

VILLAGE OF JORDAN
September 11th, 2017

MEMBERS PRESENT: Mayor Platten, Trustees, Stapleton, Simko, Gustafson and Chilson

MEMBERS ABSENT: none

POLICE OFFICER in ATTENDANCE: Healy

STAFF: Superintendent Byrnes

Trustee Simko led the Board in the Pledge of Allegiance at 7:00 pm.

Officer Healy asked for a moment of silence in remembrance of the 2977 lives lost during the 9/11 terrorist attacks 16th years ago in New York City, Washington DC, and Shanksville, PA.

*Motion by Trustee Gustafson, seconded by Trustee Simko, to waive the reading and approve the minutes of August 14th, 2017 Voting: All present in favor –Motion Carried.

AUDIENCE PARTICIPATION:

None

REPORTS:

Buildings & Grounds:

- The July monthly report was reviewed.
- The August monthly report was reviewed.
- The Clinton Terrace Redesign Bid opening is on Wednesday September 13th at 2:00pm; the pre-bid meeting was held on September 6th at 1:00 pm.
- The Elbridge Street Drainage pre-bid meeting will be September 13th at 1:00 pm; the bid opening will be September 22nd at 2:00 pm.
- A reminder that the Sheldon Peck Memorial Marker Dedication is Saturday morning September 23rd at 10:30 am.
- Trustee Chilson inquired about the status of the Lawrence Street house. Status unknown, will need to check with codes.
- The need for a new part-time park laborer position next year to help with the extensive mowing and to help Mr. Bard in the flower garden was discussed. Keep on the agenda.
- Discussion had on the need for an herbicide applicator. It took the DPW multiple man power and hours just to clean weed growth from the sidewalks and curbside in the downtown area. It makes sense to get one DPW person licensed. Superintendent Byrnes will research the requirements and the course availability prior to budget preparation time.
- Question for research: How long can a portable storage container be on a premise?

Water & Sewer:

- The August monthly report was not available, will be reviewed next meeting.
- Environmental Training Center: Grade C Water certification course. Superintendent Byrnes needs to attend this course for his LT2 certification. It is imperative that we have one more certified operator. Three days at Morrisville College. Discussion & action to be taken under new business.
- The phosphate program is back up and running successfully.

Public Safety:

- The July report was discussed.
- A request was made to perhaps monitor the traffic speed on South Hamilton Street by means of a digital sign. Inquiries will be made to borrow the sign again. Trustee Gustafson was asked to research the cost of a pole mounted unit. Discussion had on the ability to move it from pole to pole.
- Fall Festival patrol was discussed.
- Signage and patrol for the next KEGS event was discussed.

Streets and Drainage:

- The August monthly report was reviewed and discussed.
- Mayor Platten spoke with the Senator regarding the North Main/Route 31 paving and resulting sidewalk flooding issues. He will continue to pursue the issue and compose a letter to the D.O.T.
- The remains of the winter water brake restoration have been wrapped up and cones removed.
- Some of the extra street millings have been distributed in the municipal parking lot next to Auer's Pizza.
- The Skaneateles Creek clean-up is complete as per the DEC and Army Corp of Engineers

- specifications.
- Residents have noted tractor-trailer traffic on South Hamilton Street is increasing despite the no truck sign. South Hamilton Street was not constructed to withstand daily traffic of heavy trucks nor tractor-trailers. The clerk has been given a list of trucks that have violated Local Law # 6 of 1990. New signs are being ordered as the existing one is quite faded. Discussion was had regarding the placement of the new signs.
 - Trustee Chilson inquired about on street parking on Pine Street. Currently vehicles are being parked overnight on both sides of the street and the resulting congestion is a concern. It was discussed that emergency vehicles would not be able to drive the entire street. Officer Healy stated there is not a local law prohibiting parking. Mayor Platten stated they would need to revisit the local law that allows parking on both sides of the narrower street at a later date.

General:

- The Revised Shared Service Plan Draft was shared and the sheet of removed items addendum reviewed.
- The tree quote for the complete removal of the hazardous tree on Delhi Street is \$3,000. The notification letter has been sent to the homeowner. Once an email confirmation has been received the project may move forward. All costs will be levied to the property tax of the home.
- The Clerk reported all residential letters have been sent regarding problematic sidewalk snow plowing, vehicle visibility, Rose Street swale and Clinton St. ditch. Responses have been cooperative.
- Discussion had on the closing of the local TOPS Grocery store. No information on a new store.
- The reporter has notified the clerk he will not be covering village any longer, the Citizen will not continue the West Onondaga Newspaper.
- A scout has approached the village seeking ideas for his Eagle Scout project. Discussion netted: restoration of the kissing bridge, the mural project and a portion of miniature golf at the pool complex. Trustees were asked to send ideas to the clerk.
- Cornell University is offering a free online course regarding Climate Change. Course information was emailed to trustees earlier. The course will run from 9/11 through 10/01. Trustee Gustafson expressed an interest and will investigate if he could still participate.

UNFINISHED BUSINESS

- Discussion regarding the installation of the SNADD Med Box in the village office. As research showed a surveillance camera was not required but recommended the camera can be placed immediately. A camera will be discussed and considered for the next budget year.

NEW BUSINESS:

Water/Sewer:

- A new water service application submitted for a new residence being constructed at 5751 Jordan Road. The installation will require a bore. The costs associated with the increased size of the pipes and meter must be passed along to the homeowner.
- *Motion** offered by Trustee Stapleton and seconded by Trustee Gustafson, to accept and approve the water service application for 5341-Wheeler Road with the installation charge of \$1750.00 plus the difference associated with the increased size of the materials.
All present voting in favor. Motion Carried

General:

- The village has been named as a beneficiary of the Melvin E. Brown Fund, a newly created fund through the Community Foundation. The funds will be received in May and must be used to help preserve the annual Memorial Day Parade in the Village of Jordan. Mel Brown was active in the community and strong supporter of the Memorial Parade. The village is definitely honored and most grateful to have been remembered in his will.
 - Paid Family Medical Leave was discussed. Municipalities are not required to participate. This has been confirmed by NYCOM. Employees were asked for their thoughts and no one wished to opt in. The Village Board also did not want to have the village participate. The Clerk will notify the insurance carrier.
- *Motion** offered by Trustee Chilson and seconded by Trustee Gustafson, to resolve that the Village of

Jordan will not participate in the New York State Paid Family Leave Program.
All present voting in favor. Motion Carried

-Onondaga County Tax Delinquent Auction will be October 23rd. The list of properties within the village was reviewed and discussed. The vacant property could be a contender for the Community Development Rehabilitation Program. Mayor Platten will investigate the possibility.

-Congress is contemplating the elimination of the State and Local Tax (SALT) Deduction in New York State. This would not only hurt homeowners but also local governments as we would no doubt have to reduce our taxes to help offset the federal increase. The result would be the reduction of services we could provide, reaching from infrastructure to public safety. Local budgets are already stretched thin and currently without wiggle room.

***Motion** offered by Trustee Gustafson and seconded by Trustee Chilson to adopt the following Resolution.

All present voting in favor. Motion Carried

Resolution # of 2017

Opposing Elimination of the Deductibility of State and Local Taxes

WHEREAS Congress is giving serious consideration to eliminating the federal income tax deduction for state and local taxes;

WHEREAS this deduction, which has been in place for more than 100 years, is heavily utilized by residents of our community and our State;

WHEREAS New York residents already pay more into the federal treasury than the federal government returns to New York;

WHEREAS the state and local deduction is a fundamental principal of federalism and without it our residents would be faced with double taxation as they would be forced to pay federal income taxes on the taxes they pay to state and local governments;

WHEREAS this federal cost shift onto local governments would place extreme pressure on municipal budgets, including diminished revenue for essential local government investments, including public safety and public infrastructure; and

WHEREAS increased federal taxation and reduced municipal services will harm our local housing market, decrease home values and erode our local tax base,

NOW THEREFORE BE IT RESOLVED THAT the Village of Jordan expresses its strong opposition to any tax reform proposal that would eliminate the State and Local Tax (SALT) Deduction and urges Representative John Katko to join us in publicly opposing any such proposal.

-Mayor Platten shared every 20 years New Yorkers have the opportunity to hold a Constitutional Convention and this is the year. While the purpose is for improvement of the document of the state, this year the Governor wants to get ahold of state retirement money. Unions and legislative leaders are arguing against this convention on the grounds it could repeal "hallowed protections." Be alert.

-Proposed revisions and proposed new local laws were reviewed and discussed as follows.

Local Law # 2 of 1983, Amended Local Law # 4 of 1984

ORIGINAL TEXT:

Section 2. Section 906 is hereby added to Article 9 of the Local Law #2 of 1983. The Superintendent of Sewers and his designated representatives, including the designated plant operator and the Village of Jordan Building Inspector and Zoning Officer, are hereby authorized to issue citations and prepare tickets for violation of this local law upon their observation or finding that a resident of the Village of Jordan or homeowner or business person, corporation, or other entity is violating any provisions of this local law including but not limited to pollution, improper

hook-ups, failure to hook-up in accordance with the provisions of the local law, and all and any other violations that, in the opinion of the enforcement officials require correction, including the institution of the necessary legal proceedings provided under Sections 902 and 903.

Retain above as is, and just add the following:

***Illegal sump pump connections:**

A penalty of up to \$250.00 per day can be levied for illegal sump pump hook-ups.

In the future, any changes to the penalty shall be implemented by Board resolution.

Discussion was again held regarding the property on Valley Drive and the natural spring under their house. They cannot tie into the sewer system as the sheer volume of water moving through the system as a result of their connection increases the running of the plant by over a third. This requires manpower overtime, additional operating costs, and is detrimental to the system as the plant is not designed to treat clean water and results with problems in securing appropriate mandated readings. Installation of pipes and pumps by the village would be illegal as it is on private property. The homeowners will be invited to attend a Board meeting in the future to discuss what plans they have investigated.

VOTING:

***Motion** offered by Trustee Stapleton and seconded by Trustee Gustafson to adopt the above addendum to Local Law # 2 of 1983, Amended Local Law # 4 of 1984 as written.

All present voting in favor. Motion Carried

- ZONING LAW Article V Special Permit / Site Plan Review

ORIGINAL TEXT:

§ 5.2 CRITERIA AND FINDINGS

B. SPECIFIC

2. Motor Vehicle Service and Repair

- e. All fuel, oil, gasoline or similar substances shall be stored underground at least thirty-five feet from any lot line, and tanks shall be installed and maintained in accordance with the current standards of the National Board of Fire Underwriters and the NYS Uniform Fire Prevention and Building Code. Vents must be at least twenty-five feet from any lot line.

Proposed Change:

- e. All fuel, oil, gasoline or similar substances shall be stored and maintained in accordance with the current standards of the National Board of Fire Underwriters and the NYS Uniform Fire Prevention and Building Code, and be at least thirty-five feet from any lot line and be NYSDOT approved. Vents must be at least twenty-five feet from any lot line.

***Motion** offered by Trustee Stapleton and seconded by Trustee Gustafson to adopt the above proposed change to Article V Special Permit / Site Plan Review as written.

All present voting in favor. Motion Carried

-ZONING LAW Article V Special Permit / Site Plan Review

ORIGINAL TEXT:

§ 5.2 CRITERIA AND FINDINGS

B. SPECIFIC

2. Motor Vehicle Service and Repair

- g. Vehicles awaiting routine repair must be stored on-site but shall not be stored in the required yard areas nor between the front building line and front property line; vehicles awaiting repair or vehicles of which repairs have been completed

may be stored on-site for a period not to exceed 48 hours.

Proposed Change:

- g. Vehicles awaiting routine repair must be stored on-site but shall be neatly and orderly parked in the required **parking** areas. Vehicles of which repairs have been completed may be stored neatly and orderly on-site for a period not to exceed one week.

***Motion** offered by Trustee Stapleton and seconded by Trustee Gustafson to adopt the above proposed change to Article V Special Permit / Site Plan Review as written.
All present voting in favor. Motion Carried

- ZONING LAW Article V Special Permit / Site Plan Review

ORIGINAL TEXT:

§ 5.2 CRITERIA AND FINDINGS

B. SPECIFIC

2. Motor Vehicle Service and Repair

- i. On each lot line abutting a residential use, there shall be a landscaped buffer, eight feet in width measured from the lot line, planted with a staggered double row of evergreen trees, installed at a height of four feet, on six-foot centers, and maintained to a height of six feet. The Board of Zoning Appeals may authorize opaque fencing to be substituted for landscaping planting upon finding that such screening would provide a more effective buffer for the residential use.

Proposed Change:

- i. On each lot line abutting a residential use, there shall be an approved buffer maintained at a six-foot height. Buffers can be either appropriate vegetation (trees & shrubs) or approved fencing. The decision of the buffering material will be at the discretion of the ZBA. Code Enforcement will monitor the owners upkeep and enforce this buffer.

***Motion** offered by Trustee Stapleton and seconded by Trustee Gustafson to adopt the above proposed change to Article V Special Permit / Site Plan Review as written.
All present voting in favor. Motion Carried

- ZONING LAW Article V Special Permit / Site Plan Review

ORIGINAL TEXT:

§ 5.2 CRITERIA AND FINDINGS

B. SPECIFIC

3. Motor Vehicle Sales

- a. All sales activities and vehicle storage or display shall be maintained within an enclosed area.

Proposed Change:

- a. All vehicles associated with commercial sales activities and vehicle storage or display shall be maintained within an enclosed structure, excluding those businesses within the highway commercial zone on Route 31.

***Motion** offered by Trustee Gustafson and seconded by Trustee Chilson to adopt the above proposed change to Article V Special Permit / Site Plan Review as written.
All present voting in favor. Motion Carried

Local Law # 2 of 1987...Concerning Peddlers and Solicitors of the Village of Jordan

Proposed Change will amend Local Law 2 of 1987 Section 11 (time duration), Section 13 (fee), Section 15(hours) and new additions: The license fee for each person licensed under this law shall be \$100.00. The permit will be effective for five days and only between the hours of 9:00am through 7:00pm. No permits will be issued for use on National Legal Holidays, with the exception of local non-profits. Application(s) and payment for a permit must be submitted five days in advance of the desired date. All local not-for-profit organizations must also make application for a permit to sell, however the Board of Trustees reserves the right to waive the fee. In the future, any changes to the fee shall be implemented by Board resolution.

ORIGINAL TEXT:

Section 3. B. Exempt Organizations

Nonprofit organizations and persons working for such organizations shall be exempt. However, such organizations shall register annually with the Village Clerk in the event they plan to engage in vending, hawking, peddling, or soliciting, and shall indicate the type of activities to be undertaken and the time when they will be performed. It shall be the responsibility of such organizations to furnish identification for their representatives which must be exhibited upon demand. Failure to register individuals without proper identification will result in this exemption being withdrawn from the specific nonprofit or charitable organization.

PROPOSED CHANGE:

Section 3. B. Exempt Organizations

1. All local nonprofit organizations must also make application for a permit to sell, however the Board of Trustees reserves the right to waive the fee.
2. All nonprofit and charitable organizations must make application and register annually with the Village Clerk in the event they plan to engage in vending, hawking, peddling, or soliciting, and shall indicate the type of activities to be undertaken and the time when they will be performed. It shall be the responsibility of such organizations to furnish identification for their representatives which must be exhibited at all times. Failure to register individuals without proper identification will result in this exemption being withdrawn from the specific nonprofit or charitable organization. The Board of Trustees reserves the right to waive the fee.

ORIGINAL TEXT:

Section 11. Term of License.

Such license shall be for a term of fifteen days.

PROPOSED CHANGE:

Section 11. Term of License.

- A. Application(s) and payment for a permit must be submitted five days in advance of the desired date.
- B. Such license shall be for a term of five days.
- C. Such license shall be in effect between the hours of 9:00 am and 7:00 pm.
- D. No permits will be issued for use on National Legal Holidays, with the exception of local non-profits.

ORIGINAL TEXT:

Section 13. License Fee.

The license fee for each person licensed under this Local Law shall be fifty dollars (\$50.00)

PROPOSED CHANGE:

Section 13. License Fee.

- A. The license fee for each person licensed under this Local Law shall be One hundred dollars (\$100.00)
- B. In the future, any changes to the fee shall be implemented by Board resolution.

ORIGINAL TEXT:

Section 15. Prohibited Acts.

- A. It shall be unlawful for any person to enter upon private property for the purpose of peddling or soliciting before the hour of 9:00 am of any day or after the hour 9:00 pm of any day except upon invitation of the householder or occupant.

PROPOSED CHANGE:

Section 15. Prohibited Acts.

- B. It shall be unlawful for any person to enter upon private property for the purpose of peddling or soliciting before the hour of 9:00 am of any day or after the hour 7:00 pm of any day except upon invitation of the householder or occupant.

***Motion** offered by Trustee Chilson and seconded by Trustee Gustafson to adopt the above proposed changes to Local Law # 2 of 1987...Concerning Peddlers and Solicitors of the Village of Jordan as written.

All present voting in favor. Motion Carried

PROPOSED NEW LOCAL LAW GARAGE/YARD SALES

ORIGINAL TEXT: none

Proposed Regulation: These sales will be limited to three per year per property. Each sale event may run up to three consecutive days. The sale must be registered with the Village Office at which time a paper permit will be issued. No fee will be collected. Sales not registered with the village office will be in violation. The penalty for the first offense will be removal of one sales opportunity. The second offense will result in the removal of two sales opportunities. And the third offense will result in not being allowed to hold any future sales. A penalty of up to \$250.00 per day will be levied to any sales running beyond the three-day limit.

Intent: The occasional conduct of sales of personal property from or on residential areas of the Village known as “attic sales,” “basement sales” “estate sales,” “flea market” “garage sales,” “lawn sales,” “porch sales,” “rummage sales” “yard sales’ or by any other similar designation has proliferated and, in cases, created traffic congestion problems. Such sales often have continued for extended periods of time, resulting in ongoing retail operation to the detriment and degradation of the character of residential neighborhoods. The purpose of this local law is to regulate and restrict the conduct of such sales in order to protect the safety, health and welfare of the Village residents and to preserve the character of residential neighborhoods.

Definitions:

- A. The sale or offering for sale of new, used or secondhand items of tangible personal property from any one residential premises.
- B. The sale of tangible personal property from residential premises entitles “attic sales,” “basement sales” “estate sales,” “flea market” “garage sales,” “lawn sales,” “porch sales,” “rummage sales” “yard sales’ or any similar casual or occasional sale advertised to the public at large as such.

Days Allowed:

- 1. Each sale event may be conducted for up to three (3) consecutive days.
- 2. Sales will only be allowed to be conducted on Thursday, Friday, Saturday or Sunday.

Hours of Operation:

Sales shall be conducted between the hours of 8:00 am and 6:00 pm. The person conducting their sale may alter sale hours within this **10-hour** timeframe.

Permit Required:

1. Each sale must be registered with the Village Office at which time a paper permit will be issued.
2. No fee will be charged or collected.
3. No more than three permits will be issued for any premises in any one calendar year.
4. This permit shall be visible, posted on premises in a conspicuous place.

Additional Requirements:

1. The owner of the property where a sale is held shall be responsible for the maintenance of good order and decorum on the premises during the hours of their sale.
2. **The owner shall not permit the parking of motor vehicles on or about public streets to impede the regular flow of vehicular traffic, and shall not obstruct or impede pedestrian traffic on Village sidewalks on or in front of the garage/yard sale premise.**
3. Any and all signage placed to advertise the sale must be removed at the conclusion of the sale on the last day.

Enforcement:

Sales not registered with the village office will be in violation. This law shall be enforced by any code enforcement officer or any police officer of the Village of Jordan.

Penalties for Offenses:

The penalty for the first offense will be removal of one sales opportunity. The second offense will result in the removal of two sales opportunities. And the third offense will result in not being allowed to hold any future sales. A penalty of up to \$250.00 per day will be levied to any sales running beyond the three-day limit.

***Motion** offered by Trustee Chilson and seconded by Trustee Gustafson to adopt the above proposed new local law entitled Garage/Yard Sales. Discussion had on parking.

***TABLED** as there is still desired modifications to be made.

PROPOSED NEW LOCAL LAW BED AND BREAKFASTS

ORIGINAL TEXT: none

Purpose:

To authorize and regulate the establishment and the operation of bed-and-breakfasts in the Village and to ensure the preservation of the character, integrity and property values of surrounding neighborhoods within which such facilities are located.

Definition:

- a) "Bed -and-Breakfast" is an owner-occupied place of lodging that that is a single-family residence, has guest rooms and may serve meals only to guests within the host's premises.
- b) "Owner" is the individual that has legal ownership of the single-family residence.
- c) "Guest(s)" is herein defined as the short-term paying residents, not to exceed thirty days.

Special Permit Required:

- a) No bed-and-breakfast shall be established or operated without first obtaining a special use permit.
- b) Allowable district areas RA-1, VC.
- c) No special permit will be issued for a bed-and-breakfast establishment for any residence or building having more than one kitchen. (NOTE: no duplex or multifamily houses)
- d) The special permit is non-transferrable. If the property is sold, the new owners must apply for the special permit.

Terms:

- a) A bed-and breakfast shall only be established in a single-family detached dwelling.
- b) The number of Guest Rooms may not exceed the available off-street parking on premises.
- c) The bed-and-breakfast shall be established, maintained and operated in such a manner as will preserve and complement the residential character and integrity of the surrounding area.
 - 1) No exterior alterations, other than those mandated by other codes or regulations to assure safety and sanitation, shall be made to any existing dwelling for the purpose of operating a bed-and-breakfast establishment.
 - 2) No entrances solely for the purpose of bed-and-breakfast guests shall be permitted.
 - 3) Any exterior lighting or illumination may not conflict with the neighboring properties.
- d) The operator of the bed-and -breakfast shall be a full-time resident of the dwelling in which the bed-and-breakfast establishment is housed.
- e) The owner shall be responsible for compliance with any and all state and local health, fire and sanitation codes, zoning and building codes, as well as Section AJ701.1-1.4 of the Residential Code of the State of New York.
- f) The owner shall comply with all other applicable federal, state, county and local laws and taxing authorities.
- g) Any amenities connected with the guest rooms, e.g., swimming pools, gardens, tennis courts, patios, etc., shall be solely for the use of the owner, his/her family, and the owner's registered guests.
- h) The owner/operator must maintain a current guest register that includes names, addresses, and dates of occupancy of all guests; and such register shall be available for inspection by the Code Enforcement Officer.

Use Regulations:

- a) **The number of paying guests accommodated per night shall not exceed the appropriate sleeping space available per room for rent.**
- b) No guest shall stay for a period of time in excess of 30 consecutive days.
- c) Each bedroom occupied by a paying guest shall be equipped with a properly installed and functioning smoke detector; in addition, a smoke detector shall be installed and properly functioning on or near the ceiling in the hallway from which each bedroom rented to paying guests exits.
- d) Code Enforcement Officer shall be granted access to the dwelling as he/she deems necessary from time to time for the purpose of making inspections to ensure compliance with all federal, state, and local codes, rules and regulations, including the New York State Uniform Fire Prevention and Building Code.
- e) Signage must comply with Article VII §7.10 in the Zoning Regulation and Rules of Local Law #2 of 1989.

Off-Street Parking:

- a) Adequate off-street parking is required and must be provided for all guests, in addition to the off-street parking for the members of the owner's family residing within the dwelling unit.
- b) The minimum number of off-street parking spaces shall be one space for every room available for guests.
- c) Parking spaces shall not be established or permitted in the front yard of the site and shall be located or screened from view so as to provide minimal variation from the residential character of the neighborhood.
- d) The driveway entrance or exit shall not exceed 15 feet in width.; and shall have appropriate visibility and offer safe access to and from the property.
- e) On-site parking must be adequate in width, grade, alignment and visibility.

Penalties:

Penalties for violations of any conditions set forth in this local law and/or the special permit issued, will result in a fine of \$250 and/or immediate revocation of the special permit.

Other:

The Village of Jordan's Board of Trustees shall have the right to impose and include such other and additional conditions as it may deem necessary to effectuate the purpose of this local law.

***TABLED** as there is still desired modifications to be made.

***Motion** to pay the bills and file the correspondence offered by Trustee Chilson and seconded by Trustee Gustafson. All present voting in favor. Motion Carried

***Motion** to adjourn offered by Trustee Gustafson and seconded by Trustee Stapleton. All present voting in favor. Motion Carried at 10:00 pm.

Respectfully Submitted,
Cynthia Meixner, Clerk-Treasurer