

Regular monthly meeting of April 26, 2023

Present: Mayor Mark Falsone, Trustees: Gail Harrington, Marco Falsone, Mike Didas, David Poole. Others present: Clerk/Treasurer: Donna Wollschleger

The meeting was opened at 5:30

Motion was made by Trustee Harrington, seconded by Mayor Falsone to adopt Resolution 2023-03 Establishing Energy Benchmarking Requirements for Certain Municipal Buildings and waive the Reading of the Resolution. Discussion was held. Motion Adopted: Ayes 5 (Mayor Falsone, Harrington, Didas, Poole, Trustee Falsone) Nays 0

RESOLUTION 2023-003

VILLAGE OF BLOOMFIELD 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 Village of Bloomfield is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Village of Bloomfield Village 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 Village of Bloomfield; and

WHEREAS, as such Village Board desires to establish procedures and/or guidelines for Village of Bloomfield staff to conduct such Building Energy Benchmarking; and

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the following specific procedures and/or guidelines are hereby adopted and imposed as active and affirmative financial internal control procedures of the Village of Bloomfield;

BUILDING ENERGY BENCHMARKING PROCEDURES AND/OR GUIDELINES

§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.
- D. "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Village of Bloomfield that is 1,000 square feet or larger in size.
- E. "Department" shall mean the Village of Bloomfield's Clerks Office.
- 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 BTUs (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.

§2. APPLICABILITY

- A. These procedures/guidelines are applicable to all Covered Municipal Buildings as defined in Section 2 of this Resolution.
- B. 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

- A. No later than December 31, 2023, 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.

- B. 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

- A. The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:
 - (a) no later than December 31, 2023 and by September 1 of each year thereafter for Covered Municipal Buildings; and
- B. 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 these procedures and guidelines; 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 across calendar years for all years since annual reporting under this procedure and/or guidelines has been required for said building.

§5. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of the procedures and/or guidelines, 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

- A. The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of these procedures and/or guidelines.
- B. The Chief Enforcement Officer of these procedures and/or guidelines may promulgate regulations necessary for the administration of the requirements of these procedures and/or guidelines.
- C. Within thirty (30) days after each anniversary date of the effective date of these procedures and/or guidelines, the Chief Enforcement Officer shall submit a report to the Village of Bloomfield 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 the procedures and/or guidelines.

FURTHER RESOLVED, the Town Board, in regular session duly convened, does hereby authorize and direct the Mayor of the Village of Bloomfield to execute such other and additional documents as may be required for to perfect the resolution herein.

I, Donna Wollschleger, Village Clerk of the Village of Bloomfield, hereby certify the foregoing resolution to be a true and exact copy of said resolution as contained in the official minute's book of said Village.

Donna Wollschleger
Village Clerk
Dated April 26, 2023

(Seal)