

**Resolution by the Town Board of the Town of Lake George
To Adopt Energy Benchmarking Policy Requirements for Certain
Municipal Buildings in the Town of Lake George
Resolution #173-2016**

On a motion by Board member Muratori, and seconded by Board member Hurley

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 Town of Lake George, 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 Town of Lake George 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:

- (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) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Town of Lake George that is 1,000 square feet or larger in size.
- (4) "Department" shall mean the Planning and Zoning Department, assigned the responsibility of administering the Energy benchmarking program.
- (5) "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.

(6) “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.

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

(8) “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.

(9) “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.

(10) “Town Board” shall mean the Town Board of the Town of Lake George.

(11) “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; and

WHEREAS, this Local Policy is applicable to all Covered Municipal Buildings as defined in item 5 above of this Local Policy; and

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

WHEREAS, no later than May 1, 2017 and every year thereafter, the Director of Planning and Zoning, 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 Director of Planning and Zoning 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 September 1, 2017 and 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 Director of Planning and Zoning 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 by the 1st of September of every calendar year hereafter, the Administrator of the Benchmarking Policy 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 Town Board 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 Town Board and a copy of this resolution shall be provided to the Planning and Zoning Department as well as the NYS Department of Environmental Conservation, and the NYS Energy Research and Development Authority.

AYES: Hurley, Dickinson, Muratori, Stannard

NAYES:

ABSENT: Crocitto

RESOLUTION duly adopted on: November 14, 2016