

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILPERSON _____, SECONDED BY COUNCILPERSON _____

Whereas: On February 21, 2020, Governor Cuomo submitted a 30-day budget amendment entitled “Accelerated renewable energy growth and community benefit act” for the purposes of meeting the Governor’s goals for renewable energy, and

Whereas: This amendment would establish a new system for permitting and siting renewable projects, setting aside the current “Article 10 Siting Board” process, and

Whereas: Permitting will now be under the jurisdiction of a new entity – Office of Renewable Energy Siting (ORES), and

Whereas: the powers assigned to ORES will totally usurp and diminish local home rule, local zoning codes, local planning and Local Waterfront Revitalization Plans when permitting and siting renewable energy projects, and

Whereas: ORES will now have the power to

- Make available to developers “build – ready” sites
- Develop “uniform permitting standards”
- “coordinate, approve, evaluate, issue, amend, transfer and enforce siting permits”
- Limit the ability of local governments to raise objections to proposed projects
- Direct local appeals to ORES decisions to litigation through the Article 78 process
- Prohibit local governments from requiring any additional approvals or permits

Whereas: By filling this action as a 30-day budget amendment, is ignoring and bypassing the legislative process of formulating policy through public input, public hearings and public debate in favor of a rushed and secretive process, and

Whereas: This amendment represents a blatant attempt to usurp local government’s historical and constitutionally power of home rule in the areas of planning, zoning and land use,

Now therefore be it resolved by the Town Board as follows:

1. The Town of Newstead does hereby go on record strongly opposing this Governor’s attempt to dilute and usurp the roles and powers of local governments in New York State;
2. The Town of Newstead Urges State Legislators to oppose this amendment and have it removed from the final budget document and;
3. Copies of this resolution shall be sent to the Governor, Lieutenant Governor, Speaker of the Assembly, Majority leader of the senate and Erie County Association of Towns.
4. This resolution shall take effect immediately.