

Village of New Berlin
Minutes of March 8, 2022

The regular meeting for the Village of New Berlin was called to order at 6:30 PM by Mayor, Peter Lennon.

CALL TO ORDER

Members Present: Peter Lennon, Mayor
Dave Smith, Trustee/Deputy Mayor
Michelle Priola, Trustee
Jim Crawford, Trustee
Rich Potter, Trustee

ATTENDANCE

Members Absent:

Others Present: Kelly Anderson, Don Anderson, Jared Kline, Diana Lisboa, Patrick and Sarah Wright, Brian Pittsley, Chris Gillette.

Present via teams meeting online: Elaine Lennon, Mike Wesolowski, Lisa Serradilla

ROLL CALL

ROLL CALL

Priola – here
Crawford – here
Potter – here
Smith – here
Lennon – here

PRIOR MINUTES

PRIOR MINUTES

Minutes of the February regular and special meetings were approved on motion by Michelle Priola, seconded by Dave Smith.
VOTE: Smith – yes, Priola – yes, Crawford – yes, Potter - yes.
APPROVED

PUBLIC CONCERNS AND VISITORS

PUBLIC CONCERNS

Two members of the Unadilla Snow Drifters snow mobile club were in attendance to discuss the complaint that was submitted at the last regular meeting. Mayor Lennon is investigating the complaint with the Village attorney to find a solution that is amicable for all involved.

No idling signs will be placed on Village Streets by the DPW to address the large trucks that are idling more than 5 minutes.

Several noise complaints were received in the Village office, Mayor Lennon will speak to the property owner before it is considered for escalation to the Planning/Zoning Board for noise ordinance violations.

FIRE DEPARTMENT

The fire department responded to 11 calls in the month of February, bringing them to 22 calls year to date. They have removed everything from the old firehouse. The shed behind the old firehouse will be moved to the new site.

EMS REPORT

The EMS Report was submitted to the board prior to the meeting as Dale was not able to attend for personal reasons. Mayor Lennon believes the drop in call volume was due to the new EMS plan in place by Otsego County.

DPW REPORT

The DPW has been spending most of their time on snow and ice removal from the Village and fixing equipment. He has met with Unifirst, they will be making changes to the pants and billing structure, removing several items from the bill, to make the DPW happier with the service. Jared is willing to have the department try it out before pursuing his request to cancel the service and buy uniforms outright. They have repaired some of the holes in the village streets with cold patch.

GRANT STATUS

Kelly has received confirmation of points from NYSERDA for the code enforcement training completed by Lisa Serradilla for the Village of New Berlin as a Clean Energy Community Grant. The Benchmarking resolution will be addressed under new business, which will earn a third high impact project points for the Village. She is working with Mike and Lisa on solar power permitting to be added to Village zoning for an upcoming meeting. Michelle has

FIRE DEPARTMENT

EMS REPORT

DPW REPORT

GRANT STATUS

been awarded a grant for a handicap accessible swing for the playground. The SAMS grant for the fire department building is still working its way through the Senate, there is no update on the timing currently. The Low-Income Housing Water Assistance program application has been approved; several members of the community have already applied, and the grant information has been rolled out to the community for a second time. There are no updates available on the SRBC or WIIA grants for the water currently, but an announcement should be made in the upcoming weeks.

COMMITTEE REPORTS

CD Loan updates were provided by Mayor Lennon. They have redeveloped the loan application. CD Loan Administrator, Kelly Anderson, has signed off on the changes as well as the Village attorney.

Michael Wesoloski and Lisa Serradilla gave an updated report and recommendations to the board on several items they have been working on. They have a new member joining the Planning/Zoning Board under new business.

OLD BUSINESS

Jim Crawford gave an update on the lumber harvesting project. Trees should be marked and ready to be put out to bid within the next two to three weeks.

Kelly Anderson will reach out to Howard Hanna on behalf of the Village to obtain a sales contract to get the old Firehouse listed for sale and put on the market

The Village Board discussed transitioning the social media administrator position for the Village from previous board member Jamie Burchill to current board member Michelle Priola again. Mayor Lennon stated that Jamie was unable to attend the meeting but would request that she attend the April meeting.

Dave has spoken to a few website designers regarding upgrading the Village website. Mike Wesolowski mentioned that the re-design of the website could be covered under a grant that he will

COMMITTEE REPORTS

OLD BUSINESS

be working on with the Clerk/Treasurer once the State finalizes the budget, as one of the goals would be to get the Village codes on the website.

NEW BUSINESS

NEW BUSINESS

Michelle Priola made the motion to approve the changes to the CD Loan application. Rich Potter seconded the motion. VOTE: Smith – yes, Priola – yes, Crawford – yes, Potter – yes. APPROVED

Michelle Priola made the motion to approve the appointment of Chris Capatelli to a three-year term on the Planning/Zoning Board. Dave Smith seconded the motion. VOTE: Smith – yes, Priola – yes, Crawford – yes, Potter - yes. APPROVED

The board requested a revision to the application for rental of the Community Center as the training for stove usage will not be conducted by the Fire Department, but by a member of the Village Board or Committee that is established for the Community Center.

The Village Board is eager to sponsor the location for the New Berlin Library's summer concert series again this year. Concerts from the Library will be in Hyde Park again this year on Wednesdays in August.

RESOLUTION NO. 2021-7

**ESTABLISHING ENERGY BENCHMARKING
REQUIREMENTS FOR
CERTAIN MUNICIPAL BUILDINGS**

Drafting Note: This template legislation is presented here as a resolution, but communities should note that it may also be adopted as a local law or ordinance, where they have the power to do so. The following information should not be a substitute for legal advice from an attorney familiar with local requirements.

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

WHEREAS, the Village 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, the **Village Board of Trustees** 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;

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](#) that is 1,000 square feet or larger in size.

(5) “Department” shall mean the [Village Clerk/Treasurer](#).

(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.

The vote on the foregoing resolution was as follows:

RESOLUTION INTRODUCED BY: Michelle Priola

SECONDED BY: Dave Smith

ROLL CALL VOTE:

Michelle Priola, Trustee YES _____

Jim Crawford, Trustee YES _____

Rich Potter, Trustee YES _____

Dave Smith, Trustee YES _____

This resolution was adopted.

RESOLUTION

Resolution No. 2022-8 “Resolution approving the payment of vouchers”

ABSTRACTS

Whereas, the Treasurer of the Village has presented the following bills for payment...

General Fund - \$31,325.21

Water Fund - \$ 21,515.61

EMS Fund - \$16,036.87

Total Expenditures - \$ 68,877.69

Whereas, The Board of Trustees has audited the claims presented for payment.

Now, therefore...

Be it RESOLVED that the Village of New Berlin Board of Trustees, hereby approves payment of the aforementioned bills for payments.

RESOLUTION INTRODUCED BY: Michelle Priola

SECONDED BY: Rich Potter

ROLL CALL VOTE:

PRIOLA: YES SMITH: YES CRAWFORD: YES POTTER:
YES LENNON:

YES: 4 NO: 0 ABSTENTION:
 ABSENT:

CARRIED: YES

Rich Potter made a motion to approve the treasurer reports,
Michelle Priola seconded the motion. VOTE: Smith – yes, Priola –
yes, Crawford – yes, Potter - yes. APPROVED

TREASURER REPORTS

Rich Potter made a motion to adjourn. Michelle Priola seconded
the motion. VOTE: Smith – yes, Priola – yes, Crawford – yes, Potter
- yes. APPROVED

ADJORN

Adjourned at 8:53 PM - Kelly Anderson, Village Clerk and Treasurer