

Village of Afton
Board of Trustees Meeting
Jack D. Bolster Community Center, Afton, NY
April 10, 2023

Minutes of the meeting of the Board of Trustees held April 10, 2023 in the Susquehanna Room, 105 Main Street, Afton, NY

Meeting called to order at 7:00 pm, by Mayor Dedman. Mayor Dedman thanked everyone in attendance for coming.

Present: Mayor Dedman, Trustee D. Lawrence, Trustee Humphrey, Trustee T. Lawrence, Clerk/Treasurer Palmatier and DPW Supervisor DeBetta.

Absent: Trustee Winans, Officer in Charge, Stanko and Village Code Enforcement Officer Jeffrey Butler.

Visitors: Linda Matthews, Maryann Palmetier, Donald Ouimet, John Lawrence, Ken & Lori Vail, Patricia Wenner, Michael Carlin and David Hollister.

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

General Fund Voucher's # 293 - 323, totaling \$22,769.17.

Water Fund Voucher's # 123 – 131, totaling \$3,952.55.

- Motion to accept previous minutes with no additions or correction, made by Trustee Humphrey. Seconded by Trustee D. Lawrence. All in favor, motion passed.
- Open Public Hearing at 7:15 pm for the purpose of informing the public of the tentative water and general budgets for the 2023 -2024.

Monthly Report:

- **DPW/ Water:** DPW Supervisor DeBetta informed the Village Board of Trustee that the funds from the sale of the 2012 Ford – F250 truck have been received. The crew has been working on removing the plows from the vehicles, filling in pot holes, brush pick up and flushing hydrants. DPW DeBetta presented the Village Board of Trustees with an estimate to replace the current zero-turn mower. The current mower is over 10 years old, the hydraulics are weak, it does not perform as it should. He stated that parts could be replaced, but in the long run it's probably best to replace. The quote received is for a John Deere Z960M ZTrak, under state bid with an estimated cost of \$10,631.08, this includes a trade-in value of \$2,000.00 on the zero-turn mower.
- A motion made by Trustee D. Lawrence to purchase a John Deere Z960M ZTrak from Lindsay Equipment in the amount, not to exceed, \$10,631.08. This includes the trade in of the current zero-turn mower of \$2,000.00. The funds to purchase the mower will be expended for our current 2022-2023 budget under the Equipment Reserves Fund.

(A995.90), with the remaining balance of the budget appropriation to be placed in the DPW Equipment Capital Reserves Savings Fund Account # 9725. Seconded by Trustee Humphrey. All in favor, motion passed.

- Trustee Humphrey asked DPW Supervisor DeBetta if the Department was up to date with the necessary equipment & tools needed. DPW DeBetta said that he still has funds available in the current budget, he anticipates that he'll be up to date within the next few years with purchases or replacements of what they'll need. He indicated that eventually they will need to replace the door at the DPW building.
- Police Department. No report.
- Code Enforcement: Report distributed, read aloud by Mayor Dedman.
- Trustee Lawrence expressed that Code Officer Butler needs to issue violation tickets. After speaking with our Police Department it was determined that they have just parking tickets. It was suggested that we reach out to other villages to see what their procedures are or where they may be purchasing their materials for their Code Officer. Mayor Dedman stated that he would reach out to the surrounding villages for that information.
- Planning Board: Trustees Humphrey informed the Village Board of Trustees that the Planning Board has continued to work with Mr. & Mrs. Vail on their variance request. The 239 review has been approved by Chenango County Planning & Development Department. April Leggett has written up a proposed fence code which were implemented by the review of the laws from Bainbridge and Oxford. The Village Board of Trustees will need to set a fee for the fence permit application.
- A motion was made by Trustee D. Lawrence to set the fee for the fence permit application at \$10.00. Seconded by Trustee Humphrey. All in favor, motion passed.
- Finance/Insurance: Clerk/Treasurer Palmatier informed Mayor Dedman that the village's insurance policies will be updated in May. At that time, he will need to set up a meeting with Teresa Schunk the Village of Afton Insurance Representative to go over the renewed policies.
- 4 Towns Forward: No report, no representative.
- Clerks Report: The Village Clerk /Treasurer Palmatier stated nothing new at this time.
- Historian Report: Report distributed, read aloud by Mayor Dedman.
- Dog Control Officer: - No report.
- Afton Central School – No representative.

Old Business:

- Discussion of Norfolk Southern Corporation Lease Agreement. – At the December 12, 2022 Board Meeting there was a discussion about the certified letter that the village received about the expected increase of the right of way railroad agreement between the Village of Afton and the of Norfolk Southern Corporation. The village has an agreement

of a \$15.00 annual fee, the letter stated that the annual fee will increase to \$2,300.00. At that time there were several phone messages left by Acting Mayor, Trustee D. Lawrence and the Clerk/Treasurer Palmatier, with no response. This agreement dates back to 1958, it's in reference to the strip of roadway along the back side of Horton Hardware. At this time the village is obligated to pay the increased rate. Going forward the village will need to speak to the Norfolk Southern Corporation to see what their options are. Once information is gathered, there will need to be a discussion with the surrounding businesses that this may affect, depending on the outcome. There were many discussions among the Village Board of Trustees and those in attendance about what the possible steps would be going forward.

New Business:

- A motion made by Trustee D. Lawrence to move \$2,285.00 from General Support Contractual (A1989.40) for payment to Norfolk Southern Railroad Corporation to Property Railroad Right of Way (A1940.40) for payment of increase billing. Seconded by Trustee Humphrey. All in favor, motion passed.
- A motion made by Trustee Humphrey to move a total of \$8,701.76 from (1990.40 – Contingency Fund) out of General Budget for the following Budget Appropriations: (A1620.42 – Electricity Buildings – for \$516.41). (A1640.41 – Garage Heat – for \$168.31). (A1325.11 – Clerk Treasurer Personal Services - for \$2,255.67). (A9060.80 – Hospital & Medical Insurance – for \$5,761.37). Seconded by Trustee T. Lawrence. All in favor, motion passed.
- Meeting procedure discussion. – Trustee D. Lawrence stated that she and Mayor Dedman will be looking at the Roberts Rule of Law and the Open Meeting Law procedures as well as reaching out to other villages or towns to come up with a drafted proposal of what the expected conduct will consist of for meeting guidelines purposes. They will present this information at the next board meeting.
- Election poll watcher discussion. – Trustee D. Lawrence expressed that she has reached out to NYCOM – New York Conference of Mayors for guidance on the adoption of a policy for poll watchers in regards to the village election procedures.
- Visitor Linda Matthews expressed to the Village Board of Trustees that at the next election there needs to be a Police Officer available. As she is aware that the older ladies were very uncomfortable during the election poll closing. That having a Police Officer present will possibly help calm their fears. Trustee Humphrey stated that he was present at the time and agrees. He stated that there are rules and regulation for poll watchers, in which they want everyone to know and follow.
- Visitor Michael Carlin asked why the village does not have a machine to count the votes. It was explained that the machines are too costly. In Chenango County all village elections are conducted by the clerks of the villages. Therefore, there is no access to any machines for the voting process for villages. Mayor Dedman stated that he'd call County for more information.

- A motion made by Trustee Humphrey to remove previous Mayor Janice Nickerson from all village bank accounts and add newly elected Mayor Patrick Dedman. Seconded by Trustee T. Lawrence. All in favor, motion passed.
- A motion made by Trustee D. Lawrence to conduct an organizational meeting during our May 2023 regular scheduled meeting. Seconded by Trustee T. Lawrence. All in favor, motion passed.
- Discussion of proposed fence code – provided by the Village Planning Board. Mayor Dedman stated that this will be tabled until next month as he'd like to review it.
- Public Comments – on Tentative Budgets. Mayor Dedman asked the attending public if there were any question on the proposed tentative water and general budgets for 2023-2024.
- Visitor John Lawrence asked if there were enough funds to cover the health insurance costs, as it was not raised all that much and it appears as though this current budget has gone over in the predicted fund balance. Trustee D. Lawrence explained that the health insurance is paid with a 60% general fund and 40% water fund. The totals were configured by the amounts given by the New York State Teamsters Council.
- Visitor Michael Carlin asked why the unmetered water sales number has dropped from last year's budget. It was explained that the number that was projected last year was not an accurate projection. A budget is an estimate of the expected income and expenditures. Mr. Carlin asked if he could know what the actual collection of water rents were. Mr. Carlin was told that he could foil that information. He asked when the water rents collected would be available for the current budget, Mr. Carlin was told that the actual projected sales number will not be available until after the end of the current budget in May.
- A motion made by Trustee D. Lawrence to close the public hearing on the tentative water and general budgets for 2023-2024. Seconded by Trustee Humphrey. All in favor, motion passed.
- A motion made by Trustee D. Lawrence to accept the tentative water and general budgets for 2023- 2024 as the village of Afton operating budgets. Seconded by Trustee Humphrey. All in favor, motion passed.

Recognition of Visitors:

- Visitor Patricia Wenner asked about water being placed in the Glenwood Cemetery, for the propose of watering the flowers and vegetation placed on burials. She stated that she asked about this before, with no response. It was explained that the Cemetery Association would need to approve and approach the village if they wish to have water installed on the cemetery grounds. As this would be a service that the Cemetery Association would be responsible for paying.
- Visitor David Hollister expressed to the Village Board of Trustees that he has read the last serval years of village board meeting minutes. Newly elected Trustee T. Lawrence asked Mr. Hollister to introduce himself. Mr. Hollister stated his name as David Hollister.

Mr. Hollister expressed that he does not agree with the new water rate charges for certain businesses. Trustee Humphrey expressed that the board had come up with some new rates for the stores pertaining to some area businesses that may have just 1 and up to 3 employee's verses businesses who may have more than 3 employees, as well as a category for hair salon and or salon or spa. All other categories have been increased by 10%. Trustee Humphrey expressed that the village currently does not have meters, but that they have been actively looking for grant funds to have meters placed. Mr. Hollister stated that he sees where Trustee Humphrey is coming from but he respectively disagrees with the rates. Trustee Humphrey stated that certain types of business will use more water than an average single family home. Mr. Hollister stated that he has looked information up online, that the Department of Health indicates that water should not be over \$30.00 a month. He stated, how is that fair 105% does not make any sense. Trustee Humphrey said that he reached out to people who are in the same profession to gather information on the amount of water use consumption to determine what the water rates category should project. In doing so, it was determined that the water use for these types of businesses is of large volume. Mr. Hollister expressed that the issue he has is troublesome, that it clearly states in the Village Water Rules and Regulations that the water will be placed in the property owner's name, but the billing was sent to the business owner, it was changed by the Clerk, where is the oversight. Mr. Hollister stated that he has a letter from the Mayor, about the water rate change. Trustee D. Lawrence and Trustee Humphrey stated that they are aware of the letter that was sent by the previous Mayor, Janice Nickerson. Trustee D. Lawrence stated that we need to clarify what you are speaking about. The letter that you received from the previous Mayor, Janice Nickerson was signed by the previous Mayor and sent by the previous Mayor. The Village Board of Trustees have spoken about the water rates changes for several months. The water billing that you received was sent by the Clerk as she is the one who generates the water billing. The name on the water billing was changed according to the way in which it was paid, as to who paid. This can be rectified with the adjusted to the name on the water billing to reflect the building's owner, not the business owner. Mr. Hollister expressed that he feels as though the River Club uses more water than the business in which he's speaking of. Trustee D. Lawrence explained that the Taxation & Finance Department outlines the different definitions of the types of food establishments. The establishment that you're speaking of services food and drink, therefore it's considered a restaurant. Trustee Humphrey expressed that in past the business was not charged the correct rate, it has been adjusted according to the type of business it conducts. Mr. Hollister asked what if we put a water meter in, we don't mind paying. It was explained that the village is continually working on obtaining grant funds to place water meters throughout the village. Trustee D. Lawrence and DPW Supervisor DeBetta expressed to Mr. Hollister that the village is not set up for water meters at this time, they have no way of knowing how the billing would work, besides it would not be fair to the rest of the village residents.

- Visitor Michael Carlin expressed to the Village Board of Trustees that there needs to be a push to help recreate more business in Afton. Trustee D. Lawrence stated that there is not one person in this room who does not agree with you. Trustee D. Lawrence stated to Mr. Michael Carlin that she personally did reach out to the business owner in question on more than one occasion, via email and phone message. She did not receive a response back. Trustee Humphrey indicated that he too had followed up with the business owner with an email. Mr. Carlin asked if there needs to be a sit down meeting or will they need to start collection of signatures.

- Visitor Kenneth Vail expressed that his opinion on the proposed fence code presented to the Village Board of Trustees by The Planning Board. Mr. Vail feels as though it bounces around, it could contain more direct definitions. Trustee T. Lawrence agreed. It could be simplified a little better.
- Visitor John Lawrence congratulated the newly elected Board Members. He expressed that the village has a good board to move forward.
- A motion made by Trustee D. Lawrence to adjourn our regular meeting at 8:20 pm. Seconded by Trustee T. Lawrence. All in favor, motion passed.

Respectfully Submitted,
Ann Palmatier Clerk / Treasurer