

Minutes
Public Safety Committee
December 14, 2023, 4:00 p.m., Legislative Chambers
Livestreamed on YouTube
Gerace Office Building, Mayville, NY

Members Present: Niebel, Proctor, Hemmer, Nelson

Members Absent: Bankoski

Others Present: Lee, Slagle, Thomas, Telford, Engstrom, Chagnon, Dennison, Peters, T. Carlson, Contiguglia, Schmitt, Guttman, Harmon

Complete video of meeting can be viewed on YouTube

Chairman Niebel called the meeting to order at 4:01 p.m.

Approval of Minutes (12/14/22)

MOVED by Proctor, SECONDED by Legislator Nelson.

Unanimously Carried

Privilege of the Floor

Karen Engstrom, Town of Chautauqua, Village of Mayville. (*Inaudible*) Solar in our County and what I want to point out today is that the Amish are being threatened by the large solar (*inaudible*) that are protected here. Our neighbor Amish are vital to our economy (*inaudible*) the letter from the Amish to the Town Board of Chautauqua. I will read that letter. “We, as an Amish community, in Mayville, Dewitville, Stockton area desire our farmland to be preserved for our future generations, for our children, for our grandchildren and we oppose solar panels in our area. No farms, no food”. If you look, there are 3 pages of signatures. Well over 80 Amish families. If you look at these pages here, there are 80 signatures. The Amish are very concerned because their farmland is agricultural according to the NYSERDA. According to the Chautauqua County Farm Bureau, 84% of the land targeted to put solar panels in our community is agricultural. The Amish do not own all of their land, they rent it and when this land is offered up to an owner, an absentee owner, at twice as much money, 3 times as much money, and 4 times as much money. NYSERDA states that solar in this region produces 14% of the electricity claimed by the developers. How can we allow agricultural land to be destroyed for 14% of what is claimed to be. Now, another farm as you will see in the piece of paper attached at the back in jeopardy as a result of utility scale solar is the MidKnight Dairy farm in Fluvanna which was featured in yesterdays Post Journal under the title Dairy Farm maybe impacted by Solar Farm. This is one of many such farms in our region that will be impacted if we don’t do something. Now, large scale solar is not consistent with the comprehensive plan and the goal of which is to protect the rural character of our County. The IDA of Cattaraugus County has imposed a moratorium on utility scale solar and I quote them the reason they have done this is because

“There is no economic return. Solar and Wind do not accomplish the main IDA criteria to create and retain local jobs.” Cattaraugus County has also determined that industrial solar can only be put on brownfields. Now, I have addressed PFAS before in Mayville, my town has been subject to the issue because it was a contamination of their water 2 years ago and they spent millions of dollars and endangered many lives. We want to point out that they have put into their special use permit for solar that the developer must prove that there is no PFAS in solar components. Now, that can be done by any legislative body. It is a protected tool that will keep us from having to mitigate this in the event that as we know from the Post Journal it’s in our Chadakoin River right now. It’s across the Nation. You see it in the Wall Street Journal and the New York Times. We don’t know where it all comes from but we do know that it is contained in solar panels and that we can prevent this from happening here. There is also a lawsuit that has been filed by 11 entities including 5 towns which states that the new office of renewable energy sighting which is a fast tracking regulation process violates the secret statutes to protect the environment and there is a major conflict of interest because the person who wrote the ORES regulations is the very lawyer who represents the solar and wind developers. So we see in Ripley, the 523 acres of additional mature forest that are to be cleared, the sighting board of the state rejected that and said forest removal mitigation that you’ve proposed is inadequate so there is an attempt to do a forest preservation easement which will not change the fact that 523 additional forested acres will be cleared. Farmers are not compatible with solar because their animals, their livestock will be harmed by any of the machinery, any of the change in the soil of distribution based on construction large scale like that, the movement of soil allows for run off that goes into the streams that provides drinking water for the animals and any animal of the ruminant variation that is exposed to small wires, little screws, pieces of aluminum, anything like that, that goes into their rumen and then it migrates to their heart and kills them. So farmers are very careful about the environment that their cattle, their cows, their dairy cows and their beef cattle. So there are a number of things that this group can do and I want to remind this group, this legislature that I wonder who they’ll blame when this all comes out? And when these things do start to happen. You are in charge of this County. It is not the IDA. I have several proposals on there and I hope I’ll be back.

Legislator Niebel: Karen, thank you. This is an issue that you’re pretty interested in and thank you for bringing this to our attention. We will read this and I’m sure you will be back, thank you.

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 Richard Telford, Undersheriff*

MOVED by Legislator Proctor to Amend, SECONDED by Legislator Hemmer (Amended by strikethrough and new text shown below) Unanimously Carried to Amend

INCREASE APPROPRIATION ACCOUNT:

A.3110.----.2	Equipment—Sheriff	\$305,921
		\$400,000

INCREASE REVENUE ACCOUNT:

A.3110.----.R408.9ARP	Federal Aid—Oth Fed Aid ARPA Funds	\$305,921
		\$400,000

Unanimously Carried as Amended

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

MOVED by Legislator Proctor to Amend, SECONDED by Legislator Hemmer (Amended by strikethrough and new text shown below) Unanimously Carried to Amend

~~*WHEREAS, the grant period runs from September 1, 2022 through August 31, 2025, or as maybe amended; and*~~

WHEREAS, the term of the grant is September 1, 2022 through ~~September 29, 2023,~~ and as maybe extended; now therefore be it
August 31, 2025,

Unanimously Carried as Amended

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*

Resolution Withdrawn by Sponsors

Other –

Late Proposed Resolution – Setting Salary for Discovery Expediter – *Presented by Jason Schmitt, District Attorney and Madeline Contiguglia, Assistant to District Attorney*

Unanimously Carried

Discussion – Property Tax Exemptions – Volunteer Firefighters – *Presented by Noel Guttman, Director of Emergency Services and Bonnie Peters, Emergency Services Account Clerk*

Discussion – Certificate of Need for the Ambulance Service - *Presented by Noel Guttman, Director of Emergency Services and Timothy Carlson, Senior Paramedic*

MOVED by Legislator Hemmer, SECONDED by Legislator Proctor to adjourn

Unanimously Carried (5:07 p.m.)

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