

Minutes
Audit & Control Committee
January 19, 2023, 8:35 a.m., Legislative Chambers
Livestreamed on YouTube
Gerace Office Building, Mayville, NY

Members Present: Pavlock, Niebel, Harmon, Scudder, Wilfong

Others: Lee, Zink, Chagnon, Slagle, Makowski, Guttman, Engstrom, Rogers, Dennison, Crow, Peters, Barnhart, Bates, Barmore, Telford, Blevins, Contiguglia

Complete video of meeting can be viewed on YouTube

Chairman Gould called the meeting to order at 8:35 a.m.

Approval of Minutes (12/15/22)

MOVED by Legislator Harmon, SECONDED by Legislator Wilfong.

Unanimously Carried

Privilege of the Floor

Karen Engstrom, Town of Chautauqua. This is a January update on utility scale solar for Chautauqua County. Our neighbors have been and are going to be impacted, our Amish neighbors, gravely by the introduction of utility scale solar into this district. The threat to these people is real and they have expressed their concerns in a letter to their community. This letter was addressed to the Town Board of Chautauqua and it represent only a very small portion of the Amish community in our County and I'm going to read that letter. "We, as an Amish community, in Mayville, Dewittville, Stockton desire our farmland to be preserved for our future generations. For our children and grandchildren and we oppose solar panels in our area. No farms, no food." Perhaps you can notice that the pages of that contain numerous signatures of the families in this area. Several pages worth of signatures which is important to know. According to the Chautauqua County Farm Board, 84% of the land targeted for utility scale solar is agricultural land. The New York Department of Agricultural markets designates land used for large solar raise has permanently industrial. The Farm Bureau also, second page of the report calls for no subsidies. No subsidies for any of these projects that are impacting our agricultural lands which are according to them, the most valuable conservation element that we can be preserving during this period of time as important as wet lands and forests. NYSERDA states in its literature that in this region, only 14% of the electricity claimed by developers is ever created by solar panels. Utility scale solar only represents a 14% return and basically there's an 80% - you want to get 80% back from what you've invested in terms of energy at this latitude. There's another farm that was featured in the Post Journal recently being impacted and that's the MidKnight Dairy Farm. It's one of many that cannot compete with these government subsidies solar grifters. Large solar projects are not consistent with the County comprehensive plan with a goal which is to protect our rural character. In Cattaraugus County, we see the IDA is doing

some things. They've declared the necessity of all solar being placed in brownfields. Brownfields is the most logical place to place solar utility not in agricultural areas. In Ripley we are seeing the 528 additional acres of land that will be cleared of mature forests. That was rejected and the forest easement program that they are proposing still will not change the fact that 523 additional acres of forest will have to be taken down to do these solar projects. Cattaraugus County also and I'm going to quote the IDA of Cattaraugus County, they say the reason we are asking that there be no subsidies that there be economic accounting or an audit of all energy projects and a call for brownfields completely (*inaudible*). The reason is "there is no economic return. Solar and wind do not accomplish the main IDA criteria which is to create and retain local jobs." We all know about the PFAS problem in Mayville and the Town of Chautauqua took a good position in their solar special use permit by saying the developer must prove that there is no PFAS in the solar components." The Post Journal of course reports that the Chadakoin River has shown signs of PFAS. It's a very serious thing. It's accumulative toxic chemical. There is a lawsuit. The Office of Renewable Sighting has been sued by 11 entities and the basis for that is the new fast tracking office of renewable energy sighting is violating the secret statutes to protect the environment. So we hope that this body, this Legislature, can follow the example of Cattaraugus County and call for brownfields only. Call for a proof for no PFAS in the components and a no pilot resolution would be ideal. I know that's difficult under the circumstances in this County but the other thing that has been done, Niagara County has called for requirement that all solar panels be recycled and those components will be left with us for us in this County. In some circumstances the developers have not been proven to be reliable even in this state and other states. It's important that you put in the regulations that can protect us and that's all that we are asking is for protection. Not a major change but to put in protections and especially for the Amish community who will not come before you. It's not their way but we are concerned for them and I hope you take this seriously and I'll be back, thank you.

Local Law Intro 1-23 – A Local Law Amending Local Law 13-22 Providing for a Management Salary Plan for County Officers and Employees (re: Personnel Technician) – *Presented by Debbie Makowski, Director of Human Resources*

Local Law Intro 2-23 – A Local Law Amending Local Law 13-22 Providing for a Management Salary Plan for County Officers and Employees (re: Media Information Officer) – *Presented by Debbie Makowski, Director of Human Resources and Paul M. Wendel, Jr., County Executive*

Proposed Resolution – Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5764.00 – *Presented by Drew Rogers, Engineer with DPF*

Unanimously Carried

Proposed Resolution – Authorize Federal and State Aid Applications for the Chautauqua County Jamestown Airport Five-Year Capital Improvement Plan (ACIP) for FY 2023-2027 – *Presented by Shannon Barnhart, Manager of Airports and Brian Bates, Assistant Manager of Airports*

Unanimously Carried

Proposed Resolution – Authorize Federal and State Aid Applications for the Chautauqua County Dunkirk Airport Five-Year Capital Improvement Plan (ACIP) for FY 2023-2027 – *Presented by Shannon Barnhart, Manager of Airports and Brian Bates, Assistant Manager of Airports*

Unanimously Carried

Proposed Resolution – Amend 2023 Budget to Implement the Waterways Master Plan Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan – *Presented by Drew Rogers, Engineer with DPF*

MOVED by Legislator Scudder, SECONDED by Legislator Niebel to Table

Unanimously Carried - TABLED

Proposed Resolution – Amend 2023 Budget to Implement the Overland Phase III Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan – *Presented by Drew Rogers, Engineer with DPF*

MOVED by Legislator Harmon, SECONDED by Legislator Wilfong to Table

Unanimously Carried - TABLED

Proposed Resolution – Amend 2022 Capital Project Accounts-Public Facilities – *Presented by Drew Rogers, Engineer with DPF*

Unanimously Carried

Proposed Resolution – Close Office for Aging Services Petty Cash Fund – *Presented by Kathleen, Dennison, Budget Director*

Unanimously Carried

Proposed Resolution – Amend 2023 Budget for County Physicians – *Withdrawn by Sponsors*

Proposed Resolution – Amend 2023 Budget to Implement the SWAT Team Bear Cat Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan – *Presented by Rich Telford, Undersheriff and*

Paul M. Wendel, Jr., County Executive

Unanimously Carried

Proposed Resolution – Authorize Execution of New York State Governor’s Traffic Safety Committee Grant for the Police Traffic Services Program FY23 –
Presented by Rich Telford, Undersheriff

Unanimously Carried

Proposed Resolution – FY2022 State Homeland Security Program (SHSP) – *Presented by Noel Guttman, Director of Emergency Services and Bonnie Peters, Emergency Services Account Clerk*

Unanimously Carried

Proposed Resolution – FY2020 Hazardous Materials Grant Program (FY20 HMGP) – *Presented by Noel Guttman, Director of Emergency Services and Bonnie Peters, Emergency Services Account Clerk*

Unanimously Carried

Proposed Resolution – Amend 2023 Budget to Increase Funding for the Emergency Services EMS Gear Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan – *Presented by Noel Guttman, Director of Emergency Services and Bonnie Peters, Emergency Services Account Clerk*

Withdrawn by Sponsors

Proposed Resolution – Confirmation of County’s Independent External Auditor – *Presented by Kitty Crow, Finance Director*

Unanimously Carried

Discussion – Property Tax Exemptions – Volunteer Firefighters – *Presented by Noel Guttman, Director of Emergency Services*

Discussion – Weights and Measures – Fees – *Presented by Larry Barmore, County Clerk*

Late Proposed Resolution - Setting Salary for Discovery Expediter – *Presented by Madeline Contiguglia, Executive Assistant to the District Attorney*

Unanimously Carried

Discussion – Financial Status of ARPA Projects – *Presented by Kathleen Dennison, Budget Director*

MOVED by Legislator Harmon, SECONDED by Legislator Wilfong to adjourn.

Unanimously Carried (11:16 a.m.)

Respectfully submitted and transcribed,
Olivia Lee, Clerk of the Legislature/Kristi R. Zink, Deputy Clerk