

December 10, 2015
Town of Afton
County of Chenango

Present at the regular meeting were Supervisor J. Lawrence, R Tallmadge, C Warren, C Tallmadge, Highway Superintendent L Shultis, ACO A Cross.

Visitors: W Klatz, D Knapp, A Alford.

The regular meeting was called to order at 7:00 pm with the salute to the flag.

Bills were audited and ordered paid as follows:

General Funds Claims 205-217 Totaling \$3191.45 as shown on General Funds Abstract #12 dated December 10, 2015 and

Highway Funds Claims #164-181 totaling \$21147.83 as listed on Highway Funds Abstract #12 dated December 10, 2015

Motion to accept the regular meeting minutes made by R Tallmadge and seconded by C Warren
Approved

Motion to pay General Fund Abstract #12 dated December 10, 2015 in the amount of \$3191.45 and Highway Funds Abstract #12 dated December 10, 2015 in the amount of \$21147.83 made by C Tallmadge seconded by R Tallmadge. Approved

Communications

- 1) Association of Towns report of proposed amendments to AOT constitution and bylaws discussed.
- 2) Thank you letter with helpful information and constructive criticism from K Bautz discussed.
- 3) Department of Public Service list of available publications relating to assistance for the coming winter discussed.

Committee Reports

- 1) Assessor Report no report at this time.
- 2) Financial Reports were distributed.
- 3) Justice reports 2 Reports distributed
- 4) Code enforcement no report.
- 5) Highway report distributed. Road crews have been out two times so far this year sanding, body work on gradall being done at present. Tennessee Pipeline has been in contact about a possible crossing of East Afton Road. Having a cook out on the 17th of December Town Board Members are invited to join in.
- 6) DCO report distributed.
- 7) Building Committee report bench for justice and raised area for justice is nearly completed and carpeting and spot painting being done expectation that the December 21, deadline is workable.

- 8) Animal Response Team no report at this time.

Old Business

- 1) Renewal of Adams Cable Service Franchise Agreement. C Tallmadge made motion to open a comment period for anyone wishing to speak on the renewal of the franchise agreement, seconded by R Tallmadge approved. After no comments for or against the renewal of the franchise agreement, C Tallmadge made motion to close comment period seconded by R Tallmadge. Approved. Motion to continue the Adams Cable Franchise agreement for a 3 year period made by C Tallmadge seconded by C Warren Approved.
- 2) Road Use Agreement between Constitution Pipeline Co and Town of Afton is in Final Stages of Completion with Attorneys.

New Business

- 1) Motion to open period for discussion of the Time Warner Franchise Agreement made by C Tallmadge seconded by R Tallmadge approved. Discussion includes the addition of the Home Shopping network to the 1 percent franchise fee. Explanation that the result should cover the cost of internet connections for the new building. Motion to close the discussion period made by C Tallmadge seconded by R Tallmadge approved
Motion to renew the Franchise Agreement with Time Warner Cable dated December 10, 2015 made by C Tallmadge seconded by R Tallmadge Approved
Discussion of internet and telephone contract with Time Warner for the new building at 204 County Rd 39 Afton, NY 13730. Motion made to sign contract for a 5 year period with Time Warner for the internet and phone service contingent upon the work being completed by December 31, 2015 made by R Tallmadge Seconded by C Warren.
Unanimous approval. Resolution reads as follows:

State of New York
Town of Afton
County of Chenango

In the matter of granting of a Cable Television Franchise Held by Time Warner Cable Northeast LLC in the Town of Afton, County of Chenango, New York

Resolution

An Application has been duly made to the Board of the Town of Afton, County of Chenango, New York, by Time Warner Cable Northeast LLC ("Time Warner Cable"), d/b/a/ Time Warner Cable, a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 120 Plaza Drive, Suite D, Vestal, New York 13850 for the approval of an initial agreement for Time Warner Cable's cable television franchise for five (5) years commencing with the date of approval by the Public Service Commission. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Afton, New York on December 10, 2015 at 7 PM and notice of hearing was published in the Tri Town News on November 25, 2015.

NOW, THEREFORE, the Board of the Town of Afton finds that:

1. Time Warner Cable has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and

2. Time Warner has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner Cable can reasonably meet the future cable- related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED THAT THE Board of the Town of Afton hereby grants the cable television franchise of Time Warner Town of Afton for five (5) years commencing with the date of approval by the Public Service Commission and expiring five (5) years hence.

BE IT FURTHER RESOLVED THAT THE Board of the Town of Afton hereby confirms acceptance of this Franchise Agreement.

The foregoing having received a yes vote was thereby declared adopted.

Dated December 10, 2015

Rosemarie A Klatz
Town of Afton Clerk

- 2) TDS Contract discussed for internet and Phone connection.
- 3) Amendments to the Budget
\$3350.00 to be transferred from A1110.2 to A1110.4 Justice Contractual
\$4347.43 to be transferred from DA5130.2 to DA 5130.4 Highway Machinery Contractual
From Contingency A1990.4 to A 960 \$699.00 to then be transferred to A1920.4 Municipal Association Dues
From Contingency A1990.4 to A960 \$210.00 to then be transferred to A4560.4
Motion to approve Budget amendments made by C Tallmadge seconded by R Tallmadge
Approved unanimously

Recognition of Visitors

Two Students asked questions of the Town Board Members for a government class that they are enrolled in. Excellent questions by students were answered by Supervisor J Lawrence

Motion to adjourn at 8:35 pm by C Tallmadge seconded by R Tallmadge. Approved.

Respectfully Submitted by

Rosemarie A Klatz
Afton Town Clerk