

Public Hearing re Sewer Use Rates

December 10, 2018

6:00 PM

Followed by

Work Session

AGENDA

Please turn off all cell phones, pagers and electronic devices.
Assistive Listening Devices available for hearing impaired.

Pledge of Allegiance
Moment of Silent Reflection

Sewer Use Rates

Agenda Approval

Abstract – Morreale

Approval of Minutes:

- 1) 11/5/2018, Public Hearings – 2% Cap & Budget
- 2) 11/15/2018, PHs, Work Session
- 3) 11/26/2018, RTBM

Department Head Concerns:

Finance:

Award Contract Grinding/Removal of Brush – Bax

Assessment Review Board Appointment – Broderick

State and Municipal Facilities Grant – Extension of Town Sewer Line – Broderick

Application for Appointment – Carl Hoffman

Resolution Establishing Energy Benchmarking Requirements – Broderick

RFP – Washuta Park Irrigation Unit – Morreale

RFP – Bike Path Sealing at Pletcher Park – Morreale

Privilege of the Floor/Public Concerns

UPCOMING MEETINGS:

Environmental Commission, December 11, 2018, 7:00 PM

Zoning Board, December 13, 2018, 6:30 PM

Historic Preservation, December 18, 2018, 6:00 PM

Planning Board, December 20, 2018, 6:30 PM

Final Audit/RTBM, December 27, @ 6:00 PM

ANNOUNCEMENTS:

Town Offices closed 12/24 & 12/25, 2018 for the Christmas Holiday

**NOTICE OF PUBLIC HEARING
TOWN OF LEWISTON
SEWER USE RATES**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Lewiston on the 10th day of December, 2018 at 6:00 p.m., at the Town Hall, 1375 Ridge Road, Lewiston, NY, on a proposed increase in the Sewer Use rate from three dollars and fifty cents (\$3.50) per one thousand (1,000) gallons of water consumed to three dollars and fifty-five cents (\$3.55) per one thousand (1,000) gallons of water consumed.

At such public hearing, all persons interested, who wish to be heard, will be heard.

Dated: November 26, 2018

DONNA R. GARFINKEL
Town Clerk
Town of Lewiston

#N239414

12/5/2018

Niagara Gazette
12/5/2018

TOWN OF LEWISTON
REQUEST FOR PROPOSALS

You are invited to submit a proposal on or before 1:00 PM on Thursday, Nov. 1, 2018 to the Highway Department of the Town of Lewiston for the work set forth in the Schedule "A" of the attached Contract.

N.B. THE CONTRACT WITH SCHEDULE "A" IS THE ENTIRE CONTRACT. NO OTHER TERMS WILL BE INCLUDED: BY SUBMITTING THE PROPOSAL YOU AGREE TO EXECUTE THE CONTRACT, AND PERFORM THE WORK IN ACCORDANCE WITH ITS TERMS.


PROPOSAL

The Undersigned hereby proposes to perform the work set forth in Schedule "A" and to execute the attached Contract within thirty (30) days of Notice of Award. The full amount of payment pursuant to the Contract, paragraph 3 (the proposal amount) is

\$ 54,648.⁰⁰

Lardon Const Corp
Name of Entity

Jonathan Palmer President
Name and Title of signor printed

by  Pres.
Signature



Villani's Lawn & Landscape, LLC

6405 Packard Road
Niagara Falls, NY 14304
P: 716-299-1414 • F: 716-299-1413
www.villanillc.com

Mr. Dave Trane
Highway Superintendent
Lewiston Highway Department
1445 Swann Road
Lewiston, New York 14092

*opened 12/3/18
DJ*

November 13, 2018

Proposal for Grinding & Hauling Wood Debris

Scope of Work:

Includes:

- Grinding approx. 25,000 yds. of wood debris @ \$3.00/yd. \$75,000.00
- Load & haul away ground debris off the property \$11,900.00

Total for Scope of work:

\$86,900.00

** (Duration of job will take approx. 2-3 weeks to complete depending on the weather)*

All Prices Do Not Include Sales Tax.

All extra items to be billed separately after work is complete for that item. If invoiced the payment is to be made within 30 days of bill date or bill will incur a 2% finance charge per month. (24% annual)

(Prices will remain in effect, but may change due to supply and demand)

The purchaser shall be responsible for all attorney's fees, costs, expenses and expenditures that Villani incurs in enforcing this Agreement as a result of any default of the Agreement by the Purchaser.

For acceptance of this proposal please sign and return with a purchase order number or reference work order number and billing information.

Villani's Lawn & Landscape, LLC

Town of Lewiston Highway Department

Kirk Clayton/Estimator

Mr. Dave Trane/Highway Superintendent

Signature: _____

Signature: _____

Date: November 13, 2018

Date: _____

Any questions please call 716-731-1414

Thank you,

Kirk Clayton, Estimator
Villani's Lawn & Landscape, LLC



DASNY

ANDREW M. CUOMO
Governor

ALFONSO L. CARNEY, JR.
Chair

GERRARD P. BUSHELL, Ph.D.
President & CEO

November 15, 2018

VIA OVERNIGHT MAIL

Mr. Steve Broderick
Town Supervisor
Town of Lewiston
1375 Ridge Road
Lewiston, NY 14092

SUBJECT: *State and Municipal Facilities Program ("SAM")
Extension of the Town Sewer Line
Project ID: # 9485*

Dear Mr. Broderick:

As you are aware, the Town of Lewiston has been selected in accordance with procedures required to receive a State and Municipal Facilities Program ("SAM") grant in the amount of \$50,000. The project for which the Grant will be utilized is the extension of the town sewer line.

Our records indicate that you have fulfilled all of the criteria necessary to receive a SAM Grant as set forth in the authorizing legislation for SAM.

Enclosed please find two (2) execution copies of the Grant Disbursement Agreement (the "GDA"). For your convenience a *Grant Disbursement Agreement Checklist* is being provided to assist you. **Please execute and date two (2) original GDAs and return them in their entirety to:**

Grants Administration
DASNY
515 Broadway
Albany, New York 12207

CORPORATE HEADQUARTERS
515 Broadway
Albany, NY 12207-2964

T 518-257-3000
F 518-257-3100

NEW YORK CITY OFFICE
One Penn Plaza, 52nd Floor
New York, NY 10119-0098

T 212-273-5000
F 212-273-5121

BUFFALO OFFICE
539 Franklin Street
Buffalo, NY 14202-1109

T 716-884-9780
F 716-884-9787

DORMITORY AUTHORITY STATE OF NEW YORK

**WE FINANCE, BUILD AND
DELIVER.**

www.dasny.org

RESOLUTION NO. [#]-2018

**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 Lewiston 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 Lewiston 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 Lewiston; and

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

- (5) "Department" shall mean the Town Clerks 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, 2019, 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, 2019 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.

The vote on the foregoing resolution was as follows:

Steven Broderick	Town Supervisor	_____
William Geiben	Town Councilman	_____
Robin Morreale	Town Councilman	_____
Alfonso Bax	Town Councilman	_____
John Jacoby	Town Councilman	_____

This resolution was adopted.