of potential environmental impacts encountered in the SEQR review of 12 upstate NY utility-scale wind energy projects;
- * Our evaluations and recommendations have included a focus upon mitigation measures typically required such as Road Maintenance Agreements, Emergency Response Plans, Wetland Mitigation Plans, Storm Water Pollution Prevention Plans (SWPPPs), Archeological Monitoring Plans, Dispute Resolution Procedures, Decommissioning Plans, and Bonding Requirements;
- * LaBella's approach has encompassed assisting municipal teams in describing their concerns and in proposing mitigating measures or alternatives that would avoid or reduce the risk of a significant adverse impact; and,
- * LaBella has provided on-site monitoring on behalf of our municipal clients during the construction phase of multiple utility-scale wind energy projects and is familiar with the mitigation, compliance and enforcement issues that can arise during construction in these types of projects.

5. The Engineering Firm should be able to work in conjunction with the Towns' legal counsel to compare the PSS to relevant local laws.

- We have completed similar review services for Cohocton, Howard, Enfield and SCIDA (Prattsburgh, Italy, Orange) in which preliminary windfarm "scoping" was reviewed against the local regulations and recommended practice.
- LaBella has also assisted three upstate NY Towns in preparation and adoption of Local Laws regulating the development of utility-scale wind energy projects within the municipality. Beyond wind energy, we have extensive experience with SEQRA reviews for an entire range of municipal and private development projects.
- LaBella staff have extensive experience with, and we pride ourselves on, our ability to work closely with

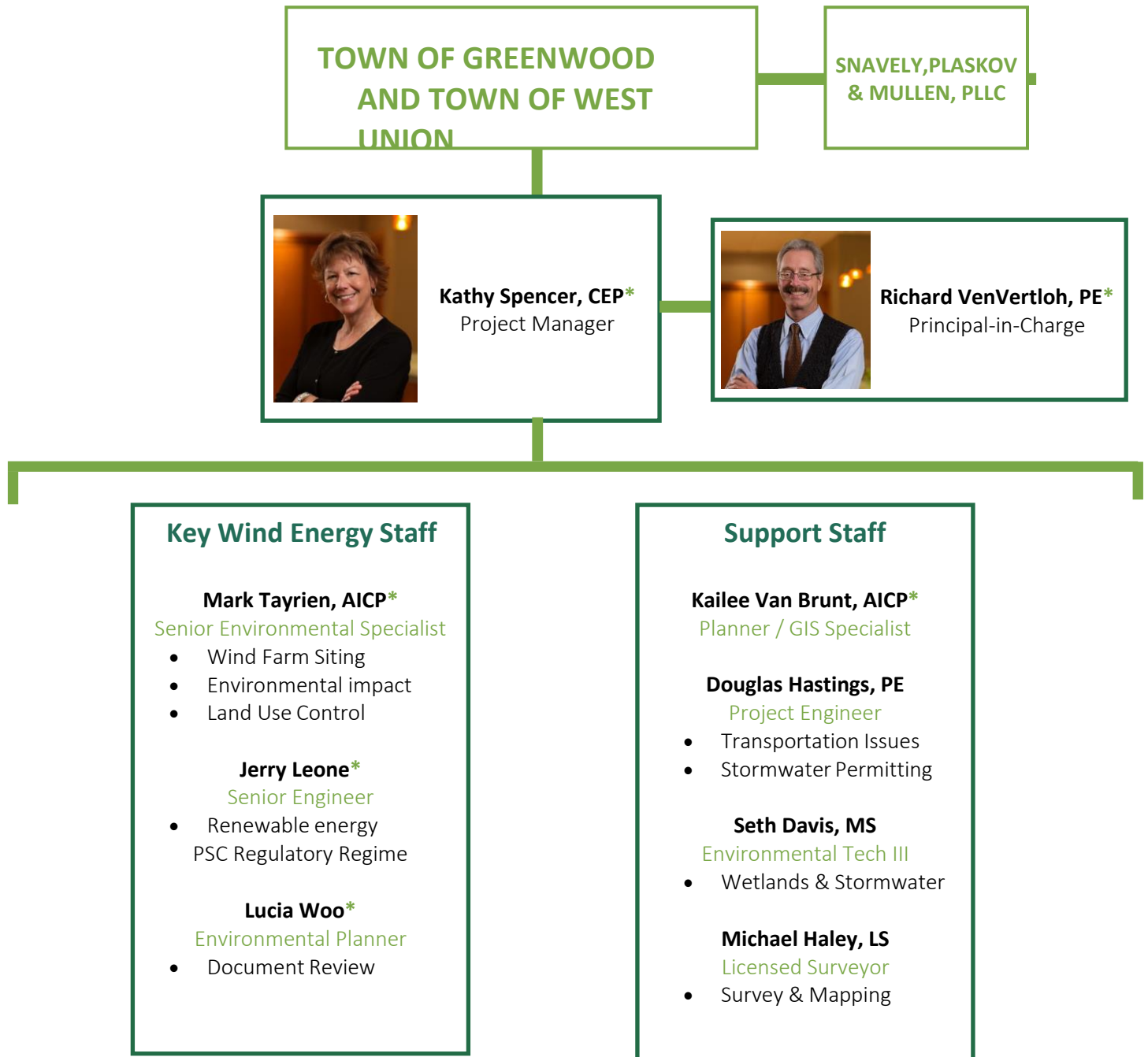
Firm's Approach

attorneys and other municipal consultants in a way that provides well-coordinated, seamless, support services to involved municipalities.

6. The Engineering Firm may be relied upon to help design and implement a study if deemed appropriate at a later time.

LaBella Associates has wide-ranging experience in the compilation and authoring of detailed impact statements, including those required under SEQRA and NEPA, as well as those required for submission to the Public Service Commission. In most instances our multi-disciplinary firm has available professionals well qualified to directly prepare required technical studies and reports. These would include, but are not limited to, those addressing topics such as highways and roads, wetlands, stormwater management, and visual impacts. In others, notably in the fields of noise impacts and archeological impacts, although we have some expertise and routinely review such reports, we would recommend instead the retention of a qualified sub-consultant to author a full report. LaBella has retained such experts in multiple instances on behalf of our clients.

Organizational Chart



*Resume Included

Kathleen Spencer, CEP

Kathy is LaBella's Principal Environmental Analyst with 30 years of experience in environmental analysis and compliance. She has reviewed or prepared numerous SEQR Environmental Assessment Forms and Environmental Impact Statements for a wide range of community and private development projects. Kathy has also shepherded projects through the maze of environmentally related permitting, with a particular focus on stream crossing, wetland, SPDES, and other natural resource approvals. She has worked extensively with federal NEPA regulations and review processes. Kathy is well-versed in visual, historic, archeological, water quality, endangered species, wetland, floodplain, noise, agricultural and other environmental resource issues. She also brings strong, long-standing, and positive working relationships with State and Federal Agency contacts and municipal officials.



Project Manager

- Yale University: MES, School of Forestry and Environmental Sciences
- Bucknell University: BS, Biology
- Certified Environmental Professional, Academy of Board Certified Environmental Professionals
- Genesee Land Trust

Project Experience

Black Oak Wind Farm, Town of Enfield NY

As the SEQR Lead Agency, the Town of Enfield acting in concert with special counsel, retained LaBella in 2010 for environmental review and technical consultation services in regard to the review Black Oak Wind Farm project, a 7-turbine wind energy project southwest of Ithaca. While the community was supportive of the project, concerns were raised regarding noise, shadow flicker, visual impacts, wildlife/endangered species, and construction-related impacts to traffic and roads. The DEIS was initially reviewed for adequacy in addressing the Scope, followed by a technical review for scientific accuracy, thoroughness, and balance. The FEIS was compiled with careful attention to the mitigation measures committed to by the developer or desired by the Town.

In 2015, changes in turbine sites triggered the need for a Supplemental EIS. LaBella served in the same role, advising the Town in concert with legal counsel. The project has become highly contentious with significant public scrutiny and opposition. LaBella's primary role will be to assist the Town Board in finding consensus among themselves and responding appropriately to public concerns with regard to noise, safety, setbacks, complaint resolution, decommissioning and property values.

Crown City Wind Energy Project, Cortland County

SEQR/Environmental Consultant to Cortland County for the

DEIS review of a 44-turbine wind energy project proposed in four towns. Significant issues included visual impacts, noise, shadow flicker, community character, property values, wildlife and endangered species, and construction impacts, particularly truck traffic. Undertook both a completeness review of DEIS to determine if Scope was met as well as technical review of scientific and factual information presented in the main DEIS text and appendices. Reported comments and findings to County Legislature/Committees and participated in public hearings. Significant issues included visual impacts, noise, shadow flicker, community character, property values, wildlife and endangered species, and construction impacts, particularly truck traffic.

Sullivan County Jail, SEQR Review, Sullivan County, NY

Successfully completed the State Environmental Quality Review for the proposed new jail facility in Sullivan County. Significant issues included traffic, historic and archeological resources, utilities and potentially hazardous materials on the site. An extensive Lead Agency coordination process was also involved.

Kathleen Spencer, CEP

Port Marina Redevelopment Project, Edgewater Resources, LLC, City of Rochester, NY

Environmental Review Manager responsible for preparing, editing, and coordinating text and figures for the DEIS for this marina development project. In addition to the marina, the site development includes multi-family housing, shops, restaurants, a coastal research facility, and utility upgrades. The development is located within a high-use public park site where issues of traffic/parking, visual impacts, historic resources, and potentially hazardous fill materials were paramount.

SEQR and Environmental Review Consultation, Town of Irondequoit, NY

Kathy serves as SEQR consultant to the Town Board, the Zoning Board and the Town's Community Development Department for a wide range of projects of importance to the Town. SEQR documentation have been completed for projects including development of ball fields, residential demolition, development of a fast food drive-through facility, amendment of the sign ordinance, re-zoning of the former library property, re-subdivisions, and re-zoning actions.

Brooks Landing Phase II, City of Rochester, NY

Prepared the environmental review of the proposed development of a student housing high-rise building and other community improvements to the Brooks Landing site, with particular sensitivity to continuing park alienation issues, historic park and community issues, and neighborhood concerns regarding access and connectivity. The environmental review for this project was approved without the need for an EIS.

Once Again Nut Butter, Nunda, NY

Managed the SEQR environmental review for Once Again Nut Butter's construction of a second manufacturing plant in the Town of Nunda (Livingston County). The proposed development included a 32,000 sq. ft. manufacturing facility and site improvements. The EAF addressed potential impacts to intensity of land use, floodplain, wetland, traffic and community character issues, as well as positive impacts to economic development and job creation. LaBella also handled the Phase I ESA, survey and site design.

School District Capital Improvement Projects – Environmental Compliance

Achieved compliance with SEQR and SHPO review

requirements for K-12 School District capital improvement projects in accordance with State Education Department (SED) guidelines. A wide range of capital improvements have been reviewed for school districts across upstate New York. Strict schedules and critical paths were implemented in order to meet timetables associated with public referendums.

Broome County Jail, SEQR Review, Binghamton, NY

Prepared the SEQR EAF for additions and modifications to the Broome County Public Safety Building, including the expansion of the medical/infirmar space and renovation of the existing gymnasium to be used as inmate dormitory space. Potentially significant issues addressed included archeologically sensitive areas, hazardous site conditions and remediation areas, and wastewater management.

College Town, Fairmount Properties./Gilbane Dev.

SEQR and NEPA environmental review of a new campus destination at the University of Rochester, which included demolition of existing buildings and redevelopment of multi-family housing, commercial uses, institutional uses, and a parking garage. Consultation responsibilities included evaluation of environmental review requirements, including an extensive NEPA review focused on environmental Justice, job creation and hazardous conditions, and the preparation of expanded EAF in order to comply with SEQR. Assistance was also provided in identifying needs and preferred approaches as well as potential challenges and solutions, and in scheduling and procedural risk assessment. A negative declaration was issued by the City of Rochester.

Bausch & Lomb Solar Array, Advanced Solar Products, Rochester, NY

Kathy prepared the EAF for submission to the City of Rochester (SEQR Lead Agency) for one of the first solar array projects in the City. The 1100 kW ground-mounted solar array is located on four acres at Bausch & Lomb's facility on North Goodman Street, which is surrounded by residential uses. Visual impacts, neighborhood character and landscaping were the predominant issues. The City issued a Negative Declaration for the project.

Richard VenVertloh, PE

Mr. VenVertloh has 36 years of experience working in the civil transportation field (highways, bridges and airports) with significant other experience related to environmental permitting. Mr. VenVertloh has managed the SEQR/NEPA approval process on a variety of transportation projects as well as commercial wind energy projects. He has been involved with over 10 commercial windfarm projects in varying capacities:

- Compliance with 6NYCRR Part 617 otherwise known as SEQR regulations.
- Reviewing and/or preparing EIS' and technical studies including: noise, avian, transportation, cultural resources, socio-economic, wetlands. Mr. VenVertloh has written numerous resolutions and legal notices on behalf of the Lead Agency.
- Conducting "highly charged" public hearings.
- Facilitating agency coordination and fostering a proactive partnership with numerous "involved" and "interested" agencies.
- Working with the Lead Agency to formulate appropriate and reasonable environmental mitigations.
- Reviewing Site Plans and special use permits.
- Coordinating with legal council, when appropriate, to minimize the risk of litigation.
- Developing standards and criteria for site plan completeness and receiving site plans.
- Managing environmental monitoring contracts.
- Engineering assistance in issuing building permits.
- Holding workshops with planning boards and town boards.
- Consultation regarding the development of wind energy ordinances.

Project Experience

Steuben County Industrial Development Agency and other Clients: Commercial Wind Energy Environmental Review & Compliance—Western, NY

Over the course of five years, Mr. VenVertloh provided exclusive engineering and environmental consultation for five commercial wind farms where the Steuben County IDA was the lead agency for state environmental quality review. This resulted in the emergence of LaBella's new commercial wind energy service sector focused on municipalities.

Projects in which Mr. VenVertloh had a management role:

- **Prattsburgh/Italy Wind Farm (Ecogen LLC)**
- **Ecogen LLC Prattsburgh/Italy Windfarm**



Principal in Charge

- LaFayette College: BS, Civil Engineering
- Professional Engineer | NY, PA
- Institute of Traffic Engineers
- New York State Association of Transportation Engineers
- American Council of Engineering Companies

- **Paragon Wind Farm (Clipper Wind Power)**
- **Paragon Wind Farm (Clipper Wind Power)**
- **Steuben Wind Development Project (E. ON Climate & Renewables, North America Inc.)**
- **Wind Farm Prattsburgh (Global Wind Harvest, Inc/UPC Wind Management, LLC)**

Dairy Hills Wind Farm (Horizon Wind Energy)

SEQR consultation and management / site plan review for the Town of Perry.

Town of Howard, Howard Wind LLC, Ever Power

Assisted Town Planning Board in the development and review of a special use permit and site plans. LaBella has also been retained to conduct engineering review during construction, field inspections, and environmental monitoring in support of the Town's specific use permit and Road Use Agreement.

Town of Cohocton, Dutch Hill and Cohocton Wind Power Projects (UPC Wind Management, LLC)

Assisted Town Planning Board to develop standards for wind farm site plan development and to review site plans for completeness (interim and final). LaBella has also been retained to conduct engineering review during construction, field inspections, and environmental monitoring in support of the Town's specific use permit and Road Use Agreement.

Mark Tayrien, J.D., AICP

Mark is the past Director of Planning Services for LaBella Associates, D.P.C. He has extensive experience with the plan review, environmental review (SEQR & NEPA) and permitting process in both the public and private sector, having led coordinated reviews of major projects involving multiple agencies, prepared Environmental Impact Statements, and having assisted municipalities in public outreach and with presentations regarding approval processes and regulatory requirements. Mark has presented to regulatory agencies, public participants, professional groups and representatives of local government at training sessions on a variety of planning and regulatory topics. He has facilitated comprehensive plan development by local municipalities, has significant experience coordinating and drafting zoning law and other land use provisions, and assists boards in determining whether to approve projects before them. Mark has specialized expertise regarding wind energy development having assisted lead agencies and communities responding to the proposed development of multiple upstate wind energy projects.

Project Experience

Pennsylvania Research and Education Network, Fibertech Networks, Inc. and SUNESYS, Inc.

Project Manager responsible for NEPA and state environmental compliance of new statewide 1600 mile fiber network, including development of environmental documents, determination of permitting requirements and consultation with federal and state regulatory agencies. Subsequently responsible for NEPA update reflecting revised route for improvements.

Wind Energy Requirements & Review

Utility Scale Wind Energy Projects, Various Locations, NY

Project Manager responsible for assisting in the review and approval of multiple utility scale wind energy projects throughout New York State (a total of 12 projects).

Wind Energy Local Law Review & Revision, Town of Morristown, NY

Project Manager responsible for a review of the Local Wind Energy Law. The scope of work included providing a summary of comments and, where appropriate, suggestions concerning potential revisions.



Senior Environmental Specialist

- University of San Diego School of Law: JD
- University of California, San Diego: BA, Biology and Economics
- American Institute of Certified Planners
- American Planning Association
- Southern Tier West Regional Planning & Development Board
- Southern Tier Central Regional Planning & Development Board
- Genesee/Finger Lakes Regional Planning Council
- NYS Society of Professional Engineers
- NYS Association of Transportation Engineers

Various Wind Energy Projects, Steuben County IDA, NY

Consulting services for Lead Agency SEQR compliance, process facilitation and document review.

- Clipper Wind Power, Inc, Paragon Wind Farm
- EC&R Northeast, LLC/E. ON Climate & Renewables, Steuben Wind Power Project
- Wind Harvest, Inc. / UPC Wind Management, LLC, Wind Farm Prattsburgh
- SCIDA & Town of Howard, EverPower Renewables, Inc., Howard Wind Power Project
- Ecogen, LLC, Prattsburgh / Italy Wind Farm

Horizon Wind Energy, Dairy Hills Wind Farm, Town of Perry, Wyoming County, NY

Consulting services for Lead Agency SEQR compliance, process facilitation and document review.

Mark Tayrien, J.D., AICP

Reunion Power, LLC, Town of Cherry Valley, Otsego County, NY

Review of proposed wind energy project and development of wind power land use local law.

Dutch Hill & Cohocton Wind Power Projects, First Wind Energy, LLC, Town of Cohocton, Steuben County, NY

Assisted Town Planning Board to develop standards for wind farm site plan development and to review site plans for completeness (interim and final). Additionally, LaBella Associates was retained by the Town to provide engineering review during construction.

Invenergy, LLC, Moresville Energy Center, Towns of Roxbury & Stamford, Delaware County, NY

Project Manager for the SEQR environmental review and consultation. The Town of Roxbury is acting as Lead Agency for the proposed Moresville Energy Center which consists of 33 wind turbine generators (WTGs) and associated improvements that are to be located on land predominantly on a ridgeline between the Towns of Roxbury and Stamford.

Local Wind Energy Law Review & SEQRA, Town of Barre, Orleans County, NY

Project Manager responsible for the review of the Local Wind Energy Law for effectiveness in managing wind energy development, in safeguarding the environment and community resources, avoidance of imposing unnecessary requirements, and development of a project review process.

Local Wind Energy Law Review, Town of Kendall, Orleans County, NY

Project Manager responsible for a review of the Local Wind Energy Law. The scope of work included providing a summary of comments and, where appropriate, suggestions concerning potential revisions.

Local Wind Energy Law Development, Town of Victor, Ontario County, NY

Project Manager responsible for assisting the Town of Victor with the development of a Local Wind Energy Law regulating private commercial and residential wind energy conversion systems.

Enfield Energy, Black Oak Wind Farm, Town of Enfield, Tompkins County, NY

Project Manager for environmental review and technical consultation services (in concert with special counsel Harris Beach, PLLC) in regard to the pending review Black Oak Wind Farm project. The scope of work includes review and comment upon documents submitted in compliance with SEQR and associated technical studies, assistance in conducting public meetings and in the coordination of agency, Town, and attorney review. LaBella will also assist the Town in the review of site plan and other components of the formal application.

TCI Renewables, Crown City, Cortland County, NY

Project Manager responsible for assisting Cortland County (in concert with special counsel Hancock & Estabrook, LLP) with SEQR environmental review and technical consultation in the review of the proposed Crown City Wind Farm project. Scope of services includes: review of the site plan and other components of the formal application, review and comment upon documents submitted in compliance with SEQR and associated technical studies, assistance in conducting public meetings, and in review coordination.

Jerry Leone

As one of LaBella's new employees, Jerry is the Program Manager for Planning Services. With over 25 years of professional experience in permitting, environmental compliance, remediation, solid and hazardous waste management, regulatory affairs and renewable energy development and implementation, his background includes extensive experience with:

- SEQRA/NEPA compliance and documentation
- Regulatory compliance and permitting
- Environmental due diligence assessments
- Brownfield investigation, remediation and redevelopment
- Solid waste management facility permitting and monitoring
- Utility interconnections
- Power Purchase Agreements
- Renewable Energy Credit (REC) and Emission Reduction Credit (ERC) sales
- Municipal infrastructure planning, design and construction

Project Experience

RENEWABLE ENERGY

Steuben Rural Electric Cooperative (SREC) —Bath, NY

During Jerry's prior tenure with Casella Waste Systems (Casella), Jerry was the Principal-in-Charge of the permitting, design oversight, implementation, construction management, and operations coordination that led to SREC's success in financing and developing a 4.5 MW landfill gas-to-energy facility at the Steuben County Landfill in Bath, NY. The work included negotiation of the gas rights agreement with Steuben County, permitting coordination with the NYSDEC, utility interconnection with NYPA/Avangrid, equipment procurement, procurement of a Clean Renewable Energy Bond on behalf of SREC, and oversight of the initial facility operations.

Coventry Landfill— 2.2 MW Solar Project— Coventry, VT

Principal/Project Manager for the development of a 2.2 MW solar installation under the Vermont SPEED program. The site is located on buffer land adjacent to Casella's Coventry Landfill which Jerry successfully managed the permitting and regulatory compliance activities that

Senior Engineer

Program Manager, Permitting & Compliance

- State University of NY @ Buffalo: BS, Civil/Environmental Engineering

Town of Perinton, NY

- Conservation Board member (15 year tenure)

associated with the development and implementation of the project. Jerry was responsible for the management of permitting and utility interconnection coordination in addition to coordinating the long term land lease and sale of the project and associated Power Purchase Agreement to a third party solar development company.

Landfill Gas-to-Energy Projects - Multiple Locations

In Jerry's prior capacities as Director, Renewable Energy for Casella, General Manager, Renewable Energy for Ameresco Energy Services and Director, Energy Programs for Waste Management, Inc., Jerry has successfully developed an expansive array of landfill gas-to-energy projects at numerous locations across North America. Responsible for environmental permitting, negotiation of Power Purchase Agreements, utility interconnection, project and construction management, equipment procurement, REC and ERC sales, design review, and operational oversight

Brownfield Opportunity Area: Step 1 Pre-Nomination Study - City of Lockport, NY

Principal-in-Charge for the BOA Pre-Nomination Study that focuses on the two primary stream corridors in the City of Lockport: the Erie Canal and 18-Mile Creek. The scope of the Step 1 BOA program includes identifying a manageable study area; completing community outreach activities; completing an inventory of Brownfield sites; identifying current and historic uses of the study area; describing current conditions within the proposed BOA; and assembling a vision for the successful redevelopment of the area. Responsible for general oversight of contractual, budgetary, scheduling and quality assurance/quality control aspects of the project, as well as periodic communications with the client, NYSDOS and NYSDEC.

Lucia Woo

Lucia is an Environmental Planner who focuses on environmental analysis & compliance and public health impacts. She has prepared numerous SEQR Environmental Assessment Forms for primarily local municipalities, including fulfilling various permitting and coordination needs with state and federal agencies. Her projects range from water supply & energy infrastructure to school district improvements. She addresses concerns regarding: water resources, floodplains, soils, historic & archeological resources, environmental remediation, human health, agricultural land, and noise. She also provides GIS mapping and spatial analysis services. Furthermore, she offers years of stakeholder engagement and data needs assessment experiences with federal, state, and local governmental, non-profit, academic, and private businesses entities.

Project Experience

Water Districts | SEQR/NEPA Reviews | Towns of Hopewell, Alexander, Ridgeway, & Wolcott

Conduct SEQR review, Agriculture and Markets review, and Rural Development NEPA review in coordination with involved/interested agencies (including SHPO, Natural Heritage, NYSDEC, USFWS, US Army Corps, etc.). Created relevant GIS maps for State and Federal reviews of vital environmental and cultural resources.

Capital Improvement Projects | Webster, Hilton, East Irondequoit, Brockport, and Dansville Central School Districts plus Tompkins Seneca Tioga BOCES

Achieve compliance with SEQR and SHPO review requirements for K-12 School District capital improvement projects in accordance with State Education Department's guidelines and agreements. Site and building improvements include full-depth reconstruction of pavement, new athletic field construction, and exterior and interior renovations. Collaborate closely with attorneys to meet strict deadlines for timely public referendums and bond votes.

NEPA & SEQR Environmental Review of CDBG Entitlement Program, Town of Irondequoit, Currently assisting in the preparation of the annual environmental review of the Town's CDBG-funded programs including compliance with State and Federal



Environmental Planner

- Yale University: Master of Environmental Science with focus on Environmental Health
- Yale University: BA, Environmental Studies
- American Planning Association
- International Association of Wildland Fire
- Environmental Policy & Public Health Research Grants: 2016, 2012, 2011
- Exemplary Academic Research Awards: 2016, 2013

environmental laws, specifically regarding flooding risks and potential exposures to toxic substances.

Gas Main Extension to Recycled Energy Development, SEQR Review, Rochester Gas & Electric

Currently conducting SEQR review for the construction and installation of an approximately seven mile long natural gas distribution main along Erie Canal in Rochester, NY. Significant issues include lead agency coordination and potentially hazardous waste sites.

Housing Market Analysis, City of Hornell

Conducted a housing market analysis of apartment complexes in the City of Hornell, NY. Supported the City's efforts to assess its affordable housing availability.

Kailee Van Brunt, AICP

Kailee has six years experience as a Planner and Environmental Analyst at the local level. She has experience in assisting municipalities, health agencies, and non-profit partnerships. Her analytical and GIS mapping skills are critical components in many planning projects. She has prepared numerous SEQR and NEPA reviews addressing issues such as endangered/threatened/rare species and habitat, wetlands, streams, floodplains, soils, historic and archeological resources, and consistency with community plans.

Project Experience

NEPA Review – The Reserve at Horseheads

Assisted in the preparation of NEPA documentation for the Reserve at Horseheads, a 60-unit affordable housing development funded under the HOME Program of the NYS Housing Trust Fund.

NEPA & SEQR Environmental Review of CDBG Entitlement Program, Town of Irondequoit, NY

Assisted in the preparation of the annual environmental review of the Town's CDBG-funded programs including compliance with SEQR, NEPA and other relevant State and Federal environmental laws. Supports Town staff in compliance with the State and National Historic Preservation Laws and coordination with SHPO.

State and Federal Environmental Review, Various Municipalities throughout NY

Prepared required documents for SEQR review, Agriculture and Markets review, and Rural Development NEPA review, coordinated with involved/interested agencies (including SHPO, Natural Heritage, NYSDEC, USFWS, US Army Corps, etc.) and prepared needed GIS mapping of important environmental and cultural resources for various municipal, utility, and private projects located throughout upstate NY.

Rochester Area Reliability Project (RARP) Permits, Iberdrola USA

Assisted in the review and completion of a local design and construction compliance requirement document which succinctly summarized all local and county legal provisions and permits potentially applicable to the improvement and extension of Rochester Gas and Electric Corporation's power grid. Aided in the preparation and filing of various permits with the FAA, NYSDOT, Canal Corp, NYSOPRHP, and other local agencies.



Planner / GIS Specialist

- University at Buffalo: Master of Urban Planning with a Specialization in GIS & Spatial Modeling
- University at Buffalo: BA, Environmental Design
- University at Buffalo: BA, Mathematics
- American Planning Association
- American Institute of Certified Planners
- APA's Western NY Section and NY Upstate Chapter, Outstanding Student Project, 2010
- Academic Excellence Award (for highest GPA), 2008 & 2010

NERC Alert – NYS and PA NYSEG Electric Lines, Iberdrola USA/NYSEG

Primary Geographic Information System (GIS) Planner for the NERC Alert Project. Obtained necessary shapefiles including parcel data, stream classifications, violation points, and gpx access routes and produced maps. Maps were reviewed to determine environmental compliance, possible permit needs, and easement requirements.

Black Oak Wind Farm, Town of Enfield, NY

Reviewed environmental documents and community concerns regarding a proposed 7-turbine wind energy project in the Town of Enfield southwest of Ithaca. Attended a public meeting and compiled community concerns to be included in supplemental SEQR documentation.

References

Jack

Zigenfus ~~Former Supervisor~~

Town of Cohocton

(585) 534-5100

James Johnson

Executive Director Steuben

County IDA (607)

776-3316

Don Evia

Town Supervisor Town

of Howard (607)

566-2554

Ann Rider

Supervisor — Town of Enfield

annrider@townofenfield.org

(607) 277-3478 *home* or (607) 227-1891 *mobile*

PROPOSED FEE

Labella recognizes the importance of maximizing the use of limited funding. If selected to work with the Town, we will always strive to tailor our services to meet the objectives of the Town in a cost effective manner. Open communication regarding fees and levels of service are an important principle we will strive to adhere to.

We recognize that the first phase of Engineering review and consultation will occur during the *Pre-Application Phase* of the project. Before we incur any charges, we will work with the Town to develop a scope of work, including the identification of objectives and expectations. It is our intent to undertake and complete the pre-application review work for a not-to-exceed fee of \$14,750. which includes all expenses. As we progress the work, it is our intent to bill the Town for professional services on an hourly basis using the 2016 rates shown below. Expenses would be billed for mileage, printing and other expendable costs that are incurred.

The following information will help to understand the level of effort we anticipate for Pre-Application Services:

Personnell Classification	2016 Stf. Hourly Rate	Anticipated Level of Effort for Pre-Application Review
1. Planning / Engineering Services		
Principle-in-Charge	\$150	8
Project Manager	\$130	32
Sr. Environmental Specialist	\$100	8
Sr. Engineer	\$110	8
Project Engineer	\$100	0
Planner	\$95	80
Engineer	\$90	0
Environmental Analyst / Tech III	\$85	0
Administrative Support	\$45	0
2. Survey		
Licensed Surveyor	\$100	0
Instrument Assistant	\$65	0

The above fees will not be altered unless mutually agreed upon in writing resulting from a change in the scope of work.

Should the Town request additional services for subsequent phases of the project, we will seek written authorization before proceeding based on a scope of work and estimated hours developed by LaBella in a written request. The hourly rates included above will be used. Should the services be required in a subsequent calendar year, we respectfully request the right to adjust our rates accordingly.

300 State Street, Suite 201 | Rochester, NY 14614 | p 585.454.6110 | f 585.454.3066 | www.labellapc.com

December 8, 2016

Randy Heckman
Supervisor, Town of West Union
1328 St. Rt. 248
Rexville, NY 14877

RE: Professional Engineering Services for Eight Point Wind Energy Project

Dear Randy Heckman:

Thank you for contacting LaBella Associates and for the opportunity to submit our proposal to assist the Town of Greenwood and the Town of West Union in Steuben County.

As you will see in our proposal, we feel strongly that no other firm in the State can match our qualifications and experience with regard to advising municipalities on the development of a utility-scale wind energy project in their community. Our conviction is based on our past experience working with municipalities and agencies engaged in the review of twelve such projects in upstate NY, as well as additional experience in monitoring the construction of such projects and in the preparation and adoption of local laws regulating wind energy development. Our proposed team is made up of the individuals who have been directly involved in each of these prior reviews and our other related experience.

Although the advent of Article 10 has modified both the venue and process for the review of wind energy projects, in substance the municipal concerns encountered in an Article 10 review correspond very closely to those encountered in the past in a SEQRA review. It's worth noting that LaBella's experience in the review of utility-scale wind energy projects is complemented by a much larger body of work with other environmental review and related projects for municipal clients. Finally, our experience with wind energy projects is also augmented by our experience with applications to the Public Service Commission for energy-related projects.

LaBella's proposal is contained in the following pages. Note that in place of a formal contract, we have attached our firm's standard Terms and Conditions for your consideration and review.

We are avidly interested in the opportunity to team with you so as to provide the Town's of Greenwood and West Union the highest level of service and support. We hope that our proposal is responsive to your needs and ask that you contact me directly by telephone (585) 295-6226, or by e-mail rvenvertloh@labellpc.com with any questions, concerns or needs for clarification.

Sincerely,

LaBELLA ASSOCIATES, D.P.C.



Richard T. VenVertloh
Vice President

Firm Introduction

Firm Background

LaBella Associates, a Design Professional Corporation registered and licensed in the State of New York, was formed in 1978 by professional engineer Salvatore A. LaBella. From the very beginning, our goal was to build strong relationships with our clients that drive successful results. We provide services that take a project from start to finish—from an initial study to determine a project’s feasibility to construction administration and start up, and everything in between.

LaBella Today

LaBella has grown significantly over the years, expanding and improving to now offer full-service architecture, engineering, environmental consulting, and planning services. With a staff of over 450 members, and 15 office locations, our clients can rest assured that LaBella Associates has the resources and knowledge to implement successful projects within budget and on time. In recent years, LaBella Associates has been included in the Top 100 Fastest Growing Companies in Rochester, and the Engineering News Record (ENR) Top 500, as well as winning awards for projects at the local, regional and national levels.

Our Philosophy

Our approach to all project types can be summarized simply... **Relationships. Resources. Results.**

Relationships.

There’s a reason LaBella’s motto is “Relationships. Resources. Results.” Relationships come first, and LaBella is committed to achieving client trust and loyalty by demonstrating professional, fair and ethical practices. Client satisfaction is our number one priority and we are committed to building partnerships that will last a lifetime. Strong client relationships offer significant mutual benefits. Increased level of client satisfaction results in a collaborative effort and improved level of understanding on how we can improve your business!

Resources.

Our full service firm has an array of talents and resources in-house to apply to your project. Our staff of experienced professionals excels at finding and bringing together the human, technical, and financial resources needed for successful projects.



from left to right

Robert Healy, AIA, President, Sergio Esteban, PE, CEO, and Robert Pepe, CFO

LaBella’s full service expertise includes:

- Civil/Municipal Engineering
- SEQR, Planning & GIS Services
- Survey & Construction Inspection
- Transportation Engineering
- Architecture & Interior Design
- Mechanical, Electrical, Energy, Plumbing and Process Engineering
- Energy Engineering
- Grant Writing & Administration
- Structural Engineering
- Environmental Consulting Services
- Program Management Office Services

Results.

LaBella Associates strives for excellence with every project we take on. Successful project execution means completing projects on budget, on time and beyond client expectations. Our firm is proactive when it comes to assessing and predicting project challenges, and flexible in our approach to problem solving. We want our clients to know that we’re committed to each and every project from start to finish. The LaBella team will work hard to ensure each phase of the project is completed efficiently and effectively.

Firm Introduction

Headquarters

Rochester, NY Office

LaBella Associates, D.P.C.
300 State Street, Suite 201
Rochester, NY 14614
(585) 454-6110

Regional Offices

Buffalo, NY Office

Olympic Towers
300 Pearl Street, Suite 130
Buffalo, NY 14202
(716) 551-6281

Syracuse, NY Office

235 Harrison Street
Mail Drop #12
Syracuse, NY 13202
(315) 401-5345

Hornell, NY Office

20 Seneca Street
Hornell, NY 14843
(607) 324-0222

Ithaca, NY Office

105 N. Tioga Street, Suite 200
Ithaca, NY 14850
(607) 319-4136

Elmira, NY Office

145 Prescott Avenue
Elmira Heights, NY 14903
(607) 734-8492

Jamestown, NY Office

500 East Sixth Street
Jamestown, NY 14701
(716) 483-3153

Coudersport, PA Office

227 N. Main Street
Coudersport, PA 16915
(814) 274-5037

Scranton, PA Office

Scranton Electric Building
507 Linden Street, Suite 200
Scranton, PA 18503
(570) 342-3101

Cleveland, OH Office

5035 Mayfield Road Suite 107
Lyndhurst, OH 44124
(216) 862-5788

Charlotte, NC Office

1520 South Blvd., Suite 210
Charlotte, NC 28203
(704) 376-6423

Davidson, NC Office

455 South Main Street, Suite 220
Davidson, NC 28036
(704) 3439-2931

Gastonia, NC Office

200 West Main Avenue
Gastonia, NC 28052
(704) 332-6177

Winston-Salem, NC Office

615 St. George Square Court, Suite 300
Winston-Salem, NC 27103
(336) 842-4065

International Offices

Madrid, Spain Office

Parque Euronova
2 Ronda de Poniente
Building 5, Suite H
28760, Tres Cantos, Madrid
Spain
+ 349 1 803 5335

Relevant Experience

LaBella has assisted more than 20 Towns around New York State in reviewing and managing wind energy projects. In fact, it is our belief that we have more experience with wind energy projects than any other consulting firm in upstate New York. In the course of this work, we joined forces with the Steuben County IDA in their environmental review of five wind projects. It is important to note that in each of these projects, LaBella represented the municipality, rather than the wind developer, with our focus being on issues of concern to the Town and its residents.

Our involvement has spanned across a wide range of disciplines including permitting, site plan review, environmental review of detailed technical reports, municipal zoning, comprehensive planning, environmental monitoring during construction (road condition, storm water runoff) and road use agreements. In addition to engineering and environmental review projects, we have been written or reviewed Wind Energy Laws for several municipalities

As wind project review has made the transition from the SEQRA process to the Public Service Commission Article 10 process, LaBella has investigated the many facets of the Article 10 process and studied methods to maximize the effectiveness of municipal participation. LaBella employees also have in-depth experience with the PSC's Article VII process, including the opportunity to provide expert testimony for wind energy projects.

Utility Scale Wind Energy Projects

SCIDA, Ecogen, LLC, Prattsburgh / Italy Wind Farm, Steuben County, NY

LaBella Associates was retained by the Steuben County Industrial Development Agency (SCIDA) to provide SEQR consultation relating to the private development of a \$100 million dollar wind farm. The SEQR process took 22 months and included two phases: Generic Environmental Impact Statement and subsequent project-specific compliance reviews. LaBella was involved from start to finish. The Final GEIS was over 2,600 pages long.

The project initially called for the construction of over fifty 1.5 MW electric generating wind turbines, each about 400 ft. tall from the ground to the tip of the blade. The final

layout included thirty-four 2.5 MW turbines. The project location encompasses two Towns and two Counties. Neither of the Towns initially had zoning. However, one of the Towns did adopt a wind local law after an extensive comprehensive planning process. This project is very controversial in the community and was challenged by a well-funded opposition party. Total project cost: \$100 million. (2004)

There were six major components of LaBella's scope of work:

Compliance with 6NYCRR Part 617 (SEQR Regulations): This work involved making sure that all procedural steps were followed, including all Board resolutions and SEQR filings, notices, and publications. LaBella helped the IDA adhere to critical timing requirements.

Reviewing Documents and Technical Studies: Not only did this task require an in depth review of all materials, but significant edits and updates were often needed for completeness. Some of the documents reviewed were the Scoping Document, Draft Generic Environmental Impact Statement, Final Generic Environmental Impact Statement, and Findings Statement. LaBella reviewed a variety of technical studies such as: Cultural Resource Assessment, Wetland and Habitat Study, Avian Study and Data Analysis Report, Bat Survey Report, Avian Risk Assessment, Bat Risk Assessment, Agricultural Mitigation Plan, Visual Impact Assessment, Noise Impact Assessment, and Construction/Transportation Assessment. LaBella also played an integral part in resolving public/agency comments to the satisfaction of the IDA and numerous working session meetings were conducted.

Public Meetings: LaBella conducted a scoping public meeting and a SEQR public hearing on behalf of the IDA. These were each highly charged meetings that required a significant amount of preparation and facilitation.

Agency Coordination: On behalf of the IDA, LaBella was instrumental in implementing a proactive partnership with numerous "involved" and "interested" agencies, including Towns and resource agencies. Over the course of the SEQR process, we were able to develop close

Relevant Experience

working relationships with the staff at the DEC and other agencies. These relationships proved to be beneficial to the IDA throughout the process.

Recommendation and Environmental Mitigation: LaBella was integrally involved in working with the IDA to understand the issues and explore different options for mitigation. There were numerous Board meetings that LaBella attended to brief the Board and make recommendations. Six all-day working sessions were held to produce the Final GEIS. LaBella also prepared for and conducted an all day “Special Board Meeting” with the Directors to finalize setback criteria and to determine appropriate mitigations and other conditions for project development. LaBella worked with a professional facilitator to conduct the meeting.

Coordination with IDA and Ecogen Attorneys: Because the project was highly controversial, there was a strong likelihood that there would be subsequent legal challenges. Throughout the process, there was a need to seek legal advice on certain matters. This usually involved coordination with Ecogen’s attorney. LaBella’s understanding of legal principles and issues associated with wind farms was an asset to the team.



Town of Perry, Horizon Wind Energy, Dairy Hills Wind Farm, Wyoming County, NY

The Town of Perry, acting as Lead Agency, retained LaBella for SEQR environmental review and consultation in regard to the Dairy Hills project. This controversial wind farm project was located in the Towns of Perry, Warsaw, and Covington. The project scope included reviewing a supplementary DEIS, following which LaBella wrote the Final EIS. LaBella also supported the site plan review process conducted by the Perry Town Board.

SCIDA, EC&R Northeast, LLC/E. ON Climate & Renewables, Steuben Wind Power Project, Steuben County, NY

The Steuben County IDA, acting as Lead Agency, retained LaBella Associates to provide SEQR services (environmental review and consultation) in regard to the Steuben Wind Development project in the Town of Hartsville and the Town of Hornellsville, New York. The scope of work was similar to the Ecogen Project. Additionally, LaBella was responsible for writing the final EIS including the resolution of all comments.

SCIDA, Global Wind Harvest, Inc. / UPC Wind Management, LLC, Wind Farm Prattsburgh, Steuben & Yates County, NY

The Steuben County IDA, acting as Lead Agency, retained LaBella Associates to provide SEQR services (environmental review and consultation) in regard to the Wind Farm Prattsburgh project in the Town of Prattsburgh (Steuben County) and the Town of Italy (Yates County), New York. The project has been completed and a Findings Statement was issued. The scope of work was similar to the Ecogen Project.

LaBella was additionally retained by the Steuben County IDA to provide environmental consultation services during construction. This involved providing review and oversight of the work performed by UPC Wind Management LLC and their consultants to ensure that the Environmental Compliance program was implemented as set forth in the SEQR Finding Statement.

SCIDA, Clipper Wind Power, Inc, Paragon Wind Farm, Steuben & Schuyler County

The Steuben County Industrial Development Agency, acting as Lead Agency, retained LaBella Associates to

Relevant Experience

provide SEQR services (environmental review and consultation) in regard to the Paragon project in the Town of Hornby (Steuben County) and the Town of Orange (Schuyler County), New York. The original scope of work was similar to the Ecoren Project.

SCIDA & Town of Howard, EverPower Renewables, Inc., Howard Wind Power Project, Steuben County, NY

The Steuben County IDA, acting as Lead Agency, retained LaBella Associates to provide SEQR services (environmental review and consultation) in regard to the Howard project in the Town of Howard. The project has been completed and a Findings Statement was issued. The scope of work was similar to the Ecoren Project.

Additionally, LaBella was retained by the Town of Howard to assist with the review of a wind power application submitted by Howard Wind LLC (EverPower). The engineering services included site plan review, construction plan review, specification review, assistance with building permit issuance, engineering evaluations of Town infrastructure and instrument survey. Acting as the Environmental Monitor during construction, LaBella was responsible for ensuring that the Environmental Compliance program was implemented by Howard Wind LLC as set forth in the SEQR Findings Statement and further defined by the Town. LaBella was also responsible for ensuring compliance with the Town's Road Use Agreement.

Town of Cherry Valley, Reunion Power, LLC, Otsego County, NY

LaBella was retained by the Town of Cherry Valley to provide planning services related to commercial wind energy. In response to a proposed project, the Town passed a moratorium law to provide enough time to develop land use regulations. LaBella assisted the Planning Board and the Town Board in the following areas: development of a local law, consulting on technical issues, assisting with public hearings and related materials, and coordination with the Town's legal counsel.

Town of Cohocton, Dutch Hill & Cohocton Wind Power Projects, First Wind Energy, LLC, Steuben County, NY

LaBella was retained by the Town of Cohocton to assist the Planning Board in their review of site plans for two



commercial wind power projects. LaBella joined a team of other engineers and attorneys who were engaged in a separate review of the project under SEQR. LaBella was responsible for developing standards for site plan completeness based on the unique aspects of development, as well as special provisions contained in the Town's local law. LaBella was involved in presenting the site plans at special Planning Board review sessions

Relevant Experience

and at public hearings that were specifically intended for non-participating adjacent land owners. A two step process for site plan review (interim and final) was instituted and carried out by LaBella.

LaBella was additionally retained by the Town of Cohocton to assist the Code Enforcement officer in the review and oversight of two commercial wind farm projects during the construction phase. Responsibilities included reviewing construction drawings (structural, civil site, electrical) for code compliance and accepted engineering practice. Weekly site visits were conducted to inspect the work and advise the Town regarding compliance with site plans, engineered drawings and special use permit conditions. LaBella was also responsible for coordinating with the environmental monitors, which in this case were supplied by the developer.

Town of Roxbury & Stamford, Invenergy, LLC, Moresville Energy Center, Delaware County, NY

The Town of Roxbury, acting as Lead Agency, retained LaBella for SEQR environmental review and consultation in regard to the Moresville Project. The proposed Moresville Energy Center consisted of 33 wind turbine generators (WTGs) and associated improvements to be located predominantly on a ridgeline between the Towns of Roxbury and Stamford, Delaware County, New York. Fourteen WTGs would be located in Roxbury, ten in Stamford, and nine along the border between the Towns of Roxbury and Stamford. The scope of work included review for compliance with 6NYCRR Part 617 (SEQR Regulations), reviewing documents and technical studies, conducting public meetings, and coordinating inter-agency, Town, and attorney review. Additionally, LaBella worked separately with the Roxbury Planning Board and the Stamford Town Board on site plan and other project issues of concern to the individual municipalities.

Town of Enfield, Enfield Energy, Black Oak Wind Farm, Tompkins County, NY

As the SEQR Lead Agency, the Town of Enfield acting in concert with special counsel, retained LaBella in 2010 for environmental review and technical consultation services in regard to the review Black Oak Wind Farm project, a 7-turbine wind energy project southwest of Ithaca. While the community was supportive of the project, concerns were raised regarding noise, shadow flicker,



visual impacts, wildlife/endangered species, and construction-related impacts to traffic and roads. The DEIS was initially reviewed for adequacy in addressing the Scope, followed by a technical review for scientific accuracy, thoroughness, and balance. The FEIS was compiled with careful attention to the mitigation measures committed to by the developer or desired by the Town.

In 2015, changes in turbine sites triggered the need for a Supplemental EIS. LaBella served in the same role, advising the Town with regard to SEQR in concert with legal counsel. The project has become highly contentious with significant public scrutiny and opposition. LaBella is currently assisting with the review related to issuance of a Wind Energy Permit. LaBella's primary role is to help the Town Board in finding consensus among themselves and responding appropriately to public concerns with regard to noise, safety, setbacks, complaint resolution, decommissioning and property values.

Cortland County, TCI Renewables, Crown City, NY

Cortland County, acting both as SEQR Lead Agency and as a potential project participant, retained LaBella for SEQR environmental review and technical consultation in the

Relevant Experience

review of the proposed Crown City Wind Farm project. The project involved 44-turbines proposed in four towns. LaBella undertook both a completeness review of DEIS to determine if Scope was met, as well as technical review of scientific and factual information presented in the main DEIS text and appendices. Comments and findings were reported in presentations to County Legislature/Committees, and LaBella participated in several public hearings. Significant issues included visual impacts, noise, shadow flicker, community character, property values, wildlife and endangered species, and construction impacts, particularly truck traffic.

Town of Barre, Local Wind Energy Law Review & SEQRA, Orleans County, NY

The Town of Barre retained LaBella to review its Local Wind Energy Law and evaluate the provisions in terms of: effectiveness in managing wind energy development; effectiveness in safeguarding the environment and community resources; avoidance of imposing unnecessary or overly burdensome requirements; and development of a good foundation for a responsible and proactive project review process. The scope of work included providing a summary of comments and, where appropriate, suggestions concerning potential revisions. LaBella also provided SEQRA services relating to adoption of the Local Wind Energy Law.

Town of Kendall, Local Wind Energy Law Review, Orleans County, NY

LaBella was retained by the Town of Kendall to provide a cursory review of the Local Wind Energy Law and to evaluate its provisions in terms of: effectiveness in managing wind energy development; effectiveness in safeguarding the environment and community resources; avoidance of imposing unnecessary or overly burdensome requirements; and development of a good foundation for a responsible and proactive project review process. The scope of work included providing a summary of comments and suggestions concerning potential revisions.

Town of Victor, Local Wind Energy Law Development, Ontario County, NY

LaBella assisted the Town of Victor with the development of a Local Wind Energy Law regulating private commercial and



residential wind energy conversion systems. LaBella evaluated the provisions in terms of: effectiveness in managing wind energy development; effectiveness in safeguarding the environment and community resources; avoidance of imposing unnecessary or overly burdensome requirements; and development of a good foundation for a responsible and proactive project review process. The scope of work included providing a draft document and incorporating comments from involved boards and committees. LaBella also provided SEQR services relating to adoption of the Local Wind Energy Law.

Firm's Approach

1. The Engineering Firm will need to be familiar with AASHTO

- LaBella Associates, a multi-disciplinary firm, includes a Transportation Division with more than 25 design professionals specializing in the design of roads and highways. Our clients range from Towns such as Victor, Campbell, Irondequoit, Clyde, The Village of Hammondsport and all the way up to the NYSDOT and NYS Thruway Authority. The AASHTO "Green Book" is the bible for highway design and serves as the basis for all of our work.
- LaBella has evaluated potential road and highway impacts during the environmental review of 12 upstate NY utility-scale wind energy projects located within 20 Towns. This work has also included Town-wide road assessments, intersection design, pavement evaluations, haul route determinations, construction monitoring and overseeing road maintenance /repair. We have advised our municipal clients (and their attorney's) regarding terms to be included in proposed Road Use Agreements that are designed, in part, to mitigate construction impacts.
- LaBella Associates has also been retained by Tompkins County for a project that seeks to document existing highway conditions in anticipation of high numbers of heavy vehicle usage during large scale projects (including wind). The scope includes identifying how local roads might be affected by proposed energy projects.
- LaBella has provided on-site road monitoring on behalf of our municipal clients during the construction phase of multiple utility-scale wind energy projects including Cohocton and Howard. We have collaborated closely with Town staff in the Department of Public Works to maintain safe and sound roads.

2. The Engineering Firm will need to provide the Towns with sound advice relative to key issues related to wind energy development (turbine placement, bonding and decommissioning, sound, risk, feasibility, etc.) and to be able to give Expert testimony related to those issues.

- LaBella Associates has advised municipal clients regarding the full range of potential environmental impacts encountered in the SEQR review of 12 upstate

- NY utility-scale wind energy projects, including all the issues listed above. Our experience indicates that the primary issues of concern to residents include noise, shadow flicker, wildlife (bird and bat species), road use/deterioration, complaint resolution, and public safety, among others. LaBella has analyzed and studied these issues on multiple occasions (most recently in the summer and fall of 2016 for the Town of Enfield), and equally important, have watched as the body of knowledge surrounding these issues have evolved over a long period of time. Our evaluations and recommendations have also focused upon mitigation measures typically required such as Road Maintenance Agreements, Emergency Response Plans, Wetland Mitigation Plans, Storm Water Pollution Prevention Plans (SWPPPs), Archeological Monitoring Plans, Dispute Resolution Procedures, Decommissioning Plans, and Bonding Requirements.
- LaBella worked with the Steuben County IDA to develop a set of guidelines for the evaluation of wind turbine projects, including a setback regime for towns without zoning. The standards were designed to protect the property values of adjacent landowners from excessive noise exposure and other impacts. We were also retained by the Town of Cohocton to conduct site plan reviews with the code enforcement officer to ensure compliance with local laws.
 - LaBella has conducted engineering and cost analysis to determine reasonable decommissioning requirements and bonding values for clients such as SCIDA and Howard.
 - LaBella has conducted risk assessments for several large transportation projects and is fully versed in the procedures for effective identification and management of risks.
 - Our employees have provided on-site monitoring on behalf of our municipal clients during the construction phase of multiple utility-scale wind energy projects and is familiar with the mitigation, compliance and enforcement issues that can arise during construction in these types of projects.
 - LaBella has written or reviewed the local wind law of multiple upstate New York towns and is particularly familiar with options and issues related to setback requirements (turbine siting relative to occupied

Firm's Approach

- structures, property lines, roads etc.)
- LaBella engineers and environmental consultants have past experience in preparing exhibits for presentation to the NY Public Service Commission in connection with pending applications, in coordinating with DPS staff, and in providing expert testimony to the Commission.

3. The Engineering Firm that is hired will serve the Towns by reviewing the Preliminary Scoping Statement ("PSS") and preparing comments.

- LaBella's work in the wind industry has been exclusively for municipal clients (not developers) where we have earned a reputation for advocating for community interests and maximizing the overall benefit. We approach these projects in a collaborative way with your staff and your attorney's and have been very effective with public outreach.
- Although the adoption of Article 10 has modified both the venue and process, in substance the issues relative to potential impacts correspond closely to those that have instead been encountered during the SEQR review of such projects undertaken by Towns and Counties prior to the adoption of Article 10. LaBella has assisted upstate Towns and Counties in the review of 12 such projects.
- LaBella's approach has encompassed the following:
 - * Assist municipal boards in understanding technical language and reports regarding which they have little experience or limited understanding;
 - * Alert municipalities to potential issues, impacts and risks suggested by various studies and reports; and,
 - * Assist municipal teams in describing their concerns and in proposing mitigating measures or alternatives that would avoid or reduce the risk of a significant adverse impact.

4. The Engineering Firm should be able to provide alternative scenarios and should also help to foresee problem areas that could arise due to the Project in order to help the Towns to plan around those areas.

We are proposing a staff with a wealth of experience that will be a significant benefit to the Town in terms of assuring a "win-win" project for all parties involved. We

are particularly proud of our work with the Steuben County IDA and Towns like Howard and Cohocton where we helped them look for innovative solutions to setback, noise, road use and property value issues at a time when the industry was young and a lot was unknown.

As has been stated above,

- * LaBella Associates has advised municipal clients regarding the full range of potential environmental impacts encountered in the SEQR review of 12 upstate NY utility-scale wind energy projects;
- * Our evaluations and recommendations have included a focus upon mitigation measures typically required such as Road Maintenance Agreements, Emergency Response Plans, Wetland Mitigation Plans, Storm Water Pollution Prevention Plans (SWPPPs), Archeological Monitoring Plans, Dispute Resolution Procedures, Decommissioning Plans, and Bonding Requirements;
- * LaBella's approach has encompassed assisting municipal teams in describing their concerns and in proposing mitigating measures or alternatives that would avoid or reduce the risk of a significant adverse impact; and,
- * LaBella has provided on-site monitoring on behalf of our municipal clients during the construction phase of multiple utility-scale wind energy projects and is familiar with the mitigation, compliance and enforcement issues that can arise during construction in these types of projects.

5. The Engineering Firm should be able to work in conjunction with the Towns' legal counsel to compare the PSS to relevant local laws.

- We have completed similar review services for Cohocton, Howard, Enfield and SCIDA (Prattsburgh, Italy, Orange) in which preliminary windfarm "scoping" was reviewed against the local regulations and recommended practice.
- LaBella has also assisted three upstate NY Towns in preparation and adoption of Local Laws regulating the development of utility-scale wind energy projects within the municipality. Beyond wind energy, we have extensive experience with SEQRA reviews for an entire range of municipal and private development projects.
- LaBella staff have extensive experience with, and we pride ourselves on, our ability to work closely with

Firm's Approach

attorneys and other municipal consultants in a way that provides well-coordinated, seamless, support services to involved municipalities.

6. The Engineering Firm may be relied upon to help design and implement a study if deemed appropriate at a later time.

LaBella Associates has wide-ranging experience in the compilation and authoring of detailed impact statements, including those required under SEQRA and NEPA, as well as those required for submission to the Public Service Commission. In most instances our multi-disciplinary firm has available professionals well qualified to directly prepare required technical studies and reports. These would include, but are not limited to, those addressing topics such as highways and roads, wetlands, stormwater management, and visual impacts. In others, notably in the fields of noise impacts and archeological impacts, although we have some expertise and routinely review such reports, we would recommend instead the retention of a qualified sub-consultant to author a full report. LaBella has retained such experts in multiple instances on behalf of our clients.

Organizational Chart



*Resume Included

Kathleen Spencer, CEP

Kathy is LaBella's Principal Environmental Analyst with 30 years of experience in environmental analysis and compliance. She has reviewed or prepared numerous SEQR Environmental Assessment Forms and Environmental Impact Statements for a wide range of community and private development projects. Kathy has also shepherded projects through the maze of environmentally related permitting, with a particular focus on stream crossing, wetland, SPDES, and other natural resource approvals. She has worked extensively with federal NEPA regulations and review processes. Kathy is well-versed in visual, historic, archeological, water quality, endangered species, wetland, floodplain, noise, agricultural and other environmental resource issues. She also brings strong, long-standing, and positive working relationships with State and Federal Agency contacts and municipal officials.

Project Experience

Black Oak Wind Farm, Town of Enfield NY

As the SEQR Lead Agency, the Town of Enfield acting in concert with special counsel, retained LaBella in 2010 for environmental review and technical consultation services in regard to the review Black Oak Wind Farm project, a 7-turbine wind energy project southwest of Ithaca. While the community was supportive of the project, concerns were raised regarding noise, shadow flicker, visual impacts, wildlife/endangered species, and construction-related impacts to traffic and roads. The DEIS was initially reviewed for adequacy in addressing the Scope, followed by a technical review for scientific accuracy, thoroughness, and balance. The FEIS was compiled with careful attention to the mitigation measures committed to by the developer or desired by the Town.

In 2015, changes in turbine sites triggered the need for a Supplemental EIS. LaBella served in the same role, advising the Town in concert with legal counsel. The project has become highly contentious with significant public scrutiny and opposition. LaBella's primary role will be to assist the Town Board in finding consensus among themselves and responding appropriately to public concerns with regard to noise, safety, setbacks, complaint resolution, decommissioning and property values.

Crown City Wind Energy Project, Cortland County

SEQR/Environmental Consultant to Cortland County for the



Project Manager

- Yale University: MES, School of Forestry and Environmental Sciences
- Bucknell University: BS, Biology
- Certified Environmental Professional, Academy of Board Certified Environmental Professionals
- Genesee Land Trust

DEIS review of a 44-turbine wind energy project proposed in four towns. Significant issues included visual impacts, noise, shadow flicker, community character, property values, wildlife and endangered species, and construction impacts, particularly truck traffic. Undertook both a completeness review of DEIS to determine if Scope was met as well as technical review of scientific and factual information presented in the main DEIS text and appendices. Reported comments and findings to County Legislature/Committees and participated in public hearings. Significant issues included visual impacts, noise, shadow flicker, community character, property values, wildlife and endangered species, and construction impacts, particularly truck traffic.

Sullivan County Jail, SEQR Review, Sullivan County, NY

Successfully completed the State Environmental Quality Review for the proposed new jail facility in Sullivan County. Significant issues included traffic, historic and archeological resources, utilities and potentially hazardous materials on the site. An extensive Lead Agency coordination process was also involved.

Kathleen Spencer, CEP

Port Marina Redevelopment Project, Edgewater Resources, LLC, City of Rochester, NY

Environmental Review Manager responsible for preparing, editing, and coordinating text and figures for the DEIS for this marina development project. In addition to the marina, the site development includes multi-family housing, shops, restaurants, a coastal research facility, and utility upgrades. The development is located within a high-use public park site where issues of traffic/parking, visual impacts, historic resources, and potentially hazardous fill materials were paramount.

SEQR and Environmental Review Consultation, Town of Irondequoit, NY

Kathy serves as SEQR consultant to the Town Board, the Zoning Board and the Town's Community Development Department for a wide range of projects of importance to the Town. SEQR documentation have been completed for projects including development of ball fields, residential demolition, development of a fast food drive-through facility, amendment of the sign ordinance, re-zoning of the former library property, re-subdivisions, and re-zoning actions.

Brooks Landing Phase II, City of Rochester, NY

Prepared the environmental review of the proposed development of a student housing high-rise building and other community improvements to the Brooks Landing site, with particular sensitivity to continuing park alienation issues, historic park and community issues, and neighborhood concerns regarding access and connectivity. The environmental review for this project was approved without the need for an EIS.

Once Again Nut Butter, Nunda, NY

Managed the SEQR environmental review for Once Again Nut Butter's construction of a second manufacturing plant in the Town of Nunda (Livingston County). The proposed development included a 32,000 sq. ft. manufacturing facility and site improvements. The EAF addressed potential impacts to intensity of land use, floodplain, wetland, traffic and community character issues, as well as positive impacts to economic development and job creation. LaBella also handled the Phase I ESA, survey and site design.

School District Capital Improvement Projects – Environmental Compliance

Achieved compliance with SEQR and SHPO review

requirements for K-12 School District capital improvement projects in accordance with State Education Department (SED) guidelines. A wide range of capital improvements have been reviewed for school districts across upstate New York. Strict schedules and critical paths were implemented in order to meet timetables associated with public referendums.

Broome County Jail, SEQR Review, Binghamton, NY

Prepared the SEQR EAF for additions and modifications to the Broome County Public Safety Building, including the expansion of the medical/infirmity space and renovation of the existing gymnasium to be used as inmate dormitory space. Potentially significant issues addressed included archeologically sensitive areas, hazardous site conditions and remediation areas, and wastewater management.

College Town, Fairmount Properties./Gilbane Dev.

SEQR and NEPA environmental review of a new campus destination at the University of Rochester, which included demolition of existing buildings and redevelopment of multi-family housing, commercial uses, institutional uses, and a parking garage. Consultation responsibilities included evaluation of environmental review requirements, including an extensive NEPA review focused on environmental Justice, job creation and hazardous conditions, and the preparation of expanded EAF in order to comply with SEQR. Assistance was also provided in identifying needs and preferred approaches as well as potential challenges and solutions, and in scheduling and procedural risk assessment. A negative declaration was issued by the City of Rochester.

Bausch & Lomb Solar Array, Advanced Solar Products, Rochester, NY

Kathy prepared the EAF for submission to the City of Rochester (SEQR Lead Agency) for one of the first solar array projects in the City. The 1100 kW ground-mounted solar array is located on four acres at Bausch & Lomb's facility on North Goodman Street, which is surrounded by residential uses. Visual impacts, neighborhood character and landscaping were the predominant issues. The City issued a Negative Declaration for the project.

Richard VenVertloh, PE

Mr. VenVertloh has 36 years of experience working in the civil transportation field (highways, bridges and airports) with significant other experience related to environmental permitting. Mr. VenVertloh has managed the SEQR/NEPA approval process on a variety of transportation projects as well as commercial wind energy projects. He has been involved with over 10 commercial windfarm projects in varying capacities:

- Compliance with 6NYCRR Part 617 otherwise known as SEQR regulations.
- Reviewing and/or preparing EIS' and technical studies including: noise, avian, transportation, cultural resources, socio-economic, wetlands. Mr. VenVertloh has written numerous resolutions and legal notices on behalf of the Lead Agency.
- Conducting "highly charged" public hearings.
- Facilitating agency coordination and fostering a proactive partnership with numerous "involved" and "interested" agencies.
- Working with the Lead Agency to formulate appropriate and reasonable environmental mitigations.
- Reviewing Site Plans and special use permits.
- Coordinating with legal council, when appropriate, to minimize the risk of litigation.
- Developing standards and criteria for site plan completeness and receiving site plans.
- Managing environmental monitoring contracts.
- Engineering assistance in issuing building permits.
- Holding workshops with planning boards and town boards.
- Consultation regarding the development of wind energy ordinances.

Project Experience

Steuben County Industrial Development Agency and other Clients: Commercial Wind Energy Environmental Review & Compliance—Western, NY

Over the course of five years, Mr. VenVertloh provided exclusive engineering and environmental consultation for five commercial wind farms where the Steuben County IDA was the lead agency for state environmental quality review. This resulted in the emergence of LaBella's new commercial wind energy service sector focused on municipalities.

Projects in which Mr. VenVertloh had a management role:

- **Prattsburgh/Italy Wind Farm (Ecogen LLC)**
- **Ecogen LLC Prattsburgh/Italy Windfarm**



Principal in Charge

- LaFayette College: BS, Civil Engineering
- Professional Engineer | NY, PA
- Institute of Traffic Engineers
- New York State Association of Transportation Engineers
- American Council of Engineering Companies

- **Paragon Wind Farm (Clipper Wind Power)**
- **Paragon Wind Farm (Clipper Wind Power)**
- **Steuben Wind Development Project (E. ON Climate & Renewables, North America Inc.)**
- **Wind Farm Prattsburgh (Global Wind Harvest, Inc/ UPC Wind Management, LLC)**

Dairy Hills Wind Farm (Horizon Wind Energy)

SEQR consultation and management / site plan review for the Town of Perry.

Town of Howard, Howard Wind LLC, Ever Power

Assisted Town Planning Board in the development and review of a special use permit and site plans. LaBella has also been retained to conduct engineering review during construction, field inspections, and environmental monitoring in support of the Town's specific use permit and Road Use Agreement.

Town of Cohocton, Dutch Hill and Cohocton Wind Power Projects (UPC Wind Management, LLC)

Assisted Town Planning Board to develop standards for wind farm site plan development and to review site plans for completeness (interim and final). LaBella has also been retained to conduct engineering review during construction, field inspections, and environmental monitoring in support of the Town's specific use permit and Road Use Agreement.

Mark Tayrien, J.D., AICP

Mark is the past Director of Planning Services for LaBella Associates, D.P.C. He has extensive experience with the plan review, environmental review (SEQR & NEPA) and permitting process in both the public and private sector, having led coordinated reviews of major projects involving multiple agencies, prepared Environmental Impact Statements, and having assisted municipalities in public outreach and with presentations regarding approval processes and regulatory requirements. Mark has presented to regulatory agencies, public participants, professional groups and representatives of local government at training sessions on a variety of planning and regulatory topics. He has facilitated comprehensive plan development by local municipalities, has significant experience coordinating and drafting zoning law and other land use provisions, and assists boards in determining whether to approve projects before them. Mark has specialized expertise regarding wind energy development having assisted lead agencies and communities responding to the proposed development of multiple upstate wind energy projects.

Project Experience

Pennsylvania Research and Education Network, Fibertech Networks, Inc. and SUNESYS, Inc.

Project Manager responsible for NEPA and state environmental compliance of new statewide 1600 mile fiber network, including development of environmental documents, determination of permitting requirements and consultation with federal and state regulatory agencies. Subsequently responsible for NEPA update reflecting revised route for improvements.

Wind Energy Requirements & Review

Utility Scale Wind Energy Projects, Various Locations, NY

Project Manager responsible for assisting in the review and approval of multiple utility scale wind energy projects throughout New York State (a total of 12 projects).

Wind Energy Local Law Review & Revision, Town of Morristown, NY

Project Manager responsible for a review of the Local Wind Energy Law. The scope of work included providing a summary of comments and, where appropriate, suggestions concerning potential revisions.



Senior Environmental Specialist

- University of San Diego School of Law: JD
- University of California, San Diego: BA, Biology and Economics
- American Institute of Certified Planners
- American Planning Association
- Southern Tier West Regional Planning & Development Board
- Southern Tier Central Regional Planning & Development Board
- Genesee/Finger Lakes Regional Planning Council
- NYS Society of Professional Engineers
- NYS Association of Transportation Engineers

Various Wind Energy Projects, Steuben County IDA, NY

Consulting services for Lead Agency SEQR compliance, process facilitation and document review.

- Clipper Wind Power, Inc, Paragon Wind Farm
- EC&R Northeast, LLC/E. ON Climate & Renewables, Steuben Wind Power Project
- Wind Harvest, Inc. / UPC Wind Management, LLC, Wind Farm Prattsburgh
- SCIDA & Town of Howard, EverPower Renewables, Inc., Howard Wind Power Project
- Ecogen, LLC, Prattsburgh / Italy Wind Farm

Horizon Wind Energy, Dairy Hills Wind Farm, Town of Perry, Wyoming County, NY

Consulting services for Lead Agency SEQR compliance, process facilitation and document review.

Mark Tayrien, J.D., AICP

Reunion Power, LLC, Town of Cherry Valley, Otsego County, NY

Review of proposed wind energy project and development of wind power land use local law.

Dutch Hill & Cohocton Wind Power Projects, First Wind Energy, LLC, Town of Cohocton, Steuben County, NY

Assisted Town Planning Board to develop standards for wind farm site plan development and to review site plans for completeness (interim and final). Additionally, LaBella Associates was retained by the Town to provide engineering review during construction.

Invenergy, LLC, Moresville Energy Center, Towns of Roxbury & Stamford, Delaware County, NY

Project Manager for the SEQR environmental review and consultation. The Town of Roxbury is acting as Lead Agency for the proposed Moresville Energy Center which consists of 33 wind turbine generators (WTGs) and associated improvements that are to be located on land predominantly on a ridgeline between the Towns of Roxbury and Stamford.

Local Wind Energy Law Review & SEQRA, Town of Barre, Orleans County, NY

Project Manager responsible for the review of the Local Wind Energy Law for effectiveness in managing wind energy development, in safeguarding the environment and community resources, avoidance of imposing unnecessary requirements, and development of a project review process.

Local Wind Energy Law Review, Town of Kendall, Orleans County, NY

Project Manager responsible for a review of the Local Wind Energy Law. The scope of work included providing a summary of comments and, where appropriate, suggestions concerning potential revisions.

Local Wind Energy Law Development, Town of Victor, Ontario County, NY

Project Manager responsible for assisting the Town of Victor with the development of a Local Wind Energy Law regulating private commercial and residential wind energy conversion systems.

Enfield Energy, Black Oak Wind Farm, Town of Enfield, Tompkins County, NY

Project Manager for environmental review and technical consultation services (in concert with special counsel Harris Beach, PLLC) in regard to the pending review Black Oak Wind Farm project. The scope of work includes review and comment upon documents submitted in compliance with SEQR and associated technical studies, assistance in conducting public meetings and in the coordination of agency, Town, and attorney review. LaBella will also assist the Town in the review of site plan and other components of the formal application.

TCI Renewables, Crown City, Cortland County, NY

Project Manager responsible for assisting Cortland County (in concert with special counsel Hancock & Estabrook, LLP) with SEQR environmental review and technical consultation in the review of the proposed Crown City Wind Farm project. Scope of services includes: review of the site plan and other components of the formal application, review and comment upon documents submitted in compliance with SEQR and associated technical studies, assistance in conducting public meetings, and in review coordination.

Jerry Leone

As one of LaBella's new employees, Jerry is the Program Manager for Planning Services. With over 25 years of professional experience in permitting, environmental compliance, remediation, solid and hazardous waste management, regulatory affairs and renewable energy development and implementation, his background includes extensive experience with:

- SEQRA/NEPA compliance and documentation
- Regulatory compliance and permitting
- Environmental due diligence assessments
- Brownfield investigation, remediation and redevelopment
- Solid waste management facility permitting and monitoring
- Utility interconnections
- Power Purchase Agreements
- Renewable Energy Credit (REC) and Emission Reduction Credit (ERC) sales
- Municipal infrastructure planning, design and construction

Project Experience

RENEWABLE ENERGY

Steuben Rural Electric Cooperative (SREC) —Bath, NY

During Jerry's prior tenure with Casella Waste Systems (Casella), Jerry was the Principal-in-Charge of the permitting, design oversight, implementation, construction management, and operations coordination that led to SREC's success in financing and developing a 4.5 MW landfill gas-to-energy facility at the Steuben County Landfill in Bath, NY. The work included negotiation of the gas rights agreement with Steuben County, permitting coordination with the NYSDEC, utility interconnection with NYPA/Avangrid, equipment procurement, procurement of a Clean Renewable Energy Bond on behalf of SREC, and oversight of the initial facility operations.

Coventry Landfill— 2.2 MW Solar Project— Coventry, VT

Principal/Project Manager for the development of a 2.2 MW solar installation under the Vermont SPEED program. The site is located on buffer land adjacent to Casella's Coventry Landfill which Jerry successfully managed the permitting and regulatory compliance activities that

Senior Engineer

Program Manager, Permitting & Compliance

- State University of NY @ Buffalo: BS, Civil/Environmental Engineering

Town of Perinton, NY

- Conservation Board member (15 year tenure)

associated with the development and implementation of the project. Jerry was responsible for the management of permitting and utility interconnection coordination in addition to coordinating the long term land lease and sale of the project and associated Power Purchase Agreement to a third party solar development company.

Landfill Gas-to-Energy Projects - Multiple Locations

In Jerry's prior capacities as Director, Renewable Energy for Casella, General Manager, Renewable Energy for Ameresco Energy Services and Director, Energy Programs for Waste Management, Inc., Jerry has successfully developed an expansive array of landfill gas-to-energy projects at numerous locations across North America. Responsible for environmental permitting, negotiation of Power Purchase Agreements, utility interconnection, project and construction management, equipment procurement, REC and ERC sales, design review, and operational oversight

Brownfield Opportunity Area: Step 1 Pre-Nomination Study - City of Lockport, NY

Principal-in-Charge for the BOA Pre-Nomination Study that focuses on the two primary stream corridors in the City of Lockport: the Erie Canal and 18-Mile Creek. The scope of the Step 1 BOA program includes identifying a manageable study area; completing community outreach activities; completing an inventory of Brownfield sites; identifying current and historic uses of the study area; describing current conditions within the proposed BOA; and assembling a vision for the successful redevelopment of the area. Responsible for general oversight of contractual, budgetary, scheduling and quality assurance/quality control aspects of the project, as well as periodic communications with the client, NYSDOS and NYSDEC.

Lucia Woo

Lucia is an Environmental Planner who focuses on environmental analysis & compliance and public health impacts. She has prepared numerous SEQR Environmental Assessment Forms for primarily local municipalities, including fulfilling various permitting and coordination needs with state and federal agencies. Her projects range from water supply & energy infrastructure to school district improvements. She addresses concerns regarding: water resources, floodplains, soils, historic & archeological resources, environmental remediation, human health, agricultural land, and noise. She also provides GIS mapping and spatial analysis services. Furthermore, she offers years of stakeholder engagement and data needs assessment experiences with federal, state, and local governmental, non-profit, academic, and private businesses entities.

Project Experience

Water Districts | SEQR/NEPA Reviews | Towns of Hopewell, Alexander, Ridgeway, & Wolcott

Conduct SEQR review, Agriculture and Markets review, and Rural Development NEPA review in coordination with involved/interested agencies (including SHPO, Natural Heritage, NYSDEC, USFWS, US Army Corps, etc.). Created relevant GIS maps for State and Federal reviews of vital environmental and cultural resources.

Capital Improvement Projects | Webster, Hilton, East Irondequoit, Brockport, and Dansville Central School Districts plus Tompkins Seneca Tioga BOCES

Achieve compliance with SEQR and SHPO review requirements for K-12 School District capital improvement projects in accordance with State Education Department's guidelines and agreements. Site and building improvements include full-depth reconstruction of pavement, new athletic field construction, and exterior and interior renovations. Collaborate closely with attorneys to meet strict deadlines for timely public referendums and bond votes.

NEPA & SEQR Environmental Review of CDBG Entitlement Program, Town of Irondequoit, Currently assisting in the preparation of the annual environmental review of the Town's CDBG-funded programs including compliance with State and Federal



Environmental Planner

- Yale University: Master of Environmental Science with focus on Environmental Health
- Yale University: BA, Environmental Studies
- American Planning Association
- International Association of Wildland Fire
- Environmental Policy & Public Health Research Grants: 2016, 2012, 2011
- Exemplary Academic Research Awards: 2016, 2013

environmental laws, specifically regarding flooding risks and potential exposures to toxic substances.

Gas Main Extension to Recycled Energy Development, SEQR Review, Rochester Gas & Electric

Currently conducting SEQR review for the construction and installation of an approximately seven mile long natural gas distribution main along Erie Canal in Rochester, NY. Significant issues include lead agency coordination and potentially hazardous waste sites.

Housing Market Analysis, City of Hornell

Conducted a housing market analysis of apartment complexes in the City of Hornell, NY. Supported the City's efforts to assess its affordable housing availability.

Kailee Van Brunt, AICP

Kailee has six years experience as a Planner and Environmental Analyst at the local level. She has experience in assisting municipalities, health agencies, and non-profit partnerships. Her analytical and GIS mapping skills are critical components in many planning projects. She has prepared numerous SEQR and NEPA reviews addressing issues such as endangered/threatened/rare species and habitat, wetlands, streams, floodplains, soils, historic and archeological resources, and consistency with community plans.

Project Experience

NEPA Review – The Reserve at Horseheads

Assisted in the preparation of NEPA documentation for the Reserve at Horseheads, a 60-unit affordable housing development funded under the HOME Program of the NYS Housing Trust Fund.

NEPA & SEQR Environmental Review of CDBG Entitlement Program, Town of Irondequoit, NY

Assisted in the preparation of the annual environmental review of the Town's CDBG-funded programs including compliance with SEQR, NEPA and other relevant State and Federal environmental laws. Supports Town staff in compliance with the State and National Historic Preservation Laws and coordination with SHPO.

State and Federal Environmental Review, Various Municipalities throughout NY

Prepared required documents for SEQR review, Agriculture and Markets review, and Rural Development NEPA review, coordinated with involved/interested agencies (including SHPO, Natural Heritage, NYSDEC, USFWS, US Army Corps, etc.) and prepared needed GIS mapping of important environmental and cultural resources for various municipal, utility, and private projects located throughout upstate NY.

Rochester Area Reliability Project (RARP) Permits, Iberdrola USA

Assisted in the review and completion of a local design and construction compliance requirement document which succinctly summarized all local and county legal provisions and permits potentially applicable to the improvement and extension of Rochester Gas and Electric Corporation's power grid. Aided in the preparation and filing of various permits with the FAA, NYSDOT, Canal Corp, NYSOPRHP, and other local agencies.



Planner / GIS Specialist

- University at Buffalo: Master of Urban Planning with a Specialization in GIS & Spatial Modeling
- University at Buffalo: BA, Environmental Design
- University at Buffalo: BA, Mathematics
- American Planning Association
- American Institute of Certified Planners
- APA's Western NY Section and NY Upstate Chapter, Outstanding Student Project, 2010
- Academic Excellence Award (for highest GPA), 2008 & 2010

NERC Alert – NYS and PA NYSEG Electric Lines, Iberdrola USA/NYSEG

Primary Geographic Information System (GIS) Planner for the NERC Alert Project. Obtained necessary shapefiles including parcel data, stream classifications, violation points, and gpx access routes and produced maps. Maps were reviewed to determine environmental compliance, possible permit needs, and easement requirements.

Black Oak Wind Farm, Town of Enfield, NY

Reviewed environmental documents and community concerns regarding a proposed 7-turbine wind energy project in the Town of Enfield southwest of Ithaca. Attended a public meeting and compiled community concerns to be included in supplemental SEQR documentation.

References

Jack

Zigenfus ~~Former Supervisor~~

Town of Cohocton

(585) 534-5100

James Johnson

Executive Director Steuben

County IDA (607)

776-3316

Don Evia

Town Supervisor Town

of Howard (607)

566-2554

Ann Rider

Supervisor — Town of Enfield

annrider@townofenfield.org

(607) 277-3478 *home* or (607) 227-1891 *mobile*

PROPOSED FEE

Labella recognizes the importance of maximizing the use of limited funding. If selected to work with the Town, we will always strive to tailor our services to meet the objectives of the Town in a cost effective manner. Open communication regarding fees and levels of service are an important principle we will strive to adhere to.

We recognize that the first phase of Engineering review and consultation will occur during the *Pre-Application Phase* of the project. Before we incur any charges, we will work with the Town to develop a scope of work, including the identification of objectives and expectations. It is our intent to undertake and complete the pre-application review work for a not-to-exceed fee of \$14,750. which includes all expenses. As we progress the work, it is our intent to bill the Town for professional services on an hourly basis using the 2016 rates shown below. Expenses would be billed for mileage, printing and other expendable costs that are incurred.

The following information will help to understand the level of effort we anticipate for Pre-Application Services:

Personnell Classification	2016 Stf. Hourly Rate	Anticipated Level of Effort for Pre-Application Review
1. Planning / Engineering Services		
Principle-in-Charge	\$150	8
Project Manager	\$130	32
Sr. Environmental Specialist	\$100	8
Sr. Engineer	\$110	8
Project Engineer	\$100	0
Planner	\$95	80
Engineer	\$90	0
Environmental Analyst / Tech III	\$85	0
Administrative Support	\$45	0
2. Survey		
Licensed Surveyor	\$100	0
Instrument Assistant	\$65	0

The above fees will not be altered unless mutually agreed upon in writing resulting from a change in the scope of work.

Should the Town request additional services for subsequent phases of the project, we will seek written authorization before proceeding based on a scope of work and estimated hours developed by LaBella in a written request. The hourly rates included above will be used. Should the services be required in a subsequent calendar year, we respectfully request the right to adjust our rates accordingly.

Exhibit B

Terms and Conditions

Terms and Conditions

LaBella's Responsibilities: LaBella shall designate a representative authorized to act on its behalf with respect to the Project. All notices required under this Agreement shall be given to that representative.

LaBella shall perform its services consistent with the professional skill and care ordinarily provided by members of the same profession practicing in the same or similar locality under the same or similar circumstances. LaBella shall perform its services as expeditiously as is consistent with such professional skill and care, and the orderly progress of the Project.

LaBella shall comply with all applicable federal, state, and local laws and regulations in effect during the term of this Agreement. LaBella shall promptly inform Client of any changes to any laws and regulations that LaBella reasonably believes will have a material effect upon the cost of the Project, or the scope of LaBella's services. In such event, Client and LaBella shall re-negotiate the terms of this Agreement, and if unable to do so, then either party may terminate this Agreement without cause and without penalty or liability to the other party.

Client's Responsibilities: Client designates Snavelly, Plaskov & Mullen, PLLC as representative authorized to act on its behalf with respect to the Project. All notices required under this Agreement shall be given to that representative.

Client shall provide LaBella with all available information regarding the Project necessary for LaBella to perform its professional services, including Client's requirements for the Project. Client also shall provide information regarding the Project site and any existing facilities in a timely manner.

Client shall examine documents submitted by LaBella and render decisions pertaining thereto promptly to avoid unreasonable delay in the progress of LaBella's services.

Additional Services: LaBella may provide additional services after execution of this Agreement without invalidating the Agreement. LaBella shall not proceed to provide any additional services, unless and until LaBella receives written direction from Client. Client shall compensate LaBella for additional services as set forth in LaBella's proposal, or as agreed upon in writing signed by both parties.

Assignment: Neither party may assign any benefit or obligation under this Agreement without the prior written consent of the other party, except LaBella may use the services of persons and entities not in LaBella's employ when appropriate and customary to do so.

Confidentiality: During the Project, confidential and/or proprietary information of the Client might be furnished to LaBella. LaBella shall use such information for the purpose of providing its professional services on the Project, and for no other purpose. LaBella shall hold such information in strict confidence, and shall not disclose such information to any person or entity,

except sub-consultants engaged on the Project. Upon completion of its services, LaBella shall return or destroy all confidential and/or proprietary information to the Client.

Instruments of Service: All plans, drawings, specifications, calculations, reports and other documents prepared by LaBella as instruments of service are and shall remain the property of LaBella. Client agrees that the re-use of LaBella's instruments of service on any extension of the Project, or on any other project, is prohibited without first obtaining LaBella's written permission and consent.

Escalation: The parties agree an escalation of fees provision is inapplicable given the nature of this project as set forth in the scope of work.

Suspension: Client may suspend this Agreement in whole or in part at any time for convenience upon seven (7) days written notice. Upon receipt of notice, LaBella shall immediately discontinue all services. LaBella shall be entitled to compensation for all services rendered up to the date of suspension. If the suspension exceeds three (3) months, an equitable adjustment in compensation shall be negotiated to compensate LaBella for all reasonable costs incurred by LaBella on account of the suspension of the Project, such as for preparation of documents for storage, maintaining space and equipment pending resumption, the orderly demobilization of staff, maintaining employees on a less-than-full-time basis, terminating employment of personnel because of suspension, rehiring former employees or hiring new employees because of resumption, reacquainting employees with the Project upon resumption, and making revisions to comply with Project requirements at the time of resumption.

Termination: Either party may terminate this Agreement for cause upon seven (7) days written notice with an opportunity to cure any default during that period.

Insurance: LaBella shall maintain, at its own expense, throughout the term of this Agreement and until the expiration of all applicable statutes of limitation, the following insurance coverages:

- Comprehensive general liability insurance with policy limits of not less than \$1,000,000 each occurrence and \$2,000,000 in the aggregate for bodily injury and property damage;
- Automobile liability insurance covering owned, non-owned, rented and hired vehicles operated by LaBella with policy limits of not less than \$1,000,000 combined single limit and aggregate for bodily injury and property damage;
- Umbrella liability insurance with policy limits of not less than \$10,000,000 each occurrence and \$10,000,000 in the aggregate;
- Worker's compensation insurance at statutory limits and employer's liability insurance with a policy limit of not less than \$1,000,000 for all employees engaged in the rendering of professional services under this Agreement; and
- Professional liability insurance with policy limits of not less than \$3,000,000 per claim and \$5,000,000 in the aggregate.

Client shall be named as an additional insured under the CGL, Automobile and Umbrella insurance policies. LaBella shall provide to the Client certificates of insurance evidencing compliance with the requirements of this Agreement. The certificates shall contain a provision

that at least thirty (30) days prior written notice shall be given to Client in the event of cancellation, non-renewal, or reduction of the insurance.

Indemnification: To the fullest extent permitted by law, LaBella shall indemnify and hold the Client and its officers and employees harmless from and against liabilities, damages, losses and judgments, including reasonable attorneys' fees and expenses recoverable under applicable law, but only to the extent they are caused by the negligent acts or omissions of LaBella, its employees and its consultants in the performance of professional services under this Agreement. Client agrees that LaBella's financial responsibility for any and all liabilities, damages, losses, judgments, expenses and attorneys' fees shall be limited to the available proceeds of LaBella's insurance coverage.

Disputes: The parties agree that mediation before a mutually agreeable neutral third party shall be a condition precedent to any legal action arising out of this Agreement, unless waived in writing by the parties. The cost of the mediation shall be borne equally by the parties. The mediation shall be conducted in accordance with the Construction Industry Mediation Rules of the American Arbitration Association, unless the parties agree otherwise. No mediation shall be required under this clause if no demand for mediation is made prior to six months preceding the date that the applicable statute of limitations would bar a legal or equitable action based on the claim or dispute.

Venue and Jurisdiction: Any legal suit, action or proceeding arising out of or relating to this agreement shall be instituted in a court of competent jurisdiction located in the state and county where the project is located, and the parties hereby waive any objection which they may have now or hereafter to the venue of any such suit, action or proceeding, and also hereby irrevocably consent to the personal jurisdiction of any such court in any such suit, action or proceeding.

Choice of Law: This Agreement shall be interpreted, construed and enforced in accordance with the laws of the state where the project is located without giving effect or reference to any conflict of laws provisions.

Consequential Damages: In any suit, action or proceeding, the parties shall be entitled to recover compensatory damages incurred as a result of the breach of this Agreement, but neither party shall be liable to the other for any special, indirect, or consequential damages.

Late Fees, Costs and Attorneys' Fees: An additional charge of 1.5% of an invoice will be imposed each month on all past due accounts. Imposition of such charges does not constitute an extension of the payment due date. In the event that LaBella must bring suit to collect payment of any invoices, then Client agrees to pay LaBella's costs and expenses, including reasonable attorneys' fees.

Remedies Cumulative: The rights and remedies available to a party under this Agreement are cumulative and in addition to, not exclusive of, or in substitution for, any other rights or remedies either party may have at law, or in equity, or under this Agreement. Nothing contained in this Agreement shall be deemed to preclude either party from seeking injunctive relief, if necessary, in order to prevent the other party from willfully or intentionally breaching its

obligations under this Agreement or to compel the other party to perform its obligations hereunder.

Non-Waiver: Failure by either party at any time to require performance by the other party or to claim a breach of any provision of this Agreement will not be construed as a waiver of any right accruing under this Agreement, nor affect any subsequent breach, nor affect the effectiveness of this Agreement or any part hereof, nor prejudice either party as regards any subsequent action.

Force Majeure: Neither party to this Agreement shall be liable to the other for delays in performing the obligations called for by this Agreement, or the direct and indirect costs resulting from such delays, that are caused by labor strikes, riots, war, acts of government authorities other than the Client (if a governmental authority), extraordinary weather conditions or other natural catastrophe, or any other cause beyond the reasonable control or contemplation of either party.

Severability: The provisions of this Agreement are hereby agreed and declared to be severable. Any term or provision of this Agreement which is held to be unenforceable by a court of competent jurisdiction shall be deemed to have been stricken from this Agreement, and the remaining terms and provisions of this Agreement shall be construed and enforced without such terms or provisions.

Counterparts: This Agreement may be executed in one or more counterparts, each one of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

Scope of Agreement: This Agreement represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations or agreements, either written or oral, except that terms specific to future projects shall be set forth in LaBella's proposals. This Agreement may be amended only by written instrument signed by both parties.