

VILLAGE OF JORDAN
BOARD OF TRUSTEES
February 28, 2022

PRESENT:

Mayor Brim	Deputy Mayor Gustafson	Trustee Stapleton
Trustee Bates	Officer Ennulat	Code Enforcer Gilfus
ZBA Chairman John Nevin Jr	Clerk Powers	

ABSENT:

Trustee Simko

AUDIENCE PRESENT:

Jayson Breckheimer, Eric Mataras, Chris Carrick-CNY Regional Planning, Melissa Clark-Abundant Solar (*by phone*)

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

Motion to approve the minutes of February 14th offered by Deputy Mayor Gustafson, seconded by Trustee Bates. All voting in favor, motion carried.

AUDIENCE:

ZBA Chairman John Nevin Jr., Code Enforcer Gilfus, Mr. Breckheimer, and Mr. Mataras were all present to discuss 12 Railroad Street. John presented a 2005 Resolution regarding a Use Variance for 12 Railroad Street. The Use Variance was to permit a single-family, owner-occupied residence, in a commercial building that was granted solely to Terry and Katherine Meadows and would be rescinded upon sale of the property. ZBA Chairman Nevin Jr. also noted that in 2006 Terry and Katherine Meadows received a permit to add a kitchen and bathroom. In 2007 they applied to move-in other undeveloped areas, but never followed through with the request. In 2021, Code Enforcer Gilfus did a pre-sale inspection of 3 rental units at 12 Railroad Street. According to ZBA Chairman John Nevin Jr., the apartments were put in and utilized without Village approval. This in turn has left the current owners in a "legal limbo". Mr. Mataras thanked John for bringing this information to their attention. Unfortunately, Mr. Meadows did not bring this to their attention prior to their purchase of 12 Railroad Street. To remedy this situation, Mr. Breckheimer and Mr. Mataras will need to submit a Special Permit application, which is subject to a \$100 fee. They will need to bring the Permit to the next ZBA meeting which will be held on March 16, 2022. The ZBA will then set a Public Hearing to create a Resolution. Jayson and Eric want to work with the Board to come to a resolution. They want to do everything right and are willing to do whatever the Board requires. There are currently 2 units that are occupied and there is a signed lease for the third unit. Code Enforcer Gilfus expressed that Jayson and Eric have complied with anything that he has asked them to do. Mr. Mataras said that they appreciate the opportunity to fix this situation. The Board recommendation is to allow the two tenants to remain in the apartments on 12 Railroad Street and the other apartment is to remain vacant until proper paperwork and approval by the Zoning Board of Appeals.

Chris Carrick of Central New York Regional Planning was present as well as Melissa Clark of Abundant Solar, by telephone, to discuss the Solar Project. The Abundant Solar Project was first brought to the Board of Trustees around 2016/2017. It has since faced delays due to a land swap and eventually the pandemic in 2020. Ms. Clark provided a packet detailing the project. Of note, a 200 Kw array will produce approximately 362,616 Kw-hours of carbon-free electricity each year. That is equal to the total energy use of 31 homes, or more than 9,750 lights switched to LED's per year. This usage does currently align with Village Usage. The Village of Jordan currently has 1 acre available for this project. Annual cost savings are about \$4,900 for the first year, or 9.7% cost savings. Our current usage, as listed on our website, is 203,000 Kw from June 2019-May 2020. The array will give off approximately 362,000 Kw. The Village will compile recent utility bills to re-work the numbers since improvements have been made since the last reporting. Trustee Stapleton asked Mr. Carrick, "What has changed since the last time the Board met with him?" He responded, "Lots.", including the fact that NYSERTA Grants have come down a lot. Deputy Mayor Gustafson inquired how this will affect residents and how do they sign up? Mr. Carrick said that Abundant Solar would reach out to residents to offer a discount on their energy usage. At that point, they would then register a subscriber with the utility company and put a monetary credit toward their bill (a 10% discount). Chris also emphasized that even with NYSERTA Grants changing, there is still no cost to the Village. The Village of Jordan's savings across 30 years would be approximately \$340,000, or 16% of their bill. Trustee Stapleton asked why the terms had changed from 25 years to 30 years. Mr. Carrick said that because the technology is better, and the arrays are now warranted for 30 years. He also said that NYSERTA will work with the Village to help get credits/points if the Village helps with outreach to residents. Trustee Bates asked, "What happens at the end of 30 years?" Mr. Carrick said that Abundant Solar can decommission the array if that's what the Village decides. There is a bond as well for the decommission of the array. As the presentation was wrapping up, Mr. Carrick also stated that this proposal also includes the Wastewater Plant and all Pump Stations. Before the project can move forward, the Village will need to share the footprint of the proposed Sewer Expansion and the 2021 energy bills.

REGULAR MEETING:

Clerk Powers gave report of Abstract #18 for a total of \$26,444.28

General Vouchers 311-332 \$10,505.99

Water Fund Vouchers 120-125 \$2,956.25

Sewer Fund Vouchers 125-134 \$5,956.07

Jordan Veteran's Memorial Pool Voucher 54 \$31.38

Trust & Agency Vouchers 27-29 \$6,994.59

Trustee Stapleton motioned to approve Abstract #18 in the amount of \$26,444.28 and Trustee Bates seconded the motion. All voting in favor, motion carried.

REPORTS

Buildings & Grounds:

Karen provided a pass out to the Board due to her absence. Trustee Simko has spoken with Joe of Weedsport Window & Glass and has given him the opportunity to refund the Village's deposit

by May 1, 2022. He understands there will be no extension and the situation will be escalated if needed. Martin's Glass & Mirror has been contacted and told that the Board has approved their estimate and would like them to start the work as soon as possible. Martin will begin work when the weather is above 30 degrees and will look for the next possible opportunity to begin. Trustee Simko has asked him to give the Board a two day warning so that the office can prepare. The windows will be removed, repaired, and replaced. The work should take approximately 2-3 days. Payment will be due upon completion of the project.

Trustee Stapleton called Joe Evans of Evans Sandblasting, Port Byron. He will draw up a contract and a timeline for the Kissing Bridge project. At this time, he should be able to start the project in mid-March. Upon receiving the contract, Trustee Stapleton will leave it for the Mayor and Trustee Simko to review.

Trustee Simko has reached out to local Boy Scouts/Girl Scouts to see if they would like to participate in Clean Sweep. Currently looking at a date of Saturday, April 23rd in the morning. Waiting on a response to move forward.

The Erie Canal Bike Tour is coming through on Wednesday, July 13th. Trustee Simko is trying to have a conversation with the race director. She has also reached out to the Boy Scouts/Girl Scouts to see if they would like to set up a booth. Trustee Simko is also in the process of reaching out to other local businesses to see if they would like to participate.

A custodian has been hired to clean the Village Office. Sara is working out well and is enjoying the position.

Trustee Simko is still investigating areas to place the Lock Tenders Shanty. She still needs to speak with several parties including Mr. Petrocci, Mr. Bush, and the Historical Society. Trustee Simko has found a parcel that is flat, has direct access to the path and would not hinder sledders in the winter. She will look into this matter further.

Code Enforcer Gilfus provided a copy of his Monthly Report dated January 22, 2022-February 25, 2022.

Water & Sewer:

There have been several water breaks, but all have been taken care of. Will need to get with Superintendent Byrnes to make sure that the streets are all in line with Asst. Superintendent Johnston since Pat will be helping Elbridge. There will be a Joint Sewer meeting on Thursday at 9am at the Town of Brutus Office.

Public Safety:

Officer Ennulat stated that Officer Shelley had responded to a burglary at Fastrac, it was a person in crisis. The mobile data unit (MDT) was replaced in 3702 as well as the steerage.

Last week the Fire Department had a health and safety inspection. The Chief is currently working on getting an ISO rating of 3.

Streets & Drainage:

Nothing to report.

General:

Mayor Brim presented two informal quotes from Spectrum regarding internet for the Waste Water Treatment Plant. For fiber, super-fast internet: \$26,810 and for regular (coax) internet: \$15,140.96. Spectrum covers \$8,000 and we would owe the balance of \$7,140.96. Monthly fee would be \$132.96 for the first year. We are able to use ARPA funds toward this. Since this is not a formal quote, the Board will not act on this at this time.

Unfinished Business:

N/A

New Business:

A motion was made by Deputy Mayor Gustafson and seconded by Trustee Stapleton to authorize Mayor Brim to sign the AMENDMENT TO OWNER-ENGINEER AGREEMENT, Amendment No.2 regarding the Joint Water Project with Town of Elbridge and Village of Elbridge which will modify the payment of Engineer. All present voting in favor, motion carried.

A motion was made by Deputy Mayor Gustafson and seconded by Trustee Bates to introduce the Resolution of proposed Village of Jordan Local Law No. A-2022, A Local Law to Require Prior Written Notification of Defects to Maintain an Action in the Village of Jordan.

VILLAGE BOARD RESOLUTION

VILLAGE OF JORDAN

February 28, 2022

Local Law No. A-2022

(“A Local Law to Require Prior Written Notification of
Defects to Maintain an Action in the Village of Jordan”)

Trustee Stapleton introduced proposed Local Law No. A-2022 regarding the requiring of prior written notification of defects to maintain an action in the Village of Jordan and made the following Resolution, which was seconded by Trustee Bates:

WHEREAS, proposed Local Law No. A-2022 has been introduced and will be considered for enactment pursuant to the provisions of the New York State Constitution and New York Municipal Home Rule Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Village of Jordan, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (“SEQR”) with respect to the proposed enactment of said proposed Local Law, with the result that the Village Trustees shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQR; and

WHEREAS, the Village Board has determined that a Short Environmental Assessment Form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Village Board; and

WHEREAS, the Village Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE,

BE IT RESOLVED AND DETERMINED that the enactment of this proposed local law is an unlisted action under SEQR, that there are no other involved agencies and the Village Board shall act as lead agency; and it is further

RESOLVED AND DETERMINED that the Village Board has determined that this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further

RESOLVED AND DETERMINED that the Village Board shall conduct a public hearing as to the enactment of proposed Local Law No. A-2022 at the Village Hall located at 7 Mechanic Street, Jordan, New York on March 28 at 7:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard, at which time all persons interested in the subject shall be heard; and it is further

RESOLVED AND DETERMINED that notice of said public hearing shall be provided at least five (5) days prior to the date of said public hearing in a newspaper of general circulation within the Village of Jordan and to any affected municipalities described above.

The question of the foregoing Resolution was duly put to a vote and, upon roll call, the vote was as follows:

Joshua Bates	Trustee	Voted	Yes
Karen Simko	Trustee	Voted	Absent
Timothy Stapleton	Trustee	Voted	Yes
Mark Gustafson	Trustee	Voted	Yes
Casey Brim	Mayor	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

DATED: February 28, 2022

A motion was made by Mayor Brim to formally approve the 12 Railroad Street recommendation to allow the two tenants to remain in the apartments and the other apartment is to remain vacant until proper paperwork and approval by the Zoning Board of Appeals.

The question of the foregoing motion was duly put to a vote and, upon roll call, the vote was as follows:

Joshua Bates	Trustee	Voted	Yes
Karen Simko	Trustee	Voted	Absent
Timothy Stapleton	Trustee	Voted	Yes
Mark Gustafson	Trustee	Voted	Yes
Casey Brim	Mayor	Voted	Yes

All present voting in favor, motion carried.

A motion to pay the bills and file the correspondence was made by Deputy Mayor Gustafson and seconded by Trustee Stapleton. All present voting in favor, motion carried.

Executive session for the purpose of personnel was called for by Deputy Mayor Gustafson and seconded by Trustee Bates, motion being approved and carried by all present. Opened 8:57 pm, closed 9:01 pm. A motion was made by Trustee Stapleton and seconded by Deputy Mayor Gustafson to accept the resignation of Elizabeth Flynn retroactively as January 19, 2022. All voting in favor, motion carried. It was then motioned by Trustee Bates and seconded by Deputy Mayor Gustafson to re-hire Elizabeth Flynn retroactively as a per diem office consultant as of January 21, 2022, at a rate of \$17.61 an hour. All voting in favor, motion carried.

Motion offered by Deputy Mayor Gustafson and seconded by Trustee Stapleton to adjourn the meeting. All present voting in favor. Motion carried at 9:02 pm.

Respectfully Submitted,
Stephanie Powers
Clerk-Treasurer