

**Town of Barre**  
**Board Meeting**  
November 10, 2010

Present: Supervisor Mark Chamberlain  
Councilman Peter Beach  
Councilman Lynn Hill  
Councilman Larry Gaylard  
Councilman Thomas McCabe, Absent

Others present: Maureen Beach, Town Clerk; Dale Ostroski, Highway Superintendent; Lance Mark, Town Attorney, Adrienne Daniels, Deputy Town Clerk.

Meeting was called to order at 7:00pm by Supervisor Chamberlain with the salute to the flag.

Minutes

The minutes for the October, 2010 Town Board meeting were submitted and approved.

SUPERVISOR'S REPORT

<u>Account</u>	<u>Ending Balance</u>
General Fund	\$308,316.76
Highway Fund	155,370.41
Highway Capital	129,590.91
Water Dist. #1 Oper.	27,639.63
Water Dist. #2 Oper.	2,812.16
Water Dist. #3 Oper.	7,122.83
Water Dist. #4 Oper.	7,967.87
Debt Service	37,452.73

HIGHWAY SUPERINTENDENT REPORT

Painted and replaced bolts on fire hydrants, painted walls in break room and garage, cleaned equipment for winter storage, flushed dead ends, pot holes were repaired. Got an update estimate to insulate the ceiling on the highway garage. NES Contracting \$2,700.00 per bay or \$5,000.00 per two bays.

ZONING OFFICER'S REPORT

No Report

ASSESSOR'S REPORT

No Report.

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TOWN CLERK'S REPORT

The monthly report was submitted to Supervisor Chamberlain at the meeting, along with the check for local share.

RESOLUTION #62                      Counter Workstation  
Larry Gaylard made a motion to order the 2<sup>nd</sup> workstation for the counter in the Town Clerk's Office, seconded by Peter Beach. Vote 4-0, passed.

BOOKKEEPER REPORT

No Report

PAY BILLS

General Fund	#494-521	6,781.50
Highway Fund	#523-533	17,339.35
Water	#534-540	2,524.53

RESOLUTION #63                      Pay Bills  
Larry Gaylard made a motion to approve and pay the bills, seconded by Peter Beach seconded. Vote 4-0, passed.

OLD BUSINESS

RESOLUTION #64                      Planning Board/Zoning Board Clerk  
Lynn Hill made a motion to appoint Lee Preston as the Clerk to the Town of Barre Planning Board and the Town of Barre Zoning Board, seconded by Larry Gaylard. Vote 4-0, passed.

RESOLUTION #65                      Zoning Board Alternate  
Peter Beach made a motion to appoint Luanne Tierney as the alternate member on the Town of Barre Zoning Board, seconded by Lynn Hill. Vote 4-0, passed.

NEW BUSINESS

RESOLUTION #66                      2011 Budget/Adoption  
Peter Beach made a motion to adopt the 2011 budget as submitted, seconded by Larry Gaylard. Vote 4-0, passed.

RESOLUTION #67                      Local Law #1 of 2010/Dog licensing  
Peter Beach made a motion to pass the following Local Law #1 of 2010, Dog Licensing Law, seconded by Lynn Hill. Vote 5-0, passed.

"Dog Licensing Law for the Town of Barre"

Section 1: Purpose: The purpose of this Local Law is to protect the health, safety and well being of persons and property by imposing licensing requirements on the keeping and owning of dogs within the Town.

Section 2: Authority: This Local Law is enacted pursuant to the provisions of (Article 7, Chapter 59; Part T) of the Agriculture and Markets Law and the Municipal Home Rule Law of the State of New York.

Section 3: Title: the title of this Law shall be Dog Licensing Law of the Town of Barre.

Section 4: Definition of Terms: As used in this Local Law the following words shall have the following respective meanings:

(a) "Dog" means male and female, licensed and unlicensed, members of the species canis familiars.

(b) "Owner" means person entitled to claim lawful custody and possession of a dog who is responsible for purchasing the license for such dog unless the dog is or has been lost, and such loss was promptly reported to the dog control officer and a reasonable search has been made. If a dog is not licensed, the term owner shall designate and cover any person or persons, firm, association, or corporation, who or which at any time owns or has custody or control of, harbors, or is otherwise responsible for any dog which is kept, brought or comes within the Town. Any person owning or harboring a dog for a period of one (1) week prior to the filing of any complaint charging a violation of this Local Law, shall be held in and deemed to be the owner. If said owner of any dog found to be in violation of this chapter shall be under 18 years of age, the head of the household in which said minor resides shall be deemed to have custody and control of said dog and shall be responsible for any acts of the said dog in violation of this Local Law.

(c) "Town" means the Town of Barre.

Section 5: Licensing of Dogs:

(a) All dogs in the Town of Barre must be licensed with the Town Clerk by the age of 4 months and are required to present a current Certificate of Rabies at the time of licensing or the renewal of an existing license.

(b) All dog licenses will be for a period of one year and will expire at the end of the month one year from the date of issue.

(c) Fees for Licensing of Dogs:

The fee for a spayed or neutered dog will be \$7.00, (which includes the assessment of a \$1.00 surcharge for the purpose of carrying out animal population control) and the fee for an unspayed or unneutered dog will be \$15.00, (which includes the assessment of a \$3.00 surcharge for the purpose of carrying out animal population control) with such fees being reviewed by the Town Board periodically and may be changed by a resolution of the Town Board, if deemed necessary.

(d) Enumeration fee: When the Town Board determines the need for a dog enumeration, a fee of \$5.00 will be assessed to all dogs found unlicensed at the time the enumeration is conducted.

(e) Purebred License: The Town of Barre will be issuing Purebred Licenses as defined by the New York State Agriculture and Markets law or other applicable law.

(f) Service Dogs: The Town of Barre will require a license for any guide dog, service dog, hearing dog or detection dog, although the license fee will be waived.

(g) The Town of Barre will allow the licensing of dogs by the Orleans County Animal shelter.

(h) All dog licenses may be purchased by visiting the Town offices or by regular mail. If licensing or renewing a license by mail, the appropriate fee must accompany the forms. There will be NO refund of fees.

(i) All fees will be used in funding the administration of the Dog Licensing for the Town of Barre.

(j) Fees for Seizure of Dogs: The fee for seizure and impoundment of dogs in violation of this law or the Laws of the New York State Department of Agriculture and Markets Law are as follows: First Offense: The same impoundment and euthanasia fees per animal that are charged to the town for such service, Second Offense: \$60.00 plus the impoundment and euthanasia fees per animal.

Section 6: Procedure for Seizure of Dogs:

(a) The County Dog Control Officer or any peace officer shall seize:

Any unlicensed dog whether on or off the owner's premises;

Any dog not wearing a tag, and

Such seized dog shall be kept and disposed of in accordance with the provisions of Article 7 of Agriculture and Markets Law, and see that the order of the Town Justice of the Town of Barre in such case is carried out.

(b) The County Dog Control Officer or peace officer observing a violation of this Law in his presence shall issue and serve an appearance ticket for such violation. Said violation should be considered a Petty Offense and not a Misdemeanor.

(c) Any person who observes a dog in violation of this Local Law may file a complaint under oath with the Orleans County Dog Control Officer specifying the nature of the violation, the date thereof, a description of the dog and the name and a residence, if known, of the owner of such dog. Such complaint may serve as a basis for enforcing the provisions of this Local Law.

Section 7: Penalties:

Any person convicted of a violation of this Local Law shall be liable for a civil penalty of Twenty-five Dollars (\$25.00) for a first violation; of Fifty Dollars (\$50.00) for a second violation and Seventy-five Dollars (\$75.00) for each subsequent violation.

#### CORRESPONDENCE

Supervisor Chamberlain received a letter from the County Legislators stating the the New York State unfunded mandates are hurting the Orleans County budget, therefore the Legislators are considering removing the sales tax paid to the towns.

RESOLUTION #68                      Executive Session

Larry Gaylard made a motion to go into Executive Session for discussion regarding the highway negotiations, seconded by Lynn Hill. Vote 4-0, passed.

Meeting Adjourned at 8:10pm

Meeting reconvened at 8:35pm

Meeting Adjourned at 8:35pm

Respectfully submitted,

Maureen Beach, Town Clerk