

TOWN OF CANAJOHARIE
MONTGOMERY COUNTY

August 1, 2013

The Town Council met for a regular monthly meeting at 7:30 PM at the Town office building, 12 Mitchell Street.

Present: Supervisor Herbert Allen, Councilpersons William Armitstead, John Toomey, Jr., and Rodney Young; Bookkeeper Amy Kretser; Highway Deputy Superintendent John Klock; Deputy Clerk Laurie Vroman; Earl Spenser, Robert Rocas, Dale Folmsbee, and other members of the public.

The meeting was opened by the Supervisor at 7:30 with the pledge of allegiance.

Supervisor Allen brought the Council's attention to the evening's agenda, and asked the council to approve one addition, an executive session in which to discuss assessment litigation.

Councilman Young made a motion to accept the **agenda** with the above amendment. Councilman Toomey seconded the motion, and all were in favor.

Councilman Armitstead made a motion to accept the July meeting **minutes**. Councilman Toomey seconded the motion, and all were in favor.

PUBLIC COMMENT

Supervisor Allen opened public comment by advising those present that they may speak on any subject, but to please limit their remarks to 3 or 4 minutes per speaker.

Earl Spenser stood and introduced himself as a village resident, and said that the purpose of his comments was to urge the board to prevent or postpone the special use permit currently before the Planning Board with regard to a dog kennel proposed for South Buel Rd.

Mr. Spenser said that Canajoharie is getting a reputation as a place to go to set up a puppy mill. He said Amish farmers are finding Pennsylvania no longer conducive as a place to continue, so they are coming here. He referenced a new New York state law that is about to pass that will allow local governments to use their own laws to control puppy breeding operations, and asked the board to postpone any action until there is time to establish local laws and enforce them.

Dale Folmsbee then spoke on behalf of the Ayres Memorial Animal Shelter, saying that when puppy mills are shut down, the puppies end up at a shelter, and the local shelters become overwhelmed. She said the dog kennels are okay, but not large scale puppy mills. She asked the board to look into the matter and keep a lid on it.

Another resident spoke saying that legitimate breeders keep dogs in homes, but this is not like that, the dogs are in stacked cages. He said he would like to know that the local towns will not become the puppy mill capital of New York State.

The point was made by a woman who said she lives across from a puppy mill that she can hear the dogs crying, and that though the dog warden has been there three times, they are still there.

Robert Rocas addressed the board regarding an operating kennel on Clinton Road, which he said he went out to visit. He said the owner told him he has 97 dogs. Mr. Rocas said he thought he

was only supposed to have 47, and this seems to be over capacity.

The question was asked of the board if they can impose a moratorium on dog kennels.

Supervisor Allen told the gathering that he needs to consult the Town Attorney before deciding how to proceed. He also told the group that the public hearing on the South Buel special use permit will be on Monday, August 5th.

ASSESSOR

The Supervisor asked the Board for a motion to re-appoint the assessor, whose term ends at the end of September.

Motion was made by Councilman Armitstead to appoint Charlene Ruszkowski for another 6 year term as Sole Assessor, beginning in October.

Councilman Toomey seconded the motion, and all were in favor. Motion carried.

LEGISLATURE

Supervisor Allen also asked that the Board assign two council members to act as go-betweens in the fire contract negotiations. He suggested that Councilman Armitstead be in charge, and choose someone to help him. This was agreed to.

The Supervisor asked for a motion endorsing the Montgomery County Multi-Jurisdictional All-Hazard Disaster Mitigation Plan. This disaster plan needs to be updated and accepted by resolution in order for the Town to participate.

Councilman Toomey made the motion, seconded by Supervisor Allen, to endorse the Montgomery County Multi-Jurisdictional All-Hazard Disaster Mitigation plan.

All were in favor, and the resolution will be printed up to be brought to Fonda on Tuesday.

Buildings

A discussion of the painting needed by the town building at Mitchell Street yielded a motion by Councilman Toomey to put the job of scraping and painting the trim of the building out for bids.

Councilman Young seconded the motion. All were in favor, and the Supervisor will prepare bid packets. Bids will be opened at the September meeting.

HIGHWAY

The Supervisor and Deputy Highway Superintendent met with engineers regarding work needed on the bridge on Happy Hollow Rd. It is a private bridge to a resident's driveway, but if recent flood damage causes it to fall, it would impact the culvert and cause major problems. A verbal estimate of cost was given at \$8,000, and it would be done under the heading of "county roads and bridges". the County would help quite a bit with the culvert.

Mr. Klock reported on recent Highway activity. He said progress has been slow due to heavy rains. Old Fort Plain Road will be paved in 2 weeks or so.

BOOKKEEPER

Ms. Kretser submitted her cash report for the month of July.

Also, as Planning Board secretary, she informed the board that the Planning Board did not meet in July, but there are two meetings in August. She will email Chairman, Ivor Jones, about the issues that have been raised at tonight's meeting.

EXECUTIVE SESSION

On a motion by Councilman Toomey, seconded by Councilman Armitstead, the Council entered executive session at 7:52 PM to discuss assessment litigation.

At 8:08, Councilman Toomey made a motion to exit executive session, seconded by Supervisor Allen and approved by all.

There was a brief discussion of the issues surrounding dog kennels. No decision were made.

ASSESSOR

The Pictometry map program that the assessor has had access to through a temporary arrangement with the County is something it would be useful to continue with, now that the year of access has ended. Mr. Allen informed the Council that for \$500 per year, the Town can access the program, with up to 10 concurrent authorized users.

Councilman Toomey made a motion to pay the \$500 fee in order to have use of the Pictometry program. Councilman Armitstead seconded the motion, and all were in favor.

BILLS

The Clerk presented the following bill vouchers for payment approval:

General account vouchers #143 through #156, totaling \$13,227.73; and

Highway account vouchers #164 through #178, totaling \$21,767.61

On a motion by Councilman Armitstead, seconded by Councilman Toomey, all were in favor of paying the bills as presented.

ADJOURNMENT

On a motion by Councilman Toomey, seconded by Councilman Young, all were in favor of ending the meeting at 8:35 PM.

Respectfully submitted,

Susan H. Smith

Town Clerk