

TOWN OF Lumberland
Resolution No. 99 of 2012

WHEREAS, the Town of Lumberland is a participating member of The Multi-Municipal Task Force, which Task Force consists of the Towns of Tusten, Cochection, Bethel, Callicoon, Delaware, Highland, Lumberland and Rockland (collectively, "the MMTF"), all being located in Sullivan County, New York; and

WHEREAS, the MMTF has engaged Delta Engineers & Architects, P.C. ("Delta") and Whiteman, Osterman & Hanna, LLP ("WOH") to develop a proposed local law and permitting program to be considered for enactment and administration in each of the MMTF member Towns for the purpose of preserving local roads; and

WHEREAS, enactment and administration of any such local law would be considered an Unlisted Action for purposes of the State Environmental Quality Review Act ("SEQRA"), Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R. § 617 et seq.; and

WHEREAS, the member Towns determined to act as Co-Lead Agencies for the SEQRA review of the proposed road preservation and restoration program and determined that the adoption of laws for the preservation and restoration of roads may have a significant effect on the environment requiring the preparation of a DGEIS and, thereafter, published notice of its positive declaration in the Environmental News Bulletin; and

WHEREAS, the member Towns intended to assess the potentially adverse environmental impacts which may be attributable to any such law through the preparation of a Draft Generic Environmental Impact Statement ("DGEIS"); and

WHEREAS, the MMTF, with the assistance of Delta and WOH prepared and submitted to each of the MMTF and each member Towns a draft Scope to guide the preparation of the DGEIS; and

WHEREAS, notice of scoping was published in The River Reporter, the Sullivan County Democrat and the Environmental Notice Bulletin, and public comment on the draft Scope was accepted in person at a public scoping session held on July 22, 2010, and in written form through August 2, 2010; and

WHEREAS, no involved or interested agency comments, or public comments were received by the MMTF or member Towns on the draft Scope; and

WHEREAS, each of the member Towns of the MMTF received a copy of the Final Scope for the DGEIS and adopted the same; and

WHEREAS, the MMTF and the member Towns have been advised by Delta and WOH that the DGEIS has been prepared and is adequate with respect to its scope and content for the purpose of commencing public review, pursuant to 6 NYCRR §617.9;

WHEREAS, the member Towns as Co- Lead agencies accepted the DGEIS as complete in June 2011 and held a public hearing thereon on June 30, 2011 to hear comments from all members of the public for and against the proposed Local Road Preservation Program;

WHEREAS, the member Town Boards and their experts Delta and WOH, based on the comments from the public and involved and interested agencies, prepared a Final Generic Environmental Impact Statement ("FGEIS"); and

WHEREAS, the member Town Board have also reviewed the FGEIS and find it to be complete.

NOW, THEREFORE, be it resolved that the Town of Lumberland hereby determines that:

1. The Town Board, after due deliberation and based upon the recommendation of its consultants, Delta and WOH, hereby determine that the FGEIS for the Project is complete and hereby accepts the FGEIS in accordance with SEQRA; and
2. A Notice of Completion of the FGEIS and shall be filed with involved and interested agencies and published in accordance with the requirements of 6 NYCRR §617.12 and the member Towns' local laws; and
3. The Town Clerk of each Town is directed to file, publish and distribute the FGEIS as required by 6 NYCRR §617.12.
4. This resolution shall take effect immediately.

*A motion to waive the 5 day rule was made by Councilman Carr, seconded by Councilman Shafer, all in favor, so carried.

Roll Call:	Yes	No	Abstain
1. Supervisor Nadia Rajsz	X		
2. Councilman Joseph Carr	X		
3. Councilman James Akt	X		
4. Councilman Ron Thiele	X		
5. Councilman Jay Shafer	X		

CERTIFIED: Virginia V. Horn DATE: 6-14-2014
 Town Clerk, Town of Lumberland