



**Agreement Between the Village of Croton
and the Society for the Prevention of Cruelty
to Animals of Westchester, Inc.**

2011

**AGREEMENT BETWEEN THE VILLAGE OF CROTON
AND
SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS
OF WESTCHESTER, INC**

AGREEMENT effective the first day of June, 2011, between The Village of Croton and the Society for the Prevention of Cruelty to Animals of Westchester, Inc.,

WHEREAS, The Village of Croton is a municipality existing in the State of New York, County of Westchester (hereinafter called the Municipality), and

WHEREAS, the Society for Prevention of Cruelty to Animals is a Not for Profit Corporation, created and existing under and by virtue of the Special Act of the Legislature of the State of New York known as chapter 91 of the laws of 1883 and now governed under the Not for Profit Laws of the State of New York (hereinafter called the SPCA) and

WHEREAS, the Municipality wishes to engage the SPCA for a period of one year to provide care and shelter for homeless and stray dogs and cats seized by dog control officers, animal control officers, police and other agents of the municipality,

NOW THEREFORE, the parties agree as follows:

1. The SPCA shall provide and maintain a shelter for seized, stray, and homeless dogs and cats and shall humanely care for animals brought to the SPCA by municipal animal control personnel and agents. A stray is defined as a previously owned animal running at large that is friendly and safely handled by people.

2. a) The SPCA will be open to receive animals from dog control/animal control officers, police, and representatives of the municipality from Monday thru Friday from 8:30 a.m. to 4:00 p.m. and on Saturday between the hours of 1:00 p.m. to 4:00 p.m., exclusive of legal holidays.

b) The SPCA will open to the public Monday thru Saturday, legal holidays excluded, from 10:00 a.m. to 4:00 p.m. and on Sunday from 1:00 p.m. to 4:00 p.m.

3. The SPCA will hold all seized dogs as prescribed by Agriculture & Markets Law Section 118(4) and will abide by the redemption time and procedures established by the municipality, provided that the municipal redemption time and procedures are not in conflict with those times and procedures provided under the Agriculture & Markets Law. Upon the expiration of the redemption time, animals not returned to their owners will be made available for adoption. No animal will be euthanized for reasons of space or length of holding.

4. The SPCA, without charge and contingent upon space availability, shall take from a resident of the municipality any stray cat or dog, licensed or unlicensed, found running at large in the municipality and held by the resident for less than one week. In the event a resident has harbored a stray animal for a period in excess of one week, the resident will be regarded as the owner of the animal.

5A. As to any animal kept by a resident for a period longer than one week and notwithstanding such animal is deemed to be owned by the resident, the SPCA will take such animal into its care under the following conditions:

a) that there is space available for the animal;

b) that the resident has made an appointment to bring in the animal;

c) that the resident is willing to make a donation to the SPCA.

5B. The SPCA, however, reserves its right to refuse to take an owned animal where the animal is subject to the following conditions:

- a) Advanced age
- b) Illness or chronic health conditions
- c) Pregnant
- d) Injured in any way
- e) History of bites or aggression
- f) Failed behavior assessment
- g) Certain breeds which are difficult to adopt out {including Pit Bulls}¹

6. The SPCA shall not be responsible for any emergency veterinary bills on strays brought to a veterinarian by any representative of the municipality or by a "Good Samaritan." The SPCA will provide veterinary care through its Simpson Clinic for strays brought to its shelter Monday through Friday from 8:30 a.m. to 4:30 p.m. Any emergency veterinary treatment outside of these hours dispensed to a stray in the municipality will be invoiced in full to the municipality

7. The SPCA shall not be available for emergency services except in extreme situations and only if there are personnel available, and if such service is provided there will be a charge of \$100.00 to the Municipality for each such emergency call.

8. The SPCA shall not accept any cat deemed feral for the sole purpose of euthanasia otherwise known as the "catch and kill" method of population control. A feral cat is a cat that has had little or no human contact during its natural life and cannot be handled within reasonable means. This population has been created and perpetuated by human failure to control the breeding of domestic household cats.

9. The SPCA has adopted and endorses the non-lethal Trap, Neuter and-Return method (TNR) of dealing with feral cat populations, which method, when accompanied by ongoing feral cat management, is the most effective, humane method of controlling feral cat populations. Through TNR, cats are humanely trapped, sterilized and tested for FIV/FELV. If positive for either disease, feral cats will be humanely euthanized. If negative, feral cats will be sterilized and placed back into the environment in which they were living. Cats that have been sterilized are ear tipped - one centimeter is removed from the tip of the left ear - to identify that they are part of a colony.

¹ *The above provisions do not apply to stray animals delivered to the SPCA by the Municipal Animal Control/ Dog Control Officer.*

10. To that end, the SPCA will only accept a cat deemed feral, for the explicit protocols of Trap-Neuter-Return from the municipality and will provide feral cats with spay/neuter procedures and rabies vaccinations contingent upon the municipality retrieving the animal within 2 business days and re-releasing it to the area in which it was found. Each feral cat brought to the SPCA for TNR will cost the municipality an additional charge detailed as follows:

\$50 for each female cat spay procedure*

\$35 for each male cat neuter procedure*

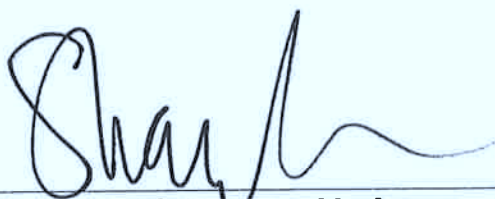
***fees inclusive of Rabies vaccination and ear notching**

11. In consideration of the performance by the SPCA of the terms of this agreement the Municipality hereby agrees to pay the SPCA the sum of \$6,416.55 annually, payable in monthly installments of \$534.71. The first installment to be paid on the first day of June, 2011 and the last installment to be paid on the same day of each succeeding month up to and including May 31, 2012.

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and this agreement to be signed by their duly authorized officers, the

18TH day of MAX, 2011.

By _____

By  _____
Shannon Laukhuf
Executive Director
SPCA OF WESTCHESTER

COUNTY OF WESTCHESTER

of The Village of Croton, the municipality described in and which executed the foregoing instrument; that he/she knows the seal of said municipality; that the seal affixed to said instrument is such corporate seal; that it was as so affixed by order of the Board of Directors of said municipality and that he/she signed his/her name thereto by like order.

NOTARY PUBLIC

COUNTY OF WESTCHESTER

On this 18TH day of MAY, 2011, before me personally came SHANNON LAUKHUF, to me known, who being by me duly sworn, did depose and say that she is the Executive Director of the SPCA of Westchester Inc, the Not for Profit Corporation described in the foregoing instrument and that she knows the seal of said Not for Profit Corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation, and that she signed her name thereto by like order.

Richard B. Perry
NEAR PUBLIC

NOTARY PUBLIC

ALEXANDER B. MENG
NOTARY PUBLIC-STATE OF NEW YORK
NO. 01ME4639320
QUALIFIED IN WESTCHESTER COUNTY
MY COMMISSION EXPIRES 2-28-2011

2015