

Town Board Meeting March 11, 2024

Supv. Crossen called the monthly meeting of the Alabama Town Board to order at 7:00 p.m. Roll Call was taken, Councilperson J. Klotzbach, Veazey, D. Klotzbach, Fisher and Supv. Crossen were present. Also present were Mark Masse, Mark Williams, Jeff Tauscher, Drew Klotzbach, Dave Bencic, Cary & Rhonda Pangrazio, Barry Flansburg and Supt. Covell,

Supv. Crossen read the following statement : Councilperson Dianne Klotzbach has informed me of a conflict with STAMP. Councilperson D. Klotzbach will not participate anytime the issue is discussed and simply vote 'present' on any vote taken.

Privilege of the Floor

Dave Bencic – asked if the website is working, he can't access it on his phone.

Rhonda & Cary Pangrazio – purchased 912 Casey Road and VL on Lewiston Road in August of last year. They are trying to resolve the 2024 tax bill, they sent in partial payment and it was returned. Disc. held. Supv. Crossen asked them to call him tomorrow, he can meet with them.

Highway – Supt. Covell gave update:

- Brine system installed on new truck.
- Green lights installed on trucks.
- Fixed grader and flail mower, ready for summer.
- Worked with the Town of Oakfield mowing.
- Stands for hoppers are being maintained/repared.
- Met with State Officials about CHIPS funding and attended Advocacy Day in Albany.
- Salt usage is down due to the light Winter.
- WD2 – Judge Rd., fixed issue with drainage at end of the road.

STAMP – Mark Masse gave update:

- Article 78 hearing with Orleans County was dismissed by the Judge. Orleans Co. has 30 days to appeal.
- Eminent Domain case schedule for April 16th.
- Public hearing for FASTNY funding will be held virtually by Empire State Development.
- SEQR update to be done, GCEDC will seek Lead Agency.
- Building permit application submitted for ½ million gallon water tank.
- CPL will be engineer for Crosby Road re-build.
- GCEDC approved for the Town to do mowing on STAMP property.

Water District #2

There is \$6,000 in the Water District #2 checking account, Supv. Crossen will call Muncipal Solutions to ask how to proceed to put the money in the savings account.

Court – nothing new

Town Hall – nothing new

Solar Law Update – work session meeting on March 25th.

Union Contract Approval

Disc. on Article 22 Class A CDL being paid for by Town if successful. Councilperson J. Klotzbach would like some wording included if the employee doesn't complete the course or get the CDL they pay the Town Back. Supv. Crossen will contact the Union Rep.

MOTION by Councilperson Fisher, seconded by Councilperson Veazey to accept the Union Contract effective 1/1/2024 through 12/31/2026, with minor change to Article 22, and to allow Supv. Crossen to sign the contract with Attorney approval. Approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Resignation

Judge Tauscher has submitted an updated resignation letter effective March 5, 2024.

MOTION by Councilperson J. Klotzbach, seconded by Supv. Crossen to accept Jeff Tauscher's resignation effective March 5, 2024. Approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Appointment – Town Justice

The Court Committee met with Mark Williams, they recommend him to be appointed.

MOTION by Councilperson J. Klotzbach, seconded by Councilperson D. Klotzbach to appoint Mark Williams as Town Justice for a term ending 12/31/2024. Approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Appointment – Town Historian

Terry Thompson sent a letter of interest to be appointed Historian.

MOTION by Councilperson J. Klotzbach, seconded by Councilperson Veazey to appoint Terry Thompson as Town Historian, effective April 1, 2024, pending receipt of resignation from Joe Cassidy. Approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Assessor – Barry Flansburg gave update:

Re-assessment is done and was sent to the State. We will be at 100% this year. There will be a \$9.5 million increase in taxable value. Most of the changes are in residential. Disc. held.

Court Audit 2023

Councilpersons J. Klotzbach and D. Klotzbach conducted the audit of the Justices.

MOTION by Councilperson J. Klotzbach, seconded by Supv. Crossen to accept the audits of the Town Justices for 2023 as complete. Approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Energy Benchmarking 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 Town of Alabama 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 Alabama 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 Alabama; and

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

(5) "Department" shall mean the Town Board.

(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, 2024, 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, 2024 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.

Councilperson Fisher offered the resolution which was seconded by Councilperson J. Klotzbach and approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Approval of Minutes

2/12/2024 Board Meeting – MOTION by Councilperson Veazey, seconded by Supv. Crossen to accept minutes as presented. Approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Supervisors Report

3/3/2024 -- MOTION by Councilperson Fisher, seconded by Councilperson J. Klotzbach to accept report as written. Approved by Roll Call Vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Audit Bills

MOTION by Councilperson J. Klotzbach, seconded by Councilperson Veazey to accept Abstract #003-2024 and pay bills in the amount of \$9,743.86 vouchers 53 to 69 General Fund; \$7,444.41 vouchers 41 to 56 Highway Fund; \$15.00 voucher 10 Water District 1. Approved by Roll Call Vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Williamson Law Books Support Contracts

MOTION by Councilperson Fisher, seconded by Councilperson Veazey to accept the Williamson Law Books Support Contract for the Payroll and Town Clerk programs and allow Supv. Crossen to sign them.

Approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Town Clerk's Report

February 2024 -- MOTION by Councilperson Fisher, seconded by Councilperson D. Klotzbach to accept report as written. Approved by Roll Call Vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Assessor's Report – no report submitted

Maple Road Complaints

Supv. Crossen gave an update:

Town Prosecutor Zickl has agreed to take the case to Court. Disc. held.

CEO/ZEO Report

February 2024 -- MOTION by Councilperson Fisher, seconded by Councilperson Veazey to accept report as written. Approved by Roll Call Vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

MOTION by Councilperson Veazey, seconded by Councilperson D. Klotzbach to adjourn meeting at 8:30 p.m. Approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Respectfully Submitted,

Rebecca L. Borkholder
Town Clerk