

Regular Meeting
Chautauqua County Legislature
**Meeting was Held in Person with the Option to Attend Virtually due to
Social Distancing Guidelines
And Live Streamed on Social Media**
Wednesday, June 23, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:31 p.m.

Clerk Tampio called the roll and announced a quorum present

Legislator Lawton delivered the prayer and pledge of allegiance.

Chairman Chagnon: At this time I would request a moment of silence in memory of Tom Harte. Tom was a former Chautauqua County Legislator from 1980 to 1991 and served as chairman of this Legislature from 1984 to 1985. He was an outstanding civic leader and a tireless public servant. Please join me in a moment of silence. Thank you.

MOVED by Legislator Bankoski, SECONDED by Legislator Rankin and duly carried the minutes were approved. (05/26/2021)

1st Privilege of the Floor

Chairman Chagnon: This will bring us to the first privilege of the floor. Is there anyone to address us for the first privilege of the floor? Kathy, do we have any communications for the first privilege of the floor?

Clerk Tampio: No, we have not received any communications.

Chairman Chagnon: O.k., thank you.

**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 05/26/2021**

Clerk Tampio: Communications are listed on your agenda this evening – 11 items. Are there any of them that the Legislature would like to have read aloud? Hearing none, if you would like a copy of any of these please notify our office.

Chairman Chagnon: Thank you.

COMMUNICATIONS:

1. Letters (4) – NYS Department of Taxation and Finance – Certified 2021 State Equalization Rates
2. Report – Chautauqua County Planning Board – 2022 Capital Budget and 2023-2027 Capital Plan
3. Policy – Chautauqua County Information Technology Policy
4. Report – Finance Director Crow, Re: April 2021 Investment Report
5. Minutes – Conewango Watershed Commission – June 8, 2021 Meeting
6. Report – Chautauqua County Land Bank – 2020 Annual Report
7. Affidavit of Publication – Post-Journal – Re: Public Hearing- Modifications to Chautauqua County’s Agricultural Districts
8. Affidavit of Publication – Observer – Re: Public Hearing- Modifications to Chautauqua County’s Agricultural Districts
9. Affidavit of Publication – Post-Journal – Legal Notice – Re: Local Law Introductory No. 2-21
10. Affidavit of Publication – Observer – Legal Notice – Re: Local Law Introductory No. 2-21
11. Letter – NYS Department of State – Ack. Receipt of Local Law 3-21 (A Local Law Amending the Chautauqua County Code of Ethics)

COMMENDATIONS:

**CERTIFICATE AWARDS
To High School
VALEDICTORIANS and SALUTATORIANS
By
Chairman Pierre E. Chagnon
County Executive Paul M. Wendel, Jr.**

**Chautauqua Lake Central School
ENVIROTHON TEAMS
By
Legislators Gould, Vanstrom and Ward**

PRESENTATION:

**Planning Board’s Review of
2022 Capital Projects
By Doug Bowen**

Mr. Bowen: County Executive Wendel, Mr. Chairman, County Legislators, ladies and gentlemen: My name is Douglas Bowen, and I am Chairman of the Chautauqua County Planning Board. The County Administrative Code charges the County Planning Board with the responsibility of annually reviewing capital requests from county departments and making recommendations to county government with respect to estimated costs, project justification, and priority. This evening I am here on behalf of the Chautauqua County Planning board to present the Boards report, with recommendations for the 2022 Capital Budget, and the 2023-2027 Capital Plan.

As we all know, last year was a challenging year for everyone. The review of capital projects was no exception. Last year, project requests were reviewed and discussed by the Planning Board members exclusively through video conference discussions. The Board did not have the advantage of having the typical presentations by department heads. Instead, the Board relied on the request forms submitted and email responses to the Board's questions. Fortunately, we were able to get back to in person presentations for this year's capital project process. These presentations help the Board to understand the needs of the departments, understand the nuances of the projects presented, and give the Board the opportunity to ask clarifying questions.

The County's capital project review process has been well-established for a number of years. Each year, the Planning Board reviews the process and suggestion improvements. Over the last few years, all capital project presentations were completed in one, eight-hour day. This year, presentations were completed over a two-day schedule, for a period of four hours each. This change helped to reduce scheduling conflicts for department heads, and helped to keep Board members engaged throughout the presentations.

During this year's capital project presentations, the need for the six-year capital plan was called into question. The concern deals with the amount of time it takes to prepare the long term capital plan component, as compared to the value it provides. As you know, the six-year capital plan allows decisions makers to set long-term priorities and work toward set goals, rather than making choices based only on the needs and politics of the moment. The long-term capital plan should prioritize projects, set timing goals, and help to determine future funding options. The six-year capital plan should examine the County's capital assets and determine the best way to maintain these assets efficiently. Keeping in mind the time constraints of department heads and the importance of the six-year capital plan, the Planning Board will review the capital project request forms for opportunities to make the process more efficient.

Ranking the capital projects objectively is a difficult task. We are choosing between projects, across departmental lines, that result in different types of benefits for different segments of the County's population. This is compounded by the fact that we are faced with a rising public demand for new and better services, while feeling the pressure to lower the tax burden. Departments look for alternative funding sources for capital projects, but the options are limited. Inevitably, the end cost of doing business falls to the taxpayers.

This year, the Planning board reviewed 47 county funded capital projects, two enterprise funded capital projects, and six FAA/State funded capital projects for the 2022 capital budget. An additional 50 projects were reviewed for the 2023-2027 capital plan. These projects were submitted by 11 various Chautauqua County departments. If you separate out the sub-departments that are under the umbrella of "Public Facilities" there were submissions from 17 different departments and divisions.

The total cost requested for the 49 capital projects reviewed, without FAA/State funded airports projects, was \$30,244,109. The county share of these projects was \$14,129,906

The Capital Project Report is broken into multiple tables for your use. Table A, on page 6 lists a total cost, and total County share of the 2021 Capital Projects Requests by department. Table B, on page 8, lists the Boards prioritization of county funded capital projects. The table contains corresponding page numbers to allow easy reference to project information.

Table C, on page 12, lists the prioritization of the requested Airport Capital Projects, and the County Vehicle Requests are listed on page 14. This follows the same format that many of you have seen in past years and I hope you find the Board's comments enlightening.

Before I leave, I would like to thank the County Executive and the County Legislature for the appointments made to the County Planning Board. You have provided the Planning Board with a group of dedicated and knowledgeable individuals with diverse backgrounds who provide valuable insight to future planning for Chautauqua County. That said, I would like to thank all the members of the Chautauqua County Planning board who volunteered many hours reviewing the Capital Projects. I commend them for their efforts. Thank you. Are there any questions?

(Applause)

Chairman Chagnon: Thank you, Doug for the work that you do and your committee does for the benefit of Chautauqua County. We really appreciate the dedication you put into this and for the legislators who are now just receiving the report, I can tell them that I've read it start to finish and it's fascinating. You guys did a great job this year. Thank you.

6:35 P.M.

PUBLIC HEARING

REGARDING MODIFICATIONS TO CHAUTAUQUA COUNTY'S AGRICULTURAL DISTRICTS

(6:51 p.m.)

Chairman Chagnon: Is there anyone wishing to address the public hearing at this time? Anyone wishing to address the public hearing regarding modifications of Chautauqua County's Agricultural Districts? Sir, please step up to the microphone and give us your name and address.

My name is Tom Gibs and I live on Chautauqua Stedman road. I just got the notice today that you're having this meeting and that you're modifying it. Why is that?

Chairman Chagnon: This was published, right?

Clerk Tampio: Yes, it was published in both newspapers and the mailer was sent out to all property owners.

Mr. Gibs: Why was it sent so I got it today? So I didn't get it until I got home from work?

Legislator Gould: The reason to modify it down to four units is so we can report them. The State wants them reported every so often and when there was eight or ten of them we

couldn't get it done. That's the reason. And don't think your post card was late, mine came today too.

Mr. Gibbs: And that makes it O.K.? (*Inaudible*) there are probably a lot of people that would want to come but don't know about it until they get home from work when you're already having your meeting. Something is wrong with this picture. Why are we changing to 2 or 4?

Legislator Gould: So we can report them on time to the State. The State requires us to report them- I've been on the Farmland Protection Board for 15 years and we used to always report them to the State late and the State doesn't like that. So, we're consolidating them so we can report them in a timely manner.

Mr. Gibbs: What are you reporting? I'm sorry, I'm stupid I guess.

Legislator Gould: We have to fill out a report on the land and give people a chance to get in and get out of the Ag. Districts.

Mr. Gibbs: What's the advantage of getting in and out of the Ag. Districts? So you can raise taxes on them?

Legislator Gould: No. There are some people that want out. It lowers taxes. It keeps it farm land and not (*inaudible.*)

Mr. Gibbs: (*Inaudible*) new projects supposedly going in and that has nothing to with changing it from agricultural to residential so we can raise taxes on all that?

Legislator Gould: I can't answer that I guess.

Chairman Chagnon: Thank you for your comments. Anyone else to address the public hearing regarding the modifications to the Chautauqua County Agricultural Districts?

Mr. Bowen: I'm Douglas Bowen from the Town of Ripley. It is my understanding that the Ag. Districts- the number of Ag. Districts in the County is being reduced down to 2. It is required by the State that- I think it's every 5 years- I'm not sure about the actual term, that the Agricultural Districts need to be reviewed-

(*Cross-talk*)

Mr. Bowen: Oh, every 8 years. Sorry about that. All they're doing at this point in time is reducing the number of Ag. Districts down to 2. They are not removing anything out of the Ag. Districts from within the Ag. Districts, we are just reducing the number of districts so that there are only 2 districts to review each time rather than the total districts that currently exist. No properties are being moved from the Ag. District through this process, it's just the number of Ag. Districts in the County is being reduced. I hope that (*inaudible.*)

Ms. Wurster: Mr. Chairman? I can speak to this. I would like the correct information to be out there. This is Rebecca Wurster, Planning Coordinator in the Planning of Development. Tonight's public hearing is based on Ag. District modifications that we received back in March and April when we put out notice that it was time for our eight year Ag. District Review. We decided to review all 9 Agriculture Districts and based on this 30 day application period we did receive 2 applications for removing and adding parcels to the district. One application added three parcels to District 2, which was approximately 7 acres in Pomfret in Fredonia on 3777 Eagle Street and then 1 application was for the removal of two parcels from District 2 in the Village in Westfield. The addition already has agriculture farmland happening on it, so that made sense and then the removal no longer farms on that land and it's in the Village and he requested that those be removed, so that made sense as well. This plan did go to our Ag. Farmland Protection Board, who ultimately has approved that plan to move forward to the Legislature, which is what you will be voting on tonight.

This modification also includes the consolidation of 9 districts to 4 districts. This is simply for administrative purposes. Every 8 years we have to be reviewing these districts and 9 makes it a lot of work, so yes, we're moving it down to 4 so that it's easier that we can do bi-annual reviews of the 4 districts. So, that is what the public hearing is for tonight. It's for the consolidation of 9 districts down to 4 districts and also includes the modification of 5 parcels- 3 being added and 2 being removed. Anyone else within our Ag. District will remain the same and will remain in their current agriculture district boundaries, so no changes are being made to anyone else's property. I just wanted to make that clear.

Chairman Chagnon: Thank you, Rebecca. That makes it very clear for us. Thank you. Anyone else wishing to speak to the public hearing? Please give us your name and your address and speak into the microphone.

My name is Sally Johnson and I'm from Dunkirk, New York. I would like to know if these parcels were changed in any way to help the building of solar projects. Did that have anything to do with this change?

Ms. Wurster: No, this has nothing to do with any solar or wind projects. This is specifically related to our agriculture districts and the properties within those districts.

Ms. Johnson: These properties that have changed will not be determined to be solar farms in the future?

Ms. Wurster: That would be based on local zoning and this is not related to zoning at a municipal level. This is just our agricultural district boundaries.

Ms. Johnson: I have to agree with the gentleman, people need notice about these meetings. I read the paper every day. I'm online every day. I saw nothing and my husband does the same too. People need to know. This is your first meeting in a year open to the public? I think there should be proper notice. Thank you.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the public hearing? Any other comments on the public hearing regarding modifications to the

Chautauqua County agricultural districts? Hearing none, I will close the public hearing (7:00 p.m.)

RESOLUTIONS:

RES. NO. 116-21 Confirm Appointment and Re-Appointments – Chautauqua County Food Policy Council, by Planning & Economic Development Committee – UNANIMOUSLY ADOPTED

RES. NO. 117-21 Confirm Appointment - Chautauqua County Community Services Board, by Human Services Committee – UNANIMOUSLY ADOPTED

RES. NO. 118-21 Re-Appointments – Chautauqua Opportunities Board of Directors, by Human Services Committee – UNANIMOUSLY ADOPTED

RES. NO. 119-21 Confirm Appointments and Re-Appointments - Chautauqua County Historian's Advisory Board, by Administrative Services Committee – UNANIMOUSLY ADOPTED

RES. NO. 120-21 Increase Capital Account for the Rehabilitation of Taxiway B South (Construction) at the Chautauqua County Dunkirk Airport, by Public Facilities and Audit & Control Committees –ADOPTED w/ Legislator Scudder voting “no”

RES. NO. 121-21 Increase Capital Account for the Rehabilitation of Hangar C at the Chautauqua County Jamestown Airport, by Public Facilities and Audit & Control Committees

Legislator Gould: I would like to make a motion to amend by the resolution laying on our desk. This is basically a change of where the money is coming from.

Chairman Chagnon: O.K. We have a motion to amend the resolution.

Legislator Nazzaro: Second.

Chairman Chagnon: And a second by Legislator Nazzaro. Any discussion on the motion to amend the resolution?

Legislator Nazzaro: (*Inaudible*) as Mr. Gould said and we did not want to use monies out of the capital reserve, so instead we are taking the money out of contingency. If you remember, when we did the 2021 budget we did budget \$500,000 for contingency, so we will be taking it out of that account and it will not be affecting the capital reserve.

Chairman Chagnon: Thank you. Any other questions or comments on the motion to amend resolution 121? Hearing none, all those in favor of the motion to amend please say aye. Opposed?

Unanimously Carried to Amend

Chairman Chagnon: Now, are there any discussions on the amended resolution? Hearing none, all those in favor please say aye. Opposed?

RES. NO. 121-21 – UNANIMOUSLY ADOPTED

RES. NO. 122-21 Reallocating Salary Grade for Bus Driver II, by Public Facilities, Administrative Services and Audit & Control Committees

Chairman Chagnon: Are there any questions or comments on the resolution?

Legislator Nazzaro: Thank you, Mr. Chairman. I just want to show my support for this. I think it's a very worthwhile resolution. I want to support the CARTS drivers for the work they do, especially during the pandemic that we have gone through. Obviously when we drive around the county we'll see many signs where they're looking for employment and many the minimum wage for these jobs is \$15/hour, so this will change the starting wage for a CARTS driver from a grade 1, which will start at \$14.44 to a grade 4, which will be \$16.66. Again, I think we owe that to our CARTS drivers who are out there every day driving our county residents for a very worthwhile cause, so I highly support this.

Chairman Chagnon: Thank you. Any other comments or questions on the resolution?

Legislator Bankoski: I just want to echo Mr. Nazzaro's comments. One of the first jobs I had after I retired from the prison system was driving CARTS bus and it was a difficult job and you deal with a lot of different personalities every day and the money would be well earned for these guys.

Chairman Chagnon: Thank you, Legislator Bankoski. We didn't know you had all those skills. Any other questions or comments on the resolution? Hearing none, would the clerk please call the roll?

RES. NO. 122-21 – R/C Vote 18 Yes; 1 Absent – UNANIMOUSLY ADOPTED

RES. NO. 123-21 Adjust D5112-Capital Improvement Accounts, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 124-21 Adjust D.5112 Capital Improvement Account-Funded Roads, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 125-21 Request Funding for Repairs to Heating and Cooling Systems at MMB and GOB, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 126-21 Request Funding for DPF Sheridan Shop Fuel System, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 127-21 Request Funding for DPF Sherman Shop Fuel System, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 128-21 Authorize Pre-Order of Leased Vehicles for 2022, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 129-21 Authorize Acceptance of Aid to Defense Grant 2021-2022, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 130-21 Authorize Acceptance of 2021-2022 Aid to Prosecution Funds, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 131-21 Authorize MOU with Homeland Security Investigations for Joint Operation Participation, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 132-21 Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Two (2) School Resource Officers, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 133-21 Authorize Agreement with Brocton Central School for School Resource Officer, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 134-21 Authorize Lease Agreement with Warwick Plaza, LLC for Office Space for the Chautauqua County Veterans Service Agency, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 135-21 Designating the North Chautauqua County Water District as the Administrative Head of the North County Industrial Water District No. 1, by Public Facilities Committee

Chairman Chagnon: Legislator Niebel?

Legislator Niebel: Mr. Chairman, because there is no urgency to this resolution I move to table this resolution at this time.

Chairman Chagnon: O.K., we have a motion to table the resolution. Do we have a second?

Legislator Gould: Second.

Chairman Chagnon: Second by Legislator Gould. All those in favor please say aye. Opposed?

RES. NO. 135-21 – UNANIMOUSLY TABLED

RES. NO. 136-21 Amend Resolution 315-17 Regarding Membership of Chautauqua Lake Protection and Rehabilitation Agency, by Planning & Economic Development Committee

Chairman Chagnon: Any questions or comments on this resolution?

Legislator Vanstrom: I would just like to say I support this resolution because it gives us a greater scope of representation for the stakeholders around Chautauqua Lake. Thank you.

Chairman Chagnon: Thank you. Any other questions or comments on the resolution? Hearing none, all those in favor please say aye. Opposed?

RES. NO. 136-21 – UNANIMOUSLY ADOPTED

RES. NO. 137-21 Approve Updated By-Laws for Southern Tier West Regional Planning and Development Board, by Planning & Economic Development Committee – UNANIMOUSLY ADOPTED

RES. NO. 138-21 Authorize Use of Lake Erie Management Commission Capital Project H.8020.37011 Funds to Co-Fund Dunkirk Lighthouse and Veterans Park Museum Perimeter Fence, by Planning & Economic Development and Audit & Control Committees

Chairman Chagnon: Are there any questions or comments on the resolution?

Legislator Bankoski: Mr. Chairman, myself and Legislator Muldowney were both on the Lake Erie Management Commission and our funds that we have to expend every year- this falls into that parameters of allowable expenditures. The light house, which really gets no funding from the City of Dunkirk or anywhere else, Mr. Briska and his crew basically have to go out there and fund raise and do any improvements and such, but with this past season with the couple bad storms that they had in Dunkirk it really took a beating and to replace this fence is about \$60,000 and that's way above what they could possibly try to fundraise to fix the fence there and it is a safety issue and we thought that utilizing some of our management funds to help kind of lesson the blow for them is definitely a well-earned cause.

Chairman Chagnon: Any other questions or comments on the resolution?

Mr. Briska: Yeah, I'm David Briska from the light house- I'm the treasurer and I just want to thank everyone for helping us out and putting this on a resolution. We really do need the money to get the fence in. I heard from the fence people and they're going to start next week, so I'm really thrilled about that- getting this all taken care of, but I did want to thank the County Legislature for even looking into it and kind of supporting us in any way you can. Thank you.

Chairman Chagnon: Are there any other questions or comments on the resolution? Hearing none, all those in favor please say aye. Opposed?

RES. NO. 138-21 – UNANIMOUSLY ADOPTED

RES. NO. 139-21 Accept Environmental Assessment (SEQRA) of Proposed Agricultural District Modifications, by Planning & Economic Development Committee – UNANIMOUSLY ADOPTED

RES. NO. 140-21 Determination of Chautauqua County Legislature on Proposed Agricultural District Modifications, by Planning & Economic Development Committee

Chairman Chagnon: Any questions or comments on the resolution?

Legislator Ward: I want to thank Rebecca for her expert explanation of this tonight. Once again, she has done a fabulous job. I do want to duly note the concerns of the community with regard to the timeliness of the notice. Perhaps that is something we should duly note officially.

Chairman Chagnon: Thank you. Any other questions or comments? Hearing none, all those in favor say aye. Opposed?

RES. NO. 140 – UNANIMOUSLY ADOPTED

RES. NO. 141-21 Standard Workday and Reporting Resolution, by Administrative Services Committee – UNANIMOUSLY ADOPTED

RES. NO. 142-21 Quit Claim Deeds, by Administrative Services and Audit & Control Committees – R/C Vote 19 Yes – UNANIMOUSLY ADOPTED

RES. NO. 143-21 Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation – R/C Vote 19 Yes – UNANIMOUSLY ADOPTED

Chairman Chagnon: Now I believe we have an emergency resolution titled, “To Accept New York State Department of Health (NYSDOH) ELC Reopening Schools Award.” Is there a motion to bring this emergency resolution to the floor for discussion?

Legislator Bankoski: So moved, Mr. Chairman.

Chairman Chagnon: We have a motion by Legislator Bankoski.

Legislator Vanstrom: Second.

Chairman Chagnon: Second by Legislator Vanstrom. All in favor of bringing this emergency resolution to the floor please say aye. Opposed?

Unanimously Carried

EMERGENCY RES. NO. 144-21 – To Accept New York State Department of Health (NYSDOH) ELC Reopening Schools Award

Chairman Chagnon: The emergency resolution is now on the floor for discussion. This has been laid on the desks of the legislators this evening. Is there any questions or comments regarding this resolution? Hearing none, all those in favor please say aye. Opposed?

EMERGENCY RES. NO. 144-21 – UNANIMOUSLY ADOPTED

Chairman Chagnon: O.k., do I have a motion to bring this motion to the floor for consideration?

Legislator Bankoski: So moved.

Chairman Chagnon: Motion by Legislator Bankoski.

Legislator Vanstrom: Second.

Chairman Chagnon: Second by Legislator Vanstrom. All those in favor of bringing this motion to the floor please say aye. Opposed?

Unanimously Carried

MOTION:**A. Promoting the Safe Use of Legal Sparkling Devices in Chautauqua County**

Chairman Chagnon: The motion is now on the floor for discussion and questions.

Legislator Rankin: Mr. Chairman, I proposed this legislation along with many of my colleagues because we're heading into summer where fireworks are such a big part of people's celebrations. Without reading the whole motion, I want to point out that already in the City of Jamestown we've had over 400 complaints about illegal and inappropriate use of fireworks and we know that across the country there are over 8,000 injuries and there are problems with people who illegally use or misuse fireworks. So, especially as we're heading into Independence Day, I think it's really important that people take into consideration the legal use like sparklers and flares around the lake, but to be careful of the things that are not legal. So, we're really lucky that this year we have a lot of the Covid restrictions lifted and we are able to participate and attend legal fireworks displays by professional people who know how to do it, so we're encouraging people to participate in legal fireworks displays and don't be a nuisance to your neighbors. Be considerate and follow the laws about it and then everyone can have a good time with it- not get

hurt, not bother their neighbors and celebrate what fireworks offer to us as a community. Thank you.

Chairman Chagnon: Thank you, Elisabeth. Any other questions or comments on the motion?

Legislator Bankoski: Just one, Mr. Chairman. I noticed this today as I was out working and I was walking down the street and I saw a sign in this guy's yard and it said "please be polite, a combat veteran lives here," regarding fireworks. So, I know a lot of people are thinking about safety and stuff like that, but a lot of people that were in the Iraqi War, in Kuwait, and so on and so forth dealing with post-traumatic stress syndrome and stuff like that- that they would hear the explosions of fireworks and stuff like that. I thought that was a real concern as well as what Legislator Rankin was talking about.

Legislator Rankin: Good point.

Chairman Chagnon: Thank you. O.k., any other questions or comments on the motion? Hearing none, all those in favor please say aye. Opposed?

UNANIMOUSLY ADOPTED

ANNOUNCEMENTS

Chairman Chagnon: This brings us to announcements on the agenda. Are there any announcements for the good of the order? Hearing none, we will move to the next item on the agenda, which is the second privilege of the floor.

PRIVILEGE OF THE FLOOR

Chairman Chagnon: Members of the public or members of the Legislature may speak on any subject. Individual comments are limited to three minutes and comments representing a group shall be limited to five minutes and we have received some emailed or mailed comments, which will be read by the Clerk. Is there anyone wishing to address the second privilege of the floor? Please speak into the microphone and give us your name and address.

Good evening. My name is Robert Galbraith and I'm from the Ripley/Westfield area. I'm here because we did bring in a solar panel to show and kind of illustrate the size of the typical solar being used for solar farms. The size of these panels is approximately five and a half feet by three and a half feet and they weigh about 40 to 45 pounds. Unfortunately, I couldn't bring it in through security, but it gives you an idea that one panel, which generates roughly 280 watts is just one panel which would be used in a typical solar farm project. As an example, in Ripley,

Ripley is 1,500 acres. Of that, the developer plans on using 200,000-300,000 of these panels and that is a tremendous number of panels. Typically, these panels are manufactured in China, they're not manufactured in the U.S., it's China. I have a solar panel on my boat, they're very versatile, especially when you can't plug into an outlet somewhere. They are good for charging your batteries. In large scale, utility size solar applications such as Ripley, 1,500 and 200,000-300,000 solar panels is a tremendous amount. The weight of that alone- just the weight of that alone is somewhere in the midst of 8.2 to 12.3 million pounds. That's no exaggeration, this is reality and that doesn't include all the additional equipment that comes with it- all the tracking equipment, all the cranes and anchoring equipment, the inverters and wires and cables that are used to put them in place. The point I'm trying to make here is that these are tremendous projects. This is just one of many in Chautauqua County. The towns and the Legislature needs to be very, very aware of what is going on here and they need to put in place, I believe, detailed recycling plans for these panels. Niagara County just passed a law that requires the developers to provide detailed recycling plans in their applications and this is in their laws, both Niagara County and also with some of the towns in Niagara County. So, it's very important that that is being done. I can't emphasize it enough that the potential for a developer to walk away from these types of projects (*inaudible*) there are risks. Of course there are going to be performance bonds for the project for decommissioning, but also, these panels, they needs to be recycled responsibly. They should be just thrown into a landfill.

Chairman Chagnon: Thank you, Mr. Galbraith. That exceeds your three minutes. Thank you. Anyone else wishing to address the second privilege of the floor?

Good evening, Mr. Chairman and Legislators. My name is Katherine Galbraith. I live at the same residence as my husband Robert Galbraith. I wanted to point out to the County Legislators that the (*inaudible*) of sentiment towards industrial solar farms is turning. Environmentalists are now coming out against industrial sized solar farms throughout the country, most notably, in Arizona- the most recent article was Arizona. So, I just wanted to point that out to you that this is something that is not going to continue to be sought after as a means of power. It's intermittent power and it's a shame, it's just a travesty to bulldoze farmland and (*inaudible*) for green energy because it isn't green. If you have to do that, you're no longer talking about green energy. (*Inaudible*) thank you very much.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

Good evening. My name is Susan Baldwin (?) I live in Villanova. I have probably got my name on a poster somewhere for the wind project because they see me a lot and they have even taken my picture, but I've been taking theirs. Now, this (*inaudible*) with the very product that they pumped into Farrington Hollow trying to locate conduit. That's what they told the DEC. This is what they were pumping. Would you like to try to drink some of that? This was (*inaudible*) I was along the roadside. They left this for the animals, kids, whoever, this is the kind of work the solar and wind people do. My son and my son-in-law work in construction. They'd have been fired for that. This is a (*inaudible*) truck. Its sole purpose is fracking. Again, for what? Right through the wetlands. One of the biggest wetlands, Farrington Hollow, in all of Chautauqua County. Sinclairville used to have a sign that said it's the heart of Chautauqua

County. This mess is two miles from the heart of Chautauqua County. (*Inaudible*) and it's everywhere. There they are. It's called (*inaudible*.) These guys try to vacuum what those guys pumped into the environment. That didn't do very well. This is enviro-serve. Enviro-serve had five trucks lined up with the three badger trucks on Farrington Hollow. (*Inaudible*) a rally to try to make them stop. That day, we put our cars in park, they were gone. They packed up the whole project and left because they knew they were wrong. This, I also photographed. This is on the site left alone for me to take. (*Inaudible*) left for the birds and the bees to find. (*Inaudible*) I smelled this stuff. I took a whiff. Wrong idea. My nose and my lips started getting numb. The DEC man said never do that again. This is methane. I know its methane because my water five miles from there (*inaudible*) positive for methane. My letter said (*inaudible*)-

Chairman Chagnon: Thank you Ms. Baldwin. You've exceeded your three minutes.

Ms. Baldwin: This is my water (*inaudible*) –

Chairman Chagnon: Thank you for your comments and your pictures. Anyone else wishing to address the second privilege of the floor?

My name is name is Sheryl Feidler and I'm from Ellery and I'm representing my entire family and two local groups, so I understand I get five minutes, working together to mobilize this effort. We want you to know there is a groundswell of people, all ages and walks of life, who are concerned that we are rapidly losing our constitutional rights. I will read a petition. Its modified from one done in Cattaraugus County that's been circulating and we've only just begun. It's not a "formal" petition at this time, but we rapidly got over 500 signatures and we will present them to you after I read the petition for the record. I believe you may have gotten a copy at each of your desks, I'm not sure if you did or not, but I will read it.

"We the undersigned petition the County Legislature to engage in active steps to protect the civil liberties of the citizens of Chautauqua County, New York. The right to life, liberty and the pursuit of happiness are endowed by our creator. The rights to assemble, speak, worship, petition the government for redress of grievances, to keep and bear arms, to possess and use private property, and to pursue ones livelihood without restrictions on mobility and travel are protected by our constitution and our bill of rights.

To preserve these bill of rights, Americans voluntarily giver certain powers to the government. Civil liberties cannot be taken away or diminished by the government without due process of law. Between and authoritarian state and we, the people, stand two entities: law enforcement, in particular County Sheriff's, and Legislators. We acknowledge that County Legislators have been placed in a difficult position. That the elected and unelected autocrats and bureaucrats at the state and federal level can use you as pawns to enforce their orders. Like us, you are expected to do as you are told or suffer the consequences. We are in a place of less freedom, not more. More fear, not less. Our concerns include the second amendment gun rights, the defund the police movement, mandatory masks, Covid passports and the enforcement of mandatory vaccines, especially for our children.

The Nuremburg Code in 1947 outlawed requiring medical treatment of human beings without their informed consent. The public is not allowed to be informed about the dangers of these vaccines for Covid-19. We ask you to stand for us and with us and declare Chautauqua County a constitutional sanctuary. Declare through the power of the Legislature that ours is a

county that will abide the letter and spirit in the Constitution of the United States of America. Affirm through the power of the Legislature that this is a County which stands for the rights to assemble, to speak, to worship, to petition the government or redress of grievances, to keep and bear arms, to pursue our livelihoods unencumbered by burdensome government mandates and intervention. Stand through the power of the Legislature for the concepts of liberty and private property, acknowledging the government has no constitutional right to force citizens to close their businesses, to shelter in place or to restrict the mobility and participation of citizens who refuse to be injected with a vaccine against their will. Nullify through the power of the Legislature mask mandates and the punishments you have (*inaudible*) of citizens of the local Health Department. Announce to the citizens of this county, the power holders in Albany and Washington D.C. and to the entire world that here is a county that stands for those rights.

I thank you for listening to me.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

Good evening. My name is Gina Kron from Fredonia, New York and I wanted to come tonight – thank you so much for allowing me to take a moment to speak to you, but I wanted to stand here in support of Senator George Borrello’s moratorium on wind energy in Lake Erie and I’m asking for your support with that as well. With the lake, it supplies our water supply for millions of people and in this day and age when there are municipalities, counties, states, and countries that are having water crisis, we are blessed to have the Great Lakes, we are blessed to have Lake Erie. I grew up in Dunkirk, New York. We had access to the lake, but at that time in the 60’s and 70’s, Lake Erie was a dead lake. If you all remember, there was no fishing, there was no boating, you could not swim in the lake and we did not know that it would ever be repaired. Through a lot of work and legislation they were able to bring Lake Erie back to life, but that poison and that sludge is down on the bottom of the lake. Imagine taking a snow globe full of sludge and shaking it. That is what is going to happen when they try to install those windmills into Lake Erie and any water source. They vibrate, they shake, they make noise, they’re going to disrupt the fish. That doesn’t even count if they leak water into our water supply. Water is a resource that’s necessary for life and I’m asking that we do not allow this to happen to our great lakes. Millions of people depend on that for their source of water and we need that for our children, for our grandchildren, our great-grandchildren- we need to stand up and protect that. So, thank you very much.

Chairman Chagnon: Thank you for your comments. Next.

Yes. Mel McGinnus, Frewsburg, New York. I want to speak in favor of the proposition that was told to us from Cheryl Feidler - to have our county be declared a (*inaudible*) county for our constitution. As she spoke, she talked about the triangle of power. I’m going to diagram it. It’s very simple. When you look at our Constitution – our Declaration of Independence you see a big C and that stands for citizen. Our government was established so that the citizen is big- government is small. Over time, we see the triangle change a bit. The G gets bigger- government is getting bigger and the citizen is getting smaller. When we witness Covid and all the restrictions and regulations that were poured down upon us from the feds, the CDC and especially Albany and Cuomo, there was something else that uniquely happened; the triangle

was actually tipped and as you see, the triangle- the government gets even bigger and notice what happens to the citizen. It's not a citizen. The S stands for subject. We're witnessing, in our society and our state, government taking such control that I feel like the citizens having freedom are now subjects of Cuomo's regulations, limitations, executive power that I feel were abused. So, that's why I'm up here standing in favor of what Sheryl Feidler brought regarding what we want to make- Chautauqua County a sanctuary county for the Constitution- I know we're small compared to New York City and the Burroughs, but we can use our voice to send a message in a way that we stand for freedom and we stand for that freedom whether it's in religious activity, whether it's in second amendment rights, whether it's in free enterprise- small businesses have been choked. Here in our County we want to release that strangle hold that Albany has put on us.

Chairman Chagnon: Thank you, Mr. McGinnus. Anyone else wishing to address the second privilege of the floor?

Good evening and thank you for allowing us to speak. I'm Tina Graziano and I live in the Town of Villinova. I'm here tonight to ask you for a no PILOT resolution for big solar. On March 11, 2020 at the Town of Villinova meeting a motion was made by our supervisor (*inaudible*) that the town will and does require PILOT regarding the proposed solar energy project in this township. This board approved the project and it belongs to a current board member. In a regular meeting we were told it is a personal and private project, but it's big enough to be given a PILOT program and still, there hasn't been a public hearing or environmental study provided to the residents. Town boards as small as four voters can overturn your decisions. There needs to be an end to this power of a few. Big solar and big wind target the largest land (*inaudible*) via the tax records and go there and promise them money. In doing so, we are losing our established farms and farmland for a promise of money. Lies tell them to go ahead and sell your cows and sell your equipment and we'll give you a subsidized check for many years, you just need to forgo your property rights. We have lost thousands of acres to big wind projects and now are losing more to these big solar projects. Losing acreage after acreage- losing farms, losing wildlife habitats and now they want to put toxic panels that can leak and seep into our well water. We can't live without water and we cannot live without food. We need to draw the line on these never ending projects as Chautauqua County is quickly becoming known as a renewable energy facility or an industrial factory. We are Governor Cuomo's bad experiment. We cannot afford to give up more land to these projects. They are permanent wounds to our homes and our County. You must see the destruction, then the construction up close to really see what big solar and big wind does to our environment. It's extremely disturbing and a sight that you'll never get out of your memory. The land will never be put back to the pristine level that it once was. This is all subsidy driven and when the subsidy dries up, it's over. I've talked to several arkwright residents about their property taxes and they said they all went up or remain unchanged since the turbines came in. Just another lie or sales pitch from the (*inaudible*) salesman. So, where's the local benefit? None. It's a deficit to the tax payers all around. We are forced to fund the subsidies, forced to pay the increase in taxes and forced the rural area eliminated. It's a lose-lose. This is another reason so many are leaving the state. The small farmer is struggling here in New York State and is easy prey to big solar and big wind. It shouldn't be that way. We should be protecting our small farms and all property. Large farms buy the small farms, so now our townships are basically owned by a handful of mega farmers who control a majority of the land. So, too, we have many out of state and out of county land

owners that are making deals with big solar because they will never suffer any loss because they will never live here. So, please help us protect the property in Chautauqua County that we have invested in, live in, and have supported. Please remember when the farmland, the forest and our waterwells have been destroyed it's gone forever and we will never see it back to what we love and rely on even in our lifetime.

Chairman Chagnon: Thank you, Ms. Graziano. You've exceeded your three minutes. Thank you.

Ms. Graziano: Thank you very much.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

Good evening County Executive and Legislature. I wasn't going to speak tonight, I was actually just going to support several groups that I'm involved with. The reason that I wanted to speak tonight-

Chairman Chagnon: Could you please give us your name and address?

Oh, I'm sorry. Patricia Greenstein, Cassadaga, New York. I wanted to talk about the masks when I found out that we had to wear a mask and that we were going to be screened at the door. I'd like to submit this to the clerk because I do have a couple of questions because I'm wondering who created the rules to enter the chambers and decided to divide us up into vaccinated or unvaccinated and the requirement for the masks for the non vaccinated people. I'm just wondering where you got the information for these decisions and just ask do you think these rules are compliant with what we've been told from New York State. I have in my hand here, this is from April 17, 2020 from the NYS Department of Health. It's a two page document that's stated about the mask policy and it's very specific on page two. It says, "anyone able to medically tolerate a covering that would otherwise impair the individual's health is not required or use such a covering. Furthermore, essential business operators and enforcement authorities are prohibited from requesting or requiring medical or other documentation from an individual who declines to wear a face covering due to a medical or other health condition that prevents such usage." If you do call the ADA number, which is online, I've called them several times- they've said if you're medically exempt that nobody has a right. So, I'm wondering why we're still asking people to be masked when there are some people- I told them I was medically exempt- So, I had to put the mask on to get in the door.

I also have here; this is the most recent thing from March 25th and this kind of doesn't make sense to me. This is from 2021 of this year. I have a mother who's in a nursing facility up in the Buffalo area and recently got to go back in and start seeing her and it says on page 4 of an 8 page PDF from the NYS Department of Health, "while visitor testing and vaccination should be offered and can help prevent the spread of Covid-19, visitors should not be required to be tested or vaccinated or show proof of such as a condition of visitation. I do know that- I believe that the numbers here from everything that I've read that the numbers in Chautauqua County were nowhere near close what they were in Erie County and I still have many friends here who have still not seen their parents and their loved ones in over 18 months and I'm just asking the

Legislature to look into this, to figure out why are people following these rules. I even found out that the nursing home that my mom is at that they kind of make the rules up. It switches every week. It depends on who you talk to. I've gotten to know the staff and most of the staff realized that they'd rather have us there visiting her- my mother's got dementia, she's 93, she's deaf- they say take the mask off, she can't hear you, she needs to see your mouth, she needs to see your face. So far, she's been there for almost 4 years now and they've been very helpful. I think it's very sad that many people in Chautauqua County, including the Chautauqua County Home, they're still not allowed to see their families. These people are dying alone and they're deteriorating very badly. I'd like to leave a copy here when we're done, because I think you've got to set a standard- I've got grandchildren- one's in speech, you've got to take the mask off, you can't see your mouth.

Chairman Chagnon: Thank you, Ms. Greenstein. You've exceeded your 3 minutes, but we appreciate your comments and we will share those with the County Executive. Anyone else wishing to address the second privilege of the floor?

My name is Doug Champ. I want to (*inaudible*) something. I hope that it will not limit what I have to say. I have been in third world countries where children die every day from no vaccinations available. This county is blessed with a medical platform that allows us opportunities for our healthcare. When I went overseas as a veteran, I was inoculated 14 times because I had to go in some very bad places. O.K.? Now, I hear people complaining about masks. I want to applaud our County Executive for his fortitude and his health team that stood up in a time in crisis. He took this home with him every single night and we're complaining about our social lifestyles? Go to third world countries, people and see what you see there and wish they could have the medical system we have.

Now, why I'm here tonight is to talk about energy in general. I've been in the energy business for 40 years. Some of you know me, some of you don't. I've talked all over the county and in Canada. I was the utility manager locally (*inaudible*) energy is my thing. I've talked about it. I've been chairman of the energy conference. I've done everything in energy. I'm not here to debate solar, wind, or whatever because I could carry on discussions pro-con however you want to talk about it. I've been there, done that. People have asked me, how soon the lights or the heat is going to come back on? They didn't ask me whether there was a green electron. They asked me when the lights were going to come on. I said, as soon as we can get it done. So, most of the people have to grow up and understand about energy, but here's the facts. The State of New York has launched the platform for non-fossil fuels by 2040. Is it obtainable? I don't think so. Here is the problem that you're all up against. Is anybody here off the grid? Good. Does everybody receive a utility bill? There are 6 utilities in this county. 6. Can anybody name them? No. We have three municipalities; Westfield, Mayville, Brocton. We have a municipal; Jamestown Board of Public Utilities, we have National Grid and my friend Ken Lawton's great firm, National Fuel and NYSEG, New York State Electric and Gas Corporation on the (*inaudible*.)

O.K., here's my point, the whole process of funding the renewable energy portfolio deals with what they call fees associated with the introduction of renewable energy on a state platform. They are REC, ZEC, OREC- REC- renewable energy costs. ZEC- zero energy costs. OREC- a new one, is like a wind tax for (*inaudible*) renewable energy costs. On the great lakes and on the Atlantic. Right now, all of you here are paying for all of these in your bills. The public service

commission, which is an advocate for the public allows utilities not to put those in their bills. So, here's the dynamics on economics just for Jamestown. I wanted to do more and I hope I can provide this next month with my helpful friends at the economic development department.

Chairman Chagnon: Mr. Champ, you've really exceeded your three minutes.

Mr. Champ: I've got to go on.

Chairman Chagnon: No, you don't. For fairness to all participants-

Mr. Champ: I know. Anyways, one final point. I estimate by 2025 this County and all its utility rates (*inaudible*) will go into funding in the state energy plan, whether they want to or not. Thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Thank you for this opportunity. Joanie Riggle from Sinclairville. New York State produces a near 0.5% of global CO2 emissions even if we eliminate every CO2 source – we would be dead- but we would not affect global temps or climate change. Meanwhile, India and China are significantly ramping up their coal usage. Fact: the United State Nations is using climate change to push the end of capitalism. The (*inaudible*) of capitalism is responsible for depleting resources, degrading Earths ecosystems, accelerating greenhouse gas emissions, diminishing bio-diversity, generating global economic insecurity, indebtedness, instability, and conflict. The United Nations, who heads the climate change studies under the (*inaudible*) has a new economic paradigm, which calls on all nations to adopt (*inaudible*) over capitalism to stop and reverse climate change. The October 2018 (*inaudible*) report along with the U.N. secretary general research commission for the 2019 global sustainable development report argued that stopping and reversing climate change will require rapid, far reaching and unprecedented changes in all aspects of society to be successful that (*inaudible*) ending capitalism, replacing capitalism with the new economic paradigm. The (*inaudible*) depicts a shocking number of massive wind and solar projects slated for upstate New York- you should check it out, it's pretty unnerving. With the severe transmission bottleneck, New York State is putting the cart before the horse- foolish and absurd. Upstate electricity is already 88% emissions free. Industrial scale wind and solar could never power an industrialized society like ours. As you likely know, Germany is now forced to buy Russian gas due to their massive deployment of unreliable renewables. Currently there is no viable recycling for wind turbines and solar panels. There likely will never be. It will never be cost effective and will be energy intense and probably polluting. Smaller, safer highway efficient modular reactors are in development and do not require the tremendous land grabs like wind and solar projects. Canada and other major countries are investing in this technology already. We should also. Future generations will no doubt wonder why we did not fight harder to protect our natural environment from the senseless (*inaudible*) industrialization. Good news- we can still make a stand. We can send a message to Albany that we will not roll over easily to these aggressive unrealistic mandates. I respectfully ask that this Legislature adopt a no PILOT resolution for solar projects over one mega-watt. I also ask you to consider the resolution that considers solar and wind projects to have valid recycling contracts. Thank you.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

Karen Engstrom, Mayville in the Town of Chautauqua. The Town of Chautauqua is now facing a number of solar projects and within Chautauqua the Town, is Mayville and Mayville has suffered from water contamination from keyfast(?) Keyfast is a chemistry that is called a forever chemistry, which is also in solar panels. Mayville is spending a million dollars to clean it up. So, we're talking about remediation. There was a mention previously about remediation of Lake Erie as well. So, what we're looking at is prevention or expensive and very dangerous remediation if we allow these solar panels to the extent that they're being proposed by the state government. Mayville and the Town of Chautauqua are trying to correct the problem, but the most recent proposal is located in the watershed. This should not be allowed. They should never allow a solar operation in the watershed. 80 Amish people have signed a letter of concern to the Town of Chautauqua because they're concerned for water for their farms. They actually lease land from absentee land owners for their farms. It's a viable- the land that they lease is essential to their operations, but they are being threatened by this demotion, I would call it, of farmland and forest as well. So, they're concerned, we're concerned as citizens of Mayville. It's also in the watershed of Chautauqua Lake. So, it's either prevention or expensive remediation or perhaps devastation forever.

When you talk about the Ripley project, the CEO of ConnectGen there, stated publicly that that gigantic project will not make much money from the electricity that it produces, that its profit is made from green credits sold on Wall Street. I ask you, why are we doing this? Why are we allowing it? The County of Niagara did just unanimously pass a law saying if the solar panels were recycled that would be a good thing. Right now, the presentation we had in Mayville (*inaudible*) we'll pay you \$30,000 to have them taken away. That's not good enough. If we can put a restriction that indicates what really should be done, which is recycling, which is a very difficult thing, then perhaps (*inaudible.*) The European Energy Commission, the Ontario Grid Operator and Forbes Magazine have stated it takes more energy to build a utility scale solar project above the 35th parallel than is ever returned in the lifetime of that project. What we're seeing now is what Mr. Borrello would call a scam. A political agenda put forward by a governor who has other purposes involved. When you realized that the Department of Agriculture says anything that is turned into solar is permanently industrial-

Chairman Chagnon: Ms. Engstrom, you've exceeded your three 3 minutes.

Ms. Engstrom: I'm calling for a no PILOT resolution and/or a restriction that is written into law by the County to protect our communities. Our communities need protection. Thank you.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

My name is Ann Dolittle and I live in Westfield. I just want to say this. Warren Buffet-quote, "on wind energy we get a tax credit if we build a lot of turbines. That's the only reason to build them. They don't make sense without the tax credit." Get it? It doesn't do us any good. It doesn't do any people any good. There are companies that are not in America that are putting

these up. (*Inaudible*) we have a small business. Why do we have to have a \$3 million policy for our company and you're not going to have millions of dollars in bonds for every single decommissioning and they're not recycled. Never. Ever. I beg you all to think about, what do you want your legacy to be?

Chairman Chagnon: Thank you for your comments? Next. You're back again.

My name is Sally Johnson and I'm from Dunkirk, New York. I'm working with several groups. (*Inaudible*) in Ontario and I'm trying to work with a lot of education in this area. I have for you a folder- one for each of you. Here's some very accurate information in this folder. There's an orange sheet that I use in our organization to educate the public. This is about the toxic plastics. Both windmills and solar panels shed toxins. It's something that's coming out recently and a lot of people don't know about it, but you're each going to get one of these, so I'm not going to go into that for a long period. These other two here- one of them is a wind study (*inaudible*) and also, an information sheet which elaborates some of the other points. There is a wind study here, which shows that the wind is not ever been equitable or efficient in Chautauqua County. In fact, in most of the world, it's not. While we're in the midst of (*inaudible*) giving our land and our country away to foreign collaborations, other countries are closing things down. It's really getting to be ridiculous that we're- the United States used to be a leadership country and now we're followers. France, Ireland, England- all over the world they're closing down wind factories. I'm here in support of both the two moratorium bills George (*inaudible*) there's a lot of things people don't know and my question to you is why the (*inaudible*), why the rush. We're about to go into critical shortages on all rare earth minerals for these projects- electric cars, wind turbines, solar panels- they all require rare earth minerals and there aren't enough. The rare earth minerals are in China, they're in Africa. There's slave labor- children being forced to mine these things. It's not good. It's not green. As far as the lake goes, there's a lot of information in here. If we dig into Lake Erie, it's criminal. The great lakes provide 85% of the fresh water in this country. 85%. There are other states begging to be able to put that water into their communities. Lake Erie- 11 million people. What the previous speaker said is absolutely true. If we dig down into the bottom of that lake, we're bringing up toxins and we're going to risk the water of 11 million people. Now, they don't want to put them out 12 or 14 miles in Lake Erie, which is what they do in the ocean- I think some of them are 40 miles are out. Two miles out. Two. (*inaudible*) these cables have magnets- huge magnets that will be under the water. There on land. The question is why, why do we want to do this?

Chairman Chagnon: You've exceeded your three minutes.

Ms. Johnson: I'm doing 5. I'm here for groups.

Chairman Chagnon: What group are you representing?

Ms. Johnson: Citizens against Wind Turbines in Lake Erie.

Chairman Chagnon: O.K., thank you. Proceed.

Ms. Johnson: That's 30 seconds. There's a lot of issues involved in this and my question is why the rush. Why the rush. California just put a warning out today that said don't drive your electric cars because we're going to have blackouts. Today we don't even have (*inaudible.*) It all can wait. I'm calling for a moratorium on all these projects. Lets get the information out. We've been locked down by Covid for a long time. The public is not aware of this. A lot of you, I'm sure, are not as up to date on the information as you could be. The information is intense. I've done a lot of things in my life. Learning about this to the ability to be able to come out to speak to it in public has been grueling. Its very, very technical and none of us know all the answers, but we do know we have an amazing county here with amazing land and amazing agriculture. It's everything to the people of this county. I'm a transplant. I'm from Virginia, my husband grew up here. I've been here four years. I should probably work for the tourism bureau because I love this place so much, but why are we going to desecrate it. The industrialization of the farmland is so wrong and once it is industrialized it can never go back to agriculture land. The shedding information you're going to read in these files- a lot of information is going to give you a lot of education. We would be happy to come and do a presentation at any time. I will bring experts. If you need more information, just let us know.

Chairman Chagnon: Thank you for your comments. Thank you. Anyone else wishing to address the second privilege of the floor? Seeing no one, I will ask the Clerk to read the correspondence that was received for the second privilege of the floor.

Clerk Tampio: I have 18 different correspondence items and at some point I will ask my deputy clerk to help read some of them. The first one is from Brady Kleckner, a landowner in Chautauqua County.

"To the Chautauqua County Legislature,

I am writing to express my support for solar energy in Chautauqua County. I do not support my legislature considering any type of restriction on solar projects receiving PILOT agreements. Supporting solar in Chautauqua County seems to be sort of a no brainer, given the tremendous economic impact this project will bring to the local towns, school districts, and the county as a whole. My family lives in South Ripley and we are proud to be part of a solar project because of the lease payments and tax contributions 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. I have also looked into the concerns that some people against solar have raised, and do not find them to be based on any real facts. I hope that you can get behind solar in Chautauqua County, as it can really help our community, which is slowly dying on the vine.

*Sincerely
Brady Kleckner"*

Clerk Tampio: The next submission is 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. 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. 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 solar in Chautauqua County.

*Thank you,
Kim Kleckner”*

Clerk Tampio: There are several letters here and they are from the Members of the Laborers Local 621 – Laborers' International Union of North America Local #621. I will read the letter- all the letters are the same, but I will read the names of all the individuals who submitted them.

“To whom it may concern,

I am a member of Laborers' Local 621 and a resident of Chautauqua County. I'm writing to you today to show my support for the South Ripley Solar Project. As of this year, solar energy is supporting more than 250,000 well-paying American jobs, including more than 10,500 in New York State. If you pass a resolution barring the South Ripley project from signing a PILOT agreement with the IDA, hundreds of jobs will be lost.

I am a resident of Chautauqua County, and the potential chance to work locally and allow other tradesmen that live & reside locally the same opportunity to work a high-paying, high-skilled project such as this, would be a great benefit for all. Not only will it help families, but a project of this size will also be a huge boost to the local economy and taxpayers as a whole. Anytime we invest in our infrastructure, and it involves clean, renewable energy, everyone benefits, and we progress as a community. Thank you for your time.

Respectfully,

Eliot DeLeon, Chris Pacitti, Dave Kjornsberg, Jerryl Aiken, John Proctor, Chuck Restivo, Brian Thompson, Jerry McMaster, William Lawson, Dennis Halas, Darlene Shoup”

Clerk Tampio: The next one is from Gary Flowers.

“Dear Ms. Tampio,

I Gary A. Flowers now 71 years old recent widower, father of 4 and grandfather of 5 own 64 Acres in Chautauqua county NY. My land is situated on Rt 76 midway between Sherman and Ripley N.Y.

On March 29 I emailed the attached letter to the Ripley Town clerk. My opinion and feelings about this matter have not changed or diminished.

I have read so much information on the internet about solar farms. The proven argument is that they are SAFE, ECONOMICAL AND DO NOT HARM THE ENVIRONMENT. SOLAR FARMS are are best alternative resource. Coal produces Acid rain. Fracking for natural gas has polluted wells. Remember the EXXON VALDEZ. Nuclear...think about Three Mile Island or Fukuyama!

The Connectgen N Ripley Solar Project in my opinion is a great example of putting CLEAN ENERGY TECHNOLOGY to work. The project will provide economic relief to the county inthe form of jobs, local business opportunities and income to Ripley, N.Y.

As for myself and I speak for my family as well. This is MY property. Presently I live on social security just under \$2100.00 per month. I have no pension.

My wife's social security ended when she died.

The sale or lease of my land to Connectgen would provide me with additional income to live out my days significantly better than I am now, provide assistance to my family as well as their further education.

AND...I Believe in Solar Energy. This is our future. If you've seen the news you know our country is once again being fleeced by big oil. The ENERGY giants that manipulate energy Markets any way they can.

I hope and pray we have people in the county and State of New York who will exercise some common sense and realize that the South Ripley Solar Project is good for the community and the environment as well.

*Thank you,
Gary A flowers"*

Clerk Tampio: This one comes from Keith Hagenbuch of Parable Farms.
"Chautauqua County Executive
Chautauqua County Legislature

To whom it may concern:

My family and I own the largest farm in South Ripley, on which we raise organic cows, pigs, and turkeys. We have been relying on the future lease payments to supplement the income from our farm, something we have worked diligently to keep in the family for years.

As a retired Physics professor and someone who cares about the environment, it is incredibly disappointing to hear the gross misinformation that is being spread about both this project and solar/storage technology in general. Perhaps it is my academic background, but I prefer to make statements that are solidly grounded in fact not fiction, unlike several of my neighbors. I implore you to do the research, as I have done, and gain the knowledge that both PV solar and storage are proven technologies that communities around the globe not only rely on, but live and work near every day.

Reducing our reliance on fossil fuels will result in cleaner air, cleaner water, and improved safety. This will help reduce diseases such as asthma and cancer, as well as early deaths. The South Ripley Solar Project will be a visible symbol that shows that this community considers doing the right thing as a priority in terms of helping to save a habitable climate, protecting the environment, and improving the lives of people. This will make our area more

attractive to prospective business development executives and people considering moving to our area.

Please use this letter as my statement of support for the South Ripley Solar Project and solar in Chautauqua County.

*Kindly,
Keith Hagenbuch
Parable Farms”*

Clerk Tampio: This next one is from Jamie and Denise Warren
“Chautauqua County Executive PJ Wendel
Chautauqua County Legislature

To whom it may concern:

I am writing today about the South Ripley Solar Project and solar development in Chautauqua County. The South Ripley Project 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. Additionally, solar development around the County will be critical to Chautauqua’s continued growth and community development. 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. Please help this project and all solar development to stay on course by allowing the IDA to negotiate PILOTs for projects that have widespread community support.

*Sincerely,
Jamie and Denise Warren
Landowners, South Ripley. Chautauqua County”*

Clerk Tampio: This next one is from Mark Twichell of Fredonia.
“I have written to several Chautauqua County Legislators about the growing environmental problem of disposal of hazardous waste within residential and industrial solar panels. I have shared with the legislators a publication describing the problem from the standpoint of the Chautauqua county Agriculture and Farmland Protection Board. I have also sent the legislators a copy of the solar panel disposal law recently adopted by the legislature of Niagara County. Both of these references are attached to this message. Thank you.
Signed, Mark Twichell, Fredonia.”

Clerk Tampio: This one comes from Jim Boria of 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 your 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 to ConnectGen, I have exercised all three of those elements. I do not take kindly to government entities meddling in my basic rights as a property owner, and I am opposed to any action by the county to potentially kill the project and deprive myself, other landowners, and the Ripley community at large of lease payments and 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 welfare.

I have reviewed the concerns of people opposed to solar development and have found no factual basis for any of the points they have raised. A simple internet search of reputable scientific research and studies disproves most if not all of their concerns. Solar is a proven technology with tens of millions of panels (if not more) installed all over the United States. With all of the operating solar, we are not seeing any of the widespread problems that people opposed to solar are claiming will happen. Please use common sense and support solar in Chautauqua County and the national green initiative.

*Best,
Jim Boria
South Ripley, NY”*

Clerk Tampio: Mr. Chairman, please stop me if I exceed the three minutes. Some of these get quite long.

Chairman Chagnon: I'm timing you.

Clerk Tampio: O.k., this is from Lisa Mertz - Climate Reality Project Chautauqua County Chapter Chair, League of Women Voters of Chautauqua County Board Member.

“We are here today to discuss the importance of clean energy. We are in the midst of a Climate Emergency. Residents of Chautauqua County are already vulnerable to heavy rains, rising Lake Erie levels, and flooding. One way we can mitigate the Climate Crisis is by disengaging from pollution-causing fossil fuels and building up renewable energy. For example, the transportation industry, both for personal cars and commercial long-haul trucks, is working to eliminate emissions by moving into electric vehicle manufacturing. The housing sector is more and more building sustainable housing practices. Renewable energy projects are an important aspect of mitigating the Climate Emergency we are in right now.

Some people suggest nuclear power. Where do they propose to dispose of nuclear waste? Not in their backyards. Native American reservations have been targeted for dump sites for many years, including the West Valley NY Nuclear Waste Site, upstream and upwind from the Seneca Nation. [<https://ppgbuffalo.org/news-and-events/events/event:05-27-2021-1-00pm/>; accessed 6/22/21]

Some are opposed to solar projects due to the fear of Per/Poly Fluoro-Alkyl Substances, or PFAS chemicals, leaching from coatings on the panels. However, according to a 2020 report from Michigan State University, “The fact is that PFAS is not customarily used in solar panels because safer, effective alternatives have already been developed and commercialized. Moreover, no studies have shown the presence or leaching of PFAS from

PV [photovoltaic] panels—either while they are in active use or at the end of their life (e.g., in a landfill)....Confusion comes from the fact that some other commercialized self-cleaning coating options do make use of PFAS-based chemicals, although even those do not degrade under normal use.” [<http://graham.umich.edu/media/pubs/Facts-about-solar-panels--PFAS-contamination-47485.pdf>; accessed 6/22/21]

As for farmers, solar projects can offer them opportunities to preserve their land and avoid selling out to residential or commercial developers. Farmers in Ripley know they can benefit by leasing their low production land to ConnectGen for the proposed South Ripley Solar Project. Some farmers are using solar farms for pollinator gardens, for sheep or cattle grazing, or for bee keeping. [<https://www.agriculture.com/technology/livestock/energy-partners>; accessed 6/22/21]

Scientific American reported in January 2021, “Every effort must be made to reduce emissions and increase removals of atmospheric carbon in order to restore the melting Arctic and end the deadly cycle of damage that the current climate is delivering....catastrophic climate change could render a significant portion of the Earth uninhabitable.” The authors assert that “Swiftly phasing out fossil fuels is a top priority.” Transitioning to renewables such as solar and wind power is essential. Chautauqua County must join the transition. Chautauqua County must move into the 21st century.”

Clerk Tampio: This one comes from MaryJane Wagner of Fredonia.

“Most people would agree that it’s awesome that our earth in its solar system, tiny in the vastness of the universe, supports complex ecosystems. We can also agree that human technological advances over the last century have developed at a remarkable pace, even though there are many places on earth where people still don’t have access to the technology that we are fortunate to have here.

Technology and innovation haven’t come without mistakes or costs, though, and it’s important to examine them through a critical lens.

As county government leaders, you are tasked with prioritizing the health and economic interests of your constituents. It seems clear that few of us would be interested in giving up our cars, phones, refrigerators, etc. to embrace more primitive lifestyles, so there are choices to make about meeting our energy demands. In order to choose, we must recognize that EVERY energy production method will be profit driven, and that EVERY energy production technique will have some type of environmental cost. We must be clear eyed and exercise due diligence in assessing which costs are the most destructive.

Please heed the conclusions of climate scientists and economists when making decisions for Chautauqua County. Science, not politics, should guide us in comparing environmental costs of various technologies. PLEASE research this thoroughly before making any decisions regarding PILOT agreements or other policies about solar projects here.

- *Compare the environmental threats of methods such as fracking and running fossil fuel pipelines with the construction and maintenance of solar panels.*
- *Keep in mind that solar panels are hermetically sealed, can be recycled, and can be secured with decommissioning agreements to return the land to its original state at the end of the project’s useful life*
- *Consider the economic benefits: solar projects provide funding to landowners and neighbors in the form of land lease and good neighbor agreements, they create*

local temporary jobs during the construction phase and permanent jobs for the life of the project, and incoming workers contribute to the local economy

- *Silicon photovoltaic technology was introduced in 1954. At that time, it cost more than \$1,900 per watt in today's currency. Since then, public investment, tax incentives, technology evolution, and manufacturing updates have reduced the cost of creating PV to 65 cents per watt today.*

*I implore you to look at the big picture. Climate scientists are in nearly 100% agreement that severe weather events, droughts, extinctions, wildfires, etc are increasing due to carbon dioxide emitted by the burning of fossil fuels. Chautauqua County has been spared many of these devastating impacts of climate change, but we can do our part to mitigate them by making the choice to SUPPORT renewable energy. How will this benefit your constituents? By providing a livable planet for our descendants and for all the life this planet currently supports.
Sincerely,*

*Mary Jane Wagner
Fredonia”*

Clerk Tampio: Now I'm going to give Deputy Clerk Ames her turn.

Ms. Ames: This first one was received from Patrick and Barbara Del Monte from Forestville, New York.

“We are writing to strongly object to any more solar or windmill projects being installed in Chautauqua County. Our area has already seen the installation of two windmill projects with a third planned. We've already experienced the detrimental effects of massive machinery being put up in a area that is not an industrial zone. Our region has received little or no benefit from these projects. We've created no jobs. We've not reduced our energy costs and we've seen the degradation of our environment, the loss of our property values, and the blight on the beauty of our area. Plus we are paying for this with subsidies provided by our tax dollars. Our area is too populated for these projects and we've already done our share to the detriment of our region. Any further projects will just compound the harm done. Our legislators have an obligation to protect the citizens from this type of abuse.

*Sincerely,
Patrick and Barbara Del Monte
Forestville NY”*

Ms. Ames: This is from Lynn Saxton, the Chair of the Western New York Chapter of the Climate Reality Project.

“To the Chautauqua County Legislature,

My name is Lynn Saxton and I am the chair of the Western New York Chapter of the Climate Reality Project. I am writing to support renewable energy and particularly the South Ripley Solar Project. These projects will provide long-term benefits to both local towns and the county, including tax revenues of more than \$490,000 a year to the Town of Ripley (more than \$17 million over the life of the project), which would be over 50% of the annual property tax levy, as well as more than \$200,000 annually to local school districts. The projects will create

up to 220 good green construction jobs and increase revenues at local businesses. Local landowners will benefit through annual lease payments, which will help maintain family farms.

These are just the local benefits. But in a world of rapidly changing climate because of greenhouse gases, renewable energy projects that reduce carbon emissions are vital to our survival as a species. Solar projects are quiet and non-polluting, and solar panels can be recycled. Decreasing dependence on fossil fuels will also help to achieve energy independence. Solar energy is low cost and, because it is produced locally, is less affected by geopolitical crises, price spikes, or sudden disruptions in the supply chain. The addition of batteries will help avoid disruptions due to weather.

Today, support for 100% renewable energy transcends partisan, cultural and socio-economic lines. By investing in renewable energy, including the South Ripley Solar Project, Chautauqua County demonstrates its leadership, and benefits the local community with jobs, tax income, and environmental stewardship. Please support renewable energy by preserving the PILOT resolutions for large solar projects.

Thank you.

Sincerely,

Lynn Saxton

Chair, Western New York Region Chapter, The Climate Reality Project

Ms. Ames: This letter is from Bob Ciesielski.

"I am writing on behalf of the Niagara Group of the Sierra Club and as Chair of the NYS Atlantic Chapter's Energy Committee. The 2020 Accelerated Renewable Energy Growth & Community Benefit Act expanded the scope and benefits available to local communities through host agreements with renewable energy developers. The State also supports greater financial benefits through Payment in Lieu of Taxes to towns, counties and school districts.

All energy generation facilities pay PILOTs instead of full property tax rates, as the cost of full tax assessments would be too burdensome for plants to operate. An action by the County Legislature to ban the use of PILOTs where renewable electric generation is proposed would prevent communities from negotiating and deciding whether the financial benefits offered are acceptable.

I have reviewed some of the statements by opponents of solar arrays in Chautauqua. Concerning claims that solar panels are ineffective in producing electricity north of 35 degrees latitude, solar panels in Germany produced over 10% of that industrial country's electricity in 2020. As far as agricultural productivity, solar arrays often help farmers stay in business by providing additional necessary income from lease payments. Sheep and bees can be raised among the panels. Also, our understanding is that the State's Department of Agriculture requires that for large solar arrays, topsoil be removed from panel sites and then replaced at the end of the panels' use. The State also requires full and continuous bonding be maintained by developers to insure the removal of the panels at the end of their useful life.

The danger of climate change to our world requires the reduction of carbon and methane emissions from fossil fuels.

We would be happy to answer any questions from legislators.

Thank you.

*Bob Ciesielski
Sierra Club Atlantic Chapter
Energy Committee Chair”*

Ms. Ames: This letter is from Janet Lenichek.

Dear Ms Tampio:

I am submitting a public comment regarding the banning of PILOT Resolutions which is going to be discussed at tonight’s meeting.

PILOT resolutions have been used for decades by energy developers and provide economic benefits for communities that host energy development projects, be they coal, gas or renewable energy sources. PILOTS make a lot of economic sense and help small communities and rural areas by supporting good paying jobs and providing economic assistance in lieu of taxes. Instead of coal and gas-fired power plants that have provided PILOTS in the past, we now have wind and solar development projects that will provide PILOTS to rural communities. I see no problem with this. In fact, it is the wave of the future. If Chautauqua County decides not to allow development of these projects, then they will lose out on good paying jobs and economic benefits. Some other county will garner the benefits instead, likely Erie County.

It is foolish to ban PILOT resolutions for renewable energy projects in Chautauqua County.

Janet Lenichek”

Clerk Tampio: Thank you. This one is rather long, so I’m going to shorten it and I believe I sent this out to the Legislators and the County Executive previously so they can read it in its entirety. This comes from Isaac Phillips, project manager for ConnectGen.

“Dear County Executive Wendel and Chautauqua County Legislature, During your March meeting, several comments were given regarding the South Ripley Solar Project and solar development in Chautauqua County. Some of those comments called for you to again consider a resolution that would recommend the Chautauqua County IDA refrain from signing PILOT agreements with solar energy projects. ConnectGen would like to restate that it does not support such an action, which would deprive the Town of Ripley and Chautauqua County from realizing decades of much-needed benefits. Additionally, as solar becomes a larger share of the New York State electric grid, preventing solar development in Chautauqua County would put the County at risk of missing out on millions of dollars of stable, annual revenue that is critical for continued growth and community development. We would also like to take the opportunity to reply to many of the comments made at the March meeting. Below, please find ConnectGen’s responses, including extensive citations, in response to some of the misinformation that was presented to you previously.

Clerk Tampio: And they had it outlined as myth and then their presenting fact. So, I’m going to read their myth statement and you can peruse the document later for their replies.

“Myth: New York State is recklessly heading down the same “Green Energy” path as Texas, where a faulty renewable energy policy added up to power outages and rolling blackouts.

Myth: Solar is an intermittent resource and therefore cannot be relied upon.

Myth: The sun in New York State, and Chautauqua County in particular, cannot support solar energy production.

Myth: The only reason solar developers are targeting New York is because of generous subsidies and local tax abatements.

Myth: Solar development and the South Ripley Solar Project are sacrificing agricultural land.

Myth: Solar panels are composed of rare earth elements and other materials known to be toxic.

Myth: Currently there is no way to recycle solar panels. Once they reached their life expectancy, they will be tossed into a landfill.

Myth: Taxpayers and landowners will be left with the responsibility to fund and carry out project decommissioning.

The Office of Renewable Energy Siting requires a Decommissioning and Restoration Plan as part of the 94-c permitting process, including a bond for the full cost of decommissioning. The plan must outline the various ways in which ConnectGen, and other developers, will safely and responsibly remove installed solar equipment and how the property within the project area will be restored to as close to its state prior to construction as possible. Taxpayers and landowners will not be responsible for carrying out project decommissioning.

Chairman Chagnon: That has been three minutes.

Clerk Tampio: O.k., this one comes from Edward Giardini, Jr., Business Manager Laborers Local 621.

“To whom it may concern:

I am writing this letter on behalf of Laborers' Local 621 in support of the South Ripley Solar Project in Chautauqua County. With more than 500,000 active members across the country, LiUNA has always been at the cutting edge of energy infrastructure development and supports the construction of new electric generation facilities when they are done safely and responsibly.

Having personally represented LiUNA on several other major solar construction projects in New York, I understand the numerous benefits solar projects can provide. This project and future projects will create the opportunity for high paying, highly skilled labor jobs right here in Chautauqua County - these American jobs are the backbone of our country. The South Ripley Solar Project will create the opportunity for up to 220 construction jobs during the peak of employment. These jobs will include surveying, trucking and hauling, equipment operation and fueling, site grading, building temporary access roads and the collection system, and many more. The construction jobs created by the South Ripley Solar Project will be filled by local workers to the extent they are available. We have an agreement in place with ConnectGen designating members of LiUNA Laborers Local 621 as the first option to support the construction of the project.

With over 350 active members currently residing in Southwestern New York, half of them in Chautauqua County, the South Ripley Solar Project and future solar projects will enable our members to continue to provide for their families and have the rare opportunity to build a large-scale renewable energy project right in their backyard. As you can imagine, our members prefer to spend their money where they live and work, creating an additional economic boost in the local community. The nature of our work is seasonal and typically of a defined time frame, where our members move from job to job in order to provide for their families. This type of opportunity is a rare occurrence in our area so it would be a great loss to our members should it not move forward.

The Laborers Local 621 Skilled Construction Craft Labor Apprenticeship Program has young members that are also Chautauqua County residents.

Clerk Tampio: I'm going to skip ahead to keep within the time.

"In addition, the South Ripley Solar Project will provide long-term tax revenues to the community, allowing for the enhancement of local infrastructure and public services - also very meaningful to our members and their families.

I strongly encourage you NOT to pass a resolution barring the Chautauqua County Industrial Development Agency from signing a PILOT with the South Ripley Solar Project or any future solar projects. To do so would be to strip our members of guaranteed work and family income in our community.

Thank you for your time and consideration.

*Sincerely,
Edward Giardini, Jr., Business Manager
Laborers Local 621"*

Clerk Tampio: The next one is from Judi Lutz-Woods of 105 Temple Street, Fredonia New York.

"Dear Legislators,

I am asking you to gather more scientific and economic facts regarding solar energy projects in our County. There are a few, but very vocal, individuals and groups that are spreading misinformation on alternative energy. These groups spend time denying the fact we are in climate crisis worldwide, and the urgency to address the crisis here in our own County.

I am writing specifically to encourage pilots for such alternative energy projects in our County, particularly solar.

Below I have listed just a few of the facts on solar energy and the benefits, both to our environment and our economic development that they could provide in our area.

Solar energy emits much fewer greenhouse gas emissions than fossil fuels. A special report by the International Panel on Climate Change's Working Group III examined hundreds of estimates of greenhouse gas emissions, and compiled the results of the most thorough studies. Their results showed that renewable energy has a substantially lower impact than fossil fuels over the lifespan of each power source.

Using solar energy produces no air or water pollution and no greenhouse gases, but may have some indirect negative impacts on the environment. For example, there are some toxic

materials and chemicals that are used in the manufacturing process of photovoltaic cells (PV), which convert sunlight into electricity. Some solar thermal systems use potentially hazardous fluids to transfer heat. U.S. environmental laws regulate the use and disposal of these types of materials.

Solar energy technologies continue to advance at a record pace. The solar market is also gaining momentum as evidenced by the latest jobs report from the Solar Foundation, which showed that the solar industry is creating jobs six times faster than the overall job market. (Facts taken from the wilderness society)

As pilots are to promote economic development in our area, solar energy seems to me to be on the top. Solar and wind industries are the fastest growing sectors in our national job market. We here in Chautauqua County should not be left behind.

As Legislators you are charged to develop policies that will protect and provide for our citizens. Pilot approvals for solar and wind do both of these: protect citizens by reducing impact of burning fossil fuels...and provide job opportunities for good paying family sustaining jobs.

I hope all of you will take into consideration the urgency to address the climate crisis and the need to encourage companies with good paying jobs into our area. Solar would meet both of these.

*Thank You for your consideration.
Sincerely,
Judi Lutz Woods”*

Clerk Tampio: And now, I’m coming to the final submission.

(Applause)

Clerk Tampio: This comes from David E. Wilkinson, Business Manager, International Brotherhood of Electrical Workers – Local Union 106. Greetings,

“In light of recent editorials published regarding solar development and general misinformation, I would offer the following response”

Clerk Tampio: This is quite lengthy, I’m going to have to shorten it in some ways.

“First and foremost, pretending these projects do not create jobs is without question a false anti-green statement perpetrated by opponents' intent on blocking development. I am tired of the same rhetoric in which construction jobs and their workers are treated with disregard. The construction workforce is vital to the community in which we live, we pay taxes, buy local, own homes and contribute to the overall prosperity of Chautauqua County. The work opportunities created by these projects (150 to 200 workers for one year) will generate economic growth that political leadership and the residents should not ignore.

The editorial "Seeing Red over Going Green" calls to question the accuracy of the facts listed. For instance, the first point made is easily debunked with a simple, informed internet search. I am writing today to present you with accurate, thoroughly researched information.

That editorial claims that the recent Texas power outages were caused by the state's "Green Energy" path, which is contrary to information from the State of Texas, the Texas grid operator (ERCOT), and energy experts. Dan Woodfin, Senior Director of System Operations at

ERCOT explained that while ice forced some wind turbines to shut down, that was the least significant factor in the blackouts. The main factors were frozen instruments at natural gas, coal, and even nuclear facilities, as well as limited supplies of natural gas.

I do agree with the editorial on one thing - solar power is in fact an intermittent resource. However, the sun is the Earth's most abundant resource and is one of the cheapest forms of electricity in the country. And New York has been consistently in the top ten solar markets, despite being over the 40th parallel. Grid operators - such as NYISO - predictably forecast solar output and use it to complement other generation sources, resulting in fuel diversity and lower electricity prices. If you add a battery element to the mix, it charges when sunshine is abundant (during the day) and releases the stored energy when the demand is highest (at night), which keeps energy prices from fluctuating.

Chairman Chagnon: Three minutes.

Clerk Tampio: O.K., I'll conclude with this last paragraph.

"I would ask the Chautauqua County Legislature to reject a resolution that strips the CCIDA of its main purpose - to facilitate economic development. Any action of this kind is a misplaced attempt to further the personal interests of a few at the expense of the community. It is important to review projects with facts rather than rhetoric.

I have enclosed a spreadsheet of the wages and benefits that would be generated on the Ripley Solar Project for your review."

Chairman Chagnon: Thank you. That concludes the second privilege of the floor.

MOVED by Legislator Gould, SECONDED by Legislator Pavlock and duly carried the meeting was adjourned. (8:55 p.m.)

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