

AGENDA - REGULAR MEETING
VILLAGE OF POTSDAM BOARD OF TRUSTEES
JULY 6, 2015 – 3:00 P.M.

1

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. APPROVAL OF MINUTES:

June 15, 2015	Regular Meeting	7:00 p.m.
June 15, 2015	Executive Session	8:02 p.m.

2. MAYOR'S COMMENTS:

3. TRUSTEES' COMMENTS:

4. ADMINISTRATOR'S COMMENTS:

5. PUBLIC COMMENTS:

6. NEW BUSINESS:

Trustee _____ Moved and Trustee _____ Seconded a resolution approving the partial expenditures for the month of July 2015 in the amount of \$102,001.42 chargeable to the following funds:

General Fund	\$ 75,173.47
Water Fund	2,881.77
Sewer Fund	22,981.29
Hydro Fund	960.17
Trash Fund	4.72
TOTAL	<u>\$102,001.42</u>

AYES _____

NAYS _____

Trustee _____ Moved and Trustee _____ Seconded a resolution approving the additional expenditures for the month of June 2015 in the amount of \$293,101.44 chargeable to the following funds:

General Fund	\$172,183.90
Water Fund	36,557.65
Sewer Fund	38,731.17
Hydro Fund	3,563.21
Trash Fund	53.50
Trust & Agency Fund	3,697.51
Capital Fund	10,406.54
Payroll Fund	27,907.96
TOTAL	<u>\$ 293,101.44</u>

AYES _____

NAYS _____

Trustee _____ Moved and Trustee _____ Seconded a resolution approving the increase to full-time for Code Compliance Technician Ken Alberts effective June 1, 2015 at an annual salary of \$38,085.

AYES _____

NAYS _____

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

TO: Lemire, Johnson & Higgins in the amount of \$165.00 for professional services rendered from 4/13/15 to 5/18/15 re: JEDA Capital 56 LLC v. Village of Potsdam.

Funds to come from Water Fund Contingency.

AYES _____

NAYS _____

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

TO: Barton & Loguidice in the amount of \$5,130.00 for professional services through May 23, 2015 re: the Potsdam WPCF and Coll. System.

Funds to come from Sewer Fund Contingency.

AYES _____

NAYS _____

Trustee _____ Moved and Trustee _____ Seconded a resolution awarding the bid for painting of the Civic Center to Katy's Professional Painting in the amount of \$18,795.00. Two bids were received and this was the lowest bid.

AYES _____

NAYS _____

Trustee _____ Moved and Trustee _____ Seconded a resolution increasing the rental of hangar space at Damon Field, Potsdam Airport, from forty cents (\$.40) per square foot to the sum of fifty cents (\$.50) per square foot of rental space for the 2015-2016 fiscal year.

AYES _____

NAYS _____

Trustee _____ Moved and Trustee _____ Seconded a resolution setting the terms for the Airport T-Hanger leases at \$220 per month which includes up to \$45 electrical usage. After \$45 electrical usage is reached, the lessee will be billed.

AYES _____

NAYS _____

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

TO: C & S Engineers in the amount of \$11,072.15 for professional service rendered from 4/11/15 through 5/29/15 in connection with the Environmental Assessment at the Potsdam Airport, FAA AIP No 3-36-0099-24-10; NYSDOT No. 7907.44.

AYES _____

NAYS _____

Trustee _____ Moved and Trustee _____ Seconded a resolution as follows:

LOCAL LAW #4-2015

Section 1. Purpose.

The Purpose of this Local Law is to Amend Chapter 180 Zoning to Add Article XII Moratoria of the Village of Potsdam Municipal Code.

Section 2. Amendment.

ADD:

Article XII. Moratoria

§180-52 Title.

Moratorium on the Development of Commercial Scale Photo-Voltaic Electricity Generating Facilities.

§180-53 Purpose.

To enact a six (6) month moratorium on the development of commercial scale photo-voltaic electricity generating facilities pending completion of the Village Planning Board’s review and revision of §180, Zoning of the Village Code, a process presently underway; and, the Village Board of Trustee’s action on the revised code.

§180-54 Scope.

This local law enacts a moratorium on the development of photo-voltaic electricity generating facilities except for those installed at one (1) and two (2) family dwellings within the Village of Potsdam.

The Village of Potsdam enacts a moratorium on the development of commercial scaled photo-voltaic generating facilities within the Village boundaries for a period of six (6) months from the date of the Village Board of Trustees adoption of the local law and its filing with the New York State Secretary of State.

Photo-voltaic electricity generating facilities installed at one (1) and two (2) family dwellings as an accessory use are exempt from the moratorium subject to §180 Zoning of the Village Code and the New York State Fire Prevention and Building Code.

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:

NAYS:

Trustee _____ Moved and Trustee _____ Seconded a resolution to adjourn the Regular Meeting of the Village of Potsdam Board of Trustees of July 6, 2015 at _____ p.m.

AYES _____

NAYS _____

A Regular Meeting of the Village of Potsdam Board of Trustees was held on Monday, June 15, 2015 at 7:00 P.M., in the Civic Center Board Room, Park Street, Potsdam, New York.

PRESENT: Mayor Yurgartis
Trustees Warr, Hopke, & Tischler

ALSO PRESENT: Everett Basford, Village Administrator
Lori S. Queor, Clerk/Treasurer
Greg Thompson, Code Officer
Kevin Bates, Police Chief
Fred Hanss, Planning Director
Justin Perry, Fire Chief
Tim Jerome, Fire

Mayor Yurgartis opened the meeting at 7:00 P.M., and stated that all members were present with the exception of Trustee Garner

Mayor Yurgartis then stated that the following sets of minutes had been submitted for Board approval:

May 29, 2015	Special Meeting	10:00 a.m.
June 1, 2015	Regular Meeting	3:00 p.m.
June 1, 2015	Executive Session	3:17 p.m.

A Motion was made by Trustee Tischler and Seconded by Trustee Warr to approve the minutes as submitted. All were in favor, none opposed, motion carried.

Mayor's comments: First Saturday will be September 5th this year. Market Street from Main to Elm St. will be closed.

Trustees' comments: Trustee Warr had no comments. Trustee Hopke asked about the travel allowance for the Administrator. Administrator Basford stated that it is in the code that the Administrator gets \$100 a month for travel. He stated that he could track his mileage but that it will be cumbersome. The Mayor stated that there is a mileage allowance for personal use of a vehicle during village business and that is the mechanism he thinks should be used. Trustee Hopke asked about the IT issues that personnel were having. Mayor Yurgartis stated that he talked to Russ Nelson and he will work with personnel to retrieve archived emails. Trustee Hopke asked about the AT & T and Verizon contracts. The Mayor stated that he is still working on these. Trustee Tischler had no comments.

Administrator's Comments: Administrator Everett Basford reported to the board on the need to have the tank that holds sodium hydroxide at the Water Plant refurbished. It did not pass inspection and it will cost us substantially more to take small loads of the chemical. The cost to refurbish the tank is approximately \$16,000. The Administrator also reported on the Sewer Plant digester tank needing cleaning. There is approximately five feet of sand and debris in the bottom that needs removing and the cost is approximately \$50,000. Administrator Basford reported that the East Hydro Dam #1 oil pump issue has been corrected, a hydraulic cylinder needed repairs and will be installed this week and everything should be ready to test and get back on line. He then reported that the computer upgrade has not been addressed. He stated that we can upgrade

our accounting software version for free, that it will cost about \$2,700 to have the company migrate our data, and that maintenance fees will increase by 15% each year for the next three years. He stated that the software company is basically driving you to a new package called Financial Edge which would cost about \$26,000. The Administrator stated that he has reached out to other villages to see what they are using. He then reported that the 2014-2015 budget year has ended, there are some adjustments to be made including the credit from National Grid for the remote net metering in the sum of approximately \$24,000 and that we will be meeting with Tom Peet from Pinto's office to talk about how to handle that and a couple other issues.

Airport Manager's Report: Administrator Basford gave the board an update on the airport projects. He stated that the Jet A fuel tank has been repaired and all that is left is to get the St. Lawrence County Weights and Measures to inspect and stamp it. He informed the board that DEC, C & S, himself and Trustee Hopke met regarding the Obstruction Removal at the airport and that the DEC would like the property visually flagged and they are requiring a Blanding Turtle survey. Trustee Warr asked about the cost structuring for the fuel. The Administrator stated that you can sell it market price or cost plus and currently we now price it at cost plus 15%. It was decided that we should continue pricing this way.

Fire Chief's Report: Fire Chief Justin Perry provided the board with a written report which is on file with the Village Clerk. He then went over his report with the board.

Public Comment: None

New Business:

Trustee Tischler Moved and Trustee Warr Seconded a resolution approving the partial expenditures for the month of June 2015 in the amount of \$272,757.59 chargeable to the following funds:

General Fund	\$157,101.34
Water Fund	44,282.69
Sewer Fund	34,166.69
Hydro Fund	18,260.25
Trust & Agency Fund	1,358.28
Trash Fund	<u>17,588.34</u>
TOTAL	<u>\$272,757.59</u>

AYES 4 (Mayor Yurgartis)
(Trustee Warr, Hopke & Tischler)

NAYS 0

Trustee Tischler Moved and Trustee Warr Seconded a resolution approving the additional expenditures for the month of May 2015 in the amount of \$86,465.02 chargeable to the following funds:

General Fund	\$ 67,379.07
Water Fund	11,957.99
Sewer Fund	6,635.24
Hydro Fund	<u>492.72</u>
TOTAL	\$ <u>86,465.02</u>

AYES 4 (Mayor Yurgartis) NAYS 0
(Trustee Warr, Hopke & Tischler)

Trustee Tischler Moved and Trustee Warr Seconded a resolution authorizing the Mayor to sign the Grant of Easement and Agreement with Clarkson Solar, LLC.

AYES 4 (Mayor Yurgartis) NAYS 0
(Trustee Warr, Hopke & Tischler)

Trustee Tischler Moved and Trustee Warr Seconded a resolution setting the terms of the Airport T-Hanger leases at \$220 per month with a \$45 fee per month for electrical usage.

Prior to the vote on the above resolution discussion occurred. It was decided that the language regarding the cost for electrical usage needed clarification:

Trustee Tischler Moved and Trustee Warr Seconded a resolution to table the agenda item above.

AYES 4 (Mayor Yurgartis) NAYS 0
(Trustee Warr, Hopke & Tischler)

Resolution was tabled.

Trustee Tischler Moved and Trustee Warr Seconded a resolution authorizing the Treasurer to adjust the 2014-2015 tax roll by decreasing same in the amount of \$124.43 on property owned by Jerald & Linda Yette, 32 Sisson Street, Potsdam, NY. This adjustment corrects a clerical error that occurred through the Assessor's office because the Empire Zone Exemption was missing.

AYES 4 (Mayor Yurgartis) NAYS 0
(Trustee Warr, Hopke & Tischler)

Trustee Tischler Moved and Trustee Warr Seconded a resolution authorizing the Mayor to sign the Building and Hangar Lease agreement with Air Methods Corporation.

AYES 4 (Mayor Yurgartis) NAYS 0
(Trustee Warr, Hopke & Tischler)

Trustee Tischler Moved and Trustee Warr Seconded a resolution authorizing the Mayor to sign the Technical Services Agreement for Water/Wastewater & Hydroelectric Facility Operation Qualitative Efficiency Assessment with the Development Authority of the North Country. Costs for such services shall not exceed \$2,000. Funds to come from Sewer Fund Contingency.

AYES 4 (Mayor Yurgartis) NAYS 0
(Trustee Warr, Hopke & Tischler)

Trustee Tischler Moved and Trustee Warr Seconded a resolution authorizing the use of \$4,449 in Restricted DEA Funds for the purchase of equipment for the new police vehicle.

AYES 4 (Mayor Yurgartis) NAYS 0
(Trustee Warr, Hopke & Tischler)

Trustee Tischler Moved and Trustee Warr Seconded a resolution to seek approval from the NYS Office of Community Renewal to amend the boundaries of the New York Main Street Target Area one block north on Market Street as follows:

On the east side of Market Street one block north from the corner of Market and Elm Streets to the corner of Market and Munson Streets; and,

On the west side of Market Street from the existing boundary north one block to the intersection of Market and Depot Streets.

AYES 4 (Mayor Yurgartis) NAYS 0
(Trustee Warr, Hopke & Tischler)

Trustee Tischler Moved and Trustee Warr Seconded a resolution to go into executive session for the discussion of contracts at 8:02 p.m.

AYES 4 (Mayor Yurgartis) NAYS 0
(Trustee Warr, Hopke & Tischler)

An Executive Session of the Village of Potsdam Board of Trustees was held on Monday, June 15, 2015 at 8:02 P.M., Civic Center, Park Street, Potsdam, New York.

PRESENT: Mayor Yurgartis
Trustees Warr, Hopke & Tischler
Village Administrator Everett Basford

The Board of Trustees, upon a resolution offered by Trustee Tischler and seconded by Trustee Warr went into Executive Session for the discussion of contracts at 8:02 p.m.

Discussion of same was had; no formal vote or action was taken in Execution Session.

Upon a resolution offered by Trustee Warr and seconded by Trustee Tischler the Executive Session was adjourned at 8:31 P.M.

The undersigned was not in attendance at this Executive Session. Information was provided by Village Administrator Everett Basford.

Respectfully submitted,

Lori S. Queor
Village Clerk

LEMIRE, JOHNSON & HIGGINS, LLC

Attorneys at Law

2534 Route 9, P.O. Box 2485, Malta, NY 12020

518.899.5700 ~ 518.793.9005

Fax 518.899.5487

www.lemirejohnsonlaw.com

June 17, 2015

David H. Fenton, Jr. Village Administrator
Village of Potsdam
Civic Center – Park Street
P.O. Box 5168
Potsdam, NY 13676

Dear Mr. Fenton:

Attached please find our Statement No.480768 for legal services rendered in the captioned case. Please remit payment at your earliest convenience.

Please feel free to call me with any questions.

Thank you.

Very truly yours,

LEMIRE, JOHNSON & HIGGINS, LLC

Diane M. Ostrander

Diane M. Ostrander

Billing Department

Diane@lemirejohnsonlaw.com

Enclosures

OK
Edwards
6/22/15

10-1990-479

LEMIRE, JOHNSON & HIGGINS, LLC

ATTORNEYS AT LAW

Mailing Address

P.O. Box 2485
Malta, NY 12020

Tax ID No. 26-3855578

Phone 518.899.5700
Fax 518.899.5487

Village of Potsdam
Village of Potsdam
Civic Center - Park Street
PO Box 5138
Potsdam, NY 13676

Statement Date: 06/17/2015
Firm File No. 138.000
Statement No. 480768
Page No. 1

RE: JEDA Capital 56 LLC v. Village of Potsdam

Previous Balance \$99.00

LEGAL SERVICES

					Rate	Hours	
04/13/2015	AJL	L500	A104	Review/analyze e-mails from Court.	165.00	0.20	33.00
	AJL	L500	A104	Review/analyze letter from Plaintiff to Court	165.00	0.10	16.50
	GTJ	L500	A104	Review/analyze ECF Notice		0.10	n/c
04/14/2015	AJL	L500	A104	Review/analyze e-mails from Court.	165.00	0.20	33.00
	GTJ	L500	A104	Review/analyze ECF notice and submissions made by JEDA		0.20	n/c
04/15/2015	AJL	L500	A104	Review/analyze e-mails from Court.	165.00	0.20	33.00
05/18/2015	GTJ	L500	A104	Review/analyze ECF Notice from USCO 2nd Circuit.		0.20	n/c
	AJL	L500	A104	Review/analyze emails from Court	165.00	0.20	33.00
	AJL	L500	A104	Review/analyze correspondence from Plaintiff to Court	165.00	0.10	16.50
				For Current Services Rendered		1.00	165.00
				Total Non-billable Hours		0.50	

Recap

<u>Timekeeper</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
April J. Laws	Associate	1.00	\$165.00	\$165.00

Total Current Work

165.00

Village of Potsdam
Firm File No.: 138.000
RE: JEDA Capital 56 LLC v. Village of

Statement Date: 06/17/2015
Statement No. 48076
Page No. 2

Finance Charge 1.07

BALANCE DUE \$265.07

Previously Billed Amounts

<u>Stmt Date</u>	<u>Stmt #</u>	<u>Billed</u>	<u>Due</u>
04/15/2015	479908	99.00	99.00
			99.00

Task Code Recap

L500 Appeal
L500 Appeal

<u>LEGAL SERVIC</u>	<u>Expenses</u>
165.00	0.00
165.00	0.00



290 Elwood Davis Rd.
 PO Box 3107
 Syracuse, NY 13220-3107
 315-457-5200

Steven Yurgartis
 Mayor
 Village of Potsdam
 Civic Center
 Park Street
 P.O. Box 5168
 Potsdam, NY 13676

June 16, 2015
 Project No: 1734.001.001
 Invoice No: 77611

Project 1734.001.001 (V) Potsdam WPCF and Coll. System PER

Professional Services thru May 23, 2015

Fee

Total Fee	51,300.00			
Percent Complete	55.00	Total Earned	28,215.00	
		Previous Fee Billing	23,085.00	
		Current Fee Billing	5,130.00	
		Total Fee		5,130.00

Billing Limits

	Current	Prior	To-Date
Total Billings	5,130.00	23,085.00	28,215.00
Limit			51,300.00
Remaining			23,085.00

Total Amount Due \$5,130.00

6/22/15
OK
S. Boyford
15-1990-479

Please make checks payable to the company shown above, reference this invoice number on the check, and mail it to the address shown above. If you are paying more than one invoice from a Barton & Loguidice company, please provide separate checks for each company. Thank you.

COMPANY NAME/INDIVIDUAL			BID AMOUNT
Katy's Proff. Painting			\$ 18,795.00
Churchill & Son			\$ 41,985.00



Send Payment to: C&S Engineers, Inc.
 PO Box 64366
 Baltimore, MD 21264-4366

Everett Basford
 Village Of Potsdam
 Civic Center
 P.O. Box 5168
 Potsdam, NY 13676

Invoice #: 0152788
 Project: 203047001
 Invoice Date: 6/17/2015

Est. Cost: 180,169.51
 Fixed Fee: 20,575.49
 Total: 200,745.00

For Professional Services Rendered from 4/11/2015 through 5/29/2015

Environmental Assessment

FAA AIP NO. 3-36-0099-24-10
 NYSDOT NO. 7907.44

Analysis of Costs	This Invoice	Cumulative
Direct Salaries	3,703.06	47,288.68
Overhead % 160.00	5,924.90	75,661.97
Total Regular Labor Expense	9,627.96	122,950.65
Premium Labor Cost	0.00	382.95
Total Direct Personnel	9,627.96	123,333.60
Total Other Direct Charges	0.00	716.75
Total G & A % 0.00	0.00	0.00
Total Costs	9,627.96	124,050.35
Fixed Fee	1,444.19	18,580.02
Total This Invoice	11,072.15	142,630.37
Amount Due This Invoice **	11,072.15	142,630.37

*OK
 E Basford
 4/26/15*

Invoice Contact Person: Lisa Ware, Account Manager
 Telephone: (315) 455-2000 Ext. No. 4253, lware@cscos.com
 Net 30 Days - 1 1/2% Interest per Month

Multiplier Labor

<u>Class / Employee Name</u>	<u>Hours</u>	<u>Cost</u>	<u>Amount</u>
ADMINISTRATIVE ASSISTANT			
OROPEZA, LAURA A.	0.50	20.50	10.25
Total: ADMINISTRATIVE ASSISTANT	<u>0.50</u>		<u>10.25</u>
ENVIRONMENTAL SCIENTIST			
CRAIG, CHRISTEN M.	44.00	35.30	1,553.20
STRONG, JUSTIN	17.50	27.85	487.38
Total: ENVIRONMENTAL SCIENTIST	<u>61.50</u>		<u>2,040.58</u>
GRANTS ADMINISTRATOR			
MARKS, TRACEY L.	0.50	25.00	12.50
Total: GRANTS ADMINISTRATOR	<u>0.50</u>		<u>12.50</u>
PLANNER			
YOUNG, KARA R.	13.50	27.75	374.63
Total: PLANNER	<u>13.50</u>		<u>374.63</u>
SENIOR DESIGNER			
THORPE, JEFFREY C.	6.00	32.85	197.10
Total: SENIOR DESIGNER	<u>6.00</u>		<u>197.10</u>
SENIOR PLANNER			
FABEND, KIMBERLY M.	24.00	44.50	1,068.00
Total: SENIOR PLANNER	<u>24.00</u>		<u>1,068.00</u>
Multiplier Labor			3,703.06

Total Project: 203047001 -- Environmental Assessment

Local Law Filing

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City
Town
Village

of POTSDAM

Local Law No. 4 of the year 2015

A local law

to Amend Chapter 180, Zoning to Add Article XII Moratoria
(Insert Title)

Be it enacted by the BOARD OF TRUSTEES of
the

County
City of POTSDAM as
Town follows:
Village

Section 1. Purpose.

The Purpose of this Local Law is to Amend Chapter 180 Zoning to Add Article XII Moratoria of the Village of Potsdam Municipal Code.

Section 2. Amendment.

ADD:

Article XII. Moratoria

§180-52 Title.

Moratorium on the Development of Commercial Scale Photo-Voltaic Electricity Generating Facilities.

§180-53 Purpose.

To enact a six (6) month moratorium on the development of commercial scale photo-voltaic electricity generating facilities pending completion of the Village Planning Board's review and revision of §180, Zoning of the Village Code, a process presently underway; and, the Village Board of Trustee's action on the revised code.

§180-54 Scope.

This local law enacts a moratorium on the development of photo-voltaic electricity generating facilities except for those installed at one (1) and two (2) family dwellings within the Village of Potsdam.

The Village of Potsdam enacts a moratorium on the development of commercial scaled photo-voltaic generating facilities within the Village boundaries for a period of six (6) months from the date of the Village Board of Trustees adoption of the local law and its filing with the New York State Secretary of State.

Photo-voltaic electricity generating facilities installed at one (1) and two (2) family dwellings as an accessory use are exempt from the moratorium subject to §180 Zoning of the Village Code and the New York State Fire Prevention and Building Code.

Section 3. Enactment.

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