

Village of Owego Board of Trustees Meeting

A Village of Owego Mayor and Board of Trustees Meeting was held on Monday, November 1, 2021 beginning at 7:00 pm at 20 Elm Street, Owego, NY 13827 in person and virtually via GoToMeeting.

Deputy Mayor:	Michael Baratta
Trustees:	Laura Eberly Rusty Fuller Ed Morton (virtual) Ron Pelton Charles Plater (virtual) Fran VanHousen (virtual)
Clerk-Treasurer:	Rod Marchewka
Attorney:	Nate VanWhy (virtual)
DPW Supt.:	Jeff Soules
EMS Captain:	Robin Shaver

Sign in sheet "A"

Pledge and invocation.

Public Comment:

Pat Hansen – parade permit request from Historic Owego Marketplace for Lights on the River scheduled for December 3, 2021.

Board discussion –

- Police protection needed
- Street closing
- Cost of the event
- Insurance
- Need more detailed information

Motion by Trustee Fuller, seconded by Trustee Pelton, to approve the parade permit request for December 3, 2021 including the fireworks. Roll Call Vote: Trustees Eberly, Fuller, Morton, Pelton, Plater, VanHousen, and Mayor Baratta voted aye.

Motion Carried 7-0

Julie Nucci addressed the board on the Community Rating System (CRS). Weitzman's has completed their elevation certificate. They only need to put in flood vents and raise an electrical panel. The Village residents are very close to qualifying for flood insurance discounts because of the CRS. The total cost of all flood insurance in the Village is \$787,780.00.

4 William Street will still need to do some modification to comply with flood insurance.

Looking at computer software to help with flood record management. It is possible that the county may be able to help.

A big thank you to Kevin Millar for all of his previous work on the CRS.

Mike DuVarney – as a Planning Board member, I would like to get information on upcoming planning board requests two or three weeks in advance of the meeting. That way I would have the time to read and review before the meeting.

Department Head Reports:

EMS Captain Robin Shaver –

- 150 calls last month
- Still looking to hire a paid EMT employee
- Question on territory issues:
 - 1) Certificate of need
 - 2) Contract with Town of Tioga

Attorney VanWhy –

Current contract with the Town of Tioga has expired – EMS may bill for service in these areas.

- Not seeing a list from Civil Service to hire from

DPW Supt. Jeff Soules –

MEMO

To: Village of Owego Mayor Mike Baratta and Village Board of Trustees

From: Superintendent of Public Works - Jeff Soules

Date: November 1, 2021

RE: DPW Activity Report

- Install new alternator on Chipper
- Winterize bathrooms in Marvin Park
- Put up No Parking signs in Halstead
- Change oil in Truck #21 and Truck #22
- Move rocks to Cemetery
- Clean out drain in Hyde Parking Lot
- Repair light globe on North Ave.
- Pick up wood for OPD community bonfire event
- Assist OPD in setting up bonfire event Marvin Park
- Move rocks on walking path in Marvin Park
- Put up No Parking signs on Temple Street
- Holiday street decorations preparation
- Repair and rebuild Snowflake lights for Court Street bridge
- Close off Riverwalk due to flooding
- Holiday decoration installation
- Take barrels to barricade Lake Street for Halloween parade
- Chip tree branches and brush
- Forever green property maintenance – on going
- Measure DSNY cut outs on going
- Repair DPW equipment
- Pot hole patching on going
- Cleaning Drains

- Planning and Zoning meetings scheduled
- OHPC meetings scheduled

Any questions or concerns please call me.

- Christmas lights are being installed
- Complaints about North Avenue street-repair. NYS DOT is working on this – they have received permission to remove the old brick part of the road
- Uniform building code fees to be reviewed at the next meeting

Director of Utilities Tracy Babcock –

- Green Street Project is mostly complete – may have to have a homeowner’s tree or bush replaced due to the project
- Sewer Department has been advertising for a job opening – scheduling interviews soon

Motion by Trustee Fuller, seconded by Trustee Eberly, to approve new member Dalton Remark, 691 Ford Hill Road, Berkshire, NY into Company #3. Roll Call Vote: Trustees Eberly, Fuller, Morton, Pelton, Plater, VanHousen, and Mayor Baratta voted aye.

Motion Carried 7-0

Trustee Fuller for Police Chief Kennedy – has submitted last piece of paperwork for the \$72,000.00 grant.

Motion by Trustee Fuller, seconded by Trustee Eberly, to approve the Payment of Bills as follows:

General Fund	-	\$444,855.31
EMS Fund	-	\$ 15,840.72
Sewer Fund	-	\$ 51,810.25
SU Fund	-	<u>\$ 52,220.25</u>
Total		\$564,726.53

Roll Call Vote: Trustees Eberly, Fuller, Morton, Pelton, Plater, VanHousen, and Mayor Baratta voted aye.

Motion Carried 7-0

Motion by Trustee Fuller, seconded by Trustee Eberly, to approve the following transfers:

**11/1/21 Transfers
2021 Fiscal Year**

From		To		
A.1110.40.180	Justice Dues	A.1110.40.140	Justice Cont. Serv.	\$10.00
A.1110.40.660	Justice Telephone	A.1110.40.140	Justice Cont. Serv.	\$96.15
A.1010.40.733	Trustee Training	A.1110.40.140	Justice Cont. Serv.	\$63.96
A.3120.10.318	OPD Shift Prem.	A.3120.40.420	OPD Utilities	\$0.10
A.4540.10.110	EMS Full Time	A.3410.10.110	EMT Full Time	\$0.61
A.3620.10.110	Code Full Time	A.3620.10.120	Code Part Time	\$9,068.54
A.5182.40.420	Street Lighting	A.3620.10.120	Code Part Time	\$2,469.96
A.4540.40.220	EMS Auto Fuel	A.4540.40.222	EMS Bldg. Maint.	\$175.45
A.7988.40.640	Pool Supplies	A.7988.10.120	Pool Part Time	\$932.85
A.9060.80.034	DPW Health Ins.	A.9060.80.035	Retiree Health Ins.	\$7,958.38

A.3410.20.130	Fire Gear Equip.	A.9950.90.902	DPW Reserve	\$2,047.36
A.3410.20.205	Fire Radio Equip.	A.9950.90.902	DPW Reserve	\$2,000.00
A.3410.40.090	Fire Clothing	A.9950.90.902	DPW Reserve	\$1,552.50
A.3410.40.140	Fire Cont. Serv	A.9950.90.902	DPW Reserve	\$2,816.77
A.3410.40.222	Fire Bldg Maint.	A.9950.90.902	DPW Reserve	\$2,009.68
A.3410.40.420	Fire Utilities	A.9950.90.902	DPW Reserve	\$3,030.71
A.3410.40.441	Fire Contract All.	A.9950.90.902	DPW Reserve	\$4,500.00
A.3410.40.470	Fire Physicals	A.9950.90.902	DPW Reserve	\$4,453.00
A.3410.40.561	Fire Equip. Repairs	A.9950.90.902	DPW Reserve	\$1,440.93
				\$44,626.95

Encumbrance

A.1620.40.093	Repair Kiosk on Bridge			\$10,785.00
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**11/1/21 Transfers
2022 Fiscal Year**

General Fund

A.3089	State Aid	A.1490.40.093	New Municipal Bldg	\$546,326.09
A.1490.40.660	Telephone	A.1490.40.090	Clothing Judgement & Claims	\$375.00
A.3120.40.794	K9	A.1930.40.791	Supplies	\$1,407.68
A.3120.40.410	Office Supplies	A.3120.40.640	Pool OT	\$456.72
A.7988.10.120	Pool PT	A.7988.10.315		\$1,485.00

EMS Fund

E.4540.10.110	EMS FT	A.4540.10.110	EMT FT	\$903.03
E.4540.10.120	EMS PT	A.4540.10.110	EMT PT	\$186.56
E.4540.10.315	EMS OT	A.4540.10.315	EMT OT	\$825.03
E.4540.40.420	EMS Utilities	A.4540.40.420	EMT Utilities	\$338.61
E.9030.80.093	EMS FICA	A.9030.80.093	EMT FICA	\$629.42
E.9045.80.063	EMS Life Ins	A.9045.80.063	EMT Life Ins	\$26.52
E.9030.80.093	EMS FICA	A.9030.80.090	EMS FICA	\$882.29
E.4540.10.110	EMS FT	E.4540.10.120	EMS PT	\$4,850.00

Sewer Fund

G.8110.10.110	FT Salary	G.8110.10.120	PT Salary	\$4,850.00
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\$563,541.95

Roll Call Vote: Trustees Eberly, Fuller, Morton, Pelton, Plater, VanHousen, and Mayor Baratta voted aye.

Motion Carried 7-0

Motion by Trustee Eberly, seconded by Trustee Fuller, to approve the Village of Owego Board of Trustees Meeting Minutes of October 18, 2021. Roll Call Vote: Trustees Eberly, Fuller, Morton, Pelton, Plater, VanHousen, and Mayor Baratta voted aye.

Motion Carried 7-0

Motion by Trustee Pelton, seconded by Trustee Eberly, to approve the following Resolution:

RESOLUTION

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 Owego 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 Owego 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 Owego; and

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

(5) “Department” shall mean the 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 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.

Roll Call Vote: Trustees Eberly, Fuller, Morton, Pelton, Plater, VanHousen, and Mayor Baratta voted aye.

Motion Carried 7-0

Motion by Trustee Fuller, seconded by Trustee Pelton, to cancel the Cannabis Public Hearing scheduled for November 15, 2021. Roll Call Vote: Trustees Eberly, Fuller, Morton, Pelton, Plater, VanHousen, and Mayor Baratta voted aye.

Motion Carried 7-0

Motion by Trustee Fuller, seconded by Trustee Pelton, schedule two separate Public Hearings for November 15th, 2021 at 7:00 and 7:10 at 20 Elm Street, Owego, NY as follows:

Public Hearing on the retail sale of cannabis

Public Hearing on the on-site consumption of cannabis

Roll Call Vote: Trustees Fuller, Morton, Pelton, Plater, VanHousen, and Mayor Baratta voted aye. Trustee Eberly voted no.

Motion Carried 6-1

The Village of Owego and the Town of Owego will hold a workshop on cannabis legislation on November 8, 2021 at 6:00pm at 20 Elm Street, Owego.

Discussion on the residency requirements to be on the planning and zoning boards. Currently, if you do not reside in the Village you cannot serve on these boards.

Motion by Mayor Baratta, seconded by Trustee VanHousen, to set a Public Hearing on allowing a resident of Tioga County to serve on either the Planning or Zoning Board for 7:20pm on November 15, 2021 at 20 Elm Street, Owego, NY. Roll Call Vote: Mayor Baratta, Trustee Plater, Trustee Morton, and Trustee VanHousen voted aye. Trustee Eberly, Trustee Fuller, and Trustee Pelton voted no.

Motion Carried 4-3

Trustee Reports:

Trustee Eberly –

- The next OHPC meeting is scheduled for November 4th at 7:00pm at 20 Elm Street (live and virtual)
- The next Planning Board meeting is scheduled for November 16th at 7:00pm at 20 Elm Street (live and virtual)
- The next Zoning Board meeting is scheduled for November 17th at 6:00pm at 20 Elm Street (live and virtual)

VOOBM 11-1-2021

Trustee Pelton –

- The Village should start enforcing parking

Trustee VanHousen –

- Discuss bank statements next meeting

Communications:

- Veteran banners for light poles
- Question on special use permit subject to re-application by new owner

Public Comment:

Mike DuVarney – downtown Halloween party and the bonfire turned out great.

Motion by Trustee Fuller, seconded by Trustee Pelton, to adjourn at 9:10pm.

Unanimously Approved.