

AGENDA – REGULAR MEETING
VILLAGE OF POTSDAM BOARD OF TRUSTEES
MAY 16, 2016 – 7:00 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. ACCEPTANCE OF MINUTES:

May 2, 2016	Regular Meeting	3:00 p.m.
May 2, 2016	Executive Session	3:25 p.m.

2. MAYOR'S COMMENTS:

3. TRUSTEE'S COMMENTS:

4. ADMINISTRATOR'S COMMENTS:

5. CODE ENFORCEMENT OFFICER'S REPORT:

6. POLICE CHIEF'S REPORT:

7. DPW SUPERINTENDENT'S REPORT:

8. PUBLIC COMMENT:

9. NEW BUSINESS:

Trustee _____ Moved and Trustee _____ Seconded a resolution approving the partial expenditures for the month of May 2016 in the amount of \$184,645.83 chargeable to the following funds:

General Fund	\$ 78,905.49
Water Fund	41,649.75
Sewer Fund	45,632.64
Hydro Fund	607.19
Trust & Agency Fund	1,183.28
Trash Fund	<u>16,667.48</u>
TOTAL	<u>\$184,645.83</u>

AYES _____

NAYS _____

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

TO: Bond, Schoeneck & King in the amount of \$175.00 for professional services rendered through March 31, 2016 for general labor negotiations.

Ayes _____

Nays _____

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

TO: Development Authority of the North Country in the amount of \$1,206.00 for professional services rendered in April 2016 for the Water Tank Improvement Project.

Ayes _____

Nays _____

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

TO: Development Authority of the North Country in the amount of \$901.00 for professional services rendered in April 2016 for the WWTP Technical Services Agreement. Funds to come from Sewer Fund Contingency.

Ayes _____

Nays _____

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

TO: Development Authority of the North Country in the amount of \$6,908.43 for professional services rendered in January 2016 for the GIS Development. Funds to come from the NYS Archives Grant.

Ayes _____

Nays _____

Trustee _____ Moved and Trustee _____ Seconded a resolution authorizing the Mayor to sign the Amendment No. 1 to the Technical Services Agreement Between the Village of Potsdam and the Development Authority of the North Country for the Technical Services Agreement for the Village’s Water/Sewer Rate Analysis for an amount not to exceed \$7,000.

Ayes _____

Nays _____

Trustee _____ Moved and Trustee _____ Seconded a resolution to set the annual salaries of Village Management and Non-Union personnel effective at the first pay period following June 1, 2016:

<u>RECREATION DIRECTOR, T. CAREY</u>	<u>53,720</u>
<u>VILLAGE ADMINISTRATOR, E. BASFORD</u>	<u>84,391</u>
<u>CHIEF WATER/WASTEWATER/HYDRO, R. HENNINGER</u>	<u>70,105</u>
<u>POLICE CHIEF, K. BATES</u>	<u>84,391</u>
<u>VILLAGE CLERK/TREASURER, L. QUEOR</u>	<u>66,228</u>
<u>DIRECTOR OF PLANNING & DEVELOPMENT, F. HANSS</u>	<u>72,356</u>
<u>MUSEUM CURATOR, M. VANDEUSEN</u>	<u>40,545</u>
<u>SUPERINTENDENT OF DPW, B. HENDERSON</u>	<u>69,495</u>
<u>CODE ENFORCEMENT OFFICER, G. THOMPSON</u>	<u>47,601</u>

AYES _____

NAYS _____

Trustee _____ Moved and Trustee _____ Seconded a resolution authorizing the Village Clerk to advertise for bids for the sale of hay at the Potsdam Airport (Damon Field) and at vacant property the Village owns on Elm Street. Successful bidder to cut, bale and remove hay and submit a proposal on a unit (per bale) price.

AYES _____

NAYS _____

Trustee _____ Moved and Trustee _____ Seconded a resolution authorizing the Treasurer to make the following FY 15-16 budget modifications:

<u>INCREASE</u>	<u>Description</u>	<u>DECREASE</u>	<u>Description</u>	<u>Amount</u>
10-8330-468	Water Tower Maint.	10-1990-479	Contingency	\$5,000.00
05-7110-427	Parks Elec.	05-5142-495	Salt	150.00
05-5610-480	Spec. Serv.	05-5142-495	Salt	300.00
05-7110-102	Salaries P.T.	05-5142-495	Salt	1,080.00
05-7450-490	Office supplies	05-7480-430	Books	100.00
05-7450-490	Office Supplies	05-7450-461	Advertising	100.00
05-7450-462	Printing	05-7450-461	Advertising	15.00
05-7450-480	Spec. Serv.	05-7450-102	Salaries P.T.	700.00
05-7450-463	Comestibles	05-7450-465	Equip. Maint.	15.02

ROLL CALL VOTE:

AYES:

NAYS:

Trustee _____ Moved and Trustee _____ Seconded a resolution authorizing the Treasurer to modify the 2015-16 budget expense lines for the fiscal year ending May 31, 2016 by transferring money between expense accounts as needed to keep the budget lines from being over expended. No additional expense or revenue shall be added to the budget.

ROLL CALL VOTE:

AYES:

NAYS:

Trustee _____ Moved and Trustee _____ Seconded a resolution to hold a public hearing on Monday, June 6, 2016 at 2:30 p.m. in the Civic Center Board Room, Park Street, Potsdam, NY. The purpose of the hearing is to solicit citizen comments on a proposed application for funding through the NYS Small Cities Community Development Block Grant. The Village proposes to apply for \$750,000 in grant funding to be used for the Village’s Water Pollution Control Facility Improvement Project.

Ayes _____

Nays _____

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

LOCAL LAW #4-2016

Section 1. Purpose.

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

Section 2. Amendment.

REPLACE CURRENT WITH:

Article XII. Photovoltaic Siting

§180-52 Title.

Photovoltaic Siting.

§180-53 Purpose.

- A. Solar Energy is a renewable and non-polluting energy resource that can prevent fossil fuel emissions and reduce the Village of Potsdam’s energy load.
- B. The ordinance aims to promote the accommodation of solar energy systems and equipment and the provision for adequate sunlight and the convenience of access necessary thereof.

§180-54 Scope.

1. Definitions:

Alternative Energy Systems – Structures, equipment, devices or construction techniques used for the production of heat, light, cooling, electricity or other forms of energy on site and may be attached to an existing structure or a stand-alone system.

Building-Integrated Photovoltaic Systems – A solar energy system that consists of integrating photovoltaic modules or solar collectors into a building structure, such as the roof or the façade and which does not alter the ridge or edge of the roof.

Flush Mounted Solar Energy Panel – Photovoltaic or solar collector panels and tiles that are installed flush to the surface of the roof and which cannot be angled or raised.

Freestanding or Ground-Mounted Solar Energy System – a solar energy system that is directly installed in the ground and is not attached or affixed to an existing structure.

Net-Metering – A billing arrangement that allows energy generating customers to receive a credit for excess electricity that they generate and deliver to the power grid so that they only pay for their net electricity usage at the end a given month.

Permit Granting Authority – The Village authority charged with granting permits for the operation of solar energy systems.

Photovoltaic Systems – A solar energy system that produces electricity by the use of semiconductor devices, called photovoltaic cells that generate electricity whenever light strikes them.

Qualified Solar Installer – a person who has skills and knowledge related to the construction and operation of solar electrical equipment and installations and has received safety training on the hazards involved. Persons who are on the list of qualified photovoltaic installers maintained by the New York State Energy Research and Development Authority (NYSERDA), or who are certified as solar installers by the North American Board of Certified Energy Practitioners (NABCEP), shall deemed to be qualified solar installers for the purposes of this definition. Persons not on either of these lists may be deemed to be qualified solar installers if the Village of Potsdam’s Code Enforcement Officer determines that such persons have had adequate training to determine the degree and extent of the hazards and personal protective equipment and job planning necessary to perform the installation safely. Such training shall include the use of special precautionary techniques and personal protective equipment as well as the skills and techniques necessary to distinguish exposed energized parts from other parts of electrical equipment and to determine the nominal voltage of exposed live parts.

Rooftop or Building Mounted Solar Energy System – A solar energy system in which solar collector panels are mounted on top of the structure of a roof either as a flush mounted system or as modules fixed to a frame which can be tilted toward the south at an optimal angle.

Solar Access – Space open to the sun and clear of overhangs or shade including the orientation of streets and lots to the sun so as to permit the use of active and/or passive solar energy systems on individual properties.

Solar Collector – A solar photovoltaic cell, panel, or array or solar hot air or water collector device which relies upon solar radiation as an energy source for the generation of electricity or the transfer of stored heat.

Solar Energy Equipment/System – Solar collectors, controls, energy storage devices, heat pumps, heat exchangers and other materials, hardware or equipment necessary to the process by which solar radiation is collected, converted into a another form of energy, stored, protected from unnecessary dissipation and distributed. Solar systems include solar thermal, photovoltaic and concentrated solar.

Solar Panel – A device for the direct conversion of solar energy into electricity.

Storage Battery – A device that stores energy and makes it available in an electrical form.

Solar-Thermal Systems – solar thermal systems directly heat water or other liquid using sunlight. The heated liquid is used for such purposes as space heating and cooling, domestic hot water and heating pool water.

Utility-Scale Photovoltaic System – a commercial solar collection system that produces a minimum of one (1) megawatt (MW) of energy for the purpose of sale on the power grid.

2. Applicability:

- A. The requirements of this ordinance shall apply to solar energy systems modified or installed after the effective date of this ordinance.
- B. Solar energy systems for which a valid permit has been properly issued or for which installation has commenced prior to the effective date of this article shall not be required to meet the requirements of the ordinance except in accordance with §180-32 (F) (3) and (5).
- C. All solar energy systems shall be designed, erected and installed in accordance with all applicable federal, state, local and industry codes regulations and standards.
- D. Solar energy collectors shall be permitted to provide power for use by owners, lessees, tenants, residents or other occupants of the premises which they erected, but nothing in this provision shall be construed to prohibit the sale of excess power through a “net billing” or “net-metering” arrangement in accordance with New York State Public Service Law §66-j or similar federal or state statute.
- E. Utility-scale solar energy collectors, properly permitted by the Village of Potsdam, may be erected for the express purpose of generating electricity for sale as a commercial enterprise.

3. Permitting

- A. No solar energy system or device shall be installed or operated in the Village of Potsdam except in compliance with this article.
- B. To the extent practicable, and in accordance with §180-32 (F) (5), the accommodation of solar energy systems and equipment and the protection of access to sunlight for such equipment shall be encouraged in the Village of Potsdam Code.

C. Rooftop and Building Mounted Solar Collectors: Rooftop and building mounted solar collectors are permitted in all zoning districts in the Village of Potsdam subject to the following conditions:

1. Building permits shall be required for the installation of all rooftop and building mounted solar collectors.
2. The installation of rooftop and building mounted solar collectors shall be a standard use in the R-1, R-2, R-3 and R-4 zoning districts subject to building height restriction for the zoning district.
3. The installation of free standing or ground mounted solar collectors shall be a special use subject to site plan review in the R-1, R-2, R-3, and R-4 zoning districts subject to Section 4 (C) (7) of this chapter.
4. The installation of rooftop and building mounted solar collectors shall be a standard use subject to site plan review in all other zoning districts provided that the panels do not extend horizontally within twenty-four (24) inches of the edge of any roof surface. The installation of such systems on buildings listed on National or New York State Register of Historic Places is prohibited; and, the installation of such systems within the Market Street National Historic Register District is likewise prohibited except for flush mounted rooftop collectors not visible from the ground.
5. Building-Integrated Photovoltaic Systems shall be a standard use in the R-1, R-2, R-3 and R-4 zoning districts; and, a standard use subject to site plan review in all other zoning districts. The installation of such systems on buildings listed on National or New York State Register of Historic Places is prohibited; and, the installation of such systems within the Market Street National Historic Register District is likewise prohibited except for flush-mounted rooftop systems not visible from the ground.
6. Solar thermal systems shall be a standard use in the R-1, R-2, R-3 and R-4 zoning districts and a standard use subject to site plan review in all other zoning districts. The installation of such systems on buildings listed on National or New York State Register of Historic Places is prohibited; and, the installation of such systems within the Market Street National Historic Register District is likewise prohibited except for flush-mounted rooftop systems not visible from the ground..
7. Solar energy systems and equipment shall be permitted only if they are determined by the Village of Potsdam not to present any unreasonable risks to the public's health, safety and welfare, including but not limited to the following:
 - a. Weight load.
 - b. Wind resistance.

- c. Ingress or egress in the event of fire or other emergency, for example, solar panels or collectors may not be installed in front of a window or door.
 - d. Roof-mounted solar collectors shall not be installed with twenty-four (24) inches of the edge of any roof surface of within sixteen (16) inches of any protrusion through a roof such as electrical mast, chimney or vent shack.
- 8. Utility-scale solar collectors shall be permitted within the IND and BLI-2 subject to site plan review and a special use permit.
- 9. Ground-mounted and free standing solar collectors are permitted within the IND and BLI-2 zoning districts subject to site plan review and a special use permit subject to the following conditions:
 - a. Building permits shall be required for the installation of all ground-mounted solar collectors.
 - b. The location of the solar collector meets all applicable set-back requirements as set-forth in §180d Part 1-3, Part 4.1-6 and Part 8 & 9.
 - c. The height of ground mounted and fee standing solar collectors and any mounts shall not exceed 20 feet from finished grade when oriented at maximum tilt.
 - d. Solar energy collectors and equipment shall be located in a manner to reasonably minimize view blockage for surrounding properties and shading of properties to the north, while still providing adequate solar access for the collectors.
 - e. Free standing solar energy collectors shall be screened when possible and practicable through the use of architectural features, earth berms, landscaping, vegetation or other screening that will harmonize with the character of the property and surrounding area.
 - f. An applicant for utility-scale solar collectors must provide one (1) parking space for each motor vehicle used in connection with the business and not less than five (5) additional spaces.

4. Safety

- A. Prior to operation, electrical connections must be inspected and approved by a qualified third Party electrical inspector as determined by the Village of Potsdam subject to §94-19 of the Village Code.
- B. Any connection to the public utility grid must be inspected and approved by the appropriate public utility.

- C. Rooftop and building mounted solar collectors shall meet the requirements of the New York's Uniform Fire Prevention and Building Code.
- D. If storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the New York State Uniform Fire Prevention and Building Code when in use and when no longer used shall be disposed of in accordance with the laws and regulations of the Village of Potsdam and any applicable, federal, state, county or regional laws or regulations.
- E. If a solar collector ceases to perform its originally intended function for more than twelve (12) consecutive months, the property owner shall remove the collector, mounts and associated equipment and return the site or building to its original condition no later than ninety (90) days after the end of the twelve (12) month period.

5. Appeals

- A. If a building permit or land-use permit for a solar energy collector is denied because of a conflict with the Village of Potsdam's zoning code, the applicant may seek relief from the Village of Potsdam's Zoning Board of Appeals.

6. Zoning for Future Solar Access

- A. New residential and non-residential structures will be sited to take full advantage of solar access insofar as practical, including the orientation of proposed buildings with respect to sun angles, the shading and windscreen potential of existing and proposed vegetation on and off site, and the impact of solar access to adjacent uses and properties.
- B. The impact of street trees on the solar access of the surrounding property will be minimized to the greatest extent possible in selecting and locating shade trees. Every effort shall be made to avoid shading solar collectors. The use of compact trees, particularly under overhead utility lines is strongly encouraged.
- C. In the event that it is necessary to remove an existing tree(s) on public property to accommodate a solar collector, the property owner shall mitigate the loss of shade by planting a tree(s) in the public domain (parklands, schools, public streets).
- D. When the Planning Board or Zoning Board of Appeals reviews and acts upon application for site plan approval or sub-division approval, area or use variance, it shall take into consideration whether the proposed construction would block or limit access to sunlight between the hours of 9:00 A.M. and 3:00 P.M. Eastern Standard Time for existing approved solar energy collectors or for solar collectors for which a permit or approval has been issued.

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 authorizing the purchase of a replacement high-lift pump from Envirolutions, LLC for the Village of Potsdam Wastewater Treatment Plant. This will be a sole source exact replacement pump with costs not to exceed \$13,000.00 – funds to come from the 2016-2017 budget line for equipment.

Ayes _____

Nays _____

Trustee _____ Moved and Trustee _____ Seconded a resolution to go into Executive Session for the discussion of the employment history of particular persons at _____ p.m.

Ayes _____

Nays _____

Trustee _____ Moved and Trustee _____ Seconded a resolution to adjourn the Executive Session at _____ p.m.

Ayes _____

Nays _____

Trustee _____ Moved and Trustee _____ Seconded a resolution to adjourn the Regular Meeting of the Village of Potsdam Board of Trustees of May 16, 2016 at _____ p.m.

Ayes _____

Nays _____