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**TOWN CLERK'S CERTIFICATION**

STATE OF NEW YORK

:SS:

COUNTY OF NIAGARA

I, Tracy L. Carmer, Town Clerk of the Town of Somerset, DO HEREBY CERTIFY:

THAT the attached resolution was duly adopted by the Town Board of the Town of Somerset on July 8, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Somerset, New York this 16th day of July, 2015.

*Tracy L. Carmer*

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Tracy L. Carmer, RMC  
Town Clerk  
Town of Somerset



1912

Received of the  
TOWN OF SOMERSET  
the sum of \$100.00  
for the purchase of  
land for the  
purpose of  
the  
TOWN OF SOMERSET



**WHEREAS**, Apex Clean Energy has submitted a Public Involvement Plan with the Public Service Commission to begin outreach with the public and area elected officials for a potential Article X Commercial Wind Project titled, Lighthouse Wind LLC, in the Towns of Somerset and Yates; and

**WHEREAS**, the Lighthouse Wind LLC Project proposes as many as seventy (70) massive commercial wind turbines with incredible heights of 570 feet tall to be placed within the two towns, the vast majority of which will be proposed to be located only within the Town of Somerset; and

**WHEREAS**, New York State adopted revisions to the Article X process in 2011 which primarily removed the local control from such energy projects and eliminated constitutional home rule by unfairly placing the ultimate decision to site such massive energy generation projects within the hands of unelected, appointed officials of the State; and

**WHEREAS**, this Town Board, along with many other Town Boards across New York State opposed the revision to the Article X Law and voiced such opposition in a resolution adopted by this Board on June 12, 2007; and

**WHEREAS**, this Town Board acknowledges that while local control and home rule was wrongfully taken away through this Article X law, it will endeavor to make certain that throughout this process, the voices of our residents will be heard; and

**WHEREAS**, this Town Board strongly believes that its primary duty is to listen to its constituents of the Town of Somerset and to be responsive to address their concerns; and

**WHEREAS**, this Town Board listened to many residents who voiced their concerns at numerous board meetings, reviewed many letters and emails from residents and visited many residents door to door in their homes over the past several weeks; and

**WHEREAS**, this Town Board also commissioned a town-wide survey to receive feedback from all town residents concerning this commercial wind generation project within the Town; and

**WHEREAS**, an incredible number, approximately fifty-six percent (56%) of the Town of Somerset households responded to the town-wide survey indicating their strong desire to be heard on the matter; and

**WHEREAS**, the completed surveys were received and tallied by the Town Clerk on June 17, 2015 at Somerset Town Hall and the results and comments have been posted on the Town's Web site; and

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**WHEREAS**, the survey results decisively show an overwhelming majority of Town residents oppose the Lighthouse Wind LLC Project and confirm the overall desires of the Town residents who previously and continuously communicate through public meetings, letters, phone calls, emails, personal meetings and through other means; and

**WHEREAS**, this Town Board pledges to represent the desires and will of the Town and to address the concerns of the Town, which elected each member to do as much;

**NOW THEREFORE BE IT RESOLVED**, that the Somerset Town Board does hereby formally oppose the Apex Clean Energy Lighthouse Wind LLC Project within the Town of Somerset; and be it further

**RESOLVED**, that the Somerset Town Board will endeavor, through all reasonable means, to make certain that the residents of the Town of Somerset will be heard loudly and clearly despite the revised and flawed Article X law; and be it finally

**RESOLVED**, that the Somerset Town Board requests that our local state representatives, State Senator Robert G. Ort and Assembly members Jane Corwin and Stephen Hawley, join with us to represent their affected constituents in formally opposing this massive commercial wind generation project being proposed in our quaint and peaceful Town; and be it further

**RESOLVED**, that certified copies of this resolution be mailed by the Town Clerk to Governor Andrew M. Cuomo, Lieutenant Governor Kathy C. Hochul, New York State Senator Robert G. Ort, New York State Assemblywoman Jane Corwin, New York State Assemblyman Stephen Hawley, the Chair of the NYS Department of Public Service (DPS), the Commissioner of the NYS Department of Environmental Conservation (DEC), the Commissioner of the NYS Department of Health (DOH), the Chair of the New York State Energy Research and Development Authority (NYSERDA) and the Commissioner of NYS Economic Development (Empire State Development), the Chairman of the Niagara and Orleans County Legislatures, the Town of Yates Town Board, the Village of Barker Board the Village of Lyndonville Board, and the Niagara County IDA.