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Town of Murray Board Meeting

October 17, 2022

Present: Supervisor Joseph Sidonio, Councilmen Randall Bower and Michael Mele, Town Clerk Cindy Oliver, Code Enforcement Officer Mylynda Kuba, Highway and Water Superintendent Dirk Lammes, Underberg and Kessler Representative, Robert Richardson, Dave Knapp, Ron Vendetti, Legislator Fitzak

Absent: Councilman Lloyd Christ, Councilman Paul Hendel

Meeting opened at 7:00 p.m.

Moment of silence followed by the pledge to the flag.

Motion by Mele, Seconded by Bower approving the meeting minutes of September 19th as submitted Motion Carried

Motion by Bower, Seconded by Mele approving the work meeting minutes of October 5th as submitted Motion Carried

Motion by Bower, Seconded by Mele to make the following amendments to the agenda:

Under New Business, take *Approving the Tentative Budget as the Preliminary Budget* off of the agenda as we are missing two members of our Board, and add *Public Comment* to the agenda.

Motion Carried

Robert Richardson of New York State Energy Research & Development Authority spoke about the Clean Energy Communities Program. The program helps municipalities save money by finding ways to use less energy. By completing four high-impact actions, the town will receive a \$5,000 grant. The Town of Murray has already completed three of the four high-impact actions leaving only one that needs to be completed. Mr. Richardson stated the fourth action to complete is Benchmarking. Track the Town's energy use by gathering utility bills. There is no reporting needed. By completing the Benchmarking, the Town will receive \$5,000.

Standing Committee Reports

Councilman Bower updated all on the meetings and negotiations regarding ambulance service. In meeting with the County Town officials, they are trying to better the service to Murray residents. He will keep all updated on any developments.

Town Clerk

Receipts for September totaled \$2,959.30 with \$1,132.77 going into the general fund.

Cindy is in receipt of a letter from Councilman Paul Hendel and read it aloud.

“Dear Mrs. Oliver,

In accordance with New York State Town Law (Article 3, Section 26) and in the manner provided by New York State Public Officers Law (Section 31), I hereby submit my resignation to you, the Town Clerk, as a Town Board Member for the Town of Murray.

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This resignation shall take effect at 6:59 p.m. October 17, 2022.”

Highway and Water

Dirk reported that the County wrapped up paving in Murray. There are a couple culverts to replace. Very short of help in the shop but all are preparing for winter.

Brief discussion regarding tables needed for election day.

Code Enforcement

Building permits issued	11
Fire Inspection	1
Building Inspections	18
Certificate of Occupancy issued	1
Certificate of Compliance issued	2
Violations issued	3
Complaints received	3

Mylynda asked the Board to let her know if they have any questions regarding the final draft of the solar law before she submits it to the county. Supervisor Sidonio stated he would personally like to hear from the Agriculture and Farmland Protection committee to consider battery storage, first responder emergency view and setbacks. Councilmen Bower is comfortable with what has been presented and if the county has significant recommendations, then it can be changed before adopted.

Motion by Mele, Seconded by Bower that the Solar Energy Systems and Facilities law be sent to the county planning board for review. Motion Carried

New Business

RESOLUTION NO. 2022-041

ESTABLISHING ENERGY BENCHMARKING REQUIREMENTS FOR CERTAIN MUNICIPAL BUILDINGS

At a meeting of the Murray Town Board held on October 17, 2022 Councilman Randall Bower moved adoption of the following resolution; Councilman Michael Mele seconded the motion:

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

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of Murray 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 Murray, Town Board 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 Murray; and

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

(5) “Department” shall mean the Code Enforcement Department.

(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.

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(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 EUP” 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 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

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- (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 Town of Murray 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.

After being put to a vote, the following voted in favor of adoption of the resolution:
Councilman Randall Bower, Councilman Michael Mele, Supervisor Joseph Sidonio

The following was absent from the vote: Councilman Lloyd Christ

The resolution was thereupon duly adopted.

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Motion by Mele, Seconded by Bower accepting the proposal from Mengel Metzger Barr & Co to perform the Town’s 2022 fiscal year audit to be performed in 2023 Motion Carried

Motion by Bower, Seconded by Mele authorizing Supervisor Joseph Sidonio to sign the Joint Youth Recreation Agreement between the Town of Murray, Town of Clarendon, Village of Holley and Holley Central School which will take effect January 1, 2023. Motion Carried

Motion by Mele, Seconded by Bower scheduling a budget work meeting on November 2, 2022 at 7:00 p.m. Motion Carried

Motion by Mele, Seconded by Bower to hold a public hearing on the 2023 budget on Wednesday, November 9th at 7:00 p.m. Motion Carried

Motion by Bower, Seconded by Mele approving the Supervisor’s financial report and that the following bills be paid: Motion Carried

General Fund	\$11,357.53
Highway Fund	\$64,910.30
Water District No. 1	\$576.46
Water District No. 2	\$3,902.13
Water District No. 3	\$1,726.94
Water District No. 4	\$453.95
Water District No. 5	\$ 298.67
Water District No. 6	\$2,817.11
Water District No. 7	\$2,134.06
Water District No. 8	\$1,141.65
Water District No. 9	\$700.45
Water District No. 10	\$707.08
Water District No. 11	\$4,058.95
Water District No. 12	\$579.86
Water District No. 13	\$848.97
Water District No. 14	\$530.00
Water District No. 15	\$1,230.34
Water District No. 16	\$311.24
Water District No. 20	\$935.94
Light Districts	\$1,392.46

Public Comments

Discussion regarding volunteer ambulance services and membership decline.

Ron Vendetti reviewed the current budget and questioned why attorney fees are so high and stated that someone needs to get a handle on it. This is one of the reasons the Supervisor ran for the position. He’d also like to see a report as to the water loss, not just a number.

Brief discussion regarding public water on W. Brockville Rd.

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Motion by Bower, Seconded by Mele to adjourn the meeting at 8:02

Motion Carried

Respectfully Submitted,

Cynthia L. Oliver