

OXFORD TOWN BOARD MEETING
Wednesday, December 11, 2013
Town & Village Hall

The Monthly Meeting of the Oxford Town Board was called to order by Supervisor Lawrence Wilcox at 7:30 pm at the Village Hall for the transaction of such business that may lawfully come before the Board.

Present were:

Supervisor: Lawrence Wilcox
Council: Jerry Locke
 Alan Davis
 Larry Beckwith
 John Hofmann (late arrival)
Town Clerk: James W. Hemstrought Jr.
Highway Superintendent:

Absent: Timothy Tefft, Highway Superintendent

Others Present: Bryant LaTourette, Elizabeth Wonka, John Knapp, David Davis, Nina Takahashi and Willard Bradley asked to address the Town Board. Several others from the community were also present. Letters are printed at the end of these minutes.

Minutes Previous Monthly Meeting:

Alan Davis made a motion to approve the minutes of November 7, 2013. Motion was seconded by Jerry Locke and carried with 4 Ayes.

Supervisor's Monthly Report:

Supervisor Wilcox handed out the Financial Accounting Information Sheets, Investment and Certificate of Deposit Reports, as of November 30, 2013. He also gave the following Revenues, Appropriations and Checkbook Balances:

November 2013

Revenues	\$ 65,777.31
Appropriations	\$ 47,796.75

Check Book Balances:

General	\$ 8,472.19
Highway	\$104,423.76
T&A	\$ 13,744.86
Payroll	\$ 16,531.55
Water District #1	\$ 1,320.18

PUBLIC COMMENTS:

The comments made this evening had to do with Zoning and the proposed revisions to be made by the Town Planning Board. Concern for the Town's ability to enforce the zoning laws was also brought up. Several letters were read by residents and may be found at the end of these minutes.

Supervisor Wilcox stated that the following procedure is used for enforcement of the Zoning Laws: Code Enforcement Officer, Attorney, Town Justice, Court.

COMMUNICATIONS:

The November 2013 collateralized deposit account information report was received from BNY Mellon.

The following Resolutions were received from the Board of Supervisors of Chenango County and that were regularly presented and adopted:

Resolution #12/9-45 - Town Highway Tax Levy for 2014.
Resolution #12/9-46 - Town Budgets for 2014 Town General Levy.
Resolution #12/9-47 - Levy of Special District Tax in Towns for the Year 2014
Resolution #12/9-48 - Relevy of 2013 Unpaid Village Taxed

Notice was received from the New York State Department of Environmental Conservation that they have received an application for a mining permit which impacts part of the Town of Oxford. The applicant, Jereme Lehmer, proposes to mine sand and gravel from 3 acres of currently affected land on Place property west off State Route 12 near South Oxford Bridge Road. The DEC has principal environmental review responsibility for this action.

Notice received from William C. Craine, Chenango County Budget Officer, that the following rates have been approved for the computation of the Oxford 2014 tax levy:

Combined Townwide – Town General Tax: Amount to be raised \$390,414.00; Budget Assess Value 102,217,060; Rate on Roll 3.821.

Combined Townoutside – Town Highway Tax: Amount to be raised \$117,090.00; Budget Assess Value 74,453,565; Rate on Roll 1.573.

NYMIR has completed their inspection of the Town Highway Garage and the Oxford Pool and found very minor errors.

Letter was received from Anne D. Altshuler, Secretary, Chenango Land Trust, requesting assistance in efforts to preserve an important historic landmark, Chenango Canal Lock 99. The Town Board's acknowledgement of this important historic landmark will enhance the Chenango Land Trust's grant application to the New York State Land Trust Alliance.

Motion was made by Jerry Locke and seconded by Larry Beckwith that the Oxford Town Board support the preservation of the Chenango Canal Lock 99 and recommend the acquisition by the Chenango Land Trust of this important historical landmark.

HIGHWAY SUPERINTENDENT'S REPORT:

Winter is here! The Highway Superintendent and the Town Highway Department are taking care of the 90 miles of Town roads. The equipment for the new Truck has been ordered and should be here by the end of December.

THANK YOU LARRY – Supervisor Wilcox, on behalf of the Town Board, thanked Larry Beckwith for his four years of dedicated service to the Board and the residents of Oxford. He said it was a pleasure to work with Larry and wished him well in whatever the future brings.

BILLS & CLAIMS: December 2013

Claims #191 thru #215	General Fund:	Total: \$11,994.58
Claims #174 thru #194	Highway Fund:	Total: \$87,454.75

Motion was made by Alan Davis and seconded by Larry Beckwith to pay the bills and claims. Motion carried with 5 Ayes.

The Town Board Re-organizational meeting will be held on January 8, 2014 at 7:30 pm in the Village Hall.

Meeting was adjourned by Supervisor at 8:15 pm.

James W. Hemstrought Jr.
Town Clerk

LETTERS:

To: Oxford Town Board: It is re-assuring to me that the Town Board recognizes there are risks involved in the shale-gas development industry. Your intent to remove gas drilling from the list of special-exception uses in the residential districts of Oxford is commendable. However, I am deeply concerned that the Town Board is not offering the same protection to all Oxford landowners, including those of us in the Agricultural District. Why should I, who live in the Agricultural District, not be afforded the same safeguards as our residential citizens? The whole town deserves to be protected from this high risk venture. Another zoning change that concerns me is the addition of "Material Staging Area" as a permitted use by special-exception in the Agricultural and General Commercial Districts. Why would we wish to open up our community to enormous amounts of heavily industrialized byproducts, including toxic hydraulic fracturing fluids and radioactive brine? I urge the Town Board to extend the same protections to all residents of the Town of Oxford, no matter where they live. Clarify the zoning laws. Ban "drilling for gas and oil" and "material staging areas" in all districts in the Town of Oxford, invoking Municipal Home Rule. Contaminated air and polluted water have no regard for zoning boundaries. - John Knapp

Dear Oxford Board Members: I live in the pristine Agricultural District in Oxford. My farm has a documented history dating back to the 1840s and I am sickened to hear that you are proposing changes to the zoning

ordinance that will expose the farming community to the toxins of gas and oil drilling and related material staging in our area, exposing carcinogens to families, livestock, wildlife, and raping our land. Off the top of my head, may I remind folks of the detriments of lead-based paint and asbestos of years gone by as examples... I'm sure we all know of or have heard of the serious ill effects and deaths caused by lack of research in these products alone. Throughout history, ignorance and lack of research in quest of the almighty dollar has reintroduced itself more than once and sadly, it's knocking on our doors in the quaint little town of Oxford. I'd like to see more reliable research, the USGS comes to mind, some scientific research, research we can consider sage. And lastly, what's the rush, why not do your homework and be safe? - Eden Maurer

Dear Members of the Oxford Town Board: When the Oxford Town Board amended its Zoning Ordinance back in 2007 to include drilling for oil and gas as a permitted use by special exception in every district of the Town, little to nothing was known about the new form of gas drilling, now known as high-volume hydraulic fracturing. The rashness of that amendment is now evident in the current Board's proposal to remove that permitted use language from the Town's three residential districts (a move that, alarmingly, does nothing to protect the welfare of those who reside in the Agricultural District). Had that original decision been discussed openly, with public involvement, and with an aim to understand its full implications for present and future generations, the current proposed changes to the Zoning Ordinance (and the subsequent cost to taxpayers those changes have incurred) might not have been necessary. And now it has come to our attention that in the process of amending Oxford's current Zoning Ordinance, a new and similarly disturbing "permitted use" – that of "Material Staging Areas" – is being added, again without any public participation in the process, and no mention of it whatsoever in any Town Board meetings or minutes. As landowners, taxpayers, and committed residents of the Town, we find this lack of transparency and lack of due process, quite frankly, appalling. And the considerable opposition that we know to exist in Oxford's population to the gas drilling industry and all its attendant activities only magnifies the error. We urge the Town Board to open this issue up for public discussion and public debate. A great deal is now known about the long-term damage wrought by large-scale gas production – to water quality, quality of life, and the climate at large. It's time the members of this board take into consideration the concerns of more than half the voting-age population of the town they have been elected to represent. - Dan Taylor and Trellan Smith

Dear Supervisor Lawrence Wilcox: I reside in the Agricultural District in Oxford and am distressed to hear that you are proposing changes to the zoning ordinances that will not protect me and my family from the dangers of gas drilling. I urge you to prohibit "drilling for gas and oil" and related "material staging areas" in all districts of the Town of Oxford. - Norman & Sylvia Wiggins, Marie Merian, Thomas & Susan Hubbard, John & Elizabeth Wonka

To the Town Supervisor and Councilmen: I am writing to request that the Town Board explain how and when "Material Staging Area" was added to the list of permitted uses by special exception in the Agricultural District of Oxford within the proposed revisions to the 2007 Local Law #1. I see no mention of the addition of Material Staging Area in the minutes of the October 9, 2013 Town Board meeting. The minutes show a list of changes: to replace the words "Board of Appeals" with the words "Planning Board," to delete "Gas Drilling" as a use permitted by special exception in the residential districts, and to include two new sections for "Telecommunication Towers" and "Noise Control." But, no mention of the addition of Material Staging Area. The minutes show that the Town Board agreed to the Planning Board moving forward with the proposed revisions, including filing a 239m review with Chenango County. I was shocked then to see Material Staging Area listed as a permitted use by special exception in the Agricultural District in the revised zoning ordinance, dated 9-26-13, which was submitted to the County's 293m review committee. By adding this permitted use, the Town Board will essentially be opening up Oxford to all of the ancillary, hazardous activities related to shale-gas exploration, extraction, and development, whether or not gas wells are ever drilled in our town. I would like to know how and when it was determined by the Town Board and/or the Town Planning Board that adding "Material Staging Area" to the list of permitted uses by special exception in the Agricultural District would "promote the health, safety, and general welfare of this community," the primary purpose of zoning as noted in Article II, Section 2 – Purposes of the Town of Oxford Zoning Ordinance. - Mina Takahashi