

**TOWN OF CANAJOHARIE
MONTGOMERY COUNTY**

September 16, 2013

The Town Council met for a special meeting and public hearing at 7:30 PM at the Town office building, 12 Mitchell Street.

Present: Supervisor Herbert Allen, Councilpersons William Armitstead, Judith Burgess, John Toomey, Jr., and Rodney Young; many members of the public, and representatives of the press including Josh Thomas of the Courier-Standard-Enterprise and a camera crew from Channel 13 news.

The meeting was opened by the Supervisor at 7:05 with the pledge of allegiance.

The evening's agenda was presented by the Supervisor. On a motion by Councilman Armitstead, seconded by Councilman Toomey, all approved of the agenda.

On a motion by Councilman Toomey, seconded by Councilwoman Burgess, the minutes of the September 5 regular meeting were unanimously approved.

PUBLIC HEARING

Supervisor Allen opened the public hearing, announcing it was to hear the public on the subject of proposed Local Law #2, a moratorium on establishment and/or construction of kennels, pet breeding facilities or puppy mills in the Town of Canajoharie.

Fifteen concerned citizens stood to speak to the board about the issue at hand, mainly to encourage the board to pass the moratorium and to voice their strong opposition to "puppy mills". A sampling of comments:

Kathleen Collier from the Capital Region spoke of lobbying for a bill that would allow for local governments to take a closer look at breeding operations and make decisions. She said that there are not enough inspectors at the State's Department of Agriculture and Markets to regulate existing kennels. She distributed pictures of abusive situations.

Jan Sotolo of the Montgomery County SPCA invited the Town Board members to come along on a future cruelty investigation. She plans to contact the councilmen individually.

A member of the PAWS animal advocacy group spoke about the shelters being overrun because of overbreeding.

Laurie Strunk of Palatine Bridge said that the area is trying to recover from flooding and to bring commerce to the area, and that people will not come to our area's businesses and restaurants if we allow "puppy mills".

A woman from Sacquoit who runs a "doggy day care" made the point that if "puppy mills" come into the area, the costs for police and humane societies will "go through the roof". She cited a recent event where 200 animals were adopted, only to have the cages refilled within 2 weeks. She also agreed with others that affluent people will not come here if we have "puppy mills".

Bob Wilson of Canajoharie said his main concern is what will happen if we don't act. He noted that there has been a lot of publicity, and without stringent laws being put in place, breeders that can't go elsewhere will come here.

Councilman Bill Armitstead commented that he was hearing a lot of worst case scenarios and emotional appeals, but not much in the way of concrete advice. He asked those present to please contribute ideas on how to regulate the breeding operations.

Jeanne Devalve of Palatine Bridge spoke up to say she has obtained a copy of the Pennsylvania dog law and will share that with the board. She said she and her husband have done a lot of research and that she will be happy to help in any way possible once the moratorium is in place.

Robert Rocas said he had sent to the board a list of 10 things in the Zoning law that could be improved.

Gary Drumm voiced his concern that the town would have a difficult time enforcing things like how many times a female dog could be bred. He wanted to know that any regulations passed would be enforceable.

Angelica Hoeher of Canajoharie said that she doesn't like the term "puppy mill" being used all the time, as it is pejorative. She said that any laws put in place need to be sensible, not extreme, and enforceable.

Stan Macmillan said he has been a resident of Canajoharie since 1955, and that is because he loves the area. He urged the board to listen to all the people who care about the area and to pass the moratorium.

Earl Spencer of Canajoharie said that the moratorium is the first step and urged the board to continue on to find enforceable rules and solutions. He mentioned as examples of some remedies the necessity of outdoor runs and solid, not wire, floors in cages.

Rich Strunk of Palatine Bridge made the point that while everyone is talking about large scale operations, the incident of abusive pit bull breeders in the Town of Minden was relatively small. He said the law needs to be fashioned to also cover small scale operations run by irresponsible breeders.

When all comments were heard, Mr. Allen brought the public comment portion of the meeting to a close. He then made a motion to adopt Local Law #2 for 2013, establishing a one year moratorium on the establishment and/or construction of kennels, pet breeding facilities, or puppy mills in the Town of Canajoharie.

Councilman Armitstead seconded the motion. There was no further discussion, and the council unanimously approved, carrying the motion.

There was a 20 minute recess while the newspeople wrapped up their reports and the attendees cleared out.

LEGISLATURE

Tax cap

With budget sessions approaching, the council once again addressed the issue of the state-mandated tax levy increase restriction of 2%. As in the past, the board considered the option of overriding the cap.

Councilman Armitstead made a motion to override the tax cap, and to hold a public hearing on the local law necessary to accomplish that on October 3rd.

Councilwoman Burgess seconded. All were in favor, motion carried, and the public hearing will

be held at the regular meeting on October 3rd, at 7:30 PM.

Highway funding

Supervisor Allen informed the Council that a loan is needed to meet Highway expenses incurred with road work. The work is to be covered by CHIPs money, but that will not be received until late in the year and the money is needed now.

Councilwoman Burgess made the motion to authorize the Supervisor to obtain a Revenue Anticipation Note for \$100,000, at a 6 month callable term with 2% interest.

Supervisor Allen seconded the motion. All were in favor.

Paint bids

Supervisor Allen suggested that all paint bids received at the regular September meeting should be taken off the table due to the great discrepancy between the two bids submitted. He added that the bid packets asked all bidders to meet with him to discuss the scope of the work, and no one had called to do so. He expressed doubt whether the bidders had enough information for an educated estimate of cost.

On a motion by Mr. Allen, seconded by Councilman Armitstead, all were in favor of rejecting all bids for painting the Town office building, and to re-bid the job in the spring.

Budget

The Supervisor mentioned that the first budget session will be scheduled when Bookkeeper Amy Kretser is back from vacation. He will call the Council when he has a date.

EXECUTIVE SESSION

On a motion by Councilman Toomey, seconded by Supervisor Allen, the Council entered Executive Session at 7:58, to discuss litigation involving assessments.

At 8:00, on a motion by Councilman Armitstead and seconded by Councilman Toomey, all were in favor of exiting executive session.

Litigation settlement

Councilman Armitstead made a motion to authorize Attorney Vincelette to accept the last settlement offer made on the dispute surrounding assessment of the Countryside property.

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

ADJOURN

On a motion by Councilwoman Burgess, seconded by Councilman Armitstead, all were in favor of adjourning the meeting at 8:04 PM.

Respectfully submitted,

Susan H. Smith

Town Clerk