

The meeting of the Board of Trustees of the Village of Avon was held in the Whitney Room of the Village Hall, 74 Genesee Street, Avon, New York on Monday March 20, 2017.

Present: Thomas Freeman, Mayor
Mark McKeown, Trustee
Bill Zhe, Trustee
Tim Batzel, Trustee

Staff: Tony Cappello
John Barrett
Brian Glise
Chief Benedict

Visitors: Bill Davis- MRB

Absent: Robert Hayes, Trustee

Mayor Freeman called the meeting to order at 6:00pm and began the meeting with the Pledge of Allegiance.

DPW UPDATE:

Superintendent Barrett was in attendance to update the Board on the following:

- Roof at shop- the claims adjuster came on Friday from Syracuse. He should have quotes by the next meeting.
- Looking into secondary digester. RFP from Crane Hogan for \$52,600- \$20000 for the materials and the rest is labor- Superintendent Barrett and Bill Davis believe that this is a fair price. MRB would like to approach EFC to see if they would grant a waiver for the MWBE requirements. Usually the required amount is 20%. According to Superintendent Barrett, if the secondary digester is paid for outside of the project, then there is nothing to worry about. The Mayor questioned if there would be a benefit if the Village pays for it outright. Superintendent Barrett said he would find out.
- Control Work- Superintendent Barrett would like to pay for this outside of the project. He has two quotes:
 1. Aqualogics-\$43720.00
 2. MW Controls-\$35880.00Superintendent Barrett prefers Aqualogics. They are a little more expensive, however the customer service is better and they do everything in house, where as the other company has a third party to do software work.
- Chemical Room- the chemical room started up last week. Currently there is water being run through. Tomorrow they will start running alum through. Superintendent Barret is very pleased with the results using alum and it is less expensive than faric. The Village needs to be online as of May 1st, 2017.
- The crew has been collecting brush and grinding stumps throughout the Village. The Mayor noted that the amount of trees that have been taken down in the Driving Park is

less than originally anticipated and that they found other types of trees that they didn't know were in there. He is pleased with the results so far.

- WWTP- Sewer Use Law- the law is ready to be adopted. Bill Davis will contact Attorney Whiting to work on the final version.
- SIU permits-the permits are ready. Superintendent Barrett and Bill Davis can now sit with Kraft, go over them, and have them signed.

CODE ENFORCEMENT UPDATE:

Tony Cappello and Brian Glise were in attendance and updated the Board on the following;

- The continuation of the construction of Avon Commons is underway. They have started building # 507.
- Discussion continued about the zoning of the side of the hill.
- Frank Csapo is interested in continuing his sub-division. The Mayor requested that Code Enforcement Officer Cappello make sure Mr. Csapo is clear on the requirements. Please read and follow all of the regulations, and needs to present to the Planning Board.
- Fire Marshal Glise discussed solar permits.
- Fire Marshal Glise attended code training courses.

VOUCHERS AND MANUAL CHECKS:

Upon a motion by Trustee McKeown, the following vouchers and manual checks are approved for payment:

#1-GENERAL FUND	\$23818.68
#4- SCHEDULE C	\$3111.43
#5-WATER	\$846.92
#6-SEWER	\$3705.24
#17-TA	\$
#50-CAPITAL	\$
#62-CAPITAL	\$
#65-CAPITAL	\$
#73-CAPITAL	\$
#77-CAPITAL	\$319910.10
#81-CAPITAL	\$
#93-CAPITAL	\$
#DEBT SERVICE	\$
TOTAL	\$351392.37

Manual Checks:

Nationwide Retirement Solutions Deferred Comp \$1375.00

The motion was seconded by Trustee Batzel, and was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Absent

TRUSTEE’S UPDATE:

- I. The Board discussed the Clean Energy Community requirements in order to apply for and be made a “clean energy community”.

IN THE MATTER

OF

**THE VILLAGE OF AVON ESTABLISHING
ENERGY BENCHMARKING REQUIREMENTS
FOR CERTAIN MUNICIPAL BUILDINGS**

RESOLUTION

The **BOARD OF TRUSTEES OF THE Village of Avon**, in the County of Livingston, State of New York, met in regular session at the Municipal Building, located at 74 Genesee Street, in the Village of Avon, County of Livingston, State of New York, on the March 20, 2017 at 6:00pm.

The meeting was called to order by Mayor Freeman, and the following were present, namely:

- Trustee Tim Batzel
- Trustee Mark McKeown
- Trustee Bill Zhe

Also Present: Chief Gary Benedict
Code Enforcement Officer Tony Cappello
Superintendent John Barrett

Absent: Trustee Robert Hayes

The following resolutions were moved, seconded and adopted:

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 Avon 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 Avon 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; and

WHEREAS, as such the Village Board desires to establish procedure or guideline for Village 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 and imposed as active and affirmative financial internal control procedures of the Village of Avon.

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 Avon that is 1,000 square feet or larger in size.

(5) "Department" shall mean the Village of Avon Clerk's 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 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 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.

§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 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 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 Avon 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.

FURTHER RESOLVED, the Village Board, in regular session duly convened, does hereby authorize and direct the Mayor or Clerk-Treasurer of the Village of Avon to execute such other and additional documents as may be required for to perfect the resolutions herein;

The adoption of the foregoing Resolution was moved by Trustee Batzel, seconded by Trustee Zhe, and duly put to vote, which resulted as follows

Mayor Thomas Freeman	Aye
Trustee Tim Batzel	Aye
Trustee Mark McKeown	Aye
Trustee Bill Zhe	Aye
Trustee Robert Hayes	Absent

THIS RESOLUTION WAS ADOPTED.

NEW YORK STATE CERTIFIED SOLAR PERMIT

The Village Board discussed the solar permit and how to make it easy for residents to obtain one, and what fee would be an acceptable amount. After discussion, the Board decided that the fee associated with the solar permit would be \$35.00, an amount that is amendable to the other permits available in the Village.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board approved a \$35.00 charge for the solar permit fee. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Absent

- II. The Board discussed the 2017 Commercial Sewer analysis for accounts that show a change in their “units”. The accounts included are multi-structure and commercial businesses. The changes will be effective May 1st, 2017 and will be reflected on their August 1st, 2017 bills. The Board agreed to set a public hearing date for April 17, 2017 in order to hear from the community. Clerk Randall will put a notice into the Village’s official paper.
- III. The Board discussed the budget for the upcoming fiscal year. Clerk Randall was instructed to put a notice into the Village’s official paper for the public hearing on April 17, 2017.
- IV. The Board discussed the Horse Barn Lease. Attorney Whiting stated that he was not yet ready with a new lease for Board approval and recommended that the tenants use a month to month agreement until complete.
- V. Trustee McKeown discussed the Rotary Lodge and Lions Clock projects. He gathered questions that were raised at the Joint Village/Town meeting and said he would reach out to both Mr. Carney and Mr. Vonglis with them.
- VI. Trustee Zhe discussed the parking lot behind the Town offices. He discussed that the businesses would like to see it contain 2 dumpsters to provide adequate areas for refuse removal. They would like Superintendent Barrett to take down the building back there and start to clean it up.
- VII. Trustee Zhe discussed the letter from GLOW Solid Waste Office regarding the refuse companies not keeping the recyclables separate from the rest of the garbage when collected throughout the Village. He felt that a letter to the waste companies from the Village would be a good idea to remind them of the ramifications if the law is not followed. He will get a template for a letter to send out for review.
- VIII. The Board discussed the people whose appointments will be expiring in April. The appointments will be made at the April 3rd meeting during the annual organizational meeting.

EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the Board entered into executive session at 7:00pm and exited at 7:35pm in order to discuss personnel issues. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Absent

There was no action taken.

Upon a motion made by Trustee Batzel, the meeting adjourned at 8:30pm

Respectfully submitted,



Heather Randall
Village Clerk