

A Town Board Meeting of the Town of Owasco was held on February 14, 2019 at 4:00PM in the Owasco Town Hall with the following members present:

PRESENT: Supervisor Edward Wagner
Councilperson Richard Knaul
Councilperson, Tim Kerstetter

ABSENT: Councilperson Ashley Melendez
Councilperson Tony Gucciardi

OTHERS PRESENT: Riccardo Galbato, Kathy O’Neil, Michael Vitale.

CALL TO ORDER: 4:00PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

RESOLUTION 19-030 approval of Town Board Agenda for February 14, 2019

Motion by Councilperson Knaul; Second Councilperson Kerstetter

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

APPROVAL OF MINUTES:

RESOLUTION 19-031 approval of Town Board Minutes for January 10, 2019 & January 24, 2019 Special Meeting.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

PUBLIC PARTICIPATION: Owasco Lake Watershed Specialist, Drew Snell addressed the board as he would like to apply for a \$1000.00 Arbor Day Community Grant to plant trees. Drew received a grant a few years ago and planted a tree garden behind Owasco School, with the assistance of the students. The location proved to be not a good option as the deer ate all the trees. Drew is requesting his use of the location of the town’s old water tower on Melrose Rd for a tree nursery. Drew feels this site will work well as the lot is still fenced in, and there will be access to water. It is also his hopes to find volunteers or a garden club to help with the upkeep. Resolved: The town board agreed to give it a one year trial period.

COMMUNICATIONS: Supervisor Wagner updated the town board as to a situation last week with a large ice dam that created a dangerous situation in Dutch Hollow Creek.

Resolved: The DEC was notified and The New York State DOT- Auburn office came in with heavy equipment and were able to open up and allow the creek to flow.

NEW BUSINESS:

Proposal from Walt Aikman –Tree City

Resolved: The town has lost many trees especially over the last year as many are very old.

The town board agreed to accept the proposal from Walt Aikman to conduct a tree inventory and apply for an Arbor Day Grant to assist with the cost.

Visit update: The Office of the New York State Comptroller will be conducting an audit, as the town has not had a complete town wide audit in approx. 25 years. They will be in the town building for approx. 12 weeks.

RESOLUTION 19-032 to reappoint James Festa to Board of Assement Review for a term October 1, 2018- September 30, 2023.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-033 to appoint Catherine Coretti to BAR- Board of Assessment Review, for a term ending 9/30/2022. Robin Blair left term. 10/1/17-9/30/2022

Motion by Councilperson Knaul; Second Councilperson Kerstetter

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-034 received a written request from Judge Mark DiVietro and Judge Mary Jones to hire and train Angela Coraci as a court clerk for backup.

WHEREAS; the court budget has consistently had remaining funds available at the end year.

WHEREAS; Donna Coraci has indicated retirement in the near future, and being proactive, the Judges would like to begin the training.

Motion by Councilperson Knaul; Second Councilperson Kerstetter

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-035 to authorize Councilmen Timothy Kerstetter to sign town checks and or documents in the event the supervisor or deputy supervisor is unavailable.

Motion by Councilperson Knaul; Second Supervisor Wagner

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-036 Authorizing the Town Supervisor to sign the Grant Disbursement Agreement with exhibits, Questionnaire, Certification, Affidavit of No Change and all other related documents with the Dormitory Authority of the State of New York regarding the construction of the Playground and Splash Pad.

Motion by Councilperson Knaul; Second Councilperson Kerstetter

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-037 to authorize Supervisor the sign contract with Koester in the amount \$333,000 pending the approval of New York State Department of Health and EFC.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-038 To Authorize the Town Supervisor to sign Agreements and proposals Riccardo T. Galbato of the Galbato Law Firm, Town Attorney; and Bond Counsel, Bond, Schoeneck and King, PLLC for Town of Owasco Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System aka Water Treatment Plant Permanent Granular Activated Carbon Treatment System (Permanent Microcystin Project).

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-039 RESOLUTION TO APPROVE THE 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 Owasco 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 Owasco 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 Town of Owasco; and

WHEREAS, as such the Town of Owasco Board desires to establish procedure or guideline for Town of Owasco 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 Town of Owasco;

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 Town of Owasco Supervisor.

(4) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Town of Owasco that is 1,000 square feet or larger in size.

(5) “Department” shall mean the Town of Owasco 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 1 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 every year, 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 each year 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 4(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 of Owasco 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 Town of Owasco Board, in regular session duly convened, does hereby authorize and direct the Supervisor of the Town of Owasco to execute such other and additional documents as may be required for to perfect the resolutions herein;

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-040 to authorize supervisor to sign modification agreement to the proposed Walkable Owasco project with GYMO not to exceed \$18,000.00.

DID NOT PASS

Motion by Councilperson Knaul; Second Councilperson Wagner

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>NO</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-041 authorizing supervisor to mail letter to the town residents within the water district explaining the rational for the water rate increases that were effective 12/1/18.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-042 to authorize supervisor to a sign contract with Walter M. Aikman, Ph.D for services related to Tree City USA, not to exceed \$3000.00.

Motion by Councilperson Knaul; Second Councilperson Kerstetter

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-043 Resolution to modify building permit fees and other fees in accordance with the attached fee schedule, effective immediately. NOTE: Permit fees last modified on October 9, 2008.

Building Permit Fees

Residential Construction:

New construction & additions –
\$0.20 per square foot. Minimum of \$200.00.

Renovations/Alterations –
\$0.20 per square foot. Minimum of \$ 100.00.

Decks & unheated porches –
\$0.20 per square foot. Minimum of \$75.00.

Storage Sheds - \$25.00 (up to 125 sq. ft.)

Storage buildings (barns) and garages
\$0.20 per square foot. Minimum of \$100.00

Above ground swimming pool - \$75.00

In ground swimming pool - \$100.00

Work started prior to obtaining a Building Permit –
Double the standard fee.

Renewal of expired permit – 6 month extension for the greater of \$25.00 or 25% of the original fee.

Floor area shall not include cellar, non-habitable basement, non-habitable attic or carport, but shall include an accessory garage. Floor area shall be based upon outside dimensions of the building.

Non-Residential or Commercial construction:

All new construction and additions –
\$0.20 per square foot for up to 10,000 square feet – minimum fee
\$200.00, plus \$0.10 per square foot greater than 10,000 square feet.

Renovations –
\$0.20 per square foot for up to 10,000 square feet – minimum fee
\$100.00. Plus \$0.10 per square foot greater than 10,000 square feet.

Cell Towers – new - \$1,000.00
Cell Tower Upgrades - \$500.00

Work commenced prior to obtaining a Building Permit –
Double the standard fee.

Renewal of expired permit – The greater of \$25.00 or 25% of the original fee.

NOTE: All fees include the Certificate of Occupancy.

NOTE: When re-inspection is required the Code Enforcement Officer shall have the discretion to charge an additional fee up to \$50.00

NOTE: If the Town expends funds for professional services, including but not limited to Town Engineer fees, the applicant shall pay the cost of said fees to the Town prior to final inspection.

NOTE: The permit fee for a building occupied in part for residential use and in part for nonresidential use shall be the sum of the two (2) occupancy fees calculated separately. Floor area shall include basement, cellar and sub-cellar, but shall not include a crawl space or an attic space, no part of which exceeds five (5) feet in height. Floor area shall be based upon outside dimensions of the building.

Other Fees:

Fireplace/wood stove - \$25.00

Roof-mount solar installations - \$100.00

Ground-mount solar installations - \$250.00

Demolition/removal - \$25.00

Area Variance Application - \$25.00

Special Use Permit Application - \$150.00

Site Plan Review Fee - \$100.00

Lot Line Adjustment - \$75.00

For Fire Inspections:

- 1. Building <5000 square feet - \$50.00.**
- 2. Building 5000 – 20,000 square feet - \$75.00**
- 3. Building > 20,000 square feet - \$100.00**

RESOLUTION 19-044 The Town Clerk is requesting a one time override the towns travel policy, so they many attend, stay and participate in the evening presentations. The Town Clerks conference will be held in Syracuse NY on May 5-8 2019. The Towns Travel policy states that the drivable distance to stay at a conference must be more than 60 miles from the town hall. The clerk has budgeted for this conference and all expenses.

Motion by Councilperson Knaul; Second Councilperson Kerstetter

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-045 to approve and sign contract with Xylem in \$26,943.65 for upgrades to Stryker Ave pump station.

Motion by Councilperson Knaul; Second Councilperson Kerstetter

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-046 AUDIT AND PAYMENT OF CLAIMS: authorizing the audit and payment of the following claims: General and Highway Funds, Special Districts, (Water and Sewer Districts), Capital Project and Reserve Fund claims, and ratifying the payment of the prepaid claims as authorized by resolution 19-009 adopted January 10 , 2019, all in accordance with the attached abstract of claims.

ABSTRACT #02 2019 Vouchers # 87-195 in the amount of \$1,206,546.85

Trust & Agency Voucher # 5009-5017 in the amount of \$20,615.50

for a grand total of \$1,227,162.35.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

ADJOURNMENT:

RESOLUTION 19-047 to adjourn to executive session at 4:51 to discuss personnel issues.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 19-048 to return from executive session at 5:14 PM.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

ADJOURNMENT:

RESOLUTION 19- 049 to adjourn the meeting:

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

Meeting adjourned at 5:14 PM

Respectfully submitted,
Tammy M. Flaherty
Town Clerk