

The Workshop/Regular Meeting of the Board of Trustees of the Village of Albion was held Wednesday, June 14, 2023, at 6:00 PM, Village Hall, 35 East Bank Street, Albion New York.

Present were Mayor Angel Javier Jr, Trustee Zachary Burgess, and Trustee Timothy McMurray

Absent: Deputy Mayor Joyce Riley and Trustee Christopher Barry

Also, in attendance approximately 10 residents

Also in attendance was, Pollution Control Plant Chief Operator Aric Albright, Animal Control Officer Harry Papponetti, Fire Chief Jeremy Graham, Code Enforcement Officers Anne Podolak, Chris Kinter, Water Treatment Plant Chief Operator Adam Rush and DPW Superintendent James Pahura

Mayor Javier opened the meeting with the pledge of allegiance at 6:00 PM.

APPROVE MEETING MINUTES

Moved by Trustee McMurray and seconded by Trustee Burgess to approve the May 24, 2023, and June 5, 2023, meeting minutes

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

PAINTING OF MURAL

Students from Ms. Feder’s along with Mr. Archer talked with Board about repainting mural on Fire Department wall. Mayor requested Chief Mogle to have Officer on site day of for traffic control. Ms. Feder will contact Clerk once date is set, anticipate in early Spring 2024

OPEN PUBLIC HEARING

Moved by Trustee McMurray and seconded by Trustee Burgess to open public hearing to hear from public on increase in fees at 6:05PM

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

CLOSE PUBLIC HEARING

Moved by Trustee McMurray and seconded by Trustee Burgess to close public hearing at 6:06PM

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

APPROVE RATE INCREASES

Moved by Trustee McMurray and seconded by Trustee Burgess to approve various rate increases in Village Code book

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

DEPARTMENT HEAD REPORTS

The Board of Trustees received monthly reports for May from Superintendent of Public Works James Pahura, Police Chief David Mogle, Fire Chief Jeremy Graham, Animal Control Officer Harry Papponetti, Water Treatment Plant Chief Operator Adam Rush and Pollution Control Plant Chief Operator Aric Albright, Cemetery Superintendent Jason Zicari, Code Enforcement Officers Anne Podolak and Chris Kinter and Park & Recreation Director John Grillo.

USE OF RESERVES

Moved by Trustee McMurray and seconded by Trustee Burgess to allow DPW Superintendent James Pahura to use remaining balance after trade-in from equipment reserves

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

SURPLUS AS TRADE-IN EQUIPMENT

Moved by Trustee McMurray and seconded by Trustee Burgess to allow DPW Superintendent James Pahura to surplus excavator and use as trade-in towards new purchase

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

SURPLUS VARIOUS ITEMS

Moved by Trustee McMurray and seconded by Trustee Burgess to surplus the following items

- 2-plastic roll around oil drain dollies
- ALC sand jet blaster
- Ingersoll Rand air compressor T30,120 gallons
- Champion air compressor 120-gallon air compressor tank
- Oil holding tank 100-120 gallon
- 275-Gallon oil holding tank
- Plastic used waste oil tank
- 4-loader tires
- Pile of wood
- Pile of wood chips
- Pile of millings

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

FINANCE VEHICLE

Tabled until 7/12/2023-2023 Police Dodge Durango, Clerk to find out total interest

ADD TO RESERVES

Moved by Trustee Burgess and seconded by Trustee McMurray to grant request from Cemetery Supervisor Jason Zicari the \$500 donation received from Roger and Ingrid Lamont into cemetery reserves

CYBER SECURITY

Mayor directed Clerk to reach out to Albion Agency for various questions to included: rate premium options, amount of coverage, specials, extra coverage and accord. Steve Deeley to come in and talk to Board on cyber security

MECHANIC POSITION

Moved by Trustee McMurray and seconded by Trustee Burgess to allow Jeff Arnett to transfer as MEO to Mechanic with a 52-week probationary period, starting rate \$28.51

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

HIRE OF AUDITING FIRM

Moved by Trustee McMurray and seconded by Trustee Burgess to enter into contract with Mengel Metzger Barr & Co., LLP's aka MMB+CO to perform the 2022-2023 audit at a rate of \$30,000

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

RETIREMENT

Moved by Trustee McMurray and seconded by Trustee Burgess to accept Dale Snyder's intent to retire on June 29, 2023, with regret

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

RESIGNATION

Moved by Trustee McMurray and seconded by Trustee Burgess to accept Harry Papponetti's resignation as Animal Control Officer effective June 29, 2023

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

HIRE

Moved by Trustee Burgess and seconded by Trustee McMurray to hire Harry Papponetti as Animal Control Officer effective July 3, 2023

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

CLOSE STREETS

Moved by Trustee Burgess and seconded by Trustee McMurray to grant request to close E Park St, from S Main St to Liberty St, from Holy Family Roman Catholic Church on 8/13/2023 from 7AM-7PM for annual Lawn Fete

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

BUDGET ADJUSTMENT

Moved by Trustee McMurray and seconded by Trustee Burgess to allow budget adjustment as following: Increase expense line A0.3410.0405 to pay CNJ Fire Protection Inc for \$18,875.00 for sprinkler system, prior approval for funds to come out of FD heating reserve line and expense line F0.8320.0411 to pay Orleans County DPW of \$183.37 for WTP share of fuel towards sludge truck, monies from budgeted water reserves

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

PAY INVOICES FROM GRANTS

Moved by Trustee Burgess and seconded by Trustee McMurray to approve payment of the following invoices:

Wendel	Professional Services	
	○ WIIA 1	\$9,441.77
Bernard P. Donegan, Inc	Professional Services	
	○ WIIA 1	\$1023.75
	○ WIIA2	\$828.75
	○ FMS	\$195.00
LaBella	Certification of Payroll	
	○ Fluoridation Bldg	\$74,313.75

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

PAY INVOICES FROM ARPA

Moved by Trustee McMurray and seconded by Trustee Burgess to approve payment from ARPA funds

Fire Department-Utility Truck Box	
○ Grainger	\$679.68
Animal Control-Snare poles	
○ Ketch-All Company	\$196.75

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

ACCEPT APPLICATIONS

Accept the following applications to be placed on file for 1yr

MEO Michael T Church, Vincent Zona, Peter Mathes & Steven Borowczyk

CEMETERY DEED

Moved by Trustee McMurray and seconded by Trustee Burgess to allow Mayor to sign cemetery deed for the following:

William J. Tuttle S.G. 876 Mapleview Avenue

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

APPROVE PAYMENTS AND JOURNALS

Moved by Trustee McMurray and seconded by Trustee Burgess to approve monthly bills and journal as follows:

- Voucher #'s 43449-43577
 - o General \$34,780.72
 - o Water \$29,966.72
 - o Sewer \$57,473.58

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

ACCEPT TREASURES REPORT

Moved by Trustee Burgess and seconded by Trustee McMurray to accept the May Treasures report

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

ADOPT RESOLUTION 2023-01

Moved by Trustee McMurray and seconded by Trustee Burgess to adopt Resolution 2023-01

**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 Albion 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 Albion, 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 Albion; and

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

(5) “Department” shall mean the Village Clerks Office

(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, 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.

(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 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 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.

This resolution shall take effect immediately.

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

ENTER EXECUTIVE

Moved by Trustee Burgess and seconded by Trustee McMurray to enter into executive for personal matters at 7:11PM

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

EXIT EXECUTIVE

Moved by Trustee Burgess and seconded by Trustee McMurray to exit executive at 8:13PM

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

LETTER TO TOWNS

Moved by Trustee Burgess and seconded by Trustee McMurray to have Attorney send letter to towns stating new water base rate charges and to include they have 90 days of replacement of meters they must inform the Board if they would like to share the cost of the meter replacement of 50% or they must pay water base rate as indicated in letter going forward, letter to be sent by 6/23/23. A second letter must include there is currently no charge this will change once new meters are installed in the future

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

USE OF ARPA FUNDS

Moved by Trustee McMurray and seconded by Trustee Burgess to approve the use of ARPA funds to purchase new door for fire department not to exceed \$10,000.00

DENIED

Mayor Javier	Nay
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

MEETING ADJOURNED

Moved by Trustee Burgess and seconded by Trustee McMurray that there being no further business, the meeting is hereby adjourned at 8:35PM

CARRIED

Mayor Javier	Aye
Trustee Riley	Absent
Trustee Barry	Absent
Trustee Burgess	Aye
Trustee McMurray	Aye

Respectfully submitted,

Tracy A. VanSkiver
Clerk-Treasurer