

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

CALLED TO ORDER BY DEPUTY SUPERVISOR MORROW, CHAIRMAN at 7 PM

SALUTE TO THE FLAG

ROLL CALL BY CLERK, Suzanne Reavy:

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
DEPUTY SUPERVISOR JOHN MORROW
TOWN COUNCILMAN ROCCO SECRETO - *Excused*
SUPERVISOR JAMES E. QUIGLEY 3rd - *Excused*

ALSO IN ATTENDANCE:

1. Town Attorney, Jason Kovacs
2. Building Inspector, Kathy Moniz
3. Officer in Charge, Kyle Berardi
4. Assessor, James Maloney
5. 31 Town Residents & Interested Parties

ADDITIONS OR CHANGES TO AGENDA: Addition of two Police Matters

Lt. Kyle Berardi: Police Dept accredited in New York State since 2002 and is up for accreditation this year (every five years). These policies are relative to standard maintenance and updates. Current policies being revised to meet the standards of accreditation.

COMMUNICATIONS: None

PUBLIC DISCUSSION ON AGENDA ITEMS:

1. Gail Mihocko: Founder & Director, Project Cat (High Falls area) **(RE: CAT LOCAL LAW)**
Here to voice support for the cat ordinance; her shelter responds to cat calls all of the time, many from Town of Ulster; other shelters put bandaid on the problem; cats only domestic animal with no ordinances; disrespectful to other property owners; health risk to humans and other animals; huge component to cat problem is the no kill shelters and accompanying trap-neuter-release (TNR) programs. Norm for local shelters to advise TNR rather than turn into shelter where cats may be euthanized; shelters don't want to euthanize, so cats remain in the environment and continue to cause problems. This TNR

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

process is disaster; nothing to curtail cat population; need to put onus of responsibility on pet owners. Hopes proposed law is beginning for safer community and more humane action for cats.

Deputy Supervisor Morrow: For your information, the way this system works is that tonight we introduce the law, next meeting we set a public hearing; the following meeting we hold the public hearing, take all comments from people. We welcome you to speak at that public hearing. We appreciate your comments.

2. Gina Carbonari: Vice President, UCSPCA **(RE: CAT LOCAL LAW)**

Was under the impression that tonight you were taking comments on the proposed cat legislation. Will wait until the public hearing to comment any further. Our executive director has been in contact with the Supervisor to provide alternate means than what is in the proposed legislation. We are going in the direction away from euthanasia and feed bans; we are a no kill shelter.

Morrow: Thank you for your comments, we appreciate them.

3. Marc Rider: Decker St. resident **(RE: SUPERVISOR LOCAL LAW)**

Chairman of the Democratic Committee; Local Law can be amended; not necessarily in opposition of the law extending the term; thinks that if you want this to go into effect this term, the public referendum should have gone to the people in 2016, rather than in an election year; Would be supportive of the mandatory referendum this November, then it going into effect after 2019. Two options: special election after 60 days of passing the law OR doing it in the general election. Unsure if you are voting for a supervisor for a two or four year term. As the Chairman, it would be easier to recruit candidates knowing the set term that we are recruiting candidates for.

4. Dawn DeLuca: Warren St. resident **(RE: CAT LOCAL LAW)**

Representing people who were told to come at 7:30 pm.

Councilman Kitchen: What is at 7:30?

DeLuca: We were told, via a pamphlet in our mailbox, to show up here at 7:30.

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

Kitchen: The meeting could be over by 7:30. We will extend it, but we did not send a flyer out.

Deluca: these people feeding the cats should keep them on their property in a cattery, not killing her birds, and leaving them on her patio. We were also told that the capture and release people were going to be neutered. We now have breeding & kittens. I will notify those that were to come at 7:30 to come now.

5. Susan Martino: Volunteer Town of Saugerties Animal Shelter
(RE: CAT LOCAL LAW)

Volunteers; TNR works. People cause the problem with the cats, now it's people that want to euthanize. You have to get the entire colony. Eventually they will die off naturally.

Morrow: The Board did not mention that we want to euthanize anything. The Board is not familiar with TNR.

Kitchen: What you are proposing, is that different from what you are saying?

Martino: You go in and spay/neuter. Get the whole colony. Stops the colony from growing. You have to return them to where they came from. Eventually they will die off naturally.

Kitchen: So they are returned to Ms. Deluca's yard to continue to kill her birds.

Martino: A farm to take cats. To make it illegal to feed them... There will a grant at the SPCA, trap the cats, and they can be neutered/spayed. Took care of a neighborhood in Kingston and now there is one cat left, it took care of the problem.

6. Stacy Dziomba: Riseley St. resident **(RE: CAT LOCAL LAW)**

Works with Susan Martino; has three cats but does not let them outside; helps catch kittens and neuters/spays cats for years; feeds cats that are fixed; do not kill the cats.

Kitchen: We never talked about killing cats.

Dziomba: The word "destroy" means killing. Don't just go in and kill them; you trap

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

Morrow: That is a solution and that is your opinion. Our job is to take all input and put together a law for what is best for the Town of Ulster. There is no law.

Kitchen: Tonight is just a proposed law.

Morrow: This is a long process. Everyone has the ability to provide input – verbally and written.

Kitchen: Your input allows us to consider modification.

Dziomba: It is the people that move away and leave their cats are causing the issue. Thank you.

7. John Iannotti: Sunrise Ave. resident **(RE: CAT LOCAL LAW)**

I am neutral; wants to relay to the Board that the notice in the mailboxes noted a 7:30 meeting that allowed for input regarding feral cats. I would suggest to the Board to break with protocol to record the statements made tonight.

Morrow: I concur. This is being recorded. We will consider these comments as part of a public hearing.

8. Lori Werner & Ann Pumilia: Sunrise Ave. residents **(RE: CAT LOCAL LAW)**

Live across where the cats are being fed; they are not living where they are fed; they are living under our decks, peeing on our foundations, basements stink, had bushes removed. Has to be some sort of control put on these cats. If people want to feed them, keep them on your property. Neighbors are unapproachable. Why can't town approach them, knock on their door. Has to be at least 30 cats and now they are pregnant. If laws for dogs, laws for cats. Substantial fine attached to the law. Lori had a cat jump out from under her car hood. Neighbor opened her dryer and it smelled like cats. Clearly identified four families who are feeding the cats.

Morrow: Please relay to the Board why there is trouble trapping the cats, what you told me the other day.

Werner: We are trying to catch the cats with food. The cats are not hungry because they are fed around the clock, so it is impossible to catch them.

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

9. Beverly Goerke: Sunrise Ave. resident **(RE: CAT LOCAL LAW)**

Cats have been around a while, at least 13 years. Has trapped kittens and found homes for them.

Kitchen: How many cats are loose in the area?

Goerke: I have no idea. Some cats are ok, but some are wild. Stacy (Dziomba) has had success.

Morrow: It sounds like great success in the audience. Suggests getting phone numbers from TNR people.

10. Dave Argust: Sunrise Ave. resident **(RE: CAT LOCAL LAW)**

Cats are helpful; sees the other side of the story. Keep rodent population down. They are wild animals just like any other wild animal. They have not caused any problems.

11. Cheryl McGahan: Cora Terrace resident **(RE: CAT LOCAL LAW)**

Has a group of cats that are neutered/spayed and have shots; stay by her yard and wander a little; caught cats through Woodstock feral group. Working this month to do more. Wants everyone to know that we are not saying there is not a problem. Not just feral cat problem.

Kitchen: Do you live near Ms. Deluca?

Deluca: She is on the hill and I am down below. I can show you a trail of where the cats go to her property every morning. They do not stay on her property.

McGahan: They do stay on the property.

~~ AUDIENCE DISCUSSION/DISAGREEMENT ~~

Morrow: We cannot have an argument here, we are just introducing the law.

McGahan: I have not seen the law, don't know what it's about. Don't know who put Paper in the mailbox – thought that was illegal.

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

Kitchen: Talk to the Town Clerk.

Town Clerk Reavy: It did not come from my office.

McGahan: It was an unofficial letter. How do you keep cats in the yard?

~~AUDIENCE DISCUSSION/DISAGREEMENT~~

Town Attorney, Jason Kovacs: I think you should proceed with the agenda and take more public comments after the agenda.

Morrow: That is a good idea. We will move forward with the agenda and at the end of the meeting we will have more public comment.

NEW BUSINESS

MOTION authorizing the Supervisor/Deputy Supervisor to sign the Application of Supervisor for Extension of Time for Collection of Taxes to the Commissioner of Finance of the County of Ulster until June 1, 2017

MOTION: Councilman Brink
SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Excused
Supervisor Quigley	-Excused

CARRIED

MOTION to proclaim the month of April at the Town of Ulster as World-Wide Parkinson's disease Awareness Month

MOTION: Councilman Brink
SECOND: Councilman Kitchen

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Excused
Supervisor Quigley	-Excused

CARRIED

MOTION authorizing the Town Clerk to sign the MuniPay contract for credit card payments in the Town Clerk's Office

Per Suzanne Reavy: New credit card company offers lower interest rates for customers; online payments; more streamlined reports; better for day to day operations in the office.

MOTION: Councilman Kitchen
SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Excused
Supervisor Quigley	-Excused

CARRIED

MOTION to authorize the hiring of one part time clerk for the court office

Marissa Martino: part time; start date 3/6/17; \$11.50/hour; no benefits

MOTION: Councilman Kitchen
SECOND: Deputy Supervisor Morrow

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Excused
Supervisor Quigley	-Excused

CARRIED

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

MOTION to authorize the hiring of one seasonal employee for the Highway Department

Jonathan McGee: effective 3/1/17; \$11.00/hour; seasonal; no benefits

MOTION: Councilman Kitchen

SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Excused
Supervisor Quigley	-Excused

CARRIED

PRESENTATION of Local Law _____ of 2017, a Local Law changing the term of the Office of Supervisor from two years to four years, commencing January 1, 2018

- Available for viewing on the Town Website and in the Town Clerk's Office

PRESENTATION of Local Law _____ of 2017: Town of Ulster Cat Control Local Law

- Available for viewing on the Town Website and in the Town Clerk's Office

MOTION to approve the revised policy – Emergency Services Unit

MOTION: Councilman Brink

SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Excused
Supervisor Quigley	-Excused

CARRIED

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

MOTION to approve the revised policy -- Pursuits

MOTION: Councilman Brink

SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Excused
Supervisor Quigley	-Excused

CARRIED

PUBLIC COMMENT -- all pertaining to the Proposed Cat Local Law

1. Dan Furman: Riseley St. resident

Two years ago we started noticing cats; they are now all over, remain unchecked; drive his dog insane; he has a fenced in yard. Keep cats in your own house. Very annoying; needs to be addressed; they carry diseases.

2. Dawn Deluca:

Wants to comment for someone who could not make it, who runs a daycare. Cannot let children play outside in sandboxes and little houses since cats have peed/defecated there. Increase in mice.

Kitchen: With all the cats around, there shouldn't be any mice.

Deluca: With all the food around, the mice come around. Attracting. The cats are playing with the mice, not killing them.

3. Gail Mihocko:

Spoke earlier, but wants to comment. Cats do not control rodents – research on issue. Cats are prolific hunters. Cats carry parasite in their guts (only reproduced in the guts of cats) called toxoplasma gondii. Mice are attracted to cats and cat urine when cats carry this parasite. Mice can pick it up and changes mouse behavior – no longer afraid of cats. Parasite eggs can be found in fecal matter. Children can pick up from playing in sandbox with parasitic fecal matter.

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

Rabies: Domestic cats are now the #1 animal from which people get post-exposure prophylactic rabies vaccines. People are more likely to get bitten or scratched by a cat than other wildlife.

According to Center of Disease Control, one rabies vaccine does not inoculate against rabies. A booster shot is required one year after the initial rabies vaccine.

Kitchen: So what do you actually do with the cats?

Mihocko: We trap. If we get friendly, healthy cats, we try to adopt them out. For feral, disease, sickly, aggressive cats, we humanely euthanize.

Kitchen: How do you trap these cats that are eating 3x/day?

Mihocko: You have to withhold food to trap.

Morrow: We are looking at education process with feeders.

Mihocko: change in philosophy of feeders. We have run into this problem in Sunrise Park.

4. Marc Rider:

Don't think that in the majority of the Town that this law is necessary. Looking through the law – after five days if the cat is unidentified, it would be sold. I'm not sure how that would be done. Then destroyed. If it is identified, then it is kept for 9 days.

Kitchen: This is only a presentation, it can be modified. This is a problem that was brought to the attention to the Town Board.

Rider: I have neighbors who feed squirrels. I have a daughter who has a reaction to peanuts, so should I ask for a local law to prevent feeding squirrels? At one point does this stop.

Kitchen: If you have a better solution please share it so that we can help these people.

Rider: Maybe talk to an attorney, this may be a civil issue. I am not saying I have a solution – just that this law is not the solution.

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

5. Gina Carbonari:

A lot of questions asked tonight. Appreciates the opportunity to speak tonight. UCSPCA takes interest in both sides. Main focus is that there are no knee-jerk reactions to euthanasia. Have different avenues to help assist others. Have volunteers. Call 845-331-5377 if anyone needs assistance.

Audience Comment (believe it to be Lori Werner): Excuse me, I have called that number and was told the comment I received was, "We're full." And they came out and offered us no assistance.

Morrow: We are not here to argue or debate.

Carbonari: We can come out and TNR. If we determine if it's a friendly cat, we can adopt out, or we will return. We will take care of vaccines. I am the VP and I will make sure that your call is answered.

Kitchen: Bottom line is that what this law states is that keep your cats in your own yard, no wandering, respect your neighbors. I don't let my kids, my dog run around the neighborhood. Keep the cats in your own yard. I agree with Ms. Deluca. If you can't do that then the Town is going to pick your cats up and you'll be fined.

Argust: They are feral cats.

Kitchen: They are not feral cats, because she (points to McGahan) is taking them in and feeding them. She says they live on her property.

Argust: I have some on my property. I don't know whether they live there or not. But they're not mine.

Morrow: Are you caring for the cats on your property?

Argust: No

Morrow: Certain people are caring for them. Those cats are causing problems.

Kitchen: This woman doesn't want to walk out of her house every morning and smell cat piss, and I don't blame her.

Carbonari: We want to propose a solution for everyone. Still humane.

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

Morrow: We would like to hear comments on what parts of this law you agree with, what would make it better.

6. Dave Argust:

Lots of nuisances around. I hate it when birds poop on my car, and people feed birds. These are wild animals they don't belong to anyone.

7. John Iannotti:

Thanks the Town Board for allowing neighbors to speak. Law is ambiguous. Anticipate time for a much longer public hearing; consider taking a look at the proposed legislation and have more specific definitions; address issues on how determine culpability for people feeding cats; standards for those cited with appearance tickets, what are standards for admission of evidence and proof.

Morrow: Public hearing will likely be in one month, not two weeks.

8. Lori Werner: People that do not have issues with the cats are not living near the people who are feeding the cats. Homes that are those close are those affected. I see cats outside my front porch waiting to eat. Cats are on her side, under her shed. I can see how others do not have issues. Squirrels and birds cannot compare to the cats and what they are doing to her property.

~ NO FURTHER COMMENTS ~

TOWN OF ULSTER TOWN BOARD WORKSHOP MEETING (6)

March 2, 2017

MOTION to adjourn at 8:03 PM:

MOTION: Councilman Brink

SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Deputy Supervisor Morrow	-Aye
Town Councilman Secreto	-Excused
Supervisor Quigley	-Excused

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk