

**Special Town Board Meeting
May 28, 2014**

The Hamlin Town Board held a public meeting in the Hamlin Town Hall located at 1658 Lake Road, Hamlin, NY. The meeting was called to order at 6 pm by Supervisor Peters. The locations of the fire exits and defibrillator were explained for those present.

Present: Councilperson Jason Baxter, Councilperson Jennifer Goodrich, Councilperson Dave Rose, Councilperson Martin Maier, and Supervisor Eric Peters.

Also in Attendance: Dog Control Officer Dave Maynard, Assistant Dog Control Officer Caroline Thompson, Hidden Creek Park Manager Theresa Dobbertin (late).

PUBLIC FORUM

Supervisor Peters reminded all those present of the rules of Public Forum and opened the Public Forum.

LOCAL LAW #2 A LOCAL LAW REPEALING THE LIMITATION ON NUMBER OF DOGS IN A TRAILER PARK.

Dave Maynard, Hamlin Dog Control officer - Of course the trailer parks have a hard time with it. They're stricter on the new people who want to move in there; if they have 2 dogs they can't move into the park. The problem we have with it is no one really enforces the laws. Patty from the state says it's a very good law. She said if you've got it don't let it go, but again we don't enforce it. It subsequently becomes a battle amongst the residents because some people do it and others don't. It makes it very hard on Dog Control because we're getting numerous calls. The most recent issue involved a man who had a dog then got a puppy. The law says you can't have two dogs over 6 months old. The problem is when that puppy becomes 6 months old, of course they're not going to get rid of the dog so then they have two dogs. That makes the law very unclear.

Councilperson Rose inquired if the managers enforce the regulations. Mr. Maynard stated that Harper Park does, that they have a (1) dog limit and they strictly enforce it. Hidden Creek does not. Dog Control has had 4 calls about 523 Bankside Drive regarding two dogs running loose four times over the past month. Supervisor Peters inquired how is that any different than 14 Apple Hollow? Mr. Maynard stated it's not. Councilperson Maier inquired whether it's any easier to enforce on Apple Hollow than in the trailer park, Mr. Maynard responded that in some ways it is because in the trailer park everyone is so much closer together that it can be harder on neighbors than in Apple Hollow when a dog is running loose. Mr. Maynard stated that he has no issue with the law, but added that if we have it then we should enforce it. Supervisor Peters stated that's part of the issue; that right now it's falling under Code Enforcement instead of Dog Control. Essentially, Dog Control gets the calls, not Code Enforcement. Code Enforcement is supposed to enforce the rules but that department doesn't know anything about dogs. One of his issues with it was that it seemed discriminatory against one particular trailer park. Mr. Maynard stated that the trailer parks also have their own rules, and only some enforce them. Hidden Creek is not enforcing their rules. Mr. Maynard stated that they've got at least 100 stray cats over there and they don't do anything about it; it's out of control. He's spoken with Theresa Dobbertin/Park Manager to remind her that they're Dog Control, not cat, but to help her out they trapped 46 cats over there last year and turned them over to Lollypop. In the end it didn't matter because the rest just kept multiplying. But as far as dogs are concerned, if the law is set it needs to be enforced.

Supervisor Peters stated that the trailer park had contacted him about lost sales due to the regulation, which he doesn't have confirmation of, but he can substantiate that they are concerned about it.

Councilperson Rose inquired about Dog Controls procedures for managing a call regarding a loose dog. Mr. Maynard stated the first thing they do is go catch the dog, they bring them to the shelter, and verify license and try to find the owner. If they don't catch the dog they try to find the resident who owns the dog and ensure license. If it's a dog that's bitten someone they call the pound. Harper Park isn't so bad but Bradford Manor and Hidden Creek are the worst because there's a lot of in and out. Councilperson Maier stated the problem he has with so many dogs is he's not sure if it's a healthy environment for the animal. What he really wants to know is if this is the best way to go or not. Supervisor Peters indicated that's what they're trying to decide. Councilperson Maier stated he truly wanted Mr. Maynard's input on this issue. Mr. Maynard stated he's really concerned about enforcement. The representative from Hidden Creek trailer park indicated that they have a three dog rule, and that Morgan Management enforces that rule. Mr. Maynard stated his issue is that it's not enforced, that some places especially on Bankside Drive have 3-5 dogs and that's out of control; Ms. Dobbertin agreed. He said that their excuse is always "well, they're puppies." Supervisor Peters stated he doesn't know how that's legal anywhere. She said they're supposed to notify her when they want more dogs, and that they are supposed to come in with the rabies certificate and their license.

Supervisor Peters stated he was just handed a petition with 86 names on it supporting the repeal of the dog law. Mr. Maynard stated he's had four calls in the past two weeks for loose pitbulls on Bankside Drive and they're still not licensed. He added that of the 86 people who signed the petition, he'd like to see how many of them have licensed dogs. Councilperson Maier stated that this rationale is why the law was initiated to begin with. The problem is enforcement, and the rules that you have now are not being met. He thinks that Dog Control needs to have more power than Code Enforcement regarding dogs. They need to re-examine who needs to enforce the rule. He suggested contacting Ag&Markets to see what they say is healthy for number of dogs in a given space. Ms. Dobbertin added that if she sees animals in a residence that she hasn't seen before she does go and talk to resident. Supervisor Peters said they could repeal the existing law until they write another law. Councilperson Maier stated he just wants to get this going, and Councilperson Rose said he'd like to check on the list of those who signed the petition. Supervisor Peters suggested tabling the matter and rewriting it because right now it's discriminatory - it should apply to all. Councilperson Maier stated he would like Ms. Dobbertin to speak with the trailer park owners and let them know what the Town's concerns are, as well as to discuss how to give her more authority to enforce the dog laws.

MOTION TO CLOSE THE PUBLIC FORUM REGARDING LOCAL LAW #2A LOCAL LAW REPEALING THE LIMITATION ON NUMBER OF DOGS IN A TRAILER PARK AND TO TABLE THE MATTER PENDING FURTHER REVIEW.

Resolution #151 Motion was made by Councilperson Rose, seconded by Councilperson Maier, approving the motion to close the Public Forum regarding Local Law#2A Local Law Repealing the limitation on number of dogs in a trailer park and to table the matter pending further review. Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

LOCAL LAW # 3 ELIMINATING THE REQUIREMENT IN THE TOWN OF HAMLIN ZONING LAW OF 1991 THAT ONLY ONE (1) PRINCIPAL BUILDING IS PERMITTED PER LOT IN COMMERCIAL AND INDUSTRIAL DISTRICTS.

Supervisor Peters stated this is the preemptive letter of the law eliminating the requirement where there is history of only one building on a lot. He inquired for public comment and there was none.

Resolution #152 Motion was made by Councilperson Rose, seconded by Councilperson Maier, to close the Public Forum regarding adoption of Local Law #2A Eliminating the Requirement in the Town

of Hamlin Zoning Law of 1991 that only one (1) Principal Building is permitted per lot in Commercial and Industrial Districts.

Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

ADJOURNMENT

Motion to adjourn was made by Supervisor Maier, seconded by Councilperson Baxter to adjourn the meeting at 6:53pm as all business had been concluded.

Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

Respectfully submitted,

Kathi A. Rickman, MMC
Hamlin Town Clerk