

EXTRACT OF THE MINUTES OF THE MEETING OF THE TOWN BOARD OF THE TOWN OF
MAMARONECK HELD MAY 19, 2021 BEGINNING AT 5:00 PM.

PURSUANT TO THE GOVERNOR'S EXECUTIVE ORDER NO. 202.1, SUSPENSION OF LAW
ALLOWING THE ATTENDANCE OF MEETINGS TELEPHONICALLY OR OTHER SIMILAR
SERVICE:

Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed:

Energy Benchmarking for Certain Municipal Buildings

On motion of Councilwoman Katz, seconded by Councilwoman Fiddelman, the following was approved,

WHEREAS, buildings are the single largest user of energy in New York State. 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 Mamaroneck 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 Mamaroneck Town Board desires to use Building Energy Benchmarking which is a process of measuring a building's energy use, tracking that use over time, and comparing performance to similar buildings in order 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 Mamaroneck; and

WHEREAS, the Town of Mamaroneck Town Board desires to establish guidelines for Town of Mamaroneck staff and volunteers to conduct such Building Energy Benchmarking; and

NOW THEREFORE, BE IT RESOLVED, that the following specific policies and procedures are hereby adopted:

Building Energy Benchmarking POLICY and procedures

§1. DEFINITIONS

- (1) "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.
- (2) "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.
- (3) "Energy" shall mean electricity, natural gas, 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, and "Energy" shall mean fuel (gasoline or diesel) for the Town's fleet as reflected in utility bills or other documentation of actual energy use.
- (4) "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.
- (5) "Energy Use Intensity (EUI)" shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.
- (6) "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.
- (7) "Utility" shall mean an entity that distributes and sells energy to covered Municipal Buildings.

§2. APPLICABILITY

- (1) This policy is applicable to all Municipal Buildings measuring one hundred (100) square feet or more.
- (2) The Sustainability Coordinator may exempt a particular Municipal Building from the benchmarking requirement, if the Sustainability Coordinator determines that it has characteristics that make benchmarking impractical.

§3. BENCHMARKING REQUIRED FOR MUNICIPAL BUILDINGS

No later than May 1 every year, the Sustainability Coordinator or his or her designee shall enter into Portfolio Manager the total energy consumed by each Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

- (2) For new Municipal Buildings that have not accumulated twelve (12) months of energy use data by the first applicable date following occupancy for inputting energy use into Portfolio Manager, the Sustainability Coordinator or his or her designee shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

- (1) The Town shall make available to the public on the internet Benchmarking Information for the previous calendar year:
 - (a) By September 1 of each year for Municipal Buildings; and

- (2) The Sustainability Coordinator 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 Municipal Buildings derived from aggregation of Benchmarking Information; and
- (b) For each 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 across calendar years for all years since reporting under this Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The Sustainability Coordinator shall maintain records as necessary for carrying out the provisions 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 Town for a period of five (5) years.

§6. ENFORCEMENT AND ADMINISTRATION

- (1) The Sustainability Coordinator or his or her designee shall be the Chief Enforcement Officer of this Policy.

- (3) Within thirty (30) days after each anniversary date of the effective date of this Policy, the Sustainability Coordinator shall submit a report to the Town Board, including but not limited to, a summary of statistics on energy consumption for Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Municipal Buildings identifying each Municipal Building that the Sustainability Coordinator 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 above resolution was put to a roll call vote:

King	Aye
Fiddelman	Aye
Elkind Eney	Aye
Katz	Aye
Seligson	Aye

COUNTY OF WESTCHESTER
TOWN OF MAMARONECK

} SS.:

I do hereby certify that I have compared the annexed Resolution with the original on file in my office, and that the same is a true and correct transcript therefrom and of the whole of the said original Resolution, which was duly passed by the Town Board of the Town of Mamaroneck, a quorum being present May 19, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said Town of Mamaroneck, this 24 day of June, 2021.


Christina Battalia Town Clerk (Deputy Town Clerk)