

MINUTES – TOWN OF ALLEGANY
REGULAR BOARD MEETING
TUESDAY, SEPTEMBER 22, 2026, 6:00 PM SENIOR CENTER

PRESENT WERE:

Supervisor McPherson	Town Clerk G. Straub
Councilman Nazemetz	Councilman Cooper
Councilman Giardini	Comptroller D. Piccioli
Hwy. Superintendent Moshier	Cemetery Superintendent Guthrie
Town Attorney P. Sorgi	

ABSENT: Councilman Maguire

ALSO PRESENT:

Community Attendance

In addition to Board members and staff, many members of the public attended the meeting. To ensure an accurate record of everyone who joined us, a copy of the resident sign-in sheet is attached at the end of these minutes as **Exhibit A**. *(Note: A digital, typed list of legible names is available upon request at the Town Clerk's office).*

Salute to the Flag opened the meeting

#130 – MOTION TO APPROVE MINUTES FROM THE SEPTEMBER 8, 2026, REGULAR BOARD MEETING

Motion by Supervisor McPherson to approve minutes from the September 8, 2026, Regular Board Meeting. 2nd by Councilman Nazemetz. McPherson-aye, Nazemetz-aye, Maguire-absent, Cooper-aye, Giardini-aye. CARRIED.

NEW BUSINESS

#131 – MOTION TO TRANSFER MONEY FROM TOWN HALL RESERVE TO GENERAL FUND FOR SECURITY CAMERAS

Motion by Supervisor McPherson to transfer \$4,085.00 from Town Hall Reserve to General Fund for Town Hall Security Camera repair/replacement. 2nd by Councilman Cooper. McPherson-aye, Nazemetz-aye, Maguire-absent, Cooper-aye, Giardini-aye. CARRIED.

#132 – MOTION TO RETAIN BRIDGET O'TOOLE AND PETER SORGI FOR LEGAL COUNSEL

Motion by Supervisor McPherson to retain Bridget O'Toole for legal counsel. 2nd by Councilman Cooper. McPherson-aye, Nazemetz-aye, Maguire-absent, Cooper-aye, Giardini-aye. CARRIED.

COMMITTEE REPORT

Building/Grounds & Safety – Greg & Chris

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- Highway – Chris & Craig
- Parks & Cemetery – Greg & Alex
- Personnel – Andy & Chris
- Recreation – Greg & Andy
- Technology – Craig & Andy
- Union Negotiation – Chris & Alex
- Water/Sewer – Chris & Craig

FROM THE FLOOR

Multiple residents raised the following concerns regarding the Hemlock Hollow Wind Project:

- Joint legal representation: Residents strongly urge the town board to retain the same legal counsel as neighboring municipalities to present a unified, more powerful opposition to the project. The attorneys representing the Town of Allegany will be representing Portville as well, and plan to reach out to the attorney representing the Town of Olean.
- Economic impact: Residents raised the concern that the parent company of Liberty Renewables is Danish. Residents are concerned that revenue from the project will not stay within and stimulate the American economy.
- Emergency flight paths: Residents are concerned that the proposed location of the wind turbines will have a negative impact on the ability of Mercy Flight medical helicopters to safely navigate flight paths, potentially delaying critical emergency response times. The Town Attorney noted that this would be subject to FAA clearance.
- Municipal revenue and financial impact: Residents questioned whether the town would receive direct financial compensation from the project. The Town Attorney explained that municipal revenue would come from a Host Community Agreement, which provides direct financial benefits to the town, and a PILOT (Payment In Lieu Of Taxes) agreement, that establishes structured annual payments to replace traditional property tax revenue. The Town can also enter into a Road Use Agreement that

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can explicitly include negotiated terms for road use. This would legally bind the developer to repair any roads damaged by heavy machinery.

- Lead Agency designation: Residents asked who would be Lead Agency on this project. The Town Attorney explained that the NYS Office of Renewable Energy (ORES) will likely be the Lead Agency for the SEQR due to their office having the highest approval power in the project.
- Taxpayer funding and state subsidies: Residents expressed frustration that their state tax dollars are being used to finance a project that they do not support.
- Property values and financial impacts: Residents raised concerns that nearby property values could decline as a result of the windmill project, potentially affecting homeowners and the broader community.
- Compensation for affected residents: Residents questioned whether homeowners living near the windmills would receive compensation for potential impacts on their properties and quality of life. The Town Attorney explained that there may or may not be compensation available, and to continue raising concerns, submitting written concerns to the Town, and submitting comments and letters when the application opens.
- Water wells and groundwater protection: Residents expressed concerns about potential impacts on private wells, groundwater quality, and water availability. Questions were raised about well surveys, water testing, and the need to protect local water resources during construction and operation. The Town Attorney asked residents to write their names and contact information so he can get them better information regarding the water well surveys.
- Construction impacts on water and drainage: Residents raised concerns that construction activities, vibrations, and ground disturbance could displace soil and sediment, alter water flow, and contribute to flooding or other drainage problems.
- Noise and sound impacts: Residents questioned how noise from the windmills would be monitored and addressed, including which agencies would be responsible for investigating and resolving sound-related complaints. The Town Attorney explained that the Town can advocate for resident concerns.
- Wildlife and environmental impacts: Residents expressed concerns about potential harm to local wildlife and questioned whether wildlife protection would be adequately addressed during the project's application and environmental review process. The Town Attorney explained that once the application is in, a list of resident concerns can be submitted to address this.

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- Tornadoes and severe weather: Residents raised concerns about the potential risks associated with tornadoes and other severe weather events affecting the windmills and surrounding properties.
- Decommissioning and financial guarantees: Residents questioned whether adequate decommissioning agreements and financial bonds would be established to ensure the windmills can be removed at the end of their useful life. Concerns included whether sufficient funds would be secured upfront and protected if the developer became insolvent or went bankrupt. The Town Attorney explained that a bond would be in place for decommissioning once the project becomes operational. This is a legal requirement.
- Electric grid capacity and infrastructure upgrades: Residents questioned whether the existing electrical grid could accommodate the project and whether utility infrastructure upgrades would be necessary. Concerns included who would pay for those upgrades and whether the project would require additional utility agreements. The Town Attorney explained that upgrades needed to get the grid to capacity due to the project would be paid for by the windmill company.
- Public participation and comment periods: Residents requested clarification about the project timeline, when the application would be submitted, and when the public would have opportunities to provide comments. The Town Attorney explained that the timeline for public comments is made clear once the application is in. Once this happens, timelines will be available on our website. The state will also host a website once the application is in, and all information related to the project will be here including filings, timelines, and comment periods.
- Property access: Residents questioned whether surveyors could access private property without permission. The Town Attorney explained that state law says surveyors can walk onto a property to the extent they have to.

A resident petition regarding the Hemlock Hollow Wind Project was formally submitted to the Board with 400+ signatures. The text and core language of the petition are attached to these minutes as **Exhibit B**. The original petition, including all resident names, signatures, and physical addresses, has been placed on file in the Town Clerk's Office.

A resident-formed group, Save our Enchanted Mountain Ridges Alliance (SOEMRA) submitted a letter to the Board. The letter has been included in the meeting records as **Exhibit C**.

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During the discussion, residents provided the Board with a flyer titled '*Negatives of Wind Turbines*' as part of their public comment. The flyer has been included in the meeting records as **Exhibit D**. This submission has been placed on file in the Town Clerk's Office.

The Town Board has reviewed and signed the agreement between the Town of Allegany and AFSCME N.Y. Council 66, Local 1304 – A (Town of Allegany Employees' Union) 1/1/2027 – 12/31/2030.

#135 – MOTION TO ADJOURN THE ENTIRE MEETING AT 7:39 PM

Motion by Supervisor McPherson to adjourn the entire meeting at 7:39 PM. 2nd by Councilman Nazemetz. McPherson-aye, Nazemetz-aye, Maguire-absent, Cooper-aye, Giardini-aye. CARRIED.

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Exhibit A

Town of Allegany

Regular Town Board Meeting
Tuesday, September 22, 2026
6:00 PM

Name (print legibly)	Organization
ROBERT KALMAN	Citizen
Caroline Dheuker	Citizen
Bengt Achinger	Citizen
Josephine Peterson	Citizen
Kathleen Hasselberg	Citizen
Lisa John	Citizen
KATHY FREMO	CITIZEN
Kathy Boser	Citizen
Susan Dynda	Citizen Olean, NY
FRANK DYNDAL	CITIZEN - OLEAN
Ann Boser	Citizen Chipman
Laurie Bernheisel	Citizen Chipman
DAN BERNHEISEL	CITIZEN CHIPMONK
Robert Ryan	" "
Sheryl Quattrone	" "
Sam Quattrone	" "
Jim Segestrom	" "
Thomas Craig	" Allegany
Mervie Craig	" "
Gillie Jank	Allegany
MATT PERI	" "
MIKE LAMB	" "
Mary Burns	Landowner
Sue Quattrone	Landowner
Katie Kellogg	Landowner
Theresa Grove	Citizen

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Roberta Edwards - Landowner

Debra Phearsdorf - Allegany

Elizabeth Withe - resident Allegany

Patricia Passaro Allegany

John Passaro Allegany

Joan & Richard Pirsitor N Nine Mile, Allegany

Pat & Tom Miller Allegany (Rt. 145 Olean)

William PHEARSDORF ALLEGANY

Katie Kempf citizen

Beth Boser Weatherley - Allegany

Glenn Anderson - Allegany

Edna Hutermark - Allegany

Margi Smith - Olean

Ang Ellen - Town of Allegany

Susan Stoetz - Town of Allegany

Jed Stoetz " "

Sylvia Moyer village of Allegany

Ken Moyer village of Allegany

Ryan Mitchell - Allegany

Jessie Kline Allegany

Dusty Knepp - Allegany

Melanie Napolean Allegany

Riley Bell - Allegany

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Scott Cull - Allegany
Jason Cinsfull - Allegany
John Conroy - Allegany

Don O'Ree
Mr. O'Ree

Jared Zimbardi - Allegany NY

Brittany Baskin Allegany, NY

Marshall A. Monroe - Allegany, NY

Laura Thomson Allegany, NY

Judy Capozzi Allegany, NY

Siriah Coen Allegany, NY

George Stevenson Allegany

William R. Capozzi Allegany

Lillian Lechner Allegany NY

Zili Dibley Littleton

Dim Wasky Portville

Charles Eddy Allegany NY

Jane Smyce Allegany NY

Steve BAILEY ALLEGANY N.Y.

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Exhibit B

**PETITION TO STOP THE ILL-SITED HEMLOCK
HOLLOW WIND PROJECT**

To the Town Boards of Allegany, Olean, and Portville, and New York State Siting Authorities:

We, the undersigned residents, landowners, and concerned citizens of **Allegany, Olean, and Portville**, formally state our absolute opposition to the construction of the proposed **Hemlock Hollow Wind Farm**.

While we recognize the importance of responsible energy development, we firmly declare that this massive industrial footprint is **deeply ill-sited** for our communities. Liberty Renewables' plan to place towering, 650-foot industrial turbines across our landscape threatens the very core of our home.

We oppose this project based on the following critical impacts:

- **Environmental Devastation:** The construction will fragment local forests, endanger critical wildlife, and disrupt delicate local ecosystems across our mountain ridges.
- **Threats to Public Safety & Health:** Industrial wind turbines of this scale pose risks of shadow flicker, low-frequency acoustic noise, and potential disruptions to water wells and natural springs that directly affect neighboring homes.
- **Loss of Rural Character:** Our region's identity is anchored in the scenic, untouched beauty of the **Enchanted Mountains**. Replacing our skyline with heavy industrial infrastructure permanently destroys the rural heritage we cherish.
- **Economic Harm:** This project threatens local property values, discourages residential growth, and places an unfair long-term burden on local landowners for the financial benefit of an outside developer.

Our Goal:

We demand that local town boards enforce strict zoning laws, protect our residential boundaries, and utilize all legislative powers to **deny permits for the Hemlock Hollow Wind Farm**. We call upon state authorities to respect local home rule and protect our communities from this predatory, ill-sited development.

Protect our ridges. Preserve our valley. **Save Our Enchanted Mountain Ridges.**

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Exhibit C

Supervisor McPherson and members of the town board,

A group of us from Allegany previously sent letters to you in September 2025, as well as two additional letters this month, regarding our concerns over the Liberty Renewable Project.

This evening, I asked to be placed on the agenda to represent a much larger, newly formed group: the **Save our Enchanted Mountain Ridges Alliance (SOEMRA)**. Over the past week, we have been collecting petitions from residents who share our concerns about this project. I am officially submitting to you this evening that petition, along with signatures collected.

Additionally, our SOEMRA group—which represents Allegany, Olean, and Portville—urges you to consider joining the Town of Olean, along with the Town of Portville, in the Hemlock Hollow Wind matter. We have learned this month that Olean on September 9, 2026, retained special counsel Benjamin E. Wisniewski, Esq., principal at Wisniewski Law PLLC in Webster, New York, to represent their town in the Hemlock Hollow Wind permit proceeding. Mr. Wisniewski currently represents Cattaraugus County as special counsel in another major wind energy project state proceeding. He has substantial experience representing municipalities across the state in ORES major renewable energy facility state permit proceedings.

As currently proposed, the Hemlock Hollow Wind facility could cause significant adverse environmental and community impacts across Allegany, Olean, and Portville. These include the alteration of groundwater and stormwater drainage patterns, unhealthy noise levels, shadow flicker, and adverse aesthetic impacts. Because of this, our group requests that Allegany seek consolidated party status with the Town of Olean in the Hemlock Hollow Wind permit proceeding. This will maximize the amount of intervenor funding available to the towns and allow you to share the costs of participation that are not covered by intervenor funds. Doing so is critical to defending the application of local laws before ORES, especially since local permitting is preempted and local land use laws will only be applied by ORES unless Hemlock Hollow Wind requests a waiver.

We feel Allegany shares a common interest with the Town of Olean in ensuring each town's land use laws are strictly applied to the Hemlock Hollow Wind project. This includes seeking funding for experts and legal counsel. We firmly believe that municipalities affected by major renewable energy facilities must defend their local laws before ORES. Consequently, we urge the board to seek consolidated party status with the Town of Olean in the Hemlock Hollow Wind permit proceeding. This strategy will maximize intervenor funding, share non-reimbursable participation costs, and allow the towns to retain Wisniewski Law PLLC as a consolidated municipal party in the Hemlock Hollow Wind ORES permit proceeding.

Thank you for your time and your continued service to our community.

Kathy Boser
Coordinator, SOEMRA

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Exhibit D

Negatives of Wind Turbines

Environmental Destruction and Economic Drawbacks

Manufacturing and installation involve large tracts of land, huge **concrete consumption**, and extreme extraction of **rare earth metals**, which carry environmental costs. **Roads are destroyed** with movement of turbines and heavy materials, and **construction** is detrimental to the environment. **Blade waste** is a growing issue, as composite materials are difficult to recycle, with projections estimating **2.9 million tons** of annual blade waste globally by 2050. None of this is environmentally feasible.

Human Health and Quality of Life

Residents near wind farms report issues such as **sleep disturbances, headaches, and tinnitus** from vibrations and noise. This is collectively referred to as "wind turbine syndrome". Additional concerns include **shadow flicker** from rotating blades, potential **depreciation of property values**, and **visual landscape disruption**.

Wildlife Mortality and Habitat Disruption

Wind turbines pose significant risks to avian and bat populations, with an estimation of up to **700,000 bird deaths annually** in the US due to rotor collisions. Construction also leads to **habitat fragmentation** and soil compaction, while offshore installations generate underwater noise that can disturb marine mammals and alter fish migration patterns.

Subsidies to Build Builders are given subsidies to build turbines, but little monies or incentive to repair them. In several years they are like a dead albatross hanging hundreds of feet in the sky and will remain there.

Inefficiency In areas such as ours, away from the sea, wind turbines are only 13% efficient. And most electricity produced does not remain local.

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Respectfully Submitted,

Grace Straub, Town Clerk

9/22/2026