

Regular Meeting
December 1, 2010
7:00 p.m.

Present: Supervisor Thompson
Councilman Miranda
Councilman Mancini
Councilman Blaisdell
Councilwoman Saul

Also Present: Town Clerk Mevec
Town Attorney Craig
Town Engineer Robinson
Comptroller Glastetter
Deputy Supervisor Peters

Meeting called to order by Supervisor Thompson.

Pledge by Councilman Miranda.

Motion by Miranda seconded by Saul to approve the Minutes of the Regular Meeting of November 3, 2010.
Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Saul seconded by Miranda to appoint Curt Stancliffe, 1155 Middle Line Road, Ballston Spa, NY to the Board of Assessment Review for the remainder of Warren Hickok's five-year term ending September 30, 2013.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

7:05 p.m. bid opening for a 50-ton tri-axle lowboy equipment trailer (Spec. #HW-05-10).

Notice read by Town Clerk.

1 bid received from Finkle & Sons Equipment, Route 9W, P. O. Box 127, Selkirk, New York 12158.
Amount \$61,520.00.

Motion by Miranda seconded by Blaisdell to refer bid for a 50-ton tri-axle lowboy equipment trailer to the Highway Superintendent and the Town Attorney for review and approval.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Miranda seconded by Saul to accept the bid of Finkle & Sons Equipment in the amount of \$61,520.00 for HW-05-10 50-ton tri-axle lowboy equipment trailer as recommended by Highway Supt. and Town Attorney.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

7:10 p.m. bid opening for two yard waste collectors (Spec. #HW-4-2010).

Notice read by Town Clerk.

1 bid received from Loughberry Mfg. Corp. 249 Excelsior Avenue, Saratoga Springs, New York 12866.
Amount \$30,275.00 each.

Motion by Miranda seconded by Saul to refer the bid for a yard waste collector to the Highway Superintendent and the Town Attorney for review and approval.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Miranda seconded by Saul to accept the bid from Loughberry Mfg. Corp in the amount of \$30,275.00 each for HW-4-2010 yard waste collectors as recommended by Highway Supt. and Town Attorney.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

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7:15 p.m. Public Hearing regarding Local Law 2-2010 adopting revisions to Chapter 63, Article I and Article II of the Milton Town Code pertaining to dog licensing.

Notice of Public hearing read by Town Clerk.

Supervisor opened Public Hearing.

Meg Stevens asked if the dog fees will remain the same.

All persons were given the opportunity to speak.

Supervisor closed Public Hearing.

Motion by Blaisdell seconded by Saul to adopt Local Law 2-2010 adopting revisions to Chapter 63, Article I and Article II of the Milton Town Code pertaining to dog licensing as follows:

Town of Milton Local Law 2 of 2010

Chapter 63, Article 1, Section 63-9 of the Town of Code for the Town of Milton is hereby modify to read as follows:

63-9 Penalties for offenses.

Any person convicted for violating any provision of this Article shall be liable for a fine of up to \$100.00 for the first offense. Any Subsequent violation will result in a fine of up to \$250.00.

Chapter 63, Article II of the Town Code for the Town of Milton is hereby repealed in its entirety and replaced as follows:

Article II Dog Licenses

63-10 Purpose

The purpose of this Local Law is to protect the health, safety and well being of persons and property within the Town by providing for licensing and identification of all dogs.

63-10(a) Authority

This Local Law is enacted pursuant to the provisions of the Agriculture and Markets Law and the Municipal Home Rule of the State of New York.

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63-10(b) Definition of Terms

As used in this Local Law the following words shall have the following respective meanings:

(a) "Dog" means male and female, licensed and unlicensed, members of the species *canis familiaris*.

(b) "Owner" means person entitled to claim lawful custody and possession of a dog who is responsible for purchasing the license for such dog unless the dog is or has been lost, and such loss was promptly reported to the dog control officer and a reasonable search has been made. If a dog is not licensed, the term owner shall designate and cover any person or persons, firms, association, or corporation, who or which at any time owns or has custody or control of, harbors, or is otherwise responsible for any dog which is kept, brought or comes within the Town. Any person owning or harboring a dog for a period of one (1) week prior to filing any complaint charging a violation of this Local Law, shall be held in and deemed to be the owner of any dog found to be in violation of this chapter.

63-11 Licensing of Dogs

- (a) All dogs in the Town of Milton must be licensed with the Town Clerk by the age of 4 months and are required to present a current Certificate of Rabies vaccination at the time of licensing or at the renewal of any existing license. All dogs within the Town of Milton shall at all times, wear current tags for the purpose of proper identification.

All dog licenses are non-transferable and will be for a period of one (1) year, expiring at the end of the month from the date of issue. The owner of each dog required to be licensed shall obtain, complete and return to the Town Clerk, a dog license application, together with the license application fee, any applicable surcharges, and any additional fees as may be

established by the Town or State. Each and every application shall be accompanied by proof positive of current valid vaccination against rabies, or a statement from a licensed veterinarian that such vaccination would endanger the dog's life.

- (b) Fees for Licensing of Dogs. The fee for a spayed or neutered dog will be thirteen dollars and fifty cents (\$13.50), which includes the assessment of a one dollar (\$1.00) surcharge for the purpose of carrying out animal population control. The fee for an unspayed or unneutered dog will be twenty dollars and fifty cents (\$20.50), which includes a three dollar (\$3.00) surcharge for the purpose of carrying out animal population control.

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A license for any guide dog, service dog, hearing dog, detection dog, war dog, working search dog, police dog and therapy dog is required, but no license fee shall be charged, so long as proper proof is submitted.

The Town Board may, by resolution, change any of the foregoing fees if deemed necessary.

- (c) The Town of Milton may contract with an animal shelter to license dogs adopted by residents of the Town of Milton.
- (d) All dog licenses may be purchased and obtained by visiting the office of the Town Clerk or by regular mail. When licensing or renewing a license by mail, the appropriate fees must accompany the forms. All fees shall be non-refundable.
- (f) Fees for Seizure of Dogs. The fee for seizure and impoundment of dogs in violation of this law or the New York State Department of Agriculture and Markets laws, shall be set forth in Section 117 of the Agriculture and Markets Law.
- (g) The Town of Milton reserves the right, at its sole discretion, to contract with the local or County Animal Shelter for issuance of dog licenses directly by the Shelter, under terms, conditions, and for durations, as the Town may deem advisable.

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- (h) A dog participating in a dog show shall be exempt from the identification requirement of this Chapter and of Section 111 of the Agriculture and Markets law, however, said exemption shall apply only while showing during said dog show participation.
- (i) The dog owner shall notify the Town in the event of the change of ownership of the dog, or in the event the dog has been lost or stolen. Failure to do so is a violation of this Chapter.

63-12 Duties of Animal Control Officer.

An Animal Control Officer designated by the Town Board, as provided by Section 113 of the Agriculture and Markets Law, may enforce the provisions of this Chapter 63 and may also investigate and report to the Town Justice of any dangerous dog, as described in Section 123 of the Agriculture and Markets Law, and see that the Order or Orders of the Town Justice in such case are carried out.

63-12(a) Effective Date

This Chapter shall become effective January 1, 2011, and upon filing with the Secretary of State. Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Miranda seconded by Saul to authorize the Supervisor to sign a preventive maintenance contract with Allstate Power Systems for the maintenance of the generators at the Community Center in the amount of \$402.31 and Town Hall in the amount of \$422.31.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Saul seconded by Blaisdell to authorize Mary Ann Becker to attend the State Assessor's Association's class on Manufactured Home Park Valuation in Albany on November 19, 2010 for a cost not to exceed \$95.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Miranda seconded by Mancini to authorize the following to attend a Planning & Zoning conference on January 26, 2011 in Saratoga Springs for a cost not to exceed \$990. plus mileage; Frank Blaisdell, Allison Saul, Wayne Howe, Gerry Morris, Mary Lou Festa, Keith Leal, Brian Companion, Kimberly Weaver, Ken Buhrmaster, Fred Harris, Jim Cook, John Frolish, John Whittel, Jim Staulters, Ron Lacey, Larry Woolbright, Ben Zlotnick and Armand Scatena.

Miranda – yes; Saul – abstained; Blaisdell – abstained; Mancini – yes; Thompson – yes. Motion carried.

Motion by Miranda seconded by Saul to accept Rebecca Dreher's resignation from the Recreation Committee effective January 1, 2011.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Saul seconded by Blaisdell to authorize Jeff Manning to carry over 40 hours vacation time beyond his anniversary date of January 22, 2011.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Miranda seconded by Saul to authorize Rebecca Dreher to carry over 30 hours vacation time beyond her anniversary date of January 1, 2011.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Saul seconded by Mancini to authorize Spencer Hart to carry over 40 hours vacation time beyond his anniversary date of December 10, 2010.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Saul seconded by Blaisdell to accept the quote from Ballston Carpet & Tile in the amount of \$3,800 for the replacement of the carpet in the lower level of town hall.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

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Motion by Blaisdell seconded by Saul to schedule the Reorganizational Meeting for January 3, 2011 at 7:00 p.m.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Resolution #17 introduced by Blaisdell seconded by Saul authorizing the following budget transfers as requested by the Comptroller.

From	To	Amount
A-1910.4	A-1950.4	\$ 807.13
A1990.4	A-3310.4	57.72
A3510.103	A-3510.4	1,000.00
A-9050.8	A-9010.8	256.49
DA-9050.8	DA-9010.8	80.65
DB-9050.8	DB-9010.8	147.93
DB-9050.8	DB-9010.8	147.93
DB-9050.8	DA-9060.8	904.35
Total		\$3,402.20

Miranda-yes; Blaisdell-yes; Saul-yes; Mancini – yes; Thompson-yes. Resolution adopted.

Update by Garry Robinson on the Physical and Financial Inspection of Heritage Springs Sewer Works, Inc..

Motion by Miranda seconded by Mancini to table decision on Town Engineer’s Report of Heritage Springs Sewer Works, Inc. until January 3, 2011.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Reports

Town Clerk report read & filed.

Building Department

Justice Calderon Report read & filed.

Justice Thomas Report read & filed.

Zoning Board of Appeals by Saul.

Planning Board no meeting in November

Historian read by Royann Blodgett and filed.

Highway Department read by Blaisdell and filed.

Comptroller Report filed.

Animal Control read & filed.

Public Comments

The following people spoke: Tom Boghosian and Bruce Boghosian.

Motion by Mancini seconded by Blaisdell to go into executive session for Ethics Board and Personnel matter.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Miranda seconded by Saul to return to the regular meeting.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Miranda seconded by Saul to accept with regrets Betty Dumas retirement letter as Court Clerk effective December 31, 2010.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Motion by Saul seconded by Miranda there being no further business to adjourn.

Miranda – yes; Saul – yes; Blaisdell – yes; Mancini – yes; Thompson – yes. Motion carried.

Meeting adjourned at 9:40 PM.

Respectfully submitted,

William J. Mevec
Town Clerk