

Regular Meeting
Chautauqua County Legislature
Wednesday, February 22, 2017, 6:30 p.m.
Mayville, N.Y. 14757

Chairman Himelein called the meeting to order at 6:30 p.m.

Clerk Tampio called the roll and announce a quorum present. (Absent: Gould, Lemon, Rankin)

Legislator Vanstrom delivered the prayer followed by the pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Wendel, the minutes were approved. (1/25/17)

1st Privilege of the Floor

No one chose to speak at this time.

**VETO MESSAGES FROM COUNTY EXECUTIVE HORRIGAN
NO VETOES FROM 1/3/17**

**STATE OF THE COUNTY ADDRESS
BY
COUNTY EXECUTIVE VINCENT W. HORRIGAN**

2017 STATE OF THE COUNTY NARRATIVE

Mr. Chairman, County Legislators, and my fellow citizens, thank you for the opportunity to present my 2017 State of the County address. As Chautauqua County Executive, I am proud of our accomplishments and committed to working hard to continue to move our county forward. Unlike previous addresses which focused primarily on our County financial challenges, which are now in good shape, I have chosen to measure the state of our County by looking outward to our community, using Chautauqua County's Comprehensive Plan, *Chautauqua 20/20*.

The *Chautauqua 20/20* comprehensive plan was adopted by the Chautauqua County Legislature in April 2011. It identified 15 focus areas with priority action steps to get us to the goal line by the year 2020.

Key goals included reducing property taxes, growing our economy, creating government efficiencies and stopping businesses from leaving Chautauqua County.

In order to determine how much success we have made five years into the plan, we reconvened the focus groups to assess our progress. I am pleased to report on our progress as a

Thriving Community for my 2017 State of the County, so let's look at those 15 focus areas to see where we are on our journey.

The first focus area is Tourism/Cultural Resources. In New York State, the second fastest growing sector is tourism. In Chautauqua County it is also a leading sector as it accounts for \$260 million in economic impact. In addition to significant tourism dollars, second home property owners pay a significant portion of our tax levy. Occupancy tax dollars are growing every year and the revenues are critical to maintaining our lakes, waterways, and attractions bringing even more to Chautauqua County.

We are establishing the county as a premier regional destination. The National Comedy Center will open later this year and draw visitors from across the nation. Last year, the LECOM Health Challenge marked the return of the PGA to Peek'n Peak. The tournament was awarded the "Rookie of the Year" award by the PGA for being the best new event for the 2016 season. The tournament returns again this year from July 3 through July 9. In addition, the new amphitheater at Chautauqua Institution is scheduled to open with the 2017 Chautauqua Season. This will be a significant upgrade to its facilities and draw even more visitors to this incredible destination that promotes life enrichment through religion, the arts, education, and recreation.

Winter and summer festivals are also drawing visitors from all over the country. The Lucy Fest, Dunkirk Air Show, Bemus Bay Pops, holiday celebrations and so many others make Chautauqua County unique and they are expanding the draw of visitors every year.

The Chautauqua County Visitors Bureau has expanded its promotional strategy by using the web and social media to target tourists, anglers, and outdoor enthusiasts to experience all Chautauqua County has to offer.

The second focus area is Agriculture and Foods. Agriculture is the fastest growing sector in the state. In Chautauqua County, we are seeing the success of our Lake Erie Wine Country wineries and the expansion of craft breweries and distilleries.

In coordination with Cornell Cooperative Extension of Chautauqua County, we started an annual Ag Summit to identify challenges and opportunities affecting the agriculture industry such as farm sustainability, profitability, and markets.

We look to expand our growing number of farmers markets by adding various other attractions in conjunction with them such as music and outdoor activities. We are also branding our local foods as "Chautauqua Grown" to expand local markets through a loyalty and home-grown marketing campaign.

The Grape Discovery Center is also expanding to attract even more visitors as they move forward with the Phase II expansion grant. This expansion project will construct a commercial kitchen, allowing more events to be catered and potentially allow local producers to make value-added products to sell to the public.

The third focus area is Business/Economic Development.

A headline from the February 11, 2017 Post-Journal read, "Monofrax Eyes Growth Under New Ownership."

This Falconer plant is re-growing its business opportunities through the establishment of partnerships with customers both new and old, and is expanding its workforce by 30 employees. This is exciting news for a company that was on the verge of shutting down a couple of years ago.

From Titan X and Castelli Cheese to Bush Industries and so many others, the success of retaining our large and small businesses is clearly evident.

New manufacturing plants such as Athenex and New Flyer, as well as expansions at Fieldbrook Foods and Artone indicate that Chautauqua County is a great place to do business.

New hotel planning and construction is the largest ever with new hotels coming to Jamestown, Celoron, Mayville, Dunkirk, and other areas in the county.

In fact, Buffalo Business First ranks us second in overall development projects at \$2.8 billion.

The complete business and economic development story is available in this year's edition of Chautauqua County on the Move. This update from the County of Chautauqua Industrial Development Agency (CCIDA) and Department of Planning and Economic Development is located in your packet. I congratulate the CCIDA and planning and economic development team for their hard work and success.

The fourth focus area is Infrastructure/Public Investment. In a true regional solution, six local municipalities have joined together to reduce capital costs and increase capacity through the North Chautauqua County Water District (NCCWD). This spring construction will proceed along Route 5 and in the fall water will flow to more households and businesses. The district's low water rates will pave the way for economic development in Northern Chautauqua County.

The goal of completing the sewer system around Chautauqua Lake is now in sight as we work to eliminate over 100 private septic systems. Upgrades to the north basin are in progress and include the Chautauqua Heights package plant conversion and the North Chautauqua Lake Sewer District's plant Total Maximum Daily Load (TMDL) upgrade. The next step is to find the funding to extend the system up the Southwestern side of the lake through North Harmony and into Stow.

Much needed repairs to the Findley Lake Dam are underway with a sewer system on the horizon.

Water system improvements in Ripley, Westfield, and Ellicott are in the final planning stages with CFA funding awarded for some and an aggressive pursuit of funding for others.

For the past three years the investment in our roads, bridges, highway equipment and facilities are paying big dividends as we maintain the critical infrastructure supporting our businesses, residents, and visitors.

Broadband projects in Arkwright and Cherry Creek will soon bring critical IT infrastructure to the Northeast rural part of the County.

The fifth focus area is Education and Libraries. We can all agree that education is the critical component for a thriving community, economic security and growth. This past year, in conjunction with Jamestown Community College (JCC) and the Chautauqua County Chamber of Commerce, we conducted an Employment Readiness Summit to bring together job trainers and job seekers. We continue to see a gap between available good paying jobs here in Chautauqua County and qualified applicants. Industrial maintenance technicians, nurses, and engineers are clearly in demand with our growing businesses and healthcare institutions.

The Chautauqua County Education Coalition is bringing together educators with business leaders to make sure we are training our workforce for the jobs of tomorrow.

The new expansion of the JCC Manufacturing Technology Institute and the new science center at the State University of New York at Fredonia are matching the current and future education needs of job seekers with the high tech jobs of tomorrow.

Chautauqua County understands that paradigms of manufacturing jobs of the past compared to the high tech manufacturing equipment of today require innovative approaches. We need to attract our middle and high school students to the manufacturing field, where an aging workforce will result in thousands of retirements over the next five years. For this reason, Dream It. Do It. WNY and the BOCES P-Tech programs are highly effective, educational programs to fill the gap.

The sixth focus area is Workforce Development. We finished 2016 with an average annual unemployment rate of 5.6%, which was .5% better than the prior year and the best since the start of the great recession of 2008.

Employers are hiring, but are having difficulty in finding qualified applicants.

To this end, we are making sure our educators are fully aware of the types of jobs coming over the next several years including advanced pharmaceutical manufacturing.

Our growing Hispanic workforce requires us to ensure that we are reaching out to this population to match skills with opportunities. The bilingual employment exploration events conducted in Jamestown and Dunkirk were a great start along with Workforce Investment Board (WIB) and English as a Second Language training programs.

The Employment Readiness Summit hosted by WIB, JCC, and the Chamber clearly points out that more work needs to be done to fill the jobs currently vacant and for the growing job market we will see over the next few years in Chautauqua County. We must keep our educated and trained students here and attract millennials with quality jobs and quality living.

The seventh focus point is Environment/Waste Management/Water Resources. The Chautauqua County Landfill is undergoing a cell expansion project that will provide low cost, convenient, and environmentally-safe waste disposal for 25 more years at no taxpayer expense.

In spite of sinking commodity prices, Chautauqua County is committed to working with our local municipalities to ensure County-wide recycling remains at the forefront of waste disposal.

Multiple wastewater projects and stormwater zoning regulations are being updated to ensure we protect our lakes and waterways.

Thanks to help from our federal and state elected representatives, we have successfully dredged our Lake Erie harbors in Barcelona, Dunkirk, and Hanover.

Through the work of the Chautauqua Lake and Watershed Management Alliance and Chautauqua County Soil and Water Conservation District, we are leveraging local funding to bring in foundation, State, and Federal aid to maintain our stream banks and reduce agricultural runoff.

Following years of collaborative work, the Chautauqua Lake Macrophyte Management Strategy (MMS) is nearly complete and will provide a science-based resource document for the effective management of in-lake vegetation for Chautauqua Lake. I thank Dave McCoy and Don McCord from our Department of Planning and Economic Development for their leadership in completing this very important work.

The eighth focus area is Historic Preservation/Community Revitalization. From Jamestown to Westfield to Dunkirk to Silver Creek, a vibrant spirit of embracing our history is one of our strongest assets. For example, we have seen the historic train station and iconic bank

buildings being adapted for new uses in Jamestown, renovations at the Fredonia Opera House, and tours of historic homes throughout the county. These buildings and many more historical structures have been compiled into the County-wide Historic Structures Database and they continue to attract residents and visitors.

The network of local historical societies is bringing history to life through civil war reenactments and mapping the underground railroad in Chautauqua County.

Through the leadership of County Historian Michelle Henry, our County-wide history fairs and community bicentennial celebrations are well attended and fascinating to both young and old.

I thank the hundreds of volunteers who work in historical societies and museums across the county for preserving our heritage. They make sure our future is guided by our past and our children and grandchildren know who made this County great.

The ninth focus area is Active Living/Recreation. America has embraced an active lifestyle with baby boomers and millennials searching for leisure activities such as hiking, bicycling, and kayaking.

The Chautauqua County Greenway Plan, which focuses on outdoor and active living projects, especially trail development, is well underway with six of the top ten projects having been completed or actively underway. The Lake Erie Waterfront Revitalization Plan, which focuses on developing and providing more public access to Lake Erie, is progressing to Phase II. In Jamestown, the Riverwalk development projects are scoring high in the revitalization planning and allowing the existing pathways to grow. These plans and projects have positioned us as a premier destination for outdoor recreation.

Winter recreation activities are also growing. More visitors are traveling to our county to snowmobile on over 400 miles of marked trails, ski or snowboard on our scenic peaks, cross-country ski or snowshoe through our tranquil parks and trails, and ice fish on our beautiful lakes.

In August, we expect over 500 bicyclists to participate in the third annual Gran Fondo tour around Chautauqua Lake. Not only will this event bring in tourists for the weekend, but it will introduce our visitors to our county's incredible beauty and recreational opportunities. This will encourage visitors to extend their stays or return again to explore more of our county.

We continue to promote Chautauqua County's events and leisure activities throughout the year and we are getting closer to reaching our goal of making the county a year-round recreational destination. Bring the golf clubs and snow boots and be prepared for fun in Chautauqua County all year long!

The tenth focus area is Energy.

NRG has been one of the largest taxpayers in our County. Its repowering project, which was announced by New York State Governor Andrew Cuomo several years ago, is back on track after a long delay due to the Entergy lawsuit. We understand the repowering project to bring clean and reliable energy to Western New York may take several years to complete, but we are optimistic that repowering is now back in our near future.

Three wind turbine projects are making their way through the approval process. They will bring additional renewable power along with over \$3 million in tax payments to municipalities and property owners.

Chautauqua County has established an energy subcommittee to review New York State Energy Research and Development Authority (NYSERDA) incentives and the goals of the Governor's 50 by 30 program to make the state 50% renewable by 2030.

Six local municipalities are now participating in the NYSERDA clean energy grants.

The Landfill methane power plant continues to generate positive revenue through renewable power generation while meeting all environmental protection criteria.

The eleventh focus area is Youth. In partnership with Chautauqua Opportunities and many others, Chautauqua County is committed to protecting our most vulnerable youth. We are becoming one of twenty-seven Safe Harbor Counties in the State, having been awarded funding to increase awareness of human trafficking, implement strategies to help victims, and prevent this very real form of abuse.

The ICE 8 coordinated school health program, created in partnership among our Department of Health and Human Services, Department of Mental Hygiene and the Erie 2-Chautauqua-Cattaraugus BOCES, continues to grow. By focusing on youth, addressing critical education, health and social issues, organizing collaborative actions that support students, and engaging community resources and families, we know we can improve health and education outcomes and quality of life.

As a division of our Health and Human Services Department, the Youth Bureau is able to connect with youth serving agencies to maximize resources to engage and empower our high risk youth.

We also have groundbreaking initiatives aimed at engaging our middle school, high school and college students in career opportunities in Chautauqua County. Various internship and mentoring opportunities provided through the Workforce Investment Board; Civil Air Patrol; Dream It. Do It. WNY; P-Tech and other organizations help give our kids the hands-on experience they need to succeed.

The twelfth focus area is Housing. Since its inception five years ago, the Chautauqua County Land Bank has been very successful in eliminating blight in both urban and rural areas of the County. From 2012 to 2016, the Land Bank acquired 62 properties for its ReHabs 4Sale program and sold 42 of these rehabilitated properties, pulled 69 properties for demolition and currently has taken down 53 of them, and pulled 31 properties for sidelots and restored 22 of them back on the tax rolls. In addition to private investment of \$1.6 million, The Land Bank has also secured \$2.86 million in state grant funding from 2013 to 2016 to support program operations. It continues to apply for grants and we are expecting an announcement soon on new grant awards.

Numerous partner and community organizations have been highly effective in providing safe updated housing for low income and disabled members of our communities.

The Chautauqua County Landfill credit program has successfully incentivized local municipalities to demolish derelict structures.

Senator Catharine Young has been successful in including both capital and operational funding in the state budget to support transitional housing for those recently released from incarceration and/or facing the need for supervised housing due to drug addiction. In partnership with Southern Tier Environments for Living (STEL), we hope to finalize a new location for such transitional housing in the south part of the County within the next few months.

The thirteenth focus area is Healthcare. This is one of the very important and exciting sectors in our economy in terms of new development throughout Chautauqua County. The new UPMC Chautauqua WCA, a result of the recent affiliation of WCA Hospital and UPMC, strengthens the provision of healthcare services for the greater Jamestown area now and into the

future. As Brooks Memorial Hospital joins forces with Kaleida Health System, we are anxiously awaiting the announcement of a new hospital campus in the Dunkirk area. Also in conjunction with Kaleida, we are anticipating additional health services at TLC Health Network. Westfield Memorial Hospital, an affiliate of Saint Vincent Hospital, is also upgrading its Emergency Department to better serve patients, visitors and staff.

The Public Health Division of our Health and Human Services Department has developed a holistic maternal/child health home visiting program that assists low-income families. Pregnant and post-partum mothers are linked with a community health worker or Registered Nurse who can monitor and educate mother and baby during pregnancy and for the first 18 months of life with the goal of improving health and social outcomes for both.

Strong efforts on the part of our healthcare systems, community leaders, health network and foundations are underway to recruit and retain much needed physicians and mid-level providers. Training programs for nurses and allied health professionals also continue to grow and develop to meet today's ever-increasing demand for health professionals.

The shortage of volunteer EMTs is being met by the newly approved County Paramedic Emergency Response Unit that will bring additional rapid, lifesaving emergency care to all areas of Chautauqua County.

New York State and Chautauqua County have not been immune to the nationwide opioid epidemic. I am very proud of how this Chautauqua County community has come together to fight this with an innovative, collaborative and multi-faceted approach. After years of trying to get expanded local drug treatment programs in the County, New York State has recently approved an outpatient detox program at UPMC Chautauqua WCA and a residential treatment facility at its Jones Hill campus. We are awaiting word on the application for additional inpatient substance abuse treatment services at TLC Health Network.

The fourteenth focus area is Local Government. The subject of regional solutions to reduce the cost of government services through efficiency and shared services is certainly not new. We know sharing services is well established here in Chautauqua County. What is new is the renewed commitment we are seeing at the citizen voter level. One year ago, I chartered a Regional Solutions Commission chaired by Legislator George Borrello to review, track and facilitate efficiencies in government, public safety and infrastructure.

The commission has assisted with three Article 17A dissolution petitions. These include the Village of Forestville dissolving into the Town of Hanover, the Village of Sherman voting not to dissolve into the Town of Sherman, and the Village of Cherry Creek voting to dissolve into the Town of Cherry Creek.

The commission has also identified 12 projects for consideration to either merge, consolidate, or share services. These projects have been submitted to the state as part of the Municipal Consolidation and Efficiency Competition. We received news last week that Chautauqua County, and its 23 partner governments involved in the submission, were selected as one of six Phase I awardees. As a result, we will receive \$50,000 to further develop our plan as we move to the final round of the competition and try to take home the \$20 million grant award.

Jamestown is one of only ten municipalities across the state that has been awarded a \$10 million Downtown Revitalization Initiative award. Twelve projects have been finalized and forwarded to Albany for final analysis and funding decisions. Under consideration are streetscape design, building restoration, excursion train expansion, and development of the riverfront, hotels, and breweries.

The City of Dunkirk, Village of Fredonia, and State University of New York at Fredonia received a first ever technical assistance grant to develop a Central Connection to create a walkable, bike-able streetscape to encourage movement from the Barker Commons to the Dunkirk Pier. Immediate improvements include landscape and beautification upgrades at Barker Commons and a Canal Side design to enhance the Dunkirk Pier into an activity venue for summer concerts.

The final focus area is Community Action/Human Services/Civic Organizations. Improving the housing stock of our cities, towns, and villages requires broad coalitions of civic, not-for-profit and public-private partnership organizations.

The Jamestown Renaissance Corporation's Renaissance Block Challenge and Northern Chautauqua Community Foundation's Neighborhood Pride Challenge are incentivizing homeowners to complete exterior renovations and invest in the community.

We are also focused on further developing the downtowns, providing entertainment venues, and promoting active living to attract and retain the growing millennial population. We are encouraged by the young professional groups which are focusing on shaping our community investment decisions and recruiting their peers to live, learn, and play here in Chautauqua County.

Chautauqua County is blessed with a multitude of strong foundations focused on economic development, quality of life, and support for underserved populations.

The Gateway Center has become a hub in Jamestown for faith-based services, welfare to work initiatives, peer to peer counseling and St. Susan's soup kitchen.

New York State has provided the City of Jamestown with a \$1 million Poverty Reduction Grant award, which is being administered by the United Way of Southern Chautauqua County. Rotary, Kiwanis, Lions, and so many other service clubs strongly support Chautauqua County residents through volunteer resources that form the backbone of community service.

I call your attention to the detailed status report on *Chautauqua 20/20* titled: *Chautauqua County on the Move and Thriving*, which is located in your packet and on the Chautauqua County website. It contains the strategies, progress report, success stories, and the way forward in each of the 15 focus areas. I thank Dan Heitzenrater and Nate Aldrich for their extensive work compiling this important summary of our progress.

It is safe to conclude that Chautauqua County has all the arrows pointing in the right direction as we move forward to 2020. Progress is undeniable and 2020 goals are clearly within reach.

Underpinning our success is our solid financial status. We have cut our property tax rate for the past four years in a row and lowered it by 74 cents per thousand from six years ago. We have come in under budget for each of the past five years and significantly shrunk our structural deficit to manageable levels. Most importantly, we have put in place a solid five year financial plan that creates the confidence that Chautauqua County is a great place to invest in.

Regional solutions are gaining grassroots support and achieving efficiency results.

We are seeing existing businesses get stronger and grow while new ones are coming to Chautauqua County. We are clearly making progress while keeping our foot on the gas.

Mr. Chairman, County Legislators, and citizens of Chautauqua County, as I conclude this, my fourth State of the County address; I do so with a very strong sense of optimism and pride in our County. I thank all of you, our citizens, our public servants, community organizations, and

especially our younger citizens for the work they do every day and the confidence you have in Chautauqua County as we work together to strengthen our communities.

I am confident that as we journey through 2017 we will continue to celebrate even more successes while we tackle our challenges head on.

I am pleased to report that the state of Chautauqua County has broken through the bow wave, is clearly on the move and thriving in so many areas!

Thank you.

PUBLIC HEARING:

6:45 P.M.

**Modification of Improvements for Phosphorous
Removal in the Treatment Plant of the
North Chautauqua Lake Sewer District**

Chairman Himelein: We will now open the public hearing. (7:08 p.m.) Is there anyone to speak to this public hearing on the phosphorous removal in the treatment plant of the North Chautauqua Lake Sewer District. Is there anyone here to speak: Seeing no one, we'll close the public hearing. (7:09 p.m.)

COMMUNICATIONS:

- 1. Letters(5) – County Executive – Apptmts. to Various Boards & Commissions**
- 2. Email – From Craig Robbins – Re: Resigning from the Sports Fishery Advisory Board**
- 3. Letter – DA – Re: Succession of Power and Duties for DA's Attorneys**
- 4. Minutes – Chaut. County Soil & Water Conservation District – Jan./2017**
- 5. Quarterly Report - Small Business Development Center – 10/1/16-12/31/16**
- 6. Letter – NYS Department of State – Ack. Receipt of LL's 1-17 & 2-17**
- 7. Letter – Senator Young – Re: Ack. Receipt of Epidemiology LL**
- 8. Letter – W. Pennica – Re: Jeopardizing Our Greatest Assets**

Legislator Scudder: I would like to have number 8 read please.

Clerk Tampio: This is dated February 16, 2017, received in our office on February 21st. Regarding Jeopardizing Our Greatest Asset.

Dear County Legislators,

The 2013 Status Report on the Implementation of Chautauqua 20/20's Proposed Recommendations states:

9 out of 10 respondents to a survey conducted as part of Chautauqua 20/20 stated that the County should concentrate its efforts on preserving and promoting the County's natural assets.

As a lifetime resident of Chautauqua County I am deeply concerned with the human and environmental impact of the proposed Industrial Wind Farms on our rural heritage and our well-

being.

The Chautauqua Comprehensive Plan (my husband was on the planning board at its inception) states its purpose was to capitalize on Chautauqua County's natural, built and human assets to create jobs, lower the costs of existing services and enhance the quality of life while preserving the rural charm of the County. Some of the strategies listed include:

- (a) cultivate a business culture that thrives on Chautauqua's rural work and play lifestyle.
- (b) Make active living and recreation, based on the County's beautiful natural environment, a distinct lifestyle attraction that draws new people to Chautauqua.
- (c) Maintain Chautauqua's rural landscape, heritage and scenic views

Industrializing our rural communities will not achieve this vision.

During a recent trip through Wisconsin we saw firsthand the devastation inflicted upon rural communities with improper siting of Industrial Wind Turbines. In fact, The Shirley Wind Farm in Brown County WI was declared a Human Health Hazard by the County Board of Health in 2014.

Health professionals and acousticians around the globe are calling for setbacks much greater than current Wind Industry standards and are petitioning the World Health Organization to address the noise and health issues. Who will mitigate these problems in Chautauqua County when the Wind Companies fail to do so? Why are there serious noise complaints and/or lawsuits at every Wind Farm in NY State?

According to Tom Brown a retired DEC representative and ecologist, the State has had inadequate oversight over the industry, and rural towns are not prepared to deal with the well-financed Wind Industry. Our effected townships are experiencing this right now - with conflicts of interest and lack of transparency.

Our communities will be hurt by these projects. Wind developers use a business model that creates winners and losers - and you will lose if your neighbor signs a lease. Imagine everything you have worked for, your home and the peace you once enjoyed lost to a 500 ft. Industrial Machine with blade spans the length of a football field spinning at 180 mph. Despite Industry claims, property values will be impacted, with studies cited by the National Association of Realtors showing a 20 to 40 % decrease in value within 1/2 mile of the turbines. My husband is a Real Estate Appraiser - he will tell you location does matter!

Why do these multi-national Wind Companies, farming our tax dollars in the form of giant subsidies, receive more consideration than the hardworking, taxpayers of NY State?

Denmark's retired High Court Judge, Peter Rordam wrote:

There is one area in which I do have knowledge...Wind Power which is an industry that has managed to thoroughly corrupt the political system.

We can only hope our State officials do not fall prey to similar collusion and corruption.

Governor Cuomo's 50/30 renewable energy goal will likely target Western NY for more Wind Projects, especially in light of the American Wind Energy Association's 2016 report stating 25 wind operations across the State produced only 2.8% of our electricity. The amount of land needed for these projects (Cassadaga Wind will have a 40,000 acre footprint) and how much more will be required to reach the goal of 50% by 2030 is staggering. One can imagine the environmental damage and the ensuing destruction of our natural and precious landscapes.

Worse yet, is the report by the Ontario Society Of Professional Engineers titled "Ontario's Electricity Dilemma". They conclude that adding renewables to Ontario's grid has not only caused electric rates to soar, but is also causing CO2 levels to rise. In fact, they predict as they

phase out nuclear capacity to make room for wind and solar, CO2 emissions will double by 2032. Unexpected consequencesNew York State should take heed.

We all have the responsibility of environmental stewardship. We need a Green Energy Policy that works and will actually save the planet..... not harm it.

Sincerely, Wendy Pennica

If there are any other items that you would like a copy of please let our office know.

RENEW & AMEND RES. NO. 111-16 – Authorize Director of Finance to Increase Appropriations for the South Main Street Bridge, PIN 5761.00 County Bridge 1085 Rehabilitation

Chairman Himelein: Do I have a motion to renew this resolution?

Legislator Whitford: So moved.

Legislator Tarbrake: Second.

Unanimously Carried

Chairman Himelein: We now have an amendment to Res. 111-16. Is there a motion to amend?

Legislator Nazzaro: So moved.

Legislator Tarbrake: Second.

Unanimously Carried

Chairman Himelein: Is there any discussion or questions on the amended resolution?

RENEW & AMEND RES. NO. 111-16 – UNANIMOUSLY ADOPTED

Chairman Himelein: With the Legislature approval I would like to block 28 through 33. Do I hear a motion?

Legislator Wendel: So moved.

Legislator Nazzaro: Second.

Unanimously Carried

RES. NO. 28-17 Confirm Appt. - Chautauqua County Airport Commission, by Public Facilities Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 29-17 Confirm Appt. – Portland-Pomfret-Dunkirk Sewer District Bd. of Directors, by Public Facilities Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 30-17 Confirm Appts. – Emergency Medical Services Council, by Public Safety Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 31-17 Confirm Appt. - Chautauqua County Health Board, by Human Services Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 32-17 Confirm Re-Appts. – Southern Tier Extension Railroad Authority Board of Directors, by Planning & Economic Development Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 33-17 Confirm Appt. – Conewango Watershed Commission, by Planning & Economic Development Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 34-17 Standard Workday and Reporting Resolution, by Administrative Services Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 35-17 Real Property Tax Foreclosure Parcel, by Administrative Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 36-17 Applications for Credit of Real Property Taxes for 2016, by Administrative Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 37-17 Amend Budget for CS Fund, by Administrative Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 38-17 Amend 2016 Budget for MS Fund, by Administrative Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 39-17 2016 Hazardous Materials (Hazmat) Grant Program, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 40-17 Fiscal Year 2016 Hazardous Materials Emergency Preparedness (HMEP) Grant Program by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 41-17 Auth. Acceptance of Indigent Legal Services Grant for the Period of 1/1/15 to 12/31/17 by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 42-17 Authorizing Transfer of Oak Hill Tower and Shelter from American Tower to County, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 43-17 Amend Chaut. County Dept. of Health & Human Services 2016 Budget for Increased Secure Detention Costs, by Human Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 44-17 Amend Chaut. County Dept. of Health & Human Services 2016 Budget for Increased Accounting & Related Services Costs, by Human Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 45-17 Amend Chaut. County Dept. of Health & Human Services 2016 Budget for Increased Handicapped Preschool Education Tuition Costs, by Human Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 46-17 Amend Chaut. County Dept. of Health & Human Services 2016 Budget for Increased Child Care (Foster/Institutional) Costs, by Human Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 47-17 Accept Grant Funding from NYS's Empire Development Market New York Program to Market County Overland Trails, by Planning & Economic Development and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 48-17 Authorizing Public Hearing for NYS Office of Community Renewal Community Development Block Grant Application

Chairman Himelein: This has been asked to be tabled.

Legislator Bankoski: So moved.

Legislator Whitford: Second.

Unanimously Carried

Chairman Himelein: I would like block resolutions 49 through 73.

Legislator Wendel: Motion to block.

Legislator Bankoski: Second.

Unanimously Carried

Chairman Himelein: We will have some amendments to those blocked resolutions. They will get read as they come up.

RES. NO. 49-17 Amend 2016 Budget for Year-End Reconciliations – Dept. of Public Facilities- CARTS, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 50-17 Amend 2016 Budget for Year-End Reconciliations – Dept. of Public Facilities Transportation Division by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 51-17 Amend 2016 Budget for Year-End Reconciliations – Dept. of Public Facilities- Road Machinery by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 52-17 Amend 2016 Budget for Year-End Reconciliations – Dept. of Public Facilities-Parks & Forestry by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 53-17 Amend 2016 Budget for Year-End Reconciliations – Buildings & Grounds by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 54-17 Amend 2016 Budget for Year-End Reconciliations – Landfill Environmental by Public Facilities and Audit & Control Committees

Legislator Wendel: Move to amend.

Legislator Wilfong: Second.

Unanimously Carried

RES. NO. 54-17 – UNANIMOUSLY ADOPTED as amended

RES. NO. 55-17 Amend 2016 Budget for Year-End Reconciliations – Water Fund (EW) by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 56-17 Amend 2016 Budget for Year-End Reconciliations – North Chautauqua Lake Sewer District by Public Facilities and Audit & Control Committees

Legislator Tarbrake: Move to amend.

Legislator Wendel: Second.

Unanimously Carried

RES. NO. 56-17 – UNANIMOUSLY ADOPTED as amended

RES. NO. 57-17 Amend 2016 Budget for Year-End Reconciliations – South & Center Chautauqua Lake Sewer Districts by Public Facilities and Audit & Control Committees

Legislator Wendel: Move to amend.

Legislator Bankoski: Second.

Unanimously Carried

RES. NO. 57-17 – UNANIMOUSLY ADOPTED as amended

RES. NO. 58-17 Amend 2016 Budget for Year-End Reconciliations – Portland-Pomfret-Dunkirk Sewer Districts by Public Facilities and Audit & Control Committees –
UNANIMOUSLY ADOPTED

RES. NO. 59-17 Amend 2016 Budget for Year-End Reconciliations – Board of Elections, by Administrative Services & Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 60-17 Amend 2016 Budget for Year-End Reconciliations – Law Department by Administrative Services & Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 61-17 Amend 2016 Budget for Year-End Reconciliations – County Clerk, by Administrative Services & Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 62-17 Amend 2016 Budget for Year-End Reconciliations – Information Technology Services, by Administrative Services & Audit & Control Committees

Legislator Wendel: Move to amend.

Legislator Nazzaro: Second.

Unanimously Carried

RES. NO. 62-17 – UNANIMOUSLY ADOPTED as amended

RES. NO. 63-17 Amend 2016 Budget for Year-End Reconciliations – Office of the County Executive, by Administrative Services & Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 64-17 Amend 2016 Budget for Year-End Reconciliations – Dept. of Finance – Real Property Tax, by Administrative Services & Audit & Control Committees –
UNANIMOUSLY ADOPTED

RES. NO. 65-17 Amend 2016 Budget for Year-End Reconciliations – Insurance Fund (M)

Fund, by Administrative Services & Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 66-17 Amend 2016 Budget for Year-End Reconciliations – Emergency Services, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 67-17 Amend 2016 Budget for Year-End Reconciliations – Public Defender, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 68-17 Amend 2016 Budget for Year-End Reconciliations – Probation, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 69-17 Amend 2016 Budget for Year-End Reconciliations – Sheriff, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 70-17 Amend 2016 Budget for Year-End Reconciliations – DA’s Office, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 71-17 Amend 2016 Budget for Year-End Reconciliations – Office for the Aging, by Human Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 72-17 Amend 2016 Budget for Year-End Reconciliations – Dept. of Health and Human Services, by Human Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 73-17 Amend 2016 Budget for Year-End Reconciliations – Unified Court Costs, Audit & Control Committee

Legislator Tarbrake: Move to amend.

Legislator Bankoski: Second.

Unanimously Carried

RES. NO. 73-17– UNANIMOUSLY ADOPTED

Legislator Borrello: I would just want to state for the benefit of the people in the audience who maybe have never been to a meeting before and might not want to come back after this. To just kind of talk about this a little bit. We have all these long resolutions and reconciliations and I just want to point out that a lot of this work is done in committee and often in committee, amendments are made, changes are made, questions are asked, especially in Audit & Control and sometimes those questions can be answered and we can make an amendment at the committee level. But sometimes those cannot be answered and they have to go through to the full Legislature which is where these amendments come through. So even though the amendments weren't necessary read, it's mostly just numbers, corrections, and so forth, they are actually

handed to us or on our desks. We get a chance to review them, talk about them in our caucus meetings, so quite honestly to tell you, it sounded a little mundane and clumsy at times but the reality is, this work is done in advance and we are just kind of passing the garden variety stuff now. So, if anybody that may still be watching at home on the streaming video, which again, I can't believe that anyone would at this point either but, just wanted to clarify that and let you know that that is what is going on here. And we actually do know what is going on. Thank you Mr. Chairman.

Chairman Himelein: You've heard all those resolutions and amendments, are there any questions?

Legislator Nazzaro: I just want to make a comment too. I want to thank the Finance Department and the Budget Department and all the Department Managers who went through these resolutions to make them balance. I know from my own profession, it's a lot of work and I really appreciate it and thank you.

Chairman Himelein: Any other comments or questions?

RES. NO. 74-17 Determining that it is in the Public Interest to Modify the Map & Plan for the Increase & Improvement of Facilities for Phosphorus Removal and Other Upgrades to the Treatment Plant of the North Chautauqua Lake Sewer District, by Public Facilities and Audit & Control Committees

Legislator Chagnon: Thank you Mr. Chairman. I'd like to take this opportunity to commend the Director and the Board of Directors and the staff and their consultants of the North Chautauqua Lake Sewer District for bringing us an improved project which is broader in its scope and is better for the environment at a cost to the users that is lower than was previously proposed and approved. So, I'm very proud of the work that was done and I think the people that did hard work should be recognized. Thank you.

Chairman Himelein: Are there any other questions or comments?

RES. NO 74-17 – R/C Vote: 16 Yes; 3 Absent – UNANIMOUSLY ADOPTED

RES. NO. 75-17 A Resolution Authorizing the Issuance of \$3,972,700 Bonds of the County of Chautauqua, New York, to Pay the Cost of the Design and Construction of Improvements to the Treatment Plant of the North Chautauqua Lake Sewer District in and for Said County, by Public Facilities and Audit & Control Committees

RES. NO. 75-17 – R/C Vote: 16 Yes; 3 Absent – UNANIMOUSLY ADOPTED

RES. NO. 76-17 Reallocating Salary Grade for Transfer Station Supervisor, by Public Facilities, Administrative Services and Audit & Control Committees

Chairman Himelein: Any questions or comments?

Legislator Nazzaro: Not really a question Mr. Chairman. Again, just a comment. These next three resolutions were discussed in detail in committee and I just want to point out really what these are for is correcting inequities that exists in our current pay grade system and they are budget neutral but again, when people hear salaries, I don't want the public or anyone in the audience to think that we're just increasing wages. These were just inequities that exists.

Chairman Himelein: Any other comments or questions?

RES. NO. 76-17 – R/C Vote: 16 Yes; 3 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 77-17 Reallocating Salary Grade for Senior Emergency and Police Dispatcher, by Administrative Services, Public Safety and Audit & Control Committees

RES. NO. 77-17 – R/C Vote: 16 Yes; 3 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 78-17 Reallocating Salary Grade for Nurse Practitioner (Public Health) and Nurse Practitioner (Mental Health), by Administrative Services, Human Services, and Audit & Control Committees

RES. NO. 78-17 – R/C Vote: 16 Yes; 3 Absent – **UNANIMOUSLY ADOPTED**

MOTIONS:

Clerk Tampio: Mr. Chairman, both motions received the required signatures to bring them to the floor.

A. Proclaiming March Women's History Month

Chairman Himelein: Any comments?

UNANIMOUSLY ADOPTED

B. Proclaiming March 20th – 24th Agricultural Literacy Week in Chaut. County

Chairman Himelein: Any comments?

UNANIMOUSLY ADOPTED

ANNOUNCEMENTS:

Legislator Tarbrake; I would just like to emphasize that March is colorectal cancer awareness month. Everyone is urged to wear blue during this month and there is going to be a pledge that people can sign on line. For more information you can contact Darlene Rowe from

the Department of Health & Human Services or Brea Agett. I would just like to say that this is a very serious disease and it's being brought to us for awareness by our excellent Health staff here lead by Christine Schuyler and she does a phenomenal job in doing this. So, I would urge everyone to wear blue during the month of March and it will also put forth by the County Executive in his Monday morning memo. Thank you.

Legislator Wendel: At this time I would like to recognize several people that were inducted into the Chautauqua County Sports Hall of Fame. One of the former inductees is with us tonight, Mr. Mel McGinnis but also the following people were enshrined this week, Bob Patterson, Jake Ensign, Deb Palmer, Charlie LaDuca, Maceo Wofford, Francis "Doc" Malinoski, Sam Restivo, Sammy LaMancuso, Mike Sayers, Dave Polechetti and Paul Cooley, all of which were Chautauqua County residents. If they aren't still, at one time they were and they were recognized for outstanding achievement in athletics as recognized by the Chautauqua County Sports Hall of Fame.

Legislator Hemmer: Everyone, don't forget the 4-H green tie event is this Sunday at the hotel in Mayville.

Chairman Himelein: Any other announcements?

2nd Privilege of the Floor

My name is Mark Twitchell from Fredonia. To the Chautauqua County Legislators, County Executive, and County officers. I speak as a Director of the Citizens Organization Preservation of Agricultural Land Serenity. I will first read a short statement followed by our request for a resolution. The Organization Preservation of Agricultural Land Serenity intends to document scientific evidence to the effect that the proposed wind farm, the wind farms throughout Chautauqua County and in particular the wind farm in the Town of Arkwright will place the health of its citizens and their property values at risk. Pertaining to the Town of Arkwright. An equally unsettling is the organization's opinion that this contract appears to be enabled by an unethical process. The New York State Attorney General informed me on February 1, 2017 that there may be violations in the Code of Ethics of the municipality of Arkwright if any Town board members are voting on wind related matters. In the same communication I learned that the Attorney General does not maintain records of recusals of local officials voting on these developments. The Attorney General has published the names, titles, and financial interests of 10 municipal officers of the Town of Arkwright who hold leases with the developer. When I asked the Attorney General who I could voice my concerns about this apparent conflict of interest, I was informed that this is a matter for local government to address. I'm thankful for the opportunity to attend the public hearing held by the County Executive on February 8th, to discuss the recent amendments to the County's Code of Ethics. The Executive explained to me that the County's Code of Ethics does not pertain to the townships. The appearance of conflict of interest as supplemented by the Attorney General's identification of a significant number of Arkwright board members implies that neither I nor members of the Organization, Preservation of Agricultural Land Serenity nor any citizen of Arkwright can have a

voice before that board in matters of the wind farm. Therefore, I bring the organizations concern to this Legislature. Which is hereby informed that the 10 municipal officers will gain from \$3 to \$4 million dollars from the project. The County Industrial Development Agency, while facilitating the project has announced an annual pilot of \$270,000 for the township. It will thus require over 10 years of pilot to equal the financial gain of the 10 public servants. More shameful and costly than the apparent misappropriation of taxpayer and consumer dollars was the very real loss of public confidence in a democratic process. Therefore, I, representing the Preservation of Agricultural Land Serenity respectfully ask this Legislature to adopt a resolution requesting the County Clerk to locate and publish the records of recusal by Arkwright municipal officers on wind farm matters. I also request the privilege of submitting at this time a written proposal resolution to the Clerk of the Legislature. Thank you for your consideration.

Thank you for the opportunity to speak, my name is Fred Bretl. I'm a Chautauqua County resident for the past 35 ½ years all of which has been in the Town of Arkwright. Industrial wind turbine projects should not be allowed to be developed in any residential district. A variety of adverse health effects, of which a growing stream of scientific research is showing that the causative agent being flicker, low frequency noise, and infrasound are paramount in being addressed for the health and safety of the individuals who live in the project areas. The negative effect of birds and bat populations and their mortality is another issue. The impact on protected wetlands and source aquifers, including possible effect on water quality is an issue. The fragmentation of our communities caused by difference of opinions, some citizens are for the project while others are against the industrial wind projects. There is conflicting scientific studies that the average citizen would not be able to understand and the inequitable distribution of economic gain is prevalent in these projects. The economic gain is in the form of pilot programs, money targeted for the school districts and through the lease agreements. There is also an issue of , will a certificate of environmental compatibility and public need clearly reflect the purpose of safeguarding the environment, the health and safety of its citizens, and then also meet the public need and the list goes on. There are many other issues that need to be addressed. So to narrow down one topic for tonight, do industrial wind turbines place in residential district, even agricultural/residential districts, increase or lower property values? I've worked hard, very hard and invested in my dream homestead. A key point of contention against industrial wind projects are that they require much more amounts of land to generate the same amount of electricity as produced by conventional power plants. Wind power is intermittent and industrial turbines typically produce about 20 to 25% efficiency for the conversion of wind to electricity. The industry preferred turbines are approximately 500 feet in height, dwarfing everything in their proximity creating visual intrusions. Industrial wind projects also have impact on human health caused by flicker, low frequency noise, and infrasound. They also impact the environment, including impacts on the water table, wetlands, birds, and bat mortality. Renewable energy and the environment are big business and they are subsidized by our government. It surely seems logical enough, anything that would cause a potential buyer to value a property less, lowers its value, Markets are about supply and demand, and all things being equal, would somebody choose to buy a home with an industrial wind turbine nearby? And simply put, it seems impossible to believe that industrial wind turbines would actually add to a property's value. Several references which indicate that industrial wind turbines lower property values are:

Dr. James A. Chalmers, published in the Appraisal Journal 2012, found that residential properties near transmission lines sold for 20-50% less than comparable residential properties.

Michael McCann of McCann Appraisal, LLC based in Chicago, includes that residential properties values are adversely and measurable impacted by close proximity of industrial wind turbine projects to a range of 35 to 40% of value loss.

John Leonard Goodwin, a real estate broker in Ontario, Canada reports that wind turbines absolutely do impact property values. Turbines complicate/compromise your property enjoyment, period. That alone spells depreciated values.

In 2013, an Ontario Superior Court of Justice determined that landowners living near large wind farms do suffer lower property values at a range of 22-55%. The negative environmental and health impact of the industrialization of the American landscape is a conversation that we must be having and the impact on property values cannot be ignored.

My point of contention is that this is not about NIMBY, not in my back yard, but about the sound, rational and scientific efforts to develop green and renewable sources of energy in a responsible manner that minimizes negative impacts, thereby protecting the environment and citizens.

I ask you to reflect on this information. Look into the issues and thereby educate yourselves and ultimately, share your findings with your peers and constituents and influence legislation that will protect the environment and all the citizens that you serve. Thank you, respectfully Fred Bretl.

My name is Tina Graziano, I live in the Town of Villenova which falls under the Ball Hill wind project which neighbors the Arkwright wind project which neighbors the proposed Cassadaga wind project. Wind machines, even massively tall, and wide contemporary turbines are rarely reliable by nature randomly intermittent and since their power is a function of the (*inaudible*) of the wind speed along a very narrow speed range, they're always variable. They almost never produce their full capacity. In fact, they average over the course of a year about 25% of their full capacity. More than 60% of the time, they produce less than that. About 10-15% of the time they produce nothing often at peak demand times. Unlike machines that produce modern power, wind is neither dispatch able nor controllable except when shut down completely. Make no mistake, industrial wind is a biggest consumer fraud to ever come down the pike. Industrial wind enriches the point one percent at taxpayer, rate payer and the environments expense for no net benefit. Just ask multibillionaire Warren Buffet who said in quotes, "we get tax credits if we build wind farms. That is the only reason to build them. They don't make sense without all the tax credits". In Wyoming County, many people who are stuck living there because they can't afford to take the loss to sell and get out, our experiencing increased headaches, sleepiness, ringing in the ears, vertigo, lost TV reception, and etc. Lawsuits have abounded. People who used to be friends and even family members no longer speak to one another. Wyoming County property taxes have risen by over 85% over the past 13 years and another 9.68% last year in directly correlation with the installation of wind factories there. Nobody is getting free or reduced rate of electricity here. In fact, the opposite is true. As New York State electricity rates are selling the highest in the nation, no meaningful permanent jobs were created there. Homes in Orangeville, the most recent 58 turbine project, built after the wind production tax credit was extended for the 7th time, are selling for over 20% below their assessed values. The population of a Wyoming County continues to decline. All things considered,

including demand levels and import/exports, the more wind installations we add, the more we must add fossil fuel and generation. Adding wind as a supplement to our conventional generating system requires so much supplementation that in many areas of the country, adding wind actually causes increased Co2 admissions and the production of electricity that would be in the case with no wind at all. Industrial wind supplies electricity and therefore has nothing to do with our foreign oil dependence which is created by gasoline and diesel fuel needs. Donald Trump was right when he said, America is being auctioned off to the highest bidder and it's happening right here. Thank you.

My name is Joan Riggle and I live in Sinclairville. I want to thank you for this opportunity. After hearing of the worthy goals of the Chautauqua 20/20 Plan it's perplexing and disturbing to me why you would support industrial scale wind projects to be developed in the north County. They will industrialize fragment (*inaudible*), a 100,000 acres of pristine agricultural, recreational lands, they will cause sleep deprivation annoyance, adverse health effects to an unfortunate number of residents due to the profit driven industry influenced, unsafe setbacks and noise limits encouraged by the wind salesman. They will provide only temporary jobs, a handful of permanent jobs if at all. Co2 levels and fossil fuel use will not be decreased in any meaningful way. I have done a lot of research on this after I found out that we were going to be surrounded by 8 500 foot turbines without any say in this. We have no clue that they were coming. It's a very secretive process to keep people out of the dark. I wanted to share some of the wind farms in New York State. The wind companies approach town boards, land leasers and stakeholders and don't tell them the real story. I would like to tell you the rest of the story. It's not all win/win sales pitch. These are some of the New York wind farms that are lose/lose. Cohocton wind farm residents actually traveled to other town boards and warned them about the noise and vibration that keeps them from sleeping and it says, do not bring this into your town. Town Judge Hall Graham, a land leaser, was told there would be no noise problem, but said, it is constant noise like a jet and he feels much regret for affecting his neighbors. David Hunt asked Cohocton Town Board members and David's own father is a board member, said, what am I going to do with a house that I can't even live in? He told the board the noise of the turbines regularly keeps him up at night. Six other neighbors had similar complaints also complained of shadow flicker invading their homes.

Orangeville, Wyoming County, they have a 58 turbine wind farm, that's resulted in a 60 family lawsuit due to noise, shadow flicker, vibrations and health problems. The wind company failed to warn or acknowledge these issues. They are in the process of mitigation right now. They are never going to turn them down. We are going to be stuck with these for 20 to 30 years and I don't think people realize that. They will not turn them off. If we make this decision now, we will be stuck with this for our County.

The Hardscrabble wind farm in Herkimer, New York has resulted in a lawsuit involving over 50 residents. The developer failed to disclose the noise, shadow flicker and vibration, loss amenity, people can't sit out in their yards and enjoy peace and quiet anymore. Devalued property, adverse health effects, headaches, sleep deprivation, seizures, all kinds of issues. Several families, I think there is five I read, have actually abandoned their homes and gone bankrupt because they cannot stand to be in their homes and they have to go rent a property and this just should not be. Forty three Wyoming County land leasers unwittingly became recipients

of mechanic's property liens due to unpaid contractors. I see Noble Bliss just went bankrupt. They have a lot of the Wyoming County, New York State wind farms.

Glen Cramer, Wyoming County town of Sheldon councilor, regret approving the Sheldon wind farms stating that in doing so, he made a deal with the devil. He also said by adopting the wind company's requested 50 decibel noise limit and short setbacks, like ours will be, the vibration noise and shadow flicker problems caused the town to be helplessly divided, concluding some people have gained but at the expense of their neighbors.

The WHO advises 30 decibels for inside nighttime noise so 50 decibels which our town is adopting can very strongly affect hormone levels when we sleep. I think of children, I think of babies, venerable population. The DEC says that 20 above our ambient and our local towns are ambient is 25, 20 above the ambient would be 35, that is considered by the DEC an intolerable noise level so why are we adopting 50 decibel limits. Councilman Perry said the Howard wind farm built by Everpower who's doing Cassadaga wind didn't have any effect on the tax rate there. I guess the money went to the fire district. They bought a fire truck maybe. It's still the same in Howard. Councilman McEvoy said property values within the wind farms red zone have decreased between 40 and 60% and that two major realities would not list properties within the that red zone. So there is an impact on our property values. Our tax base will be eroded so I think what financial gain we think we're going to receive is not going to be that great.

USA Today reported the Tug Hill wind farm in updates New York has split town and families, pitting neighbor against neighbor, father against son. This is an interesting one.

The Madison wind farm in New York State is the first one at the end of this last year to expire its pilot. This is when towns are led to believe they will get the full property taxes that they are entitled to but Madison town officials say it appears unlikely the company will pay the full property tax, which may lead to a lawsuit. The wind company claims that it can't afford to pay more than the pilot amount. Town assessor feels that the entities were convinced there would be a big wind fall when the pilot expired. He also stated taxpayers haven't really benefited much and probably won't much overall, adding he believes elected officials should approach the pilot agreements with caution. By the way, this wind company is the same one that is building the Arkwright wind farm so that makes you wonder.

Kevin Sigourney, and we just got another letter, I have his letter here. He lives in the Jerico Rise wind project that just came on line not too long ago, he's written letters refuting the articles in the Observer saying oh, winning with wind. He would like to tell the real story of how he is a science teacher that was very pro-wind and he says that he can hardly stand to live in his house and another person just wrote us telling us how horrible it's been.

Jane Harper was a former -

Chairman Himelein: You have one minute.

Mrs. Riggle: I'm sorry. Can I finish one thing please? This is Jane Harper, she is a former Tipton County Indiana Commissioner, regrets approving their wind farm. She says, don't do it. She goes and warns other towns. It's torn her community apart. Outside workers are brought in. She said when they tell you they are local, that means a union team, 50-60 miles away, I know on our wind farm, that is what they told me. That they are coming from Steuben County and they have to be trained to get these permanent jobs. The permanent jobs are the people that they bring in that are trained to work on wind turbines. So forget the jobs, it ain't going to happen except

temporary road jobs and repairs because they are going to mess up our roads. Let me just finish. Unfortunately the turbines will spin 20-30 years. She states you can't lose something that you never had so you aren't losing the supposed windfall, but what you will lose is the rural landscape and the closeness of community spirit because people will hate each other over this. What you will lose cannot be measured in dollars.

And the Shirley wind farm, the Brown County Board of Health in Wisconsin actually declared that wind farm a human health hazard and asked for State money to relocate families.

I am not saying that it is going to be everybody in the community impacted but all the studies, I'm a nurse. I've looked at all the studies. A quarter wind farm neighbors, typically are impacted with adverse health effects, sleep deprivation annoyance, you know, this just should not be. If we are moving forward with green energy, we have to have it socially acceptable, environmentally acceptable, financially acceptable. Thank you.

Good evening, my name is Teresa Bretl, I live in Arkwright and I've lived there for 35 years. I would like to talk again about the same subject. Wind farms in upstate New York and energy production. Wind farms must be property sited if they are to achieve their goals. Failure to accompany the large amounts of public money, devoted to these projects with any siting restrictions has begun to sour public enthusiasm for wind power. As complaints mount in communities hosting wind farms to close to homes, local officials and even State regulators are increasingly rejecting the projects. The shift of public opinion about this type of renewal energy is also motivated by increasing awareness that wind farms generate a small fraction of their capacity and require polluting fossil fuel power plants to back up wherever they fail to run. New York State promotes wind energy projects under a State policy to increase to 50% New York's reliance on renewable energy production. New York hydropower already provides 90% of our electricity from renewables. A dozen wind farms are now operating New York, have driven up the cost of electricity and current produced 2.6% of the State's electricity demand. An industrial wind turbine farm involves dozen of industrial wind turbines. Each with an access road sturdy enough to accommodate heavy equipment to construct them. A single turbine site requires clearing many, many acres, miles of new transmission lines, either above ground or underground. Three Chautauqua County projects, totally 123 turbines, each 495 feet in height, will not even generate the equivalent energy of the closed NRG plant which produced upwards of a 1,000 megawatts. Wind energy cannot replace conventional power plants or lower the cost of electricity. They only operate at 20% of capacity and to generate approximately 300 megawatts at least 12 wind farms, each comprised of 60 wind turbines, with 2 megawatt capacity per turbine, each requiring a 10 to 20 square mile project area is needed. Twelve, 60 wind turbine wind farms can take up as much as a 120,000 acres. That is 187 square miles. Cost far more and have far more impact on the community than one conventional power plant. I'm hoping the NRG repowering that I saw on the screen will move quickly. How many more acres of our beautiful landscape of Chautauqua County are we willing to sacrifice for this renewable energy monster. Will our tourism be compromised? How tranquil will our cross country ski trails be? Operation of wind turbines kill birds and bats. The visual and noise impacts of wind turbines can diminish property values, offsetting gains to the host town by decreasing its property tax base. This can change the character of the community which New York counts as an environmental effect. However, no comprehensive regulation from wind farms in Chautauqua County exists. This encourages wind energy developers to take advantage of the rural towns. I'm asking you to

please advocate on behalf of your constituents of this County and look out for their best interest. Thank you for your time.

Good evening and thank you for the opportunity to speak. My name is Patty Greenstein. I've lived in Chautauqua County for 30 years now. These are my friends, my neighbors, I've known them skiing, our kids went to school together, we live in the country. We don't live in towns. Those of you who live in towns and cities, this isn't a worrisome thing for you as it is for us because we know these things are going to be right on top of us. My main reason for coming here tonight was also to hear about the Chautauqua 20/20 Comprehensive Plan which I think is a wonderful idea. It's exciting and it's really focusing on the natural resource of Chautauqua County which is why people come here. They come here to ski, they come here with their snowmobiles. Where there is hunters, there is hunting cabins all around my house. The farms are all shutting down. They are all selling off their herds. We're being threatened by these and the comprehensive plan that is such a wonderful thing, when I read it, I read the whole entire document on line. The phrases that come to mind, here are the strategies for the environment. Some of the things it's saying here is, conserve the County's important agricultural soils and its local farming vitality. Maintain Chautauqua's rural landscape heritage and scenic views. Promote the natural asset of Chautauqua to grow new economic opportunities and attract additional residents and investment. This one is my favorite. Make active living and recreation based on the County's natural environment a distinct lifestyle attraction that draws new people to Chautauqua. Lastly, it's talking about completing a Countywide interconnect trail system that draws many different types of users. Everything from horseback riding, snowmobiling, cross country skiing, hiking and hunting. So basically this 20/20 plan is banking on these natural resources and for scenic beauty those wonderful descriptions of our landscape are repeated throughout the whole document of your goals. What I am wondering is, how are these goals going to work with the wind turbines when people can't come here because during the winter time they want to go cross country skiing and you have a tower right next to a ski trail. You have to worry about ice throw, or underground transmission. These things are too close to us. So my big thing is, how do you see these goals which are opposite, they cancel each other out, they are counterproductive. I don't want to take up too much more time but one of the things that I do want to say is we have all attended meetings all across the County and every time that we go to a meeting there is generally a prayer. We invoke the Lord to help us wisely make decisions. We say the pledge of allegiance which ends with, with liberty and justice for all. Where is the liberty and justice when I have neighbors telling me that they can do whatever they want to with their land and it sucks to be you. Because that is basically what people say they treat you that way. this has divided our community. We do not want to fight with our neighbors. We've live here, all of us, I think between us we have like a couple hundred years' worth of – I mean 30, all these people here, 30-35 years, I have known these people my whole entire life here and we don't want to fight with the ones who are the proponents for these but they are not really reading this fine print and the fine print is, I really think that it is going to destroy everything that you are trying to promote with your 20/20 Comprehensive Plan which I think is a marvelous idea. I spend summers working at Chautauqua, I'm a teacher and I teach – the last 4 or 5 years I've been teaching computer software. People come from all over the country. One of the first things that they say, I get these students all week long, I teach five classes a day from everything from ipads to 3D printing and I have adults and children saying, you know, they come from large cities and

one of the things that I love about being here is that it's beautiful. It's just gorgeous and now I have to go to work this summer and tell these people that we're going to pollute our landscape with turbines. We have to stop calling them wind farms. These are not farms, these are industrial plants that are being plopped right down on top of beautiful vistas and my vista will be destroyed. I will have flicker effect and the whole front of my house. I'm also an artist and also do photography. The two offices that I work in. I have a downstairs and an upstairs studio. I'm going to get flicker effect. Where am I supposed to work? I work at home and it's really unfortunate that the ones who want to sign these are willing to sacrifice the rest of us because somebody promised them a little tidbit of money because the truth is, the ones who are making the money are the turbine companies. This isn't about making energy. It's about making money and I really hope that this Comprehensive Plan, this 20/20 vision for Chautauqua County that you all sit down and rethink and I don't know where you live. I can find out though, but you know where we live but think about how you would feel if somebody did this to you. Thank you for your time.

My name is Ken Bockman, I'm the Supervisor in the Town of Charlotte. I have a bad back and that is why I am hanging on here so I apologize. I would just like to give everybody and the Legislators and the County Executive a little background on the wind power project that we have heard so much about. It consists of 54 turbines, 23 in the Town of Charlotte, 30 in the Town of Cherry Creek and 1 in Arkwright. It will connect to the substation in Stockton and its 126 megawatts. The start date, it started back in 2009 and the preliminary application for Article 10 was filed to New York State on May 27, 2016. The application was deemed complete by the New York State sitting board on November 28, 2016. Article 10 is a new process that New York State has put in place to review the application. Since the proposed start, Everpower, who is the company proposing the thing, has had open communications with the towns involved through board meetings. They are all open to the public, meeting updates, scheduled public meetings, emails, and informational letters to landowners/taxpayers on the record. Article 10 application consists of 5 volumes that are available in the Town hall for the public. They are also in the libraries and on line. The application contains an analysis of potential impacts of construction and operation, environmental issues for the landowners, and the public and the health and safety and communications, transportation, cultural and historic resources, then the collection system. The sitting board will determine if the proposed facility is a beneficial addition or a substitute for generation capacity is in the public interest. The adverse environmental impacts will be minimized or avoided in the construction and operation of the facility and will be in compliance with State laws and regulations. The economic benefits. A proposed payment of \$7,800 per megawatt for 20 years amounts to \$19,656 that will be paid to the County, the towns and the school districts involved. These funds will be shared and the final funding will be determined and approved by the IDA. The landowners in the town participating in the project will also receive lease payments. All taxpayers in the town will receive a benefit. Intervening funding of \$126,000 has been provided to the towns and public for legal representation during this review. Further employment of six jobs and (*inaudible*) employment for the local people for snow plowing and land(*inaudible*) ongoing while the project is in place. There will also be some local construction jobs and resources we needed for supplies and support for the project. In addition, the infrastructure improvements for the roads in all the towns that will be used for the construction will be upgraded to handle the heavy equipment and they will provide an

engineering firm to monitor that for the towns. Afterwards when the project is done, they will bring the level back up to where they brought it. So, that is just an overview for everybody just to say where we are on the project. Thank you for your time.

Mr. Bretl - Can I have one minute to respond to something that somebody else didn't say?

Chairman Himelein: You have a minute.

This is Fred Bretl again. I would like to point out that there has been a history of ownership change with these wind companies coming in. For instance in Arkwright, it started out to be a company called Horizon, in Texas, I think Houston, Texas and they were sold off to a company in Portugal. This is a reoccurring thing and also we're seeing that the energy that is being developed by these wind turbine farms, if you want to call them that, they are selling the energy out of State. So it's not even like we're getting the benefit of their production locally. For instance, we don't see a shortage of electricity in New York State right now, at least in Western New York State because they closed the NRG plant in Dunkirk and we're not missing a beat. So all this extra power that they are producing is going elsewhere to somebody's else benefit and it's the developers going like this, all the way to the bank.

Mel McGinnis, Frewsburg, New York. I just want to say how refreshing it has been to be in a situation where things have been done decently and in order. In contrast to the mob hall I experienced last Saturday when there was nothing but yelling and screaming. Thank you that we could conduct business in this kind of fashion. I want to thank too, the County Executive Horrigan and my own Legislator Ron Lemon for responding to a need in Kiantone that involved flooding of Brian Alderen's(?) business. I think that it would be a blessing to him if he got a follow up contact or a call in respect to that visit. I also want to thank my Legislator Ron Lemon, who can't be here because his father-in-law just died here recently but thank him and Chuck Nazzaro for the way in which they pushed back in response to how Federal funds were being used at the airport. I appreciate that and as I think of what is taken place here with these wind farms, I'm listening and as I'm listening to subsidies, tax credits, is this a forum of free market capitalism or a form of County capitalism. I think that we need to ask that kind of question. Also, I would say that what I hear our government having a vision of the State similar to Bill DeBlasio sanctuary styled policy for New York City, I get concerned and I feel like we should push back. When I hear that New York State has more takers from the public treasury than makers contributing to the public treasury, I get concerned. I feel like we need to push back. When I hear the Governor wanting taxpayers to pay the tuition of already State funded colleges and universities, I get concerned and feel like there should be push back. I realize, population wise, New York is a blue State but County wise, our State is overwhelming red. While I think that it is a good idea to be blue during colorectal cancer month that Mark Tarbrake pointed out and say that I heard Governor Cuomo say that New York State needs to be the alternative to the President. Now I say, can't Chautauqua County be the alternative to Governor Cuomo's vision of top down, heavy handed, progressivism from the government? Therefore, I urge Chautauqua County to take the lead in pushing back as New York State's red majority County against the

blue County, minority, of heavy handed government control progressivism, both, economically and morally.

I'm Angelo Graziano. I wasn't planning on talking so I have nothing written. I am a Councilman for Villenova and I have all those books that this gentleman said earlier. I got all the big books from the wind company and I have everything in there. I have the final studies, two days after we voted on it. A lot of this stuff in these books are very inaccurate. They don't tell you a lot of information that they need to tell you but the biggest thing that I want to say is that all these people, my wife included, I got stuff of research on these things so much and everybody has researched these windmills for the past 6, 8, 10 months, whatever it takes. When you think about everything they've done, we didn't do our job. Because I'm a Councilman and it goes up to everybody. It goes clear up to Andrew Cuomo. None of us did our job because they shouldn't have to do anything. We didn't do our job. The \$175 million should have went to all of us to save money, put windows in our house, stuff like that. We didn't do our job. We need somebody to hire experts, to check on these things because this never would have happened. None of this would ever happened. These things shouldn't be here. They don't belong in residential areas and we need to do our job. That is all that I have to say.

Emily Reynolds, Executive Director at Cornell Cooperative Extension. Just a slight change of topic but I wanted to thank John for announcing the dinner this Sunday. We're looking forward to it. There will be tickets at the door so if you want to bring more people with you or if you haven't gotten your tickets yet, you are welcome to come and get those at the door. And I wanted to thank you for proclaiming Ag Literacy Week in March and we are still looking for readers. It's an excellent way to get out into the schools and read about grapes this year. It's a Cornell book and comes to us every year for Agricultural Literacy Week and we are looking for readers. So if you are interested in reading, please contact me and let me know. We can try and get you into a local school anywhere from 3rd to 5th graders. Thank you.

MOVED by Legislator Bankoski, SECONDED by Starks and duly carried the meeting was adjourned. (8:32 p.m.)

Respectfully submitted and transcribed,
Lori J. Foster, Deputy Clerk/Secretary to the Legislature