

COUNTY ADMINISTRATION COMMITTEE MEETING MINUTES
MAY 4, 2010

A special meeting of the County Administration Committee of the Broome County Legislature was held on May 4, 2010 in the Legislative Conference Room, Sixth Floor, Edwin L. Crawford County Office Building, Binghamton, New York.

Members Present: G. LaBare, J. Marinich for R. Keibel, D. Moran, M. Nirchi, M. Whalen

Members Absent: None

Others Present: P. Brennan, County Exec's Office; M. Kalka, M. Gerchman, Budget; J. Sluzar, M. Foster, Law; M. Lynch, DPW; T. Gerow, Wagner Lumber Co; J. Bowman, B. Bowman, D.D. Bowman & Son Lumber; R. Lackner, Lackner Farms; C. Martin, NYRAD; M. Long; S. Messmer, R. Harner, Delta Engineers; A. Dugon, Keystone Associates; M. Neilson, Contour Construction, T. Coughlin Taylor Garbage; B. Adams, Bert Adams Disposal; J. Mirabato, M. Meehan, Mirabito Energy; N. Guiles, Vestal Asphalt, J. O'Brien, Bothar Construction; J. Plaites, BCC; M. Atchie, Chesapeake Energy Corp; S. Duncan, Greater Binghamton Chamber of Commerce; C. Whalen, FOX 40; T. Wilber, Press & Sun Bulletin; M. Diffendorf, S. Messina, E. Denk, C. Hall, Legislature

The Committee meeting was called to order by the Chairman at 2:04 P.M. The Committee met regarding:

RESOLUTION ADOPTING LOCAL LAW INTRODUCTORY NO 4 OF 2010, ENTITLED: "A LOCAL LAW CREATING CHAPTER 100 OF THE BROOME COUNTY CHARTER AND CODE PROVIDING THAT A SPECIAL HAULING PERMIT SHALL BE REQUIRED FOR USE OF COUNTY ROADS BY CERTAIN VEHICLES THAT EXCEED THE WEIGHT OR DIMENSIONAL LIMITS IN SECTION 385 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK"

Mr. LaBare introduced Mr. Sluzar who gave a brief presentation regarding Local Law Introductory No. 4 of 2010. A copy of the presentation is attached. Mr. Sluzar stated that since the local law was first introduced there has been a lot of feedback from those that may be affected. He is working on changes to the proposed local law including the commencement date to be January 1, 2011, not limiting the right to farm as set forth in the NYS Agriculture and Markets Law, a revision of the insurance requirements that would more closely match the state's and elimination of the default requirement to post an undertaking. Mr. Sluzar stated that this is a matter of public policy in which the County will try to achieve the right balance.

Mr. LaBare opened the floor for comments and questions. Mr. Messmer from Delta Engineers advocated for strong, stringent regulations and stated that Delta has drafted a plan that would not be onerous or a burden to local businesses.

Tom Gerow from Wager Lumber Company thought it would be helpful if there was uniformity in regulations between all the Towns and the County.

Alexis Pleus Dugon from Keystone Associates questioned the definition of normal wear and tear. Mr. Sluzar said there could be an evidentiary problem when the County tries to prove who caused the damage. Mr. Brennan stated that the Department of Public Works knows the condition of county roads and they address 10% of county roads every year.

Roy Lackner from Lackner Farms stated there are problems with gas drilling and was in favor of strict guidelines.

Responding to a question from Bert Adams, Mr. Sluzar stated the cost of the permit would be \$10 and that the local law could be rescinded after gas drilling has stopped.

Neil Guiles from Vestal Asphalt stated there have been many successful drillings and that in some instances the gas companies have left the roads in better condition than before they started.

Bonnie Bowman from D.D. Bowman & Son Lumber stated that he hopes that whatever is done it protects small businesses.

Mike Atchie from Chesapeake Energy was in favor of the road use agreement.

Joe Conaty stated the local law is business unfriendly. He would like to see the County wait and see what happens once drilling starts and if it becomes a problem to enact something then.

Mr. LaBare thanked those in attendance for their input.

There being no further business to come before the Committee at this time, the meeting adjourned at 3:20 P.M.