

From: [Maura Weissleder](#)
To: [Maura Weissleder](#)
Date: Monday, May 13, 2024 8:53:28 AM

Supervisor Lachterman,

Draft 4 of the ATV law is a significant improvement over prior versions. However, my comments have been disregarded in this draft.

The law specifies the offense as "disorderly conduct" which by law is only enforceable by personal observation of a police officer or a peace officer pursuant to their special duties.

Also, no consideration has been given for the creation of an additional civil violation so that the Town Prosecutor can propose a civil penalty instead of a violation conviction without monetary recompense to the Town. It should be noted that a conviction for "disorderly conduct" requires "guilt beyond a reasonable doubt" while a sustaining a finding for a civil violation only requires a "preponderance of evidence".

Further, the law does not exempt utility or similar personnel from riding and inspecting electric, gas and water lines when they have to cross or enter Town property. For example, riding and / or inspecting the Catskill, Croton or New Croton Aqueducts, or riding and / inspecting the electric transmission lines.

Request that these items be addressed in a new draft prior to any public hearing.

Jay Kopstein