

A regular meeting of the Village of Victor Board of Trustees was held on Monday, June 18, 2018 at the Village Hall, 60 East Main Street.

MEMBERS PRESENT:

Mayor	Gary Hadden
Deputy Mayor	Michael Crowley
Trustee	Carol Commisso
Trustee	Robert Kelly
Trustee	Michelle Chalupa
Director of Public Works	John Turner
Attorney	Reid Holter
Village Clerk	Pamela Hogenes

OTHERS PRESENT: Sean McAdoo

Meeting was called to order by Mayor Hadden at 7:00pm.

Salute to the flag.

Privilege of the Floor

Sean McAdoo, Chief, Victor Fire Department thanked the DPW for their help with the Music Fest.

Presented the three year proposal for HVAC Maintenance. One proposal was submitted from Kennedy Mechanical.

Resolution #73-18

Fire Department HVAC Maintenance Agreement

On motion by Trustee Michael Crowley, seconded by Trustee Carol Commisso, the following resolution was ADOPTED 5 AYES 0 NAYS

Whereas, the Victor Fire Department, desiring to assure receiving quality and cost-efficient service, issued a Request for Proposal for a three-year maintenance contract for HVAC and related service; and,

Whereas, the Request for Proposal was issued on May 24, 2018; and,

Whereas, the Village Clerk received one (1) bid from Kennedy Mechanical for a total of \$5,328.00, billed twice a year @\$888.00 per billing; and

Whereas, the Victor Fire Department has reviewed the bid and found it to meet the required specifications;

Therefore, the Board of Trustees authorizes the Chief of the Department to sign the provided Maintenance Agreement dated June 13, 2018.

Chief McAdoo provided a brief update on the progress to move the forming of the Fire District forward. (lease agreements, reverter clause, etc.)

Doug Scarson, Code Enforcement Officer, distributed his quarterly report. Mr. Scarson provided his recommendations to update the Building and Permit fee schedule. Mr. Scarson noted he would like the fees to cover his department expenses as close as it could.

Mr. Scarson shared some properties that need attention and he is addressing them.

Clerk Report

Resolution #74-18

Acceptance of Minutes

On motion of Trustee Michael Crowley, seconded by Trustee Carol Comisso, the following resolution was APPROVED 5 AYES 0 NAYS

Resolved to accept the joint meeting minutes from June 4, 2018

Resolution #75-18

Acceptance of Minutes

On motion of Trustee Carol Comisso, seconded by Trustee Robert Kelly, the following resolution was APPROVED 5 AYES 0 NAYS

Resolved to accept the meeting minutes from June 4, 2018

Resolution #76-18

Payment of Bills

Whereas, the Village Board of Trustees has audited and approved invoices for payment, that appear on Abstract #2 using vouchers #41-156; and,

NOW, therefore on a motion made by Trustee Robert Kelly, seconded by Trustee Michelle Chalupa, the following resolution was ADOPTED 5 AYES 0 NAYS

Resolved to authorize the Treasurer to pay invoices from Abstract #2 in the following amounts:

General	\$ 175,279.38
Water	\$ 28,683.87
Sewer	\$ 11,971.35
HC- Code Update	\$ 2,180.00
HL – Latchmere/Dunbridge Reconst.	\$ 20,169.25
HW – WWTP Clarifier Upgrade	\$ 2,864.60
TOTAL	\$ 241,148.45

Resolution #77-18

Urban and Community Forestry Program Grant Application Endorsement

On a motion made by Trustee Carol Commisso, seconded by Trustee Michelle Chalupa, the following resolution was ADOPTED 5 AYES 0 NAYS

Whereas, the Village of Victor Tree Board is applying to the New York State Department of Environmental Conservation for a project grant under the Urban and Community Forestry Program to be located in the Village of Victor, a site located within the territorial jurisdiction of this Board; and

Whereas, as a requirement of these programs, said municipality must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located”,

Now, Therefore, be it Resolved, that the Village Board of Trustees hereby does approve and endorse the application of the Village of Victor Tree Board for a grant under the Urban and Community Forestry Program for a project known as the Village of Victor Urban Forestry Management Plan and located within this community.

Ms. Hogenes noted the Victor-Farmington Library budget vote is June 21 from 12:00 – 8:00 at the Village Hall.

Director of Public Works Report

Mr. Turner discussed, at length, Ontario County’s proposal to combine municipalities for brush/limb/stump grinding services. This is referred to as tub grinding. The County is trying to include this in their Shared Services initiative.

- Latchmere/Dunbridge road reconstruction is continuing
- Received letter from DEC for the disinfectant mandate, compliance by 2023
- Work is progressing on WWTP Clarifier #2 upgrade
- Received notification that we will be receiving \$20,000 from a grant for the leafer

Trustees Reports

Robert Kelly – None

Carol Commisso –

- Meeting with Kathy Rayburn and Ed Flynn from Labella, to assist developers
- Façade Improvement Plan – Kathy has distributed list of approved applications

Michael Crowley – Distributed new Insurance paperwork. Total premium decrease of \$652.94. Recommends staying with our current provider, they provide excellent service. Met with owner of 33 School St and suggested he meet with Kathy Rayburn.

Michelle Chalupa - None

Mayor Report

Resolution #78-18

RESOLUTION OF APPOINTMENT OF VILLAGE ENGINEER

On motion of Trustee Michael Crowley seconded by Trustee Carol Commisso the following resolution was ADOPTED 5 AYES 0 NAYS

WHEREAS, the Village Engineer, Chatfield Engineers, P.C.,(hereafter, "Chatfield") has advised the Village that, effective on or about June 29, 2018, they are merging with the MRB Group, Engineering, Architecture, and Surveying, D.P.C (hereafter, "the MRB Group"), and, following the merger, will conduct business as the MRB Group,

WHEREAS, Paul Chatfield has requested that, upon completion of the merger, the MRB Group be appointed as the Village Engineer for the balance of the current one year term, and

WHEREAS, Paul Chatfield has requested that, upon completion of the merger, all existing contracts and agreements between the Village and Chatfield be assigned to the MRB Group,

NOW, THEREFORE, BE IT RESOLVED THAT, upon completion of the merger between Chatfield and the MRB Group,

- a. The MRB Group is hereby appointed to be the Village Engineer through May 31, 2019,
- b. The existing contracts and agreements between the Village and Chatfield shall be assigned to the MRB Group, and

- c. The Mayor is hereby authorized to execute any documents (including documents of assignment) necessary to memorialize and effectuate the assignment of such contracts and agreements.

Mayor Hadden has received an amended services agreement from Labella for Access Management Plan Assistance. This will be on the agenda for July 2.

Mayor Hadden explained that the Village has complied with two out of the four criteria needed to be designated as a Clean Energy Community which will allow us to receive a \$5,000 incentive check from NYSERDA. Mayor Hadden and Matt Halliday from G/FLRPC will be meeting with John Turner regarding LED lighting along Main St.

Resolution #79-18

ESTABLISHING ENERGY BENCHMARKING REQUIREMENTS FOR CERTAIN MUNICIPAL BUILDINGS

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 Village of Victor is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Village of Victor Board of Trustees 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 Village of Victor; and

WHEREAS, the Village of Victor Board of Trustees desires to establish procedure or guideline for the Village of Victor 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 building’s 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 Village of Victor that is 1,000 square feet or larger in size.

(5) “Department” shall mean the Village Hall.

(6) “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.

(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 Environmental 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, 2019, 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, 2018 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 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 Village of Victor Board of Trustees 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.

The vote on the foregoing resolution was as follows:

Gary Hadden, Mayor	AYE
Michael Crowley, Deputy Mayor	AYE
Michelle Chalupa, Trustee	AYE
Carol Commisso, Trustee	AYE
Robert Kelly, Trustee	AYE

This resolution was adopted.

Resolution #80-18

NY State Unified Solar Permit Requirement for NYSERDA Clean Energy

On motion by Trustee Michael Crowley, seconded by Trustee Carol Commisso, the following resolution was ADOPTED 5 AYES 0 NAYS

Whereas the Village of Victor has been notified by Matthew Halladay of the Genesee Regional Planning Council that a NYSERDA Clean Energy Communities Program exists, and;

Whereas the Village of Victor has already completed 2 of 4 elements necessary to receive a Clean Communities designation, and;

Whereas the Village of Victor Board of Trustees desires to attain a Clean Communities Designation, and;

Whereas the Village of Victor acknowledges that a third element of the program is to require a New York State Unified Solar Permit for solar projects of 25kw or less;

Now therefore be it resolved that the Village of Victor update code enforcement policies & procedures to include the New York State Unified Solar Permit for solar projects of 25kw or less.

Lengthy discussion regarding upcoming Joint Public Hearing for the formation of a Joint Fire District.

Attorney Report

None

Adjournment

Meeting adjourned on motion at 9:30pm.

Pamela Hogenes, Village Clerk