REGULAR MEETING
March 20, 2024

The regular meeting of the Martinsburg Town Board was held on Wednesday March 20, 2024, at the Municipal Offices on Cemetery Road and was called to order at 7:03 by Supervisor Thisse. Present were Supervisor Terrence Thisse; Councilman Darren Jantzi; Councilman Michael McGrath; Councilman Brad Allen arrived at 7:08; Highway Superintendent Tyler Jones; Legal Counsel Genevieve Fidler; Town Clerk Deanna Doviak; County Legislator Josh Leviker Gorden Yancey; Joe Beyer, Daniel Beyer; Sherry Beyer; David J. Beyer; Dawn Jackson; Doug Jackson; Shirley Beyer; Dean Beyer; Jeffery Beyer; David Beyer; Carol Camporeale; Frank Robbins Pam Sorbero; And Jack Santamore with LandVest. Absent

MINUTES:
The minutes of the February meeting were emailed to the board prior to the meeting. Councilman McGrath made a motion seconded by Councilman Jantzi to approve the minutes as presented. All were in favor, motion carried.

Bills: Abstract-03-2024

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| General: | Voucher # 61- 80 | $9,275.48 |
| Highway: | Voucher # 30-43 | $18,071.46 |
| Glenfield Water: | Voucher # 17-24 | $ 4,076.85 |
| Glenfield Sewer | Voucher # 12-15 | $ 1,270.76 |
| Martinsburg Water #1 | Voucher # 11-16 | $ 1,336.47 |
| Street Lighting | Voucher # 4-5 | $ 254.39 |
| Whitaker Park | Voucher # 4 | $ 94.49 |

There was a correction on the Sewer bill for P & T. This bill in for Glenfield water Project the change was made and approved. A motion was made by Councilman McGrath and seconded by Councilman Jantzi to approve the bills with the correction made, all were in favor motion carried.

PRIVILEGE OF THE FLOOR:
David J Beyer addressed the town board on how property is being assessed by Assessor Robert Ball. Concerns on property being coded incorrect. They have asked the board to look at the properties that are being compared, stating these are unfair comparisons. The board will be checking with the Real Property on this matter and will be asking questions hoping to give the Beyers answers. Supervisor did state that "The state, however, has changed the equalization rates."

Legal Counsel presented a Resolution for Cornerstone Group to pass resolution to acquire a Restore NY Grant Councilman Allan made a motion seconded by Councilman Jantzi to sign the resolution and is as follows.

RESOLUTION AUTHORIZING APPLICATION TO STATE OF NEW YORK FOR FUNDING
IN CONNECTION WITH THE GLENFIELD PROJECT IN LEWIS COUNTY

As of this_20th day of March 2024, the following resolutions were duly adopted at a Town of Martinsburg Board meeting:

WHEREAS, the Town of Martinsburg (the "Authority") is working with Rochester's Cornerstone Group, Ltd. and affiliate entities (collectively, the "Owner") in the development of an affordable housing facility as part of the revitalization of Lewis County (the "Project"); and

WHEREAS, the Authority wishes to apply for Restore NY funds from the State of New York to assist Owner in the financing and development of the Project; and

NOW, THEREFORE, BE IT RESOLVED that it is in the best interests of the Authority to support the Project and to pursue other transactions as necessary or desirable to do so; and be it further.

RESOLVED, that the Authority is hereby authorized to apply for Restore NY funding and execute and deliver all documents and agreements in connection therewith; and it is further.

RESOLVED, that this resolution shall take effect as of the date first set forth above.

Roll Call:

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| Councilman McGrath | yay |
| Supervisor Thisse | yay |
| Councilman Jantzi | yay |
| Councilman Allen | yay |
| Councilman Karelus | absent |

TOWN CLERK REPORT:
The Town Clerk report for February was presented. Councilman McGrath made a motion, seconded by Councilman Allen to approve the February town clerk report. Local and State revenues total 2,563.67. All were in favor, motion carried.

COOPERATIVE TUG HILL COMMISSION:
Was absent due to inclement weather.

COUNTY LEGISATOR:
Mr. Leviker reported on various subjects:

- The streetscape meeting held in Glenfield was very informative and well received.
- Stone and Hot mix bids are out.
- CHIPS money will remain the same as last year.
- Lewis County Health Care will open their Maternity March 25, 2024, and are expecting around 60-70 deliveries.
- County is looking an Assessor and a Date Collector
- The county will put out bids in 3 weeks for the Glenfield project.
- County to resign roads,
- Bridge work by whetstone gulf will close that end of the west road.

HIGHWAY.

- The letter of interest for the Comptroller needs to be signed for the Salt Shed Grant Councilman McGrath made the motion, seconded by Councilman Allen for Supervisor to sign the letter all in favor. Motion carried.

- Legal Counsel Brought the Minimum Maintenance Road Law that was passed at the February meeting to be signed.
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Martinsburg Water:

- Highway Superintendent Jones talked about the leak by flat rock road and 26 and how was the best way to fix it needs to install new shutoffs going to include the Property the Fire Department bought as there is no shut off there so this will be a combined job. There will also be a new water line for Alger Road that was tabled last month for the new house construction the total cost for both water jobs $ 71,000. A motion was made by Councilman Jantzi and seconded by Councilman McGrath to advance the Highway money to start this project, all were in favor. Motion carried.
- Jack Santamour was here and spoke on behalf of LandVest Forest Resources about the timberland that needs to be cleaned up on the parcel owned by Martinsburg Water #1. He offered ways this could be done and would like to assign a board member to work with LandVest on the "Proposal to Conduct a Pre-Harvest Forest Inventory and Harvest Plan. Councilman Jantzi made a motion seconded by Councilman McGrath to just do inventory at this time all were in favor, the motion carried Councilman Jantzi will work with them.

GLENFIELD WATER:

- The specifications for the project still need to be looked at by the state to receive funding.

GLENFIELD SEWER:

- The sewer project is ½ funded by the state.
- Adding two more sand beds

LED LIGHTS:

- It has been 1-1/2 year waiting to get them up the one at the park is up, the one on river rd is up, have a grant for shared services to pay off project.

SNIRT RUN:

- We have the Liability Insurance, the Event Certificate, and the SNIRT RUN Agreement. Next year the County with take over the Event Law. Last year Gorden stamped 4,600 riders. The county has filed a mass gathering permit. The Department of Health to be checking things out.

Solar Laws:

The solar laws have been revised; Cooperative Tug Hill Commission has changed the solar zoning.

COMPERHENSION PLAN:

- The board will be going over the plan, updates will be added to the plan if changes are made.

CLEAN ENERGY BENCHMARK:

A resolution for a clean energy $10,000 grant was adopted at the March 20 meeting.
This covers all our bldgs. Councilman McGrath made a motion, Seconded by Councilman Allen to sign "The Benchmark Policy" as follows:

## 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 Martinsburg/ County of Lewis can make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

**WHEREAS,** the Town of Martinsburg 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 Martinsburg/County of Lewis; and

**WHEREAS**, the Town of Martinsburg Town of Martinsburg Board desires to establish procedure or guideline for Town of Martinsburg/ County of Lewis 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 Martinsburg/ County of Lewis that is 1,000 square feet or larger in size.

(5) "Department" shall mean the Town of Martinsburg.

(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 0 [Town of Martinsburg 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.

The vote on the foregoing resolution was as follows:
Council McGrath made the motion to sign the resolution.
Seconded by Councilman Allen

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| Councilman Allen/Board Member | yay |
| Councilman Jantzi/ Board Member | yay |
| Supervisor Thisse/Supervisor] | yay |
| Councilman McGrath/ Board Member | yay |
| Councilman Karelus/ Board Member | Absent |
| Motion Carried | |

This resolution was adopted.
On March 20, 2024

Supervisor Thisse and the board has decided not to pursue a contract with APG Company.

The 3-G ground cleanup is well under way. Stan Spencer will be sprucing up the buildings. Some ARPA money will be used on this project. There is already interest in renting the grounds.

Complete Street Improvements in Glenfield will be going out to bid per the County Highway.

Deanna will check into Sams Club to see about getting a membership and card to save on supplies.

The Lowville summer Rec Program is looking for donations. The town donates to the South Lewis Rec. Program.

The Town Board Accepted the letter of registration from Board of Review Chairman Susan Gyore effective February 26, 2024. The board will appoint someone to fill the vacancy.

A motion was made at 8:50 PM by Councilman Allen Seconded by Councilman Jantzi to go into executive session.

A motion was made at 9:00PM by Councilman McGrath, Seconded by Councilman All to return to the regular meeting. There being no further business Councilman Jantzi made a motion seconded by Councilman Allen to Adjourn the meeting at 9:01PM all were in favor, motion carried.

Respectfully Submitted,
Deanna Doviak, Town Clerk