

Village Board Work Session  
November 7, 2016  
7:00 p.m.

Members present: Mayor Roddey, Trustees Char, Gurda, Nuzzolese, and Smith

Also present: Village Clerk Strobl

Mayor Roddey led those present in the Pledge of Allegiance and a Moment of Silence to honor the memory of Jiggs Myruski.

#### Hudson Valley Water Works' Seminar

On a motion by Trustee Char, seconded by Trustee Smith, Cynthia Ceconello, Manuel Orellana, Manuel A. Orellana, and Brian Ritchings are hereby authorized to attend Hudson Valley Water Works' Fall Seminar on November 16, 2016 at the Village of Montgomery Senior Center. The total cost of this training is \$120.00, and Water Operators will be awarded 3 contact hours and Wastewater Operators will be awarded 5 contact hours toward recertification.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

#### Filming Policy

Mayor Roddey requested that Board Members review the filming policy from the Village of Greenwood Lake, as provided, for future action.

#### Request for Drinking Water Wells Use

Mayor Roddey reviewed a request from Edward M. Char, on behalf of his client, Frank Fini, to use two potable water wells on building lots on Hopkins Terrace, (109-7-13.31; 109-7-13.32; and 109-7-13.33). Use of the wells had been permitted by Village Board Resolution in 2007, at the request of a previous applicant. The approval remains in place, with no further action necessary.

#### Community Choice Aggregation (Energy) Program

On a motion by Trustee Char, seconded by Trustee Smith, the Village Board of the Village of Goshen, hereby resolves to hold a Public Hearing on November 21, 2016, at 7:00 p.m., or as soon after as may be heard, for the consideration of adoption of: Local Law #6 of 2016: A Local Law Adding a New Chapter to the Village Code Entitled "Community Choice Aggregation (Energy) Program".

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

Aggregation Program Administrator – Good Energy, L.P.

VILLAGE OF GOSHEN RESOLUTION CONCERNING A PROPOSED ACTION TO  
SELECT GOOD ENERGY, L.P. TO ACT AS COMMUNITY CHOICE AGGREGATION  
PROGRAM ADMINISTRATOR

Trustee Gurda moved the following, which was seconded by Trustee Smith:

WHEREAS, the Village of Goshen desires to find ways to reduce electricity and/or natural gas costs for residential and commercial customers throughout the Village of Goshen;

WHEREAS, the Village of Goshen desires to adopt and approve through local law a Community Choice Aggregation Program;

WHEREAS, the Village of Goshen has been approached by Good Energy, L.P. regarding the possibility of Good Energy, L.P. acting as Administrator of the Village of Goshen Community Choice Aggregation Program;

WHEREAS, the Village Board of the Village of Goshen has determined that Good Energy, L.P. is qualified to act as Administrator of the Community Choice Aggregation Program;

WHEREAS, the Village of Goshen desires to work with Good Energy, L.P. to take any and all steps necessary and required by the New York State Law and policies, programs and orders of State administrative agencies to evaluate, negotiate and contract for the implementation of the Community Choice Aggregation Program if the Village of Goshen determines the same to be in the best interests of the Village of Goshen.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Goshen resolves as follows:

1. The Village Board finds that the exploration of the potential use of Community Choice Aggregation in the Village of Goshen is in the best interest of residential and commercial electricity and natural gas customers within the Village of Goshen.
2. The Village Board hereby approves Good Energy, L.P. to act as Community Choice Aggregation Program Administrator and authorizes the necessary officials to work with Good Energy, L.P. to conduct preliminary analyses, design programs, and procure electricity and natural gas service from an energy service company, as well as to take any and all steps necessary and required by the New York State Law and policies, programs and orders of State administrative agencies, including but not limited to conducting an RFP to select an energy provider, and to negotiate and enter into any such agreements including power purchase agreements to facilitate the implementation of the Village of Goshen Community Choice Aggregation Program if the Village determines the same to be in the best interests of its electric and natural gas customers.
3. The Mayor, and/or members of the Board of Trustees, as appropriate or as otherwise required by law, are hereby authorized, empowered and directed to execute and deliver such documents and take all such action on behalf of the Village of Goshen as may be deemed necessary, appropriate or advisable to carry out the intent or purposes of the foregoing resolutions.
4. The execution, delivery and performance by the Mayor, and/or the member of the Board of Trustees, as appropriate or as otherwise required by law, for and on behalf of the Village of Goshen, of all such further instruments and

documents required in connection with the implementation of a Community Choice Aggregation Program, each in form and substance approved by the Mayor, and/or the members of the Board of Trustees, as appropriate or as otherwise required by law, his or her signature thereon being conclusive evidence of such approval, are hereby in all respects approved, adopted and authorized by and on behalf of the Village of Goshen.

5. The foregoing resolutions shall remain in full force and effect until a copy of a subsequent resolution revoking or amending them, duly certified by the proper officers of the Board, shall be made by the Board.
6. This resolution shall be effective immediately.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

Mayor Roddey noted that signing of the agreement was subject to the review and approval of the Village Attorney.

#### Unified Solar Energy Permit

The following was moved by Trustee Char, and seconded by Trustee Smith:

WHEREAS, New York State has developed a unified solar photovoltaic permitting process designed to streamline municipal permitting which will reduce costs for solar projects and support the growth of clean energy jobs across the state, and

WHEREAS, the Village of Goshen is desirous of participating in the unified permitting process, thereby increasing the Village's eligibility for various incentives and grants through the New York State Energy Research and Development Authority; now, therefore, be it

RESOLVED, that the Village of Goshen adopts the New York State Unified Solar Permit as attached hereto as Exhibit I, and be it further

RESOLVED, that the Village Board authorizes the Mayor's Office to complete the grant application through the Streamlined Permitting Program to allow for the Village to receive a grant award up to \$2,500 from the New York State Energy Research and Development Authority for the adoption of the United Solar Permit Application; and be it further

RESOLVED, that this resolution shall take effect immediately and a copy of this resolution, with Exhibit 1, shall be provided to the Building Department.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

## Resolution on Benchmarking

Trustee Smith moved the following, which was seconded by Trustee Gurda:

**WHEREAS**, buildings are the single largest user of energy in the State of New York, and the poorest performing buildings typically use several times the energy of the highest performing buildings, for the exact same building use; and

**WHEREAS**, this Local Policy will use Building Energy Benchmarking 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 Goshen; and

**WHEREAS**, collecting, reporting, and sharing Building Energy Benchmarking 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

**WHEREAS**, equipped with this information, the Village of Goshen will be able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

**WHEREAS**, the following definitions will apply:

(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.

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

(E) “Department” shall mean the Board of Trustees.

(F) “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.

(G) “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.

(H) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(I) “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.

(J) “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.

(K) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(L) "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; and

**WHEREAS**, this Local Policy is applicable to all Covered Municipal Buildings as defined in item (D) above of this Local Policy; and

**WHEREAS**, the Mayor may exempt a particular Covered Municipal Building from the benchmarking requirement if the Mayor determines that it has characteristics that make benchmarking impractical; and

**WHEREAS**, no later than December 31, 2016, and no later than May 1 every year thereafter, the Mayor or his or her designee 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; and

**WHEREAS**, 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 Mayor or his or her designee shall begin inputting data in the following year; and

**WHEREAS**, the Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

- (a) no later than December 31, 2016 and by September 1 of each year thereafter for Covered Municipal Buildings; and

**WHEREAS**, 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 Local 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 this Local Policy) across calendar years for all years since annual reporting under this Local Policy has been required for said building; and

**WHEREAS**, the Department shall maintain records as necessary for carrying out the purposes of this Local 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; and

**WHEREAS**, the Mayor or his or her designee shall be the Administrator of this Local Policy; and

**WHEREAS**, the Administrator of this Local Policy may promulgate procedures necessary for the administration of the requirements of this Local Policy; and

**THEREFORE BE IT RESOLVED THAT** within thirty days after each anniversary date of the effective date of this Local Policy, the Administrator of the Benchmarking Policy shall submit a report to the Village 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 Mayor determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Local Policy; and

**BE IT ALSO RESOLVED THAT** this Local Policy shall be effective immediately upon adoption by the Village Board and a copy of this resolution shall be provided to the Board of Trustees.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

The Work Session concluded at 7:15 p.m.