

Town Board Special Meeting May 7, 2007

A Special meeting of the Town Board was advertised and held May 7, 2007 at 7:00 pm at the Town Hall. All Board members were in attendance as well as Atty. Kevin Young and 7 residents.

The meeting was called to discuss wind & cell tower public hearing comments, a data collection proposal, and any other business that may come before the Board.

Discussion took place on the proposal of Mark Los to conduct a data collection project for the Assessor's Office. The project is expected to take approximately one and one half years to complete at an estimated cost of \$30,000. Newburgh ORPS approves the project and would like the regional rep to discuss specifics with the Board. It was stated that other local towns have already begun re-valuations and data collection or have begun looking into both processes. The Board discussed the credentials of Los who is an assessor for both Jefferson and Conesville and also a licensed appraiser. The need for the project was discussed and supported by Assessor Cammer and the Town Board. Homeowners would be notified in advance of when data would be taken on their property.

A resolution was offered by Allen Hinkley, second by Gene Cronk, stating:
"The Town Board accepts the proposal of Mark Los, Residential Consultants, to conduct a data collection project on properties with improvements in the Town of Roxbury. Said fees shall be paid per those stated in the proposal at an estimated cost of \$30,000." Unanimous.

Discussion took place on the wind & cell tower public hearing comments. Laszlo Vajtay expressed concerns with wind tower lead agency status, the appeal board being the Town Board, the rush in adopting changes, and other changes that he would like to see included in the law. Atty. Kevin Young discussed the lead agency process and appealing to the Town Board. Councilman Hinkley stated he feels that the Town Board should be making the decisions and not the Planning Board, but discussed his reasons for the Town Board to at least be an appeals board. Councilman Thorington stated speaking with several residents who are in favor of wind towers. Discussion took place on the rush to put local law changes in place. Raymond Busch questioned liability issues for the Town and residents. David Grober of Invenergy discussed tower abandonment issues and the need to keep the towers in good operating conditions.

A resolution was offered by Gene Cronk, second by Edward Raeder, stating:
"The Town Board approves a Short Environmental Assessment Form and issues a Negative Declaration under SEQRA for amendments to both the Wind Tower and Cell Tower local laws and further authorizes the Town Supervisor to execute said documents." Unanimous.

A resolution was offered by Allen Hinkley second by Gene Cronk, stating:

“WHEREAS, the Town Board has reviewed and considered the proposed amendments to the Local Law entitled “The Town of Roxbury Communication Tower and Facilities Law”, being Town of Roxbury Local Law No. 2 of the year 2001;

WHEREAS, the Town Board has reviewed and considered the proposed amendments to the Local Law entitled “The Town of Roxbury Wind-EnergyDeriving Towres Law, as Amended”, being Town of Roxbury Local Law No. 3 of the year 2002;

WHEREAS, the amendments to both Local Laws were presented to the Town Board at least 11 days prior to the Town Board meeting on April 25, 2007;

WHEREAS, the Town Board adopted a resolution on April 9, 2007 scheduling a public hearing on the amendments to these Local Laws for April 25, 2007;

WHEREAS, the public hearing on both amendments was properly noticed in the Town’s official newspapers on April 11, 2007 and April 12, 2007;

WHEREAS, the public hearing on the amendments to the Local Laws was held on April 25, 2007 at the Town Hall;

WHEREAS, the Town Board reviewed and considered all public comments received on the amendments to the Local Laws;

WHEREAS the proposed amendments to the Local Laws were on file for inspection at the Town Clerk’s Office prior to the hearing and during the public review process; and

WHEREAS, the Town Board has caused to be prepared a Short Environmental Assessment Form (EAF) pursuant to the mandates of the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617) for each Local Law amendment; and

WHEREAS, the Town Board has duly considered the contents of each EAF for the Local Law amendments and completed Parts 2 and 3 thereof; and

WHEREAS, the Town Board has identified the relevant areas of environmental inquiry and taken a hard look at them for each Local Law amendment; and

WHEREAS, the Town Board has issued a negative declaration under SEQRA for each amendment thereby complying with the mandates of the State Environmental Quality Review Act;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF ROXBURY, DELAWARE COUNTY, NEW YORK:

THAT THE Town Board of the Town of Roxbury hereby determines that the amendments to the Local Law entitled “The Town of Roxbury Communication Tower and Facilities Law”, being Town of Roxbury Local Law No. 2 of the year 2001, attached hereto and made a part hereof, are hereby adopted as part of Local Law No. 2 of the year 2001;

THAT THE Town Board of the Town of Roxbury hereby determines that the amendments to the Local Law entitled “The Town of Roxbury Wind Energy-Deriving Towers Law, as Amended”, being Town of Roxbury Local Law No. 3 of the year 2002, attached hereto and made a part hereof, are hereby adopted as part of Local Law No. 3 of the year 2002; and

IT IS FURTHER RESOLVED, that the Town Clerk and Attorney for the Town are hereby directed to take such actions as are necessary to implement this resolution and effect adoption of the respective amendments to the stated Local Laws.” Unanimous.

Supv. Hynes stated adoption of the amendments to the wind and cell tower local laws was being presented tonight because Councilman Hinkley would not be present at the May 14th regular meeting of the Town Board.

Atty. Young discussed the proposed Local Law for outside wood burning devices stating that the law would cover new and existing units. Councilman Hinkley expressed concerns with 200' setbacks for owners inside a hamlet, Councilman Cronk expressed concerns with restricting outside devices now causing possible restrictions on inside wood burning devices in the future. The Board discussed possibly having different standards for devices inside and outside of a hamlet area. Atty. Young with prepare an amended law per comments.

A letter was received from NYC DEP approving the use of Good Neighbor Funds to purchase a rescue vehicle.

A letter was received from NYS DOT stating that school zone signs and reduced speed signs would be erected near the school.

Atty. Young discussed the proposed Filtration Avoidance Determination (FAD) regarding NYC DEP land acquisitions and further discussed the Coalition of Watershed Towns concerns with what is being proposed.

A resolution was offered by Allen Hinkley, second by Gene Cronk, stating:
“... NOW THEREFORE BE IT RESOLVED, that the Town of Roxbury supports the Coalition of Watershed Town’s resolution which opposes the 10 year FAD and the 10 year land acquisition program contained therein.” Unanimous. (see attached)

Councilman Cronk requested that the Building Inspector write to NYC DEP regarding demolition of their barn on State Hwy. 30 as it is near the road.

Supv. Hynes stated that Wilson Roofing is expected to make further repairs to the Civic Center roof, and that the Town Hall roof work is expected to begin this week.

On motion of Gene Cronk, second by Edward Raeder, the meeting adjourned at 8:50 pm.

THIS IS A TRUE COPY
Diane Pickett, Town Clerk