

DRAFT

COUNTY OF GREENE
TOWN OF NEW BALTIMORE
PUBLIC HEARING FOR PROPOSED LOCAL LAW #2 OF 2013
INCREASING ENUMERATION FEE FOR DOGS FOUND UNLICENSED
IN TOWN OF NEW BALTIMORE
FEBRUARY 11, 2013- page 1

Supervisor opened the Public Hearing regarding Proposed Local Law #2 of 2013 Increasing Enumeration Fee for Dogs Found Unlicensed in Town of New Baltimore. Supervisor opened the Public Hearing regarding Proposed Local Law #1 of 2013 Establishing New Schedule of Real Property Tax Exemptions for Persons 65 or over and Persons with Disabilities and Limited Incomes at 7:52pm. Also attending: Councilwomen Benway and Finke, Councilman Meredith, Attorney for the Town Wukitsch, Highway Superintendent Jordan, Deputy Town Clerks Loux and Jordan, and 13 members of the public who signed the attendance sheet. Absent: Councilman Norris (out of town), Town Clerk Brooks (ill).

Supervisor reported that Greene County Public Health had sent many reports of bites by unlicensed and unvaccinated dogs, folks who call looking for their dog that had gotten out and dog is not licensed; Town resources are used. Prudent to look at enumeration or late fee; current Code reads \$5, may be insufficient to get dogs licensed; proposed amount is \$50. Kingsley Greene asked for \$100 to get owners' attention.

Ellie Alfeld asked whether fees would be used to pay for the census.

Supervisor said first mailing, then probably knocking on doors by animal control officer and town board members, residents; some license year after year, some do not. Fines and penalties would go back to General Fund. Revenue allows the Town Board to hire help for ACO.

Ellie reminds that a licensed dog may still bite, not on leashes, not under control; unless you enforce the law on the books.

Councilwoman Benway added that the dog would have vaccination.

Bob Krug said there are updated laws, under control and on leash, Mr. Tanner is employed during the day, dogs run during the day, if he doesn't see it he cannot enforce it.

Supervisor believes that a complaint may be taken by the court.

Kevin Kemnab believes article from NYS Ag and Markets is out of proportion for number of dogs; can there be a lifetime license; and suggests \$250 for enumeration.

Ellie asked Attorney Wukitsch regarding the hamlet, must be leashed, adjudicated by justices, this would be handled by Town Board or Town Clerk; this will not go through the justices.

Attorney Wukitsch said the best systems rely on enforcement, costing taxpayer dollars, someone available nearly full-time, issuing tickets and violations to town court, and an attorney handling those cases in town court, costing thousands of taxpayer dollars.

Bob Krug suggests possibility of volunteer to do part of this, having them collect portion of fee that violation; Attorney Wukitsch said no, according to Comptroller's Office, or the provision of a hidden incentive of a violation that may be meritless, personal. Attorney Wukitsch appreciates the idea but volunteering; Bob felt enough are frustrated with situation. Attorney Wukitsch felt full or parttime, dedicated, trained in the law provisions, to deter and make an effective prosecution, may need an attorney, may not be every court session, but someone charged with prosecuting these matters, and paid on an hourly basis.

Supervisor added that many towns have gone to prosecutors.

Supervisor asked for any further comment.

Councilwoman Finke asked, if someone is assessed a penalty and they don't pay, what happens.

Attorney Wukitsch said they could be taken to court, face a stiffer fine in court.

Supervisor said right now this is just for an enumeration fee.

Bob Krug offered that a graduated fee would provide more incentive.

Hearing no further comment, Supervisor moved to close the public hearing and was seconded by Councilwoman Benway. The adoption of the foregoing Motion was duly put to a vote, and the vote was as follows:

BENWAY-AYE FINKE-AYE MEREDITH-AYE
NORRIS-Absent O'RORKE-AYE
Motion Carried

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The public hearing was closed at 7:08 pm.

Respectfully,

Janet A. Brooks
Town Clerk