

Village of Afton
Board of Trustees Meeting
Jack D. Bolster Community Center, Afton, NY
June 14, 2021

Minutes of the meeting of the Board of Trustees held June 14, 2021 in the Susquehanna Room, 105 Main Street, Afton, NY

Meeting called to order at 7:00 pm, by Mayor Janice Nickerson.

Mayor Nickerson welcomed everyone, and reminded all visitors kindly hold all comments during the meeting until we reach the point in our agenda for public recognition.

Present: Mayor Nickerson, Trustee Muller, Trustee Lawrence, Trustee Simonds, Trustee Humphrey, Clerk/Treasurer Palmatier, DPW Supervisor Bailey DeBetta and Officer in Charge Anjelica Stanko.

Visitors: Patrick Dedman, Curtis & Gloria Harvey, Donald Ouimet, Timothy McNamara, John Lawrence, Becky Komorowski, Kristin Granger, Jennifer Martin, Zep Martin, Colleen Curry, Maryann Palmetier and Jennifer Longwell.

- A motion was made by Trustee Simonds authorizing Clerk/Treasurer to pay the following audited vouchers, Seconded by Trustee Muller. All in favor, motion passed.
General Fund Vouchers # 1 - 35, Totaling \$28,185.42.
Water Fund Vouchers # 1 – 10, Totaling \$10,345.80.
- Motion to accept previous minutes with no additions or correction, made by Trustee Lawrence. Seconded by Trustee Humphrey. All in favor, motion passed.
- Open Public Hearing at 7:05 pm for Local Law # 2 of 2021 – A local law on Cannabis Law 131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Afton, NY.

Monthly Report:

- DPW/ Water: Report distributed. Read aloud by DPW Supervisor Bailey DeBetta.
- Police Department. Reports distributed, read aloud by Officer in Charge, Anjelica Stanko.
- Code Enforcement: Report distributed, read aloud by Mayor Nickerson.
- Planning Board: Report distributed by Trustee Humphrey.
- Finance/Insurance: Mayor Nickerson informed the Village Board of Trustees that she has met with Mr. VanGorder, the Village of Afton Insurance Representative to update the current village policies. He will try to attend our next meeting.

- Christmas Parade Committee: Remains the same.
- Parks Committee: Remains the same.
- Historian Report: Report distributed.
- Dog Control Officer: - Reports distributed for May 2021.
- Afton Central School – Mr. Timothy McNamara informed the Village Board of Trustees that the steel is going up in front of the school building. The high school and middle school offices are taking form downstairs. High School Graduation will be held on Friday, June 25, 2021, for anyone wishing to come to graduation the school can allow for 250 guests with 6 feet of social distancing. The contractors will take over the entire school on June 28th, 2021, after the school children have left the building for the summer.

Old Business:

- Stone Bids Received

1. Cobleskill Stone Products, Inc.

#1a crushed limestone washed – Delivered @ \$21.00 per ton
 #1b crushed limestone washed – Delivered @ \$18.40 per ton
 #1st crushed limestone washed – Delivered @ \$18.40 per ton

2. Tri-City Highway Products, Inc.

Crushed 1 A gravel – Undelivered @ \$17.00 per ton

- A motion made by Trustee Simonds to accept the stone bid from Cobleskill Stone Products, Inc. Seconded by Trustee Humphrey. All in favor, motion passed.
- Mayor Nickerson informed the Village Board of Trustees that a letter of request was received from the Afton Driving Park and Agricultural Association. They are requesting the use of the Village Parking Area across from the Fairgrounds during the week of the Fair. They are also requesting an extension of 1 hour curfew for the events be held on Friday, July 9 and Saturday, July 10, 2021 at the Afton Fair.
- A motion made by Trustee Muller to grant the request of the Afton Driving Park and Agriculture Association to allow for parking on the Village owned property across from the fairgrounds and to extend the curfew by one hour. Seconded by Trustee Humphrey. All in favor, motion passed.

New Business:

- A motion made by Trustee Muller to increase original bid for purchase of a new Police Computer on 4/12/21 from \$750.00 to \$789.68. Cost has increased slightly before purchase was made. Seconded by Trustee Lawrence. All in favor, motion passed.

- A motion made by Trustee Simonds to move \$39.68 from (A3120.20 – Police Equipment / Vehicle Expense) out of General Budget to the following Budget Appropriation: (A3120.46 – Police Office Supplies – for \$39.68).
Seconded by Trustee Muller. All in favor, motion passed.
- A motion made by Trustee Muller to approve email vote held on 5/17/21 - to purchase flowers from Frog Pond Farms for the bicycles on Main Street District. Seconded by Trustee Simonds. All in favor, motion passed.
- A motion made by Trustee Muller to approve email vote held on 6/1/21 - to place advertisement for part time summer help. Seconded by Trustee Simonds. All in favor, motion passed.
- Letter of request submitted by the Afton Presbyterian Church – Baccalaureate – The Church is requesting permission from the Village to close the section of Sand Street from 6:00 pm until 9:00 pm on Thursday , June 24, 2021 to celebrate the graduating class of 2021 along with their families. They are requesting that Police presence be available at this time. Mayor Nickerson stated that the Village has been given the certificate of liability insurance for the event to be held, we are all set.
- A motion made by Trustee Muller to move \$2,000.00, from Capital Reserves Water Improvement Savings Fund for the payment to Lamont Engineers, as follows: (8320.40 – Well Source Supply Contractual Expense – for \$2,000.00).
Seconded by Trustee Humphrey. All in favor, motion passed.
- A motion made by Trustee Simonds Motion to close Village Office at 11: 30 am, on Wednesday, June 23, 2021.Seonded by Trustee Muller. All in favor, motion passed.
- A motion made by Trustee Muller to move \$5,137.10 from (A1990.00 – Contingency Fund) for the following General Budget Appropriations:
(A9030.80 – Social Security – for \$4,320.02).
(A9060.80 – Hospital/Medical Insurance – for \$817.08).
Seconded by Trustee Simonds. All in favor, motion passed.
- A motion made by Trustee Lawrence to move \$1511.34 from (A9010.8 – State Retirement) for the following General Budget Appropriations:
(A9060.80 – Hospital/Medical Insurance – for \$1511.34).
Seconded by Trustee Muller. All in favor, motion passed.
- A motion made by Trustee Muller to move \$1,357.54 from (A8340.14 – Employee Overtime Pay) for the following Water Budget Appropriation:
(A8330.10 – Personal Service Weekend Water – for \$1,357.54).
Seconded by Trustee Lawrence. All in favor, motion passed.
- A motion made by Trustee Muller to move \$776.10 from (A9030.80 – Social Security) for the following Water budget Appropriation:
(A9010.80 – Retirement – for \$776.10).
Seconded by Trustee Simonds. All in favor, motion passed.

- A motion made by Trustee Muller to zero out the 2020 /2021 budget, forward any remaining balances over to the new 2021 /2022 budget to continue bill pay. Seconded by Trustee Lawrence. All in favor, motion passed.
- Mayor Nickerson stated that before anyone present had any questions or concerns on the proposed Local Law # 2 of 2021 – A local law on Cannabis Law 131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Afton, NY. The adoption of this law does not prevent anyone who is currently selling CBD products from continuing to do so. The Village of Afton is not intending to prevent anyone from selling their products. At this time there are no federal guidelines on the process and or consumption of cannabis. Until guidelines are put into place, the Village feels as though it is best for the village to opt out at this time. Once more information is given and guidelines are in place the village can opt in at that time, providing the state and federal government can provide safe and clear rules. Mayor Nickerson stated that if the Village does not opt out at this time there will be no opting out later.

**VILLAGE OF AFTON
LOCAL LAW NO. 2 FOR THE YEAR 2021**

A LOCAL LAW ENTITLED “CANNABIS LAW § 131 OPT-OUT”

Be it enacted by the Village Board of the Village of Afton as follows:

Section 1. Legislative Intent

It is the intent of this local law to opt the Village of Afton out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes cities and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out

The Board of Trustees of the Village of Afton hereby opts-out of licensing and establishing cannabis retail dispensaries and/or cannabis on-site consumption establishments within its boundaries.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be

filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

- Mayor Nickerson asked if there are any public comments.
- Visitor's Colleen Curry, Jennifer Longwell and Kristin Granger each expressed their concerns about the proposed Local Law #2 of 2021 – Cannabis Law 131.
- A motion made by Trustee Muller to close the Public Hearing at 7:42 pm, for Local Law #2 of 2021 – A local law on Cannabis Law 131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Afton, NY. Seconded by Trustee Simonds. All in favor motion passed.

VILLAGE OF AFTON

RESOLUTION APPROVING LOCAL LAW NO. 2 OF 2021

At a regular meeting of the Village Board of Trustees of the Village of Afton held at the Jack D. Bolster Community Center, 105 Main Street in said Village on the 14th day of June, 2021, the following resolution was offered and seconded:

WHEREAS, the Village of Afton scheduled a public hearing for June 14, 2021 at 7:05 p.m. for Local Law No. 2 of the year 2021 entitled “A Local Law entitled ‘Cannabis Law § 131 Opt-Out’”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village, and posted on the Village Clerk’s signboard; and

WHEREAS, said public hearing was duly held at the Jack D. Bolster Community Center, 105 Main Street in the Village at 7:05 p.m. on June 14, 2021, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(26) and (33); and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said local law.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Afton hereby adopts said local law as Local Law No. 2-2021 entitled “A Local Law entitled ‘Cannabis Law § 131 Opt-Out’” a copy of which is attached hereto and made a part hereof; and it is further

RESOLVED that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Village of Afton, and to give due notice of the adoption of said Local Law to the Secretary of State; and it is further

RESOLVED that this resolution will take effect immediately upon filing with the Department of State. Pursuant to Cannabis Law § 131, the local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

CERTIFICATION

I, Ann Palmatier, do hereby certify that I am the Village Clerk of the Village of Afton and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board of the Village of Afton at a meeting thereof held at the Jack D. Bolster Community Center, 105 Main Street, Afton, New York on the 14th day of June, 2021. Said resolution was adopted by the following roll call vote:

Trustee Deanna Lawrence Aye
Trustee Michele Simonds Abstain
Mayor: Janice Nickerson Aye
Trustee Robert Humphrey, Jr. Aye
Trustee Sally Muller Aye

- A motion by Trustee Lawrence to accept the resignation of Sally Muller as a Village Board of Trustee, effective as of June 30, 2021. Seconded by Trustee Humphrey. All in favor, motion passed.
- A motion made by Trustee Simonds to appoint Patrick Dedman as a Village Board of Trustee, effective as of July 1, 2021. Seconded by Trustee Muller. All in favor, motion passed.
- The village of Afton received 3 application for part time summer help. All applications were review by the Village Board of Trustees.
- A motion made by Trustee Simonds to hire Mitchell Decker as the part time summer help. Seconded by Trustee Humphrey. All in favor, motion passed.

Recognition of Visitors:

- Mayor Nickerson asked if there was anyone in attendance that has any other questions. There were none at this time.
- Mayor Nickerson asked the Village Board of Trustees to look over the information given by Brendon Becker, from Lamont Engineers to decide when a meeting could be held.
- A motion made by Trustee Muller to adjourn our regular meeting at 7:50 pm. Seconded by Trustee Simonds. All in favor, motion passed.

Respectfully Submitted

Ann Palmatier
Clerk / Treasurer