

**The Special Meeting of the Town Board of the Town of Brighton was held on Saturday, August 23, 2003, at 8:30 a.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:**

**PRESENT:** Council Members: Alicia Bodmer  
Linda Dobson  
John Quenell  
Steve Tucker

**ABSENT:** Supervisor Robert Tebbutt

**OTHERS PRESENT:** Elaine Sater-Town Clerk, Rich Rosenpeter - Adirondack Daily Enterprise

**GUESTS:** Larry Denis-Landvest Inc, Tupper Lake; Paul Mitchell-Paul Mitchell Logging, Tupper Lake; and Pat Curran-Seaway Timber, Massena

**RESIDENTS:** There were 4 residents present

**Meeting was Called to Order** by Deputy Supervisor Alicia Bodmer at 8:29 a.m. The reason for the meeting was to discuss the logging truck traffic on the Keese Mill Road.

**Public Notice** was faxed to the Adirondack Daily Enterprise on August 19, 2003 and posted on the Town Clerk's Signboard on August 20, 2003. A notice was placed in the three post offices and local businesses.

**Alicia Bodmer** said that the Attorney for the Town did not have a proposed local law ready for review on restricting logging traffic on the Keese Mill Road. She invited the logging parties to the meeting to hear the concerns of the citizens. She opened the floor up to comments by the citizens.

***CITIZENS COMMENTS:***

**Larry Denis-Landvest, Inc:** Spoke to the Town of Waverly and Santa Clara about improving the Blue Mountain Road so the empty trucks could come in from the North. Waverly showed an interest in improving the road. The fully loaded trucks would have to use the Keese Mill Road because it has a better surface.

**Pat Curran – Seaway Timber:** The Slush Pond Road goes through a wetland and is not usable by the trucks either way.

**Larry Denis:** Because of APA and DEC concerns the cost to upgrade the Slush Pond Road is over \$100,000

**Paul Mitchell-Paul Mitchell Logging:** The wood that is being taken out right now is low-grade pulpwood, it would not be feasible to take the trucks out to the north over the Blue Mountain Road. It would add 30 miles to the trip and the cost would give them a minimal profit.

**Lydia Wright-Keese Mill Road:** It is a financial issue. The Town of Brighton residents pay for the damage to the road. The loggers and the towns of Santa Clara and Waverly are not responsible financially for the Keese Mill Road. This is a residential road where there is not enough room for trucks, cars, and people. The safety issue is a concern with school starting next week. Children will be out on the road waiting for the buses. This last week the trucks have slowed down, prior to last week, the trucks were speeding and were using "jack brakes" to slow down making a lot of noise. The trucks are on the road at 3:15 a.m. waking people up. Maybe restrictions to weight, time, or amount of traffic are needed.

**Tom Tucker-Tucker Farms and Fire Chief, Paul Smith-Gabriels Volunteer Fire Department:** Heavy equipment trucks are registered and the fees are high, they also pay fuel taxes. The truckers pay fees to use the roads and the Town uses CHIPS fund to pave the roads. A fire truck fully equipped weighs 38,000 tons on two axels. A logging truck has more axels so it weighs less per axel than a fire truck. If the road is posted for weight or time, the fire department cannot respond legally to emergencies on the road.

**Alicia Bodmer:** Town can use Vehicle and Traffic Law Section 1660 to restrict commercial vehicles with exceptions for local deliveries or emergency vehicles.

**Tom Tucker:** Fire trucks are considered commercial vehicles and the drivers are required to obey the posted signs on roads. Logging is considered an agriculture practice and a Town cannot limit this practice.

**Philip Delarm-Paul Smiths:** CHIPS funding was used on the Keese Mill Road and I understand you cannot restrict a road that uses CHIPS funds. Need shoulders on the road.

**Tom Tucker:** The speed on the Keese Mill Road should be enforced for all traffic.

**Larry Denis:** Have not heard about a problem with speed until now. Paul and Pat both have their trucks going 5 miles slower than posted speed limit. The issue here is well beyond the traffic on the road. We've been on the job for over 2 years; there has been very little dialogue between the managers and the towns. We have never really been given a chance address the issues. It is too bad that legislative action has to be taken first. The logging industry is a part of the culture of this area; it is a big part of the area. We are being so over regulated just like the agriculture industry that we are on the way out. It is too bad.

**Alicia Bodmer:** The loggers, Paul and Pat, have been very responsive when complaints were brought to them. Safety is the issue on the road; its small, twisty, and narrow; it's a residential area. Two trucks passing are very loud. Ten people have called concerning this issue.

**Lydia Wright:** The speed has been excessive before last week. This is not the first time this issue has come up. A year ago this issue came up. It is too bad more people from Keese Mill Road did not come to this meeting. How wide is a log truck?

**Alicia Bodmer:** This issue came up in 2001. The town looked into the issue of a local law then. The size of the vehicles makes them appear to be going fast. There will be a Public Hearing for comments

**Paul Mitchell:** The truckers have been told to go 10 miles per hour below the posted limit. A truck is 8'6"

**Tom Tucker:** Fire trucks are wider; get complaints when the fire trucks go down the road for training also.

**Lydia Wright:** The fire trucks don't go down the road 25 times a day like the logging trucks.

**Alicia Bodmer:** We are looking at restricting times of travel more than weight restrictions. School buses will be coming down the road in the mornings. Would like to trucks to go down after the buses.

**Larry Denis:** What would the time be?

**Lydia Wright:** While the logging is going on there is no recreational time on the road.

**Pat Curran:** The state highway is not for recreational use; it is for traffic. There are many recreational areas already so people should not be on the road.

**Lydia Wright:** You don't live here so you don't have to put up with the traffic on the road.

**Pat Curran:** This could have a profound affect on the logging business and affect the entire state, which we all call home. We have so many places to recreate in this park that a little give and take on both sides is needed on a public highway that is designed for traffic. The shoulders should be wider if people want to walk on the road.

**Alicia Bodmer:** It is very intimidating to walk on the road especially at night. The drivers try but it's the weight of the vehicle that is intimidating. The taxpayers pay for the road and there is no benefit from the logging operation to the Town.

**Tom Tucker:** There is a business in town that is benefiting. Paul Mitchell's loggers spend money at the Brighton Mini Mart in Gabriels, so the town does benefit indirectly.

**Alicia Bodmer:** There is no direct property owner paying taxes.

**Pat Curran:** Our drivers have been told not to use "engine brakes" on the road and to slow down.

**Alicia Bodmer:** If there are other ideas you have to help us out please call. Would rather not go to legislation, but will if it is necessary to get attention.

**Tom Tucker:** Can't you work with the loggers instead of going to legislation, does there have to be a law?

**Alicia Bodmer:** Some times just proposing legislation does the job.

**Phil Delarm:** I find it hard to believe you have a meeting on Saturday. How many people in the Town of Brighton live from Paul Smith's corner to the Santa Clara line? There are quite a few and there is only one lady here talking for all of them. The loggers are just trying to make a living. They are not asking for anything out of the ordinary. It would be interesting to get some people who are not familiar with big trucks to ride in one and find out what its like.

**Pat Curren:** A truck is 8'6" wide, 40 -50 ft long, and 20 feet tall. A truck this size going 25 miles per hour may appear to be going 50 miles per hour.

**Alicia Bodmer:** Spoke to the troopers about the speed and they said the same thing about the size and appearance of speed.

**Larry Denis:** Will talk to the people in Waverly and Santa Clara to pursue getting some work done on the northern route, so empty trucks can come in that way.

**Lydia Wright:** You have a right to a livelihood and we have a right to a quality of life on our road.

**Larry Denis:** If you look at the Adirondacks logging has always been a part of the life here. Safety is a big concern.

**Steve Tucker:** Logging has been going on in that area for over 100 years.

**Larry Denis:** We are trying to keep operations low key. We can only log during certain times of the year. We have a lot of issues in the industry to deal with. Weather is an issue, as well as water quality, ascetics, environment and safety. We have to shut down when it's muddy. This is just another issue we are willing to deal with the best we can. When the main route coming out of 50,000 or 60,000 acres of land is a public

road we don't have a lot of choices. We agree safety is an issue and we will make sure everyone coming in and out of there is aware of it.

**Pat Curren:** To address the time issue, in the industry people get going early and work late. We don't know how to work around this.

**Alicia Bodmer:** We have been asked to prohibit the trucks, so I'm trying to find ways to work around doing that by addressing specific issues

**Steve Tucker:** Will the Christmas tree harvest be prohibited also? They bring out the trees in tractor-trailers.

**Tom Tucker:** In 1994 when Leavitt's were harvesting potatoes the residents were up in arms then. Rockefeller and Ross own lots of land, Champion lands are also down the road; they will be doing logging in the future.

**Phil Delarm:** When Bay Pond was doing logging there were no complaints.

**Pat Curran:** How many buses will there be and at what times? We can work with these times if we know them.

**Lydia Wright:** What is the weight of a tandem logging truck?

**Pat Curran:** 107,000 pounds fully loaded. The trucks have radios so if they could talk to the buses and find out when they are on the road they could pull off and wait for them. There are so many ways to solve these problems without going to legislation. We can come up with a plan and work with this.

**Alicia Bodmer:** Without something in place the concern is keeping the terms throughout the work time. Contractors change and the terms don't get carried over.

**Larry Denis:** This can be solved by addressing the issued with terms in the contracts with the loggers, so you don't need legislation can solve this.

**Lydia Wright:** Would like to hear what the other two board members have to say about this issue.

**Linda Dobson:** This is time for the public to speak.

**John Quenell:** I am just listening

**Tom Tucker:** Why are you doing this on a Saturday morning? Where are the people from Keese Mill Road if they are so concerned about this? Have you received any correspondence on this issue?

**Alicia Bodmer:** We were hoping to have a local law to propose or something in place with the loggers. The people understood this was just to propose legislation and that a Public Hearing would be held later to address the issues. Received two letters and three more are coming.

**Lydia Wright:** Did not know the loggers were coming and wished more people were here. Glad the loggers are here to discuss the issues. Glad to see the Town Board getting on this issue right away.

**Tom Tucker:** Concerned that not more people from Keese Mill Road are voicing an opinion. Would urge the board to consider negotiations rather than passing a law on this issue and work this out the best you can.

**Larry Denis:** Will press for the issue of the northerly route to cut down on the traffic on the road, work with the bus schedule and see if we can make this work. Would like to set a precedence to talk and work is out before jumping into legislation.

**Phil Delarm:** I hear the gentlemen making the offer and trying to go the extra yard, but I hear nothing from the board. Doesn't see the board trying to compromise. The board is not saying anything.

**Alicia Bodmer:** We need to have a public hearing and have the loggers attend to answer questions.

**John Quenell:** Need a committee with Alicia Bodmer and loggers to discuss issues to present at the Public Hearing

There were no more comments from the Citizens.

**Motion made by Linda Dobson to Adjourn the Special Board Meeting at 9:21 a.m.,** second by Alicia Bodmer, Aye 4, Absent 1 (Tebbutt)

Respectfully submitted,

Elaine W. Sater  
Brighton Town Clerk