

NIAGARA COUNTY LEGISLATURE

FROM: Legislator John Syracuse DATE: 02/19/19 RESOLUTION # IL -004 -19

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
CO. ATTORNEY	CO. MANAGER	_____	Approved: Ayes _____ Abs. _____ Noes <u>0</u>
		_____	Rejected: Ayes _____ Abs. _____ Noes _____
		_____	Referred: _____

**RESOLUTION CALLING ON THE GOVERNOR TO DIRECT THE ARTICLE 10 SITING BOARD TO REQUIRE WIND TURBINE PROJECTS TO INCLUDE ALL THE STANDARD ENVIRONMENTAL AND COMPREHENSIVE HEALTH IMPACT AND ENVIRONMENTAL STUDIES INCLUDING CONSIDERATION OF THE ADDED POTENTIAL FOR SLEEP DISTURBANCES FROM PULSATING NIGHT NOISE DOMINATED BY LOW FREQUENCY AND INFRASOUND, ESPECIALLY UNDER STABLE ATMOSPHERIC CONDITIONS**

WHEREAS, this Niagara County Legislature has routinely gone on record unanimously protecting the residents of Niagara County from the dangers toxic industrial waste pose to our people and the environment, and

WHEREAS, resolution IL-26-18 which passed unanimously by this legislature, highlighted some of the potential negative side effects to the health and safety of our residents created by industrial wind turbines, and

WHEREAS, the Western New York Public Health Alliance, Inc. (WNYPHA) in their letter of June 12, 2018 to the Honorable Kathleen H. Burgess Secretary To The Commissioner, Public Service Commission, stated "several Western New York boards of health have been in engaged in wide public interest and public concern over the proposal by APEX to construct industrial wind turbines in Western New York counties," and

WHEREAS, these WNYPHA members include Niagara, Erie, Allegany, Cattaraugus, Chautauqua, Genesee, Orleans and Wyoming counties and under New York State public health law are "charged with protecting residents' health," and

WHEREAS, WNYPHA officials and members "believe that any project of this nature and magnitude (apex industrial wind turbine project) only be considered following a complete and transparent process including all the standard environmental and health impact studies and local input," and

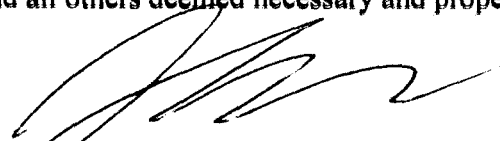
WHEREAS, in addition to WNYPHA, the New York State Association Of County Health Officials' (NYSACHO) who's mission statement reads that they "support, advocate for, and empower local health departments in their work to promote health and wellness and prevent disease, disability and injury throughout New York State," and

WHEREAS, in addition to NYSACHO supporting the Western New York Public Health Alliance's position, they further state that the article 10 process "places at risk our local boards of health home rule ability, which allows them to take steps to safeguard the health and wellness of our residents and protect the environment within our counties," now, therefore, be it

RESOLVED, that the Niagara County Legislature fully supports the positions of both the Western New York Public Health Alliance, Inc. (WNYPHA) and New York State Association Of County Health Officials

(NYSACHO) calling for the article 10 process to include a comprehensive health and environmental impact study, and be it further

RESOLVED, that copies of this resolution be forwarded to the Honorable Governor Andrew M. Cuomo, Senator Robert G. Ort, Member of Assembly Michael J. Norris, Member of Assembly Angelo Morinello, Secretary to the Commissioner Public Service Commission Kathleen H Burgess, Niagara County Public Health Director Daniel J. Stapleton, Town of Somerset Supervisor Daniel M. Engert, Town of Yates Supervisor James Simon and all others deemed necessary and proper.



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LEGISLATOR JOHN SYRACUSE