

**VILLAGE OF PAINTED POST  
REGULAR BOARD MEETING  
September 10, 2018**

**The Regular Meeting of the Board of Trustees for the Village of Painted Post was called to order with the Pledge of Allegiance by Mayor Foster at 7:00PM.**

**PRESENT:** Mayor Foster, Deputy Mayor Scheidweiler, Trustee Francis, Trustee Smith, Trustee Gross, O.I.C. Officer Copp, Fire Chief Button, DPW Superintendent Smith, Attorney Patrick and Clerk Names

**ABSENT:** None

**REGULAR BOARD**

**MINUTES:** of August 13, 2018 meeting were approved on a motion made by Trustee Smith, and seconded by Deputy Mayor Scheidweiler and carried.

**POLICE REPORT:** submitted by O.I.C. Officer Copp as follows:

Traffic Arrests: Total of 43

11 Radar, 15 Moving Violations, 0 DWI Violations, 4 Suspensions/Revocations and 13 All other Violations.

Complaints: Total of 19

2 Felony, 0 Misdemeanors, 1 Violations, 3 Vehicle & Traffic, 0 CPPMS, 0 Animal, 2 Domestic, 0 Local Law Violation, 0 Stolen Property Cases, 2 Found Property Case and 9 Miscellaneous.

Assistance/Services Rendered: Total of 25

4 Citizen/Motorist, 14 AMR Ambulance Serv., 1 PP Fire Dept., 0 E.I.D. Alarms, 0 VPP Justice Court, 0 Open Door, 1 Mental Health Transports, 1 Escorts/Jail Run, 4 Vacation Property Checks, 3 Steuben Co. Sheriff, 5 NY State Police, 0 Corning Police, 0 Other Agencies, 0 DA Office, 0 Dept. of Public/Works, 0 US Government, 2 Other agencies.

Parking Tickets: Total of 1: 24 -2A-5A Parking Enforcement, 0 Other.

Cases Adopted/Closed: Total of 11

2 Felony, 1 Misdemeanors, 0 Drug Interdictions, 5 Violations, 1 Mental Hygiene, 2 Warrant/FOA.

Accidents: Total of 1 - 0 Personal Injury, 1 Property Damage, 0 Other.

Total Calls for Service: 100

5N01 REPAIRS: Replaced Driver Side Door Panel

5N01 MILEAGE: 1,478

5N03 REPAIRS: None

5N03 MILEAGE: 592

For the Month of August the department responded to 100 calls for service which is up from 65 in July. The calls consisted of 2 Warrant arrests, 8 other Police agency assists, 14 ambulance assists, 1 PPFD assist, 1 motor vehicle accident on North Hamilton Street where the driver went off the road and knocked down a street sign and a street light, 2 domestic calls which 1 ended in an arrest, 2 burglary investigations, and 43 traffic tickets in total.

Officer Copp also stated that the "end of school zone" signs have been posted on Victory Highway.

**FIRE DEPT.**

**REPORT:**

submitted by Fire Chief Button as follows:

Total number of calls for the month were 14

4 MVA/Rescues, 2 Service Call, 0 Vehicle Fire, 0 Searches, 0 Chimney Fire, 0 Structure Fire, 1 Grass/Brush Fires, 0 Hazardous Conditions, 0 Vehicles Leaking Gas, 0 Storm Flooding, 3 C.O./Fire Alarm Activation, 3 Mutual Aid Fires, 0 Mutual Aid MVA, 0 Searches, 0 Mutual Aid Medical and 2 Mutual Aid AMR.

Total in Service Hours: 144

Average Fire Fighters Per Call: 12

Training Hours – 0

Training Course Hours - 0

Training Certifications: 19

Total in Service Hours to Date: 1192

Total Number of Calls to date for the Year – 113

Major repairs to the Fire equipment – None Reported

Injuries – No injuries reported

Chief 2800 – Button responded to 57% of the calls for the month.

Chief 2801 – Smith responded to 86% of the calls for the month.

Chief 2802 – McCarthy responded to 50% of the calls for the month.

Two chiefs obtained fuel – 78.3 gallons.

1. Monthly department training Emergence Vehicle Operations.
2. No Town of Erwin Fire Council meeting held.
3. Department submitted and was awarded a \$1,500 matching grant with the NYSDEC Forestry.

**DPW REPORT:** submitted by Superintendent Smith as follows:

**Water Treatment and Distribution System**

- Water levels at wells are good: **Well # 4 – 43'**, **Well # 3 – 27'** & **Well # 2 – 43'** of water above the pump.
- Trans-loading Facility operations. Hauled ZERO Gallons for the month.
- Crew repaired and replaced water meters.
- Crew cleaned water service corporation stop @ 220 Rand Ave
- Crew replaced leaking water service to Fairview Cemetery.
- Crew replaced leaking fire hydrant @ 124 Grace BLVD.
- Crew Hot patch water trenches throughout the Village.
- Water service to 349 N. Hamilton turned off. Service leaks on owner's side of the shutoff valve.

**Sanitary Sewer Treatment and Collection System**

- Crew completed monthly jet cleaning of problem areas of the sanitary sewer collection system.
- Crew resumed sludge pressing operations @ the WWTP.
- New sanitary sewer pump station and force main for Calvin U Smith installed and placed in service.

**Village Streets and Walkways**

- Crew sweep streets on numerous occasions.
- Crew continued weekly pick up of leaves and brush.
- Crew hot patched streets, parking lots and drainage gutters throughout the Village.
- Crew cleaned CB lids throughout village after heavy rain events.
- Crew stripped walkways on W. High Street and Chemung St.
- Crew restriped Railroad Crossing Marking on Hamilton Street. New location as required by NYSDOT.
- Crew assisted Riverside DPW with crosswalk stripping at Bike Path crossings.

**Buildings and Grounds**

- Hauled weekly trash from Village facilities.
- Crew held weekly safety meetings and equipment checks.
- Crew continued mowing and trimming operations at all Village owned property.
- Crew cleaned inside and outside of Pavilion for rentals.
- Crew continued monthly playground equipment inspections.
- Pushed back Village compost area above the cemetery several times.
- Crew continued brush hog mowing of Village property including West Water St.
- Crew removed and relocated Red Painted Post to Indian Park area.

**Equipment Maintenance**

- Performed maintenance and repairs on DPW, FD and PD equipment.
- Serviced and repaired equipment.

**Village Cemeteries**

- One burial for the month
- Crew continued mowing and trimming operations.

**Community Service**

- Received 25 hours of Painted Post Court ordered community service was received for the month.

**FINANCIAL/BUDGET**

**REPORT:** No changes

**CLERKS REORT:** submitted by Clerk Names as follows:

All checkbooks have been reconciled and balance to our accounting program and bank statements. Monthly reports have been provided to the mayor, board members and department heads.

I completed a retirement webinar and am now at a silver certificate status with NYS Retirement.

Monthly report of taxes was submitted to US Census Bureau. Late notices for taxes were sent out and as of 8/31/18 we have collected \$1,005,128.66 in taxes and penalties. We currently have 40 properties that remain outstanding which total \$44,559.65

Late notices for approximately 100 water/sewer bills were sent out.

Payroll exceptions for Civil Service have been addressed in order for our yearly “payroll certification” to be finalized. I also completed and submitted 5 RPC (Report of Personnel Change) forms.

I completed the Lifetime Benefit Solutions yearly testing and reports for our insurance. Paperwork was completed and sent to NYS Retirement for Tod Kimmey.

**PLANNING**

**BOARD:**

No planning board meeting was held in August.

**NEW BUSINESS:** 1. Village Board approved Jarred Burlingame currently a junior firefighter to regular firefighter status.

On a motion made by Deputy Mayor Scheidweiler and seconded by Trustee Gross and approved by all.

2. I, Trustee Brian Francis, resolve the budget modification for account F8340.41 (transmission & distribution- system improvements) in the amount of \$1,643.29 from F2771 (grant funding).

3. I, Trustee Robert Gross, resolve the budget modification from the Police account A3120.1 in the amount of \$1,500.00 to A1420.4 (law contractual).

4. Village Board adopted a Resolution for the use of the New York State Unified Solar Permit and the updated permit application.

## **RESOLUTION TO ADOPT THE NEW YORK STATE SOLAR PERMIT PROCESS**

**WHEREAS**, the New York State Energy Research and Development Authority (“NYSERDA”), together with the New York Power Authority (“NYPA”) and City University of New York (“CUNY”), developed a New York State Unified Solar Permit that reduces the cost for solar projects by streamlining municipal permitting processes;

**WHEREAS**, the Village of Painted Post wants to promote the streamlining of the application process for small-scale photovoltaic system installations by adopting the New York State Unified Solar Permit application form and implementing the new procedures;

**NOW THEREFORE, BE IT RESOLVED**, that the Village of Painted Post adopts the New York State Unified Solar Permit and the document titled "Understanding Solar PV Permitting and Inspecting in New York State;" and

**RESOLVED**, that the Village of Painted Post Code Enforcement Officer is hereby directed to use the New York State Unified Solar Permit application form and procedures in issuance of building permits for the installation of small-scale solar photovoltaic systems; and

**RESOLVED**, that the fee for solar installations is set by resolution of the Village of Painted Post Board.

I, William Scheidweiler, Deputy Mayor for the Village of Painted Post, move to adopt the above resolution.

The vote on the foregoing resolution was as follows:

|                           |            |
|---------------------------|------------|
| Mayor Foster              | <u>AYE</u> |
| Deputy Mayor Scheidweiler | <u>AYE</u> |
| Trustee Smith             | <u>AYE</u> |
| Trustee Francis           | <u>AYE</u> |
| Trustee Gross             | <u>AYE</u> |

This resolution was adopted.

5. Village Board adopted Resolution 9-2018 “That requires jurisdiction to make available the energy usage for each municipal building that is 1,000 sq. ft. or larger”.

**RESOLUTION 9-2018****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 Painted Post 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 Painted Post 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 Painted Post; and

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

- (5) “Department” shall mean the Village 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, 2019, 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, 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 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 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.

The vote on the foregoing resolution was as follows:

|                           |              |
|---------------------------|--------------|
| Deputy Mayor Scheidweiler | <u>  Y  </u> |
| Trustee Smith             | <u>  A  </u> |
| Trustee Francis           | <u>  Y  </u> |
| Trustee Gross             | <u>  Y  </u> |

This resolution was adopted.

6. Village Board approved Well #2 and Chlorine Contact Piping Change Order for Vacri in the amount of \$8,077.00 contingent on funding approval.

Motion approved by Trustee Smith and 2<sup>nd</sup> by Trustee Gross and passed.

#### **SUSPEND ORDER OF BUSINESS:**

Motion made by Trustee Smith seconded by Trustee Gross and carried.

#### **PUBLIC COMMENTS:**

Emily Northrup of 582 W High St. asked what the cost of “solar” batteries would be.

Kevin Tyler spoke about the “911” memorial. Due to the weather the dedication has been postponed until the morning of the pancake breakfast in October.

Wally Marribitt of 440 W High St. commented on the 17<sup>th</sup> anniversary of “911” and of how non-intrusive the construction project at Craig Park was. He also gave formal

recognition to Brian Francis for all the work he did at the site of the Indian statue and on the “red painted pole”

**RESUME ORDER  
OF BUSINESS:**

Motion made by Trustee Smith, 2nd by Trustee Francis and carried.

**TRUSTEE****COMMENTS:**

Trustee Smith thanked everyone for the work on all the projects that have gone on in the Village over the last several months.

Mayor Foster reminded everyone that the Comprehensive Plan meeting will be held on Wednesday, September 12 at 6:00pm with the primary objective to review zoning laws and that all are invited.

**AUTHORIZATION:** to pay audited bills for the Village on a motion made by Deputy Mayor Scheidweiler, seconded by Trustee Francis and carried.

|                     | <u>Abstract #06</u> | <u>Vouchers</u> | <u>Abstract #07</u> | <u>Vouchers</u> |
|---------------------|---------------------|-----------------|---------------------|-----------------|
| General Fund:       | \$ 5,287.55         | 162 -169        | \$ 15,431.30        | 170 - 209       |
| Water Fund:         | \$ 348.76           | 65 - 68         | \$ 9,948.76         | 69 - 89         |
| Sewer Fund:         | \$ 78.99            | 65              | \$ 7,963.19         | 66 - 90         |
| Total:              | \$ 5,715.30         |                 | \$ 33,343.25        |                 |
| <b>Grand Total:</b> | <b>\$ 39,058.55</b> |                 |                     |                 |

**MOTION** to adjourn meeting was made by Trustee Smith, seconded by Trustee Gross and carried at 7:38pm.

Respectfully submitted by  
Anne Names  
Clerk-Treasurer