

Regular Meeting
 Chautauqua County Legislature
**Meeting was Held Virtually due to Social Distancing Guidelines
 And Live Streamed on Social Media**
 Wednesday, November 18, 2020 6:30 p.m.
 Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:32 p.m.

Clerk Tampio called the roll and announced a quorum present.

Legislator Vanstrom delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Rankin and duly carried the minutes were approved. (10/28/2020)

1st Privilege of the Floor

Clerk Tampio: Mr. Chairman, I have received no comments from the public for the first privilege of the floor.

Chairman Chagnon: Thank you. Let's move forward.

**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
 NO VETOES FROM 10/28/2020**

COMMENDATIONS:

Amanda Pacanowski
 By
 Legislators Starks and Scudder

PROCLAMATION:

Caregiver Appreciation Month
 By
 County Executive Wendel

COMMUNICATIONS:

1. Letter – NYS Office of State Comptroller – Acknowledgement of Local Law 3-20
2. Minutes – Conewango Watershed Commission – Meeting Minutes
3. Letter – I.B.E.W Local 106 – Re: Information on Ripley Solar Project
4. Reports – Fn. Director Crow – Investment Report – September 2020
5. Chautauqua County Department of Public Facilities – Re: Landfill Waste Pricing Schedule 2021

Clerk Tampio: The Legislature Office is in receipt of 5 communications this evening. Are there any that you wish to be read aloud?

Legislator Whitney: Would you please read the cover letter from communication number three from the IBEW please?

Clerk Tampio: Certainly. This is from the International Brotherhood of Electrical Workers Local Union 106.

“Greetings Chautauqua County Legislature,

My name is David Wilkinson, I reside at 7499 Putnam Road, Cassadaga and am a lifelong resident of Chautauqua County. I am addressing the legislature as the representative and Business Manager of the International Brotherhood of Electrical Workers (I.B.E.W.) Local 106. I represent 186 wiremen, of which 116 reside in Chautauqua County.

The purpose of the following correspondence and provided information is to address concerns regarding Solar Generation in the county and specifically the Ripley Solar Project. Enclosed please find the following:

- *Overview and fact listing of proposed project*
- *Wages and benefits to be generated locally*
- *ESAMTAC - overview of battery storage safety training*
- *Support of solar energy by Congressman Reed - green energy credits provided by solar fields and wind turbines are an asset to the local community.*

The project in Ripley will generate 100+ construction jobs; providing wages and benefits that go right back into the local economy. For every dollar in wages there is a local economic impact of \$1.50. I have enclosed a wages and benefits package for the electrical workers for your review.

I.B.E.W. Local 106 workers are extensively trained in all aspects of green energy installation. Our apprentices receive 8,200 hours of on the job training along with associated classroom training. I have enclosed a specific ESAMTAC training overview that Local 106 would provide regarding battery storage installations. Any and all electrical work can be dangerous if installed incorrectly by untrained workers- this would not be a concern if our local labor is used.

When it comes to projects such as this, personal opinions should not matter. What is good for the County and its tax-payers has to be the primary consideration. Any tax revenue that can be generated and taken off the backs of property owners must be considered.

I am dismayed at the resistance of our elected leadership, driven by a few, to continuously

oppose work opportunities for my members who are residents of Chautauqua County. The County Legislature has the authority to require local labor on projects that receive tax incentives but has dismissed this proposal in the past. This would certainly be one aspect to create jobs in this community that the County Legislature could accomplish.

In closing, please note that I.B.E.W. Local Union 106 and its members fully support not only the Ripley Solar Project but green energy development in every aspect. We are hopeful that the legislature of Chautauqua County will stand with workers.

If you need further information, I am available for contact at the following: 2and 716-720-1002. Please do not hesitate to call or email at any time. If you would like a hard copy of the provided information, please let us know and we would be happy to mail one

Thank you for your consideration.

Sincerely,

David Wilkinson”

Legislator Whitney: Thank you.

Clerk Tampio: If there is any of these items that you wish to have copies of please let our office know and we'd be happy to send them out.

RESOLUTIONS:

RES. NO. 230-20 Amend Resolution 148-20 Authorizing Landfill Renewable Natural Gas (RNG) Agreements with Chautauqua Green Energy LLC (CGE), by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 231-20 Amend Capital Project Accounts due to Fleet Management Services (Chautauqua County Airport at Dunkirk), by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 232-20 Amend Capital Project Accounts due to Fleet Management Services (DPF Large Equipment), by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 233-20 Amend 2020 Budget Appropriations–Office Services, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 234-20 Authorize Agreement Between Chautauqua County and City of Jamestown for ALS-BLS Billing, by Public Safety and Audit & Control Committees

Chairman Chagnon: Questions or comments on this resolution?

Legislator Nazzaro: Yes, thank you Mr. Chairman. I would like to thank everyone involved at both the County level and the City of Jamestown for making this agreement possible. A special thank you to our director of emergency services, John Griffith who was instrumental in bringing this agreement to conclusion. It was a very long process but in the end it was a win-win for Jamestown, for the County, but most importantly for the citizens of the City of Jamestown. This agreement ensures that there will be ALS coverage for Jamestown residents when Alstar and the City of Jamestown ambulance is not available. Also, this enables both the city and the county to bill for the services and recognize the revenue streams in their respective budgets. This agreement does mirror the agreement we currently have with the City of Dunkirk. I encourage my fellow legislators to support this and for the County Executive to sign this and then it will be forwarded to the City of Jamestown for their respective body- the City Council to approve it and for the mayor's signature. Thank you very much.

Chairman Chagnon: Thank you.

Legislator Vanstrom: Yes, good evening everyone. To echo the words of my esteemed colleague Chuck Nazzaro, this agreement is so critically important. I can't tell you how pleased and happy I am to move it forward. I fully support this and appreciate everybody's tireless hard work to pull it together. Thank you everyone.

RES. NO. 234-20 – UNANIMOUSLY ADOPTED

RES. NO. 235-20 Amend Emergency Services 2020 Budget for Vehicle Accident Claim, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 236-20 Authorize Agreement with Town of Ripley for Enhanced Police Protection Services FY21, by Public Safety and Audit & Control Committees - UNANIMOUSLY ADOPTED

Legislator Bankoski: Mr. Chairman, I'd like to make a motion that we block resolutions 237-20 through 242-20.

Legislator Vanstrom: I second that.

Unanimously Carried to Block Resolutions 237-20 through 242-20

RES. NO. 237-20 Authorize Agreement with Town of Ellery for Court Security Detail FY21, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 238-20 Authorize Agreement with Town of Harmony for Court Security Detail FY21, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 239-20 Authorize Agreement with Town of North Harmony for Court Security Detail FY21, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 240-20 Authorize Agreement with Town of Kiantone for Court Security Detail FY21, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 241-20 Authorize Agreement with Town of Mina for Court Security Detail FY21, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 242-20 Authorize Agreement with Town of Stockton for Court Security Detail FY21, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 243-20 Accept Health Research, Inc. COVID-19 Response Funding, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 244-20 Amend Chautauqua County Health & Human Services 2020 Adopted Budget for Personal Services and Employee Benefits Costs, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 245-20 Distribution of Mortgage Taxes, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 246-20 Applications for Credit of Real Property Taxes for 2020, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

Chairman Chagnon: Now I understand there is an emergency resolution.

Clerk Tampio: Yes, Mr. Chairman. We received an emergency resolution at the Legislature Office today and if it comes to the floor it will be Resolution 247-20 Reallocate Capital Funds – Department of Emergency Management and it's at the request of County Executive Paul M. Wendel, Jr.

Legislator Nazzaro: I would like to make a motion that we move this resolution off our virtual desks to the virtual floor.

Legislator Bankoski: Second.

Chairman Chagnon: Thank you. Any discussion on the motion to bring this emergency resolution to the floor for discussion? Hearing none and seeing none, all those in favor please say aye.

Unanimously Carried to Bring Res. No. 247-20 to the Floor.

EMERGENCY RES. NO. 247-20 Reallocate Capital Funds—Department of Emergency Management

Chairman Chagnon: I would now ask the Clerk to please read this emergency resolution so we are all on the same page.

Clerk Tampio: I would also add the comment that this resolution was sent to all legislators by email today. So, they did receive a copy but I will read it at this time.

“WHEREAS, the Chautauqua County Legislature has allocated certain monies for capital projects; and

WHEREAS, capital project H.3410.14003 Training Props (2019) cannot be undertaken at this time because the COVID-19 pandemic has precipitated restrictions on in-person training events; and

WHEREAS, capital funds are needed for an emergency repair to the roof of the Department of Emergency Management’s Station 7; and

WHEREAS, this reallocation of capital funds was approved by the Chautauqua County Planning Board; now therefore be it

RESOLVED, That the Director of Finance is authorized make the following changes to the Capital Budget:

ESTABLISH AND INCREASE CAPITAL APPROPRIATION:

H.3010.14007.4 Contractual – Roof Repair Station 7 (2020) \$15,000

DECREASE CAPITAL APPROPRIATIONS:

H.3410.14003.4 Contractual – Training Props (2019) \$15,000

ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNT:

H.3010.14007.R503.1000 Interfund Transfers – Interfund Transfer \$15,000

DECREASE CAPITAL REVENUE ACCOUNT:

H.3410.14003.R503.1000 Interfund Transfers – Interfund Transfer \$15,000”

Chairman Chagnon: Thank you. Are there any discussion, questions, comments on the proposed resolution? Hearing none and seeing none, all those in favor please say aye. Opposed?

EMERGENCY RES. NO. 247-20 - UNANIMOUSLY ADOPTED

ANNOUNCEMENTS

Chairman Chagnon: Are there any announcements?

Legislator Vanstrom: Yes, I do. This is an important announcement regarding industrial solar projects. Based on the great concern and outcry from our taxpayers regarding industrial solar projects in Chautauqua County, I encourage all of my colleagues to study all aspects of this

very important subject so we can best serve our constituents in upcoming decisions that will need to be made. Thank you.

Chairman Chagnon: Thank you. Other announcements? Any other announcements for the good of the order? We will now move on to the second privilege of the floor.

PRIVILEGE OF THE FLOOR

Clerk Tampio: The first communication comes by email from Brady Kleckner, a landowner in South Ripley.

*“Chautauqua County Executive PJ Wendel
Chautauqua County Legislature
RE: Support for the South Ripley Solar Project*

To whom it may concern,

I recently became aware the South Ripley Solar project could be in jeopardy in light of a resolution being considered that would prevent the project from executing a PILOT agreement. We were really surprised to hear about this as it seemed to be sort of a no brainer, given the tremendous economic impact this project will bring to the Town of Ripley, an area that could sure use some help. I am not sure when you last spent time in Ripley, but the last time I was there it seemed like the community was on the decline. My family lives in South Ripley and we are proud to be part of the solar project because of the lease payments and tax contribution to the community, not to mention the benefit that renewables are bringing to the world. The annual lease payments will help me improve my property and passive income on fallow land is something that doesn't come around often. The project will also help lower the tax burden on all property owners in the area – something I am sure is welcomed by all! We hope there is still a chance for you to get behind this solar power project, as it can really help our community, which is slowly dying on the vine.

Sincerely,

Brady Kleckner

Landowner, South Ripley”

Clerk Tampio: The second communication comes from Isaac Phillips.

“Chautauqua County Legislature,

Recently, the Chautauqua County Legislature discussed the consideration of a resolution that would recommend the Chautauqua County Industrial Development Agency refrain from signing PILOT agreements with any solar energy projects over 5 MW, including the South Ripley Solar Project.. ConnectGen would like to formally state that it does not support such an action. Such an action, especially when based on uncited, incorrect information, would deprive the Town of Ripley and Chautauqua County from realizing decades of much needed benefits that will be derived from the project.

The Facts: Economic Benefit

The South Ripley Solar Project represents an approximately \$350 million capital investment which will bring significant revenue, construction jobs, and economic development into the Town of Ripley and Chautauqua County.

During its approximately year-long construction, the project is expected to create up to 220 family-wage jobs, many of which will be sourced from the local labor pool. ConnectGen signed an MOU with Laborers Local 621 and is working to sign an MOU with IBEW Local 106 that will aim to hire local laborers to work on constructing the project. The project will increase business activity among local hotels and motels, grocery stores, gas stations, restaurants, equipment rentals, materials suppliers, and similar businesses. During operation, the project is anticipated to create 2-4 local full-time family wage operations and maintenance jobs earning more than \$40,000/year.

For local host landowners, the project represents a significant, stable long-term income source that will provide economic security and diversified revenue to protect family farms. ConnectGen has already paid local host landowners over \$600,000 for site control agreements, and annual payments to these landowners are expected to average over \$1,000,000/year, resulting in over \$30 million in payments to local landowners over the life of the project. These landowners, in turn, will likely use this money to reinvest in new farm equipment or home improvements, which will generate additional income for the County in assessed property taxes and sales tax.

The project will also result in a significant, dependable revenue to the Town of Ripley, Sherman and Ripley School Districts, and Chautauqua County without burdening existing resources. It is estimated that through the PILOT and Host Community Agreement (“HCA”), the project will provide additional tax revenues totaling at least \$16 million to the Town of Ripley and Chautauqua County over the life of the project. The project will be one of the top 5 taxpayers in the County. It is expected that the Town of Ripley’s share of the increased revenue would comprise at least 40% of the Town’s annual property tax levy. In addition, the project will result in additional tax revenues for the Sherman and Ripley School Districts, which could total more than \$4.7 million over the life of the project. These PILOT and HCA payments represent 30 years of guaranteed, stable revenue that will enable the town, county, and school districts to make long-term financial plans, providing each with a great amount of flexibility in utilizing these funds to enhance the community.

The Facts: Land Use and Environmental Considerations

Contrary to information shared at a previous meeting, only 1,250 to 1,500 acres are expected to host project infrastructure. Construction of solar projects is largely low impact and does not typically require significant site work or soil disturbance. ConnectGen aims to further minimize potential environmental impacts by avoiding wetlands, limiting tree clearing to commercial timber areas, and working with participating farmers to utilize less productive agricultural fields.

During the solar project’s 30 year or more lifespan, the land hosting the project gets a recovery period, allowing the soil to restore fertility and rebuild, improving soil health over

time. Stormwater discharge and water runoff will be studied under the state permitting process and potential impacts will be mitigated during construction and operation. The South Ripley Solar Project will have minimal impacts on local wildlife and will be reviewed as part of the state siting process. In fact, studies show that solar facilities can provide shelter for species, promote land stability, preserve habitat, and support biodiversity. Studies have also shown that crystalline silicon PV panels, the type of panel that will be used for the project and which represent approximately 90% of the solar panels in use today, do not pose a material risk of toxicity to public health and safety.

As part of the New York State siting process, the South Ripley Solar Project is consulting with state and federal agencies and stakeholders, including the NYS Department of Public Service, NYS Department of Environmental Conservation, NYS Department of Agriculture and Markets, and the U.S. Fish and Wildlife Service to ensure that potential environmental impacts are fully considered in conjunction with the environmental benefits of the project.

The Facts: Public Safety

All solar and storage facilities are designed to strict electrical safety standards to ensure safe operation. Product safety standards, installation requirements, and building codes for solar facilities are addressed by the National Fire Protection Agency's National Electrical Code, the International Code Council's International Fire Code, the International Association of Firefighters, and several other national, state and local safety and product standards groups.

All energy storage facilities are also designed to strict electrical safety standards to ensure safe operation, including; NFPA 855 standards, all applicable system and component UL standards, International Fire Code 2018 standards (and 2021 when released), and the 2019 New York Energy Storage System Supplement to the New York State Uniform Fire Prevention and Building Codes. At the end of 2019, 1,300 MW of battery energy storage had been installed on the U.S. electric grid. Energy storage has a safety record that is similar to or better than other electricity generation, distribution, or management methods.

Further, in October 2019, the New York City Fire Department issued guidance on the design, installation, and emergency management response procedures for outdoor stationary storage battery systems. Lithium ion battery fires in the US are exceedingly rare, and current testing data does not support the notion that lithium ion battery fires are any more toxic than a typical structure fire. ESRG, recognized experts in energy storage safety, typically marks safe zones just outside the fence line for first responders, with consideration given to wind direction up to an additional 100 feet. During large- scale abuse and fire testing conducted at ESRG's facility, safe zones for test observers are typically not more than 100 feet from the facility.

The site will be remotely monitored 24/7 by trained personnel to ensure no abnormalities are occurring on the system. Internal fire suppression and ventilation systems are designed as backstop protection should any abnormality occur. Moreover, the remote control center has the ability to emergency stop the system in addition to the on-site safety design measures. In addition, our Emergency Response Plan will provide details regarding how to address any such

occurrence, and local emergency responders will be provided routine training on these measures.

Please find enclosed a fact sheet and comprehensive memorandum addressing misinformation that has been shared with the County Legislature in previous meetings and correspondence. Additionally, this enclosure contains 75 letters from area residents expressing their support for the project and the economic benefits that it will bring to the community. We anticipate that several more support letters will be submitted by landowners, unions, local businesses, and other stakeholders on behalf of the project, which illustrates the broad base of support that the South Ripley Solar Project has within the Town of Ripley as well as Chautauqua County.

*Sincerely,
Isaac Phillips
Project Developer
Connectgen LLC”*

Clerk Tampio: We are in receipt of a letter from Nick Warner, Principal and Co-Founder of the Energy Storage Response Group, from Delaware, Ohio. The letter is addressed to the Chautauqua County Legislature, the Ripley City Council, the Ripley Fire Department, and the people of Ripley and of Chautauqua County. The letter is far too long for me to read in the 5 minutes allotted to comments representing a group. I have forwarded a copy of the letter to all Legislators, and I will now read a portion of the letter that gives the essence of the letter:

“I wish to address several of the concerns that have been brought to our attention here just as we have addressed them in other communities throughout Western New York. To begin, it would be disingenuous on our parts to pretend that energy storage systems have not had safety incidents in the past. Though they have been rare in the US, looking around the globe, incidents in these types of systems have occurred several times in the previous four years throughout the world. However, these incidents, based on the number of systems deployed, have not occurred more regularly than many other similar safety incidents we have come to accept as part of our lives, and a large number of these incidents are centered in a part of the world with a very different regulatory environment than our own. Electric vehicles may make the news when a battery failure results in fire, but how many passenger vehicles, equipment, and other gas-powered devices have caught fire in a similar period of time without the same fanfare? As a matter of science, it is worth pointing out that the thermal energy contained in the fuel tank of the average passenger vehicle is actually far greater than that contained in a similar electric vehicle. It’s not hard then to imagine reservations about gas powered cars when they first came about. Though easy to imagine the concerns of fire fighters when gas stations started popping up around the US, with proper safety regulations and codes, an incident at a gas station has become a rather benign event in many cases, and a rather attention drawing event when it does occur because of how rare it is. Energy storage systems following the codes in place today are the same, and while the fire service needs proper training for how to deal with such an event safely, this is an activity Energy Storage Response Group performs on a regular basis.”

Clerk Tampio: This is a letter from Jim Boria in South Ripley.

“Dear Executive Wendel and County Legislators,

I own land and live in the South Ripley Solar Project footprint, and I have signed up my property to ConnectGen for use in the project. I very strongly believe in private landowner property rights, which consist of three basic elements: the exclusive right to choose how your property will be used, the exclusive right to any benefits derived from the property, and the right to exchange your property with someone else on terms that are mutually agreeable to the two parties.

By signing up my land with ConnectGen, I have exercised all three of those elements. In addition, this project and my and other landowner's participation in the project support the noble goal of NY State becoming less fossil fuel dependent, reducing the threat of global warming. The increase in tax revenue for the County and Town of Ripley are critical given the negative impact that Covid 19 has had, and continues to have, on the Town/County tax roles as more business go bankrupt and job losses continue.

I do not take kindly to governmental entities meddling in my basic rights as a property owner, and I am opposed to the resolution under consideration, which would potentially kill the project and deprive myself, other landowners, and the community at large of lease payments and increases in annual tax revenues. Such an action would not only be a threat to the private property rights and economic future of Ripley, it would also extend the authority of the county far beyond the accepted role of protecting public and social welfare.

Regards, Jim Boria – South Ripley

Clerk Tampio: There is another communication from Kim Kleckner.

*"To whom it may concern,
My husband and I are participating landowners in the South Ripley Solar Project. In fact, our land is smack in the middle of the project area. While our farm is not large, we were able to lease one of our fields and are planning to use the income we receive to support the farming activities we perform on the rest of our property.*

South Ripley is our home and has been for four generations. We have watched our community dwindle down over the years from thriving to barely surviving. The South Ripley Solar Project can help our decreasing tax base by providing extra income to Ripley. We desperately need to capitalize on this economic opportunity, which will benefit local residents by providing a steady stream of income the town and school districts can plan around for years to come.

There are some people who have loudly voiced their opposition, but the messages they are pushing are unreasonable and untrue, and some of the loudest folks don't even live in the Town of Ripley. It seems as though these opponents merely don't want to embrace positive change or progress. While their collective voice is loud, it is not representative of the community at large. I ask that you please consider my perspective, and the perspective of so many other supporters, as you make decisions involving the South Ripley Solar Project."

Clerk Tampio: This is from a group called Stop Solar Save South Ripley and it was forwarded to me by Rob Gallbraith.

To: County Executive and County Legislators, Chautauqua County New York

*Subject: Comments from public to Chautauqua County Legislature monthly meeting
November*

18, 2020

As addressed in the County Legislature's October meeting, we, the concerned citizens of the Town of Ripley and other concerned citizens in the area, want to again urge that the County Legislature pass and send a No Pilot Resolution to the Chautauqua County Industrial Development Agency (CCIDA) regarding the application of ConnectGen, LLC for Payment in Lieu of Taxes (PILOT) proposal for the South Ripley Solar Project. This letter provides additional information that was not covered in the October letter from South Ripley/Ripley Neighbors for a Safe and Informed Community.

Why SSSSR requesting this?

- 1. Size of project: 4510 acres of land (facility area); of this*
 - a. 1994 acres is forested; remainder is high value agricultural land:*
 - b. 14.5% of the land mass of the Town of Ripley*
 - c. Facility Site - installation of panels is 2000 acres*
 - d. This is one of the largest projects of this kind east of the Mississippi*
 - e. This means that ConnectGen can easily expand this project once the 2000-acre initial site is in operation.*
- 2. Science for large scale Battery Energy Storage Systems (BESS) still very unproven. This puts all First Responders and the local population at great risk from explosions, toxic gases and hazardous liquids as the result of a fire at one of these facilities. New York State Fire science does not offer any type of training nor documentation on combating these types of fires.*
- 3. To date, depleted solar panels cannot be recycled and will be broken up and buried in landfills. This is classified as a hazardous material, so precautions must be taken in the dismantlement and disposal of the panels. The Ripley project alone will result in tons of solar panels that will have to be disposed. Estimated cost for decommissioning in today's dollars is \$24 million dollars and is provided in Attachment 1. There is no data on the decommissioning of BESS. This is going to be very expensive to remediate at project maturity or will end up as a Superfund site.*
- 4. Solar insolation (kw/m²/day) in Chautauqua County is the worst in the nation. The solar insolation in the Southwest US is 3 times better than our area. A diagram is provided in Attachment 2. This makes no sense.*
- 5. Villages such as Westfield, Brocton, Springville, and others are already 100% green. Please see*

Attachment 3 as reference. 90% hydroelectric, 10% nuclear = no emissions

- 6. Clear cutting hundreds if not thousands of acres of forest to make room for this project is absurd. Trees are CO₂ absorbers, absorbing between 1.5 to 2.5 tons of CO₂ per acre per year for a mature mixed forest. If anything this is anti-green.*
- 7. The majority of the farmland in the project area is farmland of statewide importance and prime. Please see Attachment 4 as a reference.*

8. *We believe that it is important for the CCIDA to hear both sides of the story on projects about which they are making decisions.*
9. *ConnectGen estimates that they will provide \$16M to the county tax base and \$4.7M to the local school district. As this is a 30-year project, if this is valid, this equates to \$533k/year to the county and \$153K/year to the school district(s). Is this really worth it to destroy 2000 acres of forest and farmland and potentially endanger the lives of our citizens and first responders?*
10. *Please carefully consider the impact of all these “Green” energy projects on our county. Do not let our beautiful county be turned into a “green wasteland”.*
11. *To summarize: We urge the legislature to pass a No PILOT Resolution prior to any IDA Board meeting that will review the ConnectGen PILOT agreement. We ask that the legislature request the CCIDA delay the ConnectGen PILOT application decision in order for the legislature to deliberate and decide on such a resolution.*

The County Legislature’s consideration of this request is greatly appreciated. Thank you,

*Stop Solar Save South Ripley (SSSSR)
Attachments:*

1. *Solar Farm Decommissioning Costs; Dr. Herbert M. Eckerlin, Emeritus Professor, Mechanical & Aerospace Engineering North Carolina State University*
2. *National Renewable Energy Laboratory (NREL) Irradiance Chart*
3. *NY State Department of Public Service Fuel Sources and Air Emission chart January 1, 2018 – December 31, 2018*
4. *USDA Natural Resources Conservation Service, Web Soil Survey, 4/19/20*

Clerk Tampio: This is another letter from the same group Stop Solar Save South Ripley forwarded again from Rob Gallbraith.

“Dear Legislators,

Please help Ripley, New York! We are requesting your help to stop the proposed South Ripley Solar Project. We are very concerned residents of Ripley, NY and surrounding communities.

MAIN ISSUE:

A large portion of our community is facing a permanent transformation into a utility size solar panel farm with two lithium ion battery storage facilities on NE Sherman Road, Ripley, NY. The proposed plan, South Ripley Solar Project, is to create a 2,000-6,000 acre solar farm through private land agreements. ConnectGen LLC, based in Houston, TX, have been soliciting landowners on their properties by stopping by and calling since late summer 2018; to lease or sell their property. The proposed plan includes a lithium ion battery storage

facility on NE Sherman Road, on the NY-PA state line. A second company, Seven Creek Energy, which is not applying through Article 10 application to NYDPS, is also planning for a second lithium ion battery storage facility. The two facilities combined, would create the largest battery storage facility area in the country.

CONCERNS:

- *Many residents did not know the magnitude of the project until June of this year.*
- *Residents' urgent questions and concerns have been ignored regarding health risks, reduction in property values, loss of homes, the long-term effects.*
- *The planned conversion of actively farmed Prime Farmland, to solar, thus creating a loss of food source.*
- *Blasting Plans: Residents' and Firefighters' questions about the blasting plans have been left unanswered.*
- *Conversion of wetlands and compensatory mitigation are mentioned in the Preliminary Scoping Statement. Why?*
- *Many residents in surrounding areas such as North East, PA, are not even aware of the project; or what this would mean for their area.*
- *The Environmental Justice data used in the PSS, was for Westfield, NY; not South Ripley, NY.*
- *There are more active bald eagles nests in South Ripley than were listed in ConnectGen LLC's documents.*
- *The proposed solar project has been paraded in front of the residents of South Ripley, NY almost daily- be it through researchers, drones, or paid local consultants promoting the project.*
- *Not only does Chautauqua County already have green energy in the form of hydro-electricity, but the panels will not generate electricity when it is dark. We will still need some form of consistent backup to generate electricity at night, and when it is cloudy and snowy, during most of winter.*
- *The Town of Ripley water supply is gravity-fed. The project area is directly above it. Chemicals from the panels would leach into our water wells, contaminating the well water. It would also flow downhill into streams, into the Town of Ripley water supply, and into Lake Erie as well.*

SUMMARY:

The current rolling blackout issues from "renewable energy" in California are a hint at what we would face in New York, and should be a lesson to us all. However, in California, the heat is of concern. In New York:

In New York if there is a loss of power during the cold winter months, it is possible residents could use heat for extended periods of time.

If we are aware of the potential dangers of this project, why is this project even being considered?

Has the county considered a potential loss of tax revenue from devaluation of properties, or loss of number of residents?

*We respectfully request your aid in protecting our amazing citizens, in protecting residents from the loss of their homes, their source of income, their food source, and way of life.
-Stop Solar Save South Ripley”*

Clerk Tampio: I only have two more to go. This is addressed to Chautauqua County Executive PJ Wendel and Chautauqua County Legislature.

“To whom it may concern:

I am writing today about the South Ripley Solar Project. This is an important energy project that should be supported by your organization simply in light of the financial boost it will bring to Chautauqua County. While we don’t live in town, we own land in South Ripley and the revenues provided by the solar project will help us keep our land in the family and allow future generations the opportunity to be landowners. The project will also bring much needed tax revenue to the area, hopefully offsetting the high property taxes that local landowners have to pay.

*We welcomed the solar project from day one because we thought it would be good for our family, and good for the community at large. In addition, it is critical to our environmental future that we move forward with renewable energy projects such as this one! Please help this project stay on course by allowing the IDA to negotiate a PILOT
Sincerely, James & Denise Warren – Landowners, South Ripley”*

Clerk Tampio: This is addressed to myself, Clerk of the Chautauqua County Legislature.

“Re: PRIVILEGE OF THE FLOOR – Appointment of Luz Torres Chautauqua County Election Commissioner

Dear County Legislators,

We together ask you to stand and lead on an important matter for our Chautauqua County community generally and women and Blacks and People of Color particularly.

We understand that you together are responsible for the possible appointment of Luz Torres as the Democratic Election Commissioner. We also understand that her appointment is being held up because of issues wholly unrelated to Ms. Torres’s qualifications and competence.

We are asking you to forego whatever other unrelated issues you might have for withholding Ms. Torres’s appointment.

For too long we have not promoted and encouraged and fully supported qualified women such as Ms. Torres.

While many might view this as a partisan matter, we view this as a very public matter. As you are aware more so than many, our Election Commissioners play a significant role in our democratic society (please note the small “d”). Our election commissioners ensure that residents who wish to vote are protected in that right and provided the opportunity to exercise that right.

Ms. Torres is well-qualified for this position and has served as the First Deputy for years.

We implore you to stand for us and our larger community and support Ms. Torres as one of our two Election Commissioners.

*Sincerely and Together,
Susan Parker
82 Newton Street
Fredonia, NY 14063”*

Clerk Tampo: And for the following there are 39 other individuals listed in support of this communication. That concludes the communications I've received.

Chairman Chagnon: Thank you Kathy. Is there anything else to come before the Legislature this evening?

MOVED by Legislator Gould, SECONDED by Legislator Bankoski and duly carried the meeting was adjourned. (7:36 p.m.)

Respectfully submitted and transcribed,
Kathy K. Tampo, Clerk of the Legislature/ Olivia L. Ames, Deputy Clerk/Secretary to the Legislature