

PUBLIC HEARING - LOCAL LAW 4 OF THE YEAR 2010 - NOVEMBER 8, 2010

PLEASE TAKE NOTICE that a public hearing will be held by the Town of Preble Town Board on Monday November 8, 2010, at 7:45 p.m. at the Town Hall to consider enactment of Local Law 4 of 2010 which would require the issuance of a permit prior to any alteration of a town road or use of town roads by vehicles whose weight or dimensions exceed the limitations set forth in Section 385 of the New York State Vehicle and Traffic Law.

Any resident of the Town of Preble is entitled to be heard upon said local law at such public hearing. Copies of said proposed local law are available for review at the Town Clerk's Office.

On Monday, November 8, 2010, the Preble Town Board held a public hearing on Local Law 4 for 2011, a local law requiring a permit prior to any alteration of a Town road or use of Town roads by vehicles whose weight or dimensions exceed the limitations set forth in Section 385 of the New York State Vehicle and Traffic Law. The meeting was opened by Supervisor, James Doring, at 7:45 pm.

Board Members present: James Doring, Debra Brock, Tom Fox, Peter Knapp
Dave Morse arrived late

Others present: Becki Thomas, Eva DeLine and Ted Kolodziejczyk from Barber & DeLine LLC; Donald Chambers (County Highway Superintendent); Connie Griswold and Jeff Crandall from Preble Milk Coop.; Ken Brock, Calvin Griswold, M. David Smith, Tom VanPatten, Nathan Currie, Clint Brooks, Charles Dalley, Robert P. Stone, Jr., John Juras, Jason Crawford, Royal Phillips, John Steger, Pam Poulin, Jeff Griswold, Jim Harris, Dan O'Shea, and Lindsay Kemp.

Attorney Armstrong presented an overlay of the Municipal Home Rule Law Section 10 and Vehicle and Traffic Law Section 385 authorizing a town to require the issuance of a permit to operate or move a vehicle or a combination of vehicles, the weights or dimensions of which exceed the limitations provided in Section 385 on town roads. Agricultural vehicles are exempt.

Don Chambers, Cortland County Highway Superintendent, was given the floor. He stated that the County has a similar local law and will be making weight modifications for superloads. There has been no public hearing.

Eva DeLine: What is considered a superload? 630,000 lbs.

Connie Griswold: Questioning permits for milk trucks that travel the same road several times a day.

Supervisor Doring - Inclined to put on hold.

Peter Knapp - The Board has concerns as to documenting conditions of the roads before trucks travel the roads and again after they have finished their project, and causing harm to local people.

Tom VanPatten - Where do you draw the line on agriculture? **Supervisor:** This is a gray area and the government is working on this.

Becki Thomas - Asking how the Town is going to govern this.

Dave Smith - Questioning Section 5 - Damage to Town Roads.

Becki Thomas - Questioning how much time has been spent on the research.

Becki Thomas/Tom VanPatten - Both have stated that the roads used by the Chesapeake Co. in this area are in very good condition. Becki mentioned that the roads in Pennsylvania where the drillers are operating are in good shape.

Jeff Crandall - representing the Preble Milk Coop stated that the Coop has been in business 70 years and believes their trucks have not damaged the roads and they do not need any more expenses.

Nate Currie - believes that in the last 15 - 20 years there has been enough regulations implemented. He thanked the local business people for coming and making comments.

Peter Knapp - stated that this law is geared toward one activity - gas drilling.

It was also mentioned that the Chesapeake Company has spent \$4,000,000.

There being no more comments, **Supervisor Doring** stated that it is the consensus of the Board that they **will not** pursue this.

Motion made by Tom Fox to close the public hearing, seconded by Peter Knapp; all in favor; public hearing closed at 8:22.

Respectfully submitted,

Unofficial 11/08/2010
Official

Jane W. Davenport
Town Clerk