

TOWN OF RIDGEWAY
PUBLIC HEARING
LOCAL LAW #1: BATTERY ENERGY STORAGE SYSTEM
JANUARY 21, 2020
410 WEST AVE, 7P.M.

PRESENT:

Brian Napoli
Jeff Toussaint
David Stalker
Mary Woodruff
Duane Payne

Town Supervisor
Councilman
Councilman
Councilwoman
Councilman

John Olinger
Dan Wolfe
Kathy Bogan
Karen Kaiser
Laurie Kilburn

Highway Superintendent
Code Enforcement
Town's Attorney
Town Clerk
Deputy Town Clerk

Others:

Dave Berry
Selwyn Spearin
Chris Craft
Gabrielle Barone
Nancy Mingus
Shawn Callard
Anna Callard
Barbara Otten
Bridget O'Toole (Zoghlin Group)
Mr. & Mrs. Thomas Mammano
Margaret Zaepfel
Josh Sanders
Thomas Wenhold
David McCollen
Wayne Mataler
William Carpenter
Adam Mark
William Jurnich

Kathy Blackburn
Laura Olinger
Paul Blajszczak
Matt Z
Michael Kuhman
Jerry Guys
Russell Petrie
Heidi Marciniak
Andrew Marciniak
Thomas Beach
Rachel Wren
Rebecca Sanders
Sue McCollen
Shari Carpenter
Jeffrey Bale
Darlene Jonas
Tim Elliott

Supervisor Napoli opened the public hearing promptly at 7P.M. by calling the meeting to order and, reading a brief statement regarding the purpose of the Local Law#1 on Battery Energy Storage System. The Supervisor asked the public to please stand and give their name for the record. Brian then asked the Towns attorney to start the public hearing off.

Kathy Bogan Spoke on the fact that at the current time the Town of Ridgeway has NO regulations for Solar Storage, that we used the NYSERTA model code to establish guidelines.

Jerry Guy what are the regulations based on as there is no data on the failure mode. As a concerned citizen there have been over 1 billion lithium ion batteries recalled. Wonder what the Towns Regulation is based on?

Brian Napoli As you know you can get anything off of the internet, we are relying on the NYSERTA safety regulations.

Kathy Bogan added New York State uniform fire prevention of 2019 energy storage supplement

Margaret Zipful In March in 2019 two utility storage facilities one in Alaska and one in Georgia exploded, putting a halt to fire prevention, cutting anything over 25MW. Before passing a law for something with no regulations, the Town needs to be knowledgeable.

Tim Elliott stated the Town is not setting a regulation they are doing this to set a law.

Bridget O'Toole asked the Town ,please do not vote on this today. I understand that the Town is trying to do the right thing, do the environmental study first. The Town has a right to put a hold on the pending application and can table it until it better understands how the system works.

Tom Wenhold asked that the Town highlight the law for the people in the room rather than him downloading it off the web and having to read page after page

Bridget O'Toole then stated that the size off the Mega Watt has nothing to do with the storage, please take this opportunity to educate yourselves before adopting a law that could essentially hurt your Town

Heidi Marciniak We reside next to the project site. They are proposing a 7ft prison style fence. When she asked why, she was told because it is high voltage electricity needing to be kept under lock and key . The fire company has no access to the fire radius. Each battery has a shelf life of three to five years. Who takes care of the property that the batteries will leak into? The soil and the land will probably not be able to be used again It will effect ponds and waterways and there will also be effects on local wildlife. We are asking for a complete health and environmental study to be done.

Barbara Outten Placing a high value on family and community, these projects will change us from rural agricultural to rural industrial. We are against any company telling us how to run our farms. An expert ,Tom (could not understand the last name), would speak regarding battery storage. We can set up a meeting and he would be happy to speak on this. Local voices need to be heard.

Matt Lamar Can our fire companies deal with the long term effects of an explosion? Please table this; our Town knows nothing about this.

Kathy Bogan the Town Board has a heart, the trailer is a 12x12x30 enclosed insulated tractor trailer, the ground fault must conform to code.

Anna Callard We live directly across the street. In Arizona it blew up and injured 4 firefighters, when it blows up, then what? The other ones were bonded.

William Jurnich of Swett road asked that the board table this until they were more informed.

Chris Crafts asked about the size of the storage and if it was in article 10 processes?

Mr. Napoli told him that it was 3 MW and is not subject to Article 10 process. The sizes of the battery are not linked.

Mr. Napoli stated that the Town was doing this because at the current time there were NO regulations in place.

Matt Lamar Does the fire Company know how to handle this type of fires or explosions? This is absurd that we are fighting over something that we know nothing about. How can any of this be done without regulations?

Kathy Bogan This is why the Town is trying to put some regulations in place. This is not expo facto. The Town cannot do retroactive stipulations.

Heidi Marciniak From my research it looks as if we will be the first town in the County to have a law. The Town should certainly know what they are talking about before creating a law. This is not the only project in the Town.

Shawn Callard why was this not advertised before now, who wrote this law?

Kathy Bogan stated that she wrote the law from the State template and the Town Planning Board reviewed it.

Tim Elliott I am on the Towns Planning Board, our job is to review the law. He further stated that he helped write the law.

Heidi Marciniak We received a letter from a lawyer in NY City offering us \$600 per acre, that stated we would have all this free energy the money would go to NY City. She also asked how many other projects with battery storage were coming.

Brian Napoli responded that at this time there were no other applications. The companies go directly to the land owners and the power companies. The Town only finds out when the applications are filed with the Town.

Mike Cummin Have any other communities flat out denied them? Are there any others projects between houses?

Brian Napoli Only Allis road and Beals road and that is on farm land .MRB the Towns engineering firm reviews the projects and makes their recommendations to the Board.

Jerry Guy how did Barker defeat the windmills?
At which time several people stated that they hadn't.

Bridget O'Toole Stated that she believed the Town was trying to do the right thing, but strongly urged the Town to table this law until they were able to speak with experts and become well informed before they made a decision that could harm the Town. She further stated that she would be happy to speak with the Towns attorney as well as help set up a forum for the people and the Town to be able to ask question and come to a decision that is best for the Town.

A considerable amount of conversation continued back and forth. The Town Board and the Supervisor decided to table Local Law#1 and send the information to the Town's engineer, and the Town's Planning Board for further review, study and recommendations.

As there was no further questions at this time the meeting was adjourned at 7:45 P.M.

These are generalized minutes,

Respectfully Submitted by;

Karen L. Kaiser

Ridgeway Town Clerk/RMC