

PUBLIC HEARING
“PROPOSED LOCAL LAW ON MASS GATHERINGS/QUIET TIMES”
TOWN BOARD
TOWN OF STEPHENTOWN
APRIL 11, 2016

The Regular meeting of the Town Board, Town of Stephentown was called to order by **Lawrence Eckhardt** at **7:09PM** at the Town Hall.

MEMBERS PRESENT:

(X) Supervisor Lawrence Eckhardt **(X) High. Superin. Alden Goodermote**
(X) Councilman Chris Demick
() Councilman William Jennings
(X) Councilman Philip Roder
(X) Councilman Gerald Robinson
(X) Town Clerk Stephanie Wagar

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

9 from the Public were present

- *3rd Public Hearing to discuss the Proposed Local Law for Mass Gatherings/Quiet Times*

MEETING OPEN TO PUBLIC COMMENT:

L. Eckhardt: this is meeting is to continue the discussion of “Quiet Times”, we have come up with something that isn’t as complex as what we started with. We are focusing on a quiet time since we already have safety regs. taken care of at the county and state levels. This draft reads:

“ SECTION 1 – INTENT, The intent of this Local Law is to establish “quiet times” during which amplified music should not be heard in the Town of Stephentown.

SECTION 2 – QUIET TIMES, No amplified music should be heard outside the property of a residence in the Town of Stephentown during the following hours:

Monday – Thursday: Midnight to 8 am the following morning

Friday & Saturday: 1 am to 7 am the following morning

Sunday 8 pm to 8 am the following morning

SECTION 3 – REMEDIES FOR OFFENSES, The Town Board may maintain an action or proceeding on behalf of the Town of Stephentown in a court of competent jurisdiction to compel compliance with or restrain by injunction any violation of this Local Law.”

G. Robinson: the board has made great efforts on what we had come to a consensus on, this is an attempt to hopefully move things forward.

L. Eckhardt: one person has made a comment on “amplified music”, and the question came up to whether it should be “amplified”, you have a group of people banging on drums and we will end up with the same issue. Another comment “property of a residence.” Should it be worded differently? What is the definition of quiet?

R. Lumbr: people point out the word “amplified”, if that was in this law, we would be breaking the law. We are working with the Code Enforcement right now on getting a permit, but don’t want to go through all this if we will be breaking the law.

L. Eckhardt: what are you applying for now?

R. Lumbrá: building permit with Code Enforcement, whether it's amplified or not, you can still have events that have loud music/noise without being amplified.

L. Eckhardt: spoke to Neil about a contract, would that be the place to put something like this in that contract?

R. Lumbrá: Yes, I can't promise on "amplified" music but I can promise to not have nuisance sound.

C. Demick: agreed, should we word it as "nuisance sound"?

R. Lumbrá: you have not made a point of what you want to do.

P. Dibble: the sound down there is different than the noise at my house, I live here 24 hours 365 days a year, there needs to be consideration for those who live here.

L. Eckhardt: Rob how do you deal with this?

R. Lumbrá: sound sensitive locations, we have someone who works directly with managing the sound.

L. Eckhardt: then you can do something about it?

D. Cyris: so your issue is the shut down or stop time?

R. Lumbrá: Yes, we have people from all over the world that come to our event. We limit our event into 3 days and play 4 days of music, we do this for multiple reasons when people come from far away to these events they expect to hear music and have art all the time for the full 3 days. If we have to shut down we can't meet our schedule.

D. Cyris: understand

P. Roder: Miami holds a huge event that has 15k people from noon to midnight and they seem to manage it pretty well.

R. Lumbrá: and they have drug issues

P. Roder: if Miami can do it with such a large group why can't you?

R. Demick: so you are opposed to these minimal restrictions?

R. Lumbrá: yes

R. Demick: than what is the point of this? Where did these times come from?

P. Roder: normalcy of life, we created these hours around a normal work day.

R. Demick: most people go to bed at 9 - 10pm this says midnight is the shut off time.

S. Demick: it is not just the issue of the noise the vibration is horrible, we live in the country for peace, understand people have a business but they don't have to be a disruption to everyone.

L. Eckhardt: we don't just have events that are a problem, Paula's neighbor seems to create a lot of noise often

R. Demick: but they (referring to Fractal Tribe) won't shut down so what's the point?

L. Eckhardt: these guys with Fractal Tribe are working on figuring something out, they have been the best out of all the events held down there to try and work with us.

S. Demick: does it have to be 4 days?

L. Eckhardt: no, these guys start on Friday and end on Sunday afternoon.

P. Dibble: my father played music, people who love music just have to have music they have to play, but you can come up with something, we are compromising here, maybe you can point speakers to everyone in a circle.

K. Rober: that is what our conversations are, our primary discussion is trying to address and fix the issues.

P. Roder: this law states the noise should not leave the property, as long as it is not heard of the property disturbing residents there is no issue.

R. Lumbra: Correct. I am okay with this law.

R. Demick: so is the board okay with me having a music festival Monday through Thursday until midnight?

L. Eckhardt: with the way this law is written, yes you can.

P. Roder: the negatives were not about the festival it was the 24 hour noise, I don't want you to feel like we are ignoring you, this is at least a start of something to hopefully come up with a solution. We are addressing the lateness of the noise complaints.

G. Robinson: lost, you have more than one issue?

R. Lumbra: we have no issue with that paper & what it states.

G. Robinson: I think it's pretty clear that the residents would like peace.

N. Gardner: if they don't abide by the rules with whatever you guys pass they do not come back, it's in the contract. We live in a valley you are not going to get the noise to stop traveling.

P. Dibble: suggests removing the words "amplified" and "residence" from the drafted law.

L. Eckhardt: should we have the word "music" in there?

N. Gardner: been here since I was a kid, nothing has changed and nothing is going to you are always going to have people complain and the sound is always going to travel.

L. Eckhardt: looked at some of the wording from the Association of Towns.

C. Demick: Richard has a good point, but right now this is a starting point.

N. Gardner: Paula's issue up on her road, they get stoned and play loud music.

P. Roder: don't care what you do down there as long as Paula and Donna don't hear it, and we don't get any complaints.

N. Gardner: Rob, what do you think?

R. Lumbra: 2 people called last year, we are going to try to get it so we have zero complaints/calls.

D. Cyris: what is Fractal Tribe? Do you have a mission statement?

R. Lumbra: Fractal Tribe is different for everyone, for me no matter what your dreams and visions are you continue to try and accomplish them. It's to inspire people.

L. Eckhardt: Kyle took me around last year, the art work was amazing, the people who come to Stephentown are healthy people, healthy foods and healthy living, drugs are not part of this event there is no beer or alcohol.

R. Lumbra: we don't want fights or people puking, we can't and don't deal with that type of people.

L. Eckhardt: Country Fest turns into a brawl because everyone is drinking.

N. Gardner: we couldn't afford the insurance for Country Fest

L. Eckhardt: had to look up the word Fractal.

D. Cyris: what is a Fractal?

K. Rober: describes the definition of Fractal.

P. Roder: is everyone clear we want quiet time? This is a start.

N. Gardner: if everyone wants to come down on Friday and do a walk through you are more than welcome to come down.

D. Cyris: so if you can't beat them join them.

L. Eckhardt: made progress here, we will have something to pass next week.

MOTION TO ADJOURN AT 7:54PM

MOTION BY: ECKHARDT

SECONDED BY: DEMICK

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, April 18th, 2016** directly after the Public Hearing, at the Town Hall.

Stephanie M. Wagar

Town Clerk