

# **TOWN OF BARTON**

**DONALD FOSTER, SUPERVISOR**

**AGENDA – APRIL 10, 2023 @ 6:30 PM**

**Via In-Person**

- 1. PLEDGE OF ALLEGIANCE**
- 2. PRIVILEGE OF THE FLOOR**
- 3. APPROVE MINUTES OF PREVIOUS MEETING**
- 4. APPROVE VOUCHERS FOR GENERAL, HIGHWAY, SEWER AND WATER FUNDS**
- 5. PERSONNEL**
  - a. Town Clerk
  - b. Highway Superintendent
- 6. NEW BUSINESS**
  - a. Resolution 19-2023\_Renew GS BOCES Service Agreement
  - b. Resolution 20-2023\_ Standard Work Day and Reporting Resolution
  - c. Resolution 21-2023\_Set Pit Schedule
  - d. Resolution 22-2023\_Resolution in Objection to Governor Hochul's "New York Housing Compact" Proposal
  - e. Supervisor's Annual Financial Report
- 7. OLD BUSINESS**
- 8. ADJOURNMENT**

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CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD  
ADOPTED

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RESOLUTION NO 19-2023

RENEW SERVICE AGREEMENT WITH GST BOCES

**WHEREAS**, The Town Board of the Town of Barton wishes to renew the GST BOCES service agreement; and

**NOW THEREFORE** upon a motion by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_, and carried; therefore, be it

**RESOLVED**, that the Town Board of the Town of Barton wishes to renew the GST BOCES service agreement; and be it

**FURTHER RESOLVED**, that the Barton Town Board grants the Town Supervisor the authority to sign any documentation necessary relating to the agreement.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 20-2023

STANDARD WORK DAY AND REPORTING  
RESOLUTION

**WHEREAS**, The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term;

**NOW THEREFORE** upon a motion by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_, and carried; therefore, be it

**RESOLVED**, that the Town of Barton hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
<b>Elected Officials:</b>									
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
<b>Appointed Officials:</b>									
Nancy Perry	x3352	10675975	Court Clerk	01/01/23-12/31/23	6	2.53	<input type="checkbox"/>	Bi-Weekly	<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>

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CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

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ADOPTED

RESOLUTION NO 21-2023

SET PIT SCHEDULE

**WHEREAS**, the Town of Barton maintains a gravel pit on Max Dixon Lane, off Ellistown Road, on the south side of the railroad tracks; and

**WHEREAS**, Town of Barton and Village of Waverly residents are welcome to the mulch and wood chips located there whenever the pit is open; and

**WHEREAS**, residents are able to drop off brush (less than 3" in diameter), grass clippings, and leaves whenever the pit is open; and

**NOW THEREFORE** upon a motion by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_, and carried; therefore, be it

**RESOLVED**, that on this day, April 10, 2023, the Town Board of the Town of Barton approves the pit schedule to begin the last Saturday in April and end on the first Saturday in November; subject to change based on personnel availability.

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CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

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ADOPTED

RESOLUTION NO 22-2023

RESOLUTION IN OBJECTION TO GOVERNOR  
HOCHUL'S "NEW YORK HOUSING COMPACT"  
PROPOSAL

**WHEREAS**, Governor Hochul's FY 2024 Executive Budget includes the "New York Housing Compact"; and

**WHEREAS**, the "New York Housing Compact" contains the "New Homes Targets and Fast-Track Approval Act"; and

**WHEREAS**, the aforementioned bills are Article 7 bills wrongly included in the NYS 2023/2024 budget, which due to their inclusion as such, eliminates proper legislative process that will make for better legislation; and

**WHEREAS**, the housing issues outlined in the bill are not of statewide concern and are focused on New York City and the surrounding suburbs and do not meet the level allowing the State to overrule Home Rule Law of zoning regulations; and

**WHEREAS**, the Governor claims that the "New Homes Targets and Fast-Track Approval Act" is necessary in order to forestall restrictive land use practices that inhibit and limit housing development; and

**WHEREAS**, as proposed, the "New Homes Targets and Fast-Track Approval Act" amends General Municipal Law and will override Town land use regulations as adopted in town zoning codes and potentially disregard town Comprehensive Plans; and

**WHEREAS**, the "New Homes Targets and Fast-Track Approval Act" requires towns to meet or exceed a Residential Dwelling Growth Target or enact by local law two of five "preferred actions" in order to be considered in "Safe Harbor" status; and

**WHEREAS**, except for Accessory Apartments/Accessory Dwelling Units, the majority of the "preferred actions" require extreme and substantial amendments to local zoning, including but not limited to, no restrictions on minimum lot size, height limits, setbacks, parking and no environmental review, planning board review and aesthetic review; and

**WHEREAS**, Appeals under the Housing Compact by Developers or Builders whose applications for creation of housing are denied by a town, will be brought to a new "State Housing Review Board" usurping the Home Rule authority of local land use boards who better understand the local community; and

**WHEREAS**, the proposed amendments would require new local zoning to be exempt from SEQRA review which would prohibit the study and evaluation of impacts on traffic and roads, impacts on storm water, impacts due to building on steep slopes, impacts on volunteer emergency services, impacts on police department staffing, impacts of

additional school age students and the school's ability to absorb them, increase for the necessity of additional sidewalks and mobility connectivity and all standard evaluation criteria typically provided in a generic environmental impact statement; and

**WHEREAS**, local zoning laws and land use laws are in place to address matters of public safety and health; which include police, fire protection, public works, density, traffic, school capacities, parks and recreation and more, all of which local officials are intimately familiar and best suited to access and determine; and

**WHEREAS**, the State historically and consistently fights wrongful interference by the Federal Government in matters which fall under State Rights (Federalism), this State Budget Housing Compact wrongfully interferes in zoning and land use matters which belong to the Local Governments under the NYS Constitution; and

**WHEREAS**, the proposed amendments to Town law would prohibit Municipalities from adopting reasonable and appropriate development regulations to insure the development is compatible with the surrounding uses; such as lot coverage, open space, building height, setbacks, floor area ratios or parking requirements; and

**WHEREAS**, this Board is not opposed to the general goal of creating more affordable or below market rate housing, especially where independent and reliable data establishes such a need, but cannot condone State interference in zoning and land use issues; and

**WHEREAS**, the residents of this Town have had a voice and participated in land use decisions for decades, from creating and updating of the Town's Comprehensive Plan, participating in public hearings and volunteering on Town Boards and Committees; and

**WHEREAS**, if the Governor's Housing Compact is passed as is, or with negotiated changes that still infringe on a Town's ability to oversee and enforce its zoning and land use laws, the residents of our Town will be disenfranchised from their local elected officials, local volunteer boards and render all of the residents' input meaningless; and

**NOW THEREFORE** upon a motion by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_, and carried; therefore, be it

**RESOLVED**, that on this day, April 10, 2023, that this Town implores the Legislature to permanently remove the Housing Compact proposal from the FY 2023/2024 Budget, and future budgets, and engage Local Governments in dialogue and address our common goals; and be it

**FURTHER RESOLVED**, that bills of this type be removed from the budget as an "Article 7" bill and follow the regular legislative process which will produce better legislation; and be it

**FURTHER RESOLVED**, that NYS Environmental laws, including SEQRA, and a municipality's Home Rule of zoning as defined in the NYS Constitution and General Municipal Law should not be limited by any legislation unless that legislation is truly of Statewide concern; and be it

**FURTHER RESOLVED**, that this Town oppose the Governor's Housing Compact and urges the State Legislature to preserve and protect Municipal Home Rule and Local Zoning Powers; and be it

**FURTHER RESOLVED**, this resolution be forwarded to Assemblyman Christopher Friend, Senator Tom O'Mara, and Governor Kathy Hochul.