

COMMITTEE OF THE WHOLE MEETING MINUTES

TUESDAY, OCTOBER 8, 2019 – 6:30 p.m.

COUNCIL CHAMBERS – OLEAN MUNICIPAL BUILDING

IN ATTENDANCE WERE: ALDERMEN CRAWFORD, WITTE, ANDREANO, GONZALEZ, DOUGHERTY, SMITH, AND GEORGE. OTHERS: MAYOR WILLIAM AIELLO; LENS MARTIAL, CITY CLERK; NICHOLAS DICERBO, JR., CITY ATTORNEY; BOB RING, DIRECTOR OF PUBLIC WORKS; JEFF ROWLEY, POLICE CHIEF; BOB BELL, FIRE CHIEF, AND TIFFANY TAYLOR, MANAGERIAL CONFIDENTIAL ADMINISTRATIVE SECRETARY.

Alderman Crawford called the meeting to order at 6:30 p.m. and asked that the record show that all Aldermen were present.

1. Discussion – Dog Licensing

Alderman Crawford explained that he had received a request from a couple of residents to look into this, and that he had recently noticed issues when registering his own dog. He presented a handout to the Council that showed the average percentage of households in the country with dogs, compared to the percentage of households with dogs registered in the City, and it shows that there are potentially a lot of dogs in the City that are not registered. He noted that there is also a fee discrepancy between the Code and the current in use fee structure, which will be corrected aside from this discussion.

Alderman Crawford explained that he wanted to bring forth this discussion in order to find a more effective process and system. He explained that the Council can do nothing and leave licensing as is, or they could perhaps eliminate dog licensing altogether. He explained that it seems that registration of dogs has not really been enforced since the City's animal control officer was lost during the Carucci administration. He feels that if there is no enforcement, then it does not make sense to license dogs for just \$6,000 in revenue. He explained that it was a pain to reregister his dog and explained the process, from getting a letter from the City Clerk's office, to having to go to his vet for an updated rabies vaccine certificate because the one on file with the City was expired.

Alderman Crawford explained that other municipalities have multi year renewals, and he suggests possibly a three year renewal to align with the three year rabies vaccine. He asked what the best way to solve the problem is, and noted that he understands that the problem will not be solved tonight, but he appreciates feedback and thoughts from the rest of the Council moving forward.

Mr. DiCerbo explained that his office prosecutes cases for both unlicensed dogs and dogs running at large. He explained that to date this year, \$2,400 has been collected in fines and reimbursements for those particular matters. He explained that he does not believe that the City can eliminate the

need to register dogs, and that it would need to be researched in the Agriculture and Markets Law. Alderman Crawford asked if dogs could be registered, but the fee eliminated, and Mr. DiCerbo responded that if it is for the intention of encouraging people to license their dogs, it is something the Council can consider. He explained, however, that he believes that some of the fee goes to the State, and this portion cannot be eliminated.

Mr. DiCerbo explained that when a dog is picked up and taken to the SPCA for running at large, it needs to be registered to be picked up. When there is a dog running at large case in court, his office looks through the City database of dog licenses, and if there was no license for the dog at the time it was picked up, that ticket is issued in court that day. He explained that it is not a top priority, but that the police department and the City Attorney's office prosecute these cases and get involved, so while the enforcement aspect is not perfect, it is there. He noted that the City went back and forth a few years ago regarding completing a dog census, but no funding was dedicated at the time. He explained that funding for a dog census should be looked at next summer, and that he believes that the estimated cost was \$10,000 to \$15,000. HE noted that he does not know how long ago the last dog census was done.

Alderman Andreano asked what would have to be done in terms of enforcement of the animals running at large ordinance if dog licensing is eliminated. Mr. DiCerbo responded that the dog licenses make it easier to identify the owner, and without them, his office may not have the prima facie evidence needed to prosecute the case. Owners could deny that a dog is theirs.

Alderman Gonzalez asked what the fine is for an unlicensed dog, and Mr. DiCerbo responded that he is unsure. Alderman Gonzalez explained that he is in favor of dropping the fee for dog licensing if it gets people to license their dogs, and if the fine is so ridiculously high that people would be crazy not to register their dogs in the first place. Mr. DiCerbo responded that a fine is a deterrent, but that collecting the fine is another story. Alderman Gonzalez explained that he knows that this will not work to correct the problem 100%.

Mr. DiCerbo explained that he received a call earlier today that his dogs were loose, and because the dogs were registered, the person who found them was able to call the City, get his wife's cell phone number, and contact her. He explained that this saved him \$600 in SPCA if they were not registered and were picked up. He explained that from a practical standpoint, he does not know why an owner would not license their dog. He explained that when he prosecutes a dog running at large case in court, that he will work with owners who have their dogs licensed more than owners who do not.

Alderman Crawford questioned if it would be more practical to have multiyear registrations rather than doing away with the licensing. Mr. DiCerbo recommended perhaps lining the registrations up with the rabies vaccines renewals, if it is not inconsistent with the Agriculture and Markets Law.

Alderman Dougherty explained that a part of registering dogs is the City doing the legwork to keep people safe and ensure that dogs in the City are vaccinated against rabies. Alderman Crawford

explained that there needs to be a way to incentivize people registering their dogs. He asked that the Council think about this, and that he would bring it up again in a couple of weeks.

2. Discussion – Downton Business Awning

Alderman Crawford explained that this issue was resolved prior to the meeting.

3. Adjournment

A motion to adjourn was made by Alderman Crawford, seconded by Alderman Andreano. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:45 p.m.