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AND MILITARY AFFAIRS

THE SENATE  
STATE OF NEW YORK



**ROBERT G. ORTT**  
SENATOR, 62<sup>ND</sup> DISTRICT

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January 7, 2016

The Honorable Andrew M. Cuomo  
Governor of New York State  
New York State Capitol Building  
Albany, NY 12224

Dear Governor Cuomo,

I write to you today on a matter of importance for two communities located within my Senate District. As you are aware, under the new Article X power plant siting law, the leaders of both the Senate and Assembly are each given the opportunity to select one individual each to serve as ad hoc siting board members from lists approved from host municipalities. While Senator Flanagan appointed a siting board member, the Assembly failed to meet their obligation to name a board member.

I am extremely disappointed by the blatant disregard shown to these upstate communities by Assembly Speaker Carl Heastie. Despite the fact that Assemblyman Hawley and Assemblywoman Corwin were advocating for the appointment of a local representative, the Assembly leadership chose to ignore the concerns of Upstate residents, local governments, and small businesses. As you are aware, under the law, if one of the leaders fails to name an individual, then that power is vested in you. I hope that you will provide leadership where the Assembly failed.

A proposed wind project consisting of seventy 600 foot tall wind turbines in my district, being undertaken by Apex Wind Energy will affect both the Town of Somerset located in Niagara County, as well as the Town of Yates located within Orleans County. After speaking with many constituents in both of these communities, I believe it is important to have each of the Towns represented on the siting board. Senator Flanagan chose his representative from the Town of Somerset, Niagara County. While the Article X statute does not require each municipality to be represented, I strongly believe that it is imperative and necessary that both municipalities be represented. It is a question of fairness and of equality that both communities are represented during this process. I respectfully ask that you appoint a representative to the siting board from the Town of Yates in Orleans County.

Thank you for taking the time to consider my request on this important matter in my district. I would be more than happy to discuss this issue with you further. Please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert G. Ort". The signature is stylized with a large initial "R" and a circular flourish at the end.

Robert G. Ort  
Senator, 62<sup>nd</sup> District

RGO:je