

**VILLAGE BOARD MEETING**  
**March 1, 2017**  
**Agenda**

**Call to Order**

**Pledge of Allegiance**

**Approval of Minutes**

Village Board Meeting – February 1, 2017  
Village Workshop Meeting – February 15, 2017

**Privilege of the Floor**

**Administrative Committee** – Mayor Penders

**Resolution 3/2017**

Introduced by:  
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the Parade Permit for the Spencerport Volunteer Firemen’s Association Youth Parade Wednesday, June 7, 2017 starting at 7:00 p.m.

Vote of the Board: Carol J. Nellis-Ewell, Deputy Mayor  
Charles R. Hopson, Trustee  
Ray Kuntz, Trustee  
David Wohlers, Trustee  
Gary Penders, Mayor

**Resolution 3/2017**

Introduced by:  
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the Parade Permit for the Spencerport Volunteer Firemen’s Association Grand Parade Thursday, June 8, 2017 starting at 7:00 p.m.

Vote of the Board: Carol J. Nellis-Ewell, Deputy Mayor  
Charles R. Hopson, Trustee  
Ray Kuntz, Trustee  
David Wohlers, Trustee  
Gary Penders, Mayor

**Resolution 3/2017**

Introduced by:  
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the Assembly Permit for the Spencerport Volunteer Firemen's Association Annual Carnival Wednesday – Saturday, June 7- 10, 2017 starting at 5:00 p.m.- Midnight.

Vote of the Board: Carol J. Nellis-Ewell, Deputy Mayor  
Charles R. Hopson, Trustee  
Ray Kuntz, Trustee  
David Wohlers, Trustee  
Gary Penders, Mayor

**Resolution 3/2017**

Introduced by:  
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the Assembly Permit for the Spencerport Volunteer Firemen's Association Red Onions Firematic Drill Saturday, August 5, 2017 located at 500 West Avenue from 1:00 p.m. – 5:00 p.m.

Vote of the Board: Carol J. Nellis-Ewell, Deputy Mayor  
Charles R. Hopson, Trustee  
Ray Kuntz, Trustee  
David Wohlers, Trustee  
Gary Penders, Mayor

**Resolution 3/2017**

Introduced by:  
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the Assembly Permit for the Spencerport Volunteer Firemen's Association Annual Antique Fire Muster August 26, 2017 from 1:00 p.m. – 6:00 p.m. located at Spencerport Carnival Grounds.

Vote of the Board: Carol J. Nellis-Ewell, Deputy Mayor  
Charles R. Hopson, Trustee  
Ray Kuntz, Trustee  
David Wohlers, Trustee  
Gary Penders, Mayor

**Resolution 3/2017**

Introduced by:  
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees shall conduct a public hearing on Introductory Local Law #2-2014 "A Local Law to Amend Section 310-48 of the Village Code of the

Village of Spencerport to prohibit parking on the east side of Martha Street, from Amity Street north to the Erie Canal” on Wednesday, April 5, 2017 at 7:00 p.m.

Be it further resolved, that the Village Clerk is directed to post and publish the required notices as required by law.

Vote of the Board: Carol J. Nellis-Ewell, Deputy Mayor  
Charles R. Hopson, Trustee  
Ray Kuntz, Trustee  
David Wohlers, Trustee  
Gary Penders, Mayor

**Sewers Committee** – Trustee Wohlers, Chair

**Planning/Zoning/Building Control** – Deputy Mayor Nellis-Ewell, Chair

- A. Planning
- B. Architectural Review
- C. Zoning

**Resolution 3/2017**

Introduced by:  
Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby approves Michael Flavin’s appointment to the Zoning Board of Appeals for a five year term expiring on March 31, 2022.

Vote of the Board: Carol J. Nellis-Ewell, Deputy Mayor  
Charles R. Hopson, Trustee  
Ray Kuntz, Trustee  
David Wohlers, Trustee  
Gary Penders, Mayor

- D. Building Control
- E. Code Review

**Finance Committee** – Mayor Penders, Chair

**Facilities Committee** – Trustee Hopson, Chair

A. Electric

**Resolution 3/2017**

Introduced by:

Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby authorizes the attendance of SME Superintendent Owen McIntee to attend the APPA Mutual Aid Meeting March 29-30 at American Public Power Association, 2451 Crystal Drive, Suite 1000 (10<sup>th</sup> Floor), Arlington, VA 22202. MEUA will be sponsoring all travel and meeting costs.

Vote of the Board:

Carol J. Nellis-Ewell, Deputy Mayor  
Charles R. Hopson, Trustee  
Ray Kuntz, Trustee  
David Wohlers, Trustee  
Gary Penders, Mayor

**Resolution 3/2017**

Introduced by:

Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the attendance of SME Superintendent, Deputy Clerk Pam Gilbert and SME Foreman Mike Meyers to attend the MEUA Semi-Annual Meeting April 12 and 13, 2017 located at the Embassy Suites, East Syracuse, NY cost not to exceed \$800.00 total.

Vote of the Board:

Carol J. Nellis-Ewell, Deputy Mayor  
Charles R. Hopson, Trustee  
Ray Kuntz, Trustee  
David Wohlers, Trustee  
Gary Penders, Mayor

**Resolution 3/2017**

Introduced by:

Seconded by:

WHEREAS, the Village of Spencerport Board of Trustees of the Village of Spencerport, New York, is a municipal member of the Municipal Electric Utilities Association of New York State, and

WHEREAS, the Semi-Annual Meeting of the Municipal Electric Utilities Association of New York State has been called on April 12 and April 13, 2017 to be held at the Embassy Suites Hotel, 6646 Old Collamer Rd., East Syracuse, New York, 13057 and,

WHEREAS, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that SME Superintendent Owen McIntee be and is hereby designated as the accredited delegate of the Village of Spencerport, New York.

Vote of the Board: Carol J. Nellis-Ewell, Deputy Mayor  
Charles R. Hopson, Trustee  
Ray Kuntz, Trustee  
David Wohlers, Trustee  
Gary Penders, Mayor

B. Other ( Drainage, Franchise)

**Public Works Committee** – Trustee Kuntz, Chair

- A. Highways/Garage
- B. Public Services (Refuse, Recycling, Parks)

**Public Safety Committee** – Trustee Penders, Chair

- A. Fire Department
- B. Police
- C. Ambulance

**Human Resources Committee** – Mayor Penders, Chair

**Resolution 3/2017**

Introduced by:

Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the hiring of Timothy Weit, 83 Moul Road, Hilton, NY for the position of DPW Laborer at a rate of \$13.77 per hour starting March 6, 2017 contingent on passing the pre-employment drug test. This position will have a one year (1) probationary period starting March 6, 2017.

Vote of the Board: Carol J. Nellis-Ewell, Deputy Mayor  
Charles R. Hopson, Trustee  
Ray Kuntz, Trustee  
David Wohlers, Trustee  
Gary Penders, Mayor

**Economic Development Committee** – Trustee Wohlers, Chair

**Green Initiatives** – Deputy Mayor Nellis-Ewell, Chair

**Resolution 3/2017**

Introduced by:

Seconded by:

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the NYS Unified Solar Permit for SME customers interested in installing solar panels. This permit will be administered by the SME Superintendent with a copy of the permit to be located in the office of the Village Clerk.

Vote of the Board:

Carol J. Nellis-Ewell, Deputy Mayor

Charles R. Hopson, Trustee

Ray Kuntz, Trustee

David Wohlers, Trustee

Gary Penders, Mayor

**Resolution 3/2017**

Introduced by:

Seconded by:

The Village of Spencerport Board of the Trustees located in the Village of Spencerport in the County of Monroe, State of New York, met in regular session at the Municipal Building, located at 27 West Avenue in the Village of Spencerport, County of Monroe State of New York, on the March 1, 2017 at 7:00 p.m.

**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 Spencerport 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 Spencerport 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 Spencerport and

**WHEREAS**, as such the Village of Spencerport Board of Trustees desires to establish procedure or guideline for the Village of Spencerport 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 Village of Spencerport;

## **BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES**

### **§1. DEFINITIONS**

(A) “Benchmarking Information” shall mean information generated by the Village of Spencerport, 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 SME Superintendent.

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

(5) “Department” shall mean the Village of Spencerport 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 Village of Spencerport that compares the Energy usage of the building to that of similar buildings.

(8) “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.

(9) “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.

(10) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(11) “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 December 31, 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 December 31, 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 Village of Spencerport 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 Village of Spencerport Board of Trustees, in regular session duly convened, does hereby authorize and direct the Clerk of the Village of Spencerport to execute such other and additional documents as may be required for to perfect the resolutions herein;

Vote of the Board:

Carol J. Nellis-Ewell, Deputy Mayor  
Charles R. Hopson, Trustee  
Ray Kuntz, Trustee



David Wohlers, Trustee  
Gary Penders, Mayor

**Village Clerk** – Jacqueline Sullivan

**Superintendent of Public Works** – Thomas M. West

**Superintendent of Electric** – Owen McIntee

**Attorney** – Eric Stowe

**Unfinished Business**

**New Business**

**Current Events** – Deputy Mayor Nellis-Ewell

**Bills**

**Post Audit**

March 2017