

SUPREME COURT  
STATE OF NEW YORK COUNTY OF TOMPKINS

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In the Matter of the Application of

FLX STRONG by its President Kenneth Wolkin and CAYUGA  
LAKE ENVIRONMENTAL ACTION NOW by its President John  
V. Dennis,

**AFFIRMATION OF  
KENNETH WOLKIN**

Index No.:

Petitioners,

For a Judgment Under Article 78 of the Civil Practice Law And  
Rules,

vs.

TOWN OF LANSING ZONING BOARD OF APPEALS,  
TERAWULF INC., CAYUGA OPERATING COMPANY LLC,  
LAKE HAWKEYE LLC, and FRED DELFAVERO,

Respondents.

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I, Kenneth Wolkin, of legal age, affirm under penalty of perjury pursuant to N.Y. C.P.L.R.  
§ 2106 the following:

1. I am a resident of Lansing, New York, and the elected president of FLX Strong.
2. FLX Strong is grassroots, unincorporated association based in Lansing and consists of Lansing, Tompkins County, and surrounding area residents, including representatives from regional and statewide environmental and energy justice-focused organizations, including Cayuga Lake Environmental Action Now (“CLEAN”) and others.
3. FLX Strong has been organizing and working to educate the public about the serious impacts that data centers represent, both to our economy, in the form of rising electric bills and strain on the electric grid, and to our communities and environment, in the form of

noise and light pollution, impacts on our lakes, open spaces, and recreational resources, and unnecessary CO2 emissions. FLX Strong is committed to holding public officials and would-be developers accountable to their words, to the law, and to the well-founded concerns of area residents.

4. FLX Strong currently has about 40 individual members.

5. FLX Strong began as a smaller group of concerned Lansing residents in early October 2025, meeting by Zoom and by potluck.

6. In recognition that a massive AI data center “neighbor” affects and mobilizes people and interests beyond and across town and county boundaries, the group expanded its membership in a move towards building collective power.


7. FLX Strong holds regular bi-weekly meetings and meets as needed otherwise. Our decisions are discussion-based and consensus-oriented.

8. I have been a member of FLX Strong since its inception. As President, I work to ensure cohesion and proactive communication across the various points of group organizing.

9. I have authorized the filing of this lawsuit on behalf of FLX Strong as its President.

-Signature block on following page-

Pursuant to N.Y. C.P.L.R. 2106, I affirm this 28<sup>th</sup> day of January 2026, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

  
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Kenneth Wolkin