

**MINUTES
REGULAR MEETING
THE GORHAM TOWN BOARD
August 14, 2019 7:00pm**

The Gorham Town Board held a Regular Meeting on August 14, 2019 at 7:00 pm at the Gorham Town Hall. Present were; Town Supervisor Fred Lightfoote, Councilmembers; William Glitch, Brian S. Case, Richard Malcolm and Jake Chard. Water/Wastewater Chief Operator Greg Coston, Highway Superintendent Zack Eddinger, Zoning/Building Officer Jim Morse, Assessor Enza Mineo, Billing Clerk Brenda Jones and Town Clerk Darby Perrotte.

Other guests in attendance; Tim Long, Sally Napolitano, Emily Palumbos and Haylee Ferington.

1. Call to Order/Pledge to the Flag

2. Privilege of the Floor – Mr. Tim Long addressed the Board with a concern about a water main that crosses his property. Mr. Long has a place at 3784 Meadowview Drive. Last year the neighbors gave him a garage. The sewer & gas utility easement for the property is on record but the water main easement cannot be found. The water main goes diagonally across his back yard so he cannot put the garage there. Mr. Long says he needs help trying to resolve the issue. He wants to be able to put this garage on his property.

The Board discussed with Chief Operator Coston of the Water District. They looked at the water district’s map of the water main and the maps of the property provided by Mr. Long.

Supervisor Lightfoote suggested that Mr. Long give the Board until next month. Supervisor Lightfoote said he will work with Building/Zoning Officer Morse and Chief Operator Coston to see what options they can come up with.

Mr. Long thanked the Board for listening.

3. Approval of Minutes - 7/10/19 Regular Meeting

On the motion by Councilmember Chard, seconded by Councilmember Glitch, the meeting minutes from 7/10/19 were approved as submitted. Motion carried unanimously. (5-0)

073-2019

4. Audit of Bills -

Abstract #8

A	520-602	\$48,169.42
B	518-600	5,178.68
SL	564,598	644.01

DB	521-597	124,556.62
SS	519-593	3,292.77
SW1	517-601	20,908.60
T/A	39	165.00

On the motion by Councilmember Glitch, seconded by Councilmember Case, the bills were approved for payment. Motion carried unanimously. (5-0)

074-2019

5. Reports of Town Officials -

A. Chief Operator Water/Wastewater Plants – written report on file. Chief Operator Coston said work on the Water Department storage building is under way. The Town Highway and Water Department have been doing the site work for the barn. Mr. Coston noticed there was a misunderstanding on the bid approvals for the building. Originally the bids came in with and without concrete flooring. The bid that included the concrete was overlooked. The Board discussed and reviewed bids and agreed to accept the bid that includes the concrete floor.

On the motion by Councilmember Glitch, seconded by Councilmember Case, to approve the bid for a storage barn for the Water Department for a price of \$58,400.00 from Seneca Pole Barns LLC. Motion carried unanimously. (5-0)

075-2019

B. Highway Superintendent – written report on file.

C. Zoning/Building Officer – written report on file. Zoning/Building Officer Morse said the quote for demolition of the property next to the Town Hall is \$1,000.00. The Town will use the space for additional parking spaces for the Town Hall. Mr. Morse will get prices for roll-off dumpsters and the demolition will take place as soon as all the logistics are worked out.

D. Assessor – written report on file.

E. Town Clerk – written report on file.

F. Town Supervisor – written report on file.

On the motion by Councilmember Glitch, seconded by Councilmember Case, the reports of Town Officials were approved as submitted. Motion carried unanimously. (5-0)

076-2019

6. Business:

a. Memorandum of Understanding regarding the Storm water Management Project.

Supervisor Lightfoote asked for approval of the Memorandum. The Board held a brief discussion.

Councilmember Chard said "We are automatically starting out owing five hundred dollars. It seems silly to me that we're agreeing to cut them a check when we know based off the numbers that they're putting forward we're going to have to pay them more money."

On the motion by Councilmember Malcolm, seconded by Councilmember Case, the Board approved the following Memorandum of Understanding. Motion carried unanimously. (5-0)

078-2019

**MEMORANDUM OF UNDERSTANDING
CITY OF CANANDAIGUA AND TOWN OF GORHAM
COUNTY ROAD #1/LAKE TO LAKE ROAD - STORMWATER MANAGEMENT
PROJECT**

The City of Canandaigua and the Town Gorham have a long history of working together on multiple projects and are municipal leaders in the comprehensive effort to protect Canandaigua Lake.

The Town of Gorham is using grant funds to build a stormwater management area near the intersection of County Road #1 and Lake to Lake Road to improve water quality and reduce downstream flooding issues. The Town of Gorham is interested in utilizing the services of the City of Canandaigua's Motorized Equipment Operator (MEO), Michael Lincoln, on an overtime basis. The City of Canandaigua is willing to provide the MEO on an overtime basis to assist the Town of Gorham under the following conditions:

1. The Town of Gorham will provide the City of Canandaigua a \$6,000.00 check by August 12, 2019, based on the following budgeted cost:
 - A. Overtime Pay: 100 hours of work at the overtime rate of \$41.78 per hour, which is one and one-half times the standard rate of \$27.85 per hour; and
 - B. Benefits Reimbursement: 100 hours of work at the benefit reimbursement rate of \$23.81 per hour.
2. The work to be performed by the MEO will take place between August 12 and September 30, 2019.
3. Any labor costs (i.e., overtime pay plus benefits reimbursement) incurred by the Town of Gorham above and beyond \$6,000.00 will be invoiced to the Town of Gorham, and shall be payable to the City of Canandaigua within thirty (30) days of the date of the invoice.
4. If the labor costs are less than \$6,000.00, the City of Canandaigua will issue a refund check to the Town of Gorham for the difference, payable within thirty (30) days of the date of the completion of the project.
5. The Town of Gorham will directly pay for all supplies, fuel, equipment rentals and any other items needed for the project.
6. The Town of Gorham is solely responsible for the construction of the project and will utilize its engineering services through MRB, along with its Highway Superintendent and the Watershed Program Manager, to oversee and coordinate the project.

The City of Canandaigua and the Town of Gorham mutually agree to the terms of this Memorandum of Understanding, effective as of August 12, 2019.

b. Resolution from MRB Group for Grant Funding

Ms. Emily Palumbos representing the Grant Department from MRB Group spoke to the Board. She has been working on several grant opportunities for the Town of Gorham. She wanted to bring to the Board's attention that there is a program called Clean Energy Communities.

Ms. Haylee Ferington Clean Energy Communities Coordinator for our area explained the process of becoming a Clean Energy Community.

If the Town is designated a Clean Energy Community they are able to access certain funding.

Ms. Palumbos and Ms. Ferington believe the Town of Gorham could easily obtain that designation.

Ms. Palumbos explained the benefits of adopting a resolution establishing Energy Benchmarking for the Town of Gorham. She suggested the Board look into adopting the resolution so the Town can move forward on obtaining grant funding.

Ms. Ferington left business cards and information regarding the program. The Board discussed committing to the Benchmarking guidelines.

Councilmember Chard offered the following resolution and called for its adoption. Councilmember Malcolm seconded the motion and the resolution was adopted unanimously.
(5-0)

079-2019

**TOWN of GORHAM
RESOLUTION NO. 11-2019**

**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 Town of Gorham is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Gorham 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 Gorham; and

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

(5) "Department" shall mean the Town Supervisor

(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 September 1, 2019, and no later than September 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, 2019 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 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.

I, Darby L. Perrotte, Town Clerk of the Town of Gorham, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Gorham on April 10, 2019 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Frederick Lightfoote	_X_____	_____
William Glitch	_X_____	_____
Brian S. Case	_X_____	_____
Richard Malcolm	_X_____	_____
Jake Chard	_X_____	_____

c. Approve Annual Town Insurance Policy

The Board reviewed the annual Insurance plan/policy from Stork Insurance Agency.

On the motion by Councilmember Glitch, seconded by Councilmember Chard, to accept the insurance policy from Stork Insurance Agency. Motion carried unanimously. (5-0)

080-2019

d. Resolution to dispose of surplus electronic equipment

Councilmember Glitch offered the following resolution and called for its adoption. Seconded by Councilmember Chard the resolution was adopted unanimously. (5-0)

081-2019

**TOWN OF GORHAM
RESOLUTION # 12-2019
RESOLUTION TO DISPOSE OF SURPLUS ELECTRONICS**

WHEREAS; the Town of Gorham owns certain used, outdated and obsolete electronic equipment,

WHEREAS, the Gorham Town Board desires to declare such property surplus and to authorize disposal of such equipment by the most efficient means;

NOW, THEREFORE BE IT RESOLVED, the Gorham Town Board authorizes and arranges for the disposal of old, unusable electronic equipment and to execute this disposal at a free electronics waste disposal event, Councilmember Chard volunteers to deliver the equipment to the next recycling event.

I, Darby L. Perrotte, Town Clerk of the Town of Gorham, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Gorham on August 14, 2019 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Frederick Lightfoote	X_____	_____
William Glitch	X_____	_____
Brian S. Case	X_____	_____
Richard Malcolm	X_____	_____
Jake Chard	X_____	_____

7. Executive Session -

On the motion by Councilmember Glitch, seconded by Councilmember Case, the Board entered into executive session at 8:30pm to discuss a legal matter.

On the motion by Councilmember Glitch, seconded by Councilmember Chard, the Board returned to regular session at 8:50pm. No action was taken in executive session. Both motions carried unanimously. (5-0)

082-2019

8. Set Next Meeting Date – September 11, 2019 Regular Meeting, 7:00pm at the Gorham Town Hall.
9. Privilege of the Floor – none requested
10. Adjournment - with no further business, on the motion by Councilmember Chard, seconded by Councilmember Glitch, the meeting was adjourned at 9:07pm. Motion carried unanimously. (5-0)

083-2019

Respectfully Submitted,

Darby L. Perrotte
Town Clerk

