

DRAFT- "SUBJECT TO BOARD REVIEW"

TOWN BOARD
Regular Meeting
September 8, 2021

A regular meeting of the Oneonta Town Board was held on September 8, 2021 with the following members present:

Councilwoman: Patricia Riddell Kent
Councilwoman: Patricia Jacob
Councilman: Brett Holleran
Councilman: Randy Mowers
Supervisor: Robert Wood
Town Attorney: Robert Panasci- ABSENT
Town Clerk: Sara Robinson

Others present: Tina Winstead, Skylar Thompson, Steve Kent, Michelle Catan

PETITIONERS- Tina Winstead from the Huntington Memorial Library was present. Tina presented a PowerPoint of the library, requesting the annual funding the Town provides the library.

COMMITTEE REPORTS

Highway/Water& Sewer- Motion was made by Mowers to approve Change Order 1- Bellamy Construction for \$74,948. This change order is for the use of rock drills in Fortin Park. Seconded by Jacob.

VOTE – Ayes 5, Nays 0 Motion Carried

Motion was made by Mowers to approve Change Order 2- Layne Christenson for \$8,700. This change order is to extend their contract and for extra testing equipment. Seconded by Jacob.

VOTE – Ayes 5, Nays 0 Motion Carried

Riddell Kent stated that Jim was working on two different proposals for guardrails at Fortin Park. Riddell Kent stated that Highway Superintendent Hurtubise spoke to F&R guiderail in Schenectady and got a lower price for \$9,900. It includes used beam guide railing and posts for the gate. Highway Superintendent Hurtubise also got a proposal for \$5231 which includes used panels, used post, hvy 6"x7' and new ends + 1750 for new ribbon rail. Councilman Mowers suggested that we look into pressure treated. Councilman Mowers stated that the pressure treated that's there lasted a long time. Highway Superintendent Hurtubise asked for recommendations on someone that does wood.

Motion was made by Riddell Kent to authorize Supervisor Wood to sign an extension of short term bonding with EFC for Southside Water. Seconded by Jacob.

VOTE – Ayes 5, Nays 0 Motion Carried

Public Safety- Supervisor Wood stated that he met with Cooperstown All Star Village and DOT to discuss traffic concerns. The owner will be working with DOT to examine possibilities and

recommendations from their engineers. He is looking at a mounted traffic control device. DOT is also going to consider reducing the speed limit. The traffic control price will be on the property owner. They also discussed placing additional signage for parking. Supervisor Wood stated they would like to place signs that say no stopping or standing which the town board agreed too.

Facilities, Technology, Parks- Councilman Holleran stated that they are focused on getting the guardrails done at Fortin Park. Councilman Mowers stated that we will continue with the extra pumping of the Porta Johns through September.

Human Resources and Public Benefit –

Legislative – Motion was made by Jacob to approve the benchmarking resolution. Seconded by Riddell Kent.

VOTE – Ayes 5, Nays 0

Motion Carried

RESOLUTION NO. #3-2021

ESTABLISHING ENERGY BENCHMARKING REQUIREMENTS FOR CERTAIN MUNICIPAL BUILDINGS

Drafting note: This template legislation is presented here as a resolution, but communities should note that it may also be adopted as a local law or ordinance, where they have the power to do so. The following information should not be a substitute for legal advice from an attorney familiar with local requirements.

WHEREAS, buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officers and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Town of Oneonta is able to make smarter, more cost effective, and drive widespread, continuous improvement; and

WHEREAS, the Town of Oneonta Town Board desires to use Building Energy Benchmarking—a process of measuring a buildings energy use, tracking that use over time, and comparing performance to similar buildings—to promote the public health, safety and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town of Oneonta; and

WHEREAS, the Town of Oneonta Town Board desires to establish procedure or guideline for Town of Oneonta staff to conduct such Building Energy Benchmarking; and

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the following specific policies and procedures are hereby adopted;

BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

1. DEFINITIONS

- (A) “Benchmarking information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

- (B) "Building Energy Benchmarking" shall mean the process of measuring a buildings Energy use, tracking that use over time, and comparing performance to similar buildings.
- (C) "Commissioner" shall mean the head of the Department.
- (4) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Town of Oneonta that is 1,000 square feet or larger in size.
- (5) "Department" shall mean the Town of Oneonta Code Enforcement Officer.
- (6)"Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.
- (7)"Energy Performance Score" shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.
- (8)"Energy Use Intensity (EUI) shall mean the KBTUs (1,000 British Thermal Units) used per square foot of gross floor area.
- (9)"Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.
- (11)"Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Governmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.
- (12)"Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings
- (13)"Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

2. APPLICABILITY

- (1) This policy is applicable to all Covered Municipal Buildings as defined in section 2 of this policy.
- (2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

- (1) No later than May 1, 2017 and no later than May 1 every year thereafter, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each covered Municipal Building, along with all other descriptive information required by the Portfolio Manager for the previous calendar year.
- (2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

- (1) The Department shall make available to the public on the internet Benchmarking information for the previous calendar year.
 - (a) no later than September 1, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2)The Department shall make available to the public on the internet and update at least annually, the following benchmarking information:

(a)Summary statistics on Energy Consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b)For each covered Municipal Building individually:

(i) The status of compliance with the requirements of this policy; and

(ii)The building address, primary use type, and gross floor area; and

(iii)Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available;
and

(iv)A comparison of the annual summary statistics (as required by sections 5) (2) (b) (iii) of this policy) across calendar years for all years since annual reporting under this policy has been required for said building.

5. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purpose of this policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

6. ENFORCEMENT AND ADMINISTRATION

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this policy.

(2) The Chief Enforcement Officer of this policy may promulgate regulations necessary for the administration of the requirements of this policy.

(3) Within thirty days after each anniversary date of the effective date of this policy, the Chief Enforcement Officer shall submit a report to the Town Board including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of the Benchmarking Information, a list of all Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

7. EFFECTIVE DATE

This policy shall be effective immediately upon passage.

8. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgement of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other sections, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

The vote on the foregoing resolution was as follows:

Robert Wood, Councilperson	AYE
Patricia Jacob, Councilperson	AYE
Randal Mowers, Councilperson	AYE
Patricia Riddell Kent, Councilperson	AYE
Brett Holleran, Councilperson	AYE

This resolution was adopted.

ATTORNEY- Supervisor Wood stated that he spoke to Attorney Panasci about meetings going remote. Attorney Panasci stated that the governor is allowing remote meetings again. The Town Board will discuss the need to go remote in a couple of weeks.

CODE ENFORCEMENT –

MISCELLANEOUS- Motion was made by Holleran to set a public hearing for October 13th at 7:15PM to hear public input on Marijuana Sales in the Town of Oneonta. Seconded by Mowers.
VOTE – Ayes 5, Nays 0 Motion Carried

Motion was made by Holleran to approve the Court request for a TV monitor and to rewire the monitor in the hallway in the amount of \$132.99 +Labor. Seconded by Mowers.
VOTE – Ayes 5, Nays 0 Motion Carried

Court JCAP Grant- Supervisor Wood stated that the court presented us with a request for a JCAP Grant for 3 VeriDesks, a shredder, a work cell phone and a TV Monitor for the courtroom and a foot rest. Supervisor Wood stated that he needs to have firm numbers for the budget and they will need to submit it to the Unified Court System by October 15th. Supervisor Wood recommends that they try and get more information to confirm pricing.

APPROVAL OF MINUTES-Motion was made by Jacob to approve the August 11, 2021 minutes. Seconded by Riddell Kent.
VOTE – Ayes 5, Nays 0 Motion Carried

BILLS-Motion was made by Jacob to approve payment of the following bills. Seconded by Mowers.

Clerk:		Approved Expenses / Voucher # 651-723	
	General	\$	99,435.86
	Highway	\$	30,344.14
	St Lighting	\$	3,379.00
	Highway Garage	\$	950.50
	Fire Protection	\$	-
	WESD	\$	2,230.13
	WSSD	\$	514.38
	SSD	\$	1,014.01
	WWD	\$	1,206.72
	PWD	\$	199.45
	SSWD	\$	240,654.31
	T&A	\$	581.20
	CDBG	\$	-
		\$	<u>380,509.70</u>

The meeting was adjourned at 8:00 PM.

Respectfully submitted,

Sara Robinson
Town Clerk