

April 13, 2023
Town of Afton
County of Chenango

Present at the regular meeting were Supervisor John Lawrence; Councilmen Jamie Baciaska, Chris Warren, Robert Tallmadge, and Calvin Tallmadge; Hwy Superintendent Kirk Hoyt; Code Officer Bailey DeBetta; DCO Amy Cross; and Assessor Caitlyn Brown.

Visitors: Honorable Donald Ouimet

Bills and Claims, were audited and ordered paid follows:

General Fund

Abstract no 3, claims no 47-63, totaling \$11,294.97

Highway fund

Abstract no 3, claims no 29-45, totaling \$12,264.18

Regular meeting was called to order at 7pm with a Salute to the Flag.

Motion to accept the March 9, 2023 Board meeting minutes, made by Calvin Tallmadge seconded by Chris Tallmadge. All in favor, motion so carried.

Motion to accept the bills and claims, made by Robert Tallmadge seconded by Calvin Tallmadge. All in favor, motion so carried.

Communication:

1/ Norfolk Southern Railway Co., notification to construct a communication tower.

2/ Volunteer Fire Fighter/Ambulance workers, NYS property tax exemption.

Committee Reports:

1/ Assessor, Caitlyn was informed that the equalization rate will be 50% for 2023, last year was at 58%. The Legal Notice for the Examination of Assessments and Valuation was posted in the Evening Sun.

2/ Financial, reports distributed and filed.

3/ Sanitation, Bailey received a complaint for Whispering Pine MH Park, Trying to reach out to the owner about it.

A new letter with the updated law no 1-2023, will be sent to the property owner, for property located on State Hwy 7.

4/ Highway, Kirk stated that they have been cleaning the shoulders, will start sweeping them after the first rain.

He attended the required Drug & Alcohol Training in Norwich.

Discussed that he is still looking into the construction of the Salt Shed.

5/ DCO, Amy will be attending a training in Guilderland next week.

The expense of \$75 and mileage, will be split between the five Towns.

6/ Building, for the SAM Grant, they needed a copy of the rental agreement Of the office space.

7/ Historian, report distributed and filed.

Old Business:

1/ Discussed the Chenango County Soil & Water District Grant Program, to go with a walking trail.

2/ The Town received a phone call from Aramark about our outstanding bill, John spoke with Liberty from Aramark about it. We are waiting for a response.

New Business:

1/ Signing the Resolution in Opposition to the Governor's "New York Housing Compact" which infringes on local zoning and land use laws and enforcement. Motion to sign the Resolution made by Robert Tallmadge seconded by Jamie Baciuska. All in favor, motion so carried.

2/ Letter from UHS Emergency & Trauma Services, asking for our support of an initiative that they believe will significantly enhance health and safety at local public events, Advanced Life Support First Response(ALSFR). Motion to support made by Jamie Baciuska seconded by Calvin Tallmadge. All in favor, motion so carried.

3/ Commerce Chenango requesting Town of Afton for support/membership. Decision not to join at this time.

4/ April to attend the AOT Financial School in Albany, May 15-16 @ \$250 and \$114 for overnight accommodations. Motion to approve made by Chris Warren seconded by Calvin Tallmadge. All in favor, motion so carried.

5/ Chenango County asking for assistance with the road side mowing for 2023. Decision not to accept.

6/ Interest in creating a Town Comprehensive Plan. No interest at this time.

Recognition of Visitors:

Honorable Donald Ouimet, gave a discussion of the WiFi for the court, needs to be updated. Also, the Town Website for the Court needs to be updated.

Motion to Adjourn at 8:05 pm

Motion made by Calvin Tallmadge seconded by Jamie Baciуска. All in favor, motion so carried.

Respectfully submitted by:

A handwritten signature in black ink, appearing to read "Sandra D Reiling". The signature is written in a cursive style with a large, looping initial "S".

Sandra D Reiling
Clerk of the Board



**RESOLUTION OF THE TOWN BOARD
OF AFTON**

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

The following Resolution was moved by Robert Tallmadge and
seconded by Jamie Bacusta

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 stormwater, 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 schools 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 BE IT RESOLVED, 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 opposes the Governor's Housing Compact and urges the State Legislature to preserve and protect Municipal Home Rule and Local Zoning Powers.

I hereby certify that the foregoing copy of resolution was unanimously adopted by the Town Board of the Town of AFTON at a Regular Meeting held on 4-13-2023, 2023.

Dated:

04/13/2023


Town Clerk

cc: Supervisor
Director of Finance
Assembly Member
State Senator
Governor Hochul

