

A Regular Meeting of the Village of Potsdam Board of Trustees was held on Monday, October 17, 2022, at 6:00 P.M., in the Civic Center Board Room, Park Street, Potsdam, New York.

PRESENT: Deputy Mayor Warr  
Trustees Tirion, Jacobs-Wilke & Lee

ALSO PRESENT: Lori S. Queor, Village Clerk/Registrar  
Georgine Scott, Deputy Clerk/Registrar  
Mimi VanDeusen, Museum Director  
Mark Murray, Police Chief  
Fred Hanss, Planning Director  
Greg Thompson, Administrator

Deputy Mayor Warr opened the meeting at 6:00 P.M., pointed out the exits on the North and East Walls and advised that the board room has the capacity for 109 people.

The Deputy Mayor then stated that all members were present except for Mayor Tischler.

The Deputy Mayor then stated that the following sets of minutes had been submitted for Board acceptance:

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

Motion was made by Trustee Lee and Seconded by Trustee Jacobs-Wilke to accept the minutes as submitted. All Were in Favor – None Opposed – Motion Carried.

Deputy Mayor's comments: Spoke with the Town of Potsdam about helping to support the pickleball courts. Supervisor Ann Carvill was wonderful during discussions and was in support, but the rest of the board did not support helping the Village with the Pickleball Courts. It is my personal opinion that two board have clouded judgement about the recreation program and can't separate the adult side (pickleball) from the children side.

Trustee's Comments:

Trustee Tirion – Greg has an item on his report about requiring any water user that has a 4" or larger line to install a master meter in order to capture all the usage. DANC encouraged us back in 2016 to require this and I support this change. Put a Facebook post on the Village's Facebook that there is an informational meeting Thursday from 12-2 by appointment for those who want to discuss their water/sewer bills and the EDUs.

Trustee Jacobs-Wilke – Read the notice from the hospital about the change in the flow of traffic due to the expansion project. Entrance will now be on the Cottage Street side instead of where the main entrance used to be. Pavilion construction has begun in the original location. Working on recruiting members for the Comprehensive Planning Committee.

Trustee Lee – No comments.

Discussion was had regarding the Brooks Street project and the parking spaces that will be lost. A meeting will be arranged with Brooks Washburn to discuss the issue.

Administrator's Comments – Submitted a written report that is on file with the Village Clerk. He then went over his report with the board.

Public Comment: Michael Edgar spoke regarding the removal of dirt on the sidewalks. Greg stated that he will have the DPW crew get to it tomorrow.

New Business:

Trustee Lee Moved and Trustee Jacobs-Wilke 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 4	(Deputy Mayor Warr) (Trustee Tirion, Jacobs-Wilke & Lee)	Nays 0
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Trustee Lee Moved and Trustee Jacobs-Wilke 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 4	(Deputy Mayor Warr) (Trustee Tirion, Jacobs-Wilke & Lee)	Nays 0
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Trustee Lee Moved and Trustee Jacobs-Wilke 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 3 (Trustee Tirion, Jacobs-Wilke & Lee) Nays 1 (Deputy Mayor Warr)

Trustee Lee Moved and Trustee Jacobs-Wilke 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 4 (Deputy Mayor Warr) Nays 0  
(Trustee Tirion, Jacobs-Wilke & Lee)

Trustee Lee Moved and Trustee Jacobs-Wilke 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 4	(Deputy Mayor Warr (Trustee Tirion, Jacobs-Wilke & Lee)	Nays 0
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Trustee Lee Moved and Trustee Jacobs-Wilke 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 4	(Deputy Mayor Warr (Trustee Tirion, Jacobs-Wilke & Lee)	Nays 0
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