

**Regular Meeting  
Of the Board of Trustees  
Of the Village of Bergen at  
7:00pm on February 8<sup>th</sup> 2017**

The regular meeting of the Board of Trustees was called to order by Mayor Barclay at 7:00pm with the following present:

Trustee Almquist  
Trustee Donovan  
Trustee Fedele  
Trustee VanEenwyk

Also present were: Village Administrator Cortney Gale, Edward Adams, Virginia Adams and Willow Wilder.

**Approval of Bills**

A motion to approve the bills was made by Trustee Almquist and seconded by Trustee Fedele. The motion was carried by a unanimous vote.

**Approval of Minutes**

A motion to approve the meeting minutes of January 25<sup>th</sup> 2017 was made by Trustee Fedele and seconded by Trustee VanEenwyk. The motion was carried by a unanimous vote:

**Mayor's Report**

**Grants**

- Completed and submitted Summer Recreation Program Annual Report to Office of Children and Family Services.
- Cortney and I joined Ed Flynn (LaBella Assoc) and Crystal Loffler Program Director New York State Homes & Community Renewal on a conference for an application review for the CFA Main Street Grant which we did not receive.
- Ed Flynn and I are working to complete a monitoring questionnaire for the NYMA-TA grant we received.
- I am working on a *GRO1000* Gardens and Green Spaces *Grant Awards* Program application for funds toward expenses for the Community Garden; the application is through Miracle Grow and can be up to \$1500.

**Clean Energy Community**

- Ken Kuter, Cortney and I will be attending the Energy Code Enforcement Training on Friday, 2/10, 10am, village office, as one of the 10 High Impact Actions toward becoming a Clean Energy Community. All board members are welcome.

**Park Committee/Tree Board**

- Our meeting was held on Feb. 1st; members will be investigating options for hanging baskets in business district.

**Union Negotiations**

- Kevin Donovan and I met Feb. 1<sup>st</sup> to review union contract proposals and to put together the village response based on board discussion. We will meet with union reps and union employees Feb. 8 to present village response.

#### **Other meetings attended, Etc.**

- Cortney and I met with Charlie Cook (Liberty Pumps) to discuss PILOT/PIF agreement for the completed expansion. We also spoke with Mark Masse, GCEDC to discuss payment options available to us through the program.
- The Imagination Library Committee, Donna Gerrard, Nancy Bailey, and I, met with the Richters (Richter Foundation) to discuss fundraising for the program. We now have 87 participants and more coming.
- I have been working with the BBCA to update information for the 2017-18 Bergen Directory.
- I attended the opening retreat of Leadership Genesee on Jan 25<sup>th</sup> and 26<sup>th</sup>; there were many mini workshops and activities involved in both days, Vickie Almquist represented the board at the reception.

### **Administrator's**

#### **Electric/Sewer**

- Electric bills were mailed on January 20<sup>th</sup> and are due February 9<sup>th</sup>. Sewer bills were sent out February 1<sup>st</sup> and are due March 2<sup>nd</sup>.
- We discovered that our printer company gave us sewer bills that were printed incorrectly. We are looking into different ways to print the bills going forward.
- After discussions with a number of municipalities we recommend to the Board that RECs and ZECs be added to the PPAC and not broken out in its own line.
- The Mayor and I met with Charlie Cook about the electric company and the payment plan for the infrastructure we put in the industrial park.
- As a result of that meeting we contacted GCEDC to discuss options with the PIF. They are going to discuss it with their attorney and get back to us.

#### **Office/Accounting**

- I received a proposal from Bill Freitag of BST accountants to review our electric books and processes. I'll review the proposal to make sure it encompasses everything I'm looking for and will let the Board know what the cost would be.

#### **Miscellaneous**

- The IEDP "power for jobs" compliance report for Liberty Pumps was completed and sent in
- The Mayor, Ken Kuter and I will meet with Scott Copp on Friday February 10<sup>th</sup> at 10:00am to review energy standards as part of the Clean Energy Communities grant. After passing the resolution tonight this will be the last piece we need to apply for the grant.
- Unfortunately the New York State Senate has passed legislation that makes the 2% tax cap permanent. To make it worse Senator Ranzenhofer voted for it.

### **Historian**

My annual report has been sent into the State, along with the short stories I have written during the year. I must say the reaction from village people has been wonderful. Rita Montgomery has phoned giggling about the "wash day" article and Mrs. Gates stopped me in Wegmans to share that my article on placing names on photos prompted her to go through her family photos, before it was too late. Many others have stated that articles were appreciated. I visited Don Hart in 400 Towers, Batavia. He helped me on the "Thresher" article. I visited him to tell the complete story after getting ancestry.com. I am very grateful for the 6 month purchase of ancestry.com.

**CEO/ZEO**

<b>Number of Inspections</b>	<b>10</b>
<b>Number of Building Permits Issued</b>	<b>0</b>
<b>Number of Building C.0 / C.0 Issued</b>	<b>0</b>
<b>Number of Zoning Complaints Filed</b>	<b>0</b>
<b>Number of Zoning Complaints Resolved</b>	<b>0</b>
<b>Number of Appearance Tickets Issued</b>	<b>0</b>
<b>Number of Fire Inspections</b>	<b>3</b>

- **End of year reports completed and sent in to appropriate agencies, currently working on public assembly fire inspections.**

**Privilege of the Floor**

None

**Trustee Concerns**

**Trustee Fedele** – Has noticeds that residents are not breaking down their recycling before putting them in the bin and it is causing the wind to blow them around.

**Trustee Donovan** – There was debris on the catch basin by Cindy Favata’s house, it needs to be cleaned out as well as the others in the village. He attended the dedication at the Gilliam Grant Community Center of the Leon Katzen room.

**Trustee VanEenwyk** – Noticed that there is a lot of lawn repair to do from snow plow damage in the spring.

**New Business**

**Resolution 2 of 2017 – Energy Benchmarking for Municipal Buildings**

A RESOLUTION

TO ESTABLISH ENERGY BENCHMARKING REQUIREMENTS FOR MUNICIPAL BUILDINGS

**WHEREAS**, The Village of Bergen endeavors to be as energy efficient as possible and encourages residents and businesses to do the same; and

**WHEREAS**, The Village of Bergen Board of Trustees has identified Energy Benchmarking as a way to track its energy consumption and identify areas to improve, and

**WHEREAS**: The Code of the Village of Bergen is hereby amended by adding a new Chapter, entitled “MUNICIPAL BUILDING ENERGY BENCHMARKING,” to read as follows:

**§1. PURPOSE.**

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. As such, this Resolution will use Building Energy Benchmarking 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 Bergen.

Collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide. Equipped with this information, the Village of Bergen is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

## §2. 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 Bergen that is 1,000 square feet or larger in size.
- (5) “Department” shall mean the Village 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.

## §3. APPLICABILITY

- (1) This Resolution is applicable to all Covered Municipal Buildings as defined in Section 2 of this Resolution.
- (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.

## §4. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

- (1) No later than December 31, 2016, 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.

## §5. 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 December 31, 2016 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 Resolution; 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 Resolution) across calendar years for all years since annual reporting under this Resolution has been required for said building.

#### **§6. MAINTENANCE OF RECORDS**

The Department shall maintain records as necessary for carrying out the purposes of this Resolution, 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.

#### **§7. ENFORCEMENT AND ADMINISTRATION**

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Resolution.

(2) The Chief Enforcement Officer of this Resolution may promulgate regulations necessary for the administration of the requirements of this Resolution.

(3) Within thirty days after each anniversary date of the effective date of this Resolution, the Chief Enforcement Officer shall submit a report to the Village 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 Resolution.

#### **§8. EFFECTIVE DATE**

This Resolution shall be effective immediately upon passage.

#### **§9. 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.

**NOW THEREFORE BE IT RESOLVED**, The Village Board of Trustees of the Village of Bergen hereby adopts Municipal Building Energy Benchmarking into the Village of Bergen Municipal Code.

A motion was made by Mayor Anna Marie Barclay and seconded by Trustee Donovan to approve Resolution #2 of 2017 – Energy Benchmarking for Municipal Buildings. The motion was carried by a unanimous vote.

#### **Byron Bergen Central School District Safety Audit**

Trustee Fedele participated in the schools safety audit and reviewed the findings. He stated that the review found very few issues and was well done.

#### **Renewable Energy Credits and Zero Emission Credits (RECs & ZEs) Letter**

Mr. Gale shared with the Board the letter drafted to inform electric customers of the Clean Energy Standards that was put in place by the Governor that will cause an increase to electric rates.

#### **Edward Adams Recognition and Award**

Mayor Barclay presented on behalf of the Village Board of Trustees, a Certificate of Appreciation and gift card to Edward Adams in recognition of the many years spent serving the community. Mr. Adams was a member of the Village Board, Planning Board, Tree Board, Park Committee, volunteered at Community Action Day and Tree Lighting Ceremony to name a few.

**Old Business**

None

A motion was made by Trustee Donovan and seconded by Trustee VanEenwyk to enter executive session. The motion was carried by a unanimous vote. The Board entered executive session at 8:02pm

A motion was made by Trustee Donovan and seconded by Trustee VanEenwyk to exit executive session. The motion was carried by a unanimous vote. The Board exited executive session at 9:04pm

**Adjournment**

A motion was made by Trustee Fedele and seconded by Trustee Almquist to adjourn the meeting. The motion was carried by a unanimous vote:

The meeting was adjourned at 9:04.30pm

Respectfully submitted,

Cortney W. Gale  
Village Administrator