

AGENDA – REGULAR MEETING  
VILLAGE OF POTSDAM BOARD OF TRUSTEES  
OCTOBER 17, 2022 – 6:00 P.M.

POINT OUT THE LOCATION OF THE EXITS ON THE NORTH AND EAST WALLS OF THE BOARD ROOM. ADVISE THAT THE BOARD ROOM HAS A CAPACITY FOR 109 PEOPLE.

ROLL CALL:

1. ACCEPTANCE OF MINUTES:

October 3, 2022	Public Hearing	5:50 p.m.
October 3, 2022	Regular Meeting	6:00 p.m.

2. MAYOR'S COMMENTS:

3. TRUSTEE'S COMMENTS:

4. ADMINISTRATOR'S COMMENTS:

5. PUBLIC COMMENT:

6. NEW BUSINESS:

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution approving the partial expenditures for the month of October 2022 in the amount of \$79,145.75 chargeable to the following funds:

General Fund	\$ 43,115.16
Water Fund	12,858.70
Sewer Fund	5,467.21
Hydro Fund	38.00
Trust & Agency Fund	95.00
Recreation Fund	3,082.40
Trash Fund	<u>14,489.28</u>
TOTAL	<u>\$ 79,145.75</u>

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution approving the additional expenditures for the month of September 2022 in the amount of \$538,429.36 chargeable to the following funds:

General Fund	\$ 120,236.06
Water Fund	20,959.62
Sewer Fund	219,770.83
Hydro Fund	33,432.93
Trash Fund	79.34
Trust & Agency Fund	3,489.98
Payroll Fund	109,923.75
Recreation Fund	4,336.85
Community Development Fund	<u>26,200.00</u>
TOTAL	<u>\$ 538,429.36</u>

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution authorizing the Treasurer to pay the following invoice:

TO: Johnson & Laws LLC in the amount of \$252.86 for professional services rendered in September 2022 for JEDA v. Potsdam Associates, et al.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution authorizing The Village Board of Trustees and the Village Tax Collector to sign the Village of Potsdam Tax Roll of Unpaid Taxes for the 2022-2023 period, in the amount of \$281,831.27, plus interest and penalties in the amount of \$19,728.21 for a total of \$301,559.48, as of 4 o'clock p.m., Thursday, October 6, 2022, to be turned over to the St. Lawrence County Treasurer, Canton, New York.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution as follows:

LOCAL LAW #4-2022

**Section 1. Purpose.**

The Purpose of this Local Law is to Amend Chapter 180, Article XII Photovoltaic Siting of the Village of Potsdam Municipal Code.

**Section 2. Amendment.**

**Remove:**

§180-54 (D) (5)

**Replace:**

§180-54 (C) (3)

- (h) Utility-scale solar collectors shall be permitted within the IND and BLI Zoning Districts subject to site plan review and a special use permit.

§180-54 (C) (3)

- (i) Ground-mounted and free-standing solar collectors shall be permitted within the IND and BLI Zoning Districts subject to the following conditions:

**Add:**

§180-54 (G) Abandonment and Decommissioning of Utility-Scale Photovoltaic Systems

- (1) Utility-scale photovoltaic systems are considered abandoned after twelve (12) months without use of the electrical energy generated at that site and must be removed from the property. Applications for a one-time extension of six (6) months may be requested and will be reviewed by the Village Planning Board.

- (2) At the end of the lease, all equipment above grade, and to a depth of four (4) feet below grade, shall be removed from the site. The site's soils shall also be decompacted to a depth of two (2) feet, regraded and reseeded to resemble the site's original state.
- (3) Financial assurance of a decommissioning bond or fund shall be provided by the applicant and applicant's successors and assigns. The applicant and applicant's successors and assigns shall continuously maintain a bond or fund in the amount of the decommissioning costs according to this section. It shall be payable to the Village of Potsdam for the removal and restoration of the non-functional or inoperable solar energy system or device.
- (4) Financial assurance shall be in place and effective before the commencement of construction and will be in an amount of the net decommissioning costs, to be determined by a qualified independent engineer licensed to practice in the State of New York at the applicant's expense. This estimate shall be reviewed by qualified, independent engineers engaged by the Village of Potsdam; the cost of said review shall be at the applicant's expense. This estimate shall be determined and reviewed by the Village Board of Trustees every two (2) years.
- (5) The financial assurance provided may be in the form of a letter of credit, a bond issued by a New York State licensed surety firm, escrow account or other form approved by the Village of Potsdam's Board of Trustees. The applicant shall make an initial deposit of an amount determined by the Village of Potsdam's Board of Trustees to the fund. Applicant's application for site plan review and special use permit will not be processed until proof of deposit has been provided by the applicant to the Village Board of Trustees. All costs associated with this financial assurance shall be borne by the applicant.

#### §180-54 (H) Decommissioning Plan

To ensure the proper removal of utility-scale photovoltaic systems, a Decommissioning Plan shall be submitted as part of the application for site plan and special permit review. Compliance with this plan shall be made a condition of this plan shall of the issuance of special use permit or site plan approval under this section. The Decommissioning Plan must specify that after the utility-scale photovoltaic system has not used the electricity produced at the site for a twelve (12) month period and can no longer be used, it shall be removed by the applicant, applicant's successors, assigns or subsequent owner within ninety (90) days after the end of the twelve (12) month period. The plan shall demonstrate how the removal by the applicant, applicant's successors or subsequent owner. The plan shall demonstrate how the removal of all infrastructure and remediation of soil and vegetation shall be conducted to return the property to its original state prior to construction. The plan shall include a timeline for execution. A cost estimate detailing the photovoltaic projected cost

of executing the Decommissioning Plan shall be prepared by a professional engineer who is licensed to practice in the State of New York. Cost estimates shall exclude salvage value of the system components and account for inflation. Removal of utility-scale photovoltaic system must be completed in accordance with the Decommissioning Plan. If the utility-scale photovoltaic system is not decommissioned after being abandoned, the Village of Potsdam may remove the system and restore the property and impose a lien on the property to cover the Village of Potsdam’s related expenditures.

**Section 3. Enactment.**

This Local Law shall become effective immediately upon the notification of the filing of same with the Secretary of State.

ROLL CALL VOTE:

Ayes:

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Nays:

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Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution to hold a public hearing on Monday, November 7, 2022 at 5:50 p.m. in the Civic Center Board Room, Park Street, Potsdam, NY. The purpose of the hearing is to receive public comments on a proposed Local Law to replace Chapter 94, Fire Prevention & Building Code with an entire new Chapter.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution authorizing the Mayor to sign the Field Services Proposal with Rodney Hunt for technical services for the East Dam Hydro in the amount of \$5,440.00.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution to adjourn the Regular Meeting of the Village of Potsdam Board of Trustees of October 17, 2022 at \_\_\_\_\_ p.m.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_