

## MARCH 12, 2020

The regular meeting of the Town of Hartland, County of Niagara, State of New York, was held on the above date at the Town Hall, 8942 Ridge Road, Gasport convening at 7:00 p.m.

Members present:

Supervisor:	W. Ross Annable
Councilman:	Joseph Reed
	Clifford Grant
	David Huntington
	David Hill
Attorney:	David Haylett
Highway Sup't.:	Keith Hurtgam
Assessor/ CEO:	absent
Admin Asst.:	absent
Attended by:	Sign in sheet attached

Supervisor Annable called the meeting to order with all present standing for the pledge to the flag.

Supervisor Annable announced that in light of the Coronavirus, the Town of Hartland will make decisions as the situation dictates. This is a new concern and there may be a time when we will have to cancel our meeting and it will be rescheduled.

### Minutes

#### **RESOLUTION 48-2020**

**MOTION** by Councilman Huntington, seconded by Councilman Grant to adopt the minutes of the February 13, 2020 regular meeting as presented.

Ayes: Annable, Reed, Grant, Huntington, Hill      Nays: 0      CARRIED

#### **RESOLUTION 49-2020**

**MOTION** by Councilman Huntington, seconded by Councilman Grant to adopt the minutes of the February 19, 2020 work session as presented.

Ayes: Annable, Reed, Grant, Huntington, Hill      Nays: 0      CARRIED

**RESOLUTION 50-2020**

**MOTION** by Councilman Hill, seconded by Councilman Grant to adopt the minutes of the February 24, 2020 work session as presented.

Ayes: Annable, Reed, Grant, Huntington, Hill      Nays: 0      CARRIED

Abstract of Bills

**RESOLUTION 51-2020**

**MOTION** by Councilman Reed seconded by Councilman Huntington resolved that the following bills, as prepared by the Clerk and having been reviewed by the Town Board, be authorized for payment in the following amounts:

Voucher #'s	202000214 - 202000297
General:	46941.21
Part Town:	994.81
OWD:	8985.81
Highway:	81504.73
Refuse:	26945.78
Total:	165372.34

Ayes: Annable, Reed, Grant , Huntington, Hill      Nays: 0      CARRIED

**ASSESSOR / CEO REPORTS:**      None

**CEO**      None

**HIGHWAY REPORT:**      Read and filed

Plowed and salted roads as necessary, since there has not been much snow. Patching and milling blacktop. Truck #51 has been completed and the finishing work is being done by the Town mechanics.

**CEMETERY REPORT**

Surplus equipment



**WHEREAS:** NYS is a Home Rule State, which basically means that any and all powers of the State emanate from the people.

**WHEREAS:** Per the NYS Constitution, Article IX, it is our statutory obligation to protect the health, safety and welfare of citizens of our community.

**WHEREAS:** On February 21, 2020, Governor Cuomo proposed a Budget Amendment “to dramatically speed up the permitting and construction of renewable energy projects”

**WHEREAS:** This amendment could be passed with the Budget by April 1<sup>st</sup>, replacing the current Article 10 process with a radically new method for siting renewable energy projects.

**WHEREAS:** This amendment will effectively remove any meaningful input from citizens, towns, counties, local environmental groups, and community businesses regarding the siting and regulation of renewable energy projects.

**WHEREAS:** The new process is structured such that scientific data, or testimony from qualified experts, will have little bearing regarding siting regulations and approval.

**WHEREAS:** Once the application is submitted, the new Office of Renewable Energy Siting (ORES) has 60 days to review and determine if it is complete. If the ORES decision is not made in that time, the application is automatically deemed complete!

**WHEREAS:** Once an application is determined to be complete, ORES has 12 months to approve the project. If the ORES decision is not made in that time, the application is automatically approved! There is no provision for extending this time limit.

**WHEREAS:** The Governor’s proposal also seems to indicate that the State might get into the ownership and/or operation of renewable energy generation. Such a profound change would also severely limit the ability of local communities to regulate such industrial projects.

**WHEREAS:** All of these proposed changes are not only in conflict with our Home Rule rights, but are also contrary to our obligation to protect the health, safety and welfare of our constituents.

**RESOLVED:** The Town of Hartland formally requests that this Budget Amendment be withdrawn before the budget is voted on. Additionally we petition the State to respect our Home rules rights, and to defend our authority to regulate renewable energy projects as the citizens of our community see fit.

Ayes: Annable, Reed, Grant, Huntington, Hill      Nays: 0      CARRIED

**OPEN PUBLIC PARTICIPATION**

Supervisor Annable answered to the concerns that had been addressed since the last meeting. He stated that from the beginning that this will take time to study and understand the process. We are gathering information from independent sources, attending sessions, workshops, etc. to gather as much information that we can, each month we hear the same information at our meetings. We have shared the information that we have gathered so far and no matter what position you take, you must have the science behind the project to back up your argument. We have prepared a fact sheet with the concerns that reads as follows:

The solar project will take up 27% of the farmland; actually, it will only take up 17% of our total farmland.

Hunting: there are no regulations concerning this issue, other than shooting at the panels. It is up to the landowner, who can hunt on the property, they must give you the permission.

Property values: There has been nothing definitive either way.

Chemical Contamination: There is no cadmium in the panels that are used today.

Battery Storage: The board has met with fire officials and with all 5 of the fire companies that serve Hartland, at a meeting with officials from Boston and New York City. It was a very informative meeting. NYS has the highest code and all officials have agreed that this is a manageable risk. There is no 5 mile radius, there is a 50 foot radius and that is worldwide. The fire company fights as standby and allows them to burn out, at the Arizona fire, they opened the doors and the fire then exploded. The batteries are the same size as C cells, they are on racks, enclosed, vented and monitored with air conditioning. Firefighters will respond as standby and let the fire burn, the suppression system is built in and the only time to put water on them is if the fire escapes. There are no chemicals needed to put out the fire. All stated that they were more concerned over car battery fires, not these. They stated, also, that there are more chemicals from a house fire because of the articles in the home.

These are the facts that we have learned through education.

Councilman Huntington added that the pieces of equipment that the fire company needs will be provided. Hazmat is not concerned and sees no problems.

Supervisor Annable continued to state that there is no need for an evacuation route. Mount Morris is ahead of us with their project and they have not had any concerns in this regard.

Power to the grid: We do not know where the power will go to. There are all sorts of green energy now that goes into the grid to use where needed.

Revenue/ Loss of tax base: The benefit of this program in dollars to the Town could be if we decide if we can lock the tax rate for the life of the project. One half a million dollars to the

Town of Hartland would allow us to freeze the tax rate, our tax rate is less now than it was 12 years ago, this will not continue forever.

When the poll comes out, you can decide what is important, what is the benefit to the residents, will there be a community agreement, if not through Article 23.

54 sunny days: The new panels with the improved technology will pay for themselves, the solar does the work.

Subsidies: NYSERDA gives lots of subsidies now; STAR, airlines, farmer's exemptions – millions of dollars, all these programs receive benefits from subsidies and grants.

Damage to the roads: The farmers, now, do a lot of damage to the roads, this was just a recent issue, this project will have bonding to repair the roads.

We have talked to a couple of different law firms and we are looking at a couple more. We will hire an attorney for the Article 10 process who has experience in this area.

Supervisor Annable opened the floor for questions from the public.

James Minner, Stone Road, stated that the Supervisor has spent time with answers, with reasons as to why he supports this project. Mr. Minner said that he had attended the same meeting and since that meeting was not open to the public, there will be a recording made available to those interested. It was very clear that EDF had paid the Boston Fire Company personnel to be there. There were paid consultants from EDF to support them. EDF probably paid them \$20,000.00 to say what they wanted them to say. It is clear that this project here is massive in scope, 160 containers, here in Hartland, Arizona had one. The County Hazmatt could probably take care of them. The County lawmakers have opposed the Governor's energy plan. We have a small amount of firefighters that come out to a fire, Boston has 1500 firemen, we may not be prepared. With 17 – 27 % of the farmland being used, not being able to hunt within 500 feet of a structure – the NRA supports the local coalition, County Legislators have supported the coalition. You have come to us with all of your arguments, but if your town is against it, if you need to do a poll, it will make it self-evident, we had 170 signatures just this past weekend. Even if this is 100% safe, you have an obligation to honor the will of the people as elected officials. It is good to know the facts, but EDF paid those people to come, the bottom line is that the people of Hartland don't want this here and it continues to become evident. You come to us with all your arguments, but if your town is against it, if you need to do a poll, it will make it self-evident; we had 170 signatures just this past weekend. Even if this is 100% safe, you have an obligation to honor the will of the people as elected officials. It is good to know the facts, but EDF paid those people to come. The bottom line is that the people of Hartland don't want this here and it continues to become evident.

The NYS chapter of the NRA supports the coalition against the project because they know that this will impact the Town of Hartland, you can't put an industrial power plant in the county and not impact the Town of Hartland. What started as a fight in Hartland is now across the entire State, a fight with Albany, and we will continue to fight. We have a group that is fighting to protect everyone here until the town decides to join us, that is our hope.

Supervisor Annable stated, we will let the people of the town make that decision while the petitions get our attention, but I have had people say that they signed them because they wanted the people off their porch. One person said that they were told that the Supervisor was receiving a kickback from this project, this I not true. I have been in law enforcement for 40 years, honesty has been my trait for 40 years, I'm not trading anything off the the Town of Hartland.

Minner continued to say that he went around with petitions and there was an overwhelming response that the people of the Town of Hartland don't want this.

Annable stated that there is a group, Solar United for Hartland and Newfane, they have handed in petitions also, in support of the solar project. With a statement for support the Solar Ridge Project, so not everyone is against this. We will do the polls at our homes, when this is finalized that is the position that the Board will take. There are 2 agendas, everyone has an agenda, we won't be handcuffed by one group. We need a statement of facts not a statement of support. If you want support, then you must have scientific facts, we won't stand in front of a judge and all these things, if they are not true, it has to be backed up by science, because we will not be discredited with things that are not true. It was not just EDF that came and attended these meetings.

Minner stated that the project is a violation of the Town of Hartland code.

Supervisor Annable stated that Mr. Minner has said enough.

Peggy Zaepfel, Chapman Road, It was August 2019 that the people were first informed, concerned citizens want to know as to how and why this could have happened, it is out of the guidelines of our zoning laws, our comprehensive plan. The Amish had come before the board and they were told that their plan was outside the local laws and were sent out of town. I have seen other businesses jump through hoops to comply with our laws in order to preserve our rural character. We have seen people do what they were supposed to do to follow the law, this project just couldn't happen with our laws. Then we heard of this project and we asked how could this happen? Total lack of transparency, after months of attending meetings, it is apparent that EDF paid a lot of dollars to canvas our town and offered payments so large, it was hard to refuse. Why were they allowed to ask landowners to sign over land of this industrial size in a non-industrial area? For months EDF was allowed to sell their products, without opposition and under the radar. This issue has pitted neighbor against neighbor. The argument that people should be able to do what they want with their own property is not a reality. We have laws that tell how many horses you can have, how big a house you can build and how you must build it,

set backs, rules for ponds and special use permits, etc. For 7 months we have waited or the board to do their due diligence with so called unbiased 3<sup>rd</sup> party experts, talking with experts paid by EDF is not a non-biased opinion. Could you please inform the public with the results of this investigation? Our attorneys have told us that time is of the essence, EDF has used expensive ads and propaganda to sway the minds into thinking that our town supports this takeover, the Town of Hartland will of the people is being ignored, despite all the petitions. We implore the Board to fight the desecration of this beautiful town and our way of life. Last week the Governor amended the proposal to further his projects, he will be able to ramrod his solar and wind agenda over local laws and local people. Our local officials are fighting back to save home rule against the Governor, people clapped tonight when you voted against Article 23 because that is what we want.

1. You say that we need a poll, people who do not want to sign the petitions were never forced, no one signed just to get us off the porch. Some supported solar and others said that they didn't know enough about it.

2. We ask that the organization look at the poll before it goes out because it could present questions in a way to get the answer that you want. Cuomo has an agenda and he will run over anyone, anytime and anyway. A lot that Cuomo has created, even with all the guarantees, he could change his mind. Cadmium, lithium batteries, there is not enough information, there are no projects this size, we don't want it here. The person from homeland security, was not paid to speak, we didn't lure him here, his is someone who saw and spent his life protecting people from making bad mistakes and this is one of the biggest. This is someone who has spent a lot of time trying to educate people.

Dan Slack, Drum Road, works in Lancaster, the company got solar panels, through a NYS grant, for electric. Slack presented a report for year to date graphs of performance with kilowatt hours. The months of July and August were great, however, the rest of the year was not good. He stated that he is afraid that if we go through all of this and they don't make their money, no one else does either.

Kevin Ward, Ridge Road, stated that at all of the meetings, they say that solar doesn't ruin farmland, pesticides do. How are the panels anchored down?

Annable said that the panels are supported with 2 screws, not cemented in. We wondered how it could be farmed if it was cemented down. We would never enter into an agreement without an upfront guarantee to provide removal by the company. There are monies set aside for the removal of the panels. He had spoken with the Supervisor in Newfane and the solar farm there is now working.

Charles Smith, Ridge Road, stated that this is Cuomo's power grab and we should be scared. We elect you to represent us, the power is supposed to spring from the people and if he gets his way, we will not have a say. We need to stand up to Governor Cuomo and his power grab from the



top down. Will he take our Town away from us? To say if we don't want it, you will not put it out there, also for State funded mandates?

Supervisor Annable answered that we do stand up, the problem is the downstate legislative control, even if our local leaders vote against it, we don't have enough votes. Every year we do a resolution to support of local law, we have a lot of bad laws that Governor Cuomo has mandated, I agree, but we must follow. We have a lot of issues and protocols to follow, this is just one, but we don't have the votes like downstate.

Floyd Zaepfel, Chapman Road, state that there have been 35 solar companies that have gone belly up over the last 5-6 years. If this company does go bankrupt, how do they project the cost and where do the funds come from for the clean-up?

Annable said the funds will be put up- up front they will already be deposited. A cost analysis is done with inflation rates built in over 30 years.

Zaepfel asked if they project the cost that money would be in escrow before the deal? If they put in 1000 solar panels, take them down and haul away to wherever?

Annable answered yes, the Federal and State have enacted a law because of the failed projects and have been paid for by the taxpayers. If they went bankrupt, probably another company would buy them.

Hannah Bucholz, Ridge Road, mentioned that there was another meeting scheduled for March 28 but was withdrawn, this would have been an opportunity to educate and inform the community about how the solar project would impact a community on fossil fuel. Anti-solar point to the environmental impacts and that this would not be visually pleasing. They do not own the land and cannot make decisions for others and have not right to dictate what others do. Solar advocates realize we need to decrease the demands on fossil fuels, we need clean energy and the tax revenue that will benefit the Town of Hartland. The anti-solar point to the change of the rural nature of our community. The unsubstantiated negative environmental impact is often sighted, but documented information on the harm that farming has done to the land, the water tables, the use of pesticides and loss of habitat is ignored. Yet many of the opponents of the solar do not own the land. Hannah continued to state that she understands that what is considered visually pleasing is an individual choice. There are many sights in the Town of Hartland such as visible commercial signage, broken down cars, farm equipment awaiting repair, outbuildings abandoned and torn down houses. My personal opinion on the aesthetics really doesn't matter and I have no right to dictate what other people do on their land. The anti-solar advocates should grant their fellow landowners the same courtesy.

Hannah asked for a moment to address the rumors about the Coronavirus. There is alot of panic and rumors of conspiracy. You need to search the CDC website for accurate information. This is the same pathogen as the flu but more aggressive. COVID19 is more worrisome for the over 65,

there is no vaccine and we must exercise the same precautions as the flu. This doesn't mean that all Chinese people will carry this virus. COVID19 is not race or ethnic based as many people have confused distinction. Because the ground base is in Wuhan, China does not mean all Chinese people are carriers and will not infect you. It doesn't care about race, income or status.

Ray Sullivan asked if the scientific evidence, does this come from EDF? The article in the US&J from the University of West Virginia about the now failed solar is an India government disaster. We need more information about the disasters of solar. We tried to find any information, but most of what is written is from the solar companies themselves. India will run until the subsidies disappear and then try to figure it out. Most of the data about efficiency is based on high noon power. We are turning our whole state into a grid. Climate scientists went to West Virginia, who said even with wind and solar, we are still in a hole. How do you make up 2000 one upstate and 3000 one here? What are we going to do with all this "green"? If we are just getting our information from EDF, we have a serious problem.

Terri Farina, Ridge Road, said that the report from the Washington times US Fish and Wildlife in California, the panels are acting like mega traps, they are killing the birds. The entire food chains are being disrupted. Forensic farm studies said 237 birds cause of death was listed as flying into the solar panels, exposure to temperatures over 8800 degrees F. The panels look like water, called the lake effect, then those who fall to the ground and can't fly are caught by predators. Reports of their feathers catching fire, they attract insects and other predators. Hundreds of butterflies, attracted to the light off the panels are dying, thus attracting more birds.

A couple in England tried to sell their home that had solar panels, they found a buyer but couldn't sell because of the contract with the solar company, the owner had to buy out the contract, they couldn't afford it and then couldn't sell. We don't know who is responsible here in NYS, about hunting on the property, the landowner, insurance company? These are questions that need to be answered long before any agreements should be signed.

Don Bucholz, Ridge Road, stated that the solar flux does set birds on fire, it is like flying through a magnifying glass, this not what they are doing here. The Farm Bureau says that they advise homeowners to have insurance on their land and the solar companies have insurance for this also. The 2020 NYS hunting and trapping rules state that the discharges of firearms, crossbows/arrows is illegal over highways, schools, churches and swelling, structures with occupation unless you own it or have consent to hunt.

Jeremy Verratti, landowner, lives in Royalton, owns land in Hartland. There is lots of misinformation – a quote from the opposition-“we can disagree on facts”. Mr. Verratti thanked the Town Board for the facts. He stated that many people support the project and would enjoy a reasonable conversation, but they can't have that, he certainly doesn't want to have a conversation with opposition the real fact. It is a situation where you want to invoke fear and win at all costs, it get challenging to have some sort of reason. When you are going door to door,

what are you saying about this project, if you are going door to door to sell a product, the Better Business Bureau will hold you accountable. You should have facts and share good information, should be holding each other accountable. EDF has encouraged me to get our own attorney, get independent experts, do the research. EDF has 1100 employees based in California. Mr. Verratti does think that renewables are the future, how do you compete with a free energy source that comes up every day, no moving parts, the sun comes up, you harvest the electricity – this is the genius here. With coal, you got to dig it, put it into a cart and then burn.

There are a tremendous amount of people who won't come to the board meetings, because it is too much of a risk to the business owners, they are too uncomfortable, too much yelling. There are lots that aren't landowners who are surprised over the opposition, windmills, yes, I get that, but solar- no, what is the problem?

USES, Untied Solar Energy Supporters, a group of farmers, local trades, students and environmentalists who want to educate about the harvesting of the sun. There is value of harvesting sunshine for renewable energy. A meeting, with experts, was planned for March 28 has now been changed to a webinar – go to [www.USFSny.org](http://www.USFSny.org) A meeting with SUNH, Solar Untied Newfane Hartland, was planned, but the opposition planned a meeting for the same time. There is a demand to educate the people, before any big decisions are made. Don't think that everyone in Town is against it. There is a terrible amount of misinformation out there. Mr. Verratti is hoping to get signatures in favor, but won't be a door to door salesman.

Floyd Zaepfel, stated that he is 75 years old, retired, believes that we have missed the point, he has a beautiful home and we could potentially have solar panels across the road, it breaks my heart because I'm here and I love this area. I understand the financial investments, what is the real issue here, we can argue the facts, I don't want to move out of New York State, but I will if I have to. My concern then is what to I do with the house, there is a lot of emotion. I caution everyone, this is what is happening to our country. If you think that I don't dare go there because of the opposition that is too bad. I have seen the enthusiasm of people traveling around, there was no high pitch sales. We need to come together and respect everyone, make our own decisions. I respect the young people in this area, a lot of my neighbors, it breaks my heart.

Leo Shannon, Seaman Road, Cuomo gave Tesla \$930 million of our tax dollars to build – 2 weeks ago Panasonic pulled out. Before this was built, the Governor told us that this would provide 1200 jobs at \$23.00 /hr. with full benefits that never happened. Only 400 people actually worked there and last week they moved \$50 million worth of equipment to the Aerospace Station, we own that equipment, we paid for it. Why did Cuomo allow this, when the jobs didn't come, why wasn't there a penalty to be paid by Tesla – they knew what was happening. I worked, I picked up waste at Aerospace, all that equipment is electrical, what will happen to that equipment, it will be ruined because of moisture, it needs to be climate controlled.

When you say that EDF will put enough money up to clean up, don't believe it, Cuomo will side with EDF, like Panasonic and Tesla. Has any Town board member been contacted, in writing, by Emergency Management of Niagara County, on how to handle this?

Supervisor Annable answered that no one has anything in writing, the Hazmatt team does not see a problem, they feel it is manageable. The Hartland Fire Co. will have a letter, stating their position on the solar batteries.

Shannon asked what is the response by the Niagara County Emergency Management, if on blew up, how to handle it – we need this in writing, will they go to the radio stations to advise everyone?

Annable said that they do have protocol on how to handle, they have procedures by all local fire companies. They would sit and contain and watch to make sure that it burns itself out that is their protocol. We do not have anything in writing, but we do have mutual aid contracts with Niagara County fire departments on file.

Councilman Grant added that the New York State Volunteer Fire Company Association states that the Fire Chief has total control of any fire, he calls it. If he feels that he needs Hazmatt or another adjoining company, he call it, they have more power than anyone else.

Shannon asked if either committee have anything in writing in case it goes to court?

Annable answered that we would be using the National Fire Codes, we don't have rules and regulations on how to fight any on file, it is determined by their industry, like anything else, by their standards.

Shannon stated that our group is not misinformed, with the new trade deals with Canada and Mexico, there will be a need for more farmland for sileage for cows as compared to the dollars from the solar. We have great farmland here, where can we make more money solar or farmland? Land has to be more valuable to plant then it would be to put into panels. Does the Town have an environmental lawyer on retainer?

Supervisor Annable said no, we haven't hired one yet, we are interviewing ones specialized in the Article 10 process. The cost will most likely be around \$300.00/hour. We will have to incur the cost – no matter what the process is.

Charles Smith stated that on Saturday, no one tried to sell anything, only gave information.

David Snyder, Chapman Road, stated that he enjoyed 29 years as a Councilman. He understands that there is opposition on both sides. The Stated is broke, Medicaid comes out of the county, what else is the State going to cut? Cuomo doesn't have money in the cities, the upstate counties are financially solvent, so is the Town of Hartland with zero debt. It is going to cost more money to live in Niagara County. The school taxes for Barker aren't published yet, but will be

taking a big jump for those north of 104. Look at the age of the houses- the conditions and maintenance needed, what are they worth. There have only been 3 new houses built in the last year, we must have 5% growth in order to maintain, no municipality can stay ahead of the curve. We need to be sure to put to the finance committee with Article 10, many people could afford a 20% hike but the dairy farmers will not make any money. They need funds, farms have gotten poor, go to Wyoming County, the southern tier farmers are broke. With the solar panels, they can still stay on their farms. To put all farms without subsidies will be devastation in 10-20 years. Who will fall through the cracks – everyone. The worry about agricultural land – people need to look at Brazil, the rainforest burned because the Chinese want more soybeans, don't worry about farmland, we can put aside 20% and it wouldn't have any effect except raise the milk prices for the farmers they need that.

Steve Urtel, Hartland Road, stated concerns about the noise factor of the invertors. EDF said that each one was 82 decibels, one for every 15 acres needs an inverter. This is 130 invertors. My home is surrounded on 3 sides by them, 82 decibels is very loud, 85 decibels requires hearing protection. We need answers about the noise facts. Mr. Urtel thanked the Town Board for working to allow a new business to operate. Maggie's Café at Our Farm, this is what this town needs, a good thing to offer to our town, country things. We don't need acres of unsightly, industrial solar fences and noise. Put power hungry Governor in his place. Don't let him tell us how to run our town, help us defeat this man.

Mike Outten, Chapman Road, doesn't believe all the bunk out of the big companies, there is on agenda – Cuomo and his political agenda. There are facts on both sides, who do you believe? Big government likes to push small towns around, big companies have lots of dollars to push their information. The person that was brought in to talk to the fire company was paid big dollars to do what NYSERDA wants. If you want scientific facts, we will bring them to the Board, the board has had 7 months of due diligence, it time for an answer. Do the poll, great, but make it equal to both sides to see what is on it before it goes out. There are lots of NYS laws, you don't like some of those laws, but you are not following our won town law. A month ago you could buy hand sanitizer for \$2.00, now it costs \$20.00, so prices are not consistent, you can't determine the cost of decommissioning any of this. Big government can break the law. There are abandoned vehicles, buildings, etc. and CEO Hartman informs and enforces because the town is concerned about the safety and looks of the town. I am not sure that some are looking at the bigger picture of all this, arguing about 2000 acres is only on component of what is going on all over upstate NYS. There are 46 more projects in Niagara, Monroe and Orleans counties, solar projects keep going up all over Western New York. All will be covered with industrial solar, 1000 batteries, wind turbines – look at the bigger picture.

The coalition has 4 different towns, 5 more calls every week from across the state, is getting information from across the State, no one likes Cuomo. He doesn't care about any of our families, businesses, communities. Why would we entertain anything that he has to say, he has other projects proposed all across upstate NY now. Take the 46, the one right here and more in

2020, there are multiple phases to Cuomo's 2030 green agenda. He doesn't care who he destroys or whose community he destroys along the way, he wants to take our local voice away. His views on guns, abortion our rights, we can't stand by him. On Saturday while carrying petitions, 97% of the people that we spoke to are for this town and against this, we didn't bully anyone to sign they don't trust Cuomo, big government or billion dollar companies.

What are the facts, they will make a lot of money with the 40 year leases, we won't be around; what is the next generation going to have? EDF will make lots of money. EDF can afford \$20,000.00 just to bring in one person today it will be safe and beautiful.

They will create 4 new full time jobs out of all the State jobs. Cuomo is putting 400 man teams to build these- here today – gone tomorrow. Industrial solar, wind turbines, batteries, we are not necessarily against these, but they belong in industrial areas, not next to our homes, not in our farm communities. We love our town, we love our rural community, we love our neighbors and homes. We live in a rural community, why forfeit that.

Mr. Outten presented 125 more petitions to be added to the record.

Richard Herman, Chapman Road, stated that Governor Cuomo is talking every effort, with Article 23, to make NYS carbon neutral, calling carbon dioxide bad. But .03% is in the air that we breathe, not much trace gas, it is ridiculous to make NYS carbon neutral. All of our food comes from carbon dioxide, we have to make extra to make our plants grow good, Nebraska is growing and can't get enough carbon dioxide in the greenhouses. The greenhouse have carbon dioxide generator, they have to make more for the plants. EDF, out of France is a socialist country. EDF buys the panels from China, which is a communist country, this fortifies our enemies and their efforts by the socialist and communist to get rid of capitalism.

Darryl Lindahl, Quaker Road, stated that he moved from the city to here 11 years ago because of the county living, now you want to bring this here and choke us out of our final home. This will be a 3000 acre footprint and most will have to be fenced in.

The Town code states that artificial lighting is to be shielded from all roads. My family has lived with lighting shining at the roadway and into our home and gone through months of hell. The Code Enforcement Officer cannot do anything about the situation. Mr. Annable, you attended the meeting when Mr. Heitzenrater applied for permits. He had previously built a barn behind Boyers and then moved the barn, he, along with co-conspirators in Newfane, were in trouble, others went to jail, he did not. He has threatened us 2 times, Sheriffs have come, still nothing has been done. Why is CEO Hartman afraid to confront him, I am not going anywhere. I had informed him of illegal burning when he fire move in, her told me to call the DEC, I did. Shortly afterwards he put up these lights. Christmas morning they were shooting within 379 feet of our house, the DEC gave them a warning, he has an ongoing battle with DEC, repeat offender, going to court. He could be fined \$1000.00-10,000.00. We are not going to continue to put up with this, we would like and outdoor lighting ordinance passed, I will get a lawyer, if needed. There

must be something in environmental law. Are the lights illegal, they went up after the final inspection. I am not letting up, the glare could cause an accident.

Supervisor Annable said that the board will look into the matter.

Carol Slack, Ridge Road, commended Councilman Reed for stating that his interest in the solar was based on financial gain, she thanked him for being honest. She stated that the Town of Hartland does mailers for garbage, but didn't do one about the solar project, this is a priority issue here. There is no guarantee that this will stabilize taxes, when you speak facts, you mentioned that the Mount Morris has had no problems with the batteries – but that project has not even been built yet. Home values around Somerset are not valid because they bought out those homes before they built the project and bulldozed them down.

Annable stated that this project has the ability to stabilize the tax base. He also answered that Mount Morris is in the process of building the solar site.

Terri Farina, stated that while projecting that taxes will be stabilized, in Niagara Falls they relied on casino money and now they are in trouble. When you say that if people want the view, then pay for the view, don't you want people to come, bring their kids and grandkids to places like Billy's Beef and have a grand time. Keep it local, I don't think people want to look at solar panels jail yards with barbed wire fences. How will we attract young couples with kids we need to save our future. We have enough problems now with hospitals closing, now where to give birth. We want people to drive by, look at a house, and decide to fix it up and think that they can look at the view. People pay big dollars for the view, they want the view. Best way to them here is by places like Billy Beef.

Richard Herman asked where does EDF get the power to run the batteries to keep the HVAC running?

Supervisor Annable said that he would get that answer.

Councilman Huntington stated that Maggie's diner was very good.

Charles Smith quoted Martin Luther King when he said "you don't have to obey an unjust law" he added that we better start conveying this to our officials in Albany.

Adjournment

### **RESOLUTION 54-2020**

**MOTION** by Councilman Huntington, seconded by Councilman Reed that since there is no further business to come before the board, the meeting be adjourned at 9:05 p. m.

Ayes: Annable, Reed, Grant, Huntington, Hill      Nays: 0      CARRIED

Respectfully submitted:

Cynthia S. Boyler, RMC

Town Clerk