

Town of Dix
Regular Board Meeting
August 11, 2025

DRAFT

Present: Supervisor Dominick Smith
Deputy Supervisor Brian Ervay
Councilman Alec Moore
Councilman Jeff Meehan
Councilman Alan Gregory
Town Clerk Naomi Kingsley
Highway Superintendent Scott Yaw
Highway Employee Todd Kennedy

Others: One member of the public

Supervisor Smith called the meeting to order followed by the Pledge of Allegiance.

Additions to Agenda – Supervisor added a public hearing to next month’s agenda

Town Justice Kristina Vondracek was present to request authorization from the board to apply for funding from the Justice Court Assistance Program during the upcoming grant cycle. No specific items are being applied for at this time. Councilman Gregory asked that she keep in mind potential cost for upkeep of items that may be purchased.

RESOLUTION #49 – offered by Moore, seconded by Gregory

Resolve the following “The Board of the Town of Dix authorizes the Town of Dix Court to apply for a JCAP grant in the 2025-26 grant cycle up to \$30,000.00” Ayes – 4, nays - 0

Supervisor Smith requested an Executive session for a highway employee issue. Entered executive session at 6:34 pm and returned to regular session at 7:03 pm.

Public Be Heard-per policy - none

Reports:

- a. Supervisors – dealing with water-sewer issues, upgrades to water tank, diver was in everything ok. Dog contract for next year, lot of little things.
- b. Deputy Supervisor – provided pictures of new possible stone sign for town hall. Kent Thurston can engrave the stone for a cost of \$2,000-3,000. The rock slab would cost less than \$1,000.00 but probably wouldn’t hold up as well as the larger one. He would also suggest putting it on a concrete slab and the frame is optional, can be lit from the ground. Councilman Gregory is in favor of a vinyl inside the glass doors that can be changed as positions change. Deputy Ervay will get a harder number for the cost.
- c. Council Member Concerns – Gregory asked about Voucher #293 to Unifirst, that contract has ended, Superintendent Yaw responded that the bills run a month behind. Gregory also wanted it made know that he approved the termination of the contract and the offering of the \$420.00/year clothing allotment based on the 4 names that

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DRAFT

appear on the monthly bills from Unifirst. Gregory also asked about Voucher #275 total not matching the bill total. Voucher does not include the sales tax included on the bill, a tax-exempt certificate will be sent to the vendor.

- d. Clerk – will be here in September
- e. Bookkeeper – none
- f. Superintendent of Highway – Shared service for oil and stone Village of Watkins Glen, Shared service with Town of Reading for oil and stone, Shared service with Town of Montour with Jersey spreading and oil and stone, Been working on broken equipment, mower, tractor and trucks, started to prep for 2026 budget, hauling in gravel and washed 1st stone to have for projects, Shared service with Schuyler County to haul millings, Turned in clothing to Unifirst, I picked up cards for all highway workers and found I did not receive a card for clothing. Last month's resolution states all person to receive \$420.00 towards pants, boots shirts and coat. I have had boot allowance coat and shirts for last 9 years. Just wondering where this stands?, The 2 international cv trucks are getting built together so we will have both delivered at same time with 10-wheeler to follow.
Any questions comments or concerns Please contact me before meeting so it can be addressed
Scott Yaw
Town of Dix Highway Superintendent
607-425-6362
waiting on Friendly Dodge to take vehicle with transmission issue. It needs to go on a heavy lift, needs to be programmed. No dates on when new trucks will be delivered. Brought in 3 more employees to speed up things. Councilman Gregory asked Superintendent Yaw if he could move the parking blocks into a square around the lights in the parking lot. He also had a request from a constituent to request Superintendent work with the County through shared services to see if some trimming could be done at Hornby Road and County Road 19.
- g. Code Officer-Fire and Commercial Inspection Report submitted read by Supervisor year to date 38 open permits. Steve passed all his tests and is now certified.
- h. Planning Board – held a worship last Saturday, lot of little things that need to be cleared up, further work needed.
- i. ZBA - none
- j. Town Court – discussed earlier
- k. Dog Shelter – year to date 4 dogs brought in, 3 redeemed one adopted. Total for the whole county is 31 dogs brought in, 75% from the village.
- l. Committee Reps:
 - i. EMC - none
 - ii. FD - none
 - iii. Landfill – chance to stop testing and send members back funds. Looking to have a meeting in September
 - iv. Solar - later
 - v. Short Term Rental – nothing

Town of Dix
Regular Board Meeting
August 11, 2025

DRAFT

RESOLUTION #50 – offered by Ervay, seconded by Moore

Resolve to approve the July 2025 meeting minutes, July 2025 Clerk’s report, July 2025 Supervisors report and the Audit. Ayes – 4, nays – 0

AUDIT 08/11/2025

General Fund-Town Wide	269-282, 302-304	\$ 8,639.54
General Fund-Outside Village	283-285	\$ 221.11
Highway Fund-Town Wide	272, 286-294	\$ 4,064.59
Highway Fund Outside Village	295-298	\$ 57,360.97
Beaver Dams Fire Department	299	\$ 1,450.41
Montour Falls Fire Dept.	300	\$ 906.51
Watkins Glen Fire Dept	301	\$ 1,269.11
Special Sewer Fund	44-45, 49	\$ 42,902.87
Special Water Fund	44-49	\$ 33,078.36
Trust & Agency	17	\$ 502.48

Old Business:

- Fagan PUD/Meads Hill updates, nothing as we have no application.
- Water and Sewer Rates and Operations-rate suspended till further notice, pending litigation.
- Zoning Law review
- Battery Storage for Solar-Amendment to the Law
- Highway Information – submit payroll on Thursday or Friday.

New Business:

- Solar Law Public Hearing – Amendment to Local law

Section 1. Findings

The Town Board of the Town of Dix makes the following findings:

(a) There are multiple commercial-scale solar energy development projects being considered for siting within the Town of Dix, and the Town Board anticipates that more such projects will be sited in the Town.

(b) The Town has adopted a Solar Law (Local Law No. 1 of 2019 (as amended the “Solar Law”) as a supplement to the Town’s zoning ordinance to guide and control development of solar projects within the Town.

(c) The Town Board, in consultation with the Town’s planning board, has determined that, due to environmental and safety concerns, battery storage equipment is not an appropriate component of large-scale solar energy systems that are subject to the Solar Law. The Town Board accordingly has determined to adopt this local law to clarify the definition of storage batteries and prohibit the inclusion of storage batteries as a component of any Tier 3 Solar Energy System.

(d) The Town is authorized to adopt this local law pursuant to Municipal Home Rule Law section 10(1)(i)(a)(9-a), (11) and (12).

RESOLUTION #51 – offered by Gregory, seconded by Ervay

Resolve to Amend Local Law No. 1 of 2019 “The Solar Law” as follows

Section 2. The definition of “Storage Battery” in Section 3 of the Solar Law is amended and restated as follows:

Storage Battery: One or more devices, assembled together and located in a fixed location, capable of storing energy produced by a Solar Energy System or non-Solar Energy System.

Section 3. A new Section 8(L) is added to the Solar Law, as follows:

L. Storage Batteries. A Storage Battery, or more than one Storage Batteries, shall not permitted as a component of any Tier 3 Solar Energy Facility.

Section 4. Section 9(C) of the Soar Law is amended and restated as follows:

If Storage Batteries are included as part of a Tier 1 or Tier 2 Solar Energy System, they shall meet the requirements of any applicable fire prevention and building code when in use and, when no longer used, shall be disposed of in accordance with the laws and regulations of the Town and any applicable federal, state, or county laws or regulations.

Section 5. The invalidity or unenforceability of any provision, clause or phrase of this local law, as declared by the valid judgment of any court of competent jurisdiction, shall not affect the validity or enforceability of any other provision, clause or phrase, which shall remain in full force and effect. Ayes – 4, nays - 0

- Amend Highway Part 284 –

Superintendent Yaw would like to add 20 miles of road striping; roads will be determined as needed when Steuben County comes back in September as a shared service. Need to buy paint and beads to cover the mileage needed that would not exceed \$12,680.00 and it is already in the 284.

RESOLUTION #51 – offered by Gregory, seconded by Meehan

Resolve to amend the Highway Part 284 to include 20 miles of road striping at a cost of \$12,680.00 which is already in the 284. Ayes – 4, nays – 0.

RESOLUTION #52 – offered by Gregory, seconded by Meehan

Resolve to contract with Tish Lynn with Hancock Estabrook for Litigation Matters. Ayes – 4, nays – 0

- EFC grant award for water and sewer study update

Town of Dix
Regular Board Meeting
August 11, 2025

DRAFT

RESOLUTION #53 – offered by Gregory, seconded by Moore

Resolve to allow Supervisor Smith to accept the \$50,000.00 grant to update a water-sewer study done by Hunt Engineers in 2019. Ayes – 4, nays – 0

The Town will hold a Public Hearing next month for Local Law #3 of 2025 a Local Law setting impoundment fees pursuant to Agriculture and Markets Law Section 118(4). Under the new contract 70% of licensing fees will be paid to Southern Tier Animal Control.

RESOLUTION #54 – offered by Ervay, seconded by Gregory

Resolve to move next month Board Meeting to September 15, 2025. There will be a Public Hearing at 6:15 pm with the regular meeting to follow at 6:30 pm. Ayes – 4, nays – 0

Supervisor Smith adjourned the meeting at 7:52 pm.

Respectfully submitted,

Naomi C. Kingsley
Town Clerk