

## Regular Board Meeting of the Town of Poland Board August 14, 2018

Town Supervisor Snow called the Regular Board Meeting to order at 7:05 p.m. with the pledge to the flag. In attendance were Town Council members Corey Swanson, Stevan Hatfield and Terry Walker. Absent was Councilman Norm Gustafson. Also present were Assessor Heather Young-Deyell, Code Zoning Officer George Gustafson and Post-Journal stringer Rose Mary Carver.

Supervisor Snow asked if there were any corrections or additions to the minutes from the July 10<sup>th</sup> Regular Town Board Meeting. There being none, *Councilman Walker made a motion, seconded by Councilman Hatfield to accept the minutes as written.*

*Ayes: Snow, Swanson, Hatfield, Walker*

***Motion carried.***

**\*\*First Privilege of Floor\*\***- no response

### **OLD BUSINESS**

- 1) Town Hall - nothing new to report
- 2) Memorial Day Parade - nothing new to report
- 3) Asset/tag list - nothing new to report
- 4) NY Street Lighting (LED) project - nothing new to report
- 5) Railroad Crossing Reconstruction - nothing new to report

### **NEW BUSINESS**

1) *Supervisor Snow made a motion, seconded by Councilman Swanson to appoint Dennis Stornes to the Planning Board with a term to expire 12/31/2024.*

*Ayes: Snow, Swanson, Hatfield, Walker*

***Motion carried.***

2) Supervisor Snow has been working with Southern Tier West to complete the Clean Energy Communities Program Grant. The next two Resolutions are two of the four requirements for this grant. Supervisor Snow read Resolution #6 - 2018.

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STATE OF NEW YORK  
COUNTY OF CHAUTAUQUA  
TOWN OF POLAND  
**2018 - RESOLUTION #6**

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 infor-

mation the **Town of Poland** 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 Poland Town Board** 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 Poland**; and

**WHEREAS**, the **Town of Poland Town Board** desires to establish procedure or guideline for **Town of Poland** 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**

- (1) "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.
- (2) "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.
- (3) "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 Poland** that is 1,000 square feet or larger in size.
- (5) "Department" shall mean the **Town of Poland Code Enforcement 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, 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 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 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.

*Supervisor Snow made a motion, seconded by Councilman Walker to adopt Resolution #6 - 2018.*

The vote on the foregoing resolution was as follows:

Supervisor Kelly Snow	<u>Aye</u>
Councilman Corey Swanson	<u>Aye</u>
Councilman Stevan Hatfield	<u>Aye</u>
Councilman Norm Gustafson	<u>Absent</u>
Councilman Terry Walker	<u>Aye</u>

This resolution was adopted by the Town Board of the Town of Poland on the 14<sup>th</sup> day of August, 2018.

3) Supervisor Snow read Resolution #7 - 2018.

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STATE OF NEW YORK  
COUNTY OF CHAUTAUQUA  
TOWN OF POLAND  
**2018 - RESOLUTION #7**

ADOPTION OF THE NEW YORK STATE  
UNIFIED SOLAR PERMIT

**WHEREAS**, The **Town of Poland Town Board** duly adopted the "NYS Fire Prevention and Building Construction" code to provide minimum requirements to safeguard the public safety; and

**WHEREAS**, The **Town of Poland Code Enforcement Officer**, who administers and enforces all provisions of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Code, and the

Town Code; and

**WHEREAS**, The **Town of Poland** requires the issuance of a building permit for the construction, enlargement, alteration, repair, removal or demolition of any building or other structure; and

**WHEREAS**, The New York State Uniform Fire Prevention and Building Code regulates the design, construction, installation, alteration and repair of equipment and systems using solar systems; and

**WHEREAS**, The New York State Energy Research and Development Authority has developed a New York State Unified Solar Permit that reduces the cost for solar projects by streamlining municipal permitting processes; and

**WHEREAS**, The **Town of Poland Town Board** desires 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**, the **Town of Poland Town Board** hereby adopts the New York State Unified Solar Permit application form and procedures for the installation of small scale photovoltaic systems; and it is further

**RESOLVED**, The **Town of Poland Code Enforcement Officer** is hereby directed to use said New York State Unified Solar Permit application for and procedures in the issuance of building permits for the installation of small-scale photovoltaic systems; and it is further

**RESOLVED**, Any further actions required of the Town to effect the foregoing are hereby authorized and the Town Supervisor is hereby authorized to execute and deliver any instruments, documents or the like as required to effect the same.

*Supervisor Snow made a motion, seconded by Councilman Walker to adopt Resolution #7 - 2018.*

The vote on the foregoing resolution was as follows:

Supervisor Kelly Snow	<u>Aye</u>
Councilman Corey Swanson	<u>Aye</u>
Councilman Stevan Hatfield	<u>Aye</u>
Councilman Norm Gustafson	<u>Absent</u>
Councilman Terry Walker	<u>Aye</u>

This resolution was adopted by the Town Board of the Town of Poland on the 14<sup>th</sup> day of August, 2018.

**\*\*Second Privilege of Floor\*\*** - no response

**SUPERVISOR**

1) Renewed the CD with Community Bank.

2) Also for the Clean Energy Communities Program Grant, the Town needs to purchase a couple EV charging stations to place at the Town Hall and the Highway Barn. *Supervisor Snow made a motion, seconded by Councilman Walker, to purchase two EV Charging Stations not to exceed \$600.*

*Ayes: Snow, Swanson, Hatfield, Walker*

*Motion Carried.*

### **COUNCILMAN WALKER**

1) Thank you to the Highway Department for doing a great job on Mee Road.

### **COUNCILMAN SWANSON**

1) Pointed out a few corrections to the Resolutions voted on prior. *Supervisor Snow made a motion, seconded by Councilman Walker to modify the motion made early to Resolution #6-2018 to make minor changes that were found, to change numbers to letters and small corrections to bring the form up to the standard that we feel it should be at.*

*Ayes: Snow, Swanson, Hatfield, Walker*

*Motion Carried.*

### **TOWN CLERK**

1) The EDRS (Electronic Death Registration System) will go live with death certificates on the Health Commerce Site next week, September 23<sup>rd</sup>.

### **ASSESSOR**

1) The current Assessment database has been sent to Chautauqua County Real Property Tax for processing of school tax bills.

2) With the upcoming arrival of school tax bills, I would like to remind property owners that there now are two different ways that the STAR program is administered. Property owners that have been enrolled in the STAR program for more than 2 years have an "exemption amount" deducted from their school tax, while newer applicants receive a "credit check" that is of the same amount as the exemption. This is the case for about 60 property owners within the Town.

3) There are other changes coming for the Enhanced STAR program as well. This year, when renewal applications are sent out, property owners will be required to complete and return the Automatic Income Verification form as well as the normal Enhanced STAR Renewal application. The NYS Tax and Finance Office will determine income eligibility moving forward.

4) Progress is being made for the 2019 Revaluation with land sales analysis. The next step will be field review and new photos of all parcels with structures.

### **ZONING OFFICER**

1) Permits have been active.

2) Solar interest has increased in the town.

3) Requesting that the Planning Board review requirements for solar activity.

4) Swimming Pools have many requirements through the Zoning Office to receive permits.

5) Vehicles have been moved at the business on the corner of Route 394 and 62. Town Clerk Wallace will also speak to the DOT regarding any other options for this intersection to be more visible.

6) There should be at least one variance next month for the Zoning Board of Appeals.

7) No noise complaints for this month.

### **MONTHLY & ANNUAL REPORTS**

JUSTICE JUDITH SHIELDS - reported 31 Vehicle & Traffic, 6 Penal (Criminal) and 1 Tax Law with \$3,165.00 forwarded to Supervisor.

CEMETERY- ALAN SHORT- 07/11/18-08/14/18; Preparing to finish 5 or 6 foundations in September; and mowing and trimming as usual.

DOG CONTROL BRIAN KING - 7/5/18-8/13/18: Two (2) dog bite cases; one (1) missing dog and one (1) dog taken to SPCA.

LIBRARY - August 13, 2018. Thank you to all who maintained Hallquist Park for our "Summer in the Park" event. We had many volunteers who donated their time and "cakes" for our event, we thank them one and all. Our Summer Poster winner, 11 year old Jerzie Smith and her family, came to the event to claim her \$25 gift certificate for the best "Libraries Rock" poster. Jerzie and her family are from the Kennedy area.

Our summer reading program, which started on July 2<sup>nd</sup>, is coming to a close on August 15<sup>th</sup>. We have had 31 children sign up. For every 10 books a child reads they receive a prize. It's been great fun for all who've signed up.

Maggie Ruth will be retiring on August 29<sup>th</sup>. I will be taking over her duties as of that date. The libraries hours will remain the same.

We are helping the Little Valley Library with their fundraiser by selling some of their raffle tickets. \$1 buys one raffle ticket. The winner of the raffle will win 3 Buffalo Bills tickets for the Monday night game on October 29<sup>th</sup> against the New England Patriots.

The drawing will be held on October 26<sup>th</sup>.

I am working on designs for making the young adult section of our library more inviting for our young patrons as well as updating the materials we have that address the concerns and interests of today's young adults.

In September we will be hosting a breakfast for the people who took our yearlong "Library Challenge". We are hoping that the conversations we have with the participants on that day will inspire yet another adult reading challenge.

Our attendance for this summer continues to average 725 patrons a month, with circulation numbers over 1300 items a month.

The Library will be closed on August 18<sup>th</sup> for staff training.

Diane Carey, Kennedy Free Library

PLANNING BOARD - met 6/5

ZONING BOARD - met 6/19

RECREATION (REBECCA LINDQUIST) - Our program this summer was held at Temple School and ran from July 2<sup>nd</sup> through August 3<sup>rd</sup>. We had 40 children register from the ages 5 to 14. We employed 4 Falconer Students that filled in for one another during their busy schedules. We also employed Jennifer Diate who works at Temple School part time. The students were very excited to be able to be a part of our summer program.

This year I planned theme weeks that included crafts and field days. Week two was nature week that included mod-podging rocks, flower arranging and a trip to the Audubon. Week three we had Christmas in July, this included cinnamon cutouts, Christmas trees,

Jiggles bell stringing and a trip to Weeden Park for ice cream. Week four was beach week, this included paper roll fish, painting sun catchers and a trip to Cassadaga Lake. Our last week ended with games at Temple, picnic at Hallquist Park and our big trip to Fantasy Island.

It was a wonderful year. Thank you for supporting this program, memories were made.

HISTORIAN (REBECCA LINDQUIST) - no report

TOWN CLERK BONNITA WALLACE reported \$696.74 paid to Supervisor with \$833.60 total disbursed.

ZONING OFFICER GEORGE GUSTAFSON - (ZONING REPORT) reported four (4) Complaints received, five (5) Notices of Violation issued and \$414.20 in fees forwarded to Town Clerk.

CODE ENFORCEMENT OFFICER ALAN GUSTAFSON - (BUILDING CODE REPORT) sixteen (16) Inspections Performed, and four (4) Certificates of Occupancy were reported.

SUPERVISOR KELLY SNOW distributed prior to the meeting the Agenda and Monthly Supervisor's Reports for General Fund, Highway Fund, Payroll Fund, Money Market accounts and General & Highway Budget Reports.

Supervisor Snow asked if there were any questions on the bills. *Councilman Hatfield made a motion, seconded by Councilman Swanson to pay General Vouchers (285-332) totaling \$26,088.07, Highway Vouchers (113-133) totaling \$232,377.59, Light District #1 Voucher (8) in the amount of \$661.09, Light District #2 Voucher (8) in the amount of \$182.82, and Justice Court Vouchers (8) in the amount of \$1,591.00.*

*Ayes: Snow, Swanson, Hatfield, Walker*

***Motion carried.***

**The next Board Meeting will be Tuesday, September 11, 2018 at 7:00 p.m. in the Town Hall.**

**Other meetings:** none

*At 8:00 p.m. Supervisor Snow made a motion, seconded by Councilman Hatfield to adjourn the meeting.*

*Ayes: Snow, Swanson, Hatfield, Walker*

***Motion Carried.***

Respectfully submitted,

Bonnita R Wallace  
Town Clerk