

COUNTY OF CLINTON)
:SS
STATE OF NEW YORK)

June 13, 2025

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, June 11, 2025 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: David Bezio, Area 4
Calvin Castine, Area 1
Robert Hall, Area 10
Mark Henry, Chairperson, Area 3
Joshua Kretser, Area 9
Paul Lamoy, Area 8
Francis Peryea, Area 2
Kevin Randall, Area 5
Rob Timmons, Area 7
Patty Waldron, Area 6

ALSO PRESENT: Michael Zurlo, County Administrator
Kim Kinblom, Deputy County Administrator
Jacqueline Kelleher, County Attorney

Chairperson Henry called the meeting to order at 5:15 p.m.

Michael Zurlo, the County Administrator, conducted roll call.

Legislator Hall motioned to accept the minutes of the May 28, 2025 Regular Session, seconded by Legislator Kretser. Carried (10-0-0).

Chairperson Henry stated each year, the Off-Track Betting Committee awards two scholarships; one to a student attending SUNY Plattsburgh and one to a student attending Clinton Community College. The students selected must have a grade point average of at least 85 percent, have demonstrated leadership abilities, especially involvement in community activities and have taken part in a minimum of two extra-curricular activities, with at least one being non-sports related. Chairperson Henry invited each scholarship recipient to the podium.

Legislator Bezio presented John Bourgeois, of Beekmantown Central School, with the Clinton Community College scholarship. Legislator Bezio stated during his high school career, John was an active part of the school community on the football team and was Supervisor of the school store, the Eagle Mart. Legislator Bezio congratulated John and wished him the best.

Legislator Waldron presented Alexis Wells, of Saranac Central School, with the SUNY Plattsburgh scholarship award. Legislator Waldron stated Alexis was a member of the volleyball, basketball and softball teams, the National Honor Society and the Multicultural Club. Alexis also volunteered for several different organizations and was an intern at Morrisonville Elementary School in 2024. Legislator Waldron wished Alexis the best on her future endeavors.

Chairperson Henry asked if anyone wished to address the Legislature.

Dr. Kendra Babbie-Durant, from Legislative District One, spoke of her service dog, Lola, that assists her with daily life routines. Dr. Babbie-Durant noted Lola lived many years of her life tethered outside and was used specifically for breeding. Lola was tethered for 24 hours, seven days a week, on an eight-foot chain. Dr. Babbie-Durant reported Lola's abuser to the local police and was told there was nothing that could be done. Dr. Babbie-Durant stated Lola's former owner shot her and left her for dead. Dr. Babbie-Durant stated she is here as a disabled person that depends on Lola and cannot believe somebody would do that to this poor dog who is so sweet. She stated it isn't about taking rights away from decent dog owners. This regulates harmful conditions and bans suffering. Tethering makes a dog eight times more likely to bite when freed and it is containment by cruelty. Dr. Babbie-Durant stated to have a public hearing and supporting the tether ban shows the world Clinton County stands for compassion and not cruelty.

Jessie Murnane, of Morrisonville, New York, stated she is here to support the dogs. This is about how we handled this situation and how could we have done better. Ms. Murnane noted the Legislature could've had votes when everyone was present. If this vote would've happened when all were here like Legislator Waldron asked then the Legislature would've had a public hearing. She noted there have been a lot of hurt feelings, personal attacks and it became personal when it shouldn't have. Ms. Murnane stated she acted out-of-character and apologized. She stated it is hard not to take things personal when not being heard and to give the people a chance to voice their opinion. Ms. Murnane stated it's been a nightmare for everyone involved, she could've done better and she is asking the same from the Legislature.

Jennifer Jewett, of Champlain, New York, stated she brought her American flag because the last time she checked we do live in America and as a United States Air Force Veteran, this means everything to us. She has been working on this law since December, 2023 without the Legislature's cooperation. The dog Ms. Jewett was initially trying to save is now dead, having spent its 11.5 years on a chain. The people of Clinton County deserve a public hearing and deserve to be heard. Ms. Jewett stated after doing all the work, she was

first denied a public hearing in October, the first ever public hearing denied in Clinton County history. She stated that was nine months ago. Ms. Jewett stated it took nine months to put this resolution back out for a vote again, and in that time, the entire County was banned from even discussing this law. Ms. Jewett noted none of the Legislators have given any feedback on this law. Ms. Jewett stated to vote yes for a public hearing and leave here looking like decent human beings. She stated those that vote down the public hearing will have to live with how you look to those in Clinton County. Ms. Jewett noted this has been in place in Essex County for eight years now and if it takes replacing some of the Legislators in the next election she will do that. She noted once you witness a dog tethered you feel helpless. The dog tether law was a true collaboration and a lot of research and time went into creating this law. Ms. Jewett made countless attempts to get feedback and there were not any concerns raised on how it is written. Ms. Jewett stated she does not need 17 separate laws in the County, we need one easy to follow Countywide law.

Betty Lou Lajoy, of the Town of Plattsburgh, stated she is here to speak about the United Nations. Ms. Lajoy started lobbying for animal protection in 1987. This is a simple bill. She doesn't understand what the problem is to have a public hearing. Animal laws keep getting passed and it is bipartisan.

Ben Martin, of Fort Brown Road, Plattsburgh, stated he is coming to support a tether law for dogs but apparently tonight is supporting the public hearing. Mr. Martin stated whether you support that or not, support the public hearing and let the people speak. He stated there should be a public hearing on every law. Mr. Martin stated the Legislature can turn it down later if they don't agree with what the people say but have the public hearing.

Geoffrey Barker, of Plattsburgh, New York, stated he has a few items to bring to the Legislature's attention. Mr. Barker noted there are unregistered vessels operating on County waters. He sent a letter to the Sheriff's Department on Thursday, May 22nd and also faxed a copy to the Legislative Office (a copy has been attached hereto and made part of the minutes).

Mr. Barker's second concern is regarding the Federal aid cuts, that is out of the County's control, but needs to be considered. One result may be the loss of Essential Air Service (EAS) funding for North Country Airports. Mr. Barker stated to ask New York State to fund any loss of this Federal aid and maintain this air service in our region. He stated the New York State budget is \$254 billion and a mere \$31 million would support all five Airports in the region.

Mr. Barker spoke of the universal free school meals program is \$340 million and is given to each and every New York State student regardless of financial need. There are many other support areas where money can be redirected.

Mr. Barker stated he read the original tether law document and finds it overly restrictive. He would like to submit these changes to the Legislature for their consideration (a copy has been attached hereto and made part of the minutes).

There being no one else who wished to address the Legislature, Chairperson Henry moved onto the Committee Reports.

Buildings and Grounds Committee – Legislator Lamoy

Legislator Lamoy stated the Buildings and Grounds Committee meeting scheduled for Monday, June 9th was cancelled.

The next Buildings and Grounds Committee meeting is tentatively scheduled for Monday, July 14th at 4:00 p.m.

Children and Family Services Committee – Legislator Peryea

Legislator Peryea stated the Children and Family Services Committee met on Tuesday, June 3rd.

Christine Peters, the Commissioner of the Department of Social Services, was present to discuss the resolution, “Authorizing Memorandum of Understanding with Child Care Coordinating Council of the North Country.” Ms. Peters also discussed Medicaid Impacts due to Federal Legislation, Family Deportation Issues and monthly statistics. Legislator Peryea stated the Committee also had a demonstration with the Eligibility Verification Assistant (EVA) and noted how well it went.

Resolution #403 has been placed on the agenda based on the Committee’s recommendation.

The next Children and Family Services Committee meeting is tentatively scheduled for Tuesday, July 1st at 5:00 p.m.

Economic Development and County Operations Committee – Legislator Waldron

Legislator Waldron stated the Economic Development and County Operations Committee met earlier.

Shannon Thayer, the Planning Director, was present to discuss several resolutions including, “Authorizing the Planning Department to Apply for the 2025-2026 Snowmobile Trail Program Grant Funding,” “Approving Amendments to the By-Laws of the Lake Champlain/Lake George Regional Planning Board” and “Approving Appointment to the Saranac River Trail Greenway, Inc. Board of Directors.”

Molly Ryan, the Economic Development Director, was also present to discuss Clinton Community College Property Maintenance, the County of Clinton Industrial Development Agency and the Clinton Business Innovation Gateway.

Resolutions #404 through #406 have been placed on the agenda based on the Committee’s recommendation.

The next Economic Development and County Operations Committee meeting is tentatively scheduled for Wednesday, July 16th at 3:00 p.m.

Finance Committee – Legislator Timmons

Legislator Timmons stated the Finance Committee met on Wednesday, June 4th.

Kayla Guthiel, of Cornell Cooperative Extension, presented the Public Energy Savings Program to the Committee.

Rebecca Murphy, the Deputy County Treasurer, was in attendance to discuss the 2025 Sales Tax Chart, Bond Debt Service and In Rem Foreclosure. All properties sold at the Foreclosure Auction held on Tuesday, June 3rd sold above their delinquent tax amount, therefore, the resolution was withdrawn.

The Committee also discussed several resolutions including, “Authorizing Memorandum of Agreement (MOA) with Casella Waste Management of NY, Inc.,” “Authorizing the Purchasing Agent to Solicit a Request for Qualifications (RFQs) for an Engineering Consultant for the Landfill Leachate Treatment System Project” and “Amending Policy Guiding the Expenditure by Clinton County of Funds Received through the Tobacco Settlement.”

Resolutions #407 through #413 have been placed on the agenda based on the Committee's recommendation.

The next Finance Committee meeting is tentatively scheduled for Wednesday, July 2nd at 5:15 p.m.

Health Committee – Legislator Bezio

Legislator Bezio stated the Health Committee meeting scheduled for Wednesday, June 4th was cancelled.

Resolution #414 was polled by the Committee on Friday, June 6th.

The next Health Committee meeting is tentatively scheduled for Wednesday, July 2nd at 4:00 p.m.

Human Services Committee – Legislator Randall

Legislator Randall stated the Human Services Committee has not met since the last Regular Session.

Resolutions #415 and #416 were polled and have been placed on the agenda.

The next Human Services Committee meeting is tentatively scheduled for Tuesday, July 1st at 4:15 p.m.

Personnel Committee – Legislator Henry

Legislator Henry stated the Personnel Committee met on Monday, June 2nd.

Resolutions #417 through #443 have been placed on the agenda based on the Committee's recommendation.

The next Personnel Committee meeting is tentatively scheduled for Tuesday, July 8th at 5:00 p.m.

Plattsburgh International Airport Committee – Legislator Hall

Legislator Hall reported the Plattsburgh International Airport Committee has not met since the last Regular Session.

The next Plattsburgh International Airport Committee meeting is tentatively scheduled for Wednesday, June 25th at 4:00 p.m.

Legislator Hall stated every politician, federal, state and local is fighting for the Essential Air Service Program. He has not heard a word about taking funding away and will continue to fight.

Public Safety Committee – Legislator Castine

Legislator Castine stated the Public Safety Committee met on Monday, June 2nd.

Sheriff David Favro was in attendance to discuss two resolutions, "Authorizing the Purchasing Agent to Solicit Bids for Four Police Vehicles" and "Authorizing Lease Agreement with Crane Division, Naval Surface Warfare Center."

Jami Rock, the Executive Director of the Child Advocacy Center, was present to discuss the possible

transfer of the Mobile Unit.

Justin Meyer, the Assigned Counsel Administrator, was also present to discuss the resolutions, "Amending Second Statewide Expansion of the Hurrell-Harring Grant Acceptance" and "Amending Resolution #946 dated December 13, 2023 titled, "Amending Resolution #411 dated May 24, 2023 titled, "Awarding Request for Proposals for Family Court Legal Services."

Jamie Martineau, the Public Defender, was also in attendance to discuss the resolutions, "Authorizing Payment of Membership Dues" and "Authorizing Contract with Language Line Services, Inc. Phone and Insight Video Interpreting."

Resolutions #444 through #450 have been placed on the agenda based on the Committee's recommendation.

The next Public Safety Committee meeting is tentatively scheduled for Tuesday, July 8th at 4:00 p.m.

Transportation Committee – Legislator Kretser

Legislator Kretser stated the Transportation Committee met on Monday, June 9th.

Shannon Thayer, the Planning Director, was present to discuss potential Clinton County Public Transit route changes and the progress of bus shelters.

Karl Weiss, the Highway Superintendent, was also in attendance to discuss the resolutions, "Authorizing New York State Department of Environmental Conservation's (NYSDEC) Non-Agricultural Nonpoint Source Planning and MS4 Mapping Grant Acceptance," "Authorizing the Implementation and Funding in the First Instance 100 Percent of the Federal-Aid and State "Marchiselli" Program-Aid Eligible Costs of a Transportation Federal-Aid Project, and Appropriating Funds Therefore" and "Authorizing Contract with Vaisala, Inc." Mr. Weiss also discussed the funding of a sign truck.

Resolutions #451 through #453 have been placed on the agenda based on the Committee's recommendation.

The next Transportation Committee meeting is tentatively scheduled for Monday, July 14th at 5:15 p.m.

LIAISON REPORTS

Chamber of Commerce – Legislator Kretser

Legislator Kretser reported the Adirondack Coast Visitor's Bureau highlights for this past month include Kristy Kennedy, the Vice President of Marketing, attending the Adirondack Regional Tourism Council. The Chamber is also working diligently to market Canadian visitors and is advertising on several Canadian broadcasting channels. Legislator Kretser noted the 2025 travel guides have been released. The Chamber is also updating blog content, databases and is working with summer influencers. They are also promoting a water cross event and numerous fishing tournaments.

Clinton Community College – Legislator Waldron

Legislator Waldron reported Molly Ryan, the Economic Development Director, and James Cleveland, the Buildings and Grounds Superintendent, will be researching how to maintain the building going forward and reviewing the maintenance contracts.

Cooperative Extension – Legislator Timmons

Legislator Timmons stated the next meeting is on Tuesday, June 24th. Legislator Timmons distributed a handout guide of this year's farmers markets and local food sources.

Lake Champlain/Lake George Regional Planning Board – Legislators Kretser and Randall

Legislator Kretser stated the Board has updated its by-laws. Some updating was with modern language and other term limits of board members. Legislator Kretser noted each County that is a Board member has to pass a resolution for the amended by-laws, which is on the agenda this evening.

Soil and Water Conservation – Legislators Bezio and Timmons

Legislator Bezio stated the next meeting is Thursday, June 19th at 5:00 p.m.

STAFF REPORTS

County Attorney – Jacqueline Kelleher, Esq.

Ms. Kelleher requested a brief Executive Session regarding the resolution of potential litigation.

County Administrator – Michael Zurlo

Mr. Zurlo stated he and Ms. Kelleher will be in New York City on Tuesday, June 17th for the Public Health and Health Planning Council meeting and will hopefully bring back some good news.

He noted the Legislature received an email that interviews for the County Administrator position are next Monday, June 16th at 3:00 p.m. and 4:00 p.m. in the Legislative Office. Mr. Zurlo stated every legislator is invited to attend and participate in the meetings.

Lastly, Mr. Zurlo stated the Industrial Development Agency (IDA) meeting scheduled for Monday June 16th is now scheduled for Monday, June 30th at Clinton Community College.

Chairperson's Report

There being no further business, Chairperson Henry moved on to resolutions. The following resolutions were approved unless otherwise noted.

Resolution #402 titled, "Authorizing the Clerk of the Clinton County Legislature to Advertise for a Public Hearing on Local Law #1 of 2025 titled, "Regulating the Outdoor Restraint of Dogs in Clinton County" was motioned by Legislator Hall and seconded by Legislator Waldron. Failed (5-5-0).

Discussion: Legislator Hall stated tonight's vote is strictly telling the public, all of the people in Clinton County, have a right to be heard. He stated when the Legislature starts voting against letting people speak then we might as well not be here. Legislator Hall stated he can't change someone's mind on the Tether Law but to tell people they can't speak is totally wrong. Legislator Waldron stated when previously asked for a roll call vote there were two members absent. She stated this is truly just allowing the public to be heard and the Legislature has never denied a public hearing in Clinton County's history. She sees no reason to deny the public to be heard and would love to know why someone is a no vote. Legislator Timmons stated this Tether Law that we have was only created at our level because the towns did not have the finances. The County created the law as a template for the towns. Legislator Timmons stated this topic has had more public hearing and comments than any other public law in the last nine years that he's been here. He stated

his vote is no because it doesn't belong at the County level. The Town's dog control officers will do the supporting of this law. He noted it is at the State level too and is not appropriate as a County law. Legislator Timmons stated he is not against the law but is against the County passing the Tether Law. Legislator Waldron asked for a roll call vote on Resolution #402.

Mr. Zurlo read the resolution title again and called for a Roll Call Vote as follows:

Mr. Castine: Yes.

Mr. Peryea: He stated he is a member of the Public Safety Committee and after over a year of listening to the pros and cons he believes that a public hearing will not provide any information that he hasn't heard in the past several months. He continued by saying let the Towns decide what they want to do. He stated he is responsible for five towns and they do not want the law. Mr. Peryea stated he is elected to represent his towns and his vote is no.

Mr. Henry: No.

Mr. Bezio: He stated his opinion is that Ms. Jewett has had a lot of success at the town and village levels and to continue to work on that success, his vote is no.

Mr. Randall: No, Mr. Randall stated he agrees that every law should come to a public hearing and has no issues with that, the problem is that the Legislature does not have a consensus at this time to pass a law. Mr. Randall stated when this comes out of Committee and is recommended to the floor then at that time yes, go forward with a public hearing. He agrees it should be at the Town level and noted the Town of Peru does not want one. There should only be a public hearing if there is consensus on the local law. Mr. Randall stated there is a small portion of the population that doesn't do the right thing but when passing a law for 80,000 people in the County, the Legislature wants to make sure it is done right.

Ms. Waldron: Yes, on the public hearing. Ms. Waldron stated she is a little disappointed and thought there would be six yes votes.

Mr. Timmons: No.

Mr. Lamoy: Yes.

Mr. Kretser: Yes, Mr. Kretser stated regarding the public hearing he echoes the sentiments from Legislators Waldron and Hall.

Mr. Hall: Yes, Mr. Hall stated he is very shocked and surprised to tell people they can't come here and speak. Mr. Zurlo stated the vote on Resolution #402 is 5/5, (Ms. Waldron, Messrs. Hall, Castine, Lamoy, Kretser all voted in the affirmative) (Messrs. Bezio, Henry, Peryea, Randall, Timmons all voted in the negative) therefore the motion fails as six votes are required to pass.

Resolutions #403 through #457 were approved.

Legislator Bezio motioned to enter into Executive Session to discuss the sale and lease of real property at 6:30 p.m., seconded by Legislator Hall. Carried (10-0-0).

Legislator Peryea motioned to exit Executive Session at 6:42 p.m., seconded by Legislator Lamoy. Carried (10-0-0).

There being no further business to come before the Legislature, Legislator Hall motioned to adjourn the meeting at 6:42 p.m., seconded by Legislator Peryea. Carried (10-0-0).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Erin M. Light". The signature is fluid and cursive, with the first name "Erin" written in a stylized, connected manner.

Erin M. Light
Senior Typist

:EL

Good evening. My name is Geoffrey B. Barker of Plattsburgh NY. I have a few items I want to bring to your attention.

First, I have a concern for some unregistered vessels that operate on county waters and the potential for non-compliant Marine Sanitation Devices being utilized. I have here a letter I sent to the county Sheriff's office on May 22 and then faxed to the Clinton County Fax number on June 6, 2025. Not knowing who has read this important subject matter I am submitting a copy now for you all to be aware of this. For support, at a marina in this county there are at least two unregistered motorized vessels in operation there.

Second, I am very concerned about the federal aid cuts that is out of our control but needs to be considered. One result may be the loss of E.A.S. funding for the five North Country airports. It would be reasonable to ask NYS to fund any loss of this federal aid and maintain the airline service. I calculate that with the huge NYS budget of \$254 billion a mere \$31 million or so would support all five airports. This is a very small amount compared to the "Universal Free School Meals" program at \$340 million that is to be given to each and every NYS student regardless of need. It could be called the "NYS Economic Air Service" program since without such aid some communities and airports would be in dire financial shape. Certainly, there are many other support areas where money could be reconsidered and redirected.

Thirdly, I am aware of the proposed Dog Restraint Law. I have read the original document and find it overly restrictive. Here, I have said copy with my suggested ink changes. I submit this to the you for consideration.

Lastly, there is valid concern by the residents of the ever-increasing costs of our property taxes. How this is spent should also be our concern. For years there has been unchecked area commercial and industrial growth resulting in a claimed housing shortage. My concern, watching several large tanker trucks daily loaded with human waste leaving the Dock Street treatment plant is to have you plan for infrastructure upgrades and use our tax monies wisely.

Thank you for your attention to these matters.

Geoffrey B. Barker, Plattsburgh, NY

11 JUN, 2025

FAKED TO CL. LEG. 518 565 4616 6-5-2025
@ 09:07

To: Clinton County New York Legislators

Subject: Requested support to keep L. Champlain safe and clean

On May 22, 2025 I faxed the attached document to the CC Sheriff's Department both "patrol" and "Admin." Fax numbers. To date I have had no reply.

By copy of this letter I am requesting that the Clinton County Legislators consider the subject matter and encourage the Sheriff's Marine Patrol and perhaps other agencies to be involved as indicated.

Thank you.



Geoffrey B. Barker
4079 State Route 9
Plattsburgh, NY
(518) 563-0685

5 June 2025

1 atch.

SCAN WITH CLERK'S INSURANCE
FAKED TO PATROL & HUNTER 5/22/25

To: Clinton County Sheriff Favro

Ref: Lake safety and compliance

Sheriff David Favro

By copy of this letter I am requesting that the Clinton County Sheriff's Office consider the following actions be conducted on county Lake Champlain waters:

1. Conduct onboard inspections for vessel Marine Sanitation Devices (MSD) to ensure compliance. This is explained in NYS law: Navigation, Chapter 37, Section 33-E. My understanding is that authority is given from the NYS Department of Health as found in Section 33-C, Subdivision 9
2. My speaking to the USCG Aux. indicates that the USCG, Sheriff Dept., NYSP, and NYS Forest Rangers all have authority to conduct said inspections. Our pristine lake and ever-increasing lake activity warrants these inspections.
3. I have a vessel with a typical MSD installation and offer it for hands-on viewing so the Marine Deputies will have knowledge of what to look for during said inspections.
4. Many of us boaters have noticed a few vessels operating with no identifying registration numbers or markings. A vessel requires either a state or providence numbering on the bow or if registered with the USCG as a "Documented Vessel" the vessel name and home port on the stern. Further, permanently affixed inside to the hull must be that documentation number. This is akin to seeing a car be permitted to operate without registration or a license plate.
5. The NYS law requiring ALL vessel operators on NYS waters have proof of the "boater safety" course will be interesting to see enforced but perhaps can be tied together with the concerns herein.

Thank you for any attention the CC Sheriff's Department can provide to these matters.



Geoffrey B. Barker
4079 Route 9
Plattsburgh, NY 12901
(518) 563-0685

22 May 2025

3/2025 C.C. Dog Tether Proposed Law

Clinton County N.Y.

~~Champlain Municipal Law No. 1 of 2025~~

Section 1. Title.

~~County~~
"A local law regulating the outdoor restraint of dogs in Clinton County."

Section 2. Authority.

~~County~~
This Local Law is enacted pursuant to the provisions of Article 7 of the Agriculture and Markets Law Section 122 and the Municipal Home Rule Law of the State of New York.

Section 3. Purpose.

By adoption of this local law, Clinton County ^{will} ~~declares its intent to~~ regulate and control the outdoor confinement of dogs restrained or kept on property located within the County. Clinton County has determined that the practice of tethering a dog outside for a prolonged period to a stationary object, including but not limited to a structure, pole, or tree is inhumane and presents a threat to the safety and well-being of the dog. ~~Dogs tethered to a fixed point are also more likely to become aggressive and present a threat to human beings as well as other animals. Tethers, chains and other restraints can also injure dogs, as the restraint may tangle or catch on other objects.~~ ^{may} ~~Delete~~

^{Dogs}
~~Clinton County is aware that animals tied to stationary objects outside for extended periods of time are also frequently the victims of other forms of neglect including insufficient food and/or water, or inadequate shelter. Furthermore, dogs confined for long periods of time often vocalize to signal their distress and thereby disrupt the peace and quiet of the community.~~

~~All dogs need the opportunity to exercise and engage in normal social behaviors. Indefinite long-term confinement of any dog by any means of restraint is generally considered to be inhumane and unacceptable.~~

Therefore, Clinton County finds that is in the best interest of its residents as well as their dogs to ensure the safety of all by regulating the manner in which a dog may be restrained or confined outdoors.

Section 4. Definitions.

As used in this article, the following terms shall have the meanings indicated:

- a. "Attend" means to be present, look after, and pay attention to the dog(s) while tethered by a reasonable and competent individual on the premises.
- b. "Agent" means a competent responsible person who acts on behalf of another person, in this case the owner of the dog.

Section 4. Definitions (continued).

- c. "Confinement" means to restrict and/or seclude a dog's movement. If a dog can enter and exit the enclosure as it pleases, it is not considered confined.
- d. "Harbor" means to provide food, water, shelter, care ~~or to be responsible~~ for any dog.
- e. "Owner" shall mean ^{to whom the dog is leased to.} any person ~~who harbors or keeps any dog. In the event any dog involved in this local law shall be owned by a person under eighteen years of age, the owner shall be deemed to be the parent or guardian of such person (or the head of the household in which said person resides). This shall also include any agent, representative or person responsible for the care and welfare of any dog.~~
- f. "Tether" shall mean to restrain a dog by attaching the dog to any stationary object or structure, including without limitation a house, tree, fence, post, garage, or shed, or mobile device, including, without limitation, a trolley or pulley, by any means, including without limitation a chain, rope, cord, leash, or running line. ~~Tethering does not include the use of a leash to walk a dog.~~

- g. "Weather Alert" shall mean any National Weather Service warning for heat advisory, frigid

~~temperatures~~ weather, snow or ice storm, tornados, tropical storm, high winds, or thunderstorms.

Section 5. Tethering Prohibitions.

It shall be unlawful for any person, owner, agent or responsible person to tether, or confine a dog to any stationary object outdoors or cause such dog to be confined in a manner that:

1. Endangers such dog's health, safety and well-being;
2. Unreasonably limits the movement of such dog because it is too short for the dog to move around or for the dog to urinate or defecate in a separate area from the area in which it must eat, drink, or lie down.
3. Denies such dog the opportunity to exercise and engage in normal social interactions on a regular basis.
4. If there are multiple dogs, each must be tethered separately.
5. No dog shall be left tethered to a fixed point, ~~attached to an overhead dog run, or trolley system~~ or placed in a dog enclosure unattended on vacant or abandoned property.
6. A dog shall not be tethered in any of the following circumstances: under six months of age; a nursing female; ~~a female in heat; any health condition that would be exacerbated by tethering, injury, in distress, or in the advanced stages of pregnancy.~~ ^{such as}

SPAY the dog

arbitrary

Section 5. Tethering Prohibitions (continued).

7. A dog must have unencumbered access to shade, food, clean, fresh ~~and~~ potable water, shelter and dry ground ~~without becoming entangled~~.
8. A dog may ~~only be tethered if it is supervised~~. The owner or responsible person must "attend" to the dog. That ~~means~~ the dog owner or responsible person can't leave the property while the dog is tethered outside. *To Restrictive!*
9. A dog may not be tethered outside during the ~~night~~ hours of 11:00 PM – 6:00 AM. *if weather alerts are in effect*

Section 6. Specifications for tethering restraints and enclosures.

1. A dog shall not be tethered to a fixed point, running line, pulley or trolley system or any other system by means of a choke - chain, or pinch collar. Dogs shall be tethered to such system by means of a harness or collar made of nylon, leather or other durable non-metallic material and must be fitted so as to not cause injury to the ~~animal~~ or embed itself in the ~~animal's~~ neck. *dog dogs*
2. The length of a stationary tether shall not be less than 10 feet or five times the length of the dog's body as measured from the tip of the nose to the base of the tail, whichever length is greater; shall connect at both ends with a swivel and be affixed in such a manner that it will prevent the dog from becoming entangled or injured, shall weigh less than 1/10 of the dog's weight; free from tangles; and shall restrain the dog from reaching hazards that poses a strangulation risk ~~and/or animals~~. *may*
3. Dog enclosures, dog runs, fences, pens and other outdoor enclosures, must ~~be~~ the following restrictions: *meet*
 - a. Any dog confined within a dog enclosure must have an adequate space for exercise based on the dimension of at least 100 square feet per dog, however in the case of dogs 15 lbs. or smaller, an enclosure may be less than 100 square feet per dog provided that it is deemed adequate for exercise and safety by the enforcing officer. The following are excepted from this requirement:
 - (I) All veterinary facilities
 - (II) Duly incorporated SPCA's and Humane Societies
 - (III) Municipal animal shelters.
 - (IV) Commercial professional boarding facilities that temporarily house dogs for a fee.
 - b. Dog enclosures shall be constructed of ~~chain link or other~~ secure fencing materials with all four sides enclosed. The enclosure shall be sufficient height to prevent the dog from escaping from such enclosure. *off*

Section 7. Dog Enclosure & Tethering Prohibitions.

1. A dog may not be tethered or confined to a dog enclosure during a ~~Weather Alert~~ ^{W/A} or when outside weather conditions, including but not limited to extreme heat, cold, wind, rain, snow or hail, ~~pose an adverse risk to the health or safety of a dog based on breed, age or physical condition.~~ *unless a dog house is available.*

A "Weather Alert" with a heat advisory or frigid weather conditions may be dangerous for certain breeds of dogs; temperatures above 85 degrees and temperatures below 32 degrees, are respectively too hot and too cold for many dogs to be outside for long periods of time. Dependent of the breed of dog and its tolerance to heat or cold, tethering shall be limited to 15-minutes.

2. A tethered dog, or dog confined to an enclosure, must have access to adequate food and must have continuous access to clean, fresh potable water and continuous access to shelter at all times, and, in addition, as set forth in Section 353 of the NYS Agriculture and Markets Law.
3. A tethered dog, or dog confined to an enclosure must have access to appropriate shelter that will allow the dog to remain dry and to be protected from the elements. In addition to complying with the requirements of § 353-b of New York State Agriculture and Markets Law, the shelter shall:
 - a. Be fully enclosed on all sides except one, which side shall have an opening that will allow the dog easy entry to and exit from the shelter; have a slanted, waterproof roof; and have a solid floor.
 - b. Contain clean bedding or straw/shavings, and must be insulated. If straw/shavings is used, it must be replaced at least once a month *so that the dog can burrow into it for warmth.* *soiled or when soiled*
 - c. Be ~~small enough~~ *large enough* to retain the dog's body heat and large enough to allow the dog to stand, lie down with limbs outstretched, and turn around comfortably.
 - d. Be in an area that is kept free of standing water, ice and waste. *1. mud*
4. In addition to the above requirements, all tethered dogs, or those confined to an enclosure must be free from cruel conditions or inhumane conditions ~~at any time~~. For purposes of this section, "cruel conditions or inhumane conditions" shall include the following:
 - a. Exposing a dog to taunting, prodding, provoking, hitting, harassing, threatening or otherwise harming a tethered dog.
 - b. Exposing a dog to dangerous conditions, such as exposure to animal waste, garbage, noxious odors or objects that could injure or kill a dog. This includes potential attacks by other animals.

unrestrained

Section 8. Exceptions.

1. A dog tethered in compliance with the requirements of a ^{registered} campground area shall be exempt from these regulations.
2. Tethering of a dog ^{attended} for ~~less than fifteen (15) minutes~~ ^{in a public location} shall be exempt from this ~~local law~~. ^{Clinton County Law}

Section 9. Enforcement; Penalties for Offenses:

1. This article shall be enforced by the local dog control or animal control officer, the Clinton County Sheriff's Department, and may also be enforced by any constable, police officer, or any agent or officer of any duly incorporated society for the prevention of cruelty to animals with jurisdiction within Clinton County. (SPCA)
2. A violation of any provisions of this law shall, be subject to a civil penalty enforceable and collectable by the ~~individual~~ ^{A village or municipality} town where the violation occurred as follows:
 - a. First offense two hundred fifty dollars (\$250), and/or an educational component at the judge's discretion.
 - b. Second offense five hundred dollars (\$500), and/or an educational component at the judge's discretion.
 - c. Third offense and one thousand dollars (\$1,000) and/or imprisonment for no more than (15) days, or both, surrender of the dog, if ordered by the court, and costs of investigation and prosecution.
 - d. All penalties shall be collected by and in the name of the town where the ^{violation} ~~citation~~ was given. ^{village or municipality}
 - e. In addition to the civil penalties, the dog (s) may be seized under court order and all ~~fees~~ ^{costs} ~~court~~ ^{fees & penalties} will be the responsibility of the owner (s).
3. Any person may file a complaint with an enforcement officer that a violation of this local law has taken place. The enforcement officer shall promptly record and investigate any such complaint and obtain ~~the necessary~~ supporting depositions. The enforcement officer shall submit the civil complaint and supporting depositions ^{and evidence} to a court of competent jurisdiction.

Section 10. Obstruction of Governmental Administration.

No person shall hinder, resist, or oppose the enforcement officer or peace officer when acting pursuant to their duties under this ~~local law~~ ^{MAY} or any other persons authorized to administer and enforce the provisions of this law ~~in the performance of their duties~~. Any person hindering, resisting or opposing these officers shall be prosecuted.

Section 11. Severability.

In the event that any portion of this local law is found to be invalid, such findings will not have any effect on the remaining portions of this local law, the application thereof, and all other provisions shall remain in full force and legal effect.

Section 12. When effective.

This article shall be effective immediately from the date of filing with the New York State Secretary of State.

Section 13. Effect on other laws.

This article will have no effect in a city, town or village located within the County of Clinton that has enacted its own stricter ordinance, resolution, or law regulating the tethering or confinement of dogs within its jurisdiction.