

TOWN OF SCHUYLER FALLS
TOWN BOARD
REGULAR MEETING AUGUST 24, 2021

Supervisor Randall called the Regular Meeting of the Town of Schuyler Falls Town Board to order at 6:00 p.m.

<u>MEMBER</u>	<u>Present</u>	<u>Absent</u>
Howard Newton	X	
Martin Perrotte	X	
Vernon Bruno	X	
Reginald Facteau	X	
Kevin Randall	X	
Donna Hamel	X	
Michael McCormick	X	
Michael Snider		X

PUBLIC RECOGNITION Sherm Hamel Barb Benkwitt, Gary Drollette, Rickey White, Robin Pavone, Eric Pavone, David Souliere, Shirley McIlwain-Koch, Larry & Ann Whalen
 All Board Members were provided with a copy of the Minutes of the Public Hearing that was held on June 22, 2021.
Mr. Newton made a motion to approve and accept the Minutes as presented; Seconded by Mr. Facteau.
AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

All Board Members were provided with a copy of the Minutes of the Regular Meeting that was held on July 19, 2021.
Mr. Newton made a motion to approve and accept the Minutes as presented; Seconded by Mr. Bruno.
AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

ADDRESSES Shirley McIlwain-Koch, JCEO, who has worked for JCEO for 8 years, was on hand to answer any questions and to let the Board members know the many programs that they have to offer. Food Pantry, Senior Outreach program, Christmas baskets, Thanksgiving baskets, and a new program, veterans helping veterans, along with many other programs to help the community were mentioned. A program that they have currently is that they give a back-to-school book bag with school supplies. They will be opening an outreach center in the Town on September 1st. Mr. Randall added that JCEO is supplying the office equipment, refrigerator, and the freezer for foods to be distributed. The Town is working on getting a telephone installed in the meeting room where they will be set up for business. They will be open Monday – Thursday to serve the residents of the Town. You need not be a Town resident for their nutrition program, where they would give fresh vegetables and other items away at certain times. An informational table will be set up at the grand opening of the Pump Park. Shirley McIlwain-Koch will be there to let people know about the new outreach center. It was mentioned that this program will be a great asset to the Town residents.

COMMUNICATIONS 1. Mr. Randall told the Board members that a resignation letter from Robert Wicowski, Zoning Board of Appeals member, was received.
 2. Received a letter from the NYS Division of the Budget advising the Town that due to “non-responsive” municipalities that did not submit their request to receive funds from the ARPA Coronavirus Local Fiscal Recovery Fund, an additional allocation of \$2,121.91 will be given to the Town. A discussion followed on all the requirements that goes along with the administration to spend the monies. It was discussed that possibly a company that would be familiar with all the rules and regulations should be hired.
 3. The final transfer letter addendum regarding the River Street Park and the Pump Track completion was received from the CVPH Foundation. Mr. Randall wanted to emphasize that not a dime of the Town, State or Federal monies was used for this project. Signage stating rules and regulations is being reviewed by the Town Attorney. Signs will be ordered and placed at the Pump track. Mr. Randall announced that the grand opening of the pump park will be held Saturday, August 25th at 1:00 p.m. Maui North and Viking Ski Shop will be conducting a raffle to win a bike. JCEO will have a table set up with information on the Outreach Center that will open on August 30th at the Town Office.
 4. On Friday, October 1st from 9 am -11 am., an open house will be held at the Clinton County Landfill. Light refreshments will be served.

MONTHLY REPORTS Town Clerk, Supervisor, Woods Mills Water, Morrisonville Water, Macey Lane
Mr. Newton made a motion to file the reports; Seconded by Mr. Perrotte.
AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

RECEIPTS Town Clerk/\$806.00, Morrisonville Water/\$1,465.00, Woods Mills Water/\$478.15, Macey Lane Water/\$214.70, Judge Van Nortwick/1,949.00, Judge Barber/\$3,223.00, ,31/21/\$64,907.98, Charter, NYS-ARPA ½ payment/\$259,861.34, Casella 2nd quarter fees/\$124,284.82
Mr. Perrotte made a motion to file the receipts; Seconded by Mr. Newton.
AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

Mr. Bruno made a motion to file the minutes of the Planning Board dated July 6, 2021. This motion was seconded by Mr. Facteau and was Unanimously Approved.

DEPARTMENT REPORTS Councilman/Mr. Facteau mentioned that a resident reached out to him to ask if a sign could be purchased and installed in the front of the Town Hall to advertise meetings, etc. Mr. Facteau asked if anything had been done regarding the updates to the Town website. At a past work session, the Board heard from several persons who quoted pricing to update the website. Mr. Randall will contact Mr. Garsow, who was willing to update the website and charge the Town \$75.00 a month, to inquire if he is still interested and if the quote was still valid.

Mr. Facteau told the Town Board that the recording of the Town meetings is done by Mr. Donah and placed on Youtube where it is available to anyone who wants to view it.

Mr. Facteau said that he was approached by several residents concerned with the cost and the size of the engine of the new truck that is being sought for the Highway Department. He feels that a smaller sized engine would be sufficient and would be less expensive for the tax payers. Mr. Randall said that Mr. Snider brought the information to him. The estimate and size of the truck's engine was based on what Mr. Snider thought was needed to work the roads. Mr. Facteau mentioned that he thought that the Town should check the mini-bid site as he feels that other manufacturers can meet the requirements. Mr. Randall said that the bid that was received is in compliance as it is under state contract. Mr. Perrotte told the Board members that he will talk with Mr. Snider and the Highway mechanic regarding the size truck engine that would be needed.

Assessor/Mr. Drollette mentioned that there is pressure from the State and County to have an update done for the Town to bring it up to 100%. He mentioned that a house assessed at \$100,000 could go up to \$150,000. Although at this time there is a loss on some of the exemptions, it does not affect the Star Program. He stated that he does not know if it is good or bad with all that is going on as if funding does not change, he would hate to put the burden on the tax payers. The land tax would not change, but the school taxes would go up. He said that it is up to the Town Board whether or not to do an update.

Historian/ Barb Benkwitt told the Board members that the Battle of Plattsburgh will be held September 9-12. Volunteers are being sought to help with this year's event.

Supervisor/Mr. Randall said that he met with Liz Tedford regarding the DASNY grant. The preliminary submission is submitted and the application paperwork is almost completed.

Barton and Loguidice has completed the visual assessment of the damaged concrete floor at the Town Highway Garage. They submitted their recommendations on what needs to be done to rectify the flooring. In their opinion, it should cost a total of \$55,500 for the probable construction costs. They are willing to help the Town with the bidding process. After some discussion, it was decided that Mr. Randall will contact them for what they would charge to administer the bidding process. Mr. Facteau mentioned that maybe some of the cost to the taxpayers could be alleviated if the highway department could perform some of the necessary work; possibly the break-up and removal of the cement.

Mr. Randall obtained some information on the gypsy moths that were damaging the trees. He read some information that he obtained that the eggs that will be laid shortly after emergence can be sprayed with a dormant oil spray or scraped off into a bucket of soapy water.

RESOLUTIONS

RESOLUTION #21-45

MOTION BY: Mr. Facteau

RESOLVED, that the Town Board acknowledges the resignation of Robert Wicichowski from the Zoning Board of Appeals, effective August 2, 2021.

SECONDED BY: Mr. Newton

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Randall, Mr. Facteau

RESOLUTION #21-46

MOTION BY: Mr. Newton

WHEREAS, The Town of Schuyler Falls Town Board duly adopted the "NYS Fire Prevention and Building Construction" code to provide minimum requirements to safeguard the public safety; and

WHEREAS, The Town of Schuyler Falls Code Enforcement Officer, who administers and enforces all provisions of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Code, and the Town of Schuyler Falls Code; and

WHEREAS, The Town of Schuyler Falls Town Board requires the issuance of a building permit for the construction, enlargement, alteration, repair, removal or demolition of any building or other structure; and

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 has developed a New York State Unified Solar Permit that reduces the cost for solar projects by streamlining municipal permitting processes; and

WHEREAS, The Town of Schuyler Falls Town Board desires to promote the streamlining of the application process for small-scale photovoltaic system installations under 25 kW in size by adopting the New York State Unified Solar Permit application form and implementing the new procedures,

NOW THEREFORE, BE IT RESOLVED, the Town of Schuyler Falls 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 Schuyler Falls Code Enforcement Officer is hereby directed to use said New York State Unified Solar Permit application form and 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 Schuyler Falls Town Board 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.

SECONDED BY: Mr. Perrotte

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Randall, Mr. Facteau

RESOLUTION #21-47

MOTION BY: Mr. Newton

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 Schuyler Falls 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 Schuyler Falls 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 Schuyler Falls and

WHEREAS, the Town of Schuyler Falls Town Board desires to establish procedure or guideline for Town of Schuyler Falls 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) “Town Supervisor” 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 Schuyler Falls that is 1,000 square feet or larger in size.

(5) “Department” shall mean Town of Schuyler Falls Town Board

(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, 2022 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, 2022 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 Town Supervisor 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 Schuyler Falls 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.

SECONDED BY: Mr. Bruno

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Randall, Mr. Facteau

RESOLUTION #21-48

MOTION BY: Mr. Bruno

WHEREAS, the Town Board resolved to hold a Public Hearing for Local Law#1 2021, A Local Law to ADOPT A PARTIAL EXEMPTION-REAL PROPERTY-PERSONS 65 YEARS OF AGE, AND OLDER,

WHEREAS, the notice of Public Hearing was posted in the Press Republican and posted on the Town Clerk's bulletin board, and

WHEREAS, the Public Hearing was held on August 24, 2021 during which time any persons could voice comments for or against Local Law #21-1, it is hereby

RESOLVED, that the Town Board adopts Local Law #1, which offers real property tax relief for persons with an annual income of up to a maximum of \$24,000.00, raised from \$20,500.00, and it is further

RESOLVED, that the Town Clerk is directed to send the appropriate paperwork to the Secretary of State and the Real Property Office.

SECONDED BY: Mr. Perrotte

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Randall, Mr. Facteau

RESOLUTION #21-49

MOTION BY: Mr. Facteau

WHEREAS, the Town of Schuyler Falls has some surplus items that they would like to dispose of; such as, a Coleman pressure washer, Robin Generator (model#W1-390, 1972 Eager Beaver Trailer, Blaw Knox Shoulder Machine

RESOLVED, that the Town Board authorizes the Town Clerk to place a legal ad for bids for the surplus equipment in the Press Republican.

SECONDED BY: Mr. Newton

DISCUSSION: Bids to be opened at the next regular meeting.

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Randall, Mr. Facteau

RESOLUTION #21-50

MOTION BY: Mr. Randall

RESOLVED, that the Town Board appoints Timothy Aubin, to fill the unexpired term of Robert Wichowski to the Zoning Board of Appeals, appointment effective immediately and to expire on December 31, 2022.

SECONDED BY: Mr. Perrotte

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Randall, Mr. Facteau

CLAIMS

General Abstract for the Month of August	\$ 19,405.88
Highway Abstract for the Month of August	\$157,970.22
Morrisonville Water Abstract for the Month of August	\$ 7,311.13
Woods Mills Water Abstract for the Month of August	\$ 3,228.39
Macey Lane Water Abstract for August	\$ 690.77
Audit only Abstract for the Month of August	\$ 2,179.79

Vouchers for Claims (#202101076-202101179)
Vouchers for Audit Only (#202101064-202101075)
Payroll Vouchers (#202101037-202101063)

**Mr. Bruno made a motion to pay the claims, which was seconded by Mr. Newton.
AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall**

PUBLIC FORUM Mr. Donah told the Board members that he thought a parking ban should be initiated by the Town Board to alleviate the burden of the plow trucks in the winter. Mr. Randall said that he would re-visit this as this was brought up at the end of the winter season last year.

Mr. Souliere mentioned that a sign out in front of the Town Hall would not suffice the whole Town. It was discussed that unless it was a sign similar to the one in front of the fire department, which would cost approximately \$30,000.00, there would be issues with changing the lettering and the lettering blowing away by the wind. Mr. Randall mentioned that possibly the fire department sign could be utilized more for the Town.

NEXT MEETING

Work Sessions (if Needed)	Tuesday	September 7, 2021	6:00 p.m.
	Monday	September 20, 2021	
Regular Meeting	Monday	September 28, 2021	6:00 p.m.

ADJOURNMENT Mr. Newton made a motion to adjourn, which was seconded by Mr. Bruno; and was UNANIMOUSLY APPROVED. ADJOURNMENT/8:07p.m.

Donna Hamel/Town Clerk