



Town Clerk
Leonard J. Perfetti

Town of Union

Town Board
Richard A. Materese, *Supervisor*
Thomas R. Augustini, *Councilman*
Frank J. Bertoni, *Councilman*
Sandra C. Bauman, *Councilwoman*
Heather R. Staley, *Councilwoman*

TOWN OF UNION BOARD MEETING

February 17, 2021

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, February 17, 2021 at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York and via Zoom. There will be a full transcription of this meeting on the Town website at a later date.

BOARD MEMBERS PRESENT: Supervisor Richard A. Materese, Councilman Thomas R. Augustini, Councilman Frank J. Bertoni, Councilwoman Sandra C. Bauman, Councilwoman Heather R. Staley.

TOWN OFFICIALS PRESENT: Town Attorney Alan J. Pope, Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca M. Kruczkowski, Planning Director Sara Zubalsky-Peer,

Also in attendance was Zoning Board Alternate Member Amanda Dorrell.

Supervisor Richard A. Materese opened the meeting with the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS:

A Public Hearing is called for on Wednesday, February 17, 2021 at 7:00 P.M, to consider input concerning a new Homestead Village Preliminary PUD Development Plan incorporating the GlidePath Energy Storage Project into the previously approved PUD Development Plan. Pub. & Posted: February 7, 2021

Adam Flint, Director of Clean Energy Programs for a Sustainable Tomorrow, 1006 Powderhouse Road, Vestal, said his main role in this group is energy education and outreach. He said he is in favor of the GlidePath project and that it has a lot of positive impacts. He spoke about the differences between this project and the SungEel project in the Village of Endicott. He and others did due diligence to review this project. He said not all projects are bad and that all forms of energy have impacts on the environment. It is also our responsibility to bring this transition about, because our current systems are failing us. He went on to say that the proposed battery storage project is across the road from the Oakdale NYSEG substation and will provide both power quality stabilization and short-term storage to help reduce brown outs or black outs. He said it is important for the Town's image to demonstrate that you are doing your part in terms of the climate and clean energy. He said this will have a positive impact on the economy and will be one step closer in making the Triple Cities area an important center for battery storage, research & development, manufacturing and deployment. He also said that GlidePath is a well-established national company and is not new to this process. He thanked the Board for letting him speak and said he hopes the Town approves this project.

Supervisor Richard A. Materese asked Erin Hazen from GlidePath to speak.

Erin Hazen, 2180 St. Bridget Road, Solan, Iowa, gave a slide show presentation on the project and described the environmental benefits for energy storage. She said this meeting is not to evaluate the site plan: that would come later if this project is given the go ahead tonight. She described the environmental benefits of energy storage and how the battery system works. She said it absorbs the excess energy not being used on the grid, stores it and then discharges it when it is needed. She further said that there are no emissions, no water use or pollution at all in this process, which is being done right now by peaker plants. She said that



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peaker plants are gas and coal fired power plants whose sole job is to sit idle and be available if needed for a sudden demand. The startup time for the peaker plants takes up to ten minutes, whereas the batteries can do that in milliseconds. She said their company is backed by many environmental advocates who support clean energy sources, including wind and solar; and they are especially proud of the endorsement of the New York League of Conservation Voters. She said GlidePath develops, owns, and operates these projects with the idea that they are going to be neighbors, so they want the projects to fit into the community. She said the property is across the road from a large utility substation, is bordered by an underground pipeline on the south end of the property and a nursery business to the north. She also said they are keeping as many of the trees around the property as they can to preserve the natural beauty of the area. She gave an overview of the project construction that would take approximately one year to build and would be monitored 24/7. She said they are committed to using local labor wherever possible.

Alex Urda, Engineer, spoke about the PUD plan and what needed to be changed to add a public utility to it.

Lisa Oliver, Fisher and Associates, gave an overview of the site plan and the bio-retention features. She said the project would be terraced because of the slope of the land and the goal is to keep as many trees as possible, as a sound buffer and plant trees if needed.

Councilman Frank J. Bertoni asked to be more specific about the sound that would be buffered.

Ms. Hazen said the batteries do not make any noise; it would be HVAC chillers on each container that would have a typical fan noise. She said they have measured the sound from the nearest resident's wall and found the noise to be comparable to ambient conditions, with the worse scenario being a maximum of 52 decibels, which according to New York State Department of Environmental Conservation, is rated very quiet.

William Huston, P.O. Box 22, Endicott, said he cannot understand why this property has to be included in the PUD, since it has nothing to do with the Homestead PUD. He asked Alex Urda why the boundary of the PUD cannot just be changed to exclude the battery storage project.

Planning Director Sara Zubalsky-Peer explained that it has to be included because the property is already zoned PUD, and whenever a new use comes in, it has to go through the PUD process to make a change to the existing PUD.

Town Attorney Alan J. Pope explained that under the PUD Local Law, it permits multiple uses and that is one of the factors the Board looks at to see if will be generally compatible with the other uses in the existing PUD. He said in this case, it does not have to be necessarily right next to the hotel or houses to be included, it just has to be one of the general uses in the PUD.

Mr. Huston stated he feels this is not a use that should be permitted into this PUD. He said he is very concerned about the close proximity of these trailers next to each other, and said if there was a fire, it could travel up hill and you can't stop a lithium battery fire. He said the Buckeye Pipeline is a high pressure refined product, and these units should not be adjacent to them. He went on to say, that they are using an Army Corps of Engineer permit that in a recent court case in the BC Appellate Court against Atlantic Coast Pipeline, was thrown out and now cannot be used. He said that the size of the 120 Megawatts facility is 5 times larger than any proposed projects and he hopes this can be done in a safe way.

Dorothy Beylo, 1122 Case Road, Johnson City, appreciated the slide show and said it alleviated a lot of her concerns about the aesthetics of this project. She said by looking at the drawings, the site does not look like it is 100 feet away from the road. She asked if it was



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possible for this to be further back from the road to be less visible for the people living and traveling through that area.

Steven Barrows, 52 Zevan Road, Johnson City, asked how the energy would travel from the substation to the batteries and then out to the customers. He also asked how it would travel over Robinson Hill road to the substation.

Erin Hazen assured everyone that all power would be directly connected to the substation with a 115 KV line engineered by NYSEG and similar to the existing poles around the area.

Supervisor Richard A. Materese said there is a 465 foot wide buffer of trees to the neighbor's property.

Erin Hazen suggested that the site plan be discussed at the Planning Board meeting if this part is approved this evening.

Councilman Frank J. Bertoni said when looking at the website, this project is significantly different than the ones shown that are more solar and wind projects, and these are taking energy from the substation that is not needed and storing it until it the substation needs it.

Erin Hazen explained that these units are stand alone and do not need to be by a substation or alternate energy to produce energy.

Pete Beylo, 1122 Case Road, Johnson City asked if the battery electrolytes are liquid, and if there is a storm water pollution plan.

Erin Haven said the batteries are not liquid and are free flowing.

Valdi Weiderpass, 809 Madeline Drive, Endicott, Chair of the Susquehanna Group of the Sierra Club, speaking on behalf of himself, said after review of the project information and his discussions with Erin Hazen, he feels the project is an appropriate one. He was assured by Ms. Hazen that each individual battery unit has components for fire suppression, voltage, temperature and an automated disconnect ability, and if a problem was detected, it can be isolated. He said this is a very important project that could provide a significant amount of power to stabilize the grid and to get us away from fossil fuels to save the earth and our health. He said he is in favor of the project and hopes the Board approves this tonight.

Carol Layton, 123 Wilson Avenue, Endicott, said she is also concerned about fires because of the lithium batteries, and asked what is in place to safeguard and prevent toxins from going in the ground and air from a fire. She also asked how many employees will be onsite.

Erin Hazen said that fire prevention is a paramount concern for them also and said that each container is equipped with fire suppression system and is monitored 24 hours a day, 7 days a week for any changes that might indicate a problem. She also said that the system is designed to protect from fire and the smoke is similar to a Class A fire that requires no specialized equipment from the fire company. She said that there will be first responder training once the project is in place. She further said that there are no employees onsite and all the monitoring is done remotely.

Kenny Gardner, 572 Round Pond Road, Smithville Flats, New York, representing the IBEW, Local Union at 142 Corporate Drive, Binghamton, said this is a great opportunity to provide good jobs for the area while using local workers, and for our apprentices to learn green energy technology.

Robert Akens, 514 Gifford Hill Road, Oneonta, New York, President of the Building Trades of Binghamton and Oneonta, said they have a lot of members in the Southern Tier that need the work. He said they deal in green energy & wind projects as the Governor wants and they



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support local labor members going back to work. He said they support it, along with the operating engineers and local labor. He thanked the Board for allowing him to speak.

Steve Barrows, 52 Zevan Road, Johnson City, questioned where the energy is coming from to be stored in these batteries and said he doubts it is green energy. He also said that there are way too many subsidized projects in the Town of Union with a lot of PILOTS and the Town of Union and school districts lose tax revenue when we allow them.

Terri Farrell, 404 Hazel Avenue, Endicott, said she appreciates the communication from GlidePath and said they are going above and beyond to give us the positives in coming here. She said of course there are always going to be red flags and concerns. She said she has a background in Environmental Science and Policy Management, and had the experience of working at IBM with Trichlorethylene, while being told it was safe. She said yes, it brought in a lot of jobs, but in the end we all know the history of this, and we need to learn from our past mistakes. She asked if there is a full environmental quality review being done for this project, so our stakeholders can weigh in on it. She said she was part of the group that was against the SungEel project, and after a year they learned that the processes involved incineration and that it wasn't a good place for it to be, in a residential neighborhood.

Erin Hazen said a full environmental review has been done as part of the SEQRA process. She also said all of their permitting documents are available for review on their project website - Oakdaleenergy.com on the environment & community page.

Supervisor Richard A. Materese said the SEQRA review was gone over completely in the work session prior to this meeting.

Kalvin Herrilla, 679 S. Main Street, Nichols, said he is an electrician and is in favor of these green energy projects. He said our power systems are antiquated; we use a lot of power and do not have enough electricity. We need green energy; these battery storage systems compliment solar and wind power, and the demand is going to go up for power as we get away from fossil fuels. He said that GlidePath has done the studies and has been very forthcoming. He listened to the pre meeting and a lot of questions have been answered. He thanked the Board for letting him speak and said he hoped they would go forward with the project.

Bill Huston, P.O. Box 22, Endicott, said an environmental impact study on this project needs to be done and a 239 review with adjoining agencies to find a positive declaration. He said he still has concerns about the fire safety, the active pipeline on the adjacent property and the Army Corps of Engineers permit. He said we also have to have an emergency response plan.

Councilman Thomas R. Augostini asked Erin what the capital investments in this project were and of that, how much was in labor costs.

Erin Hazen said the estimated investment is still being calculated, but it is around 150 – 170 million dollars and she does not have an exact amount of it for labor.

Councilman Augostini said Ms. Hazen stated earlier that they have a commitment to use local labor. He asked how you go about making that commitment.

Ms. Hazen said they have a memorandum of understanding with the local trade's council as a repository for various trades.

Councilman Augostini asked Robert Akens, President of the Building Trades of Binghamton and Oneonta, if he would reach out to the trades once they had the memorandum of understanding.



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Mr. Aiken said the trades would be involved in making the memorandum of understanding.

Councilman Augostini asked Ms. Hazen to explain the amount of wattage in each container, how many homes this could service and if they are regulated by the New York State Public Service Commission.

Ms. Hazen explained that one megawatt is 1000 kilowatts, and each container has one megawatt capacity. She said this would service 1000 homes per megawatt. She also said they are not regulated by the NYS Public Service Commission because they are not a utility.

Councilman Augostini asked if their closest similar facility is in New Paltz, New York.

Ms. Hazen said their nearest proposed facilities would be in the Hudson Valley, with the closest in the Town of Lloyd, but they are not constructed yet. We have operating facilities in Pennsylvania, Illinois and Texas.

Councilman Frank J. Bertoni said with the battery incinerator issue that we have had for the last year in the Town of Union and the Village of Endicott, one of the major concerns was the residents felt their questions were not being answered. He wanted to make sure that any questions that had come up in this evening's meeting would have a chance to be addressed at a later time.

Erin Hazen said that there are two stages in this process, tonight, the public hearing is to seek the negative declaration and the PUD amendment approval, and secondly at the Planning Board meeting where the site plan would be reviewed. She said all questions have been written down by herself and have been documented with the taping of the meeting. She said most of the questions tonight pertained to more of the site plan and they will review them and answer them. She said they are committed to putting the information on their project website where all documents are listed and can be reviewed.

Councilman Bertoni said there was a question about the permitting process that was presented by one of the residents, that the national Army Corp of Engineers permit was not a usable permit.

Ms. Hazen said she disagrees with Mr. Huston assessment of this and said they have confirmed their permitting approach with Steven Metfiea, Chief of the New York Permit Evaluation Section of the Buffalo District of the Army Corp of Engineers. He is the head of the regional district and he agrees with our approach, and has evaluated their site plans.

Supervisor Richard A. Materese said most of these questions will be going to our Planning Board and they will make the decision to say yea or nay, so this is not a done deal.

Councilman Thomas R. Augostini asked if the projects they are proposing in the Hudson Valley are similar in size to the one you are proposing on Robinson Hill Road.

Ms. Hazen said they are smaller because their interconnection to the grid is at a distribution level using smaller sized power lines. This facility would be going directly to a transformer level.

Councilman Augostini encouraged Mr. Ballough and any others to attend the Planning Board meeting with their concerns.

Councilwoman Heather R. Staley asked Ms. Hazen if all stored power is coming from renewable sources and does this project have anything to do with the Bluestone Wind Farm project.



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Ms. Hazen said no, that the facility is agnostic to whatever electron is on the grid. She said this project does not have anything to do with any other energy project in the area.

Councilwoman Sandra C. Bauman asked Ms. Hazen in regard to people's questions, you mentioned your website, and can they also ask questions there.

Ms., Hazen said they can contact them, and that their phone number and email address on the website.

Valdi Weiderpass said he did the math and with the proposed facility being a 120-megawatt facility that covers 1000 homes per megawatt, it would be 120,000 homes covered for a 4 hour period. He said there are 100,000 homes in the Binghamton, Endicott and Johnson City area and this facility would supply more energy than the population of the valley.

As no one else wished to speak, Supervisor Richard A. Materese closed the Public Hearing.

BIDS: None.

APPROVAL OF MINUTES:

Moved by Augustini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board Meeting held on Wednesday, February 03, 2021 and the Special Meeting held on Wednesday February 10, 2021.

Carried.

HEARING OF VISITORS:

Bill Huston, P.O. Box 22, Endicott, said he is really impressed with the professionalism of how the Town of Union meetings are held. He said, in general, he is in favor of this project and facility. He said he is impressed with Erin Hazen and her knowledge, and with her outreach to the community, not like the last project - SungEel, that he was involved with. He also said she had demonstrated evidence to answer his fire suppression and pipeline concerns.

As no one else wished to speak, Supervisor Richard A. Materese closed the first Hearing of Visitors.

COMMUNICATIONS FOR FILING:

Moved by Augustini, seconded by Bertoni to receive and file the following Communications:

1. Town of Union Planning Board letter to Mr. William Walsh regarding the 2020 Final Homestead Village PUD Development Plan – Revoked.
 2. Letter from Beth Lucas, Acting Director, Broome County Department of Planning and Economic Development to Supervisor Richard A. Materese regarding Review Pursuant to Section 239-l and -m of the General Municipal Law for the Homestead Village Development Group William Walsh for Site Plan Review and Planned Development – Revise resort, golf, residential, and office PUD with battery storage facility at 4311 Watson Boulevard.
- Carried.

COMMUNICATIONS FOR ACTION:

1. Moved by Augustini, seconded by Bertoni to refer the Notice of Foreclosure – State of New York vs. Nicholas Frazier for property located at 2309 Main Street, Endicott, New York, to



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Res. by Augustini, seconded by Bertoni.
The Resolution was adopted.

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve the new Homestead Village PUD Preliminary Development Plan.)

Res. by Augustini, seconded by Bertoni.

Vote: All yes.

(Prepared Resolution filed as part of these minutes to approve, subject to Town Attorney approval, a lease with Park Outdoors for an off premise digital sign located at 3608 George F. Highway, Endwell New York, Town owned property, and in addition to town owned property on Argonne Street; and authorize the Supervisor, Town Attorney and such other employees are hereby authorized to take such additional and further action to implement this Resolution as may be necessary.)

Res. by Augustini, seconded by Bertoni.
The Resolution was adopted.

Vote: All yes.

HEARING OF VISITORS:

William Huston, P.O. Box 22, Endicott, asked for clarification that the SEQRA for GlidePath was done during the work session and further asked if the Board has to approve it. Supervisor Richard A. Materese said they just approved it.

As no one else wished to speak, Supervisor Richard A. Materese closed the second Hearing of Visitors.

DEPARTMENT REPORTS ON FILE IN THE TOWN CLERK'S OFFICE:

Moved by Augustini, seconded by Bertoni to receive and file the following Department Reports:

1. Town Clerk's Annual Report – 2020.
2. Town Clerk's Monthly Report – January 2021.
3. Permits Report – January 2021.
4. Zoning Board of Appeals Decision – Mark Bricker, 736 Prescott Avenue, Endicott. Application # 2020-009.
5. Comptroller's Monthly Report – January 2021.
6. Town of Union Planning Board Decision – Site Plan Approval - NYSEG Gas Regulator Building, 518 Day Hollow Road, Endicott, Tax Map #140.20-3-1.
7. Town of Union Planning Board Minutes – November 10, 2020.
Carried.

Supervisor Richard A. Materese thanked Erin Hazen for her presentation and for doing an excellent job during this meeting.

Councilman Frank J. Bertoni recognized Danny Parretta on his 100th birthday.

Councilwoman Heather R. Staley said she had good news from Terri Farrell of the Endicott Tree Committee who met with herself and said, to commemorate Arbor Day this year, the Tree Committee will be gifting the Town of Union with a tree to replace some of the ones we lost over the years at Glendale Park, and they scheduled a meeting a later time with



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Councilwoman Sandra C. Bauman and Parks Manager Ray Vanderpoel to further discuss this gift.

Councilwoman Sandra C. Bauman said she wanted to shout out to the Endwell Pharmacies, Rite Aid and CVS, for doing a great job of immunizing our people and for making the process an easy one.

Councilman Thomas R. Augostini thanked everyone for attending the meeting and most importantly for their civil discussion on this project. He said the discussion will continue through the Planning Board and he encouraged everyone with comments, questions and ideas to attend these meetings.

Supervisor Richard A. Materese recognized the life of Zoning Board of Appeals member Michael Shafer's wife, Marilyn. He said a couple months ago the Shafers were part of a group who were recognized for their long time marriages. He gave condolences to Town employee Melissa Opeka on the loss of her grandmother, who is Judge Greg Thomas's mother in law. He also recognized Father Thomas Hobbs, who was a Priest for 65 years and a great man.

ADJOURNMENT:

Moved by Augostini, seconded by Bertoni to adjourn the meeting.
Carried.

The meeting was adjourned at 8:54 P.M.

Leonard J. Perfetti
Town Clerk

LJP/bk