

February 2, 2012

The Town Board of the Town of Warwick held a Public Hearing on a Proposed Local Law entitled "Amending the Code of the Town of Warwick, Chapter 77 Dogs." Said public hearing was held on Thursday, February 2, 2012 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor opened the public hearing at 7:30 p.m.

ATTENDANCE: Supervisor Michael Sweeton
Councilman Floyd DeAngelo
Councilman Russell Kowal
Councilman James Gerstner
Councilman Mickey Shuback

Town Attorney, John Hicks – Absent

LEGAL NOTICE: The Clerk read the legal notice, which was duly published in the Warwick Valley Dispatch on January 25, 2012. (Copy of this legal notice is printed at the end of these minutes.)

Supervisor Sweeton – The request for fees what brought to us by a resident who had an issue and rightfully so that we should have reviewed these. This is one of the few chapters left in the Town Code that did not get its fee structure transferred to the development fees section where we review that annually. These haven't been revised probably in 20 years and it was a good time for us to look, so we thank you for bringing that to our attention. We do have Suzyn Barron here with us this evening who runs our Warwick Valley Humane Society which we contract for dog control services and I did ask for Suzyn's recommendations on the code and fees and she did submit a letter with suggested changes and we have incorporated those into the local law for this evening. I will open it up for public comment. Suzyn if you have anything to add if you'd like? Obviously the fee recommendations came from your experience so we thank you for that.

Suzyn Barron – President, Warwick Valley Humane Society – I'd just like the Town Board to understand that the reason we feel the need for the increase is that we exhaust all measures as animal control before we write an appearance ticket for a town ordinance violation for failure to license the dog. We've given people ample time to get it taken care of and explain how to do it. If there's a barking dog complaint we ask the complainants to address it first and if nothing is done we will go out and speak to the people and explain the town ordinance and post that we would issue an appearance ticket. They have already been spoken to and this is our last resort issuing appearance tickets.

Supervisor Sweeton – Right you do try to work with residents to come to a solution that's fair and equitable first before we move to a lot of the fining. We appreciate that certainly but in a case where that doesn't work we did beef these up. It was published but I'll just go over it, any violations of any article of the code this first is subject to a fine of not less then \$50 but where a person has been found to violate this article within the preceding five years the fine should not be less then \$100 and where the person was found committing two or

more violations of this article within the preceding five years the fine should not be less than \$150. The impoundment fees were increased, the first impoundment is \$50 plus \$15 per day for boarding. For a second impoundment within one year of the first impoundment is \$75 plus \$15 per day for boarding and for the third or subsequent impoundment within one year of the most recent impoundment is \$100 plus \$15 per day for boarding. Penalties for offenses the first violation is \$75, the second violation is \$100 and the third subsequent violation is \$150 within five years. It's open for public comment for anyone who would like just state your name.

There were no public comments for or against this public hearing.

Supervisor Sweeton – We won't enact on this tonight because we will take written comments for the next 10 days and then we will have a resolution to adopt a local law at the February 16th meeting.

**CLOSE PUBLIC HEARING: Motion Councilman Shuback, seconded Councilman Gerstner that the public hearing be closed. Motion Carried (5 ayes, 0 nays) 7:38 p.m.
02-02-12**

Carolyn Purta, Deputy Town Clerk