

**Agenda**  
**October 1, 2024**  
at Piseco Common School  
**Town of Arietta**

- Call to Order
- Roll Call
- Open Public Hearing: Local Law #2 of 2024 Overriding the Tax Cap Levy Limit
- Motion to approve minutes for the September 16, 2024 meeting
  
- Resolutions
  - **24-10-46**    **NYSERDA Benchmarking**
  - **24-10-47**    **2025 Preliminary Budget**
  - **24-10-48**    **Confidentiality and Data Use Agreement**
  
- **Snowmobile Trails – Grier**
- **Town Buildings / Grounds - Stobo**
- **Recreation / Website / Campsite - Wilt**
- **Lake / Dam / Cemetery - Rajca**
- **Finance / Airport / Internal Management / Insurance - Rhodes**
- **Superintendent / Report – Small**
- **Codes and Zoning – Lascola**
  
- **Old Business**
  - Boat Launch - Lower Arietta
  
- **New Business**
  - Begin Budget Process October 1, 2024 Meeting
  - Reminder Budget Workshops October 7<sup>th</sup> and October 15<sup>th</sup> at 5pm
  
- Motion to accept the bills
- Motion to accept the financial statements
- Public Comment
- Close Public Hearing
- **24-10-45 Local Law #2 of 2024 Overriding the Tax Cap Levy Limit**
- Designation of next Meeting Monday, October 7, 2024 **Motion to adjourn**

**TOWN OF ARIETTA**

At a regular meeting of the Arietta Town Board at the Piseco Common School, 1722 State Route 8, Piseco, in the Town of Arietta, Hamilton County, New York on:

October 1, 2024, at 5:00 pm

Resolution # 24-09-46

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

Resolution Offered By: \_\_\_\_\_

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

**WHEREAS:** the Arietta 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, and

**WHEREAS:** the Arietta Town Board desires to establish procedure or guideline for Town 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 that is 1,000 square feet or larger in size.

(5) “Department” shall mean the Town Supervisor.

(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 Arietta 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.

Seconded by: \_\_\_\_\_ and put to a vote, which resulted as follows:

AYES:	NOES:	ABSTAIN	ABSENT:
Jacquelyn Grier _____	Jacquelyn Grier _____	Jacquelyn Grier _____	Jacquelyn Grier _____
John Rajca _____	John Rajca _____	John Rajca _____	John Rajca _____
Douglas Stobo _____	Douglas Stobo _____	Douglas Stobo _____	Douglas Stobo _____
Christy Wilt _____	Christy Wilt _____	Christy Wilt _____	Christy Wilt _____
Christian Rhodes _____	Christian Rhodes _____	Christian Rhodes _____	Christian Rhodes _____

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date



**TOWN OF ARIETTA**

At a regular meeting of the Arietta Town Board at the Piseco Common School on 1722 State Route 8 in the Town of Arietta, Hamilton County, New York on:

October 1, 2024, at 5:00 pm

Resolution # 24 – 10 -48

**Subject: Health Insurance Confidentiality and Data Use Agreement and Employer Implementation for HRA Benefits for the Change to the Simply Blue Plus Bronze 4 Plan**

Resolution Offered By: \_\_\_\_\_

**WHEREAS:** the Town Board, Town of Arietta has reviewed the options for 2025 employee health insurance and authorized changing from the current Simply Blue Plus Platinum 4 Plan to the Simply Blue Plus Bronze 4 Plan, and

**WHEREAS:** the Arietta Town Board has received the packet for the Simply Blue Plus Bronze 4 Plan which includes the Confidentiality and Data Use Agreement, and Employer implementation for HRA Benefits, and

**WHEREAS:** after review the Town Board will accept the agreement and move forward to set up the HRA Benefits, and

**THEREFORE, LET IT BE RESOLVED:** the Town Board of Arietta approves the Confidentiality and Data Use Agreement and the Employer implementation for HRA Benefits and authorizes the Town Supervisor to execute all documents necessary for the change to the Simply Blue Plus Bronze 4 Plan.

Seconded by: \_\_\_\_\_ and put to a vote, which resulted as follows:

AYES:	NOES:	ABSTAIN	ABSENT:
Jacquelyn Grier _____	Jacquelyn Grier _____	Jacquelyn Grier _____	Jacquelyn Grier _____
John Rajca _____	John Rajca _____	John Rajca _____	John Rajca _____
Douglas Stobo _____	Douglas Stobo _____	Douglas Stobo _____	Douglas Stobo _____
Christy Wilt _____	Christy Wilt _____	Christy Wilt _____	Christy Wilt _____
Christian Rhodes _____	Christian Rhodes _____	Christian Rhodes _____	Christian Rhodes _____

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date

PROPOSED LOCAL LAW NO. 2 OF 2024  
State of New York  
Town of Arietta

A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR THE TOWN OF ARIETTA FOR 2025 AND AUTHORIZING THE ADOPTION BY THE TOWN OF ARIETTA OF A BUDGET FOR 2025 THAT REQUIRES A TAX LEVY THAT IS GREATER THAN THE TAX LEVY LIMIT FOR THE 2025 FISCAL YEAR

BE IT ENACTED by the Town of Arietta Town Board as follows:

**Section 1. Title:** This Local law shall be known as “Town of Arietta Responsible Budgeting Law of 2025”.

**Section 2. Declaration of Intent:** The intention of this local law is to comply with the requirements of General Municipal Law Section 3-c (5) prior to adopting the 2025 Town of Arietta Budget. The slow recovery of the national, state, and local economies from the most recent recession and the continued financial obligations imposed on the Town by the State in the form of mandated government activities not fully funded by the State are conditions beyond the control of Town government. Notwithstanding these circumstances, the Town will need to provide services in 2025, in addition to those mandated by the State, which are important to our citizens. After serious and sustained efforts to minimize the amount of the tax levy and to project the tax levy limit for the Town of Arietta for 2025, it is clear that a responsible budget for 2025 will require a tax levy that will be greater than the tax levy limit calculated pursuant to applicable State Law.

**Section 3. Budget Authorization:** The Town Board hereby overrides the tax levy limit for the Town of Arietta for 2025 and authorizes the Town of Arietta, after completing all required procedures for the adoption of a budget, to adopt a budget for 2025 that requires a tax levy that is greater than the tax levy limit calculated for 2025 pursuant to Section 3-c of the General Municipal Law.

**Section 4. Severability:** If any section, subsection, sentence, clause, phrase, or other portion of this Local Law is for any reason declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law, which remaining portions shall remain in full force and effect.

**Section 5. Effective Date:** This local law shall take effect upon the date on which a certified copy of this Local Law is filed in the office of the Secretary of State pursuant to section 27 of the Municipal Home Rule Law.