

**Village of Afton  
Board of Trustees Meeting  
Jack D. Bolster Community Center, Afton, NY  
March 11, 2024**

Minutes of the meeting of the Board of Trustees held March 11, 2024 in the Susquehanna Room, 105 Main Street, Afton, NY.

Meeting called to order at 7:02 pm, by Deputy Mayor, Trustee D. Lawrence.

Deputy Mayor, Trustee D. Lawrence stated that Mayor Dedman has been sick, so she will be running tonight's meeting. Trustee Winans is absent as well.

**Present:** Deputy Mayor, Trustee D. Lawrence, Trustee Humphrey, Trustee T. Lawrence, Clerk/Treasurer Palmatier, DPW Supervisor DeBetta, Village Code Enforcement Officer Jeffrey Butler and Officer in Charge Frank Ventura.

**Absent:** Mayor Dedman and Trustee Winans.

**Visitors:** Daron Schultes and Donald Ouimet.

- A motion made by Trustee Humphrey authorizing Clerk/Treasurer to pay the following audited vouchers. Seconded by Trustee T. Lawrence. All in favor motion passed.

**General Fund Voucher's # 222 - 238, totaling \$16,638.64.**

**Water Fund Voucher's # 92 – 101, totaling \$27,127.01.**

- Motion to accept previous minutes with no additions or correction, made by Trustee Humphrey. Seconded by Trustee T. Lawrence. All in favor, motion passed.
- Continuation of the Local Law #1 of 2024, entitled "A LOCAL LAW ENTITLED 'FENCES'".

**Monthly Report:**

- **DPW/ Water:** Verbal report given by DPW Supervisor DeBetta.
- **Police Department.** Report distributed, read aloud by Officer in Charge, Ventura.
- **Code Enforcement:** Report distributed, read aloud by Code Enforcement Officer Butler. Code Enforcement Officer Butler informed the Village Board of Trustees that he has received calls from residents wishing to dispute parking tickets that they have received by the Police Department. There were discussion among the Village Board of Trustees that perhaps there should be a drop box located at the Village Police Department for those wishing to dispute parking tickets. Deputy Mayor Trustee D. Lawrence read the laws pertaining to the allowable parking within the village, in discussion these tickets have been fairly written.

- Planning Board: Trustee Humphrey informed the Village Board of Trustees that the Planning Board did not have much of a discussion at their previous meeting. The February report was distributed for review.
- Finance/Insurance: Remains the same, up to date.
- 4 Towns Forward: Officer in Charge, Ventura attended the second summit pertaining to rural homelessness within the surrounding communities, held by 4 Towns Forward. The decisions focused on the lack of housing within the four county area. Mr. Ventura stated that the Police Department is willing to conduct a clothing and food drive to help.
- Historian Report: No representative, no report.
- Dog Control Officer: - Report distributed.
- Afton Central School – No representative.

**Old Business:**

- Discussion of election poll watchers, information pertaining to the guidelines was distributed to the Village Board of Trustees for review.
- A motion made by Trustee Humphrey to accept the Poll Watcher Guidelines as they are written, with one addition being that Poll Watcher Certificates must be completed within one week of an election to ensure that all paperwork is accounted for each candidate. Seconded by Trustee T. Lawrence. All in favor, motion passed.

The Poll Watchers Guidelines set forth by the Village Board of Trustees are as Follows:

## Guidelines for Poll Watchers for the Village of Afton, NY

Any candidate who runs for a general or special village election, for any party committee or independent can have up to 3 poll watchers present at each election district. All poll watchers appointed by a candidate must have a Poll Watchers Certificate, appointing them as a poll watcher. This certificate is available at the village clerk’s office. It must be delivered to an election inspector for the election district where the poll watcher will be servicing. A poll watcher must be a qualified voter of the County in which they service. A state law was amended to prohibit candidates from servicing as poll watchers. However, the law does not prohibit a candidate’s spouse or other family member from serving as a poll watcher. Watcher may be present at the polling places 15 minutes before the voting machines or ballot boxes are unlocked and examined at the opening of the polls. The poll watchers may remain at the polling places until after the election inspectors sign the returns and proclaim the results.

Poll Watchers are required to have their own supplies such as pens, papers, lists, etc. They are not allowed to have or make copies of the voter’s list sheets. They can be present for both opening and closing of the polls. They do not sit at the table with the election inspectors. They do not impede the voting process. They can challenge the eligibility of a voter. They can ask the election inspectors to repeat a voter’s name. A poll watcher may not act in an inappropriate manner, and can be removed for electioneering or other prohibited behavior.

Attached is the New York State Senate most recent version

Section 8-500

Watchers; provision

Election (ELN) CHAPTER 17, ARTICLE 8, TITLE 5

Published on 2024-02-02

SECTION 8-500

Watchers; provision for

Election (ELN) CHAPTER 17, ARTICLE 8, TITLE 5

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§ 8-500. Watchers; provision for. 1. At any general, special, town or village election, any party committee, any independent body whose candidates are upon the ballot, and any political committee supporting or opposing a ballot proposal may have for each election district three watchers at any one time, not more than one of whom may be within the guard rail at any one time. Watchers shall be appointed by the chair or other officer of any such party committee, independent body or political committee.

2. At any primary election, any party committee and any candidate on the ballot may have for each election district three watchers at any one time, not more than one of whom may be within the guard rail at any one time. Watchers shall be appointed by the chair or other officer of any such party committee or by any candidate.

3. Watchers may be present at the polling place at least fifteen minutes before the unlocking and examination of any voting machine or ballot box at the opening of the polls, until after the signing of the inspectors' returns and proclamation of the result.

4. The appointment of watchers for any election shall be by a certificate in writing issued by the appointing authority. Such certificate shall be delivered to an inspector at the election district.

5. Each watcher must be a qualified voter of the city or county in which he or she is to serve. No person shall be appointed or act as a watcher who is a candidate for any public office to be voted for by the voters of the election district in the same election in which the

watcher is to serve. Nothing in this subdivision shall be construed as prohibiting any such candidate from visiting a polling place in such district on an election day while the polls are open.

- Web-Master discussion. The quotes obtained by Mayor Dedman are much higher than what the village is currently paying. It was decided that the current web page will be cleaned up and possibly downsized.
- Norfolk Railroad discussion. Deputy Mayor, Trustee D. Lawrence stated that she has made 3 phone calls with no response. She did receive an email, she will continue to keep reaching out.
- Progress on the 2 Yellow Houses remains the same.

#### **New Business:**

- A motion made by Trustee T. Lawrence to move \$81.15 in the general budget from General Support Contractual (A1989.40) to Publicity Contractual (A6410.40), for budget overages. Seconded By Trustee Humphrey. All in favor, motion passed.
- A motion made by Trustee Humphrey to move \$67.51 in general budget from General Support Contractual (A1989.40) to Electric for Parks (A7110.42), for budget overages. Seconded by Trustees T. Lawrence. All in favor, motion passed.
- A motion made by Trustees Humphrey to move \$208.87 in the general budget from General Support Contractual (A1989.40) to Street Maintenance, Equipment/Vehicle Repair (A5110.2), for budget overages. Seconded by Trustee T. Lawrence. All in favor, motion passed.
- A motion made by Trustee T. Lawrence to move \$435.89 in the general budget from Police Staff Training (A3120.44) to Police Uniforms (A3120.45), for budget overages. Seconded by Trustee Humphrey. All in favor, motion passed.
- A motion made by Trustee Humphrey to move \$621.48 in general budget from Contingency Fund (A1999.40) to Electricity Buildings (A1620.42), for budget overages. Seconded by Trustee T. Lawrence. All in favor, motion passed.
- A motion made by Trustee T. Lawrence to move \$3.33 in the water budget from Contingency (1990.40) to Supplies (8310.42), for budget overages. Seconded by Trustee Humphrey. All in favor, motion passed.
- A motion made by Trustee Humphrey to move \$4,327.55, from Capital Reserves Water Improvement Savings Fund for payment of Invoice # 20 - to Lamont Engineers for engineering services as follows: (8320.20 – Water Contractual – for \$4,327.55). Seconded by Trustee T. Lawrence. All in favor, motion passed.
- A motion made by Trustee T. Lawrence to accept the donation from the Afton Community Parks Association. This donation consists of a \$5000.00 check to be used for the Route 41 Parkland River Walk or rest area located within the Village of Afton, NY, with the said funds to be used for, i.e. picnic tables and benches or other improvements at the discretion of the Department of Public Works Superintendent, Bailey DeBetta. Seconded by Trustee Humphrey. All in favor. Motion passed.

- A motion made by Trustee Humphrey to set Public Hearing at the April 8, 2024 regular scheduled board meeting at 7:15 pm for the purpose of informing the public of the tentative water and general budgets for 2024-2025. Seconded by Trustee T. Lawrence. All in favor, motion passed.
- A motion made by Trustee T. Lawrence to Motion to set Public Hearing at the April 8, 2024 regular scheduled board meeting at 7:16 pm for the Local Law # 2 of 2024 – Amending Chapter II, “Businesses and Trades” will be amended to add Article III “Fines, Penalties, And Enforcement. Seconded by Trustee Humphrey. All in favor, motion passed.
- The letter of request that was received by the Afton Chamber of Commerce at last month’s Village Board Meeting. The Village Board of Trustees had asked for an updated letter reflecting the correct dates for the Afton Arts and Crafts Festival. At this time no updated letter has been received.
- A this time Deputy Mayor, Trustee D. Lawrence asked if there were any public comments on the Local Law #1 of 2024, entitled fences. There were none.
- A motion made by Trustee Humphrey to close the public hearing on Local Law #1 of 2024, entitled fences at 7:37 pm. Seconded by Trustee T. Lawrence. All in favor, motion passed.

**VILLAGE OF AFTON**  
**LOCAL LAW NO. 1 FOR THE YEAR 2024**  
**A LOCAL LAW ENTITLED “FENCES”**

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

**Section 1. Purpose.**

The Board of Trustees of the Village of Afton has determined that it is in the best interests of the Village to regulate fences to promote the health, safety, and welfare of residents.

**Section 2. Definitions.**

As used in this local law, the following terms shall have the meanings indicated:

**FENCE**

Any structure, wall, barrier, or similar structure, regardless of material or composition, that is erected or maintained for the purpose of enclosing a piece of land, or dividing a piece of land into distinct portions, or restricts or prevents movement across a landowner's property line.

**CHAIN LINK FENCE**

A fence made of metal that is chain-linked in a mesh-like appearance, with closed loops at the top and bottom of the fence.

## FENCE, OBSCURING

A fence, including any gates in the fencing that is 80% or more opaque.

## FENCE, DECORATIVE

A fence erected to enhance the aesthetic appearance of a property, a front yard or portions thereof, a garden, other landscaping, or a side or back yard or portions thereof. Excluded from the decorative fence definition are chain link fences, swimming pool fences, and security and equipment yard fences. Decorative fencing includes, but is not limited to picket fences, wrought iron fences, stone fences, masonry fences, or other similar styles that do not create a complete visual barrier.

## FENCE, EXISTING

Fences that were erected, installed, and/or constructed prior to the adoption of this local law.

## FRONT YARD

Applies to that portion of the yard in front of the primary building line facing a street on which vehicular traffic may flow. For purposes of this local law, all portions of corner-lot properties adjacent to a public street, alley, or highway are included as the front yard.

## HEIGHT

The distance measured from the average finished grade of the lot at the base of the fence to the top of the fence.

## PROPERTY-AGRICULTURAL

Property, or a significant part thereof, which is used for or includes a significant agricultural component, whether horticultural or animal husbandry and for which any business, commercial, industrial, or residential uses are ancillary to the agricultural use.

## PROPERTY-AGRICULTURAL FENCES

Fences constructed of materials that are commonly employed in agriculture, including barbed wire, poultry wire, rabbit wire, turkey wire and electrically charged fences.

## PROPERTY-BUSINESS

Property, or a significant part thereof, used primarily for business, commercial, or industrial purposes and for which any agricultural or residential uses are ancillary.

## EQUIPMENT YARD FENCE

A security fence that is built and designed to protect business, commercial, industrial, or institutional property from either theft or vandalism of supplies or equipment.

## PROPERTY-RESIDENTIAL

Property, or a significant part thereof, which is used primarily for residential purposes and for which any agricultural, business, commercial or industrial uses are ancillary to the residential use.

## SECURITY FENCE

A fence typically constructed of chain link or similar material and including a lockable gate that surrounds a business, commercial, or industrial property and is designed to prevent theft or vandalism of materials or equipment on the property.

## SWIMMING POOL FENCE

A permanent protective fence that completely encloses any swimming pool with a depth deeper than 24 inches, regardless whether the pool is in-ground or above-ground, and complies with the New York State Uniform Fire Prevention and Building Code.

### **Section 3. Visibility at intersections.**

- a. On corner lots, no fence that results in the obstruction of vision shall be erected, installed, planted, parked or otherwise placed within the triangular area formed by the intersecting street lines and a straight-line adjoining the street lines at points that are 25 feet distant from the point of intersection, measured along the street lines.
- b. In the above-described triangular area, any shrubbery or fences made of masonry, wood or other material that creates a solid visual barrier, must not exceed a height of two feet (24 inches) from the accepted street grade of the abutting top of curb, or from the crown of the abutting road, if there is no curbing. Branches or foliage of trees are not permitted to grow or create a solid visual barrier that extends below a height of 10 feet above the ground.
- c. An open fence of chain link wire, wrought iron, split, rail or other similar material that does not screen or obstruct views, light and air may be permitted in the triangular area, provided that it does not obstruct visibility. No solid fence exceeding 2 feet (24 inches) will be permitted in the triangular area.

### **Section 4. Fences, generally.**

#### a. Composition and offset

- 1) All front yard fencing must be decorative fencing and offset a minimum of two feet from the road curb, and/or, if applicable, a minimum of one foot from the sidewalk. If there is no curb, then the front yard fencing must be offset a minimum of six (6) feet from the roadway pavement. All other fencing must be offset a minimum of two feet from the property lines of adjoining property owners.
- 2) All fencing must not encroach upon, obstruct, interfere with, or otherwise impede rights of way, vehicular or pedestrian traffic, or access to public property. No fence shall be erected so as to encroach on property owned by any other person or entity other than the owner installing the fence.
- 3) Swimming pool fences must be composed of wooden or metal construction and maintained in a structurally sound, durable condition.
- 4) Fences may be constructed using any material commonly used and available in the fencing industry so long as it does not present an unreasonable fire hazard and does not otherwise obstruct vehicular and pedestrian traffic sight lines or unduly cut off light or air. All materials that may cause a nuisance, a fire hazard, a dangerous condition, an obstruction to combating fires, an obstruction to persons and equipment for combating fires or which may affect public safety is hereby prohibited. Further, no fence shall be erected in a front yard or along a public right-of-way unless the fence is uniformly less than fifty-percent solid.

- 5) Fences must be constructed and installed so that the smooth side or finished side faces the outside of the property of the owner installing the fence. Fence posts must be placed on the owner's side of the fence.
- 6) PROHIBITED FENCING MATERIALS.  
The following materials are prohibited from being used in fencing, except for animal husbandry, stables, riding academies, and kennel uses in a district zoned for livestock, poultry, or cattle:
  - i) Razor wire
  - ii) Pallets
  - iii) Barbed wire
  - iv) Short, pointed fences (less than 36 inches)
  - v) Canvas fences
  - vi) Cloth fences
  - vii) Electrically charged fences
  - viii) Poultry wire
  - ix) Turkey wire
  - x) Temporary fences, such as snow fences
  - xi) Expandable fences and collapsible fences, except during construction of a building
- b. Except for existing security and equipment yard fencing, existing fencing will not require a permit to the extent it is not modified, moved, or altered in any fashion outside general maintenance. Any subsequent changes to existing fencing beyond general maintenance of the same will require Village approval as set forth herein. For purposes of this local law, "general maintenance" is defined as work done to the fence for its upkeep in the same or largely similar material or composition of the existing fencing, and includes painting, panel replacement, post replacement, and installing gate access so long as the gate access is consistent with the material or composition of the remainder of the existing fencing. "General maintenance" does not include changing the material or composition of the existing fence to different material or composition, or large portions thereof.
- c. Security and equipment yard fencing requirements.
  - 1) Existing security and equipment yard fencing will not require a permit. However, the Village Code Enforcement Officer must inspect existing security and equipment yard fencing to ensure it complies with the height, offset, and material and composition requirements of this local law. Any existing security and equipment yard fencing found to be not in compliance with this local law may be brought into compliance without requiring a permit; so long as the work is completed within 60 days after receiving notice that the existing security and equipment yard fencing does not comply with this local law. Failure to remedy noncompliance within the 60-day period will render the existing security and equipment yard fencing void and subject to the below permitting requirements and enforcement provisions, including seeking a Court Order directing the fencing to be removed.
  - 2) The Village Code Enforcement Officer may issue a permit for construction of a security and equipment yard fence for business, commercial, industrial, and institutional properties in a manner consistent with this local law.
  - 3) Where the Zoning Board of Appeals deems it appropriate, this local law authorizes the Zoning Board of Appeals to waive provisions of this local law regarding height, location and fencing materials as is appropriate for the intended location; except that such waivers cannot reduce the offset requirements or reduce the visibility for vehicular or pedestrian traffic.
  - 4) The Village Code Enforcement Officer is not authorized to waive any provisions of this local law regarding maintenance, offset, and visibility.  
The Village Code Enforcement Officer may deny an applicant for a business, commercial, industrial, or institutional property fence the Officer deems to be constructed of inappropriate materials or to have an inappropriate location. Such denial must be in writing and state the specific reasons for the denial. The applicant may appeal any such denial to the Zoning Board of Appeals.
- d. Height restrictions.
  - 1) Front yard fence and fence within the above-described triangular area must not exceed four feet (48



inches) in height. Solid front yard fence must not exceed two feet (24 inches) in height.

- 2) Swimming pool fence must be a minimum of four feet (48 inches) in height.
  - 3) Security and Equipment yard fence must not exceed 12 feet (144 inches) in height.
  - 4) All other fence must not exceed six and one-half feet (78 inches) in height.
- e. All fences must be maintained by the person responsible for the property.
  - f. Every fence must be maintained in a safe, sound, and upright condition and must not create a safety hazard for people using any public right-of-way.
  - g. Swimming pool fence openings must be narrow enough to prohibit the passage of a two-inch diameter sphere. The entrance gate(s) must have a self-latching device located at least 40 inches above the ground grade, and must be kept locked at all times, except for ingress and egress to the swimming pool area.

#### **Section 5. Approval Required.**

With the exception of existing fence and agricultural fence that does not abut adjoining residential property, all fencing will require the approval of the Village of Afton Code Enforcement Officer. Agricultural fences that abut adjoining residential property may be required to comply with appropriate residential fence, in the discretion of the Zoning Board of Appeals.

#### **Section 6. Application for Permit.**

- a. Any person or persons, corporation, company, partnership, sole proprietor, firm, or association intending to replace existing fencing or erect new fence must apply for a permit to do so, *before any work is begun*. The application must be written using a form provided and approved by the Village Code Enforcement Officer, and include authorization for the Village Code Enforcement Officer to enter the property and conduct inspections as the Village Code Enforcement Officer deems necessary for review of the application. The application must be accompanied by a plan or sketch showing the proposed location of the fence. The plan or sketch must be on a survey map or on an enlargement of a Chenango County real property tax map showing both the parcel on which the fence is to be constructed and the tax map numbers of all adjacent properties. A survey is not required for a permit to issue, but if one exists, the applicant may include it with the application.

The applicant must include a statement, description, or photograph of the materials proposed to be used to construct the visible portion of the fence.

- b. A fence application fee of \$10.00.
- c. No application for a fence will be approved by the Village Code Enforcement Officer while the applicant and any adjacent property owners are in litigation over property line disputes or proposed fencing locations. Any such action must be disclosed by the applicant in the application, or if such litigation is commenced after the application is filed, immediately after the pleadings have been served. Only applications where the litigation is disposed of will be considered for approval. The applicant must provide a copy of the disposition. Such disposition must include a provision authorizing the Village Code Enforcement Officer to proceed with processing the application and considering it for approval. Failure to do so will result in the application being denied, or if a permit is issued, the permit will become void automatically and the Village Code Enforcement Officer will be authorized to follow the enforcement procedures of this local law and any other enforcement provisions available under other sections of the Village Code, or state law or regulation.
- d. Upon the approval by the Village Code Enforcement Officer, s/he will issue a permit for construction of the fence. The permit will be valid for a period of six months from the date of issue. The permit will include a

provision that the holder authorizes the Village Code Enforcement Officer or his/her designee permission to enter upon the property to inspect any work performed under the permit.

- e. The permit must be displayed in a conspicuous place on the property during the construction of the fence.
- f. If the Village Code Enforcement Officer denies the application, the denial must be in writing and provide specific reasons for the denial. The applicant may appeal the denial of a permit to the Zoning Board of Appeals within 30 days of receiving the written denial. An applicant who is denied a permit and either failed to appeal to the Zoning Board of Appeals or the appeal is denied by the Zoning Board of Appeals may not re-apply absent a showing of just cause for a re-hearing, or substantial differences in the application rendering it a different application.

**Section 7. Permit limitations.**

By issuing a permit to erect, install, or modify a fence, the Village is not establishing property lines. Applicants cannot use the permit to establish a superior claim in property disputes with adjoining properties or to establish a claim of adverse possession. The Village is not required or obligated under this local law to independently verify boundary lines and reasonably assumes the applicant provided accurate information in the application for the permit.

**Section 8. Inspection and Enforcement Fees.**

- a. The Village Code Enforcement Officer is authorized and directed to make inspections to determine compliance with the local law. Inspections may only be made between 9:00 a.m. and 4 p.m., Monday through Friday. As noted in Section 6, every property operator or owner must cooperate with the Village Code Enforcement Officer in providing access to the premises for inspection.
- b. If the Village Code Enforcement Officer determines that there are any violations of this local law, a written notice will be served upon the owner or operator. The notice must contain the following:
  - 1) The conditions, as observed by the Village Code Enforcement Officer, that violate the provisions of this local law;
  - 2) A recitation of the specific section of the local law the conditions violate;
  - 3) A list of the remedial actions required to cure the violations;
  - 4) A statement of the number of days from the date of the notice that the owner or operator has to begin and complete such remedial action, which may not be less than 10 days nor more than 60 days; and
  - 5) A statement of the penalties for noncompliance, as set forth herein.
- c. A copy of this notice will be filed in the Village Clerk's Office, and such notice will be deemed sufficient if served:
  - 1) In person;
  - 2) By certified mail with return receipt requested; or
  - 3) By posting a copy of the notice on the building, only if attempts to serve the owner or occupant by the first two methods set out above are unsuccessful and sending the notice by regular mail to the

property address.

- d. Upon failure to comply with the notice, the Enforcement Officer will issue an appearance ticket to the property operator or owner that is returnable to the Town Court, and send a copy to the Village Attorney.

**Section 9. Penalties for Offenses.**

Violations of this code shall be punishable by a fine not to exceed \$250 or by imprisonment for not more than fifteen (15) days, or both. Each day that a violation exists shall constitute a separate and continuing violation subject to fines and potential imprisonment.

**Section 10. Remainder.**

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

**Section 11. 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 12. 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.

**VILLAGE OF AFTON**

**RESOLUTION REGARDING A DETERMINATION OF TYPE OF ACTION  
AND SIGNIFICANCE UNDER THE STATE ENVIRONMENTAL  
QUALITY REVIEW ACT FOR PROPOSED LOCAL LAW**

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 8th day of March 11, 2024 the following resolution was offered and seconded:

**WHEREAS**, the Village Board of the Village of Afton is proposing to adopt a Local Law entitled “Fences” which was presented to the Village Board at said meeting; and

**WHEREAS**, the Local Law has been discussed by the Village Board at length, and the Village Board has carefully considered the nature and scope of the proposed Local Law, and the Village Board now wishes to

fully comply with its obligations under SEQRA and the regulations thereunder with respect to the proposed Local Law; and

**WHEREAS**, pursuant to the regulations, the Village Board has considered the significance of the potential environmental impacts of the Local Law by using the criteria specified in Section 617.4 of the Regulations, and examined the Environmental Assessment Form prepared herewith, together with other available supporting information, to identify the relevant areas of environmental concern, and thoroughly analyzing the identified areas of relevant environmental concern.

**NOW THEREFORE, BE IT RESOLVED** by the Village Board of the Village of Afton as follows:

**RESOLVED** that the Village Board hereby declares itself lead agency pursuant to SEQRA for this action, finds and concludes that the proposed action is an Unlisted Action within the meaning of 6 NYCRR 617.4 and therefore is subject to review under SEQRA and the regulations thereunder, and determines that the review is an un-coordinated review; and be it further

**RESOLVED** that based upon an examination of the Short Environmental Assessment Form and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Village Board’s knowledge of the Unlisted Action and such further investigation of the Local law and its respective potential environmental impacts as the Village Board has deemed appropriate, the Village Board finds and determines that no significant adverse environmental impacts are noted in the Short Environmental Assessment Form for the Local Law and none are known to the Village Board and, therefore, the Local Law will not have a significant adverse environmental impact as a consequence of the foregoing. This resolution shall serve as the Negative Declaration for adoption of the Local Law; and be it further

**RESOLVED** this resolution shall take effect immediately.

**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 11th day of March, 2024. Said resolution was adopted by the following roll call vote:

Mayor: Patrick Dedman	<u>Absent</u>
Trustee Robert Humphrey, Jr.	<u>Aye</u>
Trustee Deanna Lawrence	<u>Aye</u>
Trustee Tyler Lawrence	<u>Aye</u>
Trustee Andrew Winans	<u>Absent</u>

- At this time Deputy Mayor Trustee D. Lawrence express that the village has received a resignation letter from Trustee Winans. She read aloud the resignation letter to those in attendance. Mr. Winans thanked the Village Board of Trustees and its employees for the work that they do for the village and its residents. Due to unforeseen circumstances, Trustee Winans has resigned effective immediately. Deputy Mayor Trustee D. Lawrence stated that the Village Board of Trustees will need to have a discussion on moving forward.

- A motion made by Trustee T. Lawrence to accept the resignation of Trustee Andrew Winans effective immediately. Seconded by Trustee Humphrey. All in favor, motion passed.

**Recognition of Visitors:**

- Visitor Daron Schultes stated the he and Deputy Mayor Trustee D Lawrence have meet with the school officials about the Memorial Day Parade and there part in the event. They are making progress with their plans for the parade. There were discussions on the traffic control for the event, Officer in Charge Ventura indicated that they could help.
- Trustee Humphrey reminded those in attendance that the village is in need of Planning Board Members and Zoning Board of Appeals Members. Anyone wishing to be a member can reach out to a Village Board Member.
- A motion made by Trustee T. Lawrence to adjourn our regular meeting at 8:10 pm. Seconded by Trustee Humphrey. All in favor, motion passed.

Respectfully Submitted,

Ann Palmatier,  
Clerk / Treasurer