

PUBLIC HEARING: LOCAL LAW 1 OF 2010: DOG CONTROL
PUBLIC HEARING: RAY BROOK WATER RATES

TUESDAY, DECEMBER 14, 2010

Minutes of the Public Hearing held on the above date beginning at 6:45 pm at the Lake Placid Beach House, 49 Parkside Drive, Lake Placid, New York.

Members Present: Supervisor Politi, Councilman Doty, Councilman Rand, Councilman Favro, Laurie Curtis Dudley

Members Absent: Councilman Miller

Others Present: Larry Straight, Chris Knight, Attorney Ron Briggs, Laura Clark, John Viscome, George Viscome, Marsha Roy, Bernie Roy, Carl Czerwinski, Jim Morganson

Supervisor Politi called the Public Hearing to order at 7:04 pm

PUBLIC HEARING – DOG CONTROL LAW

Supervisor Politi read the following notice which was properly published and posted:

Please take notice that the Town of North Elba will hold a public hearing on December 14, 2010 at 6:45pm at the Lake Placid beach House, 49 Parkside Drive, Lake Placid, New York, for the purpose of discussing a proposed local law as follows:

Dog Control Law providing for the restriction of dog ownership, mandatory licensing of dogs, procedure for seizing dogs, and penalties for violation of said Dog Control Law.

This Local Law shall take effect January 1, 2011 after filing with the Secretary of State.

Copies of this proposed Local Law are available for inspection at the office of the Town Clerk for the Town of North Elba, at the Town Hall, 2693 Main Street, Lake Placid, New York.

Said hearing shall be held at the Lake Placid Beach House, 49 Parkside Drive, Lake Placid, New York 12946.

Supervisor Politi stated the reason for the new local law is tied into the fact that the State of New York has chosen to no longer take control or ownership for dog law for the State of New York. The duties are falling on municipalities to take care of the licensing of dogs and dog ownership rules and regulations. By passing this local law it covers the ability for the Town of North Elba to license dog and provides for restriction and procedures for seizing dogs and penalties for violation of said law. He stated would you, Ron, give a synopsis of the law.

Attorney Briggs stated it has to do with licensing and remedies for people who don't license or leash their dogs. There are other areas of law which control dogs that might be redeemed dangerous. That is under the Agricultural and Markets Law. The local law does not address that at all. Someone might have a dog that runs free; that would violate the local law. If that dog also shows dangerous propensities to either people or other domestic animals, that would trigger certain remedies under the Agricultural and Markets Law. Essentially this law has to do with licensing, Seizing of dogs that are not licensed and fines to people who do not license their dogs or allow their dogs to run free without leashes.

Supervisor Politi asked Attorney Briggs for the cost of the fines.

Attorney Briggs stated any person convicted of a violation of this local law shall be liable for a civil penalty in the minimum amount of \$25 up to \$250. Any dog that is seized you will have to pay in addition \$75 to recover your dog.

Supervisor Politi asked Laurie Curtis Dudley for the licensing cost.

Laurie Curtis Dudley stated the new fees will be \$10 for neutered/spayed dogs and \$20 for non-neutered/Spayed dogs. We have to send \$1 for each neutered/spayed dogs and \$3 for each dog that is not neutered/spayed to Agricultural and Markets.

Supervisor Politi opened the meeting to the public.

Carl Czerwinski stated I have had a problem in the past with a neighbor. He and my wife had a big falling out. Every time my dog barks the next thing I know the troopers are at the door. I'm not talking at 4:00 in the morning. This guy has a vendetta. When my dog barks then there is a

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trooper at my door. The troopers have been my neighbors and they don't seem to have a problem but he does. The old law said something about "reasonable" something.

Attorney Briggs stated the section which addresses that is, "to engage in habitual and loud howling, barking, crying, or wining." If your dog doesn't do that then it doesn't trigger this provision.

Carl Czerwinski stated what is considered habitual? Mt neighbor come over to me and says the trooper is at my house and so-and-so wrote down that your dog was barking for 15 seconds.

Attorney Briggs stated 15 seconds is not habitual and I am surprised a trooper would entertain that complaint.

Carl Czerwinski stated he had to answer the complaint. When he got to the guys house this guy marks everything down. He lives right on a highway where the trucks go by, you know BRRRR. I live a couple doors down and he still complains.

Supervisor Politi stated I don't think you can stop the troopers from coming to your door. The fact is they don't do anything. I wouldn't worry about it. If your dog was barking hours at a time and disrupting the entire neighborhood then you would get a fine.

Carl Czerwinski stated they don't do that. Believe me; they irritate me just as much as they do everybody else. Thank you.

No one else came to talk about the Dog Control law. Supervisor Politi closed the Public Hearing regarding the proposed local law at 7:11 pm.

Respectfully Submitted,

Laurie Curtis Dudley
Town Clerk

PUBLIC HEARING: LOCAL LAW 1 OF 2010: DOG CONTROL
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Minutes of the Public Hearing held on the above date beginning at 6:50 pm at the Lake Placid Beach House, 49 Parkside Drive, Lake Placid, New York.

Members Present: Supervisor Politi, Councilman Doty, Councilman Rand, Councilman Favro, Laurie Curtis Dudley

Members Absent: Councilman Miller

Others Present: Larry Straight, Chris Knight, Attorney Ron Briggs, Laura Clark, John Viscome, ?? Viscome, Marsha Roy, Bernie Roy, Carl Czerwinski

Supervisor Politi called the Public Hearing to order at 7:11 pm.

PUBLIC HEARING – RAY BROOK WATER RATE CHANGE

Supervisor Politi read the following notice which was properly published and posted;

Please take notice that the Town of North Elba will hold a public hearing on December 14, 2010 at 6:50 pm at the Lake Placid Beach House, 49 Parkside Drive, Lake Placid, New York, for the purpose of considering raising the water rates for the Ray Brook water district as follows:

1. Residential Flat Rate from \$62.00 per quarter to \$71.80 per quarter; and
2. Commercial Meter Rates to be increased as follows:

Step 1 Water usage less than or equal to 14,961.038 gallons a flat rate of \$71.80.

Step 2 Water usage greater than 14,961.038 gallons and less than or equal to 187,012.975 gallons a rate of \$0.005762 per gallon.

Step 3 Water usage greater than 187,012.975 gallons and less than or equal to 748,051.90 gallons a rate of \$0.006617 per gallon.

Step 4 Water usage greater than 748,051.90 gallons a rate of \$0.007486 per gallon.

At such time and place said Town Board will consider the aforesaid matter and hear all person interested in the same.

Supervisor Politi stated this law will take effect February 1, 2011.

Attorney Briggs stated since that notice went out it was decided with Cathy Gregory to convert the water usage to cubic feet because that is the way the meters work.

Supervisor Politi read the new rate conversion is as follows:

1. Residential Flat Rate from \$62.00 per quarter to \$71.80 per quarter; and
2. Commercial Meter Rates shall be calculated in cubic feet and charged in increments of 1000 cubic feet and shall be increased as follows:

Step 1 The first 2000 cubic feet of water usage or portion thereof shall be the flat rate of \$71.80.

Step 2 The next 23,000 cubic feet of water usage or portion thereof shall be \$43.10 per 1000 cubic feet.

Step 3 The next 75,000 cubic feet of water usage or portion thereof shall be \$49.50 per 1000 cubic feet.

Step 4 All water usage in excess of 75,000 cubic feet shall be \$56.00 per 1000 cubic feet.

Supervisor Politi opened the meeting to the public.

Supervisor Politi asked Councilman Doty, “Where are all the people from Ray Brook” which he responded stating, “They’re satisfied!”

No one came to talk about the Ray Brook Water Rate change. Supervisor Politi closed the Public Hearing at 7:13 pm.

Respectfully Submitted,

Laurie Curtis Dudley,
Town Clerk