

Chautauqua County Legislature
Live Streamed on YouTube
Wednesday, November 20, 2024 6:30 p.m.
Mayville, N.Y. 14757

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

Chairman Chagnon: I will call to order the meeting of the Chautauqua County Legislature on November 20, 2024. Would the Clerk please call the roll?

Clerk Lee called the roll and announced a quorum present. (Absent: Harmon, Vanstrom)

Legislator Landy delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Gustafson and duly carried the minutes were approved. (10/23/2024) & (10/30/24)

1st Privilege of the Floor

Chairman Chagnon: That brings us to our first privilege of the floor. Members of the public may comment on any subject relating to any local law, resolution or motion appearing on the agenda. Individual comments are limited to three minutes and comments representing a group shall be limited to five minutes.

No one chose to speak.

COMMENDATION:

Ron Hasson – Retirement from Emergency Services
By
County Executive Paul M. Wendel, Jr.

PRESENTATIONS:

United Ways of Chautauqua County
By
Executive Director, Amy Rohler

**Jamestown Community College &
Jamestown Area YMCA
Community Wellness Center
By
JCC President, Daniel DeMarte
&
Interim CEO of the Jamestown YMCA, John Barber**

*Presentations can be viewed at the link provided:
<https://www.youtube.com/watch?v=q8iRq6ZLPi0>*

Clerk Lee: There are no veto messages from County Executive Wendel from the October 23, 2024 meeting and the October 30, 2024 meeting.

**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 10/23/2024 & 10/30/2024**

Clerk Lee: There are 5 communications listed on the agenda. If you would like a copy of any of these items, please let our office know.

COMMUNICATIONS:

1. Minutes – Conewango Watershed Commission – October 9, 2024
2. Letter – Certificate of County Equalization Rates for 2024 Assessment Rolls for Municipalities in Chautauqua County
3. Certificate – Appointment of Election Commissioner by Republican Party Caucus of Legislative Body
4. Affidavit of Publication (2) – Legal Notice – Local Law Intro 15-24 (Post Journal and Observer)
5. Reports (2) – Finance Director Crow, Re: August & September 2024 Investment Reports

RENEW & AMEND RES. NO. 220-24 – Acceptance of FAA Funds to purchase ARFF Testing Equipment at the Chautauqua County/Jamestown Airport

MOVED by Legislator Bankoski, SECONDED by Legislator Scudder to Renew Resolution 220-24 – Unanimously Carried to Renew

INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.25295.4 Contractual – Chautauqua County Airport,	
Purchase of ARFF Testing Equipment	\$ 23,243

DECREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.25295.4 Contractual – Chautauqua County Airport,	
Purchase of ARFF Testing Equipment	\$ 23,243

ESTABLISH & INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.xxxxx.4 Contractual—Chautauqua County Airport,
Purchase of ARFF Testing Equipment \$ 23,243

~~ESTABLISH & INCREASE CAPITAL REVENUE ACCOUNTS:——~~

~~H.5610.25295.R459.2000 Federal Aid Airport Federal Capital Grants \$ 23,243~~

DECREASE CAPITAL REVENUE ACCOUNTS:

H.5610.25295.R459.2000 Federal Aid – Airport Federal Capital Grants \$ 23,243

ESTABLISH & INCREASE CAPITAL REVENUE ACCOUNTS:

H.5610.xxxxx.R459.2000 Federal Aid – Airport Federal Capital Grants \$ 23,243

MOVED by Legislator Bankoski, SECONDED by Legislator Scudder to Amend 220-24 by strikethrough and new text – Carried with Legislator Scudder Voting “No”

RENEW & AMEND RES. NO. 221-24 – Accept FAA and NYSDOT Funds to Rehabilitate Runway 13/31 Pavement and Reconstruct Runway 13/31 Lighting and Signage – Design

MOVED by Legislator Bankoski, SECONDED by Legislator Scudder to Renew Resolution 221-24 – Unanimously Carried to Renew

INCREASE THE USE OF FUND BALANCE:

A.-----917.0000	Fund Balance, Unassigned Balance—	
	Unassigned Fund Balance	\$24,100
		\$23,650

; and be it also

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.9950.-----9	Interfund Transfers—Transfer to Capital	\$24,100
		\$23,650

~~INCREASE CAPITAL APPROPRIATION ACCOUNT:~~

~~H.5610.25296.4 Contractual—Chautauqua County Airport,
Reconstruct Terminal Building Design (2024) \$ 473,000~~

DECREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.25296.4 Contractual—Chautauqua County Airport, Reconstruct Terminal Building – Design (2024)	\$ 473,000
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ESTABLISH & INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.xxxxx.4 Contractual—Rehab Runway 13/31 Pavement and
Reconstruct Lighting & Signage (design) \$ 473,000

ESTABLISH & INCREASE CAPITAL REVENUE ACCOUNTS:

H.5610.25296.R503.1000	Interfund Transfer – Interfund Transfer	\$23,650
H.5610.25296.R359.7001	NYS Aid – Airport Capital Grants	\$23,650
H.5610.25296.R459.2000	Federal Aid – Airport Federal Capital Grants	\$425,700
	Total	\$ 473,000

DECREASE CAPITAL REVENUE ACCOUNTS:

H.5610.25296.R503.1000	Interfund Transfer – Interfund Transfer	\$ 23,650
H.5610.25296.R359.7001	NYS Aid – Airport Capital Grants	\$ 23,650
H.5610.25296.R459.2000	Federal Aid – Airport Federal Capital Grants	\$425,700
	Total	\$473,000

ESTABLISH & INCREASE CAPITAL REVENUE ACCOUNTS:

H.5610.xxxxx.R503.1000	Interfund Transfer – Interfund Transfer	\$ 23,650
H.5610.xxxxx.R359.7001	NYS Aid – Airport Capital Grants	\$ 23,650
H.5610.xxxxx.R459.2000	Federal Aid – Airport Federal Capital Grants	\$425,700
	Total	\$473,000

MOVED by Legislator Bankoski, SECONDED by Legislator Scudder to Amend 221-24 by strikethrough and new text – Carried with Legislator Scudder Voting “No”

RENEW & AMEND RES. NO. 223-24 – Accept FAA and NYSDOT Funds to Reconstruct Terminal Building – Design

MOVED by Legislator Bankoski, SECONDED by Legislator Scudder to Renew Resolution 223-24 – Unanimously Carried to Renew

INCREASE THE USE OF FUND BALANCE:

A.----.----.917.0000	Fund Balance, Unassigned Balance—	
	Unassigned Fund Balance	\$10,658 \$7,038

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9	Interfund Transfers—Transfer to Capital	\$10,658 \$7,038
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INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.25296.4 Contractual—Chautauqua County Airport,

~~Reconstruct Terminal Building – Design (2024) \$140,760~~

DECREASE CAPITAL APPROPRIATION ACCOUNT:

~~H.5610.25296.4 Contractual—Perimeter Fence PH 2 – Con (2023) \$140,760~~

ESTABLISH & INCREASE CAPITAL APPROPRIATION ACCOUNT:

~~H.5610.xxxx.4 Contractual—Chautauqua County Airport,
Reconstruct Terminal Building – Design (2024) \$140,760~~

ESTABLISH & INCREASE CAPITAL REVENUE ACCOUNTS:

~~H.5610.25296.R503.1000 Interfund Transfer – Interfund Transfer \$ 10,658
H.5610.25296.R359.7001 NYS Aid – Airport Capital Grants \$ 10,658
H.5610.25296.R459.2000 Federal Aid – Airport Federal Capital Grants \$ 126,684
Total \$ 148,000~~

DECREASE CAPITAL REVENUE ACCOUNTS:

~~H.5610.25296.R503.1000 Interfund Transfer – Interfund Transfer \$ 7,038
H.5610.25296.R359.7001 NYS Aid – Airport Capital Grants \$ 7,038
H.5610.25296.R459.2000 Federal Aid – Airport Federal Capital Grants \$ 126,684
Total \$ 140,760~~

ESTABLISH & INCREASE CAPITAL REVENUE ACCOUNTS:

~~H.5610.xxxx.R503.1000 Interfund Transfer – Interfund Transfer \$ 7,038
H.5610.xxxx.R359.7001 NYS Aid – Airport Capital Grants \$ 7,038
H.5610.xxxx.R459.2000 Federal Aid – Airport Federal Capital Grants \$ 126,684
Total \$ 140,760~~

MOVED by Legislator Bankoski, SECONDED by Legislator Scudder to Amend 223-24 by strikethrough and new text – Carried with Legislator Scudder Voting “No”

RESOLUTIONS:

296-24 Confirm Re-Appointment – Portland-Pomfret-Dunkirk Sewer District Board, by Public Facilities Committee – UNANIMOUSLY ADOPTED

297-24 Board Re-appointment – North County Industrial Water District No. 1 & North County Industrial Sewer District No. 1, by Public Facilities Committee – UNANIMOUSLY ADOPTED

298-24 Confirm Appointments – Chautauqua County Charter and Code Review Commission, by Administrative Services Committee – UNANIMOUSLY ADOPTED

MOVED by Legislator Bankoski, SECONDED by Legislator Parker to Block Resolutions 299-24 through 303-24 – Unanimously Carried to Block

- 299-24 Amend 2024 Budget to Implement the Chautauqua County Jamestown Airport Restaurant Equipment Upgrade Project, Using Funding from the American Rescue Plan Act (ARPA),** by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 300-24 Amend 2024 Budget to Implement the Digitization of Naturalization Records Project, Using Funding from the American Rescue Plan Act (ARPA),** by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 301-24 Amend 2024 Budget to Implement the Taylor Training Center Air Conditioning Project, Using Funding from the American Rescue Plan Act (ARPA),** by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 302-24 Amend 2024 Budget to Implement the Fire Fighter Gear Washer Project, Using Funding from the American Rescue Plan Act (ARPA),** by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 303-24 Amend 2024 Budget to Implement the Fire Extinguisher Training System Project, Using Funding from the American Rescue Plan Act (ARPA),** by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- MOVED by Legislator Bankoski, SECONDED by Legislator Parker to Block Resolutions 304-24 through 310-24 – Unanimously Carried to Block*
- 304-24 Amend 2024 Budget for Liability Insurance, Property Loss for Jamestown Airport Claim and Expense,** by Public Facilities, Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 305-24 Amend 2024 Adopted Budget – North County Industrial Water District No. 1,** by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 306-24 Amend 2024 Budget – North County Industrial Sewer District No. 1,** by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 307-24 Amend 2024 Adopted Budget – SCCLSD – Sanitary Sewers,** by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 308-24 Amend 2024 Adopted Budget – Oth Env – House Haz Waste,** by Public Facilities

and Audit & Control Committees – UNANIMOUSLY ADOPTED

309-24 Amend 2024 Budget for the Department of the Public Defender for the New York State Division of Criminal Justice Services (DCJS) Aid to Defense Supplemental and Discovery Grants, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

310-24 Amend 2024 Budget to Increase Personal Services – Early Intervention, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

MOVED by Legislator Bankoski, SECONDED by Legislator Parker to Block Resolutions 311-24 through 315-24 – Unanimously Carried to Block

311-24 Authorize Agreement with Small Business Development Center at Jamestown Community College, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

312-24 Authorize Agreement with the County of Chautauqua Industrial Development Agency for Attractions and Development of Tourism-Related Businesses, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

313-24 Authorize Agreement with County of Chautauqua Industrial Development Agency for Business Development, Assistance, and Promotion, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

314-24 Authorize Agreement with Chautauqua County Region Economic Development Corporation for Greenway Development, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

315-24 Authorize Agreement with Chautauqua Region Economic Development Corporation for Tourism Development and Placemaking, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

316-24 Authorize Agreements between Chautauqua County EMS (CCEMS) and Any Village, Fire District, Town or Independent Fire Departments (Agency) within Chautauqua County for the Continuing Medical Education (CME) Program, by Public Safety Committee – UNANIMOUSLY ADOPTED

317-24 Establish a Special Committee of the Chautauqua County Legislature to Review and Make Recommendations to the Legislature Regarding County Jail Needs Assessment, by Public Facilities, Administrative Services and Public Safety

Committees – UNANIMOUSLY ADOPTED

318-24 Establish Chautauqua County Sewer Agency Pursuant to Article 5-A of the County Law, by Public Facilities and Planning & Economic Development Committees – UNANIMOUSLY ADOPTED

319-24 Establish Chautauqua County Water Agency Pursuant to Article 5-A of the County Law, by Public Facilities and Planning & Economic Development Committees

MOVED by Legislator Scudder, SECONDED by Legislator Bankoski to Table Resolution 319-24 – Unanimously Carried to Table

320-24 Authorize Acceptance of ESD Grant for North Chautauqua County Water District, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

321-24 Authorize Contracts and Agreements with Local Police Departments for 2024-2025 STOP-DWI Enforcement Efforts, by Public Safety and Audit & Control Committee – UNANIMOUSLY ADOPTED

322-24 Authorize Execution of NYS Office of Homeland Security and Emergency Services Funding Grant for Domestic Terrorism Prevention FY23, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

323-24 Authorize Standardization of Axon-Brand Body Worn Camera Products at the Chautauqua County Office of the Sheriff, by Public Safety Committee – UNANIMOUSLY ADOPTED

324-24 Authorize Lease Renewal with City of Jamestown for Office Space for the Department of Mental Hygiene, by Public Facilities, Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

325-24 Evaluation and Prioritization of 2% Occupancy Tax Grant Program Applications, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

326-24 Request Inclusion of Proposed New JCC Athletic Complex in SUNY's Capital Request for the 2025-2026 Executive Budget, by Planning & Economic Development and Audit & Control Committees

Chairman Chagnon: Now that we've had the presentation, are there any questions, any discussion on the resolution?

Legislator Nelson: Thank you, Mr. Chairman. I just would strongly encourage all of my colleagues to support this resolution. This is an opportunity to meet the needs of two of our long standing community institutions. Both the YMCA and JCC serve a diverse student and community populations and provide access to education, job training, health, wellness opportunities, quality child care and support services. Take a few minutes I hope and look and what the Y does and consider what it would like without a YMCA. And as a legislator from Jamestown, you might think I would naturally support this and I do, of course, but consider that the constituents that you represent send their children to JCC. That many of the children from our schools, from Frewsburg, Clymer, Sherman, Panama, Forestville, Dunkirk, I could go on and on. They are the backbone of the college so they will benefit from this project. So this is a partnership that will enhance JCC and promote the YMCA's vision of youth development, healthy living and social responsibility's so I respectfully ask for everyone's support on this, thank you.

Legislator Larson: Thank you, Mr. Chairman. I just want to compliment JCC and the Y for their efforts to educate this Legislature and others on this project so that I had no questions tonight. All the questions I've had, had been answered. We had a good presentation and discussion at our Economic Development committee meeting last week and I just commend them for taking seriously communication with the County Legislators so that we have a full understanding of the benefits of this project and what a bargain it is compared to the previous separate efforts of the two organizations which would have consumed about 70 million dollars of local, well anyway, resources. This is a much better project and far more affordable so I commend them, so thank you.

Legislator Dickey: I also wanted to compliment the two parties for the partnership, the teamwork, as I've said in previous meetings and the collaborations. It's certainly going to be a model for Jamestown and I'm excited to support it.

RES NO. 326-24 - Carried with Legislator Niebel Voting "No"

327-24 Standard Workday and Reporting Resolution, by Administrative Services Committee
– UNANIMOUSLY ADOPTED

328-24 Making Appropriations for the Conduct of County Government For Fiscal Year 2025 – UNANIMOUSLY ADOPTED

MOVED by Legislator Bankoski, SECONDED by Legislator Parker to Block Resolutions 329-24 through 334-24 – Unanimously Carried to Block

Chairman Chagnon: Okay, and these will be roll call so we'll be able to do 1 roll call vote for all of them if they're blocked.

329-24 Authorize Tax Levy

330-24 Authorize Levy of Town Taxes**331-24 Authorize Levy of Unpaid Town Charges****332-24 Authorize Levy of Omitted Taxes****333-24 Authorize Levy of Unpaid Sewer User Charges & Civil Penalties- North, South & Center Chautauqua Lake & Portland-Pomfret-Dunkirk Sewer Districts****334-24 Fixing Equalization Rates for 2025**

RES NO. 329-24 – RES NO. 334-24 – *R/C Vote: 17 YES; 0 NO; 2 Absent (Harmon, Vanstrom)*
– *UNANIMOUSLY ADOPTED*

ANNOUNCEMENTS

Chairman Chagnon: Okay, that brings us to announcements on our agenda. Are there any legislators who have an announcement for the good of the order?

Legislator Larson: Thanks you, Mr. Chairman. Jamestown legislators may not be as frequent in making community announcements as other legislators, but this is a special one and with the absence of our dear friend, Dennis Webster, from WJTN Radio, he won't be part of promoting this so I'll do the best that I can. There are not many traditions in our County that are officially 100 years old but the Jamestown High School Acapella Choir is one of them. This is their 100th anniversary and continuous and unbelievably, only 5 directors over those 100 years. The Jamestown High School Acapella Choir will be performing on Sunday, December 8th at 4:00 p.m. at the First Lutheran Church in Jamestown. The church has a seating capacity of close to 1,000 people. On Saturday, December 14th, Saturday this year, instead of Sunday again, Saturday, December 14th at 4:00 p.m., in honor of the 100th anniversary, I understand there are 250 alumni who have already signed up to sing as part of the performance that day so in honor of the Jamestown High School Acapella, I would invite you to do yourself a favor for this holiday season and attend either Sunday, December 8th at 4:00 or Saturday, December 14 at 4:00 p.m. The First Lutheran Church is just 1 huge church, 1 block east of the Jamestown High School property. Thank you, Mr. Chairman.

Legislator Nelson: Yeah just to piggy back off of that. The Jamestown Holiday Parade and tree lighting is Saturday, December 7th at 6:00 p.m.

Legislator Scudder: Legislator Parker and I would like to invite everybody to Fredonia to check out the White Inn. The White Inn is open for business. I don't think they would mind if you even came up and sat on the porch and walked around inside. It's all new, it's all done and it looks fantastic so if you get the opportunity, come on up to Fredonia and check it out.

PRIVILEGE OF THE FLOOR

Members of the public may comment on any subject.

A member of the legislature may speak on any subject.

Individual comments are limited to 3 minutes and comments representing a group shall be limited to 5 minutes.

Hi, I'm Jim Wehrfritz, 4433 Lakeside Drive, Bemus Point and I'm President of the Chautauqua Lake Property Owners Association, the CLPOA. The CLPOA is a 501c3 non-profit supporting the interests of property and business owners and lake users in and near to Chautauqua Lake. I wish to thank Legislators Chagnon, Proctor, Heiser, Gustafson, Vanstrom, Penhollow, and Scudder for sponsoring, the Planning & Economic Development Committee for endorsing, and the Legislature for approving Resolution No. 290-24 last month. A letter to Governor Hochul "Requesting Governor Hochul Delay the Implementation of the New Proposed NYSDEC Wetland Regulations Until All Issues Can Be Fully Understood and Addressed" followed. The Chautauqua Lake and Watershed Management Alliance on whose board County Executive Wendell, Legislature Chairman Chagnon, and Legislator Proctor sit, approved a resolution with identical wording last week. They are in good company. Our Congressman, our State Senator, Assemblyman, and his recently elected replacement, all but one lakeside municipality boards, the CLPOA and the Chautauqua Lake Partnership, have publicly opposed the flawed, incomplete, and harmful regulations. Only the Chautauqua Conewango Consortium and the Chautauqua Watershed Conservancy support them. The Town of Chautauqua and the Chautauqua Lake Association have remained silent and are assumed to be supportive as well. We hope the Governor will act prior to the regulations' planned implementation on January 1, 2025. In the meantime we'll be gathering resources and preparing for litigation to protect property and business owner and lake user interests when the DEC begins enforcement. Our request to you: attend "Wetlands" Public Meeting #6, Saturday, November 23, 9:30-11:00 am at The Lawson Center in Bemus Point, to learn more about how this will occur, what's being done about it, and how you can assist. We won't put you on the spot if your there. Changing gears and on a much more hopeful note. Many Chautauqua Lake studies have been completed over the last 50 years. In fact, "Chautauqua Lake studies", typically lacking actionable recommendations, with recommendations "watered down" to gain consensus, or with recommendations not fully implemented, are a recurring disappointment among year round and seasonal residents and lake users. However, we now have two excellent opportunities which could result in significant lake improvement and facilitate more well organized and appropriate County involvement, improving the lake and maintaining the County tax base to the benefit of all in the County. First is the recently announced US Army Corps of Engineers "Chautauqua Lake Aquatic Ecosystem Restoration Study". The Corps' project experience and approach, with a clear focus on actionable recommendations, differentiates it from the many other studies which have been and are being conducted on the Lake. We're guardedly optimistic. As such we see this Corps study as truly the "Last and Best Hope for Chautauqua Lake", a study which must be effectively supported by the County. In last month's Legislature meeting and in a subsequent letter to the Chairperson and

County Executive we identified five requests of the County necessary for a successful core of engineers result. We're awaiting responses to our requests to meet with Mr. Chagnon and Mr. Wendell to discuss. In support of one of our requests, the CLPOA developed and provided the Corps a list of 65 previous Chautauqua Lake studies. Second, at the urging of the NYSDEC and the Chautauqua Lake Partnership, the Chautauqua Lake and Watershed Management Alliance, in early 2023, funded the development of the "Long Term Management Plan for Submersed Aquatic Vegetation at Chautauqua Lake." The was completed and issued by the North Carolina State University Aquatic Plant Management Team and Dr. Rob Richardson highly-respected leaders in lake management, in June 2024. It is professional, complete, with a balanced science and technology-base, and of a quality never seen before on our Lake. Credit for the Plan's concept and proposal goes to the Chautauqua Lake Partnership and to the Alliance which funded it. The CLPOA claims no credit for it but is committed to its use on behalf of property and business owners and lake users. Our request to you: familiarize yourself with the Plan on the Chautauqua Lake Partnership or Alliance websites, consider its adoption, and encourage the Alliance and the nine lakeside municipalities to do the same. Thank you for your consideration.

Karen Engstrom, Town of Chautauqua. As a fourth generation resident of Chautauqua County and native, I would like to express my thanks for the beauty and the quality of life that we share here and the bounty that is provided by our County for all of us and I'd also like to share with you some information that will hopefully will make an effort to keep it just this way. Our region is again being targeted by industrial solar, industrial wind and industrial battery energy storage systems. BESS. There are more than 100 battery energy storage systems in the State pipeline targeting our area. BESS is dangerous, it is wasteful. The 100 megawatt BESS that is already planned and announced will cost us 100 million dollar for 100 megawatts. 100 million dollars for a battery energy storage system that will last 2-4 hours. The cost in tax dollars and rate increases will force more business and residents to flee our region. The materials to build BESS operations and solar developments cause huge waste and destruction in the source countries far away from us and become a disposal nightmare here. We may say its clean here but it is not clean where it comes from. The materials and the manufacturing of these are unacceptable. The rationale for destroying the forests, the agricultural land, the tourism related based economy that we all enjoy, the rationale for this or the reasoning that is given is that CO2 is a poison. But this rationale does not exist. There is still only .04% less than 1% of the atmosphere is carbon dioxide. .04%. Life on earth has flourished when there was hundreds of times more CO2 in the atmosphere. The CO2 cycles. It does not accumulate, it cycles through the oceans, the soil and the plants, that use it as food to produce everything that is life on earth. It is vital to life on earth so it cannot be used to justify these destructive aspects that are being forced upon us. New York's electricity rate at 28 cents per kilowatt hour is one of the highest in the Country. There is very little transmission that could even accommodate any increases in production. The wasteful, harmful, battery energy storage systems can be stopped. The governing can place a moratorium on all BESS development through moratoriums, pilot, denials and the local officials can prevent this State from turning our region into an energy colony, which is what it has becoming, an energy colony for down State, thank you.

MOVED by Legislator Heiser, SECONDED by Legislator Buchanan to adjourn.

Unanimously Carried (8:02 p.m.)

Respectfully submitted and transcribed,
Olivia Lee, Clerk of the Legislature & Kristi Zink, Deputy Clerk, Nancy Quattrone, Senior
Stenographer