

SPECIAL MEETING, TOWN OF REDFIELD, June 27, 2022

The special meeting of the Redfield Town Board was held on June 27, 2022 at the Redfield Municipal Building starting at 6:00pm. Roll call was taken and the following board members were present:

Absent:	Matthew Tompkins	- Supervisor
	Corey Yerdon	- Councilman
	Terry Harlander	- Councilman
	Carla Bauer	- Councilwoman
	Elaine Yerdon	- Councilwoman

In addition, Susan Hough -Town Clerk, Highway Superintendent - Russell Montieth, Tom Jones, Ed Montieth, Rick Hallock, Janice Curren, Clayton Hanright, Francis Adams, Shirley Mahaffey and Town Justice - Dory Dumas

This meeting was moved to the Redfield Fire Department pavilion due to the voting machines being delivered and in the meeting room earlier in the day.

Pledge of the Allegiance was said.

Supervisor Matthew Tompkins - the purpose of this meeting is to review Local Law 1 of 1997 a Local Law regulating the use and operation of snowmobile on public highways and public lands in the Town of Redfield.

Matt - Osceola's law states Ryan Road is open from Bridge over Salmon River to Waterbury 6/10 mile, that's probably what ours should be. Tom Jones - had problems with owner closed their land then opened it, it's open now, again it's up in the air. CM C. Yerdon - we own one lane of the road, so we would need to coincide with what Osceola has done. Francis Adams - what happened to the law when all the roads were open, what year did the new NYS law go into effect. Tom Jones - why is this being addressed, did the State send a letter. Supervisor Matthew Tompkins - it's now the time to look at the law, a highway is suppose to go from trail head to trail head, most of these highways don't even have a trail on them. Janice Curren - why are you closing Hayes road.

Supervisor Matthew Tompkins - there's no trail on Hayes road to go to. Tom Jones - not sure if the County Attorney would agree with the list of open County highways - he tried to get part of County Route 2 opened and they refused, they always put green signs up for the snowmobile highways open but haven't in a couple years. Janice Curren - What County Roads are open.

Supervisor Matthew Tompkins - County Route 17 from County Route 2 to O'Hara Road, County Route 17 from Harvester Mill Road to Old State Road South End, County Route 17 from Old State Road North End to Little John Drive, County Route 39 from McCaw Road to County Line, County Route 47 from County Route 17 to County Line, that list was from Kurt Ospheft when he was Highway Superintendent of Oswego County. CM C. Yerdon - County highways are not part of our law, they're not included. There was discussion regarding the operator having insurance. The insurance is on the sled not operator. Rick Hallock - both sleds are in his name but his wife drives one, both insured under Rick's name. There was discussion regarding County Highways open. Russell - once the County opens a highway for snowmobiling they lose jurisdiction of the road - it goes to the Town. Francis Adams - you used to have a 1500 ft. leeway. Tom Jones - people get confused as to whose highway it is. The following changes were made to the law:

J. Failure to stop and yield: In any place at any time, failing to stop and yield to an authorized ambulance, **fire department apparatus**, civil defense or police snowmobile or police vehicle being operated as an emergency vehicle and approaching from any direction.

SECTION 4.3 OBEDIENCE TO VEHICULAR TRAFFIC CONTROLS:

Each person operating a snowmobile on any Town Highway shall observe all vehicular traffic signs and signals and all other rules and regulations applicable to vehicular traffic, and shall obey the orders and directions of any **state or local police or other** law enforcement officer **or fire department personnel authorized** to direct or regulate traffic.

SECTION 5.2 EMERGENCIES:

Snowmobiles may be operated for the purpose of emergency travel only on all highways in the Town of Redfield, during the period of time when and at locations where snow upon the highways renders travel by motor vehicles impractical as so declared and permitted by the chief executive officer of the Town of Redfield, or when the specific travel for a specific purpose is authorized or directed by **a peace or** police officer, **Fire Chief** or other duly recognized emergency personnel.

ARTICLE 7 AGE OF OPERATOR:

- A. Youth ages 14 through 17 years old may operate a snowmobile without adult or other supervision if they have completed a snowmobile safety training course recognized by the State of New York.
- B. Youth ages 10 through 13 may operate a snowmobile, on lands upon which snowmobiling is allowed, if they have completed a snowmobile safety training course recognized by the State of New York and are accompanied by (within 500 feet of) a person who is at least 18 years of age.
- C. Youths who do not hold this certificate are subject to the same restrictions as children under the age of 14 years. Children under 10 years old or under age 14 without a safety certificate may operate a snowmobile only on lands owned or leased by their parent or guardian.
- D. A non-resident operator who is a resident of another state or country and is the holder of a valid snowmobile safety certificate issued by that state or country shall be considered the same as the holder of a New York State Safety Certificate.

SECTION 8.2 NOTICE OF VIOLATION:

A notice of violation may be issued by any State Police Officer, County Sheriff, **Town/Village Police Officer or Constable**, Conservation Officer, Parks and Recreation Officer, or by any other Law Enforcement Official **other person so designated by the Town Board of Redfield**. Such authorized individual may initiate a violation by service of an appearance ticket.

ARTICLE 10 LIABILITY FOR NEGLIGENCE:

Negligence in the use or operation of a snowmobile shall be attributable to the owner. Every owner of a snowmobile used or operated in the Town of Redfield **or in this state** shall be liable and responsible for death or injury to a person or damage to property resulting from negligence in the use or operation of such snowmobile by any person using or operating the same with the permission, express or implied, of such owner, provided, however, that such operator's negligence shall not be attributed to the owner as to any claim or cause of action accruing to the operator or his legal representative for such injuries or death.

ARTICLE 12 RESCIND PREVIOUS LAW:

This Local Law rescinds Local Law #1 of 1997 regulating the use and operation of snowmobiles on public highways and public lands in the Town of Redfield and any other Local Laws regulating the use and operation of snowmobiles on public highways and public lands in the Town of Redfield as of the effective date of this Local Law.

Supervisor Matthew Tompkins - Letter of Understanding - the Snowmobile Clubs are suppose to sign this every year. Janice Curren - What other Club is there besides Redfield. Supervisor Matthew Tompkins - Pulaski Boylston Snowmobile Club grooms up north. One of the biggest changes we need some kind of insurance to cover the damage to our highways. We can't afford to work on Harvester Mill Road in the same place due to snowmobile damage, can only use CHIPS \$ on same highway every 10 years, we don't have \$ 100,000 to put into Harvester Mill Road. CM C. Yerdon- it's nearly impossible to keep up with maintenance/repairs, trying to minimize. Supervisor Matthew Tompkins - Russell has gone to the State to try to get money, they said the Clubs get the money and some of the money goes to fund law enforcement. Damage to our infrastructure is something we have to put in. Lots of Towns are having the same problem over the winter with the damage. Clayton Hanright - have you tried the NYS Snowmobile Association. Supervisor Matthew Tompkins - that's a good idea. Dory Dumas - another option Parks & Recreation - the woman in charge has been there for years. Russell - Central Square told him NYS Snowmobile Association doesn't offer that type of insurance for Snowmobile Clubs. We do not get enough money from CHIPS - we have 28 miles of town highways. Dory Dumas - Town of Webb - have to have a secondary permit to ride. Supervisor Matthew Tompkins - that would be hard for a town to do, Old Forge has a lot of lodging, etc. Rick Hallock - they have hundreds of miles of trails we only have forty-three in Redfield. Tom Jones - Old Forge is a private trail system - registration/permit - they do not get any money from New York State for trail maintenance, it was looked into years ago biggest problem that brought it to a halt was Insurance, once you charge the cost is different. CM C. Yerdon - we have to do something to protect the Towns assets. Supervisor Matthew Tompkins - the State has tried different materials that haven't worked - concrete- they have tried to come up with a solution. Russell - if they would stop fish tailing, spinning out it would help. Minnesota tried to police it but couldn't. He did partition part of Balcom drive - a lot more respectful to the snow plows, still some road damage but not racing in and out of there and burning out. Redfield Snowmobile Club - when he goes to them with problem they take care of no questions asked. Supervisor Matthew Tompkins - letter of understanding - There was discussion on #3 The Snowmobile Club agrees to take appropriate precautions to avoid hazardous riding conditions that may result in bodily injury, **vehicle** or property damage. Does property damage include vehicles - CM C. Yerdon - if you put both in then there's no question, it's clear. #7 D - The Snowmobile Club agrees to comply with the following conditions regarding Groomer Operators: D) All Groomer Operators shall ~~make an effort to~~ not deposit snow, ice or any other materials in any highways or turnarounds maintained by the Town. Supervisor Matthew Tompkins - should not deposit snow etc. in any highway or turnarounds. CM C. Yerdon - the President of the club signs the agreement but we need exactly who to contact - need contact information that is always available.

Contact Numbers Town of Redfield

Highway Superintendent - Russell Montieth - 315-599-7798

Town Supervisor/CFO - Matthew Tompkins - 315-599-7083

Contact Numbers Snowmobile Club

Club President -

Francis Adams- if we can't use the room for the meeting tonight why can the Code Enforcement Officer be in there. Town Clerk Susan Hough - we can't use the room where the machines are, he's in his office with the door closed. Shirley Mahaffey - you can't lock the door? TC S. Hough - there is no door on the room. Ed Montieth - the State is working on a trail from Castor Road, what happens when the trail is done and they can't use Castor Road. Supervisor Matthew Tompkins - they would have to come to the Board for the road to be opened. Tom Jones - backing up he doesn't know how it works, Town had a big go around with the owner of property on Caster Spur Road - didn't know if this causes more liability. Russell - if the road is closed not liable.

Motion was made by Corey Yerdon seconded by Matthew Tompkins to adjourn the meeting at 7:14pm.

ADOPTED Ayes 3 M. Tompkins, C. Yerdon, T. Harlander
 Nays 0

The next Town of Redfield Town Board meeting will be held Tuesday, July 12, 2022 at 7:00pm.

June 27, 2022

06/27/2022 pg. 4 of 4

Susan Hough, Town Clerk