

**TOWN OF NORTH HARMONY
TOWN BOARD MEETING AGENDA
MONDAY, AUGUST 12, 2024, 7:00 PM**

- **PLEDGE**
- **MINUTES: 7/8/2024**
- **ANNOUNCEMENTS:**

BUDGET REQUEST DUE BY THE END OF AUGUST.

- **PUBLIC COMMENT:**

The Town of North Harmony welcomes public comment by all. We ask that they be brief (3 minutes or less) as a courtesy to the business nature of the meeting and others time constraints. If you wish to have an interactive conversation with the board regarding a specific matter or concern, it would be greatly appreciated if you request to be placed on the agenda and provide an outline of the matter you wish to discuss at least one week prior to the meeting. You may do this by contacting the Supervisor or the Town Clerk at (716)789-3445. Thank you for your Courtesy!

- **RESOLUTIONS**

RESOLUTION #37 OF 2024 – OPPOSING OFFSHORE WIND FACILITIES IN LAKE ERIE

- **CORRESPONDENCE:**

The following correspondence has been received by the Town of North Harmony and is available for review at the offices:

ASSESSOR – MAY PROPERTY TRANSFERS: A/V: \$295,200.00 S/P: \$160,000.00 (-279,200.00)

ANNUAL UPDATE DOCUMENT COMPLETED

- **OLD BUSINESS**

ANNE GOLLEY, ASSESSOR – MOTION TO ENTER A CONTRACT.

LETTERS OF INTENT FOR PLANNING AND ZONING BOARDS

- **NEW BUSINESS:**

PHIL STRAND – MOTION TO ACCEPT RESIGNATION FROM THE PLANNING BOARD

JAMES GOODLING – MOTION TO ACCEPT RESIGNATION FROM THE PLANNING BOARD

HOWARD PEACOCK – APPOINTED TO HARMONY AS ACTING JUSTICE – EFFECTIVE 8/15/2024

MOTION TO APPROVE AMENDMENTS TO BUDGET.

MOTION TO AUTHORIZE THE CHAUTAUQUA REGION MUSIC ALLIANCE TO UTILIZE THE FERRY LANDING FOR A REST STOP FOR THE CHQ GRAN FONDO BIKE RALLY ON SAT. 8/17/2024 FROM 10AM – 4 PM. (COI SUBMITTED)

MOTION TO AUTHORIZE THE CLP TO SUBMIT AN APPLICATION FOR HERBISIDE ON BEHALF OF THE TOWN OF NORTH HARMONY

- **ALL OTHER BUSINESS AS NECESSARY**

RES. NO. 37 OF 2024

OPPOSING OFFSHORE WIND FACILITIES IN LAKE ERIE

At a regular meeting of the Town Board of North Harmony was convened in the public session of the Town Building, 5350 Stow Road, Ashville, New York on August 12, 2024, at 7:00 o'clock P.M. local time. The meeting was called to order by Supervisor Robert Yates and upon roll being called, the following were:

PRESENT:

ABSENT:

Resolution by:

Seconded by:

WHEREAS, NY State has passed the Climate Leadership and Community Protection Act (the Climate Act) calling for 70 percent of electricity in the state to be produced by renewable resources by 2030, and 100 percent of the state's electricity be generated by renewable resources by 2040; and

WHEREAS, Congressman Nicholas A. Langworthy has voiced deep concern on the addition of Wind Turbines and introduced legislation to curb this negative development. H.R. 426, the *Lakes Before Turbines Act* would protect our environment and local economies from ill-conceived wind energy projects on these waters.

WHEREAS, wind energy has been designated by the Climate Act as an essential form of renewable energy; and

WHEREAS, there are a number of commercial wind energy facilities operating in Western New York, with more in the planning and permitting stages; and

WHEREAS, NY State's power grid manager New York Independent Systems Operator (NYISO) has determined the Western New York zone of grid to be 89 percent free of carbon emissions in the generation of electricity; (5), and

WHEREAS, NYISO has described the lack of electricity transmission facilities capable of transmitting electricity from Western New York to downstate grid zones which are 90 percent dependent on fossil fuels for generating electricity; (6), and

WHEREAS, the New York State Energy Research and Development Authority determined in 2022 that this is not the right time to consider constructing offshore wind facilities in Lake Erie; (7), and

WHEREAS, the offshore wind industry is experiencing global difficulties related to inflation and supply line shortages as evidenced by the recent NY State Public Service Commission decision denying industry requests for higher power delivery rates: (8), and

WHEREAS, the long planned Lake Erie offshore wind energy project known as Icebreaker Wind near Cleveland, Ohio, has recently been suspended (8a),

WHEREAS, questions concerning offshore wind energy facilities in fresh water bodies remain unanswered such as these which are not included in the NYSERDA reports of 2011 and 2022:

- + What assurances that toxic industrial wastes in the lakebed will not be disturbed to endanger safe drinking water and enter the food chain of Lake Erie's fish and bird species (9)
- + How would the placement of offshore wind turbines in Lake Erie affect the migratory pathways and behavior of economically important game fish (10)
- + What would be the impact on tourism of placing wind turbines in Lake Erie (11)
- + Specifically, how would offshore wind turbines in Lake Erie contribute to the emissions reduction goals of the Climate Act (12)
- + How would the radar interference created by offshore wind turbines in Lake Erie affect the safety of shipping, recreational boating, search and rescue operations and international border security (13)
- + How would microplastics and toxic chemicals like BPA and PFAS emitted by wind turbines impact water quality and the ecology of Lake Erie (14)
- + How much oil and other petroleum products are contained within each offshore wind turbine and how would oil spills from wind turbines be mediated, and other maintenance performed during annual periods of ice coverage on Lake Erie (15)
- + How would noise and vibrations emitted by wind turbines impact the quiet enjoyment of Lake Erie by fishers, boaters and nearshore residents and visitors (16)
- + What are the effects of vibrations emitted by wind turbines on the organisms living in the lakebed (17)
- + How would the blinking red lights atop each offshore wind turbines be reconciled with increased interest in preventing light pollution in dark skies (18)
- + What would be the impact of placing offshore wind turbines in Lake Erie's migratory flyways of birds, bats and butterflies (19)
- + What are the cumulative impacts of placing offshore wind turbines in Lake Erie given the already large concentration of onshore wind turbines along the Ontario shoreline and the elevations overlooking the lake in Chautauqua County
- + What restrictions or no-go zones would be imposed on fishers and boaters in Lake Erie (20)
- + How would the Public Trust Doctrine which serves to protect the interests of all Western New Yorkers in a healthy Lake Erie be honored in the context of primary financial benefits to the offshore wind industry
- + How would offshore wind turbines impact historic sites such as shipwrecks and lighthouses (21)
- + Would the rights of the Seneca Nation of Indians to administer water quality standards on the Cattaraugus Reservation be a consideration in placing offshore wind turbines in Lake Erie (22)

+ Would the high costs of offshore wind energy in Lake Erie be explained to Town of Hamburg electricity ratepayers in terms of monthly increases to their utility bills

+ How would property values along the lake shore be impacted by viewsheds including offshore wind turbines and their industrial support and maintenance activities.

Conclusion: Some of these questions cannot be answered or would be cost prohibitive to address. There are many documented examples of negative impacts of wind turbines on both terrestrial and aquatic environments. There are alternatives such as small modular nuclear and hydropower, which deserve significant consideration as possible future sources of power and do not negatively affect Lake Erie or other large bodies of water.

NOW, THEREFORE BE IT RESOLVED:

The Town opposes, currently, any efforts to introduce offshore wind turbines in the waters of Lake Erie.

BE IT FURTHER RESOLVED, that the Town Board supports Congressman Nick Langworthy's *Lakes Before Turbines Act* (H.R. 426) and urges its immediate consideration in Congress.

BE IT FURTHER RESOLVED, that the Town Clerk shall forward an email copy of this Town Board resolution to:

Honorable Governor Kathy Hochul : melissa.bochenski@exec.ny.gov

Honorable United States Congressman Nicholas Langworthy:
repnicholaslangworthy@mail8.housecommunications.gov

Honorable Senate Majority Leader Andrea Stewart-Cousins: scousins@nysenate.gov

Honorable Senate Minority Leader Rob Ort : ortt@nysenate.gov

Honorable Speaker of the Assembly Carl E. Heastie: speaker@nysenate.gov

Honorable Majority Leader of the Assembly Crystal People-Stokes: peoplesc@nyassembly.gov

Honorable Minority Leader of the Assembly William A. Barclay: barclayw@nyassembly.gov

Honorable New York State Senator Patrick Gallivan: gallivan@nysenate.gov

Honorable New York State Senator George Borrello: borrello@nysenate.gov

Honorable New York State Assemblyman Andrew W. Goodell: goodella@nyassembly.gov

Honorable New York State Assemblyman David DiPietro: dipietrod@nyassembly.gov

Honorable New York State Assemblyman Jon Rivera: riverajd@nyassembly.gov

Honorable Erie County Executive Mark Poloncarz: county.executive@erie.gov

Honorable Erie County Legislator John Mills: john.mills@erie.gov

Honorable Erie County Legislator John Gilmour: john.gilmore@erie.gov

Honorable Mayor of the City of Lackawanna Annette Iafallo: mayor@lackawannany.com

Honorable Mayor of the City of Buffalo Byron Brown: bbrown@city-buffalo.com

Supervisor Robert Yates	Voted –
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Deputy Supervisor Louise Ortman	Voted –
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Councilman Richard Sena	Voted –
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Councilman Bruce M. Pfeil	Voted –
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Councilwoman Nikiel Adams	Voted -
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Signed: