

POTSDAM TOWN BOARD MEETING AGENDA
SEPTEMBER 14, 2022

6:25 PM – CONSTITUTION WEEK PROCLAMATION

6:30 PM – PUBLIC HEARING ON JUNKYARD AND JUNK STORAGE MORITORIUM

6:35 PM – PULIC HEARING ON TAX CAP OVERRIDE

1. CALL TO ORDER

2. ATTENDANCE

3. APPROVAL OF AGENDA

MOTION To approve the agenda.

SECOND

DISCUSSION

VOTE AYES NAYS

4. APPROVAL OF MINUTES

MOTION to approve the 8/10/2021 Regular Meeting minutes.

SECOND

DISCUSSION

VOTE AYES NAYS

5. APPROVAL OF BILLS

MOTION Found the bills to be in order and make a motion to pay.

SECOND

DISCUSSION

VOTE AYES NAYS

REPORTS

6. SUPERVISOR'S REPORTS (Ann will provide list of topics)

- a. Kevin Murphy on Proposed Law to Create a Community Choice Aggregation (CCA) Program Bank Account Balances

- b. Supervisor's Financial Report
- c. Justice Charleson
- d. Census
- e. Problem at Courthouse Roof
- f. NYS Division of the Budget: additional Rescue Funds revenue
- g. Richard Grover Letter re. Route 11 (Potsdam – Canton)
- h. Board Policy re. COVID protocols for unionized workers: Must be negotiated

MOTION To approve the Supervisor's reports.

SECOND

DISCUSSION

VOTE AYES NAYS

7. CLERK'S REPORT

MOTION To approve the Town Clerk's reports.

SECOND

DISCUSSION

VOTE: AYES NAYS

8. HIGHWAY SUPERINTENDENT'S REPORT

9. CEO/ASSESSOR/COURT REPORTS

10. RECREATION REPORT

11. CLIMATE SMART COMMITTEE REPORT

12. INFRASTRUCTURE

PUBLIC COMMENT

DISCUSSION

13. AMERICAN RESCUE FUNDS

ACTION ITEMS

14. PROPOSED LOCAL LAW 2021-3 TITLED JUNKYARD AND JUNK STORAGE MORATORIUM

MOTION

To approve a resolution to adopt the proposed Local Law 3- 2021 titled Junkyard and Junk Storage Moratorium as Local Law 3 of the year 2021.

SECOND

DISCUSSION

VOTE AYES NAYS

15. PROPOSED LOCAL LAW 2021-4 TITLED TAX CAP OVERRIDE FOR BUDGET YEAR 2022

MOTION

To adopt Local Law 2021-4 titled Tax Cap Override for the Budget Year 2022 as Local Law 4 of the year 2021.

SECOND

DISCUSSION

VOTE AYES NAYS

16. LIFEGUARD APPOINTMENTS

MOTION

To approve additional lifeguard staff as recommended by Recreation Specialist Michelle Garrow: Alexandria Quinn, lifeguard at \$14.00/hour retroactive to 7/8/2021 and Jasmine Nezezon-Sanders, substitute lifeguard at \$13.00/hour retroactive to 7/12/2021.

SECOND

DISCUSSION

VOTE: AYES NAYS

17. UNIONVILLE WATER RATES

MOTION

To hold a public hearing on 10/13/2021 at 6:30 PM to take comments on setting the Unionville water rate at \$75/year, effective 1/1/2022.

SECOND

DISCUSSION

VOTE: AYES NAYS

18. UNIONVILLE SEWER RATES

MOTION

To hold a public hearing on 10/13/2021 at 6:35 PM to take comments on setting the Unionville sewer rate at \$240/year, billed \$60 quarterly, effective 1/1/2022.

SECOND

DISCUSSION

VOTE: AYES NAYS

19. POSTWOOD MURAL

MOTION

To authorize Sara Lynch to paint a mural on the bathhouse at Postwood.

SECOND

DISCUSSION

VOTE: AYES NAYS

20. SALE OF RANGE

MOTION

To deem the Southbend Model # S60DD-2GR 60" Range with 24" Griddle, original price \$3,150 unneeded and authorize sale with Auctions International.

SECOND

DISCUSSION

VOTE: AYES NAYS

21. 2021 BUDGET AMENDMENTS

MOTION

To authorize the Supervisor to increase the budget by the amount we are over in contractual in Water 8310.4 and Town Outside 8010.4, funds to be taken from Carryover and final amounts will be reported at approved at year-end.

SECOND

DISCUSSION

VOTE: AYES NAYS

22. EXECUTIVE SESSION

MOTION

To move into Executive Session at _____PM to discuss legal matters and the work history of a particular person.

SECOND

DISCUSSION

VOTE AYES NAYS

MOTION To move adjourn Executive Session at _____ PM.

SECOND

DISCUSSION

VOTE AYES NAYS

ADJOURNMENT

MOTION To adjourn at _____ PM.

SECOND

DISCUSSION

VOTE AYES NAYS

Revised 9/14/2021

UPCOMING MEETINGS

9/28/2021 @ 6:00 PM - BUDGET WORK SESSION

10/13/2021 (Wednesday) @ 6:00 PM Budget Work Session & Board Meeting

11/4/2021 (Thursday) @ 6:30 PM Public Hearing & Board Meeting

LOCAL LAW NO. 3 FOR THE YEAR 2021

A Local Law establishing a twelve-month moratorium on the application or permit for and/or the construction, development, or installation of Junkyards and/or Junk Storage in the Town of Potsdam.

ENACTED BY THE TOWN BOARD OF POTSDAM, NEW YORK AS FOLLOWS:

Section 1. Title

This law shall be known as the “Town of Potsdam Junkyard and Junk Storage Moratorium.”

Section 2. Purpose and Intent

The Potsdam Town Board recognizes that there is increasing problems with junk around the township and its accumulation could cause undesirable impacts to neighboring properties and/or the Town. This law establishes a twelve-month moratorium on the implementation of Junkyards or Junk Storage facilities in order to provide the Board time to engage in the necessary studies, meetings, hearings, environmental review, and other appropriate and necessary actions regarding oversight of Junkyards and Junk Storage. The Board recognizes the need to evaluate the impacts of these systems and, if necessary, revise the Town’s Zoning Law to address any determined issues.

Section 3. Authority

This Moratorium is enacted pursuant to Article IX, Section 2 (c)(ii)(6), (10) of the New York State Constitution, Section 10 of the Municipal Home Rule Law, and the statutory powers vested in the Town to regulate and control land use and to protect the health, safety, and welfare of its residents under the New York State Town Law.

Section 4. Definitions

Junkyards and Junk Storage as identified in Chapter 194 of the Potsdam Town Code.

Section 5. Enactment and Scope of Control

The Board hereby declares a twelve-month moratorium on the application or permit for and/or the construction, development, or installation of any and all Junkyards and/or Junk Storage.

For the period of twelve months immediately following the effective date of this Local law, the Town Board, the Planning Board, the Zoning Board of Appeals, the Building Department, and the Code Officer shall not permit or approve any application for the installation of any Junkyards or Junk Storage systems. This Moratorium shall apply to all currently pending and future applications for the installation of Junkyards or Junk Storage systems.

Section 6. Enforcement and Penalties

The Code Enforcement Officer of the Town, or such other individual as designated by the Town Board, shall enforce this Local Law. It shall be the duty of the enforcement individual to advise the Town Board of all

matters pertaining to the enforcement of this Local Law and to keep all records necessary and appropriate to such enforcement.

Compliance with this Local Law may be compelled, and violations restrained by order or by injunction of a court of competent jurisdiction in an action brought on behalf of the Town by the Board. In the event the Board is required to take legal action to enforce this Law, the violator will be responsible for any and all costs incurred by the Town relative thereto, including reasonable attorney's fees, filing fees, and such other amounts to be determined and assessed by the court.

Section 7. Supersession

All local laws, ordinances, or parts of local laws and ordinances of the Town that are in conflict with the provisions of this Local Law are hereby suspended to the extent necessary to give this Local Law full force and effect during the effective period of the Moratorium.

Section 8. Severability of Provisions

Should any section or provision of this Local Law be declared null, void, voidable, or invalid, such finding shall not affect the validity of the remaining portions of this Local Law.

Section 9. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

LOCAL LAW 2021-4

TAX CAP OVERRIDE FOR THE BUDGET YEAR 2022

A local law to override the tax levy limit established in General Municipal Law 3-c.

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Potsdam pursuant to General Municipal Law §3-c, and to allow the Town of Potsdam to adopt a budget for the fiscal year 2022 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Potsdam, County of St. Lawrence is hereby authorized to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or Unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.