

**PUBLIC HEARING**  
**“PROPOSED LOCAL LAW ON OPENING OF TOWN STREETS AND SIDEWALKS”**  
**TOWN BOARD**  
**TOWN OF STEPHENTOWN**  
**FEBRUARY 15, 2016**

The Regular meeting of the Town Board, Town of Stephentown was called to order by **Lawrence Eckhardt** at **6:41PM** at the Town Hall.

**MEMBERS PRESENT:**

**( X ) Supervisor Lawrence Eckhardt**

**( X ) High. Superin. Alden Goodermote**

**( ) Councilman Chris Demick**

**( X ) Councilman William Jennings**

**( X ) Councilman Philip Roder**

**( X ) Councilman Gerald Robinson**

**( X ) Town Clerk Stephanie Wagar**

A quorum **( X )** was **( )** wasn't established.

**4** from the Public were present

**MEETING OPEN TO PUBLIC COMMENT:**

*L. Eckhardt:* meeting is to discuss the Opening of Roads, not just the pipeline, but also for utilities for power, cable, culverts for driveways. We currently have nothing in place.

*D. Flint:* can someone currently dig into the road without a permit?

*L. Eckhardt:* They could yes, with this law in place it will at least protect the road if someone does dig through it or under it.

*B. Jennings:* a typical service would be a telephone line and someone needs service and the line is on the other side of the road, telephone company will come and drill a hole to the other side of the road.

*D. Flint:* without asking?

*B. Jennings:* right now they don't have to ask, they can dig through with an excavator and put it back anyway they wish.

*P. Flint:* Is it just gravel roads?

*B. Jennings:* All Town roads. We only have control over Town roads not State Highways or County roads. Almost all of the Town roads have been chip sealed.

*L. Eckhardt:* how many roads do we still have that are not paved?

*A. Goodermote:* not positive, not many.

*L. Eckhardt:* are we gaining on 3 quarters of our mileage

*A. Goodermote:* yes, gaining all the time.

*B. Jennings:* there aren't many that aren't paved/chip sealed we have George Hunt Road, part of Knapp Road, Calvin Cole Road.

*P. Roder:* the utility is drilling but nothing in place currently for the depth, it could be very shallow and with Aldie digging the ditch up we end up pulling the line up

*A. Goodermote:* it's really complicated now, you are supposed to call 811 they want the specifics, I tell them to mark the whole road.

*L. Eckhardt:* Aldie do you have any suggestions on what to charge for a permit?

*A. Goodermote:* we talked about \$2,500 for a public utility.

*L. Eckhardt:* and for private use?

*A. Goodermote:* not positive would have to look to see what others are doing.

*L. Eckhardt:* Nassau you have to have insurance and they pay \$1,000 for a public utility and nothing for private. The Utility will pay the Town of Nassau before commencing work.

*P. Roder:* just have to be careful of the wording the fees shouldn't reflect on private residence and/or small businesses since they will be charged by the utility for the fee anyway. Want to make sure that the person getting the service for their house doesn't accrue a \$1,000 fee because the power company is lazy.

*L. Eckhardt:* can we do it by so much a foot?

*P. Roder:* I think it should be figured out if it is for a service or is it a

*A. Goodermote:* Probably shouldn't say this but we are really putting this in place to protect our roads against the pipeline and damages if they are to come through Town. They are looking to make money with this, it's not a private institute building a home.

*P. Roder:* it has to be worded somewhere that services to homes and/or small businesses are excluded. But if they are running a line like a main transmission line a half mile up the road that's where our biggest concern is because they are going to run parallel with the ditch and it's going to affect the ditch.

*L. Eckhardt:* we still want them to have insurance and a bond because if you are going to dig the road up to put a home service in and they are to repair the road and if they don't repair the road to our specifications then we keep the bond.

*A. Goodermote:* \$2,500 for those people is not much, we don't want to make it so people don't want to come here, but we need something in place to protect what we got.

*L. Eckhardt:* So PJ in other words you are saying to waive the fee for a service for a private homeowner or a small business?

*P. Roder:* want to make sure we have the correct language to exclude private services, but cover public utility.

*L. Eckhardt:* that's only the permit fee, they will still be required to put up a repair bond.

*W. Hammersmith:* getting a bond takes a while, had a job where the line was ripped and we didn't have time to get a bond before they had it fixed and back in the ground. Bonds take a couple days.

*L. Eckhardt:* not sure whether to be more concerned with the utilities under the ground or the power lines above on poles, some of the lines are really low. Aldie I am sure you know where the low lines are.

*A. Goodermote:* We have to get something in place if this pipeline is coming through.

*L. Eckhardt:* What should the depth be?

*A. Goodermote:* I'd say 4 foot for anything, but not positive on the requirements.

*P. Roder:* 30 inches is standard, the normal is 36 inches, at the end of the day this needs to exclude private services, this is for a major company coming in and putting a new utility in, it would be like Verizon coming through and running a line through, not for services to be put in at a residence.

*L. Eckhardt:* needs to be the length of the road, same depth, along or across the road.

*A. Goodermote:* Anything over 50 foot running parallel with the road.

*L. Eckhardt:* should there be a certain time of the year?

*A. Goodermote:* the question with someone building their home would come in play if you had a set time.

*P. Roder:* the industry is all year long at this point.

*A. Goodermote:* you want to speak with Craig in regards to all of this.

*L. Eckhardt:* Services to homes and small business are to be excluded.

*B. Jennings:* should state it could be waived for those services.

*W. Hammersmith:* so it will be a permit for each road, correct?

*L. Eckhardt:* correct, for each highway.

*P. Roder:* if it crosses the road it's "X" if it is linear footage it's "X" amount for linear foot it all depends on the project.

*B. Jennings:* do we know what the County charges?

*A. Goodermote:* not positive, but the County does have linear footage.

*B. Jennings:* that would be a good question back to Craig, because we certainly have more County roads here than Town roads.

*L. Eckhardt:* will the permit expire after a certain amount of time?

*A. Goodermote:* it should not go on forever.

*L. Eckhardt:* 90days? And if it is not completed they come to us for an extension?

*P. Roder:* 90 days is not enough time. 180 days would be a better time frame, issued and approved by Aldie. If 180 days is not enough time they can file for an extension.

*W. Hammersmith:* agrees that the linear footage is a good idea but a bucket can make a 24 foot hole whereas a trencher could make a 2 foot hole.

*P. Roder:* this would not be for private residential services, this would be for big projects for Verizon, Fairpoint, if a pipeline comes through or a new power of phone company.

*L. Eckhardt:* Dean and myself met with someone who is looking to put electric lines in the ground following Route 43 but we don't have a say because it's the state right of way.

*A. Goodermote:* they are starting to put signs up for the bridge on 43 they will be working on that bridge, right before Newton Road.

*L. Eckhardt:* once we have a draft we will post on the website for more public input may adopt in March or April.

**MOTION TO ADJOURN AT 7:08 PM**

**MOTION BY:** ECKHARDT

**SECONDED BY:** JENNINGS

**VOTES OF:** 4 AYE 0 NAY

**\*\*A Workshop Meeting** is held every second Monday of every month at **7:00PM** at the Town Hall.

**\*\*The next Regular Meeting** of the Town Board, Town of Stephentown will be held on **Monday, March 21<sup>st</sup>, 2016** at **7:00 PM** at the Town Hall.

*Stephanie M. Wagar*

**Town Clerk**