

TOWN OF MEREDITH

Special Meeting

Proposed Local Law #3 – 2008 “Telecommunication Tower and Facilities Law”  
September 2, 2008

The Town of the Meredith Town Board Special meeting was held on September 2, 2008 at the Meredith Town Hall. The following were in attendance:

Supervisor: Keitha Capouya

Council Members: Ronald Bailey  
Daniel Birnbaum  
Roger Hamilton  
Paul Menke

Clerk: Betsy Clark

Townspeople: 8

The supervisor called the meeting to order at 8:43 p.m. She announced this was a Special Meeting to discuss passage of proposed Town of Meredith Telecommunication Tower and Facilities Law.

The Supervisor asked if everyone wanted to have a discussion regarding the proposed law before they went over the long form of the EAF.

Roger Hamilton said he would like to go over the concerns regarding possible legal issues and also for the people of the Town and people passing thru.

Ron Bailey wanted to make two comments to Attorney Marc Goldberg. The first was regarding the political agenda which there is none and the second he said that the Attorney for the Town Lenard Sienko has gone over the law.

Marc Goldberg reiterated SBA’s concerns.

Keitha made comments about this being a Town Law and the law is being written for Town.

Robert Swantak asked about the initial law drafted by Lenny (the attorney for the Town).

Keitha said that the law from Lenny was 27 pages and extraordinarily restrictive. She commented she had never seen such a more restrictive law. “So we went thru it using that and other things and we rewrote it.

Bob Swantak asked if our council has looked at this law.

Ron Bailey explained he had personally spoken with the attorney about the variance section explaining his opinion originally. He went on to say Lenny had advised against a variance and why. Ron stated it's not true that the attorney has not been involved.

Keitha said our attorney has been over this law with a fine tooth comb many times. Every point that has been changed he has reviewed.

Marc said he hasn't spoken with the Attorney for the Town in two months but previously when he had called him to discuss their view Lenny told him he takes no authorship of this law it's not mine.

The discussion continued regarding the law and also the application before the Planning Board now and the possible effects.

Variations were discussed and Danny Birnbaum commented that Lenny says they can cause problems and procedural problems for the Planning Board. He said we have spent so many hours on this he would not like to start over.

Paul Menke said if we do this law we can make an amendment to it if we need to.

Ron Bailey agrees and feels it's time to move forward.

There was more discussion regarding the law and the current application before the Planning Board.

Keitha asked if the Board wanted to do the EAF now or at the next meeting, It was decided to do it at the next meeting.

**Other Business:**

1. Hannaford has requested the Town to do a resolution for approval by the Board for their new credit system using a charge card account for our Town Account

**RESOLUTION # 66 - 2008**

A resolution by motion was made by Roger Hamilton to approve the application for a new charge account with Hannaford. The motion was seconded by Paul Menke and passed by the following vote:

K. Capouya - Aye  
R. Bailey - Aye  
D. Birnbaum - Aye  
R. Hamilton - Aye  
P. Menke - Aye

Keitha spoke about the resolution from last meeting concerning the resolution from Senator Seward. She thinks perhaps it should be rescinded and one of our own drafted since it has not been sent out yet.

There was discussion about this resolution regarding gas drilling and the following resolution was made:

**RESOLUTION # 67 – 2008**

A resolution by motion was made by Ron Bailey to rescind the resolution # - 2008 regarding drilling and follow up with something that will come from our Town. The motion was seconded by Dan Birnbaum and passed by the following vote:

K. Capouya - Aye  
R. Bailey - Aye  
D. Birnbaum - Aye  
R. Hamilton - Abstained  
P. Menke – Aye

2. Marc asked the Board how the Board would like to proceed, procedurally if the Cell Tower Law is passed.

Keitha said she doesn't foresee a problem with what has been done.

The procedure issue was discussed and Marc asked what he should report to his client. Keitha said she will consult with our Attorney and get back to him.

3. Bob Swantak asked about the budget for next year.

Keitha said they are working on it.

Danny explained his review and understanding of the budget and process so far..

Keitha said they will have the budget meeting the first week in October.

4. Ron Bailey gave a report that the web site is ready to be kept up to date easily now with it organized.

A motion to adjourn the Special meeting was made by Paul Menke. The motion was seconded by Ron Bailey and passed. The meeting was closed at 9:41 p.m.

Respectfully submitted:

Betsy Clark  
Meredith Town Clerk

