

**Village of Afton**  
**Board of Trustees Meeting**  
**Jack D. Bolster Community Center, Afton, NY**  
**October 12, 2020**

Minutes of the meeting of the Board of Trustees October 12, 2020 at 7:00 pm in the Susquehanna Room, 105 Main Street, Afton, NY

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

**Present:** Mayor Nickerson, Trustee Muller, Trustee Lawrence, Trustee Humphrey, Clerk/Treasurer Palmatier, DPW Supervisor Bailey DeBetta and Village Code Enforcement Officer Jeffrey Butler.

**Absent:** Trustee Simonds

**Visitors:** Maryann Palmetier, April Leggett, Kathy Ryan and Patricia Stafford.

- A motion was made by Trustee Lawrence authorizing Clerk/Treasurer to pay the Following, audited vouchers, Seconded by Trustee Humphrey. All in favor, motion passed. **General Fund Vouchers # 152 - 179, Totaling \$13,733.63.**  
**Water Fund Vouchers # 34 – 42, Totaling \$3,198.76.**
- Motion to accept previous minutes with no additions or correction, made by Trustee Muller. Seconded by Trustee Lawrence. All in favor, motion passed.
- Open Public Hearing at 7:05 pm regarding Local Law #2 of 2020. A local law entitled Contracts Awarded to Best Value Bidders.

**Monthly Report:**

- **DPW/ Water:** DPW Supervisor Bailey DeBetta informed the Village Board Trustees that the DPW installed a new service line at the old Secrest farm under the roadway. There had been a leak at this location, which required the lines to, be replaced. The crew finished flushing the hydrants. The Health Department performed the annual inspection on the Village water system. Supervisor DeBetta stated that he is proud of the work the crew has done on the building process of the new leaf box. He stated that they worked hard last week on the welding and painting to have it finished to begin the leaf pickup process tomorrow.
- **Police Department.** Report distributed, read aloud by Mayor Nickerson. A copy of this report is available for viewing at the Village Office, for anyone wishing to read it.
- **Code Enforcement:** Village Code Enforcement Officer Jeffrey Butler informed the Village Board of Trustees that he reported a total, of six streetlights out to NYSEG. He stated that he had spoken with the Town Official about the event held within the community over the weekend. The Town at this time does not have any permit requirements in place. Mr. Butler stated that a resident contacted him they had questions about their septic system. He referred them to Afton Septic. He stated that he has received many calls about the leaf pickup. Mr. Butler said that the County is on hold for the processing of delinquent back

taxes. Mr. Butler reported that he issued a building permit application. He received a complaint about an unregistered boat on Main Street. He also attended the Planning Board and Town Board Meetings.

- Planning Board: Trustee Humphrey informed the Village Board of Trustees that the Planning Board had an inquiry from Mr. Jim Parkinson. Mr. Parkinson was looking to obtain information about opening a Doctor's Office for inpatients as well as home visits for seniors. He is currently looking into two locations. Trustee Humphrey stated that both locations are within the residential transition district. Therefore, he sees no initial problems providing a site plan be, submitted to the Planning Board. Trustee Humphrey stated that Planning Board Member April Leggett has been working hard on the proposed chicken codes. She was able to obtain information for the City of Oneonta, NY. Ms. Leggett stated that their laws are clear and simple, as well as their application form. The Planning Board plans to have the chicken codes written to present to the Village Board of Trustees by next month. Trustee Humphrey stated that Planning Board Member Girard Matthews and April Leggett attended a webinar on Chenango County Risk Assessment. This is data is collected for each Village / Town Ship in our County. This assessment outlines a number of hazards that may affect a certain area. The Village of Afton is currently at risk for severe storms and severe weather. The Village Board of Trustees feels as though this Risk Assessment is accurate for the Village. Trustee Humphrey said that Planning Board Member Girard Matthews has been a huge help with this process, attending the meetings and obtaining information.
- Finance/Insurance: Mayor Nickerson stated that we are up to date.
- Christmas Parade Committee: Mayor Nickerson stated that Trustee Simonds is absent, so no report. Mayor Nickerson stated that at this time she feels it is in the best interest of the public, if the Christmas Parade were to be, canceled this year. As much of a disappointment this will be for the entire community, it is what is best for all. Mayor Nickerson stated that even if the parade were to be virtually done there would be those who want to break the rules by attending in person putting the community at risk. Mayor Nickerson will send a letter to the Christmas Parade Committee.
- Parks Committee: Trustee Muller stated that the Afton Community Parks Associations has cancelled all their intended fundraising events. They have not received the ok from the State that such gatherings are allowable.
- Historian Report: Report distributed. Mayor Nickerson stated the report is available if anyone wishes to view it or wants a copy.
- Dog Control Officer: - No Report.

### **Old Business:**

- Comprehensive Plan – Street Design & Lighting – Ms. April Leggett informed the Village Board of Trustees that she has a long list of possible funding. She has met with the Commerce of Chenango County for their input and assistance.
- Continued Policy updates – Mayor Nickerson said that some of the, polices have been updated, but that they are still working on PESH requirements. Trustee Lawrence stated

that the Police Committee is continually working on the policy updates for the Police Department. They have until April 2021 to comply.

- Halloween Discussions – There were many discussions. Mayor Nickerson stated that she feels as though it should be a parent’s decision, whether their children should trick or treat. Most children will be wearing some type of a mask. Mayor Nickerson stated at this point, we have not had any guidelines from the County Health Department. Trustee Humphrey added that most families would be walking together wearing masks, waiting their turn at residents doors.

**New Business:**

- Mayor Nickerson informed the Village Board of Trustees that Town Supervisor John Lawrence has reached out to her expressing interest in putting together an Events Permit Committee. He has asked that the Town and Village work together to address the need for event permits, and to draft such documents for the Town.
- Mayor Nickerson informed the Village Board of Trustees that she sent a letter requesting the School Board appoint a liaison to attend the Village Board meetings. Mayor Nickerson thinks that having an open line of communication between the Village and the School would benefit the entire community. She has asked that the appointed liaison inform the Village on the happening of the School combatting any issues that arise along with the updates taking place in regards to Covid- 19. Mayor Nickerson had asked Trustee Lawrence to attend the School Board Meetings as a liaison for the Village of Afton.
- Mayor Nickerson informed the Village Board of Trustees, the Village has received notification from the County about the Senior Citizens income level for the Village of Afton. The decision was that the income level would remain the same.
- A motion made by Trustee Muller to conduct our organizational meeting during the November 9, 2020 regular scheduled Board Meeting. Seconded by Trustee Lawrence. All in favor, motion passed.
- A motion made by Trustee Lawrence to accept the resignation of Part Time Police Officer James D. Guerrier effective September 24, 2020. Seconded by Trustee Humphrey. All in favor, motion passed.
- A motion was, made by Trustee Lawrence to hire Justin Davy as a part time Police Officer. Seconded by Trustee Muller. All in favor, motion passed.
- The Village of Afton opened Sealed Bids for –
  - 2008 Chevy Dump Reg. Cab 3500 Duly – 4 W/D – w/ Plow, Sander – W/ 59,587 Miles
  - 2009 Ford F250 Reg. Cab XL Supper Duty 4W/D with Boss Plow – W/ 88,551 MilesA decided made by the Village Board of Trustees to decline both bids. DPW Supervisor Bailey DeBetta will look into the possibility of placing vehicles into auction.

- A motion made by Trustee Muller to allow the Village to become a member of Sourcewell. Sourcewell serves government, education & nonprofit organizations with a cooperative purchasing program that manages solicitation requirements & offers a network of awarded contracts. Seconded by Trustee Lawrence. All in favor, motion passed.
- A motion made by Trustee Muller to enter into a bond resolution for financing the leaf collector not to exceed \$54,731.73, for a five-year period at 1.65%. Seconded by Trustee Humphrey. All in favor, motion passed.

**BOND RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF AFTON, CHENANGO COUNTY, NEW YORK, ADOPTED OCTOBER 12, 2020, AUTHORIZING THE PURCHASE OF A TRAILER MOUNTED DEBRIS COLLECTOR AND RELATED EQUIPMENT, AT THE MAXIMUM ESTIMATED COST OF FIFTY-FOUR THOUSAND, SEVEN HUNDRED THIRTY-ONE DOLLARS AND SEVENTY-THREE CENTS (\$54,731.73); APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$54,731.73 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.**

WHEREAS, the Village Board (“Board”) of the Village of Afton, Chenango County, New York (the “Village”), hereby resolves as follows:

Section 1. The Village is hereby authorized to purchase a Trailer Mounted Debris Collector and related equipment (the “Debris Collector”) at a maximum estimated cost of \$54,731.73, and said amount is hereby appropriated for such purpose.

Section 2. It is hereby determined that the plan of financing for the Debris Collector includes the issuance of not to exceed \$54,731.73 serial bonds including, without limitation, statutory installment bonds and bond anticipation notes, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid project is five (5) years, pursuant to subdivision 32 of paragraph a. of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed five (5) years.

Section 4. The faith and credit of said Village of Afton, Chenango County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Mayor, the chief fiscal officer. Such notes shall be of such terms, form and content, and

shall be sold in such manner, as may be prescribed by said Village Mayor, consistent with the provision of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Mayor, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Mayor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution of summary thereof, or certificate, as the case may be, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor: Janice Nickerson	VOTING	<u>  Aye  </u>
Trustee Sally Muller	VOTING	<u>  Aye  </u>
Trustee Robert Humphrey, Jr.	VOTING	<u>  Aye  </u>
Trustee Deanna Lawrence	VOTING	<u>  Aye  </u>
Trustee Michele Simonds	VOTING	<u> Absent </u>

The resolution was thereupon declared duly adopted.

- Mayor Nickerson asked if there was anyone present, who had any questions or comments, on the Local Law #2 of 2020. There was none at this time.

- A motion made by Trustee Muller to close the public hearing at 8:25 pm. Seconded by Trustee Humphrey. All in favor, motion passed.

**VILLAGE OF AFTON**  
**LOCAL LAW NO. 2 FOR THE YEAR 2020**  
**A LOCAL LAW ENTITLED**  
**“CONTRACTS AWARDED TO BEST VALUE BIDDERS”**

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

Section 1. General Provisions

Section 1.1 Purpose

This Local Law provides for the Village Board to exercise its local option from § 103, Subdivision 1 of the New York General Municipal Law, to authorize the award of purchase contracts and contracts for services subject to competitive bidding on the basis of either lowest responsible bidder or “best value” as defined in § 163 of the New York State Finance Law. The “best value” option may be used if it is more cost efficient over time to award the good or service to other than the lowest responsible bidder, based on factors such as lower cost of maintenance, durability, higher quality and longer product life.

Section 1.2 Basis for award

Goods and services procured and awarded on the basis of best value are those that the Village Board determines will be of the highest quality while being the most cost efficient. The determination of quality and cost efficiency shall be based on objectively quantified and clearly described and documented criteria, which may include, but shall not be limited to, any or all of the following: cost of maintenance; proximity to the end user if distance or response time is a significant term; durability; availability of replacement parts or maintenance contractors; longer product life; product performance criteria; and quality of craftsmanship.

Section 1.3 Applicable Contracts

These sections apply to Village purchase contracts involving an expenditure of more than \$20,000 and Village contracts for services involving an expenditure of more than \$35,000, but excludes purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the State Labor Law as well as excluding any other contracts in accordance with current or future state law. If the dollar thresholds of General Municipal Law § 103 are increased or decreased in the future by the State Legislature, the dollar thresholds set forth herein shall be deemed simultaneously amended to match the new General Municipal Law thresholds.

Section 1.4 Award based on low bid or best value; Documentation

A quote or proposal for a purchase or contract covered by this Local Law received pursuant to standard bidding procedures may be awarded on either a best value or lowest responsible bidder standard. All information gathered in the course of the bidding procedures of this section shall be filed with the documentation supporting the subsequent purchase or public works contract. When a contract is awarded on the basis of best value rather than a lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

Section 1.5 Procurement Policy

Any inconsistent provision of the Village's procurement policy, as adopted by local law of the Village Board, or as amended thereafter, shall be deemed superseded by the provisions of this Local law.

Section 3.      Remainder

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

Section 4.      Separability

The provisions of this Local Law are separable 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 5.      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 APPROVING LOCAL LAW NO. 2 of 2020**

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 12th day of October, 2020, the following resolution was offered and seconded:

**WHEREAS**, the Village of Afton scheduled a public hearing for October 12, 2020 at 7:05 p.m. for Local Law No. 2 of the year 2020 entitled "A Local Law entitled 'Contracts Awarded to Best Value Bidders'"; 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 October 12, 2020, 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. 2-2020 entitled “A Local Law entitled ‘Contracts Awarded to Best Value Bidders’” 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.

### **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 12th day of October, 2020. Said resolution was adopted by the following roll call vote:

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

### **Recognition of Visitors:**

- Visitor Kathy Ryan stated that as a previous owner of chickens, you should only clean their coop once a year. It should be in the springtime. The waste provides the chickens warmth for the winter, and they will scratch at the waste. Ms. Ryan stated that you should add a little lime to keep the smell under control.
- Visitor April Leggett expressed to the Village Board of Trustees that perhaps once the chicken code/ policy is brought forth and if it passes, that the Board may want to consider some type of a sanitation composting pile for the chickens waste that residents may be able to use for gardening purposes. Discussions were that you should not use chicken waste in your fruit and vegetable gardens, until it is completely, rotted. This can take 3 – 5 years depending on what mixer is with the waste to be, composted.
- Visitor Maryann Palmetier stated that she feels as though the suggestion of the Village and the School working together on community collaboration is a wonderful idea. Ms. Palmetier stated the School Board, needs to discuss the request but that one of the School’s goals is to improve community relations.
- Visitor Maryann Palmetier informed the Village Board of Trustees that the School has officially taken ownership of the building on State Hwy 7. It was asked, if the School would repair the building. Ms. Palmetier stated that the current building would be, demolished. A new building will be put in its place.



- Visitor Maryann Palmetier expressed to the Village Board of Trustees that she understands the tough decision to cancel the Christmas Parade. Despite the disappointment that all will feel, it is what is best for the community currently.
- Visitor April Leggett asked the Village Board of Trustees if they have made any changes on the NYCOM changes on sign laws. Mayor Nickerson expressed that it is the responsibility of the Planning Board to come up with a template.
- Visitor Kathy Ryan asked DPW Supervisor Bailey DeBetta if he was going to be vacuuming or if they could put their bags of leaves out. Mr. DeBetta stated yes, you could put them both out. He stated that they might not get to them tomorrow, but that they will be picking up just as soon as possible. Ms. Ryan asked if there was a limit on how many bags could be placed out. The answer is no. The Village is now suggesting that if residents use bags, that they please use paper bags.
- Visitor Kathy Ryan asked the Village Board of Trustees if reports could be included with minutes, she would like to read them. Mayor Nickerson stated that Village would look into attaching the reports separately within the Village of Afton Web Page.
- A motion made by Trustee Muller to adjourn our regular meeting at 8:45 pm. Seconded by Trustee Humphrey. All in favor, motion passed.

Respectfully Submitted  
Ann Palmatier  
Clerk / Treasurer