

Present at the regular meeting were Supr. J Lawrence, M Long, C Tallmadge, R Tallmadge.

Visitors:none.

The special meeting was called to order at 7:00 p.m.

Communications

After reviewing the letter of March 13, 2012 from James Downey, Attorney the following resolutions were enacted:

**RESOLUTION RESCINDING MARCH 8, 2012
RESOLUTION AUTHORIZING CONSTRUCTION
OF HIGHWAY DEPARTMENT GARAGE BUILDING**

At a Special meeting of the Town Board of the Town of Afton held on the 19th day of March, 2012 at 7:00 pm, at the town hall located at 169 Main Street, Village of Afton, New York and due and proper prior public notice of said meeting having been given and said meeting having been publicly held at which a quorum was present and participating thereat throughout, there were:

Present Supervisor J Lawrence

R Tallmadge

M Long

C Tallmadge

Absent: J Bacuiska

M C Tallmadge moved the following resolution for adoption:

WHEREAS, at its March 8, 2012 regularly held meeting the town board did adopt a resolution subject to permissive referendum authorizing the construction of a new highway department garage building at a cost not to exceed seven hundred and fifty thousand dollars (\$750,000); and

WHEREAS, said resolution did not include the town board's plan for paying the cost of said construction by the expenditure of building capital reserve funds and the expenditure of flood damage monies to be received from FEMA, subject to permissive referendum; and

WHEREAS, rather than adopting a second resolution authorizing a plan of financing subject to permissive referendum and the publication of two notices of adoption of said resolutions, followed by the running of two thirty day time periods for the possible filing of petitions, it appears that the more economical and time efficient procedure is to rescind said March 8, 2012 resolution and adopt a new resolution containing both an authorization to construct the new building and a plan of financing.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

The resolution adopted by the town board at its March 8, 2012 regular meeting solely authorizing the construction of a new highway department garage building at a cost not to exceed seven hundred fifty thousand dollars (\$750,000), subject to permissive referendum is hereby rescinded.

Seconded by R Tallmadge and the following discussion was put to a vote with the following results:

AYES: Supervisor J Lawrence

M Long

C Tallmadge

R Tallmadge

NOES: None

Abstentions: None

The foregoing resolution having received at least a majority approving vote was declared by the supervisor to be adopted.

CERTIFICATION

I, Rosemarie A Klatz, town clerk of the Town of Afton, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the town board of the Town of Afton, New York at a special meeting thereof duly called, publically noticed and publically held on the 19th day of March, 2012, and at which a quorum was present and participated thereat throughout, and of the whole of such resolution; and that said resolution has not been rescinded or amended in any manner and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand as clerk on this 19th day of March, 2012.

Rosemarie A Klatz
Town Clerk
Town of Afton

**RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM
AUTHORIZING CONSTRUCTION OF NEW HIGHWAY
DEPARTMENT GARAGE BUILDING AND AUTHORIZING THE
EXPENDITURE OF BUILDING CAPITAL RESERVE FUNDS
TO PAY A PORTION OF THE COST OF SAME,
ADOPTING A PLAN TO PAY THE COST OF CONSTRUCTION**

At a special meeting of the Town Board of the Town of Afton held on the 19th day of March, 2012 at 7:00PM, at the town hall located at 169 Main Street, Village of Afton, New York and due and proper prior public notice of said meeting having been given and said meeting having been publicly held at which a quorum was present and participating thereat throughout, there were:

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| Present | Supervisor J Lawrence M Long C Tallmadge R Tallmadge |
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| Absent | J Baciuska |
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M C Tallmadge moved the following resolution for adoption:

WHEREAS, Town Law sections 220(3) and 81© authorizes the town board by the adoption of a resolution subject to permissive referendum to construct a building necessary for town purposes; and

WHEREAS, General Municipal Law section 6-C authorizes the town board to expend building capital reserve funds for the purpose of paying a portion of the costs of constructing a new highway department garage building by the adoption of a resolution subject to permissive referendum.

WHEREAS, the town board is desirous of adopting a plan for paying the cost of constructing a new highway department garage building.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The town board does hereby authorize the construction of a new highway department garage building upon 3.47 acres +/- of land owned by the town, located within the town of the southerly side of NYS Route 7, Chenango County tax map parcel #285-1-32.32, at a cost not to exceed seven hundred fifty thousand dollars (\$750,000); and
2. The plan for paying the cost of constructing said new highway department garage building is as follows:
 - a. The expenditure of a sum of money not to exceed two hundred thirty five thousand dollars (\$235,000) from the town's building capital reserve fund; and
 - b. The expenditure of flood damage funds to be received by the town from the Federal Emergency Management Agency (FEMA) in the amount of five hundred fifteen thousand dollars (\$515,000), more or less.
3. This resolution shall be subject to permissive referendum and shall be ineffective upon the 31st day following its date of adoption, unless within 30 days from the date of adoption thereof there shall be filed with the town clerk, a petition in requisite form, bearing the requisite number of lawful signatures, requesting that the issue whether the town should construct a new highway department garage building and to pay for a portion of the cost of same by the expenditure of FEMA received funds and building capital reserve funds in an amount not to exceed two hundred thirty five thousand dollars (\$235,000), be submitted at a town wide special election for voter approval, in which event this resolution shall not be effective unless, not until approved by the voters at such special election, to be held.
4. The town clerk shall cause a notice of adoption of this resolution subject to permissive referendum to be published once, not later than ten (10) days of the date of adoption hereof in the town's official publication, the TRI TOWN NEWS; and to post a copy of said notice not later than ten (10) days from the date of adoption hereof on the town's official bulletin board, and on the town's web site (if the Town maintains an official web site).

Seconded by M R Tallmadge and the following discussion was put to a vote with the following results:

AYES: Supervisor J Lawrence
 R Tallmadge
 C Tallmadge
 M Long

NOES: None

Abstentions: None

The foregoing resolution having received at least a majority approving vote was declared by the Supervisor to be adopted.

CERTIFICATION

I, Rosemarie A Klatz, town clerk of the Town of Afton, do hereby CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the town board of the Town of Afton, New York at a special meeting thereof duly called, publically noticed and publically held on the 19th day of March, 2012, and at which a quorum was present and participated thereat throughout, and of the whole of such resolution; and that said resolution has not been rescinded or amended in any manner and is in foll force and effect.

IN WITNESS WHEREOF, I have hereunto set by hand as clerk on this 19th day of March, 2012.

Rosemarie A. Klatz
Town Clerk
Town of Afton

Also discussed was a letter sent on behalf of the town board to B Webb animal control officer and his subsequent resignation. New Animal Control Officer to be appointed at a future meeting.

Motion to Adjourn at 7:25 pm made by M Long and seconded by R Tallmadge. Approved.

Supervisor _____ Town Clerk _____

Town Council _____
