

Town of Barre
Board Meeting
March 11, 2020

Present: Supervisor Dr. Sean P. Pogue
Councilman Lynn Hill
Councilman Tom McCabe, Excused
Councilwoman Kerri Richardson
Councilwoman Margaret Swan

Others present: Maureen Beach; Town Clerk, Dale Brooks; Highway Superintendent, Iva McKenna, George McKenna, John DePatie, Chris Loss, Alex Nacca, Judy Cox, Richard Cox, Robin Nacca, Alice Mathes, Kirk Mathes, Barbara Verburg, Karen Markey, Dan Miller, Larry Gaylard, Tom Rivers, Jan Grabowski, Brittany Maxwell, Lucia Woo, Gary Palmer, Drought Kanyuck,

Meeting was called to order at 7:00pm by Supervisor Pogue with the salute to the flag.

Minutes

The minutes for the February, 2020 Town Board meeting were submitted and approved.

SUPERVISOR'S FINACIAL REPORT

REVENUES: Major receipts were:

Town Clerk Fees	1,386.50
Property Taxes	933,566.00
Justice Fees (Jan)	2,037.00
Traffic Diversion-4 th Qtr	2,400.00
Town/Albion Cost Share	2,186.77
Town/Albion Water Usage	43,897.14
Metered Sales	8,946.10
Maintenance Fees	2,580.30
Water Penalty Fees	142.57
Other Revenues	<u>520.29</u>

Total receipts for the month were: \$997,662.67

EXPENSES:

General Fund Townwide: Year to date expenses are \$73,238.16

Highway Townwide: Year to date expenses are \$140,864.99

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HIGHWAY SUPERINTENDENT REPORT

Equipment repairs completed as required, sign repairs completed as needed. All stake out requests completed, Cold patching roads, snow and ice operations in affect. Water samples and readings acquired, transported old tires to Lockport (HTI) for recycling 4 loads. Shared services with Orleans County Highway, (tree removals). Flushed water mains, trimmed trees, attended a water conference - Batavia. Opened and approved bids for class 5 (small dump truck). Acquired and approved quotes for the following: fuel system at highway garage, security cameras for town complex, HVAC mini splits for town hall court room, Zero turn mower.

TOWN CLERK'S REPORT

The monthly report was submitted to Supervisor Pogue at the meeting, along with the check for the local share.

ASSESSOR'S REPORT

No Report

ZONING OFFICER'S REPORT

There have been 5 Building Permits issued in the month of February. There were 4 submissions to the Barre Zoning Board for Area Variances and 1 Special Use Permit submitted to the Barre Planning Board for approval.

BILLS

General Funds	\$ 53,516.29
Highway - Town Wide	\$ 48,919.40
Capital Projects	6,020.09
Special District-Water	948.35
Total Outflow	<u>109,404.13</u>

PAY BILLS

RESOLUTION #20 Pay Bills
Lynn Hill made a motion to approve and pay the bills, seconded by Margaret Swan. Vote 4-0, passed.

NEW BUSINESS Con't

RESOLUTION #22 Energy Benchmarking Requirements (Con't)
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. (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. (10) "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. (11) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings. (12) "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, 2020, 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. (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, 2020 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,

NEW BUSINESS Con't

RESOLUTION #22 Energy Benchmarking Requirements (Con't)
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 Section 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 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

(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 Benchmarking Information, a list of all 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

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 judgment of any court of 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 #23 Resignation/ZBA-Burnside

Kerri Richardson made a motion to accept the resignation of Zoning Board of Appeals member, Cindy Burnside with regrets, this motion was seconded by Lynn Hill. Vote 4-0, passed.

RESOLUTION #24 Zoning Bd & Grievance Bd/Notice for Candidates

Kerri Richardson made a motion to place a notice in the Batavia Daily News and the Town of Barre website seeking anyone that is interested in serving on either the Zoning Board of Appeals or the Grievance Board, seconded by Lynn Hill. Vote 4-0, passed.

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NEW BUSINESS Con't

RESOLUTION #25 **DECLARING THE TOWN OF BARRE A LOCAL CONTROL TOWN
FOR PURPOSES OF ARTICLE 23**

Kerri Richardson made a motion to pass the following resolution, seconded by Margaret Swan. WHEREAS, NYS is a Home Rule state, and WHEREAS, per the NYS Constitution, Article IX, it is our statutory obligation to protect the health, safety and welfare of citizens of our community, and WHEREAS, the Town of Barre has a comprehensive plan and accompanying zoning laws, fully supported by its residents, which capture the community's local conditions and values regarding future economic growth and development, and WHEREAS, on February 21, 2020, Governor Cuomo proposed a Budget Amendment, titled the "Accelerated Renewable Energy Growth and Community Benefit Act (hereafter 'Article 23 Amendment')" which would accelerate industrial wind and solar energy development, and WHEREAS, the Article 23 Amendment, if passed, would greatly limit the role of local zoning laws, avoid critical reviews of local environmental conditions requiring mitigation, allow the State to take certain lands through eminent domain and make them available to developers for construction of power plants, and limit a town's taxation and assessment powers, and WHEREAS, the Article 23 Amendment would eliminate protected processes, public participation and speech by specifically limiting administrative hearings and expressions of disagreement or opposition to siting locations, and WHEREAS, the Article 23 Amendment contains an "approval by default" provision that deems an application "to have been granted" should the newly created Office of Renewable Energy Siting fail to make a decision in one year, be it RESOLVED, that the Town of Barre requests that the Article 23 Amendment be withdrawn, and be it further RESOLVED, should the Article 23 Amendment become law, that the Town of Barre hereby declares itself a Local Control Town for purposes of Article 23, and be it further RESOLVED, should the Article 23 Amendment become law, that the Town of Barre will not provide any local resources or cooperation towards approval, administration, and/or enforcement of any permits issued pursuant to Article 23, and be it further RESOLVED, that the Town of Barre will continue to enforce all local laws applicable to any project sited within the Town. Vote 4-0, passed.

RESOLUTION #26 WD#9 - Acceptance of Construction bids
Margaret Swan made a motion to accept the bid of \$945,633.00 submitted by Sergi Construction Inc. for the construction of Water District #9, seconded by Lynn Hill. Vote 4-0, passed.

RESOLUTION #26 Authorizing Electronic Payments
Lynn Hill made a motion to allow the bookkeeper to make the monthly payments electronically, once approved by the Town Board. The motion was seconded by Margaret Swan. Vote 4-0, passed

BOOKKEEPER'S REPORT

Account	Ending Balance
General Fund	\$534,506.16
Highway Fund	884,297.50
Highway Equip.	195,908.43
Water Dist. #1 Oper,	267,688.90
Water Dist. #2 Oper,	18,330.88
Water Dist. #3 Oper,	13,677.50
Water Dist. #4 Oper,	46,232.53
Water Dist. #5 Oper	48,681.65
Water Dist. #6 Oper.	60,580.38
Water Dist. #7 Oper.	26,651.90
Water Dist. #8 Oper.	35,747.23

Planning Board

The Town of Barre Planning Board has been working on adding onto the Business District and reviewing the fee schedule.

Insurance Report - NYMIR has reported to the town board that there are 4 issues that need to be addressed. 1) The park merry-go-round, 2) curb stops in the park parking lot, 3) panic buttons in the Town Clerk's office, and 4) a daily log of any street damage or hazards.

CORRESPONDENCE/DISCUSSION

Solar Project

There was a presentation given by Joseph Green (Development Dir.), Dan Williams (Consultant), Lauren Burndale and Tom Tuffy on a solar project.

Association of Municipalities Meeting

The March meeting of the Orleans County Association of Municipalities will be March 24, 2020 at the Village Inn at 6:30pm. The guest speaker will be Orleans County Kathy Bogan. She will be having a brief discussion about solar communities in our county.

There are fliers in the town hall lobby with information regarding the fruit fly traps and who will be installing them.

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CORRESPONDENCE/DISCUSSION Con't

A representative from the Department of Public Service, (DPS) will host a presentation on Article 10 at the Hoag Library on March 18, at 6:30. On March 14, at 9:30 am North Point Chapel, 19 North Platt St., Albion there will be a discussion on energy battery storage units.

Supervisor Pogue thanked the Barre Betterment Committee for the Founder's Day activities and to Cyndy VanLieshout for changing the street banners.

Public comment period followed.

Meeting Adjourned at 9:10pm

Respectfully submitted,

Maureen Beach, Town Clerk