

Village of Afton
Board of Trustees Meeting
Jack D. Bolster Community Center, Afton, NY
June 13, 2022

Minutes of the meeting of the Board of Trustees held June 13, 2022 in the Susquehanna Room, 105 Main Street, Afton, NY

Meeting called to order at 7:00 pm, by Deputy Mayor, Trustee Lawrence.

Present: Deputy Mayor, Trustee Lawrence, Trustee Humphrey, Trustee Komorowski, Trustee Winans, Clerk/Treasurer Palmatier, DPW Supervisor DeBetta, Officer in Charge, Stanko and Village Code Enforcement Officer Jeffrey Butler.

Absent: Mayor Nickerson.

Visitors: Patricia Wenner and Linda Matthews.

- A motion made by Trustee Humphrey authorizing Clerk/Treasurer to pay the following audited vouchers. Seconded by Trustee Komorowski. All in favor, motion passed.
General Fund Vouchers # 1 - 28, Totaling \$15,150.06.
Water Fund Vouchers # 1 – 12, Totaling \$110,065.28.
- Motion to accept previous minutes with no additions or correction, made by Trustee Humphrey. Seconded by Trustee Winans. All in favor, motion passed.
- Open Public Hearing at 7:05 pm for Local Law #1 of 2022, allowing the Village Board of Afton and its committees and subcommittees to use videoconferencing technology to participate in public meetings.

Monthly Report:

- **DPW/ Water:** Verbal report given by DPW Supervisor Bailey DeBetta.
- **Police Department.** Report distributed. Read allowed by Office in Charge, Stanko. Deputy Mayor, Trustee Lawrence asked about the progress with the police car for surplus. Officer in Charge, Stanko stated that the car is not fully stripped down, not ready.
- **Code Enforcement:** Report distributed. Read aloud by Village Code Enforcement Officer Jeffrey Butler. There were discussions among the Village Board of Trustees as to where the 2 hour parking zones on the Main Street District. The 2 hour parking zones are located in the front following business locations: Rinker Insurance, parking area, in front of Paix Salon and the Baristarcrats Coffee Bar. Deputy Mayor, Trustee Lawrence spoke about the letter that was received from New York State Department of Environmental Conservation. She stated that DPW Supervisor, DeBetta would be looking into the request pertaining to Corporate Drive. The Village Clerk has researched the information pertaining to the intermunicipal Floodplain Management agreement with Chenango County. Deputy, Trustee Lawrence said that she would be speaking to Mayor Nickerson in regards to that information. Mr. Steve Fox will be looking into the discrepancies between the FEMA

floodplain maps and the floodplain layer on the Chenango County's Geographic Information Systems.

- Planning Board: Trustee Humphrey informed the Village Board of Trustees that there was no meeting as they were short members this month. Trustee Humphrey stated that due to the July 4th Holiday, the Planning Board would like to reschedule their monthly meeting for Wednesday, July 6, 2022. Trustee Humphrey stated that due to scheduling conflicts with Planning Board Member, who are also a part of other Community Organization Committees, the Planning Board will be looking at adjusting their regular meeting time slot schedule.
- Finance/Insurance: Remains the same.
- Christmas Parade Committee: Trustee Komorowski stated that she spoke with Brenda James. Mrs. James is looking at stepping back from the Christmas Parade. Mrs. James had made a few recommendations, the Village Board will need to decide on a replacement for Mrs. James.
- Parks Committee: Trustee Komorowski stated that there was no meeting held last month.
- Historian Report: No report.
- Dog Control Officer: - Report distributed.
- Afton Central School – No representative.

Old Business:

New Business:

- A motion made by Trustee Humphrey to accept email requested vote on May 18, 2022, to hire part time summer help. Seconded by Trustee Winans. All in favor, motion passed.
- A motion needed to accept email requested vote on May 26, 2022, to send Trustee Komorowski to a Community Revitalization Conference through NYCOM on June 8 -9 in Syracuse at a cost of \$314.00. Trustee Komorowski stated that no motion will be needed as by the time she received this information from Mayor Nickerson it was too late to sign up for the conference.
- A motion made by Trustee Humphrey to hold public Hearing on July 11, 2022 at 7:05 pm for adoption of Local Law #2 of 2022 for the amendment of Local Law # 1 of 2021, entitled "Chicken Code" to add penalties and fines for violations. Seconded by Trustee Winans. All in favor, motion passed.

**VILLAGE OF AFTON
LOCAL LAW NO. 2 FOR THE YEAR 2022**

**A LOCAL LAW AMENDING LOCAL LAW NO. 1 FOR THE YEAR 2021
ENTITLED “CHICKEN CODE” TO ADD PENALTIES AND FINES FOR VIOLATIONS**

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

Section 1. Local Law No. 1 for the year 2021 is hereby amended as follows:

New Section 1, subparagraph 4, is added as follows:

- 4) This Local Law may be enforced by the Code Enforcement Officer, Village Police Department, or any other duly authorized police officer or peace officer. Such enforcing officer shall issue a notice of violation providing not less than ten (10) days’ time to correct the violation, by serving such notice (a) in person or (b) by first class mail and posting a copy of such notice at the property where such violation is occurring. Upon failure of a person duly noticed to correct the violation, the enforcing officer shall issue and serve an appearance ticket in accordance with law.

New Section 1, subparagraph 5, is added as follows:

- 5) Any person who continues to violate this Local Law after expiration of the correction period provided for pursuant to subparagraph 4 hereof shall be deemed to have committed an offense, and any person convicted of any such violation shall be liable for a penalty of not more than \$50 for each violation. Any person so convicted of such violation as a second offense shall be liable for a penalty of not less than \$50 and not more than \$100, and a third or subsequent offense shall be liable for a penalty of not less than \$100 and not more than \$200. Upon failure to pay any such fine, such person may be imprisoned until such fine is paid, not to exceed 15 days. Each day that a violation shall continue to exist shall be considered a separate violation for purposes of this Local Law.

New Section 1, subparagraph 6, is added as follows:

- 6) Conviction of a violation of this Local Law shall automatically result in revocation of any permit granted pursuant to this Local Law. In addition, conviction of a violation shall be grounds to deny a permit application, where such conviction occurred within the prior twelve months.

New Section 1, subparagraph 7, is added as follows:

- 7) No remedy or penalty specified in this Local Law shall be the exclusive remedy or penalty available to address any violation described in this Local Law, and each remedy or penalty specified herein shall be in addition to, and not in substitution for or in limitation of, the other remedies or penalties specified in this Local Law.

Section 2. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Afton shall remain in full force and effect.

Section 3. Severability

The provisions of this Local Law are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

- A motion made by Trustee Humphrey to move \$38,000.00, from Capital Reserves Water Improvement Savings Fund for payment of Invoice # 1 - to DN Tanks of New York, LLC for the Capital Reserves Water Storage Tank replacement, to the following: (9950.90 – Transfer to Capital Projects Funds – for \$38,000.00). Seconded by Trustee Komorowski. All in favor, motion passed.
- A motion made by Trustee Humphrey to move \$68,449.92, from Capital Reserves Water Improvement Savings Fund for payment of Invoice # 2 - to DN Tanks of New York, LLC for the Capital Reserves Water Storage Tank replacement, to the following: (9950.90 – Transfer to Capital Projects Funds – for \$68,449.92). Seconded by Trustee Winans. All in favor, motion passed.
- A motion made by Trustee Humphrey to zero out the 2021 /2022 budget, forward any remaining balances over to the new 2022 /2023 budget to continue paying bills. Seconded by Trustee Winans. All in favor, motion passed.
- A motion made by Trustee Humphrey to close the village office on Monday, July 4th, 2022 in observation of Independence Day. Seconded by Trustee Winans. All in favor, motion passed.
- Deputy Mayor, Trustee Lawrence asked if there were any questions from those in attendance on the Public Hearing for the Village Board of Afton and its committees and subcommittees to use videoconferencing technology to participate in public meetings. There were no questions.
- A motion made by Trustee Humphrey to close the Public Hearing at 7:40 pm, for Local Law #1 of 2022 – Authoring the Village Board of Afton and its committees and subcommittees to use videoconferencing technology to participate in public meetings. Seconded by Trustee Winans. All in favor motion passed.

VILLAGE OF AFTON
RESOLUTION APPROVING LOCAL LAW NO. 1 OF 2022

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 13th day of June, 2022, the following resolution was offered and seconded:

WHEREAS, the Village of Afton scheduled a public hearing for June 13, 2022 at 7:05 p.m. for Local Law No. 1 of the year 2022 entitled “A LOCAL LAW AUTHORIZING THE VILLAGE BOARD OF THE VILLAGE OF AFTON AND ITS COMMITTEES AND SUBCOMMITTEES TO USE VIDEOCONFERENCING TECHNOLOGY TO PARTICIPATE IN PUBLIC MEETINGS”; 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 13, 2022, 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 (“SEQRA”), 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 (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. 1 of 2022 entitled “A LOCAL LAW AUTHORIZING THE VILLAGE BOARD OF THE VILLAGE OF AFTON AND ITS COMMITTEES AND SUBCOMMITTEES TO USE VIDEOCONFERENCING TECHNOLOGY TO PARTICIPATE IN PUBLIC MEETINGS” 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.

Passed by the following vote of all Board of Trustee Members voting in favor thereof:

Affirmative Board of Trustees Members:

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 13th day of June, 2022. Said resolution was adopted by the following roll call vote:

Mayor: Janice Nickerson Absent
Trustee Rebecca Komorowski Aye
Trustee Robert Humphrey, Jr. Aye
Trustee Deanna Lawrence Aye
Trustee Andrew Winans Aye

- Trustee Komorowski informed those in attendance that the Mural Committee has been working on a letter to be placed door to door asking for donations to be submitted to HALso for placement of a mural on the building. Their goal is to raise \$2,000.00 for the project, to help offset the cost of the artist and supplies and materials.
- Deputy Mayor, Trustee Lawrence reminded those in attendance that the Afton Arts & Crafts Festival would be held on August 20th and August 21st, 2022. The Greater Afton Area Chamber of Commerce is hosting the event. The plan is to bring this event back to its roots, there will be all kinds of events throughout the village and at the fairgrounds for the entire family.
- Deputy Mayor, Trustee Lawrence expressed to the Village Board of Trustees that there should to be a discussion going forward on the water billing rates at the next meeting.

Recognition of Visitors:

- Visitor Linda Matthews stated that she had attended a meeting back in September and had noted that the sidewalk in front of her home has dropped about 4 inches. She stated that her neighbor's sidewalk has dropped about 2 inches. At that time she was told that it would be looked into. Mrs. Matthews stated that since that time they have placed gravel, along with dirt to try rebuilding the gap to keep the sidewalk from eroding. With the heavy rains that we recently had it is just washing out down the roadway. Mrs. Matthews would like to have DPW look at the sidewalks in question.
- A motion made by Trustee Lawrence to adjourn our regular meeting at 7:50 pm. Seconded by Trustee Humphrey. All in favor, motion passed.

Respectfully Submitted

Ann Palmatier
Clerk / Treasurer