

**TOWN OF NEW ALBION**

14 Main Street  
Cattaraugus, NY 14719

**REGULAR BOARD MEETING**

March 20, 2017 7:00 p.m.

**PRESIDING:** Loyd Chilson, *Supervisor*

**PRESENT:** *Councilmen:* Cynthia Eaton, Daniel Goss, Mark Marcus, Patrick Murphy; David Rupp, *Highway Supt.;* Rose LaQuay, *Recording Secretary*

**VISITORS:** Jonathon Mayr, Southern Tier West; Robert Botsford & Eric Pritchard, Village of Cattaraugus; Paula Stockman, Catt. Cty. Legislator; Shannon Goode, *Town Justice*, Frank Watson, *C.E.O.*

**CALL TO ORDER:**

Supervisor Chilson called the meeting to order at 7:03 p.m. The February 20, 2017 Regular Meeting minutes, Assessor, Clerk and Court reports were approved as presented by the Clerk.

**VISITORS:**

1. Jonathon Moyr, Southern Tier West - Presented a grant opportunity through NYSERDA for \$50,000.00.
2. Robert Botsford & Eric Pritchard, Village of Cattaraugus - Observing and requested support from the Town of New Albion as the Village is moving ahead with a dissolution study. Village Trustee Pritchard will be putting together a Request for Proposal for a consultant to perform the study. No financial obligation to the Town. First meeting tentatively scheduled for April 24, 2017 with Councilmen Eaton and Marcus attending along with Highway Supt. Rupp. Village Trustee Pritchard will also return to a Town meeting with Town Assessor Bailey regarding a reval.

**Resolution #13 - 2017 - Town Representatives to Village Dissolution Committee**

On a motion by Councilman Marcus, second by Councilman Eaton, the following resolution was

**ADOPTED** Aye 5 Chilson, Eaton, Goss, Marcus, Murphy  
Nay 0

**RESOLVED**, to have Town Board representation on the Village of Cattaraugus Dissolution Committee.

**Resolution #14 - 2017 - Application to NYSERDA Clean Energy Communities Program Grant**

On a motion by Councilman Murphy, second by Councilman Marcus, the following resolution was

**ADOPTED** Aye 5 Chilson, Eaton, Goss, Marcus, Murphy  
Nay 0

**RESOLVED**, to apply for the NYSERDA Clean Energy Communities Program Grant in the amount of \$50,000.00

**Resolution #15 - 2017 - Establishing Energy Benchmarking Requirements for Certain Municipal Buildings**

On a motion by Councilman Murphy, second by Councilman Marcus, the following resolution was

**ADOPTED** Aye 5 Chilson, Eaton, Goss, Marcus, Murphy  
Nay 0

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 officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Town of New Albion is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Town of New Albion Town Council desires to use Building Energy Benchmarking- a process of measuring a building's 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 New Albion; and

WHEREAS, the Town of New Albion Town Council desires to establish procedure or guideline for the Town of New Albion staff to conduct such Building Energy Benchmarking;

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.

- use,
- B. “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy tracking that use over time, and comparing performance to similar buildings.
  - C. “Commissioner” shall mean the head of the Highway Department.
  - D. “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Town of New Albion that is 1,000 square feet or larger in size.
  - E. “Department” shall mean the Highway Department.
  - F. “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, 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.
  - G. “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.
  - H. “Energy Use Intensity (EUI) shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.
  - I. “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.
  - J. “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.
  - K. “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.
  - L. “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

- A. This policy is applicable to all Covered Municipal Buildings as defined in §2 of this policy.
- B. 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

- A. 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 Portfolio Manager for the previous calendar year.
- B. 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

- A. The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:
  - (i) no later than September 1, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and
- B. The Department shall make available to the public on the internet and update at least annually, the following Benchmarking information:
  - (i) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and
  - (ii) For each Covered Municipal Building individually:
    - (a) The status of compliance with the requirements of this Policy; and
    - (b) The building address, primary use type, and gross floor area; and
    - (c) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and
    - (d) A comparison of the annual summary statistics (as required by Section 4.B.ii.c. 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

- A. The Department shall maintain records as necessary for carrying out the purposes 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

- A. The Commissioner or his or her designee from the Department shall be the Chief Enforcement

Officer of this policy.

- B. The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.
- C. 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 Council including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of Covered Municipal Buildings identifying each 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

- A. This policy shall be effective immediately upon passage.

§8. SEVERABILITY

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

**Resolution #16 - 2017 - Unifed Solar Permit**

On a motion by Councilman Goss, second by Councilman Eaton, the following resolution was

**ADOPTED** Aye 5 Chilson, Eaton, Goss, Marcus, Murphy  
Nay 0

WHEREAS, the New York State Uniform Fire Prevention and Building Code regulates the design, construction, installation, alteration and repair of equipment and systems using solar systems; and WHEREAS, the New York State Energy Research and Development Authority ha developed a New York State Unified Solar Permit that reduces the cost for solar projects by streamlining municipal permitting processes; and

WHEREAS, the Town Board desires to promote the streamlining of the application process for small-scale photovoltaic system installations by adopting the New York State Unified Solar Permit application form and implementing the new procedures,

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby adopts the New York State Unified Solar Permit application form and procedures for the installation of small-scale photovoltaic systems; and it is further

RESOLVED, the Town of New Albion Code Enforcement Officer is hereby directed to use said New York State Unified Solar Permit application forma nd procedures in the issuance of building permits for the installation of small-scale photovoltaic systems; and it is further

RESOLVED, any further actions required of the Town of New Albion to effect the foregoing are hereby authorized and the Town Supervisor is hereby authorized to execute and deliver any instruments, documents or the like as required to effect the same.

**Resolution #17 - 2017 - Authorization and Reimbursement to Town Clerk**

On a motion by Councilman Marcus, second by Councilman Eaton, the following resolution was

**ADOPTED** Aye 5 Chilson, Eaton, Goss, Marcus, Murphy  
Nay 0

**RESOLVED**, to authorize Clerk LaQuay to order 2 electric vehicle charging stations from Amazon on her personal account for the Town of New Albion at a cost not to exceed \$1,500.00 total and to reimburse Clerk LaQuay for the charges.

**REPORTS:**

**Court** - Board completed audit of justice books.

**Code Enforcement** - Appearance tickets issued with three cases going to Town Court. No current permits.

**Highway** - Weather changes caused road and drainage issues and high winds caused downed trees and limbs that the Highway Dept. have been working on. Wendel coming out to inspect on March 22. Trees will be cut for both the Waverly and Jefferson culvert projects. Hwy. Supt. Rupp is looking for a replacement box for the 2004 International. Supt. Rupp will speak to Treasurer Doucette regarding equipment reserve funds. Hwy Supt. Rupp also to obtain quote on tree removal at Tug Hill Cemetery.

**Resolution #18 - 2017 - Authorization for Supervisor to Sign**

On a motion by Councilman Murphy, second by Councilman Goss, the following resolution was

**ADOPTED** Aye 5 Chilson, Eaton, Goss, Marcus, Murphy  
Nay 0

**RESOLVED**, to authorize Supervisor Chilson to sign both the Waverly Street Culvert Progress Payment Request #2 cover letter and cost submittal and Jefferson Street Culvert Progress Payment Request #2 cover letter and cost submittal on behalf of the Town of New Albion.

**Resolution #19 - 2017 - Add Voucher to March Abstract**

On a motion by Councilman Marcus, second by Councilman Murphy, the following resolution was

**ADOPTED** Aye 5 Chilson, Eaton, Goss, Marcus, Murphy  
Nay 0

**RESOLVED**, to add Highway Capital Bridge Project Voucher #114 to the March 20, 2017 Town Abstract to pay Simmons Recovery Consulting in the amount of \$9,148.50.

**Resolution #20 - 2017 - Authorization for Supervisor to Sign**

On a motion by Councilman Eaton, second by Councilman Goss, the following resolution was

**ADOPTED** Aye 5 Chilson, Eaton, Goss, Marcus, Murphy  
Nay 0

**RESOLVED**, to authorize Supervisor Chilson to sign the New York State Homeland Security and Emergency Services Quarterly Report for the Waverly and Jefferson Street Culvert projects on behalf of the Town of New Albion.

**Clerk** - Register Report for February 2017 deposits distributed previously. Additional revenues of \$30.00 for 1 marriage license copy and 2 death certificate copies deposited directly to General A Townwide. Nomination forms for the Richard Murphy Citizen of the Year award are ready. Board members will distribute.

<b>Clerk Report: February 2017</b>	<b>Check #</b>	<b>TOTAL</b>
<b>Amount Collected</b>		<b>\$ 234.00</b>
Animal Population Control	2461	\$ 31.00
Cattaraugus County	2462	\$ 42.30
NYS DEC	ACH	\$ 23.62
Town of New Albion	2463	\$ 137.08
<b>Amount Paid Out</b>		<b>\$ 234.00</b>

**Treasurer** - No report.

**Board** - Supervisor Chilson checked condition of town roads and attended the Tannery Bridge Project Meeting. Councilman Eaton noted the Ambulance squad is looking at a different ambulance. Councilman Goss contacted Blue Cross Blue Shield regarding timing of new rates and notification.

**CORRESPONDENCE:**

1. Email from NYS Assoc. of Towns - County Wide Property Tax Savings Plan Proposal
2. Request from Harry Rosel - Quarterly Pay

**Resolution #21 - 2017 - Approval for Assessor Clerk Pay Frequency Change**

On a motion by Councilman Marcus, second by Councilman Eaton, the following resolution was

**ADOPTED** Aye 5 Chilson, Eaton, Goss, Marcus, Murphy  
Nay 0

**RESOLVED**, to approve pro-rating both 1st and 2nd quarter paychecks to Assessor Clerk, Harry Rosel with the total of those paychecks equal to previous 2nd quarter only paycheck and authorize Clerk LaQuay to add Mr. Rosel's 1st quarter paycheck to the next Town payroll.

3. Email from Southern Tier West - Capacity Building Camp, April 5-6
4. Email from NY Elected Officials - Sign on to letter to Comptroller DiNapoli
5. Meeting Notes from Tannery Bridge Project Meeting
6. Association of Towns - Membership Certificate

**OLD BUSINESS**

1. Constable reclassification - Waiting on reclassification from New York State.
2. Joint Planning Board - Proposed signage law tabled for JPB response.
3. Tannery Street bridge - Cattaraugus County held Tannery Bridge Project Meeting.
4. Wendel FEMA Project Proposal Supplemental #1 - Waiting on Scope of Work Change.

**NEW BUSINESS**

1. Health Insurance - Health Insurance Decision required for April 1, 2017 renewal date.

**Resolution #22 - 2017 - Blue Cross Blue Shield Health Insurance Renewal**

On a motion by Councilman Murphy, second by Councilman Goss, the following resolution was

**ADOPTED** Aye 5 Chilson, Eaton, Goss, Marcus, Murphy  
Nay 0

**RESOLVED**, to renew the Aqua Gold health insurance effective April 1 with Blue Cross Blue Shield through Sheridan Benefit and authorize Supervisor Chilson to sign on behalf of the Town of New Albion.

**APPROVAL OF ABSTRACT**

**Resolution #23 - 2017 - Abstract #3 - March 20, 2017**

On a motion by Councilman Murphy, second by Councilman Eaton, the following resolution was

**ADOPTED** Aye 5 Chilson, Eaton, Goss, Marcus, Murphy  
Nay 0

**RESOLVED**, that Abstract #3 - 2017 in the following amounts be paid:

<b>ACCOUNT</b>	<b>VOUCHER #</b>	<b>TOTAL EXPENDITURES</b>
General A	11175 - 11191	\$ 18,171.62
General B	758 - 759	\$ 13.63
Highway DA	8919 - 8928	\$ 5,770.02
Highway DB	2933 - 2937	\$ 3,605.68
Highway Capital Bridge	114	\$ 9,148.50

With no further business to discuss, the meeting was adjourned at 9:52 p.m.

Respectfully submitted,

Rose M. LaQuay  
Recording Secretary  
Town of New Albion Town Council

Next Meeting:           Regular Board Meeting                                   April 17, 2017                                   7:00 p.m.