

**TOWN OF FORESTPORT
TOWN BOARD MEETING MINUTES
PUBLIC HEARING IN RE:
PROPOSED LOCAL LAW: HARBORING AND MAINTAINING
ANIMALS
FORESTPORT TOWN HALL
APRIL 3, 2012 @ 6:15 PM**

**TOWN OF FORESTPORT
TOWN BOARD MEETING
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MEMBERS PRESENT

Councilman Robert Seager
Councilwoman Nancy Kardash
Councilwoman Joanne Kwasniewski
Councilman William Karn
Supervisor William Hasenauer

MEMBERS ABSENT

Deputy Supervisor John Isley

CALL TO ORDER:

The meeting was called to order at 6:25 pm by Supervisor William Hasenauer.

READING OF LAW:

Councilman Robert Seager read the proposed local law as drafted.

PUBLIC COMMENTS:

Supervisor Hasenauer opened the commentary by reminding the gallery that no vote would be taken regarding the proposed local law at the hearing.

Corrina Howland stated that her research into this matter had revealed that the Cornell Cooperative Extension's guidelines were not intended to be a law, merely guidelines. She additionally stated that law enforcement agencies such as the New York State Troopers or the Oneida County Sheriff's Office are available to handle complaints regarding nuisance animals, and the SPCA is available for matters related to cruelty to animals. The proposed local law is not necessary in her opinion.

John Privett expressed concern regarding the time required to obtain a permit under the proposed law. He felt that the 75 day process is unreasonable while recognizing that it does require time for the town to process the application. Additionally, he inquired as to whether there would be a fee for the permit. Supervisor Hasenauer assured him that the permit would be free of charge. Mr. Privett continued, inquiring whether current animal owners would be required to apply for a permit, or if they would be grandfathered in under the new law. He also stated that the proposed law did not contain a section regarding poultry as drafted. Mr. Privett also reiterated the

point that New York State Agriculture laws already govern the owning of domesticated dogs and cats.

June Hebert stated she felt the proposed law penalizes lawful and caring pet owners, and that she did not feel that lawful owners should be required to go through the proposed permit process due to the scofflaw nature of a few pet owners.

Tony Sege also made the point that law enforcement agencies and the SPCA are available to govern animal care and nuisance complaints. He felt that the proposed law would be difficult to enforce from a town standpoint and that it was superfluous in light of the SPCA and law enforcement agencies.

Ginger Swasey expressed concerns regarding enforcement as well. She stated that the law is designed to target approximately ten percent of animal owners in Forestport who fail to care for their animals properly. The problem, she stated, is that this ten percent does not license their animals to start with. With no dog licenses on record, and cats not requiring a license, how will the town keep track of these people and enforce the law?

Karen Beck stated that she felt nuisance complaints are probably at a minimum in a small community and should try to be resolved neighbor to neighbor.

Duane Frymire stated that he has raised fallow deer in Forestport for over twenty years, and as such he felt there were too many flaws in the proposed law as drafted. Primarily, if an animal owner is found in violation of the local law, the law as drafted allows complainants to testify against the owner. Mr. Frymire felt that qualified health inspectors should be involved in the process rather than irate neighbors. Additionally, he expressed concern over the law's ability to violate animal owners for the "devaluation" of neighboring properties due to animals. Health and safety issues would be reasonable, but property values would not be rightful.

Kim Scouten stated that she has recently purchased a horse and currently owns chickens outside the village. She inquired as to how the proposed law would apply to her. Supervisor Hasenauer replied that due to the sizable acreage she has, the law would not affect her at this point.

Sue Casey stated she felt the Town Board should put the proposed law out for a referendum and leave it up to the general public to decide the fate of the law rather than the five Town Board members.

Councilwoman Joanne Kwasniewski asked the gallery if there was anyone in favor of the proposed law. No one from the gallery responded in the affirmative.

ADJOURNMENT:

A motion was made by Councilman Robert Seager to adjourn the hearing. No second to the motion was made, and additional discussion continued.

A motion was made by Councilman Robert Seager and seconded by Councilwoman Joanne Kwasniewski to adjourn the hearing. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn – yes
Supervisor William Hasenauer – yes

There being no further comments the hearing was adjourned at 7:14 pm by Supervisor Hasenauer.

Respectfully submitted,

Shelley T. Entwistle
Forestport Town Clerk