

Board of Trustees  
Village of Black River, New York



Agenda

Regular Meeting

August 1, 2022

- Call to order.
- Pledge of Allegiance.
- Approval of minutes of the 7/5/22 regular meeting
- Public Comment.
- Police Department Report.
- Code Enforcement Report & review of related correspondence.
- Clerk-Treasurer's Report.
- Superintendent's Report.

Correspondence Received:

A) State of NY

Re: ARPA funds

B) Jefferson County Planning

Re: Solar project decommissioning

Correspondence Sent:

New Business:

Unfinished Business:

- Reports from Standing Committees.
- Reports from Special Meetings.
- Authorize payment of bills; adjournment.

Village of Black River  
Board of Trustees  
Regular Meeting  
July 5, 2022

DRAFT

Mayor Dishaw called the meeting to order and led the Pledge of Allegiance at 6:00 p.m.

Present:

Mayor Francis Dishaw  
Trustee Bonnie Proven  
Trustee Randy Lake  
Trustee Corey Decillis  
Superintendent Les Williams  
Clerk-Treasurer Kristin Williams  
Code Enforcement Officer James Holland

Excused:

Trustee Gary McCullough

A motion was made by Trustee Lake, seconded by Mayor Dishaw to approve the minutes of the 6/6/22 regular meeting and the 6/16/22 special meeting. The motion was carried.

Code Enforcement Report: CEO Holland stated that he has addressed lawns and that the project at 119 N. Main St. is nearing completion and the owner should have his certificate of occupancy by the fall.

Clerk-Treasurer's Report: Clerk-Treasurer Williams stated that tax collection has gone well and that water bills were mailed with notices to remind people to sign up for the IRIS notification system. She stated that residents whose water meters have stopped transmitting were given cards to write their current readings on. This should help alleviate the need for future adjustments.

Superintendent's Report: Superintendent Williams stated that due to new stormwater regulations drains must be vacuumed not shoveled. He stated that the posts for the scoreboards have been replaced, he stated that it currently takes 40 weeks to get meter pits so he is looking for other options, he ordered 1 residential meter pit, the new meters will be here in July, the new hire will start work Monday, July 11<sup>th</sup>. He stated that NY Rural Water will help with the required emergency plan and sop. Superintendent Williams stated that the garbage packer broke down in Clay and was towed to Beam Mack for repairs and that he had gotten pricing for an excavator as discussed.

A motion was made by Trustee Lake, seconded by Trustee Decillis to adopt the following resolution:

**Resolved**, that the financing proposal of \$74,300.44 payable over five years for the 2022 Mack Granite from KS State Bank with the interest rate of 4.39% be accepted. The motion was put to a vote as follows:

Mayor Dishaw	Yes
Trustee Lake	Yes
Trustee Decillis	Yes
Trustee Proven	Yes
Trustee McCullough	Absent

The motion was carried and the resolution duly adopted.

The board reviewed the quotes from Milton Cat and Bobcat for an excavator.

A motion was made by Trustee Lake, seconded by Mayor Dishaw to adopt the following resolution:

**Resolved**, that Superintendent Williams be approved to order a 2022 Cat 305 excavator for the total price of \$21,283.00. The motion was put to a vote as follows:

Mayor Dishaw	Yes
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Trustee Lake            Yes  
Trustee Decillis        Yes  
Trustee Proven         Yes  
Trustee McCullough    Absent

The motion was carried and the resolution duly adopted.

A motion was made by Trustee Decillis, seconded by Trustee Proven to approve water/sewer bill adjustments (See Attached) totaling \$723.25. The motion was carried.

A motion was made by Trustee Proven, seconded by Mayor Dishaw to adopt the following resolution:

**Resolved**, that the following abstracts of audited vouchers be approved: interim abstract dated 6/17/22 in the amount of \$83,194.72 (General Fund: \$48,146.39 Water Fund: \$43.53 Sewer Fund: \$35,004.80) interim abstract dated 7/1/22 in the amount of \$1,254.44 (General Fund: \$1,205.75 Water Fund: \$48.69) and regular monthly abstract dated 7/5/22 in the amount of \$45,392.41 (General Fund: \$42,606.48 Water Fund: \$2,785.93). The motion was put to a vote as follows:

Mayor Dishaw            Yes  
Trustee Lake             Yes  
Trustee Decillis         Yes  
Trustee Proven           Yes  
Trustee McCullough    Absent

The motion was carried and the resolution duly adopted.

A motion was made by Trustee Proven, seconded by Mayor Dishaw to adjourn the meeting at 7:08 p.m. The motion was carried.

Respectfully submitted,

Kristin Williams  
Clerk-Treasurer



**Division of  
the Budget**

KATHY HOCHUL  
Governor

ROBERT F. MUJICA JR.  
Director of the Budget

July 8, 2022

Kristin Williams  
Clerk Treasurer  
Village of Black River  
107 Jefferson Place  
Black River, NY 13612

This letter is to inform you that the Village of Black River will soon receive the remaining 50% of its American Rescue Plan Act Local Fiscal Recovery Funds. Your municipality's total allocation, half of which was paid in the Summer 2021 and half of which is to be paid this Summer 2022, is:

- **Total American Rescue Plan Act Local Fiscal Recovery Funds Allocation: \$127,281.67**

For your municipality, Summer 2021 payments were as follows:

- **First 50% (Summer 2021): \$63,640.84**
  - **Payment #1: \$63,382.06**
  - **Payment #2: \$258.78**

In Summer 2022, the final payment, representing the second 50%, is due to each municipality. For your municipality, this payment will total as follows:

- **Second 50% (Summer 2022): \$63,640.83**

As with the prior payments from Summer 2021, funds will be disbursed by the Office of the New York State Comptroller (OSC) electronically, using your municipality's existing banking information from the New York State Vendor File. Prior to the Summer 2021 payments, your municipality should have received instructions from OSC about how to confirm and provide any necessary updates/corrections of that information. If your municipality did not receive the initial payment electronically from the State, you should have received instructions from OSC for adding banking information to allow your

municipality to receive these payments electronically. If you need further assistance, please contact [epayment@osc.ny.gov](mailto:epayment@osc.ny.gov).

In addition, please be advised of the following:

- **Retain NEU Recipient Number.** You must retain your NEU Recipient Number as an identifying number for the lifecycle of this program, including for reporting purposes. As a reminder, your NEU Recipient Number is: **NY2240**
- **Review Federal Reporting Requirements.** The Federal Government has established usage and reporting requirements for these funds. NEUs should visit the United States Department of Treasury website: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds/recipient-compliance-and-reporting-responsibilities>

Thank you for your attention and responsiveness with regards to your municipality's Local Fiscal Recovery Funds as part of the American Rescue Plan Act.

Division of the Budget email: [localarpa@budget.ny.gov](mailto:localarpa@budget.ny.gov)

Division of the Budget website: <https://www.budget.ny.gov/localarpa/index.html>



**Department of Planning**  
175 Arsenal Street  
Watertown, NY 13601

Michael J. Bourcy  
Director of Planning

(315) 785-3144  
(315) 785-5092 (Fax)

## MEMO

To: Jefferson County Municipalities  
From: Jefferson County Planning Department &  
Tug Hill Commission  
Subject: Solar development regulations  
Date: July 27, 2022

Attached is a report pertaining to solar project decommissioning plans. An ad-hoc committee of agencies that work with municipalities on land use and agricultural issues developed this information to assist you with reviews of solar projects.

The Committee has a major interest with the decommissioning of solar projects. Some decommissioning plans allow the developer to leave some infrastructure in the ground. If a municipality doesn't approve a decommissioning plan that protects the landowner and the town there could be issues in the future when landowners try to redevelop the land or especially returning the land to agricultural production.

The Jefferson County Soil and Water Conservation District is a great resource with the environmental monitoring and they would be a good repository for the original site data on the soils.

The Jefferson County Department of Planning and the Tug Hill Commission has worked with many municipalities in the county to develop regulations for solar projects. Available information and best practices are constantly evolving on solar development.

Each municipality is unique in terms of what they have already adopted, what their goals are, and what kind of solar development pressure they are facing. The Planning Department and Tug Hill are also a resource for municipalities.

## Recommendations to Municipalities in Jefferson County Regarding Solar Project Decommissioning Plans

Several agencies and organizations within Jefferson County recently formed an ad-hoc committee and reviewed examples of decommissioning plans put forth by solar development companies proposing solar arrays within Jefferson County. Many of the plans were satisfactory in addressing most of the issues a landowner and municipality would have in the decommissioning of a solar project and restoration of the land to conditions suitable for future use of the land for a variety of non-solar uses.

The decommissioning plans are critical for the future of private landowners and the community. A poorly developed decommissioning plan could leave the community and private landowner(s) with an unusable site and expensive restoration costs 20 to 30 years from plan approval. It is important that landowners and municipalities consider the details of a decommissioning plan.

The ad-hoc committee also reviewed existing guidance we could find on how to decommission solar arrays and restore the land to suitable conditions. The best guidance we found was from the “New York State Department of Agriculture and Markets Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands”, hereafter referred to as “Ag and Markets Guidelines”. The Ag and Markets Guidelines are a valuable resource for landowners and municipalities to refer to as they work with solar companies proposing solar projects.

The ad-hoc committee has developed several recommendations for consideration by landowners and municipalities that vary somewhat from Ag and Markets Guidelines and what we reviewed in several plans from solar companies. The Ad-hoc Committee strongly recommends consideration of this guidance before approval of a decommissioning plan.

### RECOMMENDATIONS:

1. Obtain legal counsel for assistance in reviewing the plan. Potentially, the cost of the legal review can be paid by the solar development company. Seek assistance from planning and natural resource conservation agencies such as the Jefferson County Planning Department, Jefferson County Soil and Water Conservation District, and NYS Tug Hill Commission. These agencies can provide guidance and refer you to the right agency and resource people to assist you in your review.
2. Solar development companies should hire directly or provide funding to local municipalities to hire an independent Environmental Monitor, as referred to in Ag and Markets Guidelines, to collect and document important site data prior to the commencement of construction. The Environmental Monitor will monitor the site during construction to ensure the guidelines of the decommissioning plan are followed, and when the solar array has reached the end of its useful life, that decommissioning and restoration plans are followed.
3. The ad-hoc committee highly recommends that in addition to the recommendations of the Ag and Markets Guidelines, the Environmental Monitor collects, and documents topsoil depth over any area of the solar project where soil will be disturbed. The decommissioning plan must provide that topsoil depth will be restored to original pre-construction depths.

4. The local municipalities where a solar project is located, should be provided a copy of the decommissioning plan and any subsequent updates for their records, prior to commencement of construction of the solar project. The landowner, where a solar project is located, should receive a copy of any decommissioning plan and subsequent updates.
5. Solar development companies, or their contractors, should be required to remove all project infrastructure, regardless of depth of the infrastructure, during decommissioning and site restoration. Solar project infrastructure should not remain in the ground for future generations.
6. A solar development company, the Environmental Monitor and the landowner should monitor the previous solar project site and its restoration for a minimum of two calendar years after completion of the restoration of the site. This is important to allow for monitoring of drainage pattern changes, soil fertility changes and other factors that may have decreased the value and yield potential of the project site. Any problems must be corrected at the expense of the solar development company.
7. Solar development companies, landowners, and municipalities should review all bonding or financial arrangements designed to allow for coverage of the costs of decommissioning and restoration, every five years after the solar project is constructed and operational. If the projected costs of decommissioning and site restoration increase, the solar project company should increase the bonding or any other form of financial arrangements to ensure adequate financial support is available at the time of solar project decommissioning.

In addition to the guideline recommendations, municipalities may want to consider contacting the Tug Hill Commission or the Jefferson County Department of Planning for assistance in reviewing their solar regulations or developing solar regulations for their municipality.

Members of the ad-hoc committee include:

- Jefferson County Planning Department
- Jefferson County Soil and Water Conservation District
- NYS Tug Hill Commission
- Jefferson County Agriculture and Farmland Protection Board
- Jefferson County Farm Bureau
- Jefferson County Economic Development