

**REGULAR MEETING OF THE TOWN BOARD**

**TOWN OF STEPHENTOWN  
26 GRANGE HALL ROAD,  
STEPHENTOWN, NEW YORK 12168  
MARCH 16, 2026**

The Regular meeting of the Town Board, Town of Stephentown was called to order by **Supervisor P. Roder** at **7:40PM** at the Town Hall.

**MEMBERS PRESENT:**

**(X) Supervisor Philip (PJ) Roder**  
**(X) Council Diana Clark**  
**(X) Council Kyle Kidney**  
**(X) Council John E. DeFreest Jr.**  
**( ) Council Tammy Madden**  
**(X) Town Clerk Stephanie Hoffman**

**OTHER TOWN OFFICIALS PRESENT:**

**(X) Highway Superintendent Alden Goodermote**  
**(X) Assessor Jennifer VanDeusen**  
**(X) Town Justice Cyril Grant**  
**(X) Tax Collector Mary Grant**

A quorum (X) was ( ) wasn't established.  
6 from the Public were present

**AUDIT OF CLAIMS:**

- Claim #50-26 through #72-26 in the amount of **\$25,671.48 to be approved** from the **General Account**
- Claim #39-26 through # 51-26 in the amount of **\$28,823.94 to be approved** from the **Highway Account**
- For a **Total of \$54,495.42** and approved by the Town Board.

**MOTION BY: DEFREEST, JR**                      **SECONDED BY: CLARK**  
**VOTES OF:            4 AYE**                      **0 NAY**

Minutes of the **February 16, 2026, Regular Town Board Meeting** were approved by the Town Board as written.

**MOTION BY: KIDNEY**                      **SECONDED BY: DEFREEST, JR**  
**VOTES OF:            4 AYE**                      **0 NAY**

**TOWN CLERKS REPORT:** The Town Clerk turned over the sum of **\$692.26** to the Supervisor for the month of **FEBRUARY 2026**.

**JUSTICE COURT REPORT:** The distribution from the Office of the State Comptroller, Justice Court Fund to the Town of Stephentown for the month of **January 2026** was **\$1,107.00**.

**TRANSFER STATION REPORT:** The Transfer Station deposited a total of \$\_\_\_\_\_.**00** for the month of **January 2026**.

Bags: \$    C&D & Metal: \$    Tires: \$  
Stickers: \$    Propane Tanks: \$    Appliances: \$

**TRANSFER STATION REPORT:** The Transfer Station deposited a total of \$\_\_\_\_\_.**00** for the month of **February 2026**.

Bags: \$    C&D & Metal: \$    Tires: \$  
Stickers: \$    Propane Tanks: \$    Appliances: \$

**ACCOUNT TOTALS:**

<b>GENERAL \$922,802.01</b>	<b>HIGHWAY \$1,794,484.16</b>
<b>GENERAL RESERVE FUND \$1,045,545.42</b>	<b>HIGHWAY RESERVE FUND \$753,664.36</b>
<b>BEACON ESCROW \$ 885.19</b>	<b>BEACON ESCROW FOR PLANT (BOND) \$5,000 &amp; \$70,000</b>

**MEETING OPEN TO PUBLIC COMMENT:**

*Reminders to All Participants who would like to speak: (this meeting is on Live Stream and is being recorded)*

- *Raise your hand prior to speaking*
- *Announce your name and the Town you reside in.*

- There is a 3-to-5-minute window for each speaker per Resolution 1 of the fiscal year
- Any disruptive conduct will be addressed at any meeting if the Town Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible. The Chair (Town Supervisor) may recess the meeting or order the person, group or groups of persons willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its business.

<b>Fire Department Report for</b>	<b>Feb. 2026</b>
EMS with Transport	10
EMS without Transport	1
Extrication of any type	0
Motor Vehicle with injury	1
Motor Vehicle no injury	4
Search for lost person	0
EMS unable to respond	0
Mutual Aid given EMS	5
Fire Mutual Aid given	1
Fire Mutual Aid received	0
Structure Fire	1
Mobile Home Fire	0
Chimney Fire CONTAINED	0
Burner/Boiler Malfunction	0
Vehicle Fire	0
Brush Fire	0
Outside Fire-trash, rubbish or other	1
Hazardous Condition	0
Carbon Monoxide activation	1
Cover Assignment/Standby	0
Good Intent	4
Call Cancelled	0
False Alarm MALICIOUS	0
False Alarm – system malfunction	2
Weather Wires Down	0
Special Incident - other	0
<b>Monthly Total:</b>	<b>30</b>
<b>YTD:</b>	<b>63</b>

K. Roppolo, Library Director provided an update to the event happening at the Library – check out the website for more information on craft day, baby café, and the Easter event scheduled for April 4<sup>th</sup> at 1p.m.

J. Peabody provided an update to the new ambulance, hoping by the end of this month it will be delivered.

Scott Metzler returned to inquired again about the Mud Bogs and asked “why Stephentown was allowing it?”.

Council DeFreest Jr reported that he looked into the matter and the property is privately owned, the owner is entitled to use it how they see fit, we cannot tell someone that they cannot access their own property. Followed up with Code Enforcement and the ticket booth was on the Stephentown side of the property and Code Enforcement addressed this and it was moved to the New Lebanon side of the property.

S. Metzler asked if the town gave permits out to conduct such events.

Council DeFreest Jr we don’t give permits out to enter property, “it’s the equivalency of trying to stop someone driving down Route 22 to the race track.”

**RESOLUTION # 33 OF 2026**

**RESOLUTION AUTHORIZING THE INSERTION OF INFORMATIONAL MATERIALS WITH TOWN TAX BILLS**

**WHEREAS**, the Town Board adopted Local Law No. 1 of the Year 2026 entitled “A Local Law to Allow the Insertion of Informational Materials In Certain Tax Bills Mailed By The Town of Stephentown”

**WHEREAS**, said local law authorizes the insertion of a notice, circular, pamphlet, card, handbill or other enclosure concerning a matter of public concern, but excluding any and all material that is political in nature, is propaganda, or is any type of commercial advertising provided same is further authorized by resolution of this Board;

**NOW THEREFORE BE IT RESOLVED THAT** the following are the only authorized Insertions per said law: notices relating to Tax Collector, such as key dates for payment, office hours, phone numbers, email and related contact information as well as Town Board notices, permits fees and charges payable to the Town. No materials that are political in nature, are propaganda, or are any type of commercial advertising provided same is authorized.

**MOTION BY: DEFREEST, JR**

**SECONDED BY: KIDNEY**

**VOTES OF: 4 AYE**

**0 NAY**

**RESOLUTION # 34 OF 2026**

**OPENING OF SEALED LAWN MOWING BIDS FOR 2026**

**WHEREAS:** the Town Board requested sealed BIDs for the 2026 Lawn Mowing at the Town Park and the Town Hall, and

**WHEREAS:** the Town Clerk’s Office received 1 sealed BIDs by March 16, 2026, at 7:00PM from:

1. Everything Green Lawn & Landscaping for the amount of \$190.00/month for the Town Hall AND \$173.00/month for the Town Park.

now therefore be it

**RESOLVED:** that the Town Board would like to award the 2026 Lawn Mowing to Everything Green Lawn & Landscaping for the amount

of \$190.00/month for the Town Hall AND \$173.00/month for the Town Park.

MOTION BY: CLARK

SECONDED BY:

DEFREEST, JR.

VOTES OF:

4 AYE

0 NAY

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RESOLUTION # 35 OF 2026

**A RESOLUTION ACCEPTING THE RESIGNATION OF THE HONORABLE CYRIL GRANT AS TOWN JUSTICE**

**WHEREAS**, Town Justice Cyril Grant has tendered his resignation letter, which letter states his resignation shall be effective 12:01 a.m., April 4, 2026, to the Town Clerk and advises he has also transmitted same to the Chief Administrative Judge of the Office of Court Administration;

**WHEREAS**, Town Justice Grant advises his resignation is needed for retirement purposes;

**WHEREAS**, the Town Board is appreciative of the many years of service by Judge Grant;

**NOW THEREFORE BE IT RESOLVED** THAT effective 12:01 a.m. on April 4, 2026, the Town Board accepts Judge Grants resignation, which resignation shall be effective 12:01 a.m., April 4, 2026.

MOTION BY: KIDNEY

SECONDED BY: DEFREEST, JR

VOTES OF:

4 AYE 0 NAY

*Town Justice Grant reported this is for the sole purpose of retiring and is a required by NYS retirement and he will be required to run again in this year's general election.*

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RESOLUTION # 36 OF 2026

**CALLING FOR A SPECIAL MEEETING TO BE HELD ON APRIL 6, 2026 FOR THE PURPOSE OF FILLING AN EXPECTED VACANCY IN THE OFFICE OF THE TOWN JUSTICE**

**WHEREAS**, the Town Board has been advised of, and accepted the resignation of Town Justice Grant, effective 12:01 a.m., April 4, 2026;

**WHEREAS**, there is the need to fill that position;

**NOW THEREFORE BE IT RESOLVED** the Town Board, at the request of the Town Supervisor, hereby calls for a special meeting of the Town Board to be held on April 6, 2026, at 7:00 p.m. at Town Hall for the purpose of considering the appointment to fill the expected vacancy of Town Justice, presently held by the Hon. Cyril Grant.

MOTION BY: RODER

SECONDED BY: DEFREEST, JR

VOTES OF:

4 AYE

0 NAY

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RESOLUTION # 37 OF 2026

**THE TOWN BOARD OF THE TOWN OF STEPHENTOWN RE-AUTHORIZING EXECUTION OF GENERAL RELEASE AND INDEMNITY AGREEMENT WITH THE STEPHENTOWN TRAIL RIDERS ASSOCIATION**

**WHEREAS**, this Board authorized the execution of a General Release and Indemnity Agreement with the Stephentown Trail Riders Association at the February 16, 2026 meeting;

**WHEREAS**, the tendered insurance certificate received after the meeting required a slight addition to that agreement;

**NOW THEREFORE BE IT RESOLVED THAT** the Town Board authorizes and re-authorizes the Town Supervisor to execute the General Release and Indemnity Agreement and hereby ratifies any prior execution thereof.

MOTION BY: DEFREEST, JR

SECONDED BY: CLARK

VOTES OF:

4 AYE

0 NAY

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RESOLUTION # 38 OF 2026

**AUTHORIZING EXECUTION OF A REVISED ESCROW AGREEMENT WITH STEPHENTOWN I, LLC.**

**WHEREAS**, Stephentown I, LLC has made application to establish a community solar farm on a portion of the Deyo property on West Road;

**WHEREAS**, the Town Zoning Board of Appeals and Town Planning Board will need the assistance of an engineer for the review of the proposed project;

**WHEREAS**, following the authorization at the February 16, 2026 meeting Stephentown I, LLC and the Town have engaged in additional discussions as to desired revisions to the authorized Escrow Agreement.

**NOW THEREFORE BE IT RESOLVED THAT** following review by counsel, the Town Supervisor is hereby authorized to execute the revised Escrow Agreement with Stephentown I, LLC as approved by the Attorney for the Town.

MOTION BY: CLARK

SECONDED BY: KIDNEY

VOTES OF:

4 AYE

0 NAY

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**PUBLIC HEARING  
PROPOSED LOCAL LAW 5 OF 2026  
A LOCAL LAW OPENING CERTAIN ROADS FOR SNOWMOBILES  
IN THE TOWN OF STEPHENTOWN  
TOWN OF STEPHENTOWN  
26 GRANGE HALL ROAD,  
STEPHENTOWN, NEW YORK 12168  
MARCH 16, 2026**

The Public Hearing of the Town Board, Town of Stephentown was called to order by **Supervisor Philip Roder** at 7:03 PM at the Town Hall.

**MEMBERS PRESENT:**

**(X) Supervisor Philip (PJ) Roder**  
**(X) Council Diana Clark**  
**(X) Council Kyle Kidney**  
**(X) Council John E. DeFreest Jr.**  
**( ) Council Tammy Madden**  
**(X) Town Clerk Stephanie Hoffman**

**OTHER TOWN OFFICIALS PRESENT:**

**(X) Highway Superintendent Alden Goodermote**  
**(X) Assessor Jennifer VanDeusen**  
**(X) Town Justice Cyril Grant**  
**(X) Tax Collector Mary Grant**

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

30 from the Public were present

- **PUBLIC HEARING TO DISCUSS THE PROPOSED:** Local Law allowing the opening of certain town highways for snowmobiles in the Town of Stephentown.

**MEETING OPEN TO PUBLIC COMMENT:**

*Reminders to All Participants who would like to speak: (this meeting is on Live Stream and is being recorded)*

- *Raise your hand prior to speaking*
- *Announce your name and the Town you reside in.*
- *There is a 3-to-5-minute window for each speaker per Resolution 1 of the fiscal year*
- *Any disruptive conduct will be addressed at any meeting if the Town Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible. The Chair (Town Supervisor) may recess the meeting or order the person, group or groups of persons willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its business.*

*Supervisor Roder read the proposed law [attached], and provided a brief description as to why we are proposing this local law. In 2007, Roder brought a resolution to the Town Board to be passed for the snowmobiles to use the town roads to access the trails. NYMO is requesting that all the clubs have signed agreements and get the approval by the Town. The Town's insurance company NYMIR is requiring this local law and agreement and the State will not provide it. The Town Board is not opposed to the snowmobile use in Town.*

*David Cummings, resident and Vice President of the snowmobile club reported that they are covered by the NYS Snowmobile Association and the National Grid covers the insurance. He reported that he does not see an objection to the proposed law and asked where things go from here.*

*Supervisor Roder again stressed that the town board is not opposed to allowing access, and that the insurance company is requiring this. Both attorneys are waiting for the certificate of insurance listing the Town as an additional insured, and New York is not providing it.*

*D. Cummings asked how this gets fixed.*

*Supervisor Roder reported that it needs to come from the insurance company. There is nothing that can be done until they sign and provide it to us.*

*Ryan Sweeney, landowner and member of the snowmobile club inquired if the local law was the only thing that they had to agree to and questioned the "19 page" email they received.*

*Supervisor Roder stated that is the indemnity agreement and will discuss further with the attorneys.*

*Kevin Darcy questioned the "time restrictions" and asked if they would only be allowed to ride during the day.*

*Supervisor Roder stated a headlight is required, if you do not have a headlight, you can only ride during the day hours. You are required to have a headlight.*

*Shawn Bergdoll asked if we were only waiting for NY to sign off.*

*Supervisor Roder seemingly it is a nonprofit office that review what we provide and they don't have the legal staff to review it.*

*Council DeFreest, Jr. points out a statement made by D. Cummings in regards to "is this to just protect the Town". DeFreest, Jr. reminds the residents that they all are "the Town". We all pay taxes for Stephentown.*

*Tom Kieley from Brunswick snowmobile club, reported that they required the same and had no issues getting the insurance binder. He asked if the Town was requiring different verbiage.*

*Supervisor Roder mentioned that it is the same verbiage that NYMO required and they had no problem signing for them. The Town just lost a large law suit and the insurance company is not going to let this go.*

*Tom Kieley stated that anyone on a snowmobile cannot sue a landowner and stated it is in the law.*

*Bill Bergdoll inquired on who insures the walking trails.*

*Council DeFreest, Jr. answered "the Landowner". He reported that he attended an open house when the walking trails were coming in town since he lives on the railroad and it was a question many landowners had. The answer they received was "It is rare for the landowner to lose."*

*Supervisor Roder ensured the public that they will be riding next year and that they will continue to work with the attorneys and insurance company to get on the same page.*

*Chad Gerstel asked if other insurance companies were a possibility for the Town, one that wouldn't require this.*

*Supervisor Roder reported that there are other companies but the cost will be significant and that this is for the protection of the residents, it's not to punish or stop anyone from riding.*

*Jarod Bouchard from Grafton Snowmobile Club thanked the Town Board for their time and looking into the matter.*

**MOTION TO ADJOURN AT 7:37 PM**

**MOTION BY: DEFREEST, JR.**

**SECONDED BY: CLARK**

**VOTES OF:**

**4 AYE**

**0 NAY**

*Stephanie M. Hoffman*

**Town Clerk**

## EXHIBIT A

### **TOWN OF STEPHENTOWN LOCAL LAW NUMBER 5 OF THE YEAR 2026 A LOCAL LAW OPENING CERTAIN ROADS FOR SNOWMOBILES IN THE TOWN OF STEPHENTOWN**

BE IT ENACTED, by the Town Board of the Town of Stephentown, that the Code of the Town of Stephentown is hereby amended as follows:

#### SECTION 1. TITLE

This local law shall be known and cited as "Town of Stephentown Local Law No. 5 of the Year 2026 Opening Certain Roads for Snowmobiles in the Town of Stephentown"

#### SECTION 2. PURPOSE AND AUTHORITY

The Town Board of the Town of Stephentown has determined, upon request of residents of the town, that it is appropriate for snowmobiles to be operated on certain town highways and deems it appropriate to designate such town highways for travel by snowmobiles subject to and in accordance with the following conditions as otherwise regulated by state law.

The New York State Parks, Recreation and Historic Preservation Law §§ 25.05 and 25.09 authorizes municipalities to post and designate certain highways within such municipalities for travel by snowmobiles and the Town Board of the Town of Stephentown hereby exercises such authority.

#### SECTION 3. INCONSISTENT LAWS OR REGULATIONS.

All local laws, ordinances or resolutions inconsistent with any provision or provisions of this law are hereby repealed. Specifically repealed is resolution 23 of the year 2007.

#### SECTION 4. DEFINITIONS.

Unless otherwise provided, all words, phrases and terms herein shall have the same meaning as set forth in the New York State Parks, Recreation and Historic Preservation Law, Title D, Snowmobiles.

#### SECTION 5. TOWN HIGHWAYS DESIGNATED FOR TRAVEL BY SNOWMOBILES

Unless otherwise prohibited in New York State Parks, Recreation and Historic Preservation Law § 25.05, snowmobiles may be operated on the shoulder or inside bank of the following town highways and not others and only if same have appropriate signage as provided by all applicable statutes, rules and regulations, it being hereby determined that as to such designated highways the slopes or areas outside the guardrails or on the back side of the snow embankments are nonexistent or impassable: Newton Road, Moore Hill Road, Black River Road, Round Mountain Road, Knapp Road, Pease Road, Calvin Cole Road, Grange Hall Road, CCC Dam Road, Andrews Lane, Southard Hotel Road, South Pease Road and Osgood Road.

#### SECTION 6. CONDITIONS AND RESTRICTIONS ON SNOWMOBILE OPERATIONS.

A. Whenever the operation of a snowmobile is permitted on any highway in the Town as provided in Section 5 above, the conditions and restrictions set forth both herein and in New York State Parks, Recreation and Historic Preservation Law § 25.05 et seq. shall be applicable to all such snowmobile operation. In addition at highway crossings, snowmobiles shall be operated so as to take a direct crossing of a highway provided that the crossing is made at an angle approximately 90° to the direction of the highway, at a place where no obstruction prevents a quick and safe crossing, the snowmobile is brought to a complete stop before crossing the main travelled way of the highway and the driver yields the right of way to all oncoming traffic.

B. In addition to the restrictions set forth in subpart A above, it shall be unlawful for any person to drive or operate any snowmobile in the following unsafe or harassing ways on any Town of Stephentown snowmobile trail or highway:

1. Imprudent speed. At a rate of speed greater than reasonable or proper under the surrounding circumstances and in no event greater than 15 mph.
2. Reckless operation. In a careless, reckless or negligent manner so as to unreasonably endanger the person or property of another or to cause injury or damage thereto.
3. Narcotics and drugs. While in an intoxicated condition or under the influence of narcotics or drugs as defined in section 114-A of the Vehicle and Traffic Law of the State of New York.
4. Failure to stop and yield. In any place at any time failing to stop and yield to an authorized ambulance, civil defense or police snowmobile or police vehicle being operated as an emergency vehicle and approaching from any direction.
5. Failure and refusal to comply. In any place at any time failure or refusal to comply with any lawful order or direction of any police officer or other person duly empowered to enforce all laws of the state relating to snowmobiles.
6. Pulling Person or Certain Equipment. Pulling a person on skis or drawing or towing a sleigh, sled or toboggan which carries or transports any person. No person on skis shall be pulled by, and no person shall ride on or in a sleigh, sled or toboggan which is being towed or trailed by a snowmobile on a highway.
7. On lands of another on private property, without the consent of the owner or lessee thereof. Any person operating a snowmobile upon lands of another in violation of this section shall stop and identify himself upon the request of the landowner, his or her duly authorized representative or lessee, and if requested to do so by the landowner, representative or lessee shall promptly remove said snowmobile from the premises. This law does not obviate any need to obtain consent of any landowners who may have a superior right to the rights of the Town, if any.
8. Noncompliant lighting.
  - a. Between sunset and sunrise or when lights are required for safety without displaying at least one lighted headlight and taillight.
  - b. Operating other than as an emergency vehicle and displaying one or more lighted red or combination red or white lights which is revolving, rotating, flushing, oscillating or constantly moving light.

#### SECTION 7. OBEDIENCE TO VEHICULAR TRAFFIC CONTROLS.

Each person operating a snowmobile on any town snowmobile trail or highway shall observe all vehicular traffic signs and signals and all rules and regulations applicable to vehicular traffic and shall obey the order and directions of any state, county or local police officer or town constable or any other law enforcement officer authorized to direct or regulate traffic.

#### SECTION 8. SEASONS OF OPERATION/TIME OF OPERATION.

No person shall operate a snowmobile on the land permitted by this local law from the first day of April through November 30th of each and every year and shall not operate a snowmobile from sundown to sun up on such permitted days.

#### SECTION 9. LIABILITY INSURANCE.

No snowmobile shall be operated on any Town of Stephentown snowmobile trail or highway designated as open to the public in the Town of Stephentown, unless the owner of such snowmobile has secured a policy of insurance, affording coverage against liability imposed by law for bodily injury or death and for property damage to at least the minimum limits as required by the provisions of section 25.13 of the Parks, Recreation and Historic Preservation Law of the State of New York and the regulations promulgated thereunder.

- A. The owner of a snowmobile shall maintain proof of financial security by means of a certificate of insurance, indicating compliance with the minimum coverage requirements of the aforementioned section. The failure to produce such certificate of insurance, when required to do so upon the demand of a magistrate, state, county or local police officer or town constable which such vehicle is being operated on any highway or public highway which includes snowmobile trails in the Town of Stephentown, shall be presumptive evidence of operating a snowmobile without securing policy of insurance.
- B. This section specifically supersedes the provision of section 25.13(1) of the New York State Parks, Recreation and Historic Preservation Law by requiring liability insurance for operation on all snowmobile trails.

#### SECTION 10. INCORPORATION OF NEW YORK STATE PARKS, RECREATION AND HISTORICAL PRESERVATION LAW.

This local law does not except out, and therefore affirmatively incorporates by reference, all other aspects of the New York State Parks, Recreation and Historic Preservation Law not inconsistent or superseded herewith.

#### SECTION 11. FILING OF COPY OF LAW WITH NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

A copy of this local law shall be filed with the New York State Office of Parks, Recreation and Historic Preservation.

#### SECTION 12. 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 Stephentown shall be liable and responsible for death or injury to a person or damage to property resulting from negligence and the use or operation of such snowmobile by any person using or operating the same with the permission, expressed 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.

#### SECTION 13. PRIOR WRITTEN NOTICE.

With respect to injuries arising from the operation of snowmobiles, no civil action shall be maintained against the Town of Stephentown or any officer or employee thereof, for damages or injuries to person or property sustained by reason of any snowmobile trail, highway, bridge, street, sidewalk, crosswalk or culvert being defective, out of repair, unsafe, dangerous or obstructed, unless prior written notice of such defective, unsafe, dangerous or obstructed condition on such snowmobile trail, highway, bridge or culvert was actually given to the municipal agent, officer or employee authorized by § 311 of the Civil Practice Law and Rules to receive service or to the chief municipal officer in charge of highway supervision and maintenance, and there was a failure or neglect within a reasonable time thereafter to repair or remove the defect, danger or obstruction complained of. No such actions shall be maintained for damages or injuries to person or property sustained solely due to conditions caused by snow and/or ice removal, or the non-removal thereof, from any Town of Stephentown snowmobile trail or highways designated as open to snowmobiles in the Town of Stephentown.

#### SECTION 14. SEVERABILITY

The invalidity or unenforceability of any section, sub section, paragraph, sentence, clause, provision, or phrase of the aforementioned sections as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

#### SECTION 15. PENALTIES FOR OFFENSES.

Failure to comply with any of the provisions of this local law shall be deemed a violation and the violator shall be liable for a fine of not more than \$250 for a first violation and \$350 for a second violation and \$500 for any subsequent violation.

#### SECTION 16. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the New York State Department of State's office.