

**TOWN OF DRYDEN  
TOWN BOARD MEETING  
April 18, 2024  
Zoom Hybrid**

Present: Supervisor Jason Leifer, Cl Daniel Lamb, \*Cl Spring Buck  
Cl Leonardo Vargas-Mendez,

Absent: Cl Christina Dravis

Elected Officials: Bambi L. Avery, Town Clerk

Other Town Staff: Ray Burger, Planning Director  
\*Cassie Byrnes, Secretary to Supervisor  
Chris O'Connor, Fire Coordinator

\*Indicates attendance via Zoom.

Supv Leifer opened the meeting at 6:05 p.m. Board members and audience recited the pledge of allegiance.

**TOWN CLERK**

**RESOLUTION #81 (2024) – APPROVE MINUTES**

Cl Lamb offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby approves the meeting minutes of March 4, March 14, and March 21, 2024.  
2<sup>nd</sup> Supv Leifer

Roll Call Vote	Cl Vargas-Mendez	Yes
	Cl Buck	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

Town Clerk B Avery has provided board members with a reconciliation of the 2024 property tax collection, together with a copy of the 2023 reconciliation for comparison.

**ANNUAL PRESENTATION BY BERKSHIRE HATHAWAY**

Don Houser of Berkshire Hathaway BHE GT&S said it was a pleasure to again present their annual report, a requirement of their special use permit. This is the third year of the annual report. (Slides from presentation are attached.) He reviewed their core principles, the structure of the company and the network they are a part of. They have 138 billion dollars in assets.

In 2023 they pushed a lot more gas through this pipeline in New York State than in 2022. Demand is not decreasing for natural gas; it is increasing. 2023 was a very cold winter and spring and they set records of throughput.

Because of the increased flow, emissions have a slight uptick, but they are not even close to the potential to emit with the new engines. They are one of the best in the industry in

terms of the percentage of how much gas is lost to the atmosphere. They are proud of their emissions reductions. BHE intensity is at an industry low in the pipeline industry, and the goal is to make improvements each year.

Stu Berg asked whether there have been any planned blowdowns in the past year and what is the status of getting it announced to the community. D Houser will check with the operators. The town's safety and emergency committee has been dissolved. It may need to be established again to work with the county for notifications such as these. It was noted that fire departments are notified of planned blowdowns.

S Berg said that the monitors they had around the plant had detected a leak at Cornell's connection to NYSEG and also provided data during the fires in Canada. They have been helpful in monitoring other than just the plant.

### **NYSERDA PRESENTATION Caswell Road Solar Project**

Brian Gyory, of NYSERDA is the project manager for the project. With him tonight are Terry Carroll, Sustainability Officer for Tompkins County, and Bill Oberkehr of NYSERDA, who is responsible for the clean energy siting team. B Oberkehr will give an overview of fire safety recommendations from NYSERDA.

NYSERDA is pushing in getting us to 70% renewable energy by 2030. The state has realized that there are a lot of sites that are not being looked at by the private sector because they are too costly to develop. NYSERDA's build ready program became active in 2020 and they started looking at thousands of sites around the state. They look at brownfields, landfill sites, former industrial sites, and former fossil fuel generation sites as well as parking lots. Each type has inherent issues and risks associated with them and the private sector isn't likely to go after those. NYSERDA is assessing them, de-risking them, then securing necessary permits and approvals. Then NYSERDA will sell them off to a private entity who will own, operate, and maintain them.

For the Caswell Road project they are looking at the details, assessment, and design, as well as the permitting fees. These sites have some constraints to them and NYSERDA understands that there will be added cost and that would be covered by a 20-year agreement with the entity developing the site with NYSERDA and that will basically cover the additional costs. They focus on these turnkey project developments at no cost to the county for the project. A contract will be competitively awarded to a private developer to own, operate, and maintain. There is added revenue to the landowner, in this case the county. They will receive payment for the use of the site as well as a host community management package with the town. They are looking for feedback from the community and local government regarding that. They typically are looking for projects bigger than 5 MW.

The project on Caswell Road will be a solar plus battery storage project. Twenty or so people attended the open house at Neptune Fire Hall last night. A survey has gone live for additional feedback. At the open house they were able to answer questions from adjacent property owners. They are also looking for other stakeholder input. They met with DEC last week regarding the landfill portion of the project.

The property is currently owned by the county and there are no real estate taxes paid on it. The improvements will be subject to a PILOT agreement, so the municipalities will receive income from that agreement.

B Gyory said they have received positive comments regarding the battery portion of the project (reliability) and providing renewable energy to the grid. They also had comments from neighbors about stormwater and other environmental aspects of the project. As they go through the review process, studies will be provided to the town, including viewshed.

Cl Lamb asked if there was any threat of compromise to the cap of the old dump and was told there was no threat at all. They will use a ballasted system and it will have to go through review by the DEC Office of Materials Management. They regularly monitor all open and closed landfills.

NYSERDA has met with planning staff multiple times since last summer to discuss the project. They met with the Planning Board last month. They intend to submit a full application for the site plan and special use permit in the next week or so.

This site was nominated by the County in 2020. The landfill has been closed and capped since 1985. There are approximately eighty-three buildable acres on the site. There will be no ground penetration on the capped portion. Traditional installation will be used in the other areas. It is currently proposed as a 12.5 MW solar project and a 2.5 MW battery energy storage. The interconnection route goes through a private property owner, and NYSERDA has a good neighbor agreement with them to do preliminary work and anticipate a final easement to do temporary construction. The line will ultimately be buried at a minimum of 48" deep so that there will be no farming restriction. The interconnection is at Peruville Road.

B Gyory said there are a lot of benefits to battery storage and one of the key benefits is that the peak for renewable energy production is not necessarily the same as the peak usage and demand. By incorporating battery storage in this renewable energy project, they will be able to expand to a greater use of the facility as well as reliability.

Bill Oberkehr, Senior Project Manager on NYSERDA's Clean Energy Siting Team, spoke about the recently released fire code recommendations from the Governor's interagency fire safety working group. There are fifteen recommendations in the report, but many of them are within local power to implement now (see slide presentation attached). Those include:

Peer Review – Where required by the authority having jurisdiction (code official) the system owner is responsible for retaining and furnishing the services of a registered professional or special expert to perform as a peer reviewer.

Commissioning Plan – This outlines commissioning activities to be conducted *prior* to the system being placed in service.

Fire Remediation – The system owner will mitigate the hazard or remove damaged equipment from the premises to a safe location and dispatch fire mitigation personnel to respond to possible ignition or re-ignition of a damaged system.

Fire Mitigation Personnel – Requires that qualified personnel be available for dispatch within 15 minutes and able to arrive on scene within four hours to provide support to local emergency responders.

Signage – Extend safety signage requirements beyond the system site for first responders to include perimeter fences or security barriers and include a map of the site, system enclosures, and associated equipment.

Emergency Response Plans and Regular Fire Department Training – Include a requirement for an Emergency Response Plan and annual local first responder training for every system installation.

Perceived exemptions for BESS Cabinets – Include the word “cabinets” in all Fire Code requirements that pertain to rooms, areas, or walk-in units, except for fire suppression requirements, as they may be inappropriate for cabinets.

Craig Anderson asked what fire apparatus is necessary to suppress the fire for four hours until the fire mitigation team arrives. B Oberkehr said it should be standard equipment. He hasn't heard of one specific piece of equipment required for this type of fire that is not necessary for any other fire. If your local fire department isn't equipped with what they need in a particular instance, it wouldn't be out of order to ask the project owner to provide it. He hasn't heard of one specific piece of equipment that is required to fight fires associated with this technology. Containment is the best practice, let the fire consume the cabinet and make sure the fire does not spread beyond the project.

Cl Buck asked if there are any risks to groundwater. B Oberkehr said there is no evidence of contamination of metals in the ground or water. Testing was done during and after the fires, and again months later.

B Gyory said the developer of the project will bear the expense of any of the requirements discussed here.

Cl Lamb said he understands these fires have happened and asked how often they occur. B Oberkehr said there is a global database of energy storage system fires, and to date there have been 10-15 in the United States (both residential and commercial).

B Gyory expects they will submit their application next week.

## **PUBLIC HEARING**

### **Acceptance of Easement from NYSEG South Hill Rec Way Trail**

Supv Leifer opened the public hearing to accept an easement from NYSEG for a portion of the expansion of the South Hill Recreation Way Trail at 7:41 p.m. This trail extension runs from Burns Road to the Tioga County line with most of it being in the town of Caroline. The area affected in Dryden is less than a mile. Dryden's share of the cost related to this easement is \$5,635.00. A letter has gone out to the owners of Dryden property owners that will be affected. There is also an intermunicipal agreement between the municipal boards providing for future maintenance expenses and how those will be covered, among other things.

There were no comments and the hearing was left open at 7:46 p.m.

## **HIGHWAY/DPW DEPARTMENT**

No report

## **PLANNING DEPARTMENT**

R Burger said most of the items in his report are on tonight's agenda. He noted that the Planning Board will have an introduction next week of a proposed INHS project at 5 Freese Road.

## **TOWN FIRE COORDINATOR**

Chris O'Connor said there is a lot going on and he will limit his time tonight to reporting the important and/or most timely items.

Alice Green has been very helpful in sharing her network so that he can learn more about how NYSERDA can assist the town's fire departments in updating the heating, cooling, lighting, and insulation in their firehouses so as to reduce their energy bills. Although it might not be possible to get funding to actually replace any equipment, they are going to explore every option. It looks as if, at the very least, all the departments can get a free professionally done energy audit so they can understand better what and when individual systems should be considered for replacement.

At the beginning of the month, he attended a two-day peer support training class that was put on by Tompkins County and the National Alliance on Mental Illness. It was an excellent class with a couple of great instructors. It highlighted ways in which trained emergency responders can help their peers who are experiencing difficulties in their life. He was the only fire guy there with police officers from about ten different agencies, but it was fine. They all share the same issues with co-workers that have trouble with PTSD, alcoholism, drug use, family issues, anger issues and huge differences of opinion on how best to do something that sometimes ends with a bad outcome. The county is forming an Overwatch Peer Program to help with these issues and he is going to try to get members from each of the town's fire departments to get on board.

He also attended a two-day course near Oil City, Pennsylvania, which certified him as a Recruitment/Retention Coordinator. This course, written and presented by experienced instructors from the International Association of Fire Chiefs, covered every aspect of both the recruiting and retention processes, and how to wage a campaign for both career and volunteer fire departments. It was actually a three-day course, because before he could go there, he had to do an eight-hour online course, complete with tests. The instructors provided a wealth of material that he can share with the town departments. He has submitted an informal request to the administrator of the program that Dryden be considered as a site for a future class. The classes are paid for with the SAFER grant so there would be no cost to the town. It may be a year before the class can be scheduled.

The Certified First Responder Class that was scheduled to start at the beginning of April has been postponed until September. Doing so will enable them to engage all the new student members that Varna will likely have and bring the per-student cost down.

The Varna Fire Department has a member who has a master's in physical therapy from Ithaca College and is currently working as a physical therapist. In an effort to help all the departments give their members basic training in movement and exercise, thereby reducing injuries, C O'Connor has asked her to develop a course curriculum that could be delivered to all departments. He met with her and she has an excellent start on it. He suggested she get a few other people from Varna to help her expand both the curriculum and make it more fun. She will keep working on it and he expects they will be ready in September for whatever departments want the training.

C O'Connor has been in contact with Jennifer Puerner, who works for the NYS Department of Labor and has authority over all fire departments in New York State, both career and volunteer. She has put together a training called Firefighter Requirements: Myth vs. Fact that spells out the real answers to many of the questions that plague New York State fire services. Her presentation lays out the legally enforceable differences between interior and exterior firefighters, the many questions surrounding turnout gear and other parts of PPE, firefighter physicals, training requirements, and everything having to do with firefighters from a

legal point of view. She is willing to travel to Dryden to make this presentation once he gets a chance to get approval and work up some dates with the town fire departments. It is great information that we all need.

## **DISCUSSION/ACTION ITEMS**

**Borger Station Site Plan Amendment** – R Burger said this site plan involves replacing the current chain link fence with barbed wire at the top with a more secure, robust one that is also much more attractive than what exists now. The Planning Board reviewed this at their last meeting and they had no specific recommendations.

Jeremy Ross, of Engineering for BHE GT&S, said the current chain link fence was part of the unit replacement project in 2021, but a lot has happened since then. In 2022 they saw an increase in attacks on infrastructure across the United States. They were pretty substantial and put communities at risk and left a lot of them without power. During that time, they saw supply chain issues with certain types of equipment, and continue to see those types of issues. There were thirteen facilities identified and approached about protecting critical facilities, including Borger Compression Station. The footprint of the Borger Station covers the states of New York, Pennsylvania, West Virginia, Ohio, Maryland, and Virginia. Eleven of those thirteen facilities have upgraded their fencing. Borger is the only one that will receive the ornamental palisade fence (with the intention of blending with the community). The existing fencing was displayed together with a rendering of what is proposed and current fencing being used at other facilities. Borger is spending an additional half million dollars for the palisade fencing due to its location in a residential community. They are adding landscaping. They are protecting the critical infrastructure in the most pleasing way they can do it. It was noted that FERC has discussed with the operators potential regulations coming out to enhance security around this type of facility. At this point they have put it on the operators, recognizing that it is a significant financial investment and burden on the operators.

D Houser thanked the Planning Department for collaborating with them to design something that is unique to the community and conforms best with the community around that facility. They are protecting the critical infrastructure in the most pleasing way they can do it.

Stu Berg said it is more likely Borger would be attacked via technology and hacking. Don Houser said that is also very important and they are inundated with cyber security tests. BHE GT&S is very strict and it would be very difficult for someone to gain control of the technology.

### **RESOLUTION #82 (2024) - Approving Site Plan Amendment for Fencing Replacement Project at 219 Ellis Hollow Creek Road, Tax Parcels 66.-1-18 and 66.-1-22**

Supv Leifer offered the following resolution and asked for its adoption:

WHEREAS,

- A. Berkshire Hathaway Eastern Gas Transmission and Storage, Inc. has applied to amend their site plan for replacement fencing at the Borger station at 219 Ellis Hollow Creek Road, Tax Parcels 66.-1-18 and 22; and
- B. An application, site plan, landscaping plan, and drawings have been submitted, and

C. The Town Planning Department considers the application complete and in conformance with the requirements of Code of the Town of Dryden (Code) §270-11, and

D. The Town Planning Board reviewed this site plan amendment on 3-28-24 and recommended that the Town Board approve this amendment, and

E. Pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations at 6 NYCRR Part 617, the Town Board of the Town of Dryden has, on April 18, 2024, declared itself as Lead Agency for purposes of uncoordinated environmental review under SEQRA, and determined that this proposal is exempt from review since it is a Type II action under 6 CRR-NY 617.5 (c) (2), since it is a replacement of facilities, in kind, on the same site, and

F. The Town Board has reviewed this application relative to the considerations and standards found in Code §270-11 for site plan review.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the site plan documents, submitted with the application dated 2-20-24 (as supplemented by plans dated 4-3-24) as site plan for the Borger fence replacement project at 219 Ellis Hollow Creek Road with the Town of Dryden Standard Conditions of Approval as amended August 14, 2008.

2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Vargas-Mendez	Yes
	Cl Buck	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

Work will commence in June or July as they have not yet ordered material. They expect it to be finished around September.

There were no further comments relative to the public hearing on the easement for NYSEG for the South Hill Recreation Way and Supv Leifer closed it at 8:14 p.m.

**Resolution #83 (2024) - Authorization to Sign an Easement with NYSEG and to Sign an Intermunicipal Agreement with the Towns of Ithaca, Danby and Caroline for the potential South Hill Recreation Way Extension**

Supv Leifer offered the following resolution and asked for its adoption:

Whereas, the Town of Dryden wishes to cooperate with the Towns of Caroline, Danby and Ithaca to develop an extension of the South Hill Recreation Way from its present terminus at Burns Road out to the Tioga County line; and

Whereas, the route of this trail extension follows the former railbed which is now owned by New York State Electric and Gas (NYSEG); and

Whereas, a draft easement with NYSEG has been prepared for this project and has been presented to this Board; and

Whereas, an intermunicipal agreement with the Towns of Caroline, Danby and Ithaca has been drafted setting forth the responsibilities and liabilities regarding this trail extension project and has been presented to this Board; and

Whereas, NYSEG has offered to sell trail easements to the Towns based on a fair market appraisal price of \$36,667, with the Town of Dryden’s proportionate share being \$5,635; and

Whereas, pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations at 6 NYCRR Part 617, it has been determined by the Town Board that acquisition of less than 25 acres of parkland is a Type II action, and the adoption of regulations, policies, procedures and local legislative decisions in connection with any action on the Type II list is also a Type II action, pursuant to 6NYCRR Section 617.5(c)(39) and (33), and thus the acquisition of the easement and approval of the intermunicipal agreement are not subject to review under SEQRA; and

Whereas, a public hearing was held pursuant to General Municipal Law Section 247;

Now, therefore, be it

Resolved, that the Town Board of the Town of Dryden hereby approves and authorizes the execution of the proposed easement with NYSEG for the potential extension of the South Hill Recreation Way, and it is further

Resolved, that the Town Board of the Town of Dryden authorizes the payment to NYSEG of \$5,635 for the Town of Dryden’s portion of such easement upon full execution of the easement, and it is further

Resolved, that payment of said funds are to be made available wholly from moneys appropriated from surplus funds, which are sufficient funds to cover the purchase price and costs of this transaction, and it is further

Resolved, that the Town Board of the Town of Dryden hereby approves and authorizes the execution of the proposed intermunicipal agreement with the Towns of Ithaca, Danby and Caroline regarding future maintenance of and other responsibilities and liabilities regarding the trail, and it is further

Resolved, that the Town Supervisor be, and hereby is, authorized and requested to take such steps (including the expenditure of Town surplus funds for easement purchase, recording fees, filing fees, and other real estate fees and expenses), and to execute all such documents (including the easement and intermunicipal agreement) as are deemed necessary to effectuate such easement and the purposes of this resolution.

2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Vargas-Mendez	Yes
	Cl Buck	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Support Climate Change Legislation** – Cl Dravis provided a resolution for the board’s consideration to support certain state budget proposals and legislation regarding climate change.

**RESOLUTION #84 (2024) - TO SUPPORT NEW YORK STATE BUDGET PROPOSALS AND LEGISLATION TO ADDRESS CLIMATE CHANGE**



Supv Leifer offered the following resolution and asked for its adoption:

**WHEREAS**, 2023 was the planet’s warmest year on record, according to the National Oceanic and Atmospheric Administration (NOAA) and NOAA’s Chief Scientist Dr. Sarah Kapnick stated, “We will continue to see records broken and extreme events grow until emissions go to zero. Government policy can address both emissions, but also actions to reduce climate impacts by building resilience”; and

**WHEREAS**, New York State is a leader in adopting policies and budgets to address this climate crisis, adopting the Climate Leadership and Community Protection Act (CLCPA) in 2019 and the Climate Action Council Scoping Plan in 2022 to meet the goals set forth in the CLCPA; and

**WHEREAS**, as documented in the 2022 Climate Plan, the cost of inaction on these goals exceeds the cost of action by more than \$115 billion; and

**WHEREAS**, Legislative action and budget measures are needed to implement the Climate Plan, make our state healthier, and help create an accessible clean-energy economy that will benefit the New Yorkers of today and tomorrow; and

**WHEREAS**, the Town of Dryden received the Bronze Rating of the Climate Smart Certification from New York State Department of Environmental Conservation in 2019 and is working to increase that rating from Bronze to Silver; and

**WHEREAS**, the Town of Dryden is a certified Clean Energy Community (CEC), a program of the New York State Energy Research and Developmental Authority (NYSERDA) that helps local governments reduce energy consumption and drive clean energy use in their communities; and

**WHEREAS**, the Town’s sustainability actions are coordinated by the Town of Dryden’s Climate Smart / Clean Energy Community Task Force; now therefore be it

**RESOLVED**, that given the extreme urgency of the climate crisis and the need to take action wherever possible, on recommendation of the Climate Smart / Clean Energy Community Task Force, the Town Board urges New York State to adopt the following interrelated measures this year:

- **NY Home Energy Affordable Transition Act (S2016A/A4592A)** will give the Public Service Commission the authority and direction to align gas utilities and gas system planning with the CLCPA’s emission reduction mandates. This bill will support Governor Hochul’s proposed **Affordable Gas Transition Act**, protecting utility customers from bearing approximately \$200 million annually in unwarranted investments in fossil fuel infrastructure.
- **Just Energy Transition Act (S2935C/A4866C)** provides a plan to guide the replacement and redevelopment of at least 4 gigawatts of New York State’s oldest and most polluting fossil fuel facilities and sites by 2030, moving forward with the transition off fossil fuels per the CLCPA.
- **Climate Change Superfund Act (S2129A/A3351A)** makes the state’s worst polluters – major oil companies – pay to repair and address the harm they’ve caused. The bill would require the NYS Department of Environmental Conservation to assess and collect an annual fee from big oil companies that released over 1 billion tons of greenhouse gas emissions from 2000 to 2018 so that companies that caused the climate crisis pay for the costs, not taxpayers or ratepayers.
- **Green Affordable Pre-electrification (GAP) Fund (S8535/A9170)** will promote decarbonization by helping owners and tenants in residential properties to fix structural and building code defects that render the properties ineligible for climate change adaptation and resiliency project grants.

- **Stop Climate Polluter Handouts Act (S3389/A7949A)** will save taxpayers more than \$336 million annually by repealing certain tax exemptions and incentives that currently benefit the fossil fuel industry and encourage the use of fossil fuels.
- **Packaging Reduction including the Bigger Better Bottle Bill (S4246/A5332A) (S237B/A6353)** will require companies to pay for the management and recycling of their packaging waste, dramatically reducing the worthless plastic waste that will end up at local recycling facilities. The new funding from collected fees will help local governments support effective recycling of metal, paper, cardboard, and glass as well as reuse and refill programs such as dishwashing equipment in schools or public drinking water fountains.
- **Climate Education Bill (S278A/A1559A)** establishes a course or instruction and learning expectations on climate education in all of New York’s public elementary and secondary schools.
- **Renewable Action Through Project Interconnection and Deployment (RAPID) Act (S8308B/A8808A)** would streamline the buildout of transmission infrastructure for a flexible, reliable, and clean grid.

**RESOLVED**, further, that copies of this resolution be sent to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, chairs of the Senate and Assembly Environmental Conservation Committees Senator Peter Harckham and Assemblymember Deborah Glick, Senator Lea Webb, Assemblymember Anna Kelles, and the New York State Association of Towns.

2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Vargas-Mendez	Yes
	Cl Buck	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Cortland Road Sewer Rate** – The Village of Dryden changed their sewer rates, so the board needs to increase the rates for Cortland Road Sewer District accordingly.

**Resolution #85 (2024) - Amend Cortland Road Sewer District 2024 Sewer Rate – SS3**

Supv Leifer offered the following resolution and asked for its adoption:

WHEREAS, the sewer districts served by Cortland Road Sewer District are part of a single sewer district; and

WHEREAS, the Village of Dryden increased their rates 7% starting with the 4/15/2024 billing date; and

WHEREAS, the Town was not provided with the rate change until March 29, 2024, for bills going out to customers on April 15th; and

WHEREAS, no revenues will be generated from property taxes or assessments for the sewer district for the 2024 budget cycle; therefore

RESOLVED, that effective January 15, 2024, this Town Board hereby establishes the Cortland Road Sewer District sewer rate according to the table below.

Usage	Sewer Rate
0 -1,000 gal (minimum)	88.28

1,001 -15,000 gal (per thousand)	7.36
15,001 - 40,000 gal (per thousand)	10.57
40,001 - 60,000 gal (per thousand)	11.37
60,001 -100,000 gal (per thousand)	12.18
100,001 - 150,000 gal (per thousand)	12.98
150,001 - 200,000 gal (per thousand)	13.78
200,001 - 300,000 gal (per thousand)	14.58
300,001 - 10,000,000 gal (per thousand)	15.39

2<sup>nd</sup> Cl Vargas-Mendez

Roll Call Vote	Cl Vargas-Mendez	Yes
	Cl Buck	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Building Safety Month** – R Burger said this is a national effort by the International Code Council and the Southern Tier Building Officials Association provided this template for consideration.

**RESOLUTION #86 (2024) - Proclaiming May 2024 Building Safety Month**

Cl Vargas-Mendez offered the following resolution and asked for its adoption:

Whereas the Town of Dryden is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings and infrastructure play, both in everyday life and when disasters strike, and;

Whereas our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians-building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry-who work year-round to ensure the safe construction of buildings, and;

Whereas these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work and play, and;

Whereas these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wild land fires, floods and earthquakes, and;

Whereas Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety-our local code officials- who assure us of safe, sustainable and affordable buildings that are essential to our prosperity, and;

Whereas "Mission Possible," the theme for Building Safety Month 2024, encourages us all to raise awareness about building safety on a personal, local and global scale, and;

Whereas each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home

and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, The Town of Dryden hereby proclaims the month of May 2024 as Building Safety Month and encourages our citizens to join us as we participate in Building Safety Month activities.

2<sup>nd</sup> Supv Leifer

Roll Call Vote	Cl Vargas-Mendez	Yes
	Cl Buck	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Amend Town Procurement Policy** – This minor amendment is necessary to comply with the requirements of the CDBG grants.

**Resolution #87 (2024) - Amend Procurement Policy**

Supv Leifer offered the following resolution and asked for its adoption:

Whereas, when submitting documents and policies for the CDBG Grant 336HR307-23, it was requested that the Town Procurement Policy include the following language,

**Federal and State Grant Administration Procedures**

1. Town of Dryden does not have a centralized grants department; therefore, it is the responsibility of each department obtaining a grant to administer and be familiar with all grant documents and requirements.
2. The Department Head or designee responsible for the grant will ensure compliance with State, Federal, or other requirements linked to funding sources for specific projects and programs including but not limited to MWBE participation, Davis-Bacon, Federal or State labor standards, conflicts of interest, and equal employment opportunity hiring.
3. When U.S. Department of Housing and Urban Development funding assistance for construction or rehabilitation projects create a need for new employment, contracting, or training opportunities subject to Section 3 (as defined in 24 CFR § 135.5) requirements, Town of Dryden shall integrate Section 3 requirements if applicable.

RESOLVED, that this Town Board hereby approves this amendment to the Town Procurement Policy that was approved January 11, 2024, Resolution #24.

2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Vargas-Mendez	Yes
	Cl Buck	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Update Town Grievance Procedure** – This is also in connection with the requirements for the CDBG grants. The Town’s had not been updated since 1984 and the board reviewed the attached document.

**Resolution #88 (2024) - Update Town Grievance Procedure, Section 504 Policy**

Supv Leifer offered the following resolution and asked for its adoption:

Whereas, when submitting documents and policies for the CDBG Grant 336HR307-23, it was requested that the Grievance Procedure for Section 504 Policy, adopted by the Town on August 14, 1984 (Resolution #154), be updated.

RESOLVED, that this Town Board hereby approves the revised Grievance Procedure and the revised policy (attached) will replace the prior policy.  
2<sup>nd</sup> Cl Leifer

Roll Call Vote	Cl Vargas-Mendez	Yes
	Cl Buck	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Appoint Zoning Officers** – With the resignation of Dillon Shults, it is necessary to appoint a Zoning Officer(s).

**RESOLUTION #89 (2024) – APPOINT ZONING OFFICERS**

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby appoint David Sprout and Shelley Knickerbocker as Zoning Officers for the town.  
2<sup>nd</sup> Cl Vargas-Mendez

Roll Call Vote	Cl Vargas-Mendez	Yes
	Cl Buck	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Professional Municipal Clerks Week** – The International Institute of Municipal Clerks is promoting municipal clerks with a proposed proclamation.

**RESOLUTION #90 (2024) - RECOGNIZING PROFESSIONAL MUNICIPAL CLERKS WEEK**

Cl Vargas-Mendez offered the following resolution and asked for its adoption:

**Whereas**, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

**Whereas**, The Office of the Professional Municipal Clerk is the oldest among public servants, and

**Whereas**, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

**Whereas**, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

**Whereas**, The Professional Municipal Clerk serves as the information center on functions of local government and community.

**Whereas**, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

**Whereas**, It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

**Now, Therefore**, the Town Board of the Town of Dryden does hereby recognize the week of May 5 through 11, 2024, as Professional Municipal Clerks Week, and further extends its appreciation to its Professional Municipal Clerk, Bambi L. Avery, and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

2<sup>nd</sup> Supv Leifer

Roll Call Vote	Cl Vargas-Mendez	Yes
	Cl Buck	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**ADVISORY BOARD UPDATES**

**Affordable & Workforce Housing** – Cl Vargas-Mendez read the following statement from the committee:

The Affordable and Workforce Housing Committee is concerned about the DRYC's last RFP draft stated goals for the land behind Town Hall, to be for approval in their next committee meeting next Wednesday. The stated purpose of the Town Bard was, when we agreed to direct DRYC to be the leading agency for development of the Town fields behind the Town Hall, to develop an RFP for a *comprehensive evaluation* of the Town land to include all optimal uses, including housing.

However, DRYC's latest draft downgrades housing to a secondary goal, even behind a solar farm as a possible use. As you look at the land area, the hilly parts of the eastern side of town land don't lend themselves to build playing fields, not easily nor cheaply. But they might be likely sites for housing development, due to access and elevation. Consider the assets that surround these town lands, walkable to business, healthcare, groceries, restaurants, schools, a College, A growing walkable Village. A growth plan the Comprehensive Plan encourages. But, most importantly the property has access to available water and sewer, critical for higher density housing. Affordable housing, for senior, workforce, young families and youth is one of the most heard and pleaded demands in our Town and County. This type of use will also put land back to the tax roll. That the youth and families are in need of recreation fields, I agree, but there is no reason both goals cannot be pursued appropriately.

Further, the draft RFP includes significantly more investment in recreation - in land, in capital expenses, and in annual operating costs - by asking consultants to somehow fit an "Indoor facility that can be used for summer camp and indoor recreation activities for both adult and youth residents," a playground, and even a concession stand. These uses go far beyond the Board's commitment to build a couple of ball fields, and would obviously crowd out any possibility of including much-needed housing for our community.

In addition, included in the multi-uses of that land is trail access to the Village of Dryden and TC3 dorms, as well as some type of historical marker referencing the Dryden Agricultural Fair Grounds (1885-1917), as revealed by our Town historian, Loren Sparling.

We can't forget the contingencies that came with the "land gift" from Cornelius, namely:

1. A 60' right-of-way through town lands to access the Cornelius property to the north
2. The Town is required to build a road on the right-of-way to access the Cornelius property

Finally, on behalf on the Affordable and Housing Committee I asked DRYC to be included in the search process. Unfortunately, I received no response.

It should be obvious, but it's important to state anyway: The directions that are given to any potential consultant through an RFP will absolutely determine the choices that the Town Board will eventually be presented with. The Housing Committee feels strongly that the available land can accommodate reasonable recreational facilities as well as housing. The two uses should both be identified as goals by the Town Board.

Supv Leifer said he knows that Cl Vargas-Mendez is part of the email distribution group for DRYC and is able to go to those meetings. There has been an opportunity to provide input, and the Planning Department has been involved since the beginning. The primary use of the property was always going to be recreation. Then we had a wetlands delineation that will define what we can do there no matter what. The other things listed are things that DRYC and the town board have looked at and talked about for years, as well as other committees. It asks for a comprehensive review. The order on the list is not an order of priority.

Cl Vargas-Mendez is concerned with the wording of the entire document.

Leslie Debo, Chair of the DRYC, said they sent a draft in March and she heard nothing. Hearing nothing, at the next commission meeting they talked about what other things they could add. She then recirculated it for comments and in a matter of only a few days over the weekend they received comments saying things were not included. She responded right away and asked for the language they would like. It was an unintentional omission. The order on the RFP is not the order with which they will necessarily go. She just heard from a DRYC member just before this meeting with other suggestions to make it more precise. She is frustrated because she had asked for comments early on.

There was discussion about the order in which things are listed and that a consultant may take that to mean housing was secondary. Cl Vargas-Mendez wants it looked at in a comprehensive way with all the possible uses, and wants them to understand that housing is a possibility.

L Debo said they don't want to go into this with a plan and find out that they end up with two fields and other uses. They need to expand programs and don't have the space. It's hard for them to have to depend on the schedules of the schools for field space. It makes the job of the Director harder. The idea of the fields is to help the Recreation Department be more efficient and grow. She agrees there is a need to explore other uses because it is a lot of land. They still have to talk with the Conservation Board because they've mentioned some concerns. She has reached out to them. The commission most likely won't approve this at their next meeting, but when they hadn't heard anything back, how were they to know this wasn't okay? This has turned into a major emotional reaction of assumptions and accusations, and that was not the intent.

Cl Vargas-Mendez said they are not against the development of fields. They want both things looked at in the same level, in a comprehensive way. L Debo said she understands the concerns and they are working on it.

Supv Leifer said when the property was accepted the intention was first recreation, then everything else. There were no stipulations put on it by the prior owner, but their intent was recreation first. There is talk of turning three dorms at TC3 into housing, and with the Ezra Village development, there will be increased need for recreation and recreation facilities.

Cl Lamb said we can balance these things. The town has limited land. We have this land we've known for years that we are underbuilt on playing fields. It was his hope that we could accommodate the athletic needs of the community with this project, and in addition, with what's left get into some housing needs. We need so much housing and won't be able to solve those needs. We have potential, though, to really address the recreation needs with this project. It is unusual for towns to get into housing, but a housing crisis makes us want to try and that's why we are trying to balance both of these. He would encourage the DRYC to keep moving on this and know that it is a priority to develop these athletic fields and to the extent that we can set aside some for housing.

Cl Lamb said the private sector does not make ball fields. There is no non-profit group that is looking to build us ball fields. We have to do it on public lands that we have. We can move on a recreation development a lot quicker than a housing project. Who is going to structure this housing project? Could it sit there for years waiting for it to happen? That is not the intention with this property. We have an immediate need for recreation space and that could start sooner.

M Robertson said the housing committee fully expected to see a plan that involved probably two ball fields and parking and bathrooms. What put them over the edge was a building for recreation, playground, and concession station. It was way beyond what has been discussed for years as ball fields. They understand the need for the fields and feel that a couple fields are great and she has seen a sketch that looks at the wetland delineation and places fields and housing on the land on the slope. A building for recreation, a playground and a concession stand are investments way beyond what has been discussed for years as ball fields. At that point you're looking at millions of dollars and then maintenance. Is it fair to Dryden taxpayers to put that level of investment on the most eastern side of town? There aren't any ball fields on the west side of town and they have nothing like that type of investment.

Housing has been an absolute crisis for more than 20 years. Everything helps. The village is a perfect node for development with water and sewer accessible. It could be a perfect match with a couple of ball fields and bring in revenue for the town.

The direction to a consultant in an RFP will absolutely shape what they give you back. With everything on the list for recreation, there is no land for housing. If you are to construct a building for recreation, that should be taken to the voters.

The housing committee has a special meeting on Monday to look at this more carefully. They can work together with DRYC on this and produce a beautiful plan that will serve a lot of different needs for the community. Solar shouldn't be on the list. Again, they are not against the ball fields, but the other massive investment was a real surprise.

S Buck understands this RFP was intended to see if anything is possible considering so much of the property is wetlands and the way they are shaped in the land. She looked at the Dryden 2045 planning document and the balance of preserving outdoor spaces with the need for housing are so integrated for a healthy wellbeing for our community, that she doesn't think these things are at odds. The board did ask the DRYC to work on the RFP and she appreciates them putting in the effort to try and develop this.



Cl Lamb said he would like to see the RFP worded in a way that said to the consultant the town would like space for a specific number of housing units and space for two soccer fields and a softball field, if that's what we want. For instance, in the best-case scenario we would like this much, what is possible. Then the consultant could then come back and say, given the wetlands and topography you could best fit fifty housing units, two soccer fields and a pickleball court. What would a proposed plan look like and what would the relative cost be? We'll need parking and restrooms. Ask the consultant to help us sort out what's possible with this property.

L Debo said they did put a line in the RFP that they understand that given the situation with the wetlands, not all of these things are possible.

Cl Lamb said generally you broaden the RFP and get more focused as the consultant comes in. M Robertson said the way it is written will determine what kind of consultants apply. She likes the idea of asking for housing and a few ball fields.

## **ADVISORY BOARD REPORTS**

**Conservation Board** – No updates.

**Planning Board** – The board met with NYSEDA and talked about the fire departments getting involved, which has happened. They are aware of the vacancy in the Planning Department. They had a good meeting with the zoning consultant last week. She got a lot of feedback from the Planning Board and they gave her a list of the people with whom she should speak. They are looking to simplify zoning, not make it more complicated, and be more housing friendly. They want Dryden to be more welcoming to housing developers. The consultant will make broad recommendations.

Craig Anderson said they are also looking to reduce the number of SUPs required for businesses in an attempt to make it more business friendly.

**Rail Trail Task Force** – They are still working on one easement (Knickerbocker) so they can put the pedestrian bridge project out to bid and they may have that in a couple more weeks.

**Ag Advisory Committee** – The meeting was cancelled this month.

**Broadband Committee** – Syracuse Utilities is installing the conduit for the fiber on West and East Main Street.

**Recreation & Youth Commission** – Supv Leifer will attend the meeting next week. He thanked Leslie Debo for her work and acknowledged that it has been stressful the last few weeks, and said she is doing a great job. Recreation has really not been a priority for the board for a long time and is something we need to focus more on as we add more housing because people need to be able to have things to do where they live.

Cl Lamb said if municipalities don't provide it, no one will.

Cl Vargas-Mendez reminded the board that housing is a priority in the comprehensive plan.

## **CITIZENS PRIVILEGE**

**Craig Anderson** – There is a possibility to sell land to a developer. The town could then take that money and put it into a rec fund then buy some land that is centrally located. This

idea was presented almost twelve years ago. There are possibilities to look at. He doesn't think the intention is for the town to develop housing, but to find a developer that might be interested in developing the type of housing that the town might need and selling the property to them for development.

There being no further business, the meeting was adjourned at 9:14 p.m.

Respectfully submitted,

Bambi L. Avery  
Town Clerk



# TOWN OF DRYDEN – BORGER STATION OPERATIONS

April 18, 2024

# 2023 Review



# WHO WE ARE



# CORE PRINCIPLES



**CUSTOMER SERVICE**



**EMPLOYEE COMMITMENT**



**ENVIRONMENTAL RESPECT**



**FINANCIAL STRENGTH**



**OPERATIONAL EXCELLENCE**



**REGULATORY INTEGRITY**


 **BHE GT&S**  
A BERKSHIRE HATHAWAY ENERGY COMPANY

# Berkshire Hathaway Energy



 PACIFICORP

 PACIFIC POWER

 ROCKY MOUNTAIN POWER

 BHE TRANSMISSION

 ALTALINK

 BHE U.S. TRANSMISSION

 BHE CANADA

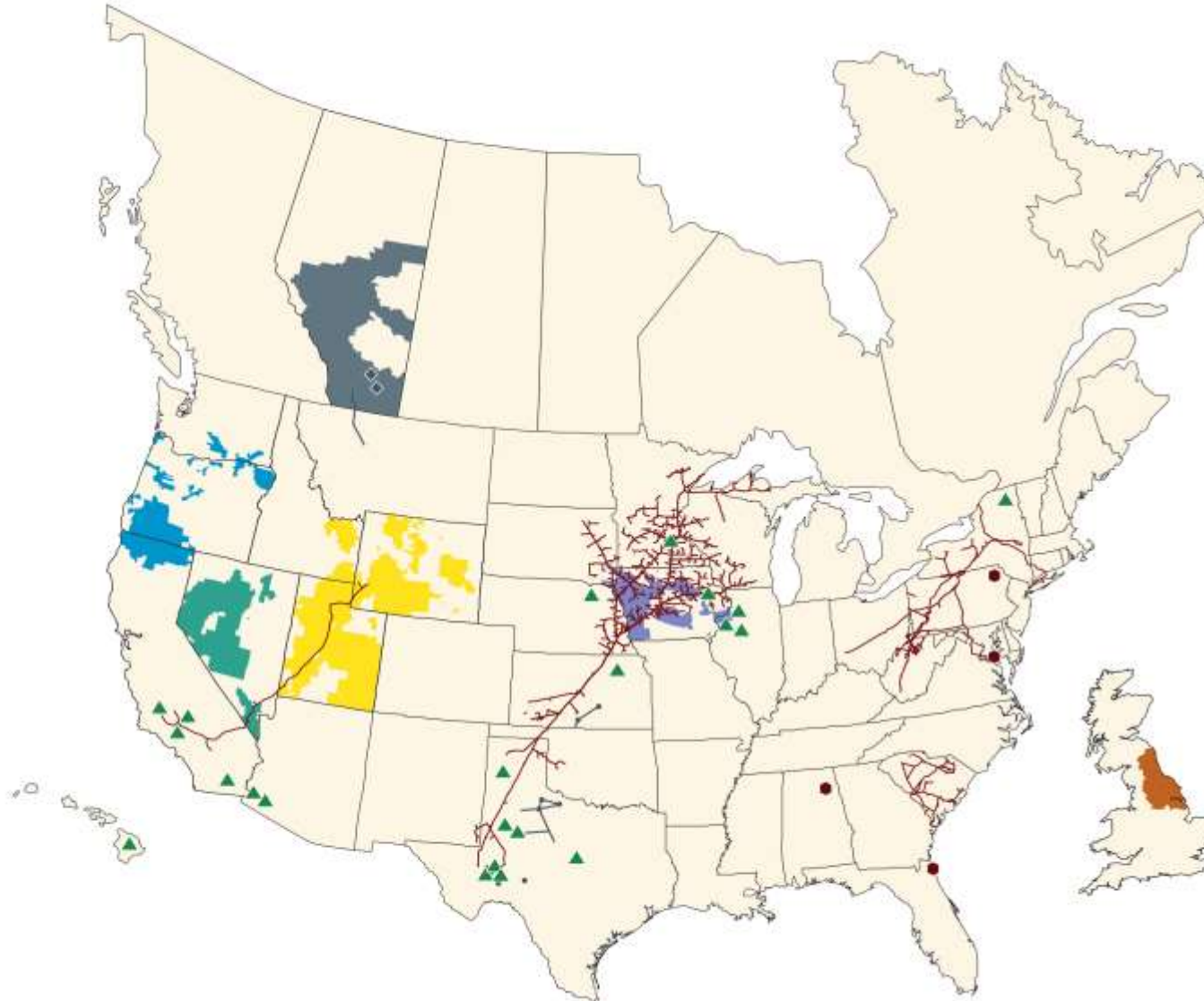
 MIDAMERICAN ENERGY COMPANY

 NV Energy

 NORTHERN POWERGRID

 BHE PIPELINE GROUP

 BHE RENEWABLES



- 13 million customers and end-users
- Top-rated service provider within the industry



- Pipeline Group has best OSHA Recordable Incident Rate in past three years.



- Pipeline Group has industry leading methane intensity rate of 0.027 %

## BHE Renewables in West Virginia



- Construction of a titanium melt facility for the aerospace industry
- First of its kind solar powered microgrid with onsite battery factory



- \$137.8 billion in total assets
- Exceptional cyber and physical protection



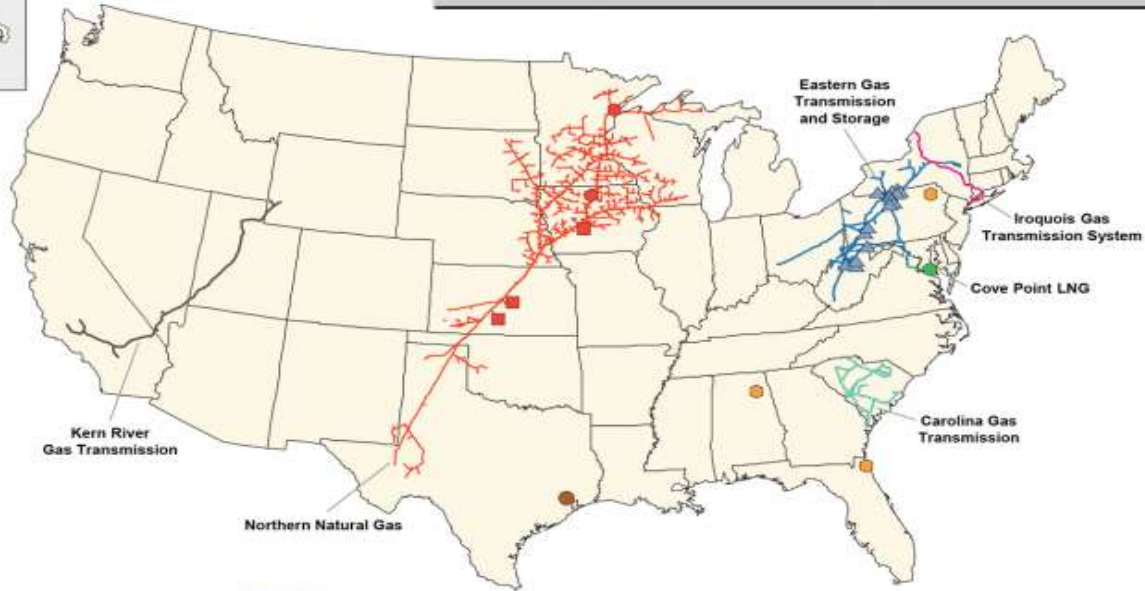
- 2023 operating revenue > \$25.6 billion
- 2023 Real Estate Transactions: 239,291

# BHE Pipeline Group



Cook Inlet Natural Gas Storage Alaska

Transportation Capacity	21.0 Bcf
Owned Storage Capacity	385 Bcf
Miles of Pipe Operated	21,300 miles
Total Compression	2.1 million HP



**Kern River Gas Transmission**  
— Pipeline

**Northern Natural Gas**

- Pipeline
- LNG Facility
- Underground Storage Facility

**Cook Inlet Natural Gas Storage Alaska (26.5%)**

- Underground Storage Facility

**Cove Point LNG (25%)**

- Pipeline
- LNG Terminal

**Eastern Gas Transmission and Storage**

- Pipeline
- ▲ Storage Facility

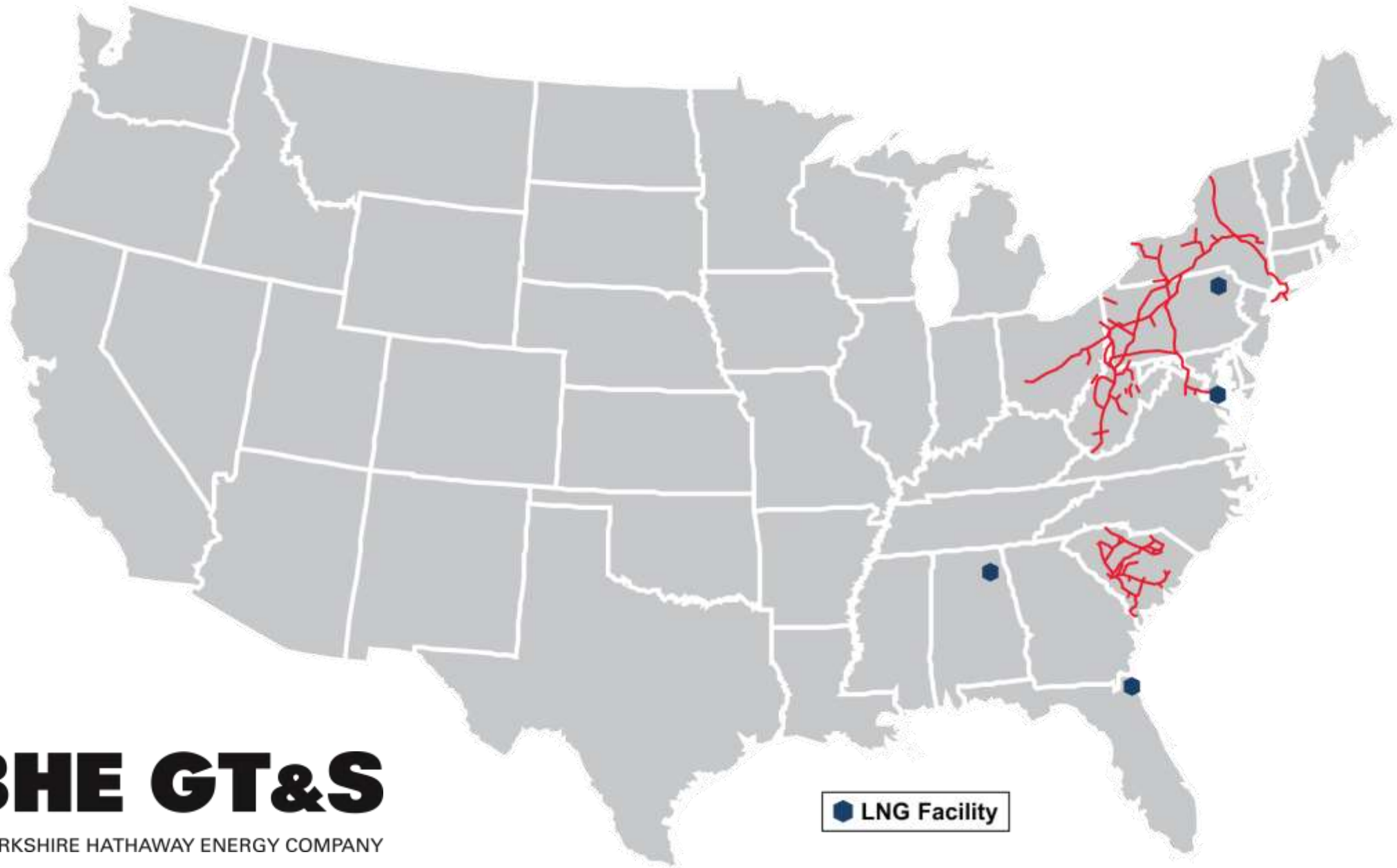
**Carolina Gas Transmission**

- Pipeline
- Modular LNG Holdings

**Iroquois Gas Transmission System (50%)**

- BHE Compression Services





 **BHE GT&S**  
A BERKSHIRE HATHAWAY ENERGY COMPANY

 LNG Facility

# Eastern Gas Transmission & Storage

## Who We Are

**BHE GT&S, through its local operating company Eastern Gas Transmission and Storage (EGTS), provides gas transportation and storage services with one of the largest underground natural gas storage systems in the United States with 756 bcf of storage capacity.**

**Headquartered in Bridgeport, West Virginia, this multi-state pipeline system links to other major pipelines and to markets in the Midwest, Mid-Atlantic and Northeast regions.**

**We safely maintain nearly 3,600 miles of pipeline in six states: Ohio, West Virginia, Pennsylvania, New York, Maryland and Virginia. We reliably supply natural gas for large customers, such as major utilities and power plants, and to local distribution companies to heat homes, hospitals, nursing homes, & run small businesses.**



# EMISSIONS DATA



# Borger Replacement Project

## Borger 2/3 Replacement Project – In Service February 2022



**OPERATIONAL  
EXCELLENCE**

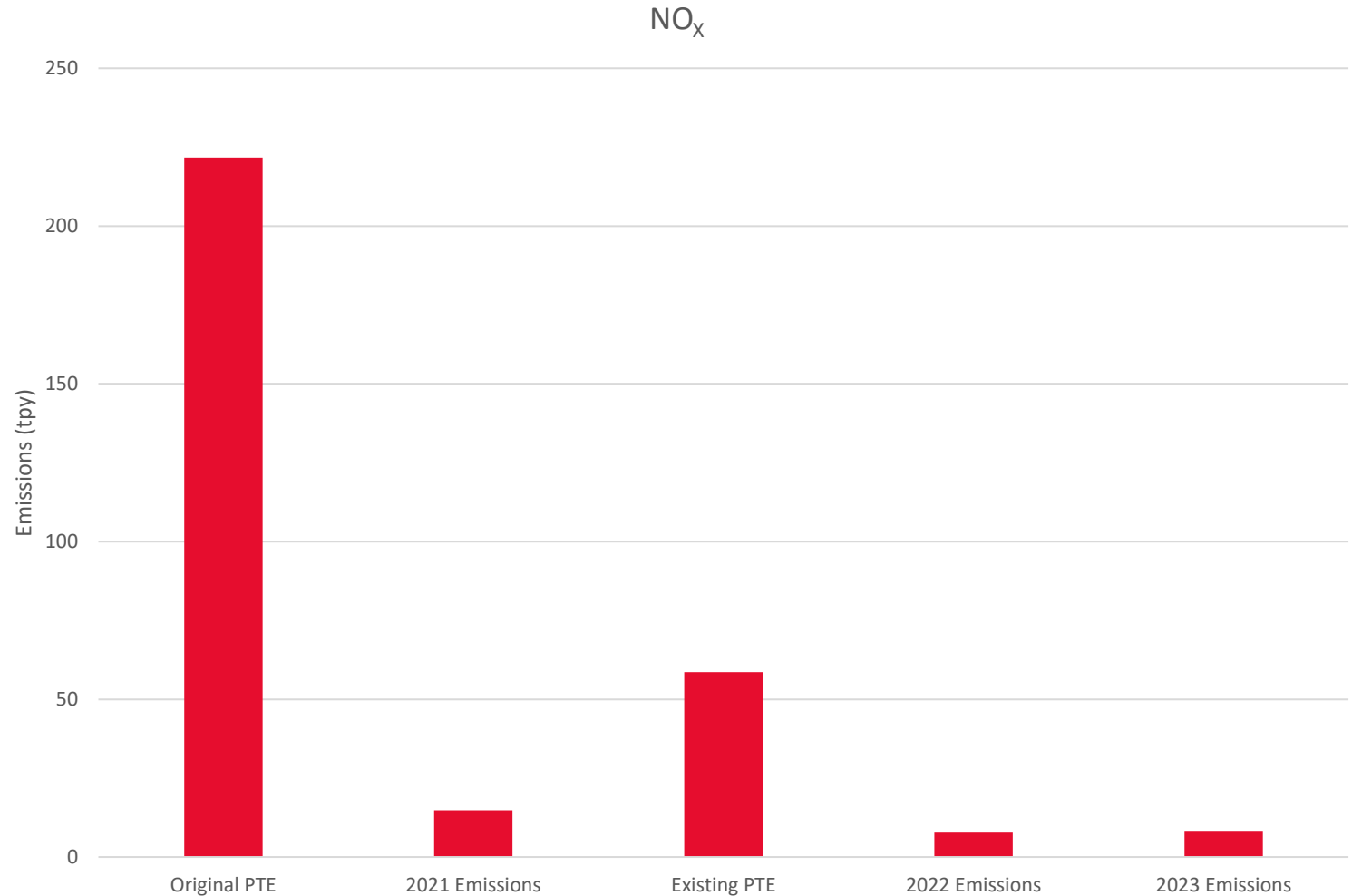
- ✓ Replaced two (2) existing turbines with more efficient new units that reduced air emissions.
- ✓ Installed an oxidation catalyst on an existing turbine to further reduce air emissions.
- ✓ Installed three (3) new microturbines.
- ✓ Replaced blowdown silencers/vents to allow for capped emergency shutdowns to further reduce air emissions.
- ✓ Replaced an aging boiler system and installed other minor station piping and updates

# Emissions - NO<sub>x</sub>

In atmospheric chemistry, NO<sub>x</sub> is a generic term for the nitrogen oxides that are most relevant for air pollution, namely nitric oxide (NO) and nitrogen dioxide (NO<sub>2</sub>).

These gases contribute to the formation of smog and acid rain, as well as affecting tropospheric ozone.

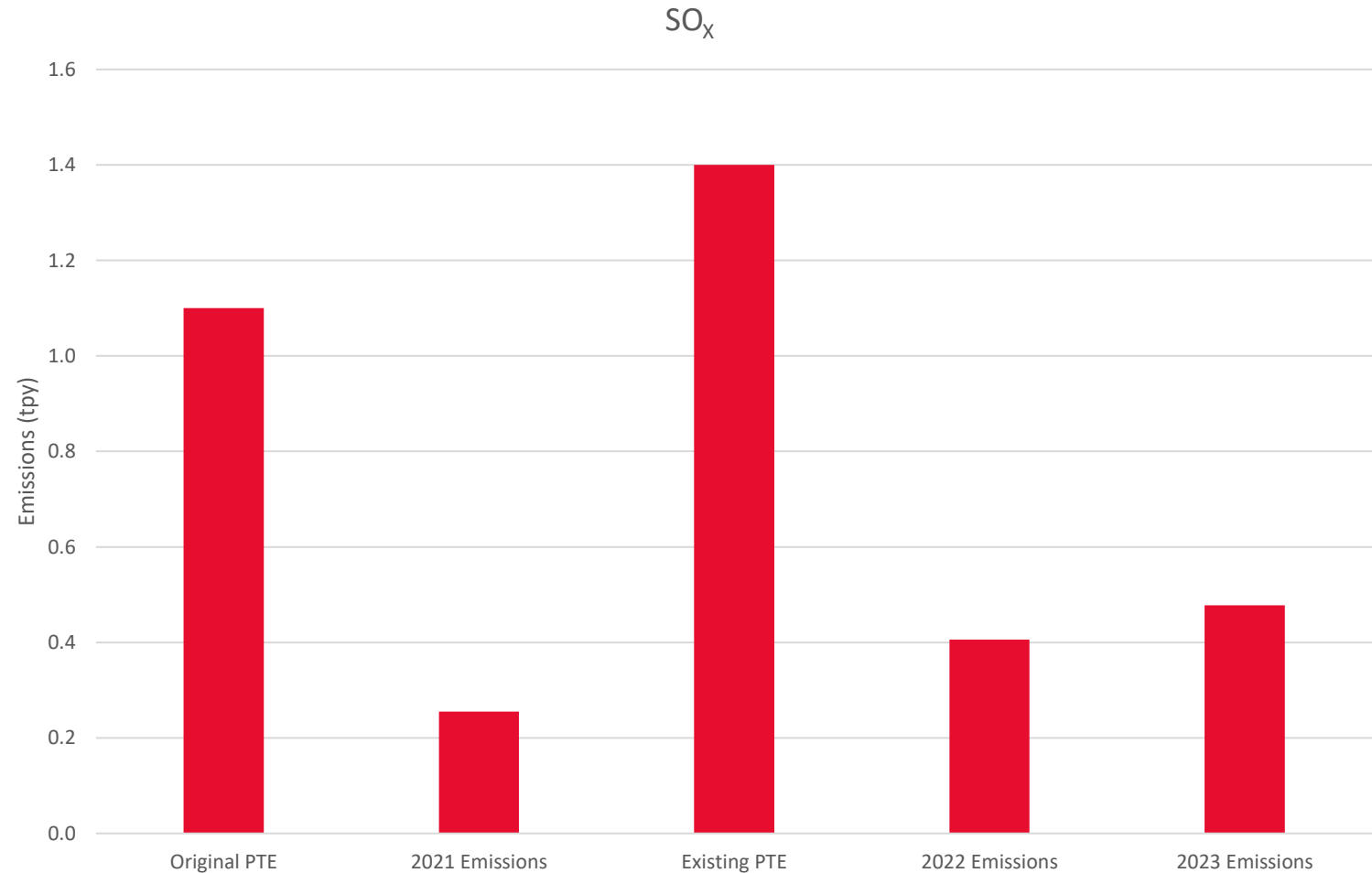
*PTE = Potential to Emit*



# Emissions - SO<sub>x</sub>

Sulfur oxides (SO<sub>x</sub>) are compounds of sulfur and oxygen molecules. Sulfur dioxide (SO<sub>2</sub>) is the predominant form found in the lower atmosphere.

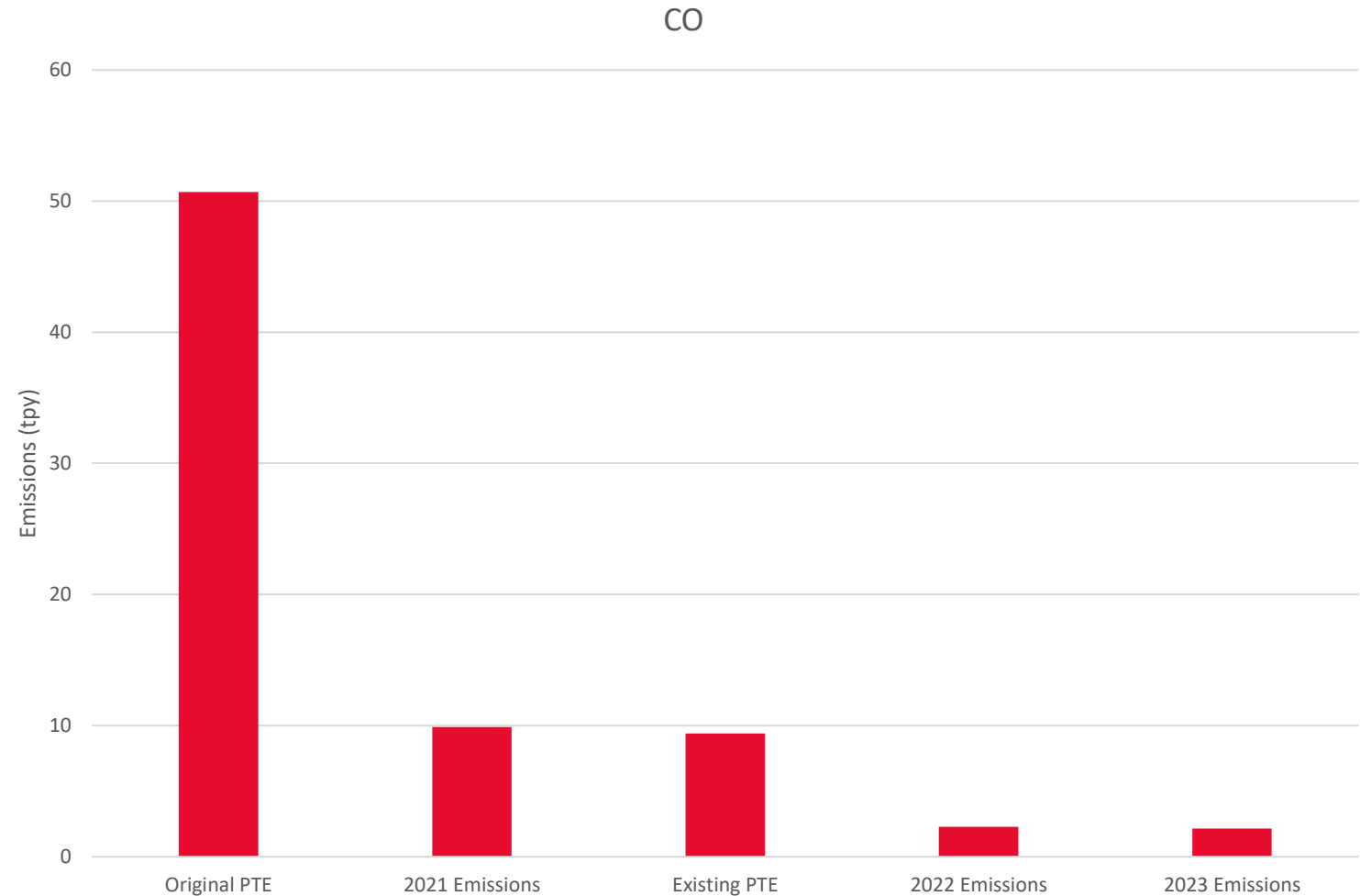
It is a colorless gas that can be detected by taste and smell in the range of 1,000 to 3,000 micrograms per cubic meter (µg/m<sup>3</sup>).



# Emissions - CO

**CO is a colorless, odorless gas that can be harmful when inhaled in large amounts. CO is released when something is burned. The greatest sources of CO to outdoor air are cars, trucks and other vehicles or machinery that burn fossil fuels.**

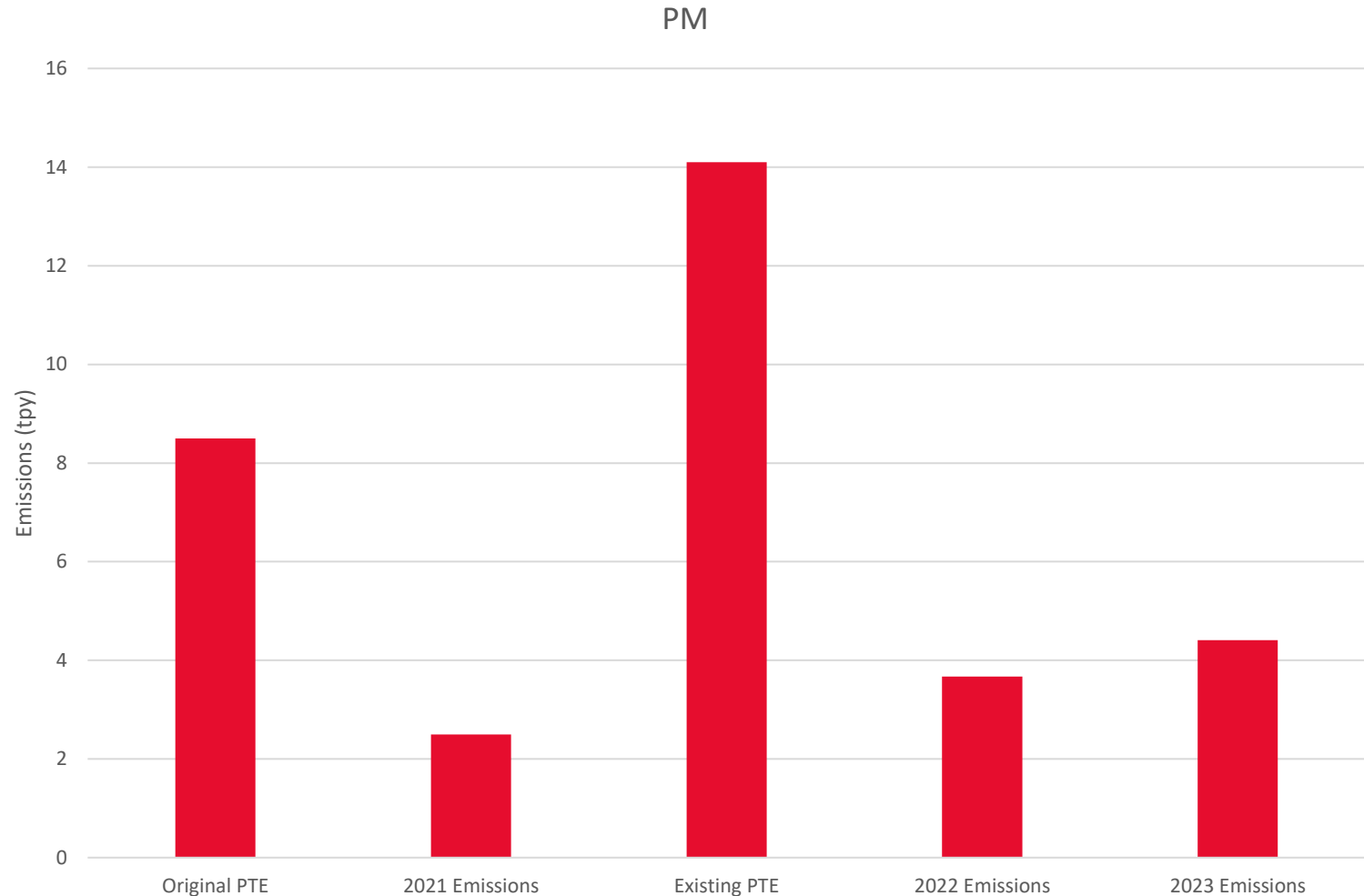
**A variety of items in your home such as unvented kerosene and gas space heaters, leaking chimneys and furnaces, and gas stoves also release CO and can affect air quality indoors.**



# Emissions - PM

**“Particulate matter” (PM) is the general term used to describe solid particles and liquid droplets found in the air. The composition and size of these airborne particles and droplets vary.**

**PM can be emitted directly or formed in the atmosphere. “Primary” particles are those released directly to the atmosphere. These include dust from roads and black and/or elemental carbon from combustion sources.**

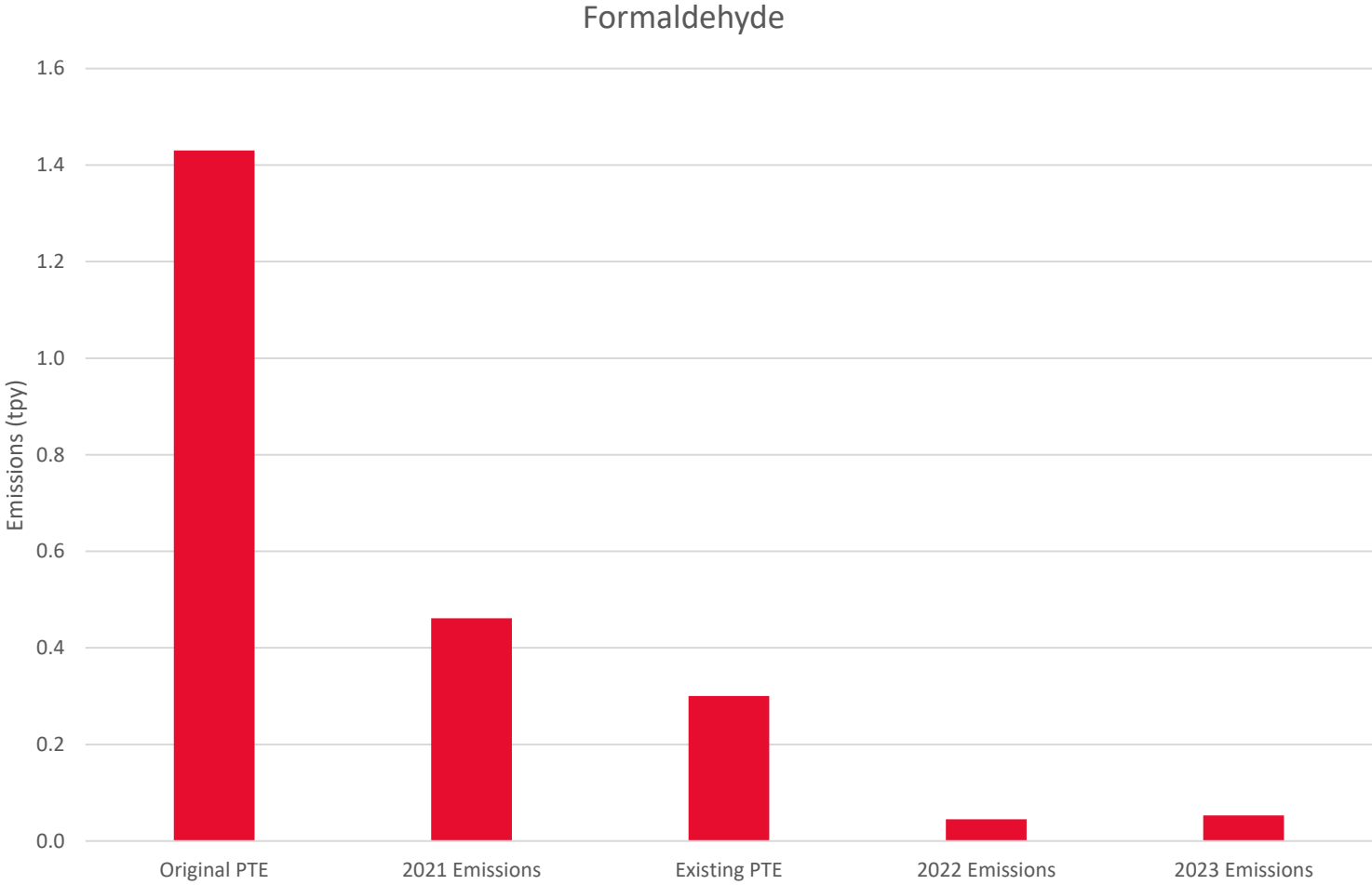




# Emissions – Formaldehyde

A colorless, pungent-smelling gas; an important hazardous air pollutant.

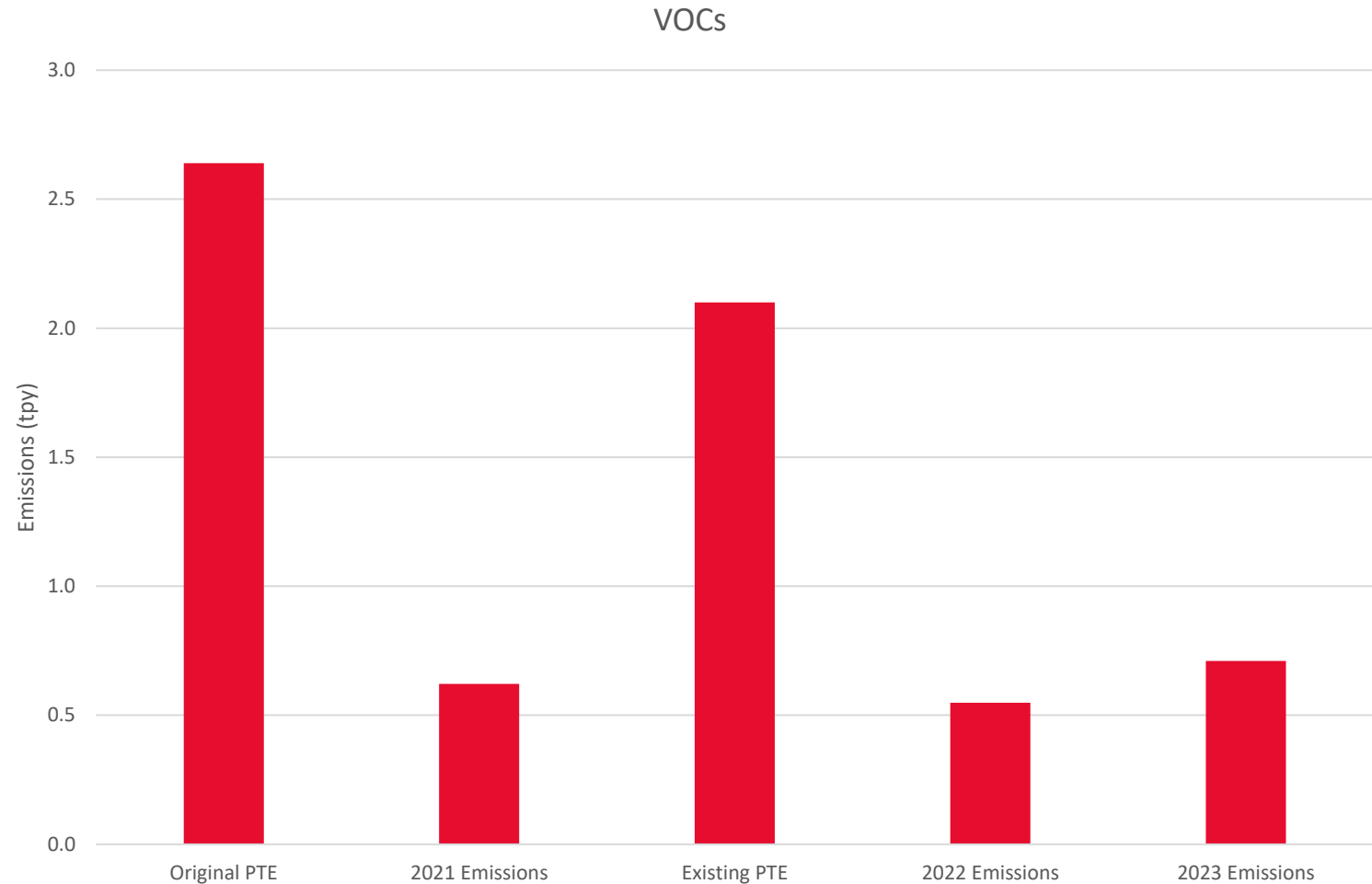
Sources include environmental tobacco smoke and other combustion sources; pressed wood products (such as particle board); and certain textiles, foams, and glues.



# Emissions - VOCs

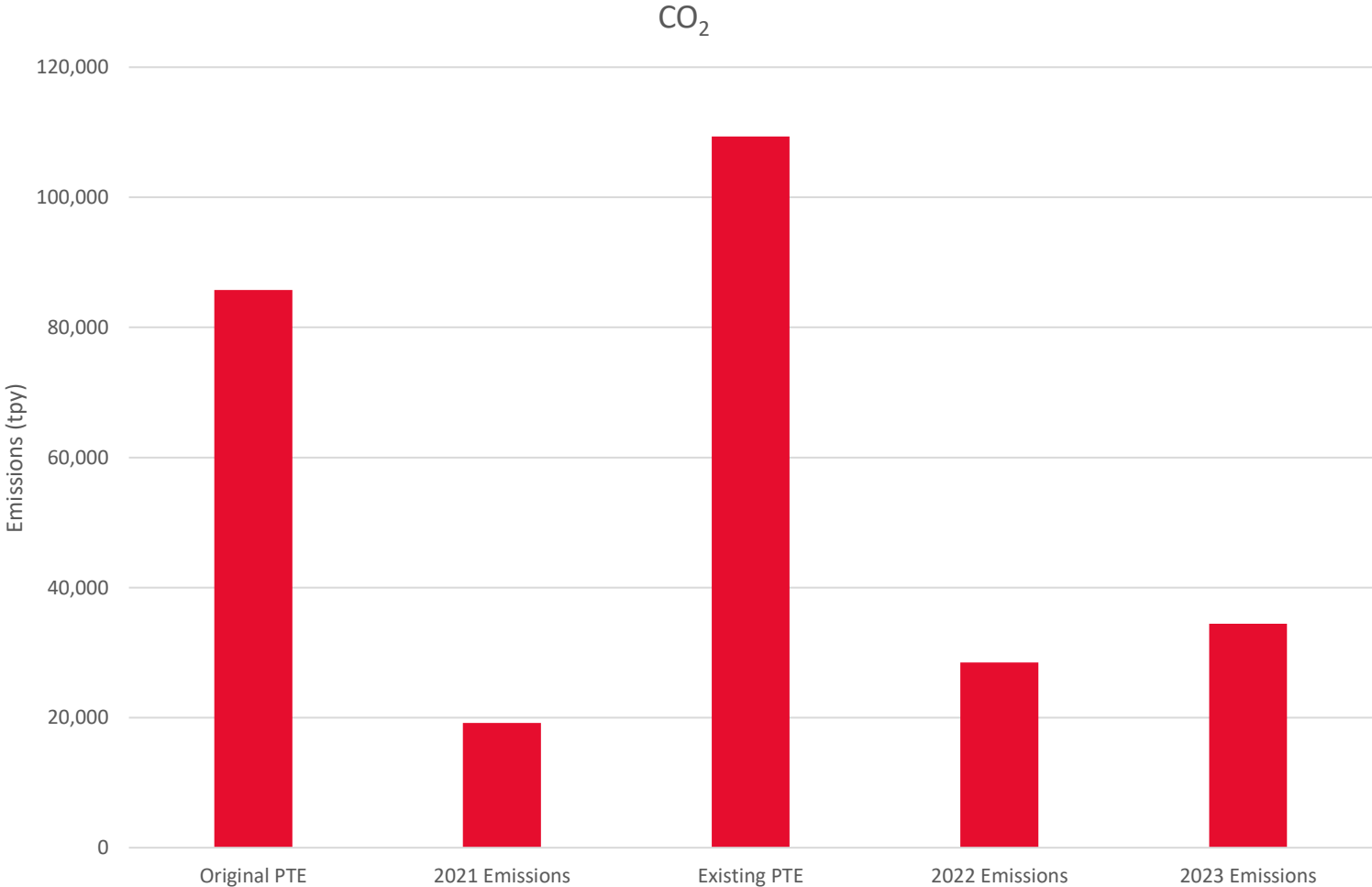
Volatile organic compounds, **VOCs** for short, are a common type of EPA-regulated drinking water contaminant.

Even today, **VOCs** can be found in a number of products that are used on a daily basis, like paint thinners, pesticides and insect sprays.



# Emissions – CO<sub>2</sub>

Carbon dioxide is an acidic colorless gas with a density about 53% higher than that of dry air.

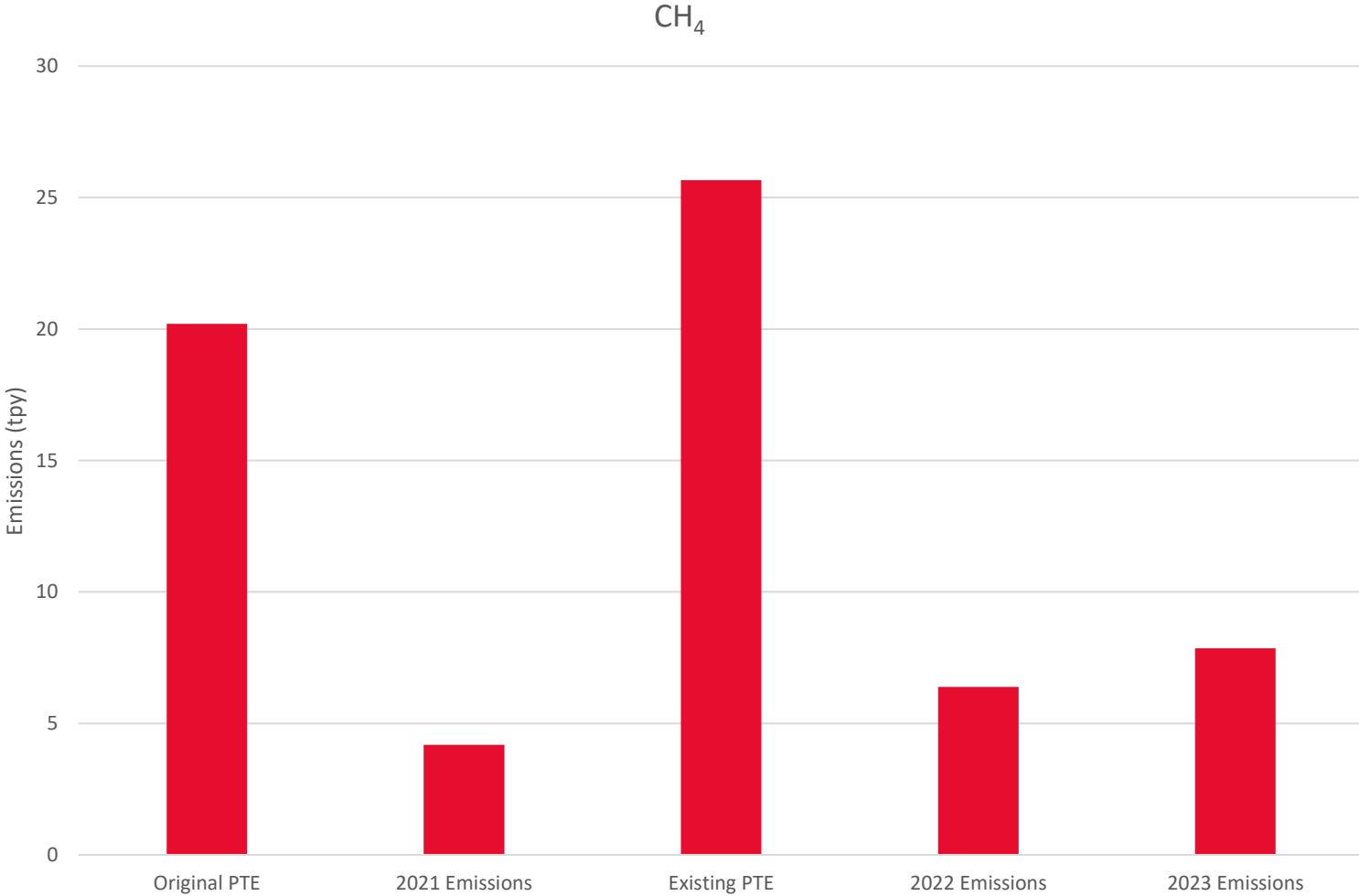


# Emissions – CH<sub>4</sub>

Methane is a colorless, odorless gas that occurs abundantly in nature and as a product of certain human activities.

Natural Gas is a naturally occurring mixture of gaseous hydrocarbons consisting primarily of methane (97%).

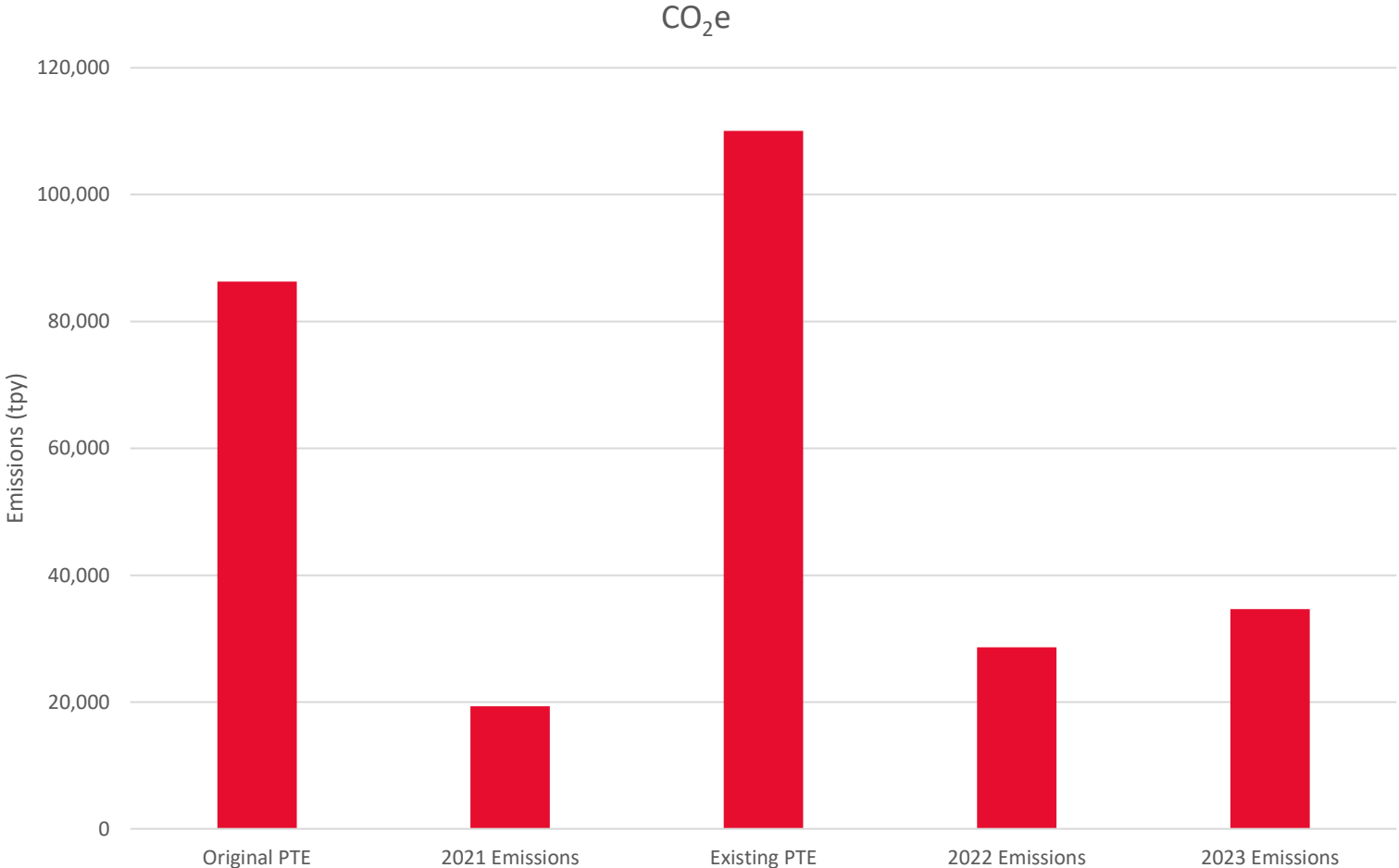
BHE GT&S has a methane intensity rate of 0.021%, which is one of the best in the industry.



# Emissions – CO<sub>2</sub>e

**CO<sub>2</sub>e is the shorthand for carbon dioxide equivalents.**

**It is the standard unit in carbon accounting to quantify greenhouse gas emissions**

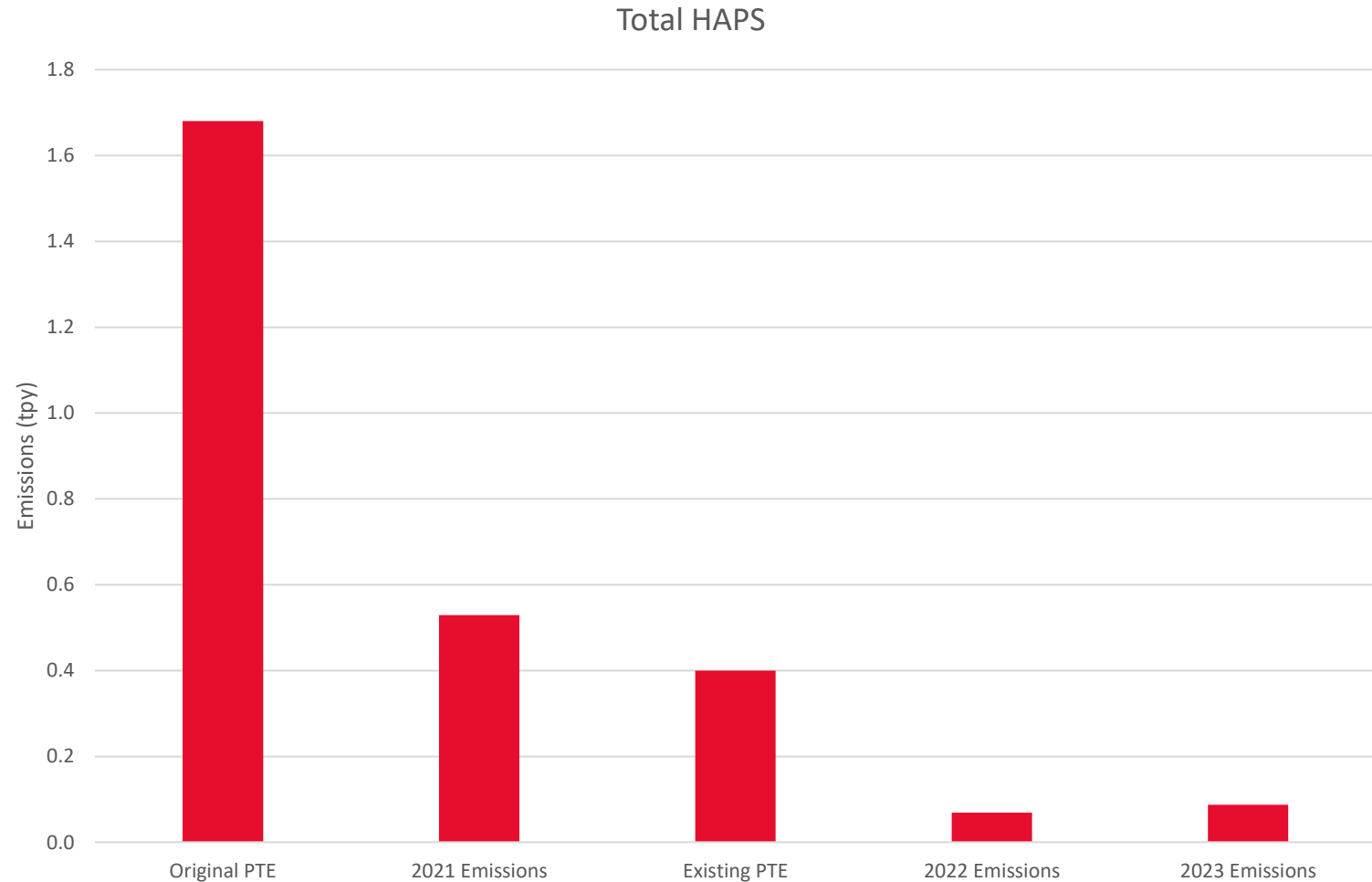


# Emissions Reductions – Total HAPs

**Hazardous air pollutants, also known as toxic air pollutants or air toxics.**

**Examples of toxic air pollutants include**

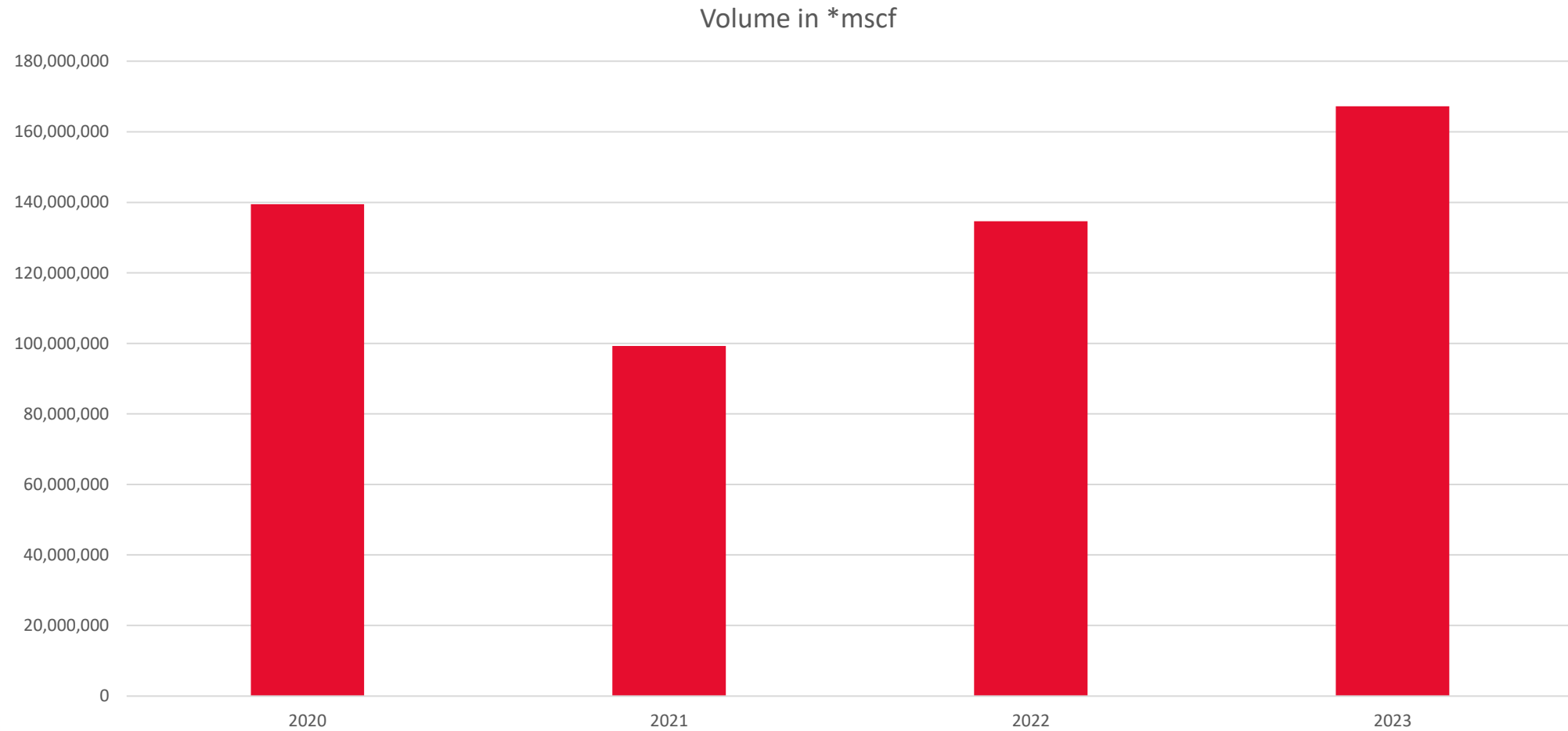
- **benzene, which is found in gasoline;**
- **perchloroethylene, which is emitted from some dry cleaning facilities; and**
- **methylene chloride, which is used as a solvent and paint stripper by a number of industries.**



# HOW MUCH NATURAL GAS?



# Natural Gas Pumped at Borger Station



**OPERATIONAL  
EXCELLENCE**

*\*mscf = thousands of standard cubic feet of gas*





# CORE PRINCIPALS



# BHE Environmental Respect



**ENVIRONMENTAL  
RESPECT**

**BHE Pipeline Group continues to reduce and avoid methane emissions. In 2023, BHE Pipeline Group's lowered its combined leak rate to 0.027%, which is 90% lower than the average methane emissions rate of 0.26% for the transmission and storage segment of the natural gas industry.**

**As a leading energy provider, we remain committed to using natural resources wisely and protecting our environment for the benefit of future generations. Our Environmental RESPECT Policy details this commitment in the areas of Responsibility, Efficiency, Stewardship, Performance, Evaluation, Communication & Training.**



# Record Setting Winter Performance



**OPERATIONAL  
EXCELLENCE**

## Volumes record

- During a cold spell in January, Eastern Gas Transmission & Storage set several records for natural gas handled, which is the total volume of gas transported to and from customers on its system. EGTS observed five days over 8 billion cubic feet (bcf), with a high mark of 8.3 bcf on Jan. 20. The previous record was 7.9 bcf in February 2023.
- Three consecutive days over 8 bcf of gas handled resulted in the highest-ever peak three-day average, topping out at over 8.1 bcf per day.

## Other Achievements:

- BHE GT&S system production is up more than 10% year over year.
- On February 15, Cove Point set a new daily production record of 900,206 dekatherms (dth), which is 109.3% of design, surpassing the previous record of 897,295 dth produced on March 12, 2023.
- On February 16, Cove Point surpassed the previous day's production, setting another new record of 909,745 dth, which is 111.6% of design.
- EGTS deliveries to power generators are up over 8% compared to last year.
- The environmental team received no notices of violation from an external regulatory agency during this time frame.



# Award Winning Customer Satisfaction



**MASTIO recently published the 2024, 28th Edition of the industry-wide Natural Gas Pipeline Customer Value / Loyalty Benchmarking Study.**

**BHE Pipeline Group again finished with the top ranking in the Major Organizational Group category in the latest edition of the Mastio & Company Customer Satisfaction Survey.**

**The Mastio & Company pipeline customer satisfaction survey is conducted annually and is considered by many in the industry as a benchmark of pipeline customer service. BHE Pipeline Group has finished in first place for 19 consecutive years.**

**In the Mega category, grouping together the largest pipelines that the study examines, Northern Natural & EGTS were ranked 1<sup>st</sup> and 2<sup>nd</sup>. Kern River and CGT won 1<sup>st</sup> and 2<sup>nd</sup> prize in the regional category.**

**Among the 38 interstate pipelines in the survey, Kern River was ranked first, Carolina Gas Transmission ranked second, Northern Natural Gas was third, and Eastern Gas Transmission was fourth among the pipelines tallied in the survey.**



# Employee Commitment & Philanthropy



**The people who work at BHE GT&S aren't just employees—they're community members and recognize the importance of contributing through volunteer work. Volunteering is a value deeply embedded in our company's history, and each employee receives paid volunteer time every year to pursue the community work they're passionate about. This might mean serving at a local food bank or providing meals to the elderly, helping to deliver holiday toys to children, cleaning up our environment, or mentoring young people.**

**Our employees are also active volunteers outside of work, where they serve as leaders in their communities, on boards of non-profits and leading community civic activities. Beyond supporting our employees through leave time, we also provide matching funds.**

**At BHE GT&S, we have a broad footprint, but a focus on positive local impact. Our long history of investment in our communities includes donating our time as well as our funds to support the many important organizations and services that help a community thrive. In 2023, BHE GT&S awarded over \$800,000 in grants to worthy non-profit and community-based organizations, including a \$30,000 award to the Town of Dryden for its Dryden Rail Trail Phase 2 project.**



*Thank you*

Don Houser, State Policy Director  
Donald.Houser@bhegts.com

[www.bhegts.com](http://www.bhegts.com)



# Dryden Build Ready Town Board Meeting

April 18, 2024

# 2020 Fire Code: Peer Review

- > **Where required by the AHJ**, the BESS owner is responsible for retaining and furnishing the services of a registered design professional or special expert to perform as a peer reviewer.
- > The costs of the services shall be borne by the BESS owner.
- > If a design professional is not required for scope of work, an approved special expert may be employed by the owner as the person in responsible charge of the limited or focused activity.
  - The scope of work of a special expert shall be limited to the area of expertise as demonstrated in the documentation submitted to the fire code official for review and approval.
- > Special experts are those individuals who possess the following qualifications:
  - Has credentials of education and experience in an area of practice that is needed to evaluate risks and safe operations associated with the design, operation and special hazards of the BESS.
  - Licensing or registration, when required by any other applicable statute, regulation, or local law or ordinance



# FSWG Rec: 1206.8 PEER REVIEW

- **FSWG Recommendation: Require industry-funded independent peer reviews for all projects.**
- Local AHJs often lack the resources or expertise to understand and interpret critical BESS permitting documents, particularly the UL 9540A report
- This gap in AHJ expertise has led to incomplete or inadequate applications in which the requirements of FCNYS 1206 are not sufficiently met.
- “Peer reviews” by experts in the field can assist local AHJs in their review and understanding of BESS permit applications and their compliance with existing Fire Code requirements.
- WG recommends that peer reviews be required for all BESS installations exceeding energy capacity thresholds per FCNYS Table 1206.1 to ensure proper compliance and oversight for upcoming projects
  - AHJs currently have authority to require peer review if deemed necessary

# 2020 Fire Code: Commissioning Plan

- > Outlines commissioning activities to be conducted *prior* to system being placed in service
  - Installed according to plan and manufacturer's specs
  - Testing that will take place on all components
  - Training plan for facility and operating staff
  - Identifies personnel responsible for responding to incidents
- > Plan must be approved prior to initiating
- > Report approved prior to final inspection
- > Includes a decommissioning plan and operation and maintenance documentation



# 2020 Fire Code: Fire Remediation

- > **Where required by the AHJ** BESS owner shall mitigate the hazard or remove damaged equipment from the premises to a safe location
- > BESS owner shall dispatch fire mitigation personnel to respond to possible ignition or re-ignition of a damaged BESS and remain on duty after the fire department leaves the premise until the damaged energy storage equipment is removed from the premises
- > On-duty fire mitigation personnel shall have the following responsibilities:
  - Fire watch
  - Notify FD if a fire occurs
  - Maintain until decommissioning is finished
  - Evacuate building if needed



# FSWG Rec: 1206.7.1 FIRE MITIGATION PERSONNEL

- **Recommendation: Require that qualified personnel are available for dispatch within 15 minutes and able to arrive on scene within four hours to provide support to local emergency responders.**
- Section 1207.1.8.1 of the upcoming 2024 IFC requires that, where in the opinion of the fire code official it is essential that trained personnel be on-site, these personnel be dispatched within 15 minutes. The WG recommends that this is required for all projects—not only where deemed essential by the fire code official—and that these fire mitigation personnel are able to arrive on scene within four hours to provide expert guidance to local first responders.
- One way to address this recommendation may be to adopt a certification program similar to FDNY’s B28 Certificate of Fitness. Exploring other approaches beyond code changes (e.g. legislation) may also help address these concerns effectively.
- The WG also recommends that the Fire Code require a qualified person knowledgeable about the project and associated hazards be immediately available via phone. Additional information on this recommendation is in the “Systems Monitoring” recommendation below.

# FSWG Rec: 1206.11.8 SIGNAGE

- **Recommendation: Extend safety signage requirements beyond the BESS unit itself to include perimeter fences or security barriers and include a map of the site, BESS enclosures, and associated equipment**
- The WG recommends the FCNYS directly include signage requirements and/or applicable NEC references for grid-interactive BESS operating in parallel with other power generating sources
  - The FCNYS requires compliance with all applicable NEC signage requirements
- Update the Fire Code to require clear and apparent identification of explosion control panels
- It is critical that this information be accessible outside the project fence line for the health and safety of first responders
- All relevant hazard warnings indicated on signage or maps should identify and display isolation distances response personnel should maintain from BESS involved in fire or where there may be a risk of explosion or deflagration
- **Local governments can make this a requirement for Site Plan Review in the interim period before the next Uniform Code update**

# **FSWG Rec: EMERGENCY RESPONSE PLANS and REGULAR FIRE DEPARTMENT TRAINING**

- **Recommendation: Include a requirement for an Emergency Response Plan (ERP) and annual local first responder training for every BESS installation.**
- Existing standards such as fire safety plans in FCNYS Section 403 and 2023 NFPA 855 Section 4.3.2.1 address emergency operations for facility personnel, these standards are not specifically written for first responders
- There should be a requirement for emergency response protocols specifically addressing the needs of first responders in the event of a fire, like 2023 NFPA 855 Appendix G.11.2. Appendix G.11.2 is supplemental information rather than a direct part of standard itself
- WG recommends that the FCNYS grant the AHJ the flexibility to determine the most suitable presentation of the ERP based on local fire department needs
- The WG also recommends requiring site-specific training to be provided for local fire departments to familiarize them with the project, hazards associated with BESS, and procedures outlined in the ERP
- **Local governments can make this a requirement for Site Plan Review in the interim period before the next Uniform Code update**

# FSWG Rec: CURRENT PERCEIVED EXEMPTIONS FOR BESS CABINETS

- Include “cabinets” in all Fire Code requirements that pertain to rooms, areas, or walk-in units, except for fire suppression requirements, as they may be inappropriate for cabinets
- Existing language in certain sections of FCNYS initially only appears to be applicable for indoor and outdoor *walk-in* BESS, as they do not directly address outdoor non-enterable, or *cabinet*, BESS—contradicting with Table 1206.15—causing uncertainty for the appropriate application and ensuing enforcement of requirements.
- Although the Fire Code does state that “the most restrictive [requirement] shall govern” where there are conflicts between sections, the WG recommends removing any ambiguity of *cabinet* ESS applicability for the following requirements:
  - §1206.6 Large-scale Fire Test
  - §1206.11.9 Security of Installations
  - §1206.12.2 Maximum Allowable Quantities of ESS (MAQ)
  - §1206.12.4 Fire Detection

# Additional Resources



# Resources

- > Inter-Agency Fire Safety Working Group Resources:
  - [Inter-Agency Fire Safety Working Group Site](#) (created December 2023)
  - [Data Collection Press Release](#) (December 2023)
  - [Code Recommendations Press Release](#) (February 2024)
  - [Code Recommendations Document](#) (February 2024)
  - [Request for Public Comment Background and Instructions](#) (for Codes, February 2024)
- > Clean Energy Siting Resources
  - [Energy Storage Guidebook for Local Governments](#)
  - [Energy Storage Trainings for Local Governments](#)
  - [Clean Energy Siting Page](#)
- > Energy Storage Program
  - [Program Site](#)
  - [Resources for Developers and Contractors](#)

# **Town of Dryden Grievance Procedure under The Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination or retaliation on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Dryden. Town of Dryden Policy governs employment-related complaints of disability discrimination or retaliation.

Any complaint regarding disability discrimination or retaliation should be in writing and contain information about the alleged discrimination or retaliation such as name, address, phone number of complainant and location, date, and description of the problem, and name(s) of all witnesses and persons involved, if any. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

Any such complaint should be submitted by the grievant and/or his/her designee as soon as possible after the event, but no later than 60 calendar days after the alleged discrimination or retaliation to:

**Town Clerk  
Town of Dryden  
93 East Main Street  
Dryden, NY 13053**

Within 15 calendar days after receipt of the complaint, or within a mutually agreed upon timeframe, the Town Clerk or his/her designee will meet with the complainant to discuss the complaint. Within 15 calendar days of this meeting, or within a mutually agreed upon timeframe, the Town Clerk or his/her designee will respond to the complainant in writing, or where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the outcome of the Town's investigation of the complaint, its conclusion(s) based on the investigation, and possible options for substantive resolution of the complaint, if applicable.

If the complainant does not believe that the Town Clerk's response satisfactorily resolves the issue, the complainant and/or his/her designee may appeal that decision in writing within 15 calendar days after receipt of the response to:

**Town Supervisor  
Town of Dryden  
93 East Main Street  
Dryden, NY 13053**

The Town Supervisor or his/her designee will meet with the complainant within 15 calendar days, or within a mutually agreed upon timeframe, after receipt of an appeal, to discuss the complaint, the decision appealed from, and possible resolution(s). Within 15 calendar days after this meeting, the Town Supervisor or his/her designee will respond in writing to the appeal or where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the Town Clerk and appeals to the Town Supervisor, investigative records, and responses from these two offices will be retained by the Town of Dryden for at least six (6) years.