

VILLAGE OF JORDAN
BOARD OF TRUSTEES
March 28th, 2022

PRESENT:

Mayor Brim
Trustee Bates
Clerk Powers

Deputy Mayor Gustafson
Officer Healy

Trustee Stapleton
Superintendent Byrnes

ABSENT:

Trustee Simko

AUDIENCE PRESENT:

John Nevin Jr, ZBA
Matt McCabe, Planning Board

Mayor Brim led the Board in the Pledge of Allegiance at 7:00 pm.

PUBLIC HEARING:

For the purpose of adopting Local Law No. A of 2022 Prior Written Notice of Defects to Maintain an Action in the Village of Jordan.

The Mayor opened the public hearing at 7:00pm.

There was no one in attendance for the public hearing.

No one spoke in opposition of Local Law No. A of 2022.

The Mayor closed the public hearing at 7:01pm.

AUDIENCE:

John Nevin Jr, Chairman of the ZBA, was present to discuss an inquiry made by Tony Tardibone of Kegs. Mr. Tardibone had expressed interest to Code Enforcer, Harold Gilfus, that he would like to possibly place cabins on his property. According to Chairman Nevin Jr., Mr. Tardibone will have to go to the ZBA to get an amendment of his Special Use Permit. While researching the request, John found that we do not currently have a definition of cabins in our zoning. Due to this fact, the ZBA would have to deny his request at this time because there is no law. The Board would have to make an amendment, as Kegs is currently zoned Highway Commercial zoned Hotel/Motel. Chairman Nevin Jr. also attended training on March 10th and shared some items with the Board that he had learned in his various seminars. He suggested that the Board consider passing a law that requires only the Chairman of the ZBA and Planning Board to go for training. Matt McCabe, Chairman of the Planning Board, was present to express that he would like an enforcement mechanism for the Planning Board. He also discussed that some laws, such as the subdivision law of the 1970's, need to be updated. John Nevin Jr. and Matt McCabe were excused at 7:54pm.

REGULAR MEETING:

Motion to approve the minutes of March 14th offered by Trustee Stapleton, seconded by Trustee Bates. All voting in favor, motion carried.

Clerk Powers gave report of Abstract #20 for a total of \$23,428.59

General Vouchers	348-363	\$9,709.06
Pool Fund Vouchers	55-56	\$104.13
Water Fund Vouchers	137-141	\$3,260.24
Sewer Fund Vouchers	141-143	\$3,582.51
Trust & Agency Vouchers	31-32	\$6,772.65

Trustee Stapleton motioned to approve Abstract #20 in the amount of \$23,428.59 and Trustee Bates seconded the motion. All voting in favor, motion carried.

REPORTS

Buildings & Grounds:

Karen provided a pass out due to her absence. Martin began work on the windows on the Municipal building Monday. He plans on finishing the job on Tuesday or Wednesday and will be paid in full at that time. The Girl Scouts of JE Service Unit 117 will be participating in the Canal Clean Sweep on Saturday, April 23rd at 9:00am. Karen also contacted FastSigns and is waiting on an estimate. Evan's Sandblasting provided an estimate of \$11,750 which includes moving the Kissing Bridge for repair, priming, and painting it. Anything beyond that will be at a rate of \$65 an hour. Harold also provided a copy of his monthly report for review.

Water & Sewer:

Superintendent Byrnes provided quotes for the purchase of the Freightliner and Backhoe. He is urging the Board to order now as it takes approximately 1 ½-2 years to get them in. He says that it is \$0 down and he would like a decision soon so that he can place the order. Pat also discussed the possibility of getting a GPS system for the Water Department. The County Health Department has been requesting that this should be done. The software shows within a foot and can map everything easily. It can work for Water and the DPW. The cost can range from \$5,000 to \$6,000. Superintendent Byrnes can set up a meeting for a presentation with the Board.

Public Safety:

Officer Healy emailed his monthly report to the Board for reference. The Police Department is currently preparing for the Kegs season. Fire Department Chief Milton submitted his budget and delivered Cato contract money for the 2021-2022 year to the last Board Meeting.

Streets & Drainage:

Nothing to report.

General:

The new credit cards are in and need to be activated by each authorized user. Mayor Brim spoke with Chris Carrick regarding the Solar Project. Mr. Carrick is concerned with where the buildings are being placed for the proposed sewer improvement. Regarding this concern,

Superintendent Byrnes said that solar takes priority since we've been working on that project longer. The Village has received a Memorial Day Grant in the amount of \$10,000 a year for a 5-year period from the Jordan Civic Support Fund. Mayor Brim has looked into pricing non-tangle flags to use along and just outside of the parade route. At this time, they are priced at \$45 per kit. As of April 1st, Superintendent Byrnes will be the primary water operator for Village of Jordan and Village of Elbridge. Community Development has reached out to Mayor Brim with a list of our projects and want to meet with him to follow up. Spectrum at the Waster Water Treatment Plant will be done within the next 4 months.

Unfinished Business:

N/A

New Business:

A motion was made by Deputy Mayor Gustafson and seconded by Trustee Stapleton to move the Annual Meeting form April 11th to April 25th. All present voting in favor, motion carried.

A motion was made by Trustee Bates and seconded by Deputy Mayor Gustafson to adopt Local Law No. A of 2022, Prior Written Notice of Defects to Maintain an Action in the Village of Jordan. All present voting in favor, motion carried.

VILLAGE OF JORDAN

VILLAGE BOARD RESOLUTION

March 28, 2022

VILLAGE OF JORDAN LOCAL LAW NO. A OF 2022

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

The following resolution was offered by Trustee Bates, who moved its adoption, seconded by Trustee Gustafson, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. A-2022, a local law regarding the requiring of prior written notification of defects to maintain an action in the Village of Jordan was presented and introduced at a regular meeting of the Village Board of Trustees of the Village of Jordan held on February 28, 2022; and

WHEREAS, a public hearing was held on such proposed local law on March 28, 2022, by the Village Board of Trustees of the Village of Jordan and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with

said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Village Board of Trustees of the Village of Jordan in its final form in the manner required by Section 20 of the Municipal Home Rule Law of the State of New York; 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 of New York (SEQRA), requires that as early as possible in the consideration of a proposed action, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, on February 28, 2022, the Village Board of Trustees declared itself lead agency and determined that the enactment of proposed Local Law No. A-2022 is an unlisted action and will have no significant effect on the environment, issuing a negative declaration, thus concluding environmental review under State Environmental Quality Review Act; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. A-2022.

NOW, THEREFORE, it is

RESOLVED that the Village Board of Trustees of the Village of Jordan, Onondaga County, New York, does hereby enact Proposed Local Law No. A-2022 as Local Law No. 1-2022 as follows:

“VILLAGE OF JORDAN

LOCAL LAW NO. 1 OF 2022

**A LOCAL LAW TO REQUIRE PRIOR WRITTEN NOTIFICATION OF
DEFECTS TO MAINTAIN AN ACTION IN THE VILLAGE OF JORDAN**

Be it enacted by the Village Board of Trustees of the Village of Jordan as follows:

SECTION 1. LEGISLATIVE PURPOSE AND INTENT.

It is the purpose and intent of this Local Law to provide that prior written notice of a highway, bridge, street, sidewalk, crosswalk, culvert, ditch or swale defect is required to maintain a civil action against the Village of Jordan or the Village of Jordan Department of Public Works.

SECTION 2. AUTHORITY.

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 3. PRIOR WRITTEN NOTICE OF HIGHWAY DEFECT REQUIRED TO MAINTAIN CIVIL ACTION.

No civil action shall be maintained against the Village of Jordan or the Village of Jordan Department of Public Works for damages or injuries to persons or property sustained by reason of any highway, bridge, street, sidewalk, crosswalk, culvert, ditch or swale being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway, bridge, street, sidewalk, crosswalk, culvert, ditch or swale was actually given to the Village Clerk of the Village of Jordan or the Village of Jordan Department of Public Works Superintendent, and that there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of. No civil action shall be maintained against the Village of Jordan or the Village of Jordan Department of Public Works for damages or injuries to persons or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge, street, sidewalk, crosswalk, culvert ditch or swale, unless written notice thereof, specifying the particular place, was actually given to the Village Clerk of the Village of Jordan or the Village of Jordan Department of Public Works Superintendent and there was a failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

SECTION 4. RECORD OF NOTICE.

The Superintendent of the Village of Jordan Department of Public Works shall transmit in writing to the Village Clerk within five (5) days after the receipt thereof all written notices received pursuant to this Local Law and New York Village Law. The Village Clerk shall cause all written notices received pursuant to this Local Law and New York Village Law, to be presented to the Village Board of Trustees within five (5) days of the receipt thereof or at the next succeeding Village Board of Trustees meeting, whichever shall be sooner.

The Village Clerk shall also keep an indexed record, in a separate book, of all written notices which they shall receive of the existence of a defective, unsafe, dangerous or obstructed condition in or upon, or of an accumulation of ice or snow upon any Village highway, bridge, street, sidewalk, crosswalk, culvert, ditch or swale, which record shall state the date of receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. All such written notices shall be indexed according to the location of the alleged defective, unsafe, dangerous or obstructed condition, or the location of accumulated snow or ice. The record of each notice shall be preserved for a period of five years after the date it is received.

SECTION 5. SEVERABILITY

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 6. EFFECTIVE DATE

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

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: March 28, 2022

CERTIFICATE

STATE OF NEW YORK)
COUNTY OF ONONDAGA)

I, the undersigned Village Clerk/Treasurer of the Village of Jordan, Onondaga County, New York,

DO HEREBY CERTIFY:

That I have compared the foregoing Resolution with the original thereof on file in the Office of the Village Clerk/Treasurer of the Village of Jordan, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Village on April 1, 2022.

STEPHANIE POWERS

Village Clerk/Treasurer

A motion was made by Deputy Mayor Gustafson and seconded by Trustee Stapleton to authorize Clerk Powers to sign the documents for the \$2,697,199.00 E.F.C. Drinking Water Facility Note – 2022. All present voting in favor, motion carried.

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

Executive session for the purpose of personnel appointment was called for by Trustee Stapleton and seconded by Deputy Mayor Gustafson. Opened 8:45pm. Closed 8:57pm.

A motion was made by Trustee Stapleton and seconded by Trustee Bates to amend the requirements of the Fire Chiefs residential requirements to allow the Chief and 2 Assistant Chiefs to live within a 3-mile radius of the Jordan Fire Station and within the District Served. All present voting in favor, motion carried.

Motion offered by Trustee Stapleton and seconded by Deputy Mayor Gustafson to adjourn the meeting. All present voting in favor. Motion carried at 9:01 pm.

Respectfully Submitted,
Stephanie Powers
Clerk-Treasurer