

Town of Dix  
Regular Board Meeting  
April 8, 2024

Present: Supervisor Dominick Smith  
Councilman Jeffrey Meehan  
Councilman Brian Ervay  
Councilman Alec Moore  
Councilman Alan Gregory  
Town Clerk Naomi Kingsley  
Highway Supervisor Scott Yaw  
Code Enforcement Officer Dennis Tremblay

Supervisor Smith called the meeting to order at 6:30 pm followed by the Pledge of Allegiance.

There was one addition to the agenda.

Public be Heard:

Kayla Smith from Schuyler County Public Health was present to update the board on the various programs provided by the County. Councilman Gregory requested that a link to Schuyler County Public Health be added to the Town's web page.

Patty Eisenhart – Heard that the Meads Hill PUD property was sold on land contract and the owner holds the mortgage. Supervisor Smith said that he has no knowledge of that, but that is something that is done often.

Glen Wead – just here to listen

Reports:

- a. Supervisor Smith – finalizing the audit, there were a few questions that needed answering and then we should receive their report. Working on water and sewer issues that came up over the last month. Busy trying to do what's right.
- b. Deputy Supervisor – Ran into Tony Vickio for a minute, can't seem to get together to discuss new signs for the Town Hall
- c. Bookkeeper – none.
- d. Superintendent of Highway – Hauled material for Town of Reading under shared services, Sand, salt and plow roads, Ditched Pearl Street and Townsend Road so they are ready for projects, added gravel to Pearl Street, repaired Hall Road intersection, cold patched holes throughout town roads, hauled an estimated 120 tons of waste salt from Cargill and US Salt.
- e. Code Officer – As of today, the Town of Dix Code Enforcement Office has processed 16 permits for various types of construction projects and there are several projects still left open from last year at different stage in the construction process. Short Term Rental permits are coming in fast and inspections are finding some safety discrepancies. Most all discrepancies involve smoke detectors and/or carbon monoxide detectors. Currently I have 13 applications and have issued 3 STR permits. WGI annual inspection has been conducted and they are working on the issues that were found there. I am working on letters to Lorena Clark involving the 3 sets of issues on that property. Trying to make sure I have all violations covered for each. Beaver Dams-Moreland Solar project has had some small set backs and are looking to extend their permit until December. They will be charged ½ of the original permit fee for the extension. Duvall Road Solar project has submitted their plans and permit application and it is being reviewed and should be processed in the next few days. I am also doing annual Fire and Safety Inspections for

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places of assembly and business. These have not been done since COVID. I will be doing an update and training to the IworQ system which I use for Code Enforcement in the next week or two. I have also been asked to bring back the monthly Round Table meetings. This meeting is to help open up the lines of communication between Contractors, Fire Depts, Town Supervisors/Managers, County Planning, Emergency Management, Watershed, Code Enforcement, and others. The focus of this type of meeting is to discuss the issues we all face and collectively find solutions and better ways to work together.

- f. Planning Board – Application review for a sub division/special use permit for 2250 State Route 414, approved and forwarded to County planning. Application review for SUP for 2351 Baker Hill Road, approved and forwarded to County planning. Application review for SUP for 2750 State Route 14, approved and forwarded to County planning.
- g. ZBA – still need 1 member
- h. Town Court – Letter sent to Councilmembers Ervay & Gregory to meet with State Justice Office
- i. Dog Shelter – One seizure, one stray taken in March, currently in shelter.
- j. Committee Reports:
  - a. EMC – none
  - b. FD – none
  - c. Landfill – some of the fencing has been cleaned up
  - d. Solar – nothing
  - e. Short Term Rental – Councilman Gregory asked about Air BnB, do they provide the paperwork we are asking for. CEO Tremblay said yes & no, it depends on how diligent the owners are.

Resolution #45 – offered by Alan Gregory, seconded by Brian Ervay  
Resolve to approve the March 2024 meeting minutes, March 2024 Clerk’s report, Audit Abstract #5 and the March 2024 Supervisors report. Carried unanimously.

AUDIT

General Fund – Townwide	141-152	\$ 8,354.74
General Fund – Outside Village	137-155	\$ 516.85
Highway Fund – Townwide	137-161	\$ 8,744.42
Highway Fund – Outside Village	140	\$ 705.95
Special Water Fund	16-17	\$ 1,692.53
Trust & Agency	7-8	\$ 5,327.97

Old Business:

- Resolution to Approve Foil Request Form from Attorney Halpin
- Water and Sewer update in lost water
- MMB to do Town audit 3/11-3/12 for year 2023
- Fagan PUD updates, nothing as we have no application
- Greener Now Application for Expansion – under new business

New Business:

Resolution #46 – offered by Brian Ervay, seconded by Alec Moore  
Resolve to approve the building permit fee for DuVall Road Solar of \$21,000.00. Carried unanimously.

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Resolution #47 – offered by Alan Gregory, seconded by Alec Moore  
Resolve to accept the offer of \$115,000.00 for the old Town Hall building. Carried unanimously.

Scott Yaw and Tyler Kennedy took part in the Highway CDL Training Program.

Mowing Bids opened -2<sup>nd</sup> Time New submitted a bid for mowing & weed eating at the Town Hall only for \$65.00/week. Thurston Lawn Care LLC submitted a bid for mow/string trim at the Town Hall only for \$60.00/week for 23 weeks. Towner’s Lawn Care submitted a bid for mowing the Cemeteries only at a cost of \$1,800.00.

Resolution #48 - offered by Alan Gregory, seconded by Jeff Meehan  
Resolve to accept Towner Lawn Care’s bid for mowing Moreland and Townsend Cemeteries. Carried unanimously.

Resolution #49 – offered by Alan Gregory, seconded by Alec Moore  
Resolve to accept Thurston Lawn Care LLC mowing bid. Carried unanimously (Supervisor Smith abstained)

Supervisor Smith attended a meeting regarding a “Pro Housing Program” and would like to draft a resolution to become a “pro housing community” which will help with all kinds of housing. To participate the Town needs to show a .003% increase in new housing over last year. Belonging will help with grants and it will cost us nothing to belong. Supervisor Smith is asking for permission to submit the proper paperwork.

Resolution #50 – offered by Brian Ervay, seconded by Jeff Moore  
Resolve to authorize Supervisor Smith to complete and submit the paperwork to enter the Pro Housing Program. Ayes – 3, Nays 1

The Town will hold a public hearing next month on a new proposed water and sewer rate schedule. Supervisor Smith is just waiting on the final study from Hunt Engineers and should have the new rate structure to the board members by Monday. The public hearing will start at 6:00 pm.

Board members received a copy of the Highway Part 284 from the Highway Superintendent. After much discussion it was decided to accept Townsend Road, Baker Hill Road and Beaver Dams-Moreland Roads this season for a total of \$227,000.00

Resolution #51 – offered by Alan Gregory, seconded by Alec Moore  
Resolve to authorize Section 284 agreement for work on Townsend Road, Baker Hill Road and Beaver Dams-Moreland Road this season at a cost of \$227,000.00 to come from State Aid. Carried Unanimously

Resolution #52 – offered by Brian Ervay, seconded by Alec Moore  
Resolve to send the following to NYS DEC Regarding the It’s Greener Now expansion request  
Carried Unanimously

RE: RENEWING AND RESTATING OPPOSITION TO THE CURRENT APPLICATION TO OPERATE A CERTAIN GRAVEL QUARRY IN THE TOWN OF DIX, SCHUYLER COUNTY, NEW YORK, PENDING FURTHER REVIEW

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WHEREAS, it has been reported in the New York State Environmental News Bulletin on January 3, 2024 and elsewhere that It's Greener Now, LLC - Padua Gravel ("applicant") is proposing a 60 acre expansion to their gravel quarry operations, located in the Town of Dix, County of Schuyler, State of New York, adjacent to the Village of Watkins Glen pursuant to the applicant's Mined Land Reclamation Modification Application (Application ID: 8-4424-00006/00001) ("current application"), and

WHEREAS, by Resolution No. 55, dated February 12, 2024, the Schuyler County Legislature set forth its opposition to the current application, as set forth more fully in said Resolution, and

WHEREAS, the County Legislature is in receipt of that certain letter dated April 5, 2024, from Rupp Pfalzgraf, LLC (William F. Demarest III, Esq.), addressed to the New York State Department of Environmental Conservation (DEC), raising multiple areas of concern and allegations regarding the applicant's current application and encouraging the DEC to require applicant to complete a Supplemental Environmental Impact Statement (sEIS) and correct the Draft Environmental Impact Statement (dEIS) as part of the State Environmental Quality Review Act (SEQR) review; and further requesting, should the DEC issue a Findings Statement and approve the permit application, it should impose conditions regarding future expansion; concurrent reclamation and maximum affected acreage; prohibition of refueling in the excavated and reclaimed areas; and setting a maximum operational duration for the mine at issue.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby renews its opposition to the current application pending a full, fair and exhaustive environmental review of the project to address all legitimate areas of concern prior to any decision, including, but not limited to, those issues alleged in the aforesaid letter, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall transmit a certified copy of this resolution to the following: Governor Kathy Hochul, DEC Commissioner Basil Seggos, New York State DEC Region 8, New York State Historic Preservation Office, Senator Thomas F. O'Mara, Assemblyman Philip A. Palmesano, and such other and further officials as might be deemed appropriate and proper.

Resolution #53 – offered by Alan Gregory, seconded Jeff Meehan

Resolve to release funds for the Clerk and Deputy Clerk to attend The Association of Towns Town Finance School in Geneva May 7-8, 2024. Carried Unanimously

Supervisor Smith moved to executive session at 7:54 pm.

Returned to regular meeting at 8:16 pm.

Resolution #54 – offered by Alan Gregory, seconded by Brian Ervay

Resolve to compensate Code Officer Tremblay \$2500.00 for acting as Clerk of the Works for the building of the New Town Hall. Carried Unanimously

Supervisor Smith adjourned the meeting at 8:20 pm.

Respectfully Submitted

Naomi C. Kingsley  
Town Clerk