

# The Legislature of Rockland County



ILAN S. SCHOENBERGER  
LEGISLATOR, DISTRICT 4  
PLANNING AND PUBLIC WORKS, CHAIR

**MINUTES**  
**PLANNING AND PUBLIC WORKS COMMITTEE**  
**TUESDAY, FEBRUARY 25, 2014**  
**7:00 PM**

**MEMBERS PRESENT**

HON. I SCHOENBERGER, CHAIR  
HON. A. WOLFE, VC  
HON. M. GRANT, 2<sup>ND</sup> VC  
HON. D. JOBSON  
HON. J. MEYERS  
HON. A. PAUL

**MEMBERS ABSENT**

HON. P. MORONEY

**OTHERS PRESENT**

HON. P. SOSKIN  
HON. J. MURPHY  
HON. A. WEIDER  
N.. DOLINER  
R. MCKAY, ESQ.

HON. N. LOW HOGAN  
HON. H. CORNELL  
HON. B. KANTROWITZ  
A. CONNORS

Chair Schoenberger called the meeting to order at 7:05 p.m.

ADOPTION OF MINUTES, FEBRUARY 11, 2014

**MOTION TO ADOPT**  
**JOBSON/GRANT**

**UNAN**

1. REFERRAL NO. 6394 - APPROVING A PURCHASE IN EXCESS OF \$100,000 WITH H.O. PENN MACHINERY COMPANY, INC. IN THE AMOUNT OF \$236,808.66 FOR TWO 2) CATERPILLAR 420F BACKHOES WITH TWO (2) SPARE TIRES AND RIMS UNDER RFB-RC-2013-029 AND AUTHORIZING ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER CAPITAL PROJECT NO. 3402 – HIGHWAY DEPARTMENT THREE (3) YEAR EQUIPMENT REPLACEMENT PROGRAM (DEPARTMENT OF GENERAL SERVICES- DIVISION OF PURCHASING) (\$236,808.66)  
**(GERRY WALSH, COMMISSIONER, DGS, COMMISSIONER, DGS-PURCHASING)**  
**DL#2013-05165**

**MOTION TO APPROVE**  
**PAUL/MEYERS**

**UNAN**  
**TRANSFER TO B&F**

**ADDED SPONSORS SCHOENBERGER, WOLFE, GRANT, JOBSON, PAUL**

2. REFERRAL NO. 6803 - DISCUSSION ITEM: CLEARING OF SIDEWALKS ON NEW HEMPSTEAD ROAD, NEW CITY, NEW YORK  
(HON BARRY KANTROWITZ, LEGISLATURE)

Leg. Kantrowitz stated after a series of snow storms, that he was traveling east on New Hempstead Road and noticed that the sidewalks were not cleared and pedestrians were walking in the roadway. Leg. Kantrowitz questioned who the responsible party was for cleaning the snow from sidewalks in front of county property.

RC Highway Superintendent Charles Vezzetti stated under State Highway Law Section 140, snow removal from the sidewalks was the responsibility of the town. The Town says it is the responsibility of the abutting landowners and since county buildings are on county owned land abutting the New Hempstead Road it is the County's responsibility. There was additional discussion and the following actions were requested.

### **ACTIONS:**

**COUNTY ATTORNEY IS REQUESTED TO OPINE ON STATE HIGHWAY LAW CONCERNING THE MAINTENANCE OF SIDEWALKS. COUNTY ATTORNEY IS REQUESTED TO PROVIDE WRITTEN INTERPRETATION OF STATE HIGHWAY LAW AS IT PERTAINS TO SIDEWALKS. IN ADDITION, THE FOLLOWING SHOULD BE INCLUDED:**

**A. OPINION ON THE STATUTORY POWER OF THE TOWN TO ADOPT LAWS TO COMPEL COUNTY TO CLEAR SNOW ON SIDEWALKS ADJACENT TO COUNTY PROPERTIES**

**B. DOES SECTION 151/140 OF THE HIGHWAY LAW DIVEST THE TOWN OF ITS OBLIGATIONS TO CLEAR SNOW ON SIDEWALKS?**

**C. CAN THE COUNTY VOLUNTARILY CLEAR SIDEWALKS ON COUNTY ROADS ADJACENT TO COUNTY PROPERTY?**

**COUNTY ATTORNEY REQUESTED TO PROVIDE WRITTEN OPINION CONCERNING MAINTENANCE OF MAN-HOLE COVERS AS TO NOT MAINTAIN MANHOLE COVERS AT LEVEL TO ROADWAY.**

**QUESTION AROSE AS TO WHETHER OR NOT IT IS THE RESPONSIBILITY OF THE SEWER DEPARTMENT TO RAISE AND LOWER MAN-HOLE COVERS DURING ROAD RE-PAVING.**

**COUNTY HIGHWAY DEPARTMENT TO PROVIDE LEGISLATURE WITH AN INVENTORY OF SIDEWALKS ADJACENT TO COUNTY ROADS AND COUNTY PROPERTY IN TERMS OF LINEAR FEET/MILES.**

**MOTION TO ADJOURN: 7:40 PM  
JOBSON/GRANT**

**UNAN**