

**DRAFT**  
**VILLAGE OF JORDAN**  
**March 28th, 2016**

**MEMBERS PRESENT:** Mayor Richard Platten, Trustees Meixner, Ferris, and Gustafson

**MEMBERS ABSENT:** Trustee Chilson

**POLICE OFFICER in ATTENDANCE:** Officer Edward Healy

**AUDIENCE:** John Nevin Jr. ZBA Chairman, Douglas Phelps, Louis and Naomi McIntyre, Jake and Tara Dennee, Douglas Milton, Fire Chief (8:33pm)

**PUBLIC HEARING:** Community Development Submittal Ideas

Mayor Platten opened the public hearing at 7:00pm with Trustee Meixner leading the Board in the Pledge of Allegiance.

No one offered submittal ideas. The Mayor shared our current submittals: Priority I Clinton Street Drainage Phase II, and Priority II Elbridge Street Drainage, Connectivity & Sidewalk Improvements, which were based on previous hearings. The Phase II schedule time line was shared.

No one offered comments for or against the projects.

The public hearing was closed at 7:06pm.

**REGULAR MEETING:**

Mayor Platten opened the regular meeting of the Board of Trustees at 7:07 pm

\*Motion by Trustee Gustafson, seconded by Trustee Meixner, to waive the reading and approve the minutes of March 14th, 2016 Voting: All present in favor –Motion Carried.

**AUDIENCE:**

Douglas Phelps from P&M Fabrication addressed the Board to share his disgust with an article published online by the Citizen. He stated the article has negatively affected his business and caused customers to question his legality. He stated he has been in business for five years and expected much more consideration from the Village. He asked the Board “What level do you operate? I should have not been mentioned in the paper!”, and blamed them for not notifying him his business would be discussed at their previous meeting. The Board explained that his business was never on the agenda, nor did they have control over what news reporters choose to write, and that the ZBA Chairman had come before the Board to ask that certain highway commercial zoning regulations be considered for modification. Although P&M Fabrication is one business located within the highway commercial zone, but was not the topic of conversation. Trustee Gustafson shared that they (the Board) learned the Planning Board made a mistake, but no one ever mentioned that P&M made any mistakes. Chairperson Nevin shared there was no reason to call them (P&M) as they were operating legally. Louis McIntyre, also of P&M, stated they were given permission to sell cars back in 2011. He reviewed the minutes and although the minutes may have stated “race cars” he believed it was actually for all cars. Mr. McIntyre requested a published retraction and apology for the article. The Board explained they have no control over publications submitted by the reporters or over what reporters choose to focus their stories on. The Mayor stated he was surprised to see that the topic of consensus had not received mention, as it was a brief topic during the meeting; P&M was not a specific topic. It was noted no one on the Board was even aware of the article until P&M called it to their attention and by that time, the article was not available online.

P&M inquired why the proposed gym, next door to them, was allowed to open before their public hearing. They stated a grand opening was advertised for the weekend. Mayor Platten stated the Board of Trustees had no input on the gym opening. Technically, a business could not open prior to approval and he was not aware of this advertising. The Code Officer will be notified. Mr. Phelps stated he had jumped through “all the hoops” to open his business correctly, but heard the gym had received a temporary permit to open early. Mayor Platten stated there is no temporary special permit and that he would most definitely check into the matter. He was not trying to discourage any business in the village but rather support businesses while creating a business friendly/home friendly village. He reminded P&M that their fledgling business in their previous location had never been interfered with.

Jake and Tara Dennee, of J&T Auto, shared they originally did not intend to sell vehicles, but over the course of time they received a title in exchange for unpaid work on a vehicle. They have since become a registered dealership with the State and are in the process of proceeding legally towards selling vehicles within the village. They mentioned they have worked on vehicles for P&M as well. Mayor Platten shared “This is just one person’s opinion, but I strongly suggest to you that you follow the example of your neighbor and have only road ready vehicles sitting in the front of your business”. He also mentioned it just was brought to the Board’s attention this

evening that J&T were advertising auto sales on Facebook. Ms. Dennee stated they were able to sell from their home currently; it was one of those vehicles and then shared the picture on her phone. Chairman Nevin stated the building in the background was the business on Rt 31, "This is a small community, and everyone knows your building". They were asked to not advertise or sell vehicles at the business location until they had permission. The regulations of the highway commercial zone were now under review. Conditions, which had been overlooked by the Planning Board, were being taken into consideration. Mayor Platten stated, "It will be resolved, it may take some time, but it will be done". It was noted, no citations had been issued to date.

8:40pm Chief Milton apologized for his late arrival; he was on an emergency call. He distributed copies of the fire department proposed budget lines for the village's budget, to each of the Board members. Chief Milton shared his concern for the cost of the Workmen's Com Policy for the fire department. He had allotted 37,000 for the current year but the cost was actually \$41,751. Chief Milton stated he would try to leave unexpended funds to help offset the difference. He stated that when the village switched over to Comp Alliance, he had concerns over future costs and had warned the Board then. While VFBL is based on population served, the village's workers' comp is based on employees/payroll. Originally, the village had asked the fire department not to pull away to help net savings. The Chief feels their experience mod is benefiting the village, but not helping their portion of the policy costs. The two FD claims turned in during 2013 totaled less than two thousand dollars. He stated the mandates placed on fire departments and their gear makes it difficult at best to plan and replace gear on the prescribed schedule with their budget constraints and allotting for additional dollars on the comp policy will be strenuous. He asked for permission to seek out other quotes for the FD worker's comp. The Board granted his request.

#### **REPORTS:**

##### **Buildings & Grounds:**

- The sheet of amendments/revisions as recommended by the Planning Board and the ZBA received review and discussion. John Nevin stated he wrote the proposals based on his recall of the discussion with the Planning Board. Chairman McCabe was unavailable for this evening's meeting. The requested legal interpretation was shared. The section ranking importance is Article V5.2B3.a that reads: "All sales activities and vehicle storage or display shall be maintained within an enclosed structure." The proposed change is to add ...."excluding the highway commercial zone." The law will need revision; legal council will need consulting and a public hearing scheduled once a decision is made.

- Trustee Ferris inquired about impact on businesses in other zoning areas.

- It was noted the violation process takes an extremely long time.

- Mayor Platten commended John Nevin for taking the time to attend training seminars, and thanked him for all his effort and work on the regulation's proposals.

##### **Water & Sewer & IT:**

- Trustee Meixner shared the new procurement regulations, as of the first of the year, from OGS. The process of purchasing two new computers for the main office just became extremely complicated. He now must send out an approved template to all 39 registered dealers of the specific brand of proposed computer for quotes. It has taken about twenty hours of research to get this far for just \$1,200 worth of computers. Unfortunately, the process may have to be repeated for the switch purchase!

- Trustee Meixner shared Time Warner Cable made a visit to review the municipal building and provided a quote for phone and internet service. The quote includes a new additional line for the court and comes in at the same approximate cost as Verizon. The plus will be the enhanced internet connection, and an ability to connect a credit card reader reliably.

- The illegal sump pump connection has been disconnected. The discussion to modify the sewer use ordinance with a monetary penalty for illegal sump pump discharges is tabled at this time.

##### **Public Safety:**

- The February monthly report received review and discussion without issue.

##### **Streets and Drainage:**

- Superintendent DiRisio shared he walked the Clinton Street with the engineer again to discuss modified curbing and elevation of the ground. The area in front of the Baptist Church may just be large enough to put two spaces in, but not wide enough to accommodate handicapped parking. Green space between the sidewalks and the curbing / valley gutters would help with snow plowing space. The proposed sidewalk on North Hamilton Street will utilize hatches over the catch basins.

##### **General:**

- NYCOM'S upcoming session will be at Saratoga's Gideon Putman Hotel. The cost is a deterrent.

- Mayor Platten asked the Board to consider pulling \$70,000 Capital Improvements from the budget and bonding instead for it.

##### **OLD BUSINESS**

##### **Water & Sewer:**

- No update on the water contract progress; no response received from Trustee Meixner's letter.

## **NEW BUSINESS**

### **Public Safety:**

-Chief Milton requested permission from the Board to go out for quotes on the Workmen's Compensation Policy for the Fire Department.

\* Motion by Trustee Gustafson and seconded by Trustee Meixner, to allow Fire Chief Milton to seek out quotes from other sources on a Workmen's Compensation Policy.

Voting: All Present in favor. Motion Carried.

-\*Motion by Trustee Meixner and seconded by Trustee Ferris, to authorize Mayor Platten to sign the agreement with Time Warner Cable to switch the phone and internet service from Verizon to Time Warner Cable for the municipal building at 7 Mechanic Street.

Voting: All Present in favor. Motion Carried.

### **General:**

- RFP for Technologies

\*Motion by Trustee Meixner, seconded by Trustee Ferris, to follow the new procurement regulations set by the State Comptroller's Office, and send out 39 requests for quotes for the proposed two new HP computers. The RFQ is being distributed to the Contractor and Resellers (where applicable) to acquire: 2 HP Custom Build Elite Desk 800 G2 Small Form Factor PC L1G76AV (See attached specification sheet) 2 HP Elite Display E222 21.5 Inch Monitor M1N96AA#ABA (See attached specification sheet) 2 RDX 500GB Cartridge compatible with the above PCs and OS 1 RDX External Enclosure compatible with the above PCs and OS 1 Marcrum Reflect Backup Software compatible with the above external drive, PCs and OS 1 CISCO ASA 5505 Firewall w/8X5XNBD Support 50 user license 2 MS Office 2013/16 Pro licenses 2 CAT 6 Patch Cable B. AUTHORIZED USER TERM. The basis of the award set as the lowest price meeting specified technical requirements.

Voting: All Present in favor. Motion Carried.

-Motion by Trustee Meixner, seconded by Trustee Gustafson to enter Executive Session for the purpose of personnel. All present voting in favor Motion Carried at 9:50pm

-Motion to close Executive Session made by Trustee Meixner and seconded by Trustee Ferris.

All present voting in favor Motion Carried at 10:15pm

No action necessary.

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

\*Motion to adjourn offered by Trustee Ferris and seconded by Trustee Gustafson

All present voting in favor Motion Carried at 10:20 pm

Respectfully Submitted,  
Cynthia Meixner, Clerk-Treasurer