

Village of Afton
Board of Trustees Meeting
Jack D. Bolster Community Center, Afton, NY
October 10, 2022

Minutes of the meeting of the Board of Trustees held October 10, 2022 in the Susquehanna Room, 105 Main Street, Afton, NY

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

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

Absent: Trustee Komorowski and Officer in Charge, Stanko.

Visitors: Charles Torres, Donald Ouimet, Linda Matthews, Tyler Lawrence, Jerry & Nancy Harris and Alan Gaydorus.

- A motion made by Trustee Humphrey authorizing Clerk/Treasurer to pay the following audited vouchers. Seconded by Trustee Winans. All in favor, motion passed.
General Fund Vouchers # 126 - 156, Totaling \$98,114.22.
Water Fund Vouchers # 49 – 62, Totaling \$10,611.10.
- Motion to accept previous minutes with no additions or correction, made by Trustee Humphrey. Seconded by Trustee Winans. All in favor, motion passed.

Monthly Report:

- **DPW/ Water:** A verbal report given by DPW Supervisor Bailey DeBetta. DPW Supervisor states that the 2022 -500 Ram Truck that was placed on state bid from Robert Green Trucking Division, and voted on at the March 14, 2022 Board Meeting for purchase will be arriving in Mid- November. Supervisor DeBetta informed the Village Board of Trustees that the water tank project is almost complete. He had a walk through with Brendon Becker, Lamont Engineers. The next steps will be to hook back into the water lines to begin filling the new tank. DPW Supervisor, DeBetta submitted an estimate to the Village Board of Trustees for pricing on a refurbished versus a new CM200 mobile radio along with the installation cost from Tri-County Communications, Inc. for the possible placement of permanent radios in the village trucks. The Department already has hand held radios, but it would be more convenient to have permanent placement. Supervisor DeBetta stated he would like to have at least one unit placed in the new truck on order.
- **Police Department.** No representative, no report.
- **Code Enforcement:** Report distributed. Read aloud by Code Enforcement Office, Butler. There were discussions about the reporting of camping trailers within the Village.
- **Planning Board:** No report. Trustees Humphrey stated he did not have the most recent minutes, but that there were discussion on the current fencing requirements that are in

effect for the Village of Afton, NY. The Planning Board discussed the current 239 plan for the Buell Fuels. They are looking at placement of an office space on 214 Main Street within the Village. It is the understanding that they are looking to store empty propane tanks at this location.

- Finance/Insurance: Up to date, remain the same.
- Christmas Parade Committee: Mayor Nickerson informed the Village Board of Trustees that the Chamber of Commerce will be taking over the Christmas Parade. Along with help from Trustee Komorowski and her daughter.
- Parks Committee: Mayor Nickerson informed the Village Board of Trustees that the Parks Committee will be hosting a Halloween Dance at the River Club, on Saturday, October 29, 2022.
- Historian Report: Report distributed.
- Dog Control Officer: - Report distributed.
- Afton Central School – No representative.

Old Business:

- Trustee Lawrence asked Supervisor DeBetta if there has been an update on the water situation on Long Hill Road. DPW DeBetta stated that last he was aware it was still in the Attorneys hands. Mayor Nickerson stated that she spoke with Nate, the Village Attorney, he has informed her that he is working with the land owners Attorney on an easement proposal.
- Water Discussions – Mayor Nickerson expressed to the Village Board of Trustees that she feels as though the village should create new water rate categories with new rates for different types of businesses. Mayor Nickerson stated that this should be done at the next meeting, to move forward. It was asked by visitor Charles Torres, how many water lines are ran to each service location. DPW DeBetta stated that there is only one line per hookup location, but that there are at some locations with more than one service throughout the village. Visitor Mr. Alan Gaydorus state he has 1 service line at his rental, but that there are 5 units in which he is billed for each service separately.
- Mayor Nickerson asked the Village Board of Trustees if they read the 26 page pamphlet that was emailed by Mr. David Leidy from Usource, a NextEra Energy Company. Trustee Lawrence stated that she looked it over. Trustees Humphrey and Winans stated that they did not receive the email, Trustee Lawrence will forward the information to them. Mayor Nickerson asked the Village Board of Trustees if they want Mr. Ledy to come back to start the process to look for solar power strictly for village use. Visitor Tyler Lawrence expressed that he thought it was best to allow the other Trustee to look over the contract, before deciding. Trustee Lawrence stated that this is just a look and see as far as what they can do for the Villages power needs. Visitor Gerry Harris asked if there was a fee charge to the village for this service, it was stated no. Visitor Tyler Lawrence stated that the Solar Farm on Route 41 is dedicated 100% to Community Solar. Trustee Winans asked how many years the proposed contract would be if the village were

to commit, it was stated that there is no contracted longevity. Mayor Nickerson stated that this would be tabled until next month.

New Business:

- Preparedness for unexpected “First Amendment Audit”. – Discussions – Mayor Nickerson handed out email information she received from NYMIR in regards to the do’s and don’ts if this were to happen, as this is the new social media craze. We need to be aware of how to handle such a situation. Visitor Charles Torres expressed that this is a violation of the Constitution, which fuels their success. Trustee Lawrence stated that placement of a sign stating “nonpublic” before going any further than the Village Clerks desk in the office would alleviate any issues.
- Mayor Nickerson stated that before Mr. Patrick Dedman left as a Village Trustee he was going to look into helping with the placement of security cameras on the Village Office Building. He was supposed to get in contact with the DPW Supervisor to help. Mayor Nickerson asked DPW DeBetta if he’s heard from Mr. Dedman. DPW DeBetta stated that he would reach out to Mr. Dedman.
- A motion made by Trustee Humphrey to move \$6,345.46 from # 1 Capital Reserves Improvement Building Savings Fund for payment of Invoice # 13 - to Lamont Engineers for engineering services as follows: (8320.20 – Water Contractual – for \$6,345.46). Seconded by Trustee Winans. All in favor, motion passed.
- Senior Citizen & Disability Levels – 2023 Assessment Roll from County – Discussion by the Village Board of Trustees, it was decided that the income levels would remain the same.
- A motion made by Trustee Lawrence to keep the Senior Citizens and Disability Income Levels for the 2023 Assessment Roll from Chenango County as they currently are. Seconded by Trustee Winans. All in favor, motion passed.
- A motion made by Trustee Lawrence to close the Village Office on Wednesday, October 19, 2022. Seconded by Trustee Winans. All in favor, motion passed.

Recognition of Visitors:

- Visitor Alan Gaydorus expressed to the Village Board of Trustees that the Village needs to look at the section of their codes pertaining to fencing placement. He stated that he has recently purchased a village property on the court house steps at the County. The neighboring property owner has painted a line along the property boundaries, with talk of a fence placement, which would include going through the parking lot. If a fence is placed where they have marked the boundary lines it would become a fire hazard to anyone who may live at this location. Along with not allowing him to safely walk around the building. Mr. Gaydorus stated that he attended the Planning Board meeting last week and discussed his concerns with them. Mr. Gaydorus stated that he was informed that a permit is required for a fence placement. His concerns is that these codes need to change to meet certain standards pertaining to what could be placed and how high the fencing should be. Mr. Gaydorus stated that both Unadilla & Bainbridge have similar codes that he thinks would benefit the Village of Afton, NY. Mayor Nickerson asked Trustee Humphrey if it was up to the Planning Board to make the recommendation, it was stated

yes. Mayor Nickerson said that she would talk to the Planning Board Chairman, Girard Matthews.

- Visitor Linda Matthews expressed her concerns about fencing pertaining to Buell Fuels, with the possibility of them housing empty propane tanks. She feels as though they should be kept locked up with a high fencing to keep kids from doing thing they shouldn't.
- Visitor Alan Gaydorus expressed to the Village Board of Trustees that he would like to connect the property that he recently purchased to the village water system. He stated that he spoken with DPW DeBetta, who has referred him to the Village Board. He stated that he also spoke with the Village Clerk, who supplied him with the Village Water Rules and Regulations. He already has a curb box to hook into an existing private line.
- A motion was made by Trustee Humphrey allowing Mr. Alan Gaydorus to hook into the village of Afton water system through his existing private water line for residential use only. Seconded by Trustee Lawrence. All in favor. Motion passed.
- Trustee Lawrence asked DPW DeBetta if had spoken with The Glenwood Cemetery on the water connection that was discussed at last month's meeting. DPW Supervisor DeBetta said that he had spoken with the Town Supervisor, Mr. John Lawrence. He thought Mr. Lawrence was going to look into it.to look into it.
- Trustee Lawrence questioned as to why the Village Board of Trustees has on their agenda the Christmas Parade Committee and the Parks Committee when they are not controlled or overseen by the Village Board of Trustees directly. It was stated that these committees are not part of the tax payers base budgeting. Trustee Lawrence said that since the Afton Chamber will be taking over the Parade they should be overseeing any reports or information given on behalf of the Christmas Parade. Trustee Lawrence feels as though the Christmas Parade and the Parks Committee should be replaced with the committees that have been set by the village and its governed body, such as the Police Committee and DPW Committee and perhaps a Clerk/Treasurer Report. Visitor Tyler Lawrence questioned why the Christmas Parade would be on the agenda from month to month when they don't report anything. Visitor Linda Matthews expressed her concern that previous Trustee Michele Simonds would report to the Village Board of Trustees as to the happenings with the Parade Committee. Visitor Jerry Harris stated that the Town Board has 1 to 2 Board Member be a part of their Committees. Trustee Lawrence stated that the village has already set their Committees. Mayor Nickerson said that Sidney & Bainbridge, both Town and Village get reports from their Chambers. Visitor Charles Torres stated that Chambers are welcome to come, share their events and happenings, but that they are not required to do so. It was decided that reports section on the agendas will remain the same, at this time.
- Mayor Nickerson asked for a motion for the Village to purchase a free standing charcoal grill to be placed at the East Side Park on behalf of the Parks Committee at no more than \$200.00, after which they will reimburse the Village. It was questioned as to why the Village would purchase this equipment on behalf of the Parks Committee. Mayor Nickerson stated that it's been done before and it's so they don't have to pay taxes. Visitor Charles Torres stated this is illegal to shuffle paperwork for another party so they don't have to pay taxes. This was the concern of others in attendance, as well. Mayor Nickerson said that she'd call the Village Attorney to discuss it with him. Visitor Charles

Torres asked the Mayor why she would call the village Attorney when there are two sources of legal advice from the state for free, instead of spending the tax payer's money from the people by paying \$200.00 plus to the attorney.

- Visitor Tyler Lawrence asked the question, stating that he is not sure if it is a Planning Board question or not. His question is, whose responsibility it is going to be to verify that the propane tanks for Buell Fuels are not full as they sit on location at 214 Main Street. Mayor Nickerson replied that it would be the Planning Boards responsibility.
- Visitor Tyler Lawrence asked about the protocols for Sidewalk Days pertaining to businesses, are they in need of permits. Trustee Lawrence stated that permits are not required as the Afton Chamber submits a letter of request to the Village Board of Trustees for a waiver for the event. Mr. Lawrence then asked if businesses could place items outside their doorways for sale. Trustee Humphrey stated that yes, businesses can do this providing they do not obstruct the public walkway on the sidewalks.
- Visitor Linda Matthews expressed her concern over the sale of bags of slushy wine at this year's sidewalk days, couldn't this be considered public intoxication. It was stated that yes, if one consumes too much. Mrs. Matthew stated that this is not a question, just awareness.
- Visitor Jerry Harris stated that at the last meeting he attended he spoke about the cleaning out of the eroding boat ramp access. He stated that he had spoken with the contractor who was doing the work on the school bus garage, he has the equipment to help clear out the gravel and debris. He was all set to help, until we received all the rain. Mr. Harris said that there must be some kind of a grant available for water front projects to help with this cleanup. Mayor Nickerson stated that there are so many grants right now. Mr. Harris said that the village should be able to do some of this work with grant funds. Mayor Nickerson stated that we are working on a lot of grant projects now. Mr. Harris stated that there is no guarantee that we will get a contractor to do the work for free.
- Mayor Nickerson asked Mr. Harris if he felt as though it was possible to place a boat ramp at the East Side Park. Mr. Harris felt as though it is possible. He said that there is room enough, the water is deep and doesn't silt at that location. A concrete ramp would need to be set.
- Visitor Tyler Lawrence asked Mr. Jerry Harris what his intentions were on the current boat ramp. Mr. Harris said that the channel would need to be mucked, out and over to the first pier on the bridge. The spillway would require a walk machine to turn the main stream. Mr. Harris stated that he's noticed that the washout of the ramp and roadway is partly the cause of the blacktop and concrete coming from the River Club roadway washing across the street. Visitor Tyler Lawrence asked Mr. Jerry Harris if he's got permission for the DEC to clean out the river. Mr. Harris stated yes, he said that the Town of Owego does this annually. DEC allows Kirkwood to keep the creek cleaned out, the town uses the gravel and silt that they remove.
- At this time Mayor Nickerson asked if there were any other questions or concerns. As she was asking the Village Board to go into executive session to discuss personal issues.

- Visitor Tyler Lawrence asked Mayor Nickerson about the Police Committees Report that she had requested. Mayor Nickerson stated that the Board would be going into executive session that the report could wait until after the executive session.
- A motion made by Trustee Humphrey to enter into executive session at 8:22 pm, to discuss personnel issues. Seconded by Trustee Winans. All in favor motion passed.

Trustee Lawrence exited executive session at 8:27 pm.

Mayor Nickerson exited executive session at 8:30 pm.

- A motion made by Trustee Humphrey to exit executive session at 8:35 pm. Seconded by Trustee Winans. All in favor, motion passed.
- The remaining Village Board Members returned to regular session to hear Police Committee Members Charles Torres and Tyler Lawrence's concerns over the standing of the requested preliminary finds of the Police Committee. At this time the Committee Members were asked to return with their recommendations at the next board meeting.
- A motion made by Trustee Humphrey to adjourn our regular meeting at 8:50 pm. Seconded by Trustee Winans. All in favor, motion passed.

Respectfully Submitted

Ann Palmatier
Clerk / Treasurer