

**COUNTY OF SENECA  
TOWN OF COVERT REGULAR BOARD MEETING  
December 13, 2010**

**Call to Order:** The regular Town Board Meeting was called to order by Supervisor Michael Reynolds at 7:30 PM.

<b>Roll Call:</b> Supervisor Michael Reynolds	Present
Councilman Gary Hunt	Present
Councilman Stephen Selover	Present
Councilwoman Valerie Bassett	Present
Councilman Duane Waid	Present

**Others Present:** Town Clerk, Colleen Freese  
Highway Superintendent, Jeffrey Mac Cheyne  
Town Attorney, John Sipos  
Reporter, Aneta Glover

**Resident Present:** Jeffrey Vann, Chuck Bosman

Supervisor Reynolds called the meeting to order at 7:30 with the pledge to the Flag.

Supervisor Reynolds opened the public hearing at 7:35 p.m.

The purpose of the public hearing was to hear comments on the proposed Local Law 01-10 entitled "Town of Covert Dog Control Law." There was discussion on the fees for dog licenses, and decision to put spayed dog cost at \$10.00 and charge the extra \$1.00 for Animal Control Population and unspayed dogs fee will be \$20.00 plus \$3.00, charge for Animal Control Population as is required by the State.

Supervisor Reynolds closed the public hearing at 7:50 p.m. and opened the regular meeting.

**Approval of Minutes**

For November 8, 2010 Regular Town Board Meeting and November 15, 2010 public hearing for adopting the budget.

Motion: Councilwoman Valerie Bassett

Seconded: Councilman Duane Waid

Carried Unanimously

**Petitioners to the Board:**

Barbara Mc Call of South Seneca Ambulance discussed the payment of ambulance calls. The procedure is to bill the Insurance Company and after payment the balance due is billed to the patient. If the person is a tax payers of the Town of Covert and they call South Seneca Ambulance and let them know they are a tax payer the balance of the bill will be waived. South Seneca Ambulance reported 857 runs between January and November 2010. Town attorney John Sipos advised the Town Board not to sign the South Seneca Ambulance contract at this time. John said it is legal to have a provision in the contract for the resident of the Town of Covert stating if you are a tax payer the balance

of your ambulance bill maybe waived and these things need to be worked out with the billing department and South Seneca Ambulance.

Chuck Bosman went to an eight hour meeting on housing planning and figured he could use this training to meet the four hour requirement for the planning board. Harriet Haynes County Planner said the Town Board could pass a resolution to accept this as a approved course to meet the required training for the Planning Board.

**Highway Superintendent: Jeffery Mac Cheyne**

Highway Superintendent: Jeffrey Mac Cheyne reported that he applied for stimulus money to fix the bridge on South Frontenac Road, it looks good for the Town to receive some stimulus money for this project. North Frontenac Road will be built up and fixed so it can be used while South Frontenac is closed to work on the bridge.

Tom Seaman is calling asking for the Town to take over the plowing and up keep on Oak Harbor Road. Highway Superintendent Mac Cheyne feels the road is very dangerous. Councilman Hunt and Councilwomen Bassett are opposed for the town to take over this road they do not feel it is in the best interest of the Highway guys or Town as there are no guiderails and it is a very steep hill for the Highway trucks.

**Committees:**

Councilwoman Bassett is very concerned about the Interlaken Fire Contract and why they automatically add 5% every year. The time has come that the Board needs to have a meeting with, Interlaken Fire Company and negotiate the contract.

Councilman Hunt reported that he appreciates the way the Bookkeeper is doing the expenditure and revenue report. Dick Bauer contacted Councilman Hunt and wants to display some wreaths out front; Councilman Hunt is going to work with Mr. Bauer this weekend to put some greens out front.

Councilman Waid reported that NYMIR Insurance provides coverage for “short term pollution event” which is defined as a continuous discharge, dispersal, release or escape of pollutants that can be identified as happening during a 48 hour time period.

Supervisor Reynolds reported he is working on number signs for the houses in the Town of Covert and checking on prices for material to make signs. They are still working within the Trumansburg Ambulance and what they can offer the Town for their services.

Year end meeting will be held December 27, 2010 at 6 O'clock at the Municipal Building 8469 South Main Street, Interlaken, NY.

Hunt moved, seconded by Selover, to approve the renewal of American Legion Post 770 Bell Jar and Queen of Hearts Raffle. Motion carried unanimously.

Waid moved, seconded by Bassett, to reappoint Gerald Reynolds to the Planning Board for the seven year term. Motion carried unanimously.

Selover moved, seconded by Hunt, that the Local Law Number 1-2010 Town of Covert Dog Law be approved. Motion carried unanimously.

# Local Law # 01 for 2010

## Town Of Covert Dog Control Law

This article shall be known and may be cited as the "Town of Covert Dog Control Law." The purpose of this article shall be to promote the health, safety, morals and general welfare of the Town of Covert, including the protection and preservation of the property of the Town of Covert and its inhabitants and of the peace and good order, by adopting and enforcing certain regulations and restrictions on the privileges of the owners of dogs and the rights and privileges of the residents of the Town of Covert and by imposing restrictions upon the keeping and running at large of dogs within the Town of Covert.

### **1. License fees.**

In addition to any licensing fee required to be paid to the State of New York, the owner of any dog requiring a license pursuant to law shall pay to the Town of Covert, at the time of issuance of such license, with a fee for an unspayed or unneutered dog being at least \$5 more than that of a spayed or neutered dog and as set forth in the official fee schedule of the Town of Covert. Said fee schedule is on file in the Township offices and set by resolution by the Board of the Town of Covert. (See Resolution pertaining to fees for licensing Dog)

### **2. Application.**

Any dog harbored within the Town of Covert which is owned by a resident of New York City or licensed by the City of New York, or which is owned by a non-resident of New York State and licensed by a jurisdiction outside the State of New York, shall for a period of thirty (30) days be exempt from the licensing and identification provisions of this local law.

### **3. Licensing of Dogs, Rabies Vaccination Requirement.**

The Town of Covert requires owners of dogs six (6) months of age or older, unless otherwise exempted shall be licensed. The owner of each dog required to be licensed shall obtain, complete and return a dog license application together with the license application fee, any applicable license surcharges and such additional fees as may be established by Town of Covert. Each license application shall be accompanied by proof that the dog has been vaccinated against rabies or a statement from a licensed veterinarian that such vaccination would endanger the dog's life in which case vaccination shall not be required. Each license issued shall be valid for a period of one year and shall not be transferrable. The Town of Covert authorizes a shelter; which has been named by resolution; to acting by its manager to provide, accept and grant an application for a dog license at the time of the adoption of a dog from said shelter provided that such application is made in accordance with this law and the license fee, any additional fee and surcharge shall be remitted to Supervisor of the Town of Covert on or before the third day of the month following the month in which the license fee and additional fee and surcharge was received. Excepted from payment of the license fee are applications submitted for a dog license for any guide, hearing, and service, war,

working search, detection, police and therapy dogs with certification of such.

**4. Prohibitions.**

It shall be unlawful for an owner of, or any person harboring, any dog in the Town of Covert to permit, allow or suffer any dog to:

- A. Engage in excessive loud howling or barking or to conduct itself in such a manner as to repeatedly annoy any person other than the owner or person harboring such dog.
- B. Cause damage or destruction of property or commit a nuisance upon the premises of a person other than the owner or person harboring such a dog.
- C. Chase or otherwise harass any person in such a manner as to reasonably cause intimidation or to put such person in reasonable apprehension of bodily harm or injury.
- D. Habitually chase or bark at motor vehicles, bicycles, moving vehicles or animals or, in running at large, cause unreasonable disturbance.
- E. Run at large when in heat, and such female dog shall be confined to the premises of such person or of a veterinarian or in a boarding kennel during such period.
- F. Be off the premises owned or leased by the owner or harborer of said dog unless said dog is under the visual, voice or sound control of its owner or a responsible person able to control the dog.
- G. Attack, bite, molest, maul or harass any person who is peaceably conducting himself in any place where he may lawfully be.
- H. Any violation of this section shall be a criminal offense, punishable by a fine not exceeding one hundred dollars for a first offense and not exceeding five hundred dollars for commission of a second offense within twelve months, and or including fifteen days incarceration in the Seneca County Jail.

**5. Enforcement officers.**

The Dog Control Officer of the Town of Covert shall be the enforcement officers of the provisions of this chapter.

**6. Apprehension of dogs.**

The Dog Control Officer shall apprehend any dog found by him/her to be in violation of any of the provisions of this chapter pursuant to Article 7 of the Agriculture and Markets Law of the State of New York.

**7. Custodian of dog to be deemed offender.**

The owner of record, custodian or person who keeps harbors or otherwise has charge of any dog which has been impounded pursuant to any provisions of this chapter shall be deemed an offender and shall be subject to the penalty prescribed in this chapter.

**8. Notification of custodian.**

Within 24 hours of the impounding of any dog, or as soon thereafter as possible, the Dog Control Officer shall notify the owner or custodian thereof, if ascertainable, of its impoundment. Upon payment of fees and charges as hereinafter provided by this chapter, the dog shall be forthwith surrendered to the owner or custodian thereof.

**9. Service of summons.**

The Dog Control Officer shall apprehend and impound any dog that is found by him to be in violation of any of the provisions of this chapter. Within 24 hours, or as soon thereafter as possible, the Dog Control Officer must serve or have served upon the owner of record or harbinger of such impounded dog a summons returnable in the Town Court of the Town of Covert and file with the court a verified information and supporting deposition by the person or persons making the complaint.

**10. Redemption fees.**

Any dog apprehended hereunder may be redeemed by the owner or harbinger thereof upon payment of a redemption fee to the Town Dog Shelter, as deemed by resolution, plus an additional fee for each twenty-four-hour period or part thereof that the dog is held in the Town of Covert, as well as the appropriate license fee if the dog is unlicensed. No dog may be redeemed without a receipt indicating payment of fees. All fees hereunder are as set forth on the fee schedule approved by the Town Board. All fees collected shall be turned over to the Supervisor for the Dog Control Fund of the Town of Covert.

**This local law shall take effect on January 1, 2011.**

	AYE	NAY
Michael Reynolds		
Duane Waid	yes	
Valerie Bassett	yes	
Gary Hunt	yes	
Steve Selover	yes	

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF COVERT,  
SENECA COUNTY, NEW YORK,**

**RESOLUTION NO.11 – 2010**

**RESOLUTION ADOPTING FEES PERTAINING TO THE LICENSING OF  
DOGS**

**WHEREAS**, the Town Board of the Town of Covert has adopted a Local Law No.01 - 2010 Adopting Regulations Regarding the Licensing of Dogs; and

**WHEREAS**, this Local Law requires the Town Board to establish certain fees and surcharges pertaining to the licensing of dogs.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Covert hereby establishes the following fees and surcharges:

1. The license fee for a spayed or neutered dog shall be \$10.00
2. The license fee for an unspayed or an unneutered dog shall be \$20.00
3. The surcharge if the dog to be licensed is altered shall be \$1.00
4. The surcharge if the dog to be licensed is not altered shall be \$3.00
5. The surcharge for every dog counted in an enumeration but is found to be unlicensed shall be \$5.00.
6. \$25.00 for each purebred license pursuant to Subdivision 2 of section 109 of the and Market Law if more than ten (10) and no more than twenty-five (25) registered purebred dogs or purebred dogs eligible for registration over age six months are harbored on the owners premises at the time of the application.

AND BE IT FURTHER RESOLVED, that these fees shall be effective as of January 1, 2011

I, Colleen R. Freese, Town Clerk of the Town of Covert do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Covert, December 13, 2010 by the following vote:

	AYE	NAY
Steve Selover	yes	
Gary Hunt	yes	
Duane Waid	yes	
Valerie Bassett	yes	

## **Standard Work Day and Reporting Resolution**

### **RESOLUTION # 12-2010**

Selover moved, seconded by Waid to approve Resolution #12-10 BE IT RESOLVED, that the Town of Covert hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number  (Last 4 digits)	Registration Number	Standard Work Day  (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System  (Y/N)	Days/Month  (based on Record of Activities)
<b>Elected Officials</b>							
Supervisor	Michael			6	01/01/2010/1	N	10

	Reynolds				2/31/11		
Board Member	Valerie Bassett			6	01/01/2008	N	1
<b>Appointed Officials</b>							

On this 13day of December, 2010

\_Colleen R. Freese

Date enacted: December 13, 2010

I, Colleen R. Freese, Town Clerk of the governing board of the Town of Covert the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 13 day of December, 2010 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 4 members, and that 4 of such members were present at such meeting and that 3of such members voted in favor of the above resolution. Councilwoman Bassett abstained, Motion Carried Unanimously.

Highway Superintendent MacCheyne filed his November report with the Board.

Town Clerk Freese filed her November report with the Supervisor. A total of \$337.09 was remitted.

Supervisor Reynolds filed his November revenue and expenditure report with the Board.

Hunt moved, seconded by Waid, that the Highway Fund Vouchers # 160-175 in the amount of \$70,848.24 and General Fund Vouchers # 198- 219 in the amount of \$ 19,884.18 be approved for payment. Motion carried unanimously.

On the motion of Selover, seconded by Hunt, the meeting was adjourned at 9:50 P.M.

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Supervisor, Michael Reynolds

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Town Clerk, Colleen Freese