

Minutes
Human Services Committee
January 21, 2026, 5:00 p.m., Legislative Chambers
Livestreamed on YouTube
Gerace Office Building, Mayville, NY

Members Present: Gustafson, Vanstrom, Landy, Pavlock

Members Absent: Proctor

Others: Chagnon, Lee, Swan, Corwin, D. Anderson, Engstrom, Zafuto

Complete video of meeting can be viewed on YouTube

Legislator Pavlock called the meeting to order at 5:00 p.m.

Approval of Minutes (12/10/25)

MOVED by Legislator Gustafson, SECONDED by Legislator Harmon to approve the minutes

Carried with Legislator Lewis abstaining

Privilege of the Floor

Karen Engstrom, Town of Chautauqua, Village of Mayville. We have a public safety concern in our communities related to industrial wind and battery energy storage systems. There were 14 people speaking to the Chautauqua County Board of Health this past week regarding the negative human health effect and the public safety hazards related to the proposed 600 foot wind turbines and now the battery energy storage systems that are abundantly appearing throughout our county. The 600 foot wind turbine proposals are in the Town of Stockton, Ellery, North Harmony, Sherman, Westfield and Ripley and other Towns yet unnamed. Many town trustees are currently undertaking the difficult task of writing laws to protect their Towns from the potential hazards. In 2019, our County Board of Health, urged local communities to establish a minimum of 1.5 miles from any property line and a 35 or fewer decibels of sound frequency because of the human health effects generated by industrial wind turbines. Also, testimony provided to the health board you have here and will get in your email and I will like to quote from the testimony at the State level, the State Board of Health, Department of Health, I should say – and I'm quoting part of it, the expert there was Henry Spliethoff and he is an employee of the New York State Department of Health and he said “Recognizing the health related effects of audible noise include annoyance, sleep disturbance, cognitive performance reduction effects on social behavior, cardiovascular effects and psychophysiological effects due to the noise from industrial wind” That was his testimony. The second and bigger concern we have now is the rapid development of battery energy storage systems in many locations throughout our county. The one in particular in Dunkirk is 3 blocks from the High School, 6 blocks from the Hospital, close to the corridor, the rail and I-90 and a mile from SUNY Fredonia. Battery energy storage system hazards due to the lithium-ion thermal runaway fires and explosions are well known and you have a piece of document here that talks about the highly flammable toxic gases that can happen if there is a thermal runaway fire. They're also tremendously

high costs for very little. The installation and maintenance is costly, the lifespan is very short and they discharge the charge discharge cycles mean that they only keep after they've stolen the energy from the system, they normally can maintain 70% of that energy. So, they're really not a very cost-effective plan to have. So, BESS is being proposed in close proximity to our schools, hospitals, homes and could be catastrophic. We're hoping that the legislature will recognize this and will consider a pause, consider a countywide pause or moratorium so that the Towns who are trying very hard through their wise decisions to do limited moratoriums to create the kind of safe laws that will protect the health and safety and welfare of the residents. There are 3 things that can be in those laws. 1, the requirement that there be no PFAS or PFOS forever chemicals in the components of all industrial wind battery energy storage and solar. 2, all components must be recycled to ensure that the valuable and toxic parts are not wasted but will not be relegated to landfills and 3, all components be manufactured in the United States for safety reasons and for security reasons. So, I am going to provide an email, a number of documents and there are a couple of them attached here to you. It is potentially something that our Town trustees need help, need guidance and protection from especially battery energy storage systems but also the industrial wind. So, thank you for your time. Any questions?

Legislator Lewis: Has anyone done any research to see where these wind systems follow these laws and their –

Ms. Engstrom: We call this the wild west of wind because the laws have not been created at the State level. The Towns have home rule right to create restrictive laws and they do try to put in sound parameters but it's not been – in the 3 that we have in our county, those particular townships, correct me if I'm wrong, found that many of the people who are on the boards did benefit from those projects and they were – there's no law to say they can't. So, those went in without safety measures. They went in without setbacks that were adequate and they went in with very little in terms of protection from the sound annoyance, which is a physical aspect that we need to care about. So there are 10 Towns that have avoided this in New York.

Legislator Lewis: What I'm asking is, it doesn't even need to be in the State of New York, I'm just wondering if anybody did any research out in California, they have these controlled safety features in a wind system. Has anybody ever researched that?

Ms. Engstrom: Yes, and there are 10 Towns in New York that have put in parameters that say, wind turbine cannot be any closer than 5 times the height because the heights continue to rise and those Towns have not been challenged and they have not have a wind developer come to their Towns so those laws are very useful. You have a question too?

Legislator Harmon: Yeah, I'm not sure if you're aware or not but back I think I want to say 2 or 3 months ago in my Town, my district, which is the Town of Hanover. This BESS was presented and it was actually shot down, it was not voted on by the Town, they actually voted it down.

Ms. Engstrom: I thought it was just a moratorium? He put in a moratorium in Hanover.

Legislator Harmon: In Hanover? That was just a moratorium?

Ms. Engstrom: Just a moratorium. You're writing your law and your laws has to include some protections.

Legislator Harmon: Right, right. Because I know that was our issue at the time was it was too close to the school which is our evacuation site and there were a lot of – the only person there that was really upset was the homeowner obviously because he had so many acres of land that he wanted to – I'm not sure if anyone knows the size of these. 1 megawatt is equivalent to a tractor trailer, the size of a tractor trailer. They want to put 250 of these things in one area. Do you know how much space that is going to take up? And then going back to the fire issue, the fire hazard, how to put them out, there's not enough training. We don't have the equipment locally anywhere to fight or even sustain these fires, we can't.

Karen Engstrom: Volunteer fireman, right and those are \$1,000,000 a piece. Can you imagine what Hanover could do with \$250,000,000?

Legislator Harmon: Yeah, but I don't think – they weren't going to benefit \$250,000,000 as –

Karen Engstrom: I know, it's just that the investors put it in and if it isn't justified by the energy because if you have reliable energy like hydro and dual cycle gas, you don't need to store energy because it's on call 24/7. Its completely dispatchable, and its safe and its reliable and its cheap so –

Legislator Harmon: Yeah, I guess my concern would be is if they're putting up the windmills and solar farms to harness the energy to go back to the grid. I know the grid can't accept the energy because it fluctuates too much to come into the grid. These huge programs would harness that energy or hold it but isn't that the cart before the horse type of thing, would you say? They're building all these things to produce the energy and there's no place to put the energy so now its after the fact? That's where I have a really huge concern.

Karen Engstrom: It also can't be transmitted anywhere because we don't have the infrastructure on the grid can't hold it.

Legislator Lewis: That's another question I had. I won't say who I heard this from but it was someone who did put up the windmills in the area which I live in and I saw him and I said "you know, they're not turning much" and he said "we need a customer base" you know to use that energy and I think maybe the Towns can bring up that question. Where will the customers come from? We're a small community to reap your investment.

Karen Engstrom: It's like Jefferson did to the Indians, he said "you have the land, we want it. First we'll bribe you and then we'll take it by force". Downstate wants this land for solar and wind and battery energy storage. They're not going to put it in New York City, no, or Long Island. They want us to do it and send it to them. But at this point, the grid can't do it so if she would put nuclear power plants down where its needed, the question would be done.

Legislator Pavlock: I'll just make a comment. You know, I think the Towns are, I think, trying to do the best research that they can now and make the laws that are important and I think you know, as the County has looked into this in the past that we've you know, we're developed some energy committees that have done some reporting to the Legislative body and I believe that that committee and group is still meeting. Are they still meeting, Pierre?

Chairman Chagnon: Yes, they are. We also need to bear in mind that as Karen pointed out, New York is a home rule state. So, the Towns do their own zoning, the county doesn't do the zoning,

we have no authority over zoning and zoning is what controls where and when these facilities can go in. So, we can advise the Towns but we can't tell them what to do.

Legislator Pavlock: That's right and you know, so with that information the county still has taken part in seeing importance of the situation and researching ourselves and also as a person that's lived near one of these windmills, they're noisy. I use to be under the assumption of who am I to say what a neighbor can do with their land. Well, it directly affects you and I didn't want to live near the thing anymore. It flickers, they're noisy and it really wasn't the prettiest thing. It really was not peaceful to live near and I moved so I will say that it's not to – if someone has that mindset then they shouldn't because it can affect them and I guess your voice does matter if its yours neighbors land and they can do what they want with it but it will affect you in so in that sense that they can't so it's up to the Towns to protect those people too. Anyone else for the privilege of the floor? Not seeing anyone we'll move into our agenda items.

Local Law Intro 1-26 – A Local Law Amending the Chautauqua County Charter – *Presented by Pierre Chagnon, Chairman of the Legislature*

Discussion Item

Proposed Resolution – Confirm Reappointment – Chautauqua County Office for the Aging Advisory Council – *Presented by Dana Corwin, Deputy Director of Office for the Aging Services*

Unanimously Carried

Proposed Resolution – Adopting County Real Property Tax and Special District Charge Exemptions for Primary Residence of Certain Veterans with Service Related 100% Disability – *Presented by Pierre Chagnon, Chairman of the Legislature*

Tabled in A.S. on 1/20/26

Discussion – H.H.S. Division of Temporary Assistance – *Presented by Diane Anderson, Director for Temporary Assistance*

MOVED by Legislator Harmon, SECONDED by Legislator Gustafson to adjourn.

Unanimously Carried (5:54 p.m.)

Respectfully submitted and transcribed,
Olivia L. Lee, Clerk of the Legislature/Kristi R. Zink, Deputy Clerk