

**Village of Afton**  
**Board of Trustees Meeting**  
**Jack D. Bolster Community Center, Afton, NY**  
**June 10, 2019**

Minutes of the meeting of the Board of Trustees held June 10, 2019 at 7:00 pm in the Susquehanna Room, 105 Main Street, Afton, NY

Meeting called to order at 7:00 pm, by Deputy Mayor Girard Matthews.

**Present:** Trustee Matthews, Trustee Muller, Trustee Lawrence, Trustee Simonds, Clerk/Treasurer Palmatier, Village Attorney Beth Westfall, DPW Superintendent Andrew Acla and Village Code Enforcement Officer Jeffrey Butler.

**Absent:** Mayor Burnett

**Visitors:** Nancy & Jerry Harris, Patricia Stafford, Maryann Palmetier, Gloria & Curtis Harvey, Laura Grover, John Lawrence, Ken Ryan, Jerry & Susan Cutmore, Susan Weibel, David Dodge, David & Pamela & Allison Wylubski

- Deputy Mayor Matthews explained that the Village has received the resignation of the current Mayor, Cynthia Burnett.
- A motion was made to accept the resignation of Cynthia Burnett as Mayor of the Village of Afton by Trustee Muller. Seconded by Trustee Simonds. All in favor, motion passed.
- Deputy Mayor Matthews explained that the Village Board will now go into executive session to discuss with the Village Attorney what their next plan of action will be. Trustee Matthews asked that everyone remain until they have a brief discussion, it won't take long.
- A motion was made by Trustee Simonds to enter into executive session at 7:02 pm to further discuss the Village's options of appointments. Seconded by Trustee Lawrence. All in favor, motion passed.
- A motion was made by Trustee Muller to enter back into our regular session at 7:15 pm. Seconded by Trustee Simonds. All in favor motion passed.
- A motion was made by Trustee Simonds to appoint Girard Matthews as Mayor until March 2020. At that time a special election will take place to elect for the remainder of the 2 year term of this position. Seconded by Trustee Lawrence. All in favor, motion passed.
- Mayor Matthews appointed Robert Humphrey Jr. as Trustee to take over his empty seat as Trustee until the March 2020 election. Mayor Matthews has appointed Sally Muller as the Deputy Mayor and Ann Palmatier as the Village Clerk / Treasurer until March of 2020. Motion to accept appointed made by Trustee Simonds. Seconded by Trustee Muller. All in favor, motion passed.

- A motion was made by Trustee Simonds authorizing Clerk/Treasurer to pay the following audited vouchers, Seconded by Trustee Lawrence. All in favor, motion passed.  
**General Fund Vouchers # 1 - 29, Totaling \$26,575.59.**  
**Water Fund Vouchers # 1 – 9, Totaling \$2,489.32.**
- Motion to accept previous minutes with no additions or corrections was made by Trustee Muller, seconded by Trustee Simonds. All in favor, motion passed.

### Monthly Report:

- DPW/ Water: Report Distributed. Mr. Acla gave a verbal account of his written report. He stated that they have had a total of 12 dig safely mark outs. They have placed hot patch in the municipal parking area. They have picked up 3 loose- leaf, 8 bagged leaf, and 9 storm debris. Along with 9 dump runs to the County Landfill. Pet clean up signs have been placed throughout the Village. Mr. Acla suggested that a trash can or police patrol be present in Leggett Park as there is trash dumping happening there. There was discussions on the use of plastic versus paper bags for leaf pick up.
- Police Department. Report Distributed.
- Code Enforcement: Jeffrey Butler gave a verbal report. He stated that he has sent the resident living at 22 Main Street information pertaining to the manufactured trailer law. He has a list of a total of 8 street lights that are out throughout the Village. Mr. Butler sated that anyone can call NYSEG with this information. He has spoken with a company by the name of Bizostek's, who will be auctioning off the Great American Building. They had question about the septic & zoning of the property. A total of 4 notices went out about the mowing of properties, of those 4, 3 were mowed. There was a notice given about an unregistered car on Maple Street. He had a complaint about a falling chimney on Academy Street, which he has turned over to County Code Officer Steve Fox. He went over septic plans on East Main Street. He also attended the Planning Board Meeting last week. Visitor David Dodge stated that there seems to be a motorcycle shop on East Main Street. He's wondering if code allows for them to operate at that location. Mr. Butler stated that he'd look into it.
- Planning Board: Mayor Matthews informed the Village Board of Trustees he attended a Planning Board training seminar at the County for Solar Guidelines. He explained that there are different approaches to the solar options. Mayor Matthews did ask the Village Board of Trustees to make a motion directing the Planning Board to propose laws to govern alternative energy solution. Motion made by Trustee Simonds. Seconded by Trustee Lawrence. All in favor, motion passed. Visitor David Dodge asked what type of Solar Energy Mayor Matthews was in reference to. As there are Solar Farms and Residential Solar panels. Mayor Matthews explained that the Village has no guide lines currently. Attorney Beth Westfall stated that the Village can write different types residential / commercial laws pertaining to solar use. Trustee Lawrence asked Mayor Matthews about the chemical use on at the solar locations that may affect the grass. What would that do to future crops at said locations. Mayor Matthews stated that before placement an environmental review would be conducted.

- Finance/Insurance: Remains the Same.
- Christmas Parade Committee: Remains the same.
- Grant Committee: Trustee Muller stated that the Parks Community is working on a grant. With placement of the new playground equipment it is required by the disability law that a sidewalk be put into place. Since there is a blacktopped basketball court in place the sidewalk should be run from the basketball court to the playground equipment making it assessable to all.
- Parks Committee: Trustee Simonds informed those in attendance that the Parks Committee holds their meeting on the 4<sup>th</sup> Monday of the month if anyone wishes to join them. She stated that the Parks Committee will be holding a yard sale on August 24<sup>th</sup> during the Sidewalk Day Sale. If anyone has any items that they wish to donate, she can pick them up. Also the Parks Committee will be hosting a Halloween Party on October 26<sup>th</sup> and the 3<sup>rd</sup> Annual Valentine's Day Dance on February 14th. Both events will take place at the River Club, more information will follow as we approach these dates.
- Historian Report: Report distributed.
- Dog Control Officer: - No report distributed.

### **Old Business:**

- Village received email request from Melissa Matthews for vending waivers for numinous events being held in the Village. – This has been tabled at the last 2 month's meeting. Trustee Muller stated that she has met with the Chamber about the details of the events.
- A motion was made by Trustee Muller to allow for the Chamber to hold their concert series events with permits fees waived. One of the concert events will take place on the Village Community Center grounds. The building will be opened for restroom use. The concert series events will run until the end of August, on Sundays 6pm – 8pm. With one being held from 6pm – 9pm. Seconded by Trustee Simonds. All in favor, motion passed.
- A motion was made by Trustee Muller to accept the NYMIR Policy against Discrimination and Harassment as our own. Seconded by Trustee Simonds. All in favor, motion passed.
- NYMIR – Also states that the State has mandated that all employees must attend an annual training session on sexual harassment. This training must be completed by October 9, 2019. The State has made the training available online. All employees must be given Notice of this. Once training is complete it must be submitted to the Village Office. The Village must respond in writing in a timely matter. A letter has been constructed to be signed by the Mayor to be sent to all employees. Mayor Matthews has read the letter out loud and signed it. The letter along with a copy of the policy against Discrimination and Harassment will be sent to all employees. Attorney Beth Westfall asked if the Village was planning on holding group session for training or if everyone was expected to do it on their own time. Mayor Matthews stated that he felt it could be done both ways. Which every worked best for the individual employee.

- Playground Equipment – Leggett Park installation, per Mr. Acla. Mr. Acla has found the blueprints for the playground equipment. He stated that once the rain stops they will begin the installation process. The plan is to keep the old playground as it is. They will be extending the new playground equipment in the corner area of the lot.

### **New Business:**

- Mayor Matthews stated that he has a request of a right away above the Village Water Tower. He asked Mr. Acla for his help in finding the property lines. Trustee Muller stated that the Village has a right way agreement with one property owner. The Scott family has been given permission to access this roadway to their property that the house sits on only. There are other ways to open up this property that has gone back to the County for unpaid taxes. If we open it, it may fall on us to maintain it and we set precedents to open for others. They will need to find an alternative route to the property. There is a street that goes up and around that grandpa Donald Scott placed in as an access point. Attorney Beth Westfall stated that she could look into where the boundaries are to assist with an alternate access of entry.
- Trustee Lawrence expressed to DPW Superintendent Andrew Acla that the yard debris notices that are being left at residents homes are very confusing. Trustee Lawrence stated that there are residents who still have not had their items picked up. She stated that most rely on the Village to dispose of debris, as they don't have the means to do so. She feels as though the notice being circulated is contradicting. Mr. Acla stated that he didn't write the policy. It was in place before he arrived. He stated that just the other day they picked up debris at a house on Caswell Street, in which they had a full load that required a dump trip. Trustee Lawrence asked why they were going to the dump. Why can't you chip what we can. Mr. Acla stated that there are only 3 of us, we have to cut each bag open. The home owner needs to accept some responsibility. Mayor Matthew asked how long it takes to do a dump run. Mr. Acla stated that it takes 1 to 1 ½ hours. Visitor Jerry Harris stated that in all the years he's lived here the Village they have always had 2 days of the week where they were doing pick up. Mayor Matthews stated that the Village did have a 4<sup>th</sup> person that was helping. This person was through the County. Visitor David Dodge asked about dumping on Roberts Road. He stated that he's seen it happening. Mr. Acla stated that it's not the DPW, people are doing it illegally. Visitor Harris stated that the home owners don't know what to do. Plus they are losing out on what is available. Mr. Harris stated that he was glad to see John Lawrence in attendance tonight. He asked Mr. Lawrence about the possible sharing of the Town chipper. As the Town collects the debris and places it at Corporate Park Drive to be chipped. Mr. Lawrence didn't think that it would be a problem. Trustee Muller stated that the notice needs to be reworded for better understanding. Plus no burning should be added to the informational notice. Mayor Matthews stated that we won't be able to solve this problem tonight. Mayor Matthews asked Trustee Lawrence if she'd be willing to work on the rewording of the debris pick up notices. Trustee Lawrence accepted the task.
- Trustee Muller stated that the Parks Committee has located the tables they wish to have purchased. It was voted upon in the December 10, 2018 Board Meeting that the Village would purchase new lighter tables for the Jack D. Bolster Community Center at no more than \$250.00 with a limit of 3 tables. The name of the company for purchase of the tables is

Life Time Brand, the tables are 8 foot long. The Village will be receiving checks from each organization to offset the cost. Trustee Muller stated that the Village may want to think about surplusing the older heavier tables.

- The Basketball Court at Davy's Field needs resurfacing. Trustee Simonds asked Mr. Acla if the DPW could do this. Mr. Acla stated, yes.
- The Park Committee is willing to purchase an outside drinking fountain to be placed at Davy's Field for the use of the Youth Sports Organization – AYSO. Mr. Acla was asked if the DPW could install the water fountain. Mr. Acla stated that as long as it comes with instructions.
- A motion was made by Trustee Muller to allow for the Parks Committee to use the Community Centers Lawn to vend refreshments as they have in the past during the Sidewalk Day being held on August 24<sup>th</sup>, 2019. Seconded by Trustee Lawrence. All in favor, motion passed.
- 2019 tax sale list from Chenango County was distributed for review to the Village Board of Trustees.
- Audit Clerk / Treasurer Fiscal Year 2018 / 2019 – Mayor Matthews asked to table this until next month. As not everyone had time to review before a motion being made.
- A motion was made to zero out the 2018 / 2019 budget, to forward any remaining balances over to the new 2019 / 2020 budget to continue bill paying by Trustee Muller. Seconded by Trustee Simonds. All in favor, motion passed.

### **Recognition of Visitors:**

- Visitor John Lawrence asked if a motion was made to accept the NYMIR Policy against Discrimination and Harassment. Mayor Matthews stated yes there was.
- Visitor John Lawrence asked about the house on 28 Spring Street. Mr. Butler stated that Mr. Steve Fox is looking into having the home condemned. Mr. Lawrence asked about the property being mowed. Mr. Butler stated that it's a fee of \$150.00 for the Village to mow an unkempt property.
- Visitor Jerry Cutmore asked about the Yellow house across from him. It was stated that the County owns that property. Mr. Cutmore asked what happens to the property after the County condemns them. Mayor Matthews stated that nothing, they leave the houses for the village to dispose of.
- Visitor Pamela Wylubski asked attorney Beth Westfall if the County owned homes could be directed back to the County Representatives to see what they may be able to assist with for removal of an unsafe structure. Attorney Beth Westfall stated that the Banks are responsible for the foreclosure on a property. But that the Village would absorb the added costs of the removal or demolition of the structure.

- Visitor John Lawrence stated that the Sidney Mayor has held meetings for the last 3 months pertaining to information to help with these situations of abandoned properties. He stated that no one from the Village has attended these ongoing meeting.
- DPW Superintendent Andrew Acla asked the Village Board if he needed permission to mow properties that were not being mowed by the owners. Mayor Matthews explained that there are a set number of days after notification is sent to the property owner that they are giving to comply with the request. If at that time they have not mowed them, DPW should be mowing those properties. Mayor Matthews stated that he gives permission to do so.
- Visitor David Dodge expressed that he has submitted a letter of request for the sidewalk located at the St. Agnes Church to be fixed. It's been a labiality, needs to be addressed. DPW Superintendent Andrew Acla stated that they are aware and will be repairing it.
- Topic of the broken fire hydrants were discussed. Trustee Muller stated that it's standard to repair or replace them. That the DPW should be informing the Fire Department of the un-operational hydrants. DPW Superintendent Andrew Acla stated that there are 2 hydrants that don't work. They currently have black trash bags over them. He stated that in order to fix these hydrants the entire street will need to be turned off.
- Visitor Nancy Harris asked if it takes 2 people to check the water system daily. DPW Superintendent Andrew Acla stated that yes, it's a safety issue. Plus there is no cell service at that location if anything were to happen.
- Visitor Jerry Harris welcomed Mayor Matthews to his new position as Mayor. He then asked if Mayor Matthews will be keeping regular office hours. Mayor Matthews explained that he has already committed a certain amount of hours to the Afton Central School District as a Substitute Teacher. Mayor Matthews explained that 13 years ago he was a full time Teacher. At that time he was placed in the Mayors seat, he had held Saturday hours. He'll do his best to make himself available.
- Visitor Jerry Harris stated that he's not convinced that we all know what we're doing as far as the ditching needs. Mr. Harris feels as though the County should be involved in the design for the ditch process. This is the most traveled Street within our Village. We need to make sure as a Board to help Andrew to see that the ditching is done correctly. Trustee Simonds asked Mr. Harris if he'd be willing to help. Mr. Harris stated yes, he already is.
- Visitor David Dodge asked what could be done about the lake that forms at the corners of Highland Ave. and Sunset Dr. He states that this area floods when it rains. Visitor Jerry Harris stated that Mr. Phillip Craver has expressed his concerns to him about this same location. Mr. Craver had told him that in the winter time this freezes up creating a fear that a vehicle may slide through his home. There was a concern that the trash truck may have helped to contribute to the current road conditions. DPW Superintendent Andrew Acla stated that they plan on replacing the catch basin.
- Visitor Jerry Harris stated that he hopes the Board will follow through on the reconstruction of East Main Street. DPW Superintendent Andrew Acla stated that he's been waiting for the committees input. Mayor Matthews explained that it all takes time. We will be moving forward to better the Village.

- A motion was made by Trustee Simonds to enter into executive session for personnel matters at 8:25 pm, as requested by DPW Superintendent Andrew Acla. Seconded by Trustee Muller. All in favor, motion passed.
- A motion was made by Trustee Lawrence to exit executive session at 9:15 pm. Seconded by Trustee Muller. All in favor, motion passed.
- A motion was made by Trustee Muller to adjourn regular meeting at 9:20 pm. Seconded by Trustee Lawrence. All in favor, motion passed.

Respectfully Submitted  
Ann Palmatier  
Clerk / Treasurer