

OXFORD TOWN BOARD MEETING
Wednesday, September 19, 2012
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. This meeting was re-scheduled from the second Wednesday and due and timely notice given to the public as required by law.

Present were:

Supervisor: Lawrence Wilcox
Council: Jerry Locke
 Alan Davis
 Larry Beckwith
 John Hofmann
Town Clerk: James W. Hemstrought Jr.
Highway Superintendent: Timothy Tefft

Absent:

Others Present:

Robert Donholt, Lake Gerry resident
Thirty-one residents of the Town of Oxford
Patrick Moore, Oxford Pool Director

Minutes Previous Monthly Meeting:

Jerry Locke made a motion to approve the minutes of August 8, 2012. Motion was seconded by Larry Beckwith and carried with 5 Ayes.

Supervisor's Monthly Report:

Supervisor Wilcox handed out the Financial Accounting Information Sheets, Investment and Certificate of Deposit Reports, as of August 31, 2012. He also gave the following Revenues, Appropriations and Checkbook Balances:

August 2012

Revenues	\$ 4,751.50
Appropriations	\$ 88,295.15

Check Book Balances:

General	\$ 16,067.45
Highway	\$387,330.85
T&A	\$ 20,879.01
Payroll	\$ 16,531.55
Water District #1	\$ 3,388.92

PUBLIC COMMENTS:

Supervisor Wilcox opened the meeting for public comments. He noted that most of those appearing this evening were here as anti-gas drilling residents. He stated that since there was a Town Board meeting held specifically for comments from both sides of the gas drilling subject on August 8, 2012, that only thirty minutes will be allotted tonight for further comments.

Supervisor asked if anyone was here to speak on a topic other than gas drilling? Gerry Lake resident Robert Donholt, past Lake Association President, spoke on the recent water testing that was done at Lake Gerry. He stated that of the five State Parks and Lake Gerry water testing results, Lake Gerry came out the best. A copy of the report is on file in the Town Clerk's office.

There were fifteen anti-gas drilling residents selected to speak on the subject. They were: Mina Takahashi, Irving Hall, Paul Brennan, Jean Cogshall, Ellen Mordus, Barbara Endres, Carole Birdsall, Dave Davis, Elizabeth Orleski, Glenn Cogshall, Paul Estelow, Dan Thomas, Vincent Granata and Norman Wiggins. Mr. Wiggins couldn't be here, so his comments were given by Irving Hall. They presented thirty-three questions for the Town Board to answer. These questions may be found at the end of these minutes.

Patrick Moore, Oxford Pool Director, gave the Pool report for the season June 18 through August 26, 2012. Swimming lessons were given for six weeks, Monday through Friday. There were between 115 and 125 children that took advantage of the free lessons. Approximately 10,000 people used the Pool during the 68 days it was open, with an average of 150 per day.

Mr. Moore said that over 100 surveys, with questions concerning the Pool facility and swimming lessons, were handed out. Only fifteen surveys were returned. The chair lift, that was mandated to be installed for the use of the handicapped, was never used. The new pump developed a leak and had to be fixed. The old pump was put back into service and was used all season.

Mr. Moore stated that next year two new doors will need to be put on the guard house and new shelving installed in the pump house. The vacuum head attachment is now dead and will need to be replaced, along with some repair needed on the guard chairs. The steps into the pool will also need attention before next year to replace tiles that have come out during the this season.

Mr. Moore asked permission to contact the high school art teacher to see if the art students would be interested in painting murals on the inside pool walls. Permission was granted.

COMMUNICATIONS:

The August 2012 collateralized deposit account information report was received from BNY Mellon.

An E-mail was received from Maren King, Director of the SUNY ESF Center for Community Design Research in Syracuse, NY, letting us know that she is working with grad student Kat Korba to finish the documentation of the Vision Plan and process. It is anticipated that the documentation will be completed in the next several weeks. She also stated that as a result of Kat's involvement in the Oxford Vision Plan, she has decided to focus on the topic of flooding in rural communities for her final capstone project. She would like to use Oxford and the Chenango River as the site for the study.

Information was received concerning the IRS mileage rate increase from .50 per mile to .55.5. Motion was made by Jerry Locke and seconded by Larry Beckwith to accept the increase and begin using it as of today. Motion was carried with 5 Ayes.

Supervisor Wilcox also suggested that this item be included in the reorganization schedule for action at our annual meeting each year.

OTHER BUSINESS:

David Crane, Mang Insurance Representative, sent the new Town of Oxford 2012-2013 insurance documents for the Town Council to review. It should be noted that the premium dropped slightly from last year.

Jim Hemstrought, Town Clerk, presented a disposition report of archives files for the Board's decision for disposal and suggested that the following resolution also be adopted.

RESOLUTION

RESOLVED, By the Town Board of the Town of Oxford, that *Records Retention and Disposition Schedule MU-1*, issued pursuant to Article 57-A of the Arts & Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

- (a) only those records will be disposed of that are described in *Records Retention and Disposition Schedule MU-1* after they have met the minimum retention periods described therein;
- (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Motion was made by Alan Davis and seconded by Jerry Locke to approve the Resolution. Motion was carried with 5 Ayes.

Motion was made by Larry Beckwith and seconded by John Hofmann to have the archive files disposed of as set forth in the resolution. Motion carried with 5 Ayes.

The Guilford Fire Department contract was received for the Board's review and acceptance. Motion was made by Jerry Locke and seconded by Larry Beckwith to accept the contract between the Guilford Fire Department and the Town of Oxford. Motion carried with 5 Ayes.

HIGHWAY SUPERINTENDENT'S REPORT:

Tim Tefft, Highway Superintendent, stated that the highway crew has finished stoning and oiling of the roads for this year. There is one spot on New Virginia Road that need attention and that will be done soon. There are a few pot holes that will also be fixed. The box on the 1999 truck has been repainted. It was reported that the South Oxford Bridge approaches should be repaired and that there is a crack in the bridge itself. This work would need to be done by the County Highway Department.

BILLS & CLAIMS: September 2012

Claims #136 thru #156, plus payrolls of General Fund:	Total: \$ 46,430.44
Claims #130 thru #150, plus payrolls of Highway Fund:	Total: \$132,429.18
Claim #2 of Water District #2	Total: \$ 1,866.56

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

The next Town Board meeting will be held on October 10, 2012 at 7:30 pm in the Village Hall.

Meeting was adjourned by Supervisor at 9:30 pm.

James W. Hemstrought Jr.
Town Clerk

QUESTIONS Presented to Board by Concerned Residents

Permit Procedures

- 1) Will the Town receive a notice that a local gas drilling permit is under consideration by the DEC before it is issued?
- 2) How much time will the Town have to prepare for each permit?
- 3) How will the public be notified?
- 4) What procedure does the Town follow once it receives the permit?
- 5) What are the state regulations for a municipality to accept, reject or modify a permit based on the application of its zoning laws?
- 6) Which Town agency grants or rejects the special exception required for industrial gas drilling once a permit is received from DEC?

Zoning Protections

- 7) Have the members of the permitting agency studied the 2007 Town Zoning Regulations against the complex technical, economic and legal issues raised by hydraulic fracturing?
- 8) Have the members of this agency identified the Zoning Regulations that might apply to special exceptions for industrial gas drilling?
- 9) Have they identified inadequacies in the zoning laws that must be addressed before permits come from the state?
- 10) What Town agencies are implementing the Oxford Vision Comprehensive Plan?
- 11) What Town Agencies are cooperating with their counterparts in the Oxford Village on this plan?
- 12) Article II, Section 2 of the Town zoning regulations list the purposes for zoning. How will zoning laws provide for such stated purposes as "protecting the rural character of our town, prohibiting over-intensity of use and protecting the public health?"
- 13) If the members of the town permitting agency lack the professional expertise to address these questions who decides what professionals will address them?
- 14) Where will the funding for these professional services come from?
- 15) How will the town residents with expertise participate in this process?
- 16) How will the Town permitting agency judge if a gas drilling permit should be granted a special exception because its implementation is within the spirit of the zoning laws?
- 17) What is the relevance to this process of the zoning law's provision for Planned Development Districts whose purpose is to insure that new commercial projects conform to the intent and spirit of our zoning?

- 18) How can the permitting agency make a decision in the absence of any objective criteria in the case of industrial hydraulic fracturing and such components as massive compressor stations, networks pipelines, processing plants, massive truck traffic, wastewater and gas storage?
- 19) How do the Town zoning laws apply to compulsory integration?
- 20) Do they empower the permitting agency to protect people from having their land taken for activities they do not want by rejecting a permit that would violate the basic property rights of neighbors?
- 21) How will the Town process a permit for a parcel that compulsory integration would incorporate into property in the Village of Oxford or an adjacent town with zoning that precludes all subsurface disturbances?
- 22) What rights do affected property owners have to prevent harm to their property or interests before drilling is allowed? What power does the Village of Oxford possess with the town to prevent harm to its residents?
- 23) Once a permit is identified by the state or submitted to the town does the permitting agency have a legal obligation to inform all property owners and other residents who might be affected by compulsory integration or impacted by the potential harm to roads, air, water, health and soil if the permit is granted?
- 24) How much advance notice does the permitting agency give neighbors and other residents who would be impacted if a special exception is granted?
- 25) How soon must that notification be made and to whom? What public notices are required?
- 26) How soon must that notification be made and to whom? What public notices are required?
- 27) Under the zoning laws how do people potentially impacted file grievances.

Contingency Plans

- 28) How will the permitting agency conduct and finance a study of the health impacts of unconventional gas drilling as mandated by the zoning regulations in the absence of any funds presently allotted by the state?
- 29) Does the Town have a road use plan to protect its infrastructure?
- 30) If not who is preparing it and within what timeframe? How will violations be enforced?
- 31) Given the dramatic increase in truck traffic, how will the Town insure our kids can safely get to and from school in buses on most Town roads morning and afternoon for nine months of the year?
- 32) What are the requirements for gas companies to restore land after their operations are concluded comparable to the zoning laws that describe how excavation of sand and gravel and the quarrying of rock has to be accompanied by a plan to restore the area once the excavation is over?
- 33) Where do the Zoning Laws protect residents and municipal revenue-producing tourists who engage in hunting and fishing? Where are provisions to insure that fish and wildlife are not killed or sickened by poisoned air, water or soil?