

AGENDA – REGULAR MEETING  
VILLAGE OF POTSDAM BOARD OF TRUSTEES  
MAY 17, 2021 – 4:30 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:

April 19, 2021	Public Hearing	5:30 p.m.
April 19, 2021	Public Hearing	5:45 p.m.
April 19, 2021	Regular Meeting	6:00 p.m.
April 19, 2021	Executive Session	6:15 p.m.

2. MAYOR'S COMMENTS:

3. TRUSTEE'S COMMENTS:

4. ADMINISTRATOR'S COMMENTS:

5. PLANNING DIRECTOR'S REPORT:

6. PUBLIC COMMENT:

7. NEW BUSINESS:

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution approving the partial expenditures for the month of May 2021 in the amount of \$192,790.33 chargeable to the following funds:

General Fund	\$ 139,605.59
Water Fund	9,451.03
Sewer Fund	23,596.93
Hydro Fund	693.48
Trust & Agency Fund	335.00
Recreation Fund	2,113.30
Trash Fund	<u>16,995.00</u>
TOTAL	<u>\$ 192,790.33</u>

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution approving the additional expenditures for the month of April 2021 in the amount of \$604,207.62 chargeable to the following funds:

General Fund	\$ 138,193.82
Water Fund	55,618.35
Sewer Fund	34,139.16
Hydro Fund	2,001.34
Trash Fund	73.68
Trust & Agency Fund	4,423.66
Capital Fund	187,718.30
Payroll Fund	95,274.67
Recreation Fund	36,334.64
Planning & Development Funds	<u>50,430.00</u>
TOTAL	<u>\$ 604,207.62</u>

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution authorizing the Treasurer to make the following FY 20-21 budget modifications:

<u>INCREASE</u>	<u>Description</u>	<u>DECREASE</u>	<u>Description</u>	<u>Amount</u>
05-1640-464	Veh. Maint.	05-1640-465	Equip. Maint.	\$ 106.44
05-1640-492	Gas, Oil	05-1640-488	Small Toools	199.20
05-1620-480	Spec. Serv.	05-1620-491	Chemicals	550.74
05-5010-480	Spec. Serv.	05-5010-481	Misc. Supplies	40.99
05-7450-465	Bld. Maint.	05-7450-461	Advertising	21.00
15-8130-200	Equipment	15-8130-409	Sludge Hauling	4,757.94
15-8130-454	Equipment Rental	15-8130-424	Travel	115.16
15-8130-492	Gas, Oil	15-8130-424	Travel	285.28

ROLL CALL VOTE:

Ayes:

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Nays:

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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, 2021:

<u>RECREATION DIRECTOR, T. SMUTZ</u>	<u>\$55,417</u>
<u>VILLAGE ADMINISTRATOR, G. THOMPSON</u>	<u>80,430</u>
<u>POLICE CHIEF, M. MURRAY</u>	<u>88,590</u>
<u>VILLAGE CLERK/TREASURER, L. QUEOR</u>	<u>73,384</u>
<u>DIRECTOR OF PLANNING &amp; DEVELOPMENT, F. HANSS</u>	<u>77,680</u>
<u>MUSEUM CURATOR, E. CHENEY</u>	<u>35,000</u>
<u>SUPERINTENDENT OF DPW, J. CORBETT</u>	<u>73,726</u>
<u>CODE ENFORCEMENT OFFICER, L. NEWBY</u>	<u>50,750</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 \$8,945.50 for professional services rendered through March 30, 2021 for the JEDA Capital 56 LLC v. Village of Potsdam case.

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 \$2,464.00 for professional services rendered through April 2021 for the Wastewater Treatment Plant Technical Services Agreement.

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 \$2,210.00 for professional services rendered through April 2021 for the SCADA Wastewater Treatment Plant Capital Improvement Agreement.

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 \$488.75 for professional services rendered through April 15, 2021 for the Crosstown Canal Project Phase II.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

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

TO: EDR in the amount of \$3,600 for professional services rendered through March 32, 2021 for the Repainting of the Water Storage Tank Project.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution authorizing the Treasurer to modify the 2020-21 budget expense lines for the fiscal year ending May 31, 2021 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:

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NAYS:

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Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a Resolution authorizing the Mayor to execute an agreement between the Village of Potsdam and the Potsdam Volunteer Rescue Squad, Inc. for the period from June 1, 2021 to May 31, 2022; consideration of \$35,000 to be paid to the Rescue Squad.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution authorizing the Mayor to execute an agreement between the Village of Potsdam and the Potsdam Fire Department for the period from June 1, 2021 to May 31, 2022; consideration of \$10,250 to be paid to the Fire Department.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

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

TO: Barton & Loguidice in the amount of \$1,678.50 for professional services rendered through April 24, 2021 for the Water Pollution Control Facility and Pump Station Construction Administration.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution to hold a public hearing on Monday, June 21, 2020 at 4:15 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 amend Chapter 134 Rental Housing Safety.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution authorizing the Treasurer to levy delinquent accounts and omitted taxes in the sum of \$0; delinquent water in the sum of \$62,303.73; delinquent sewer in the sum of \$61,160.12 and delinquent trash/acct. receivable in the sum of \$9,651.13 for a total due and owing the Village of Potsdam in the sum of \$133,114.98.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

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

TO: Roemer, Walls, Gold & Mineaux in the amount of \$1,500 for labor relations services for April 2021.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution authorizing the Mayor to sign the GIS Web-Based Hosting agreement with the Development Authority of the North Country. This agreement is for five (5) years beginning June 1, 2021 and ending May 31, 2026.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution naming Passero Associates, Rochester, NY as the consulting engineers for the Village of Potsdam Airport, Damon Field, for a five year period to expire May 31, 2026.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

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

Whereas, the Village is in need of repainting of the 1.5 million gallon water storage tank Located at Clarkson University; and

Whereas, bids have been solicited and received and the Design Engineer (Environmental Design and Research) has evaluated the bidders and bids, and has recommended the contract be awarded to the lowest bidder; and

Whereas, the lowest, responsible bidder is Amstar of Western New York, Inc.;

Now Therefore Be it Resolved, that the contract for the project be awarded to Amstar of Western New York Inc., 825 Rein Road, Cheektowaga, NY 14225; and  
Be it Further Resolved that Gregory Thompson, Village Administrator is authorized to issue a Notice of Award to the lowest, responsible bidder and enter into the contract, for a sum not to exceed \$912,000 for the designated project on behalf of the Village.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution approving the re-appointment of Thomas Ortmeier, 15 Lawrence Avenue, Potsdam, NY to the Village of Potsdam Housing Authority Board for a five year term commencing June 18, 2021 and ending June 18, 2026.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution approving The re-appointment of Joan McGrath, 20 Leroy Street, Potsdam, NY to the Village of Potsdam Housing Authority Board for a five year term commencing June 18, 2021 and ending June 18, 2026.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

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

LOCAL LAW #2-2021

**Section 1. Purpose.**

The purpose of this Local Law is to Amend Chapter 80 Dogs and Other Animals to amend §80-4 Exceptions to include Female Chickens; Add Chapter 180 Zoning, Article XIII Keeping of Domestic Poultry of the Village of Potsdam Municipal Code.

**Section 2. Amendment.**

§80-4. Exceptions

The provisions of this Article do not apply to animals, reptiles or birds kept in laboratories and used for scientific or medical research or kept in proper retail or wholesale business establishments operating under the Zoning Code or to female chickens maintained for human companionship and the production of eggs as set-forth in §180-55 of the Village Municipal Code.

ADD:

Chapter 180  
Zoning

ARTICLE XIII  
Keeping of Domestic Poultry

§180-55 Purpose  
§180-56 Regulations  
§180-57 Permits

§180-55 Purpose

The purpose of this section is to permit and regulate the keeping of domestic poultry within the Village of Potsdam and to ensure that the keeping of poultry does not pose a health and safety threat to the residents of the Village and to ensure the humane treatment of domestic poultry.

§180-56 Regulations

1. Number. No more than six hens shall be allowed for each taxable parcel, whether single family or a multiple dwelling. If chickens are kept at a rental property, the owner of the chickens must maintain a current written authorization for the keeping of chickens on the property signed by the property owner or authorized agent.
2. Setbacks. Coops or cages housing chickens must be at least 25 feet from any door or window of any dwelling other than the owner's dwelling. Coops and cages shall also be located at least 5 feet from both the rear and side yard lot lines. Coops and cages shall not be located in the front yard.
3. Enclosure. Hens shall be provided with a covered, predator-proof coop or cages that are well ventilated and designed to be easily accessed for cleaning. The coop shall allow at least two square feet per hen. Hens shall have access to an outdoor enclosure that is adequately fenced to contain the birds on the property and to prevent predators from access to the birds. Hens shall not be allowed out of these enclosures.



4. Sanitation. The coop and outdoor enclosure must be kept in a sanitary condition and free from offensive odors. The coop and outdoor enclosure must be cleaned on a regular basis to prevent the accumulation of waste and odor.
5. Slaughtering. Outdoor slaughtering of chickens is prohibited.
6. Roosters. It is unlawful for any person to keep roosters in the Village of Potsdam.
7. A biennial permit to keep chickens is required, which shall be issued by the Village Clerk's office, and which shall thereafter be filed and maintained in the Code Enforcement Office. The fee for such permit shall be set from time to time by resolution of the Village Board of Trustees. Permits can be revoked at the discretion of the Code Enforcement office at any time for failure to abide by these requirements.

§180-57 Permits

The application for a permit must contain the following:

1. The name, working phone number, and address of the applicant.
2. Whether the property is rented or owner occupied; if rented, a copy of a letter from the property owner consenting to the issuance of a permit to keep chickens.
3. Consent from the applicant for the inspection of the outdoor premises of the property at reasonable times by the Village or its agent to confirm compliance with the provisions of this subsection.
4. Acknowledgement of the receipt of an information packet from the Village Clerk which includes a copy of this article, together with information regarding the proper maintenance and handling of domestic chickens in a residential environment.

**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:

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Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution setting the fee for a Biennial Chicken Permit at \$25.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

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

In the Matter of the Granting of a Cable Television Franchise Held by **Spectrum Northeast, LLC** in the **Village of Potsdam, County of St. Lawrence**, New York

An application has been duly made to the Board of the **Village of Potsdam, County of St. Lawrence**, New York, by **Spectrum Northeast, LLC**, an indirect subsidiary of Charter Communications, Inc. (“Charter”), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 6005 Fair Lakes Rd, East Syracuse, NY 13057, for the approval of a renewal agreement for Charter's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Village of Potsdam, New York on April 19, 2021 at 5:30 P.M. and notice of the hearing was published in the Courier Observer Newspaper on April 9, 2021.

**NOW, THEREFORE**, the Board of the Village of Potsdam finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Board of the **Village of Potsdam** hereby grants the cable television franchise of Spectrum Northeast, LLC and the **Village of Potsdam** for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

**BE IT FURTHER RESOLVED** that the Board of the **Village of Potsdam** hereby confirms acceptance of this franchise renewal agreement.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution authorizing the mayor to sign the trash removal contract with Casella Waste Services, Potsdam, NY. The terms of the contract shall be:

5 year contract beginning June 1, 2021 and ending May 31, 2026.

Trash removal at a cost of \$10.00 per unit per month.

Village of Potsdam Logo Trash bags \$19.50 per package (10 Fifteen Gallon bags or 5 Thirty Gallon bags).

Zero Sort recycling.

Flat fee village facilities container service of \$2,350 per month.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution to permit 501 (c) (3), not-for-profit organizations having their headquarters and principal place of business within the Village of Potsdam to borrow from the Potsdam Growth Fund to assist in the financing of economic development and downtown revitalization projects that have a demonstrable public benefit.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution to hold a public hearing on Monday, June 21, 2020 at 4:25 p.m. in the Civic Center Board Room, Park Street, Potsdam, NY. The purpose of the hearing is to receive public comments on the East Dam Hydro-Electric Generating Plant Renovation Project – Office of Community Renewal Grant # 947PR34-17.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Trustee \_\_\_\_\_ Moved and Trustee \_\_\_\_\_ Seconded a resolution accepting with regret the retirement of Maureen Gaffney from the Village of Potsdam Offices. Further thanking Ms. Gaffney for her 34 years of service as a Village of Potsdam employee.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

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

To: The Law Firm of Frank W. Miller in the amount of \$5,008.71 for professional services rendered through 4/29/2021.

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 17, 2021 at \_\_\_\_\_ p.m.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_