

State of New York
County of Fulton
Town of Stratford

Minutes of the regular Stratford Town Board meeting held on Thursday, July 14, 2022 at the municipal building located at 120 Piseco Rd.

Present:

Richard Fogarty	Supervisor
Tiffany Rutkowski	Councilwoman
Lorraine Rumrill	Councilwoman
Todd Vedder	Councilman
Scott Seeley	Councilman
Patricia Dineen	Town Clerk
Robert Knapp	Highway Superintendent/Codes Enforcement Officer
Mike Sokira	BTI Director

Absent: David Galarneau

Residents in attendance: 9

Supervisor Richard Fogarty called the regular meeting to order at 6:33 PM with the Pledge of allegiance to the Flag.

PUBLIC SPEAKING – 6:35 pm

Gary Rumrill spoke about the Windfall Creek that is being discussed for abandonment. He was in the area and saw that a propane truck actually crossed the unsafe bridge and almost got stuck turning around. It appeared that vehicles had also been crossing. Mr. Rumrill is suggesting that some type of barricade be put up to prevent crossing the unsafe bridge to prevent someone from getting injured. He also brought up that people have been putting kayaks in and riding down the dam shoot at the Stewarts Landing Dam. He questioned who's responsibility it would be if someone was injured.

Supervisor Fogarty stated that he didn't think Stewart's Landing dam would be the town responsibility but he will look into both Stewart's Landing and the windfall bridge issue.

LeighAnne Loucks was next to speak. Her concern was also the proposed abandonment of the windfall bridge which is used by snowmobilers and atv's. Qualification to abandon are established by how many vehicles per day cross and she hopes that the town has done due diligence to establish this qualification. She also asked when the public hearing will be on the abandonment of Windfall Creek Bridge. LeighAnne also thanked Supervisor Fogarty for always answering the many questions she asks of him so that she knows what is going on at the meetings.

Sonya Rissmeyer stated that she has been away and wanted to commend the town on the beautiful hall improvements that have been completed thanks to the Historical Society and many volunteers.

Next to speak was Elizabeth and Lydia Barnes. They are still having issues concerning property line fences and property owner rights. They are aware that the town does not have a code that is being violated but ask that the town board consider adopting some type of code to protect the property owners when it is in regards to fencing and outdoor lighting disturbances.

Public speaking ended at 6:50pm

CORRESPONDENCE

A motion was made by Richard Fogarty and second by Lorraine Rumrill to accept the Town of Stratford Board minutes of June 9, 2022.

AYES - 5 Rumrill, Fogarty, Rutkowski, Seeley, Vedder

NAYES none

DEPARTMENT HEAD REPORTS:

HIGHWAY DEPARTMENT: Highway Superintendent Robert Knapp gave his report stating he started on June 13th and has been familiarizing himself with the daily operations and current road conditions. His crew has been cleaning up shoulders and washouts as needed and they have replaced a culvert pipe on Bliss rd. They have also been spreading millings from the county onto the dirt roads and mowing the shoulders of the roadways. He has been reviewing the paperwork on the FEMA project from 2019. He also has met with three paving companies to get quotes on road work as per the 284 form Mr. Staring had filed. Mr. Knapp also met with Andy Bell and R&B Construction to get quotes on repairs for the yellow flagged bridge erosion. He will be waiting until water levels are down to keep the cost at the lowest level. He also met with Mr. Bell at the Voorhees Rd washout and after further evaluation of the road realignment, it has been determined that the utility poles need to be moved over. This will cause a further delay. He is also looking into getting some of the unused or beyond repair equipment out for auction.

DOG CONTROL OFFICER: Karen Jaquay reported that she received a report of a lost dog, it turned out it had been picked up by the Fulton County Sherriff's depart due to a report of neglect. She also picked up 2 dogs reported running loose on Piseco Rd which have been returned to their owners who live on another rd. All missing/found dogs are reported on social media and at times tv to locate their owners.

BTI DIRECTOR: Mike Sokira the director of BTI stated that they are still finding some larvae in certain creeks and will continue to monitor and treat as need through July 31. He also stated he picked up 25 gallons of Vecto-Bac 12AS from Caroga Tote so they currently have 40 gallons in inventory.

CODES ENFORCER: CEO Robert Knapp reported that he has issued various permits for building and septic, inspected on going projects and responded to calls and emails. He also spoke with the owners of the Abare property on Co Rt 119 and they informed him they are planning on getting dumpsters to start clean up.

JUSTICE: Judge Rissmeyer submitted a copy of his monthly report to the State Comptroller's office which showed \$0 in revenue for the month of June 2022.

TOWN HISTORIAN: Moira Marshall reported that she met with Sandra Slifka and they are establishing a facebook page for the history of the town of Stratford. The Historical Society is also hosting a Cake and Ice Cream Social on August 18, 2022 which will feature musical entertainment by The Empty Pockets.

ASSESSOR: Not present

TOWN CLERK: Patricia Dineen gave the clerks report for the month of June 2022. State, County and Local revenue of \$460.00 of which \$14.00 was submitted to the NYS Ag & Markets spay/neuter program.

SUPERVISOR REPORT: Supervisor Richard Fogarty attended a meeting on June 29th in Keene, NY for the Adirondack Assoc. of Towns.

He also reported that the Fulton County-Snow & Ice Contract will be increased by \$500.00 per mil which is the first increase in 12 years. It changes from \$44,550.00 to \$49,005.00 on 8.9 miles.

The Fulton County Office of the Aging will be delivering meals to seniors at the Town Hall on meeting day. This is a pilot program and is still in the planning stages. Volunteers will be needed.

The Regional Food Bank of Northeast NY has contacted us for a 2-year pilot program at No cost. Once a month food will be available for pick-up at the Town Hall. This also is still in the final stages and volunteers will be needed.

We replaced 2 Heart Start Smart Pads @\$58.00 each.

OLD BUSINESS: Canada Lake Computer Services, Inc, has been working on getting the emails set up. The Clerk and Assessor remain to get set up.

The AUD 2021 by Reed Accounting is just about complete.

The Dialing system for the Town Hall Fire system is on order but still waiting for parts.

The Town Hall Generator is on order.

At the June town board meeting, Mr. Fogarty reported that we had received \$113,497.51. As per the Comptroller's office, it is FEMA money. \$156,617.50 was Chips money and \$113,497.51 was FEMA. The money is being transferred from the General fund to the Highway account.

Supervisor Richard Fogarty would like to move forward to remove the Mold in the Town Hall and possibly use ARPA money and then apply for grant money.

A motion was made by Councilwoman Lorraine Rumrill and second by Councilman Scott Seeley to use ARPA money to get the Mold remediation started in the Town Hall and apply for a grant after.

AYES 4- Rumrill, Seeley, Fogarty, Vedder

NAYES 1-Rutkowski

AUDIT OF CLAIMS:

Motion was made by Councilwoman Lorraine Rumrill, and seconded by Councilman Todd Vedder to approve the payment of bills as follows:

June 2022 - General Fund	Vouchers #81-90	TOTALING \$ 3,874.30
June 2022 – Highway Fund	Vouchers #99-114	TOTALING \$ 13,919.36
June 2022 – Prepay Fund	Vouchers #66-70	TOTALING \$ 560.11

AYES-4 Fogarty, Rumrill, Seeley, Vedder

NAYES-0

ABSTAIN-1 Rutkowski

RESOLUTION 18-2022 AMENDING AGREEMENT FOR THE EXPENDITURE OF HIGHWAY AMOUNTS OF MONEYS FOR THE YEAR 2022

WHEREAS, the agreement between Lawrence Staring, Town Highway Superintendent of the Town of Stratford Fulton County New York, and undersigned members of the Town Board. Pursuant to the provisions of Section 284 of the Highway Law, has resigned on May 12, 2022.

BE IT RESOLVED; that Robert Knapp newly appointed Superintendent, of the Town of Stratford, Fulton County New York, will assume the Agreement for the Expenditure of Highway sums of money on Form #284, dated 2022.

Offered by: Councilwoman Tiffany Rutkowski
Second by: Councilwoman Lorraine Rumrill

AYES 5 Fogarty, Rumrill, Seeley, Rutkowski, Vedder
NAYES 0

ADOPTED

RESOLUTION #19-2022 FOR RENEWAL OF WATER CONTRACT BETWEEN THE HIGHWAY DEPARTMENT AND STRATFORD VOLUNTEER FIRE COMPANY

WHEREAS, The Stratford Town by resolution adopted at a hearing has determined that it is in the public interest to obtain a water supply for the Town Garage and the Town Board has consented to the terms of this Agreement and has authorized it's execution;

BE IT RESOLVED, in consideration of the provisions herein contained, the Town and Fire Company do hereby covenant and agree with each other.

Offered by: Councilwoman Lorraine Rumrill
Second by: Councilman Scott Seeley

AYES 5-Rumrill, Seeley, Rutkowski, Fogarty, Vedder
NAYES 0

ADOPTED

RESOLUTION #20-2022 ADOPTION OF THE NEW YRK STATE UNIFIED SOLAR PERMIT

WHEREAS, The Town of Stratford Town Board duly adopted the "NYS Fire Prevention and Building Construction" code to provide minimum requirements to safeguard the public safety; and

WHEREAS, The Town of Stratford Code Enforcement Officer, who administers and enforces all provisions of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Code, and The Town of Stratford Code; and

WHEREAS, The Town of Stratford requires the issuance of a building permit for the construction, enlargement, alteration, repair, removal or demolition of any building or other structure; and

WHEREAS, The New York State Energy Research and Development Authority has developed a New York State Unified Solar Permit that reduces the cost for solar projects by streamlining municipal permitting processes; and

WHEREAS, The Town of Stratford Town Board desires to promote the streamlining of the application process for small-scale photovoltaic system installations under 25 kW in size by adopting the New York State Unified Solar Permit application form and procedures for the installation of small scale photovoltaic systems; and it is further

NOW THEREFORE, BE IT RESOLVED, the Town of Stratford Town Board hereby adopts the New York State Unified Solar Permit application form and procedures for the installation of small scale photovoltaic systems; and it is further

RESOLVED, The Town of Stratford Code Enforcement Officer is hereby directed to use said New York State Unified Solar Permit application form and procedures in the issuance of building permits for the installation of small-scale photovoltaic systems; and it is further

RESOLVED, Any further actions required of the Town of Stratford to effect the forgoing are hereby authorized and the Chief Elected Official is hereby authorized to execute and deliver any instruments, documents or the like as required to effect the same.

The vote on the foregoing resolution was as follows:

Motion by: Councilwoman Lorraine Rumrill
Second by: Councilman Scott Seeley

AYES	4	Rumrill, Seeley, Fogarty, Vedder
NAYES	1	Rutkowski

ADOPTED

RESOLUTION #21-2022 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 Stratford 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 Stratford 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 Stratford; and

WHEREAS, The Town of Stratford Town Board desires to establish procedures or guideline for Town of Stratford 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 Stratford that is 1,000 square feet or larger in size.

(5) "Department" shall mean the Department selected to enforce the benchmarking policy.

(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 kBtu's (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.

(12) "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.

(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 Buildings 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, 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.

(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, 2023 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

(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;

Motion by Councilwoman Lorraine Rumrill
Second by Councilman Todd Vedder

AYES 4 Rumrill, Fogarty, Seeley, Vedder
NAYES 1 Rutkowski

ADOPTED July 14, 2022

RESOLUTION #22-2022 RESOLUTION FOR QUALIFIED ABANDONMENT OF A PORTION OF EDICK ROAD

WHEREAS; That portion of Edick Road, Town of Stratford, Fulton County, NY which immediately leads to and runs over the Edick culvert as illustrated and outlined on the attached map has not for two years next previous thereto been usually traveled along the greater part thereof by more than two vehicles daily in addition to pedestrians and persons on horseback.

NOW, THEREFORE BE IT RESOLVED; That for the last two years the portion of Edick Road identified herein has not usually been traveled by more than two vehicles, pedestrians or persons on horseback on a daily basis, and;

Be it further resolved; that the Superintendent of highways of the County of Fulton shall conduct a public hearing pursuant to the New York State Highway law to determine whether such qualified abandonment is proper and will not cause injustice or hardship to adjoining land owners or occupants, if any, and;

BE IT FURTHER RESOLVED, THAT THE EFFECT OF SUCH QUALIFIED ABANDONMENT IS AS FOLLOWS;

It shall no longer be worked at public expense,
It shall not cease to be a highway for public easement,
No persons shall impair the use, and such other effects pursuant to statute.

Motion by Councilman Scott Seeley
Second by Councilwoman Lorraine Rumrill

AYES 3 Fogarty, Seeley, Rumrill
NAYES 2 Vedder, Rutkowski

ADOPTED JULY 14, 2022

RESOLUTION #23-2022 RESOLUTION FOR QUALIFIED ABANDONMENT OF A PORTION OF HAWES ROAD

WHEREAS: that portion of Hawes Road which immediately leads to and runs over the Hawes bridge, Town of Stratford, Fulton County, NY as illustrated and outlined on the attached map, identification No. 66.10-2-7.5 has not for two years next previous thereto been usually traveled along the greater part thereof by more than two vehicles, pedestrians or persons on horseback on a daily basis, and;

NOW, THEREFORE, BE IT RESOLVED; that for the last two years the portion of Hawes Road identified herein has not usually been traveled by more than two vehicles, pedestrians or persons on horseback on a daily basis, and;

BE IT FURTHER RESOLVED, THAT THE Superintendent of highways of the County of Fulton shall conduct a public hearing pursuant to the New York State Highway law to determine whether such qualified abandonment is proper and will not cause injustice or hardship to adjoining land owners or occupants, if any, and;

BE IT FURTHER RESOLVED, that the effect of such qualified abandonment is as follows;

It shall no longer be worked at public expense,
It shall not cease to be a highway for a public easement,
No persons shall impair the use, and such other effects pursuant to statute.

Motion by: Councilwoman Lorraine Rumrill
Second by: Councilman Scott Seeley

Discussion:

All in Favor: Supervisor Richard Fogarty, Councilman Scott Seeley, Councilwoman Lorraine Rumrill
Opposed: Councilman Todd Vedder, Councilwoman Tiffany Rutkowski

ADOPTED JULY 14, 2022

A Motion to adjourn was made by Councilwoman Lorraine Rumrill and second by Councilman Todd Vedder.

AYES 5
NAYES 0

Meeting adjourned at 7:57PM

Respectfully submitted

Patricia Dineen, Town Clerk