

**Village of Buchanan
Mayor & Board of Trustees
Board Meeting
December 6, 2016**

PRESENT:

Mayor Theresa Knickerbocker

Trustees Richard A. Funchion, Duane M. Jackson, Cesare Pasquale and Nicolas Zachary

Village Administrator Kevin Hay

Village Attorney Stephanie V. Porteus

Village Board Secretary Susan Matthews

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker opened the meeting at 7:30 PM, welcomed everyone, informed them of the fire regulations and led the Pledge of Allegiance.

2. APPROVE MINUTES:

August 23, 2016, Workshop: A MOTION to approve these minutes as amended was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.

November 1, 2016 Regular Board Meeting:

Trustee Funchion amended page 24, fifth paragraph from the bottom, where it says "Trustee Funchion complimented" change "was" to "right". A MOTION to approve these minutes as amended was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

3. COMMENTS FROM THE FLOOR: (agenda items only)

None.

4. NEW BUSINESS:

a. PUBLIC HEARING: AMENDING CHAPTER 53 OF THE CODE OF THE VILLAGE OF BUCHANAN (OPEN)

Mayor Knickerbocker said that this is about animals. She advised anyone who wishes to speak that if they have spoken on the subject before then we have heard them and have it documented in the minutes. If there is something different or something else that needs to be addressed,

please feel free but if it is something that has already been said it is already documented and we have already heard it.

At 7:33 PM a MOTION to open the Public Hearing was made by Trustee Funchion, seconded by Trustee Pasquale with all in favor. Mayor Knickerbocker advised that comments are limited to 5 minutes.

Barbara Vines, Donahue Court commented that she is why we are having this meeting. She commented that at the Workshop a couple of weeks ago, some very important things came out during that meeting. She commented that the daughter of a neighbor of hers got up and said that she was feeding the stray cats that were coming to her house and making beds for them. Ms. Vines commented that created the nuisance at that house because once you start feeding a cat, it is yours. It will want to come into your house. It will want to come into your garage because you are feeding it. So her neighbor created their own nuisance. Then a neighbor across the street from that woman said that if a cat stepped on her property she would trap it and take it to a kill shelter. Ms. Vines commented so does that mean a cat just being on your property is a nuisance and who is going to decide what is and is not a nuisance. She commented that we had a Trustee say that if there is an ordinance for dogs then there should be one for cats too. She commented that the problem with that is that dogs have owners. Not all cats have owners. So if there is an ordinance about a nuisance for cats then somebody is going to be responsible for those cats that are a nuisance and it is going to fall on the shoulders of the Trustees and the Mayor because it has come to her attention that Buchanan has quite a feral cat population. She commented that every single one of those cats that are out there wandering the street are, by the Board's own definition of what a nuisance is, feral cats. They are going to have to be dealt with. She commented that means that the Village of Buchanan will have to pay money for those cats because they are a nuisance. She commented that the Mayor said that we cannot necessarily enforce this law. Ms. Vines is sure that they will at her house because of her neighbors. She has been in contact with an attorney who advised her that if the Village only enforces at her house that becomes harassment and discrimination and she would have reason to sue the Village. Ms. Vines commented that if the Board passes the ordinance there is a level of expectation of people about when they see that there is an ordinance about cat nuisance and they have a cat that is a nuisance that it is probably a feral or stray cat. They are going to expect that to be enforced. She commented that when the Board straight out says that they do not know if we can enforce it, then why are we having an ordinance. If the Village is going to have an ordinance if they cannot enforce it, then we should not have it because that is the level of expectation. She feels that ultimately this is going to cost the Village of Buchanan because the Village will now be responsible for those feral and stray cats. We will have to hire an animal warden, a Civil Service trained animal warden. We will have to pay the SPCA because they are going to charge for those cats that have to be spayed and neutered. She commented that ultimately the Board had

better budget for cats if they are planning on passing this ordinance because it is going to cost the Village money.

Ms. Vines commented that cats and dogs cannot be treated the same because dogs have owners. Not all cats do. She commented that Buchanan has quite the feral cat population. They are wandering the streets. They are a nuisance to somebody. The Village is going to have to deal with it. She commented so it is not about her house. She commented that this started out as one house on one street but it is really all four corners of Buchanan that they have to deal with. She commented that we might have to deal with only a couple of dogs during the course of the year but we might have to deal with a couple of hundred cats during the course of the year. Ultimately this is going to cost the Village money.

Mayor Knickerbocker commented that this Board since she has been on it has not harassed and pointed out a single individual. If this law gets passed, it is for everyone. If a neighbor on Rockledge Avenue for example calls complaining about something, we have something in writing that we can use to enforce. So we are not singling out Ms. Vines. Ms. Vines commented that it will be. The Mayor said that it will not. She will make sure that does not happen.

Trustee Zachary wanted to point out that this Village has made an attempt for well over a year now to discuss and go over the Code a section at a time. We have dealt with a couple of sections. We are dealing with a couple of other sections now and will be dealing with still others. There are a lot of parts of the Code that need revision, the wording is bad and situations have changed over the decades. At the Workshop last January in a Code review discussion, per his notes, he listed 3 different parts of the Code that he wanted to discuss. One was about dog nuisance, to which Trustee Zachary added "cat". At that time he marked up our Code with some of the things we are talking about now. He commented this is not something that was initiated by this one unfortunate dispute among neighbors. It is something that the Board was in the process of that has already come up. At that point, he marked the sections of the Code concerning dogs defecating and urinating with "and cats". But this is not something initiated because of this one particular case even though he thinks we have been discussing this particular case way too much.

Trustee Zachary commented that another section of our Code not in the animal chapter deals with solid waste. It has a Section 2 titled "Unlawful Acts". Item G states that "no person having the care, custody or control of any domestic animal including cats whether leashed, licensed or unlicensed shall permit such animal to excrete its body waste upon any sidewalk area, parking areas, parks or other public grounds in the Village". He noted that back in January he marked that to add "or private property". Trustee Zachary commented that this Code already refers to cats. So this is something that has been going on for a while.

Trustee Zachary noted that he has a copy of the Town of Cortlandt's Code. They have a section on animals specifically dealing with cats. Basically it deals with nuisances and deals with a lot of the same things that we now want to incorporate into our Code. It defines that a cat shall become a nuisance whenever it shall engage in or commit any of the actions defined therein within the confines of the Town. So the Town already has Codes on this. He commented that the Town is not chasing every feral cat through the woods. The Village is obviously not going to enforce things with feral cats. We are looking at cat owners. To him, feral cats are an invasive species. He commented that unfortunately people moved and left them, did not want them and threw them out, or the cats ran away. It is an unfortunate situation. Trustee Zachary commented that the work that Ms. Vines and these people are doing is great. But we have a situation where we have to protect our residents. The Town of Cortlandt already has this Code. Included in the list of nuisances is "...defecate, dig or otherwise damage property other than the property of the owner". He commented that what the Board is doing here is not out of left field or from another planet. It exists in our nearest and largest surrounding community. He knows that some people say that we are not going to be able to enforce it. He commented that we have a dog law too and we are not going to change that. We cannot enforce that every time a dog poops. We are not running DNA tests on these piles of dog poop. But we need to have that Code there.

Trustee Zachary believes it should be extended to include cats with a couple of limitations. There are a couple of things he thinks should be eliminated on our proposed draft of this law. There is currently an article that deals with dogs used for hunting. He thinks that there is certainly no reason that it should be in our Code because hunting is not allowed in our Village. There is no such thing as a hunting cat. He noted that the Village Attorney has already deleted this in the draft. He commented that maybe hunting was allowed at some point in the Village and that got put into the Code early on. But we certainly do not need to extend it for cats and he does not think that we need it for dogs. He does not think that we need to apply the section that deals with animals running in packs to include cats. He thinks it is irrelevant for cats. Otherwise he thinks that with the things that have to do with damaging property, we do not need to include [Item] H with cats. He does not think that applies. Mayor Knickerbocker commented that this law is not pertaining solely to cats. It is cats, dogs and domestic animals. Village Attorney Porteus advised that dogs are a separate section. This is a new section. It is including other domestic animals, not specifically dogs. Trustee Zachary commented that if it meant to be generally applicable, then it is fine. The Mayor commented that whichever way he wanted to reword it is fine. Trustee Zachary feels that we need to wrap this discussion up and vote on this tonight.

Lori Pynch, Donahue Court, wants to clarify something regarding her daughter. She was there when the cats would show up on her porch and garage. She commented that the cats that were coming around and drifting by did not appear to be feral. They were able to approach them. The cats were friendly to come up to them and do the "figure 8" between their ankles. She commented that what her kids observed were skinny cats, cats that wanted attention, cats that

were thirsty. When they put a cup of water out, they would drink it. Her daughter did give the cat some dry food to see if it would eat it which it did. She commented that in the winter time was the only time they set up a box for the cats to find shelter because these cats were not being called home. They were not being looked for or in her opinion cared for. She commented so out of the goodness of her kids' hearts, they set up a box with a towel. They gave a little water. She commented that they did not create the situation or the nuisance. They were just trying to be good hearted. She commented that for 2 days last Fall, she kept hearing a meowing outside near her driveway. She thought that somewhere between her house and her neighbor's house that there was a cat stuck in a fence or the leaves. She kept trying to find it. She commented that it took her 2 days to realize that the cat was not stuck in the leaves on the ground. It was up a tree. The first thing she did was to call her neighbor Ed Mevic. She told him that she thought one of his cats might be stuck in her trees for 2 days but that she had not been able to locate it until then. She offered them a ladder. He brought a young fellow over and went up the ladder and rescued the cat. Ms. Pyrch commented that she has nothing against cats but if you are going to have them, love them. She said that she and her daughter were not trying to invite these cats to her house. The cats were looking for love and a home. But someone was not bringing them back to the house where they belonged so they lingered around her house. Ms. Pyrch wanted to make that clear on her daughter's behalf because she was with her when this all took place.

Cathleen O'Connell noted that she lives in Verplanck. She also rescues cats. She knows this was a problem with the neighbors. She commented that you have to warn the person causing the nuisance. Then you proceed if it is not corrected. She commented that Ms. Vines has corrected the problem with the kennel outside her basement. Ms. O'Connell does not know about all these other feral cats. She commented that she did do some research. Concerning what was talked about regarding Civil Service, she commented that when the Board was talking about the Building Inspector going to try to check how many cats someone had, even though he may be a Civil Servant he cannot do that when it comes to cats. She commented that it must be someone who has passed the animal control Civil Service test. She was advised of that by the person she spoke with at Civil Service in White Plains. Ms. O'Connell agrees that there are people who do not like cats. She thinks that Ms. Vines has corrected to the best that she can. There are cats that need to be loved. Sometimes they get out. She commented that she had 2 feral foster cats and sometimes they would get out. Ms. Vines is mainly fostering. Ms. O'Connell feels that the part about the cats wandering around is definitely corrected so far. She is sure that if anything else happens that Ms. Vines will correct it. She commented that what they are doing is to help not just the feral cats. They have people whom she found come to Buchanan and trap cats. They neuter them and return them because they have no place else to put them. As far as the friendly cats that they are fostering, they are trying to control keeping them in. She commented that if one gets out occasionally that is going to happen. Right now all of Ms. Vines' fosters are in. She hopes this works out. She has fosters and she understands. She also understands the

neighbors. She understands that some people do not like cats. She hopes there are no more problems now that Ms. Vines has corrected the problem.

Mayor Knickerbocker advised that concerning the Building Inspector, it has been addressed with Civil Service. With the new draft it has been changed.

Susan *[last name and address not given]* commented that she is also a cat foster. She has her own cats and she fosters cats in her house. She personally trapped 5 cats over the last 2 days. All of them have been fixed and will be released. This is the first time she has spoken to the Board. She commented that her biggest concern listening to the law the Board wants to enact is how many times can somebody use that law to harass somebody before they will be called to task? She suspects that Ms. Vines will be constantly harassed for every loose cat in the Village. She thinks the Board must consider that and set a limit for how many times the police or Building Inspector will respond before it will be considered a done deal, before no action will be taken. She commented that Ms. Vines does a lot of good work. She works with Ms. Vines and with more than one group. There are a lot of problems with what the Village is trying to do. Mayor Knickerbocker asked her where her foster home is. Susan advised that her foster home is in Carmel. She lives in Putnam County which provides a budget to take care of feral cats. The village of Putnam Valley supplies money. The group that she belongs to traps cats and gets them fixed and the village pays for that. The Town of Patterson also has money in their budget. They want to control it and not see it get out of hand. She noted that this year that group has done over 130 "Trap/Neuter/Release". She commented that there is a way to handle this without being nasty with your neighbors.

Mayor Knickerbocker commented that it has gotten kind of nasty. She is going to address that this evening because the Village Board took some attacks.

Derek *[last name and address not given]* wanted to know what the Village is going to do to the cats. He wanted to know if they will be euthanized. He does not feel that living organisms like cats should be subjected to some type of cruelty where they would be put down because other people do not want to accept them in the town; especially when other people are not taking care of them and that is why they are going out there and spreading.

Trustee Zachary commented that there are two different things going on here. This law is pertaining to cats with owners. It is not at all a policy about feral cats. He commented that obviously we are not going to pick up a feral cat and say, "Who wants to take the blame for this?" We are not going to take every feral cat within a square mile and blame it on Ms. Vines. He thinks that although that particular case has been our biggest focus that it is going to be the least of our problems. He commented that because she is very concerned about what she is doing and because she has built that enclosure that she cannot help it if other feral cats come out

of curiosity. He thinks that the feral cat problem is a second problem. It is not what the Board is addressing here. We are addressing people who own pets who allow them to create a nuisance. Feral cats are something we have to look at, maybe when we discuss the budget. It is not something that we intended to deal with at this point. He commented that obviously it lends some confusion to the whole case. He commented that there is no intention to be cruel to the animals. The Board's only intention is to protect the rights of property owners who do not want animals creating a nuisance on their property.

Trustee Funchion commented that speaking for himself he does not want animals euthanized or cruelty to any animal. He is sure that the entire Board agrees. He commented that as Trustee Zachary brought out, we are getting confused between whether we want to stop people from having a certain quantity of cats, how many people should have cats and also whether we are doing this for one particular instance that occurred in the Village. He commented that we are trying to change the Code so that every owner of a cat, not feral cats, is held responsible for their cat. It is just like how every owner of a house in the Village is held responsible for many different things. He said let us not mix up the issues. We are not talking about feral cats at this particular time. We are talking about homeowners who own cats. He thinks, from listening tonight, that the problem that precipitated this has been solved. So we are not talking about that particular issue. It is the general issue of neighbors being correct with other neighbors and having consideration. In this case it is cats. He commented that if you were here for many other Board meetings you would find that there are other issues that involved neighbors besides cats and dogs and animals. There are a lot of issues that the Board has addressed. He commented that we tried to be fair and neutral in addressing those issues.

Jenny Wickers, *[address not given]*, commented that she also does rescue. Her foster home is in Wappingers Falls. She has known Ms. Vines for many years. She commented that as far as taking care of her cats she does care for them a lot. She commented that Ms. Vines is a very successful with the rescuing and "re-homeing" of these cats. Once in a while these cats get out. It is not out of negligence. The problem is now corrected. Her concern is that if the Board passes this ordinance, as was said not the feral cats but other neighbors will think right away that it is Ms. Vines' cats. She keeps thinking of harassment. She is hoping that is not the case. She commented that Ms. Vines does care very much for the cats. If she did not she would not be involved. Ms. Wickers commented that it is a lot of work with what they do. She works a full time job and she honestly can tell you that doing [cat] rescue feels like another full time job.

Gwen *[last name and address not given]* commented that she fosters cats. Her cats in the house are in kennels. They are in a kennel and a second enclosure. In addition to fostering she has a full time job. She house sits for people who have pets; cats, dogs and sometimes both. Also birds, rats, snakes. She takes care of it all. She commented that Ms. Vines is great. Most foster people want indoor cats and they stress on that. Gwen commented that if you want a cat it

should always be kept inside. It is something that gets stressed because it is for their protection. She house sits for people with cats. Many cat owners have open door policies. They open the door and let them out. She has two really cute kittens. They are up for adoption. They are sisters from the same litter. One is very skinny with short hair, sleek looking and thin. She eats the same amount that her sister eats. Her sister is long haired, fluffy and very outgoing. They both get the same amount of food and love. One does not like to come up to her very much. It hides. The long haired one is very active. She is very “in your face”. She wants to be hugged and loved. She commented that just because a cat is outside, just because it is thin does not mean that it is not being cared for and loved. She does not know anyone who yells outside for their cats to come home because they just come home for food unless somebody else is putting food out for them. She commented that if you are putting food out for them that is an invitation. She commented that your friends come over, you open up the fridge and everybody wants to eat. If you’ve got good food we are going to go to your house to eat all the time. She commented that is how a lot of animals are, especially cats. If you are feeding them, you are inviting them over and they will keep coming back. She commented that if you do not want cats in your yard, do not put cat food out. Lori Pyrch commented that she made clear that her daughter did that on one occasion.

Dawn Fletcher, *[address not given]*, wanted to clarify how this is going to work. She knows that at the last meeting the major complaint was the cat poop. She wanted to know if someone finds cat poop on the front lawn and the neighbor calls the Building Inspector, what he will do. Mayor Knickerbocker advised that it is not going to be the Building Inspector if there is a problem. She thinks this can be answered quickly because she was going to ask Ms. Vines some questions. She commented that Ms. Vines has mentioned that she has an enclosure for her cats. It is an 8x8 enclosure. The cats are in the basement. They can go out when they want to into the enclosure. What the neighbors had originally asked was for the cats to be enclosed. She has done that. The Mayor asked Ms. Vines to confirm that she is going to keep the cats enclosed and not intentionally let them out. Ms. Vines said that was correct but unfortunately if someone opens the door. They have a big Stop sign at the door that says do not let any cats out. The Mayor agreed that it is not 100%. Ms. Vines commented that for the most part they become very acclimated in the basement and going out into the enclosure. The Mayor commented that in that case she does not see us as still having a problem. It is not like before where the cats were all over. We are not looking to tell her how many cats she can have in her house. It is her business as to how she wants to live. If she wants to have 500 cats and that makes her happy that is her business.

Ms. Vines commented that these cats started out as untouchable feral cats that were a colony outside. She commented that as much as they have been visiting her immediate neighbors, she is sure that they have traveled all over as other cats have come to her property because there are at least 4 other cats that frequent her property. She commented that by their very nature cats roam.

Mayor Knickerbocker commented that we are not looking at 25-30 cats like before. Ms. Vines commented that she never had 25-30 cats outside. The Mayor commented that sometimes Ms. Vines had said that is the number she could potentially have. The Mayor commented that if these cats are confined like Ms. Vines says they are, she does not see a problem. She thinks that problem is resolved. Ms. Vines commented that any cats that are on the street at this time would either be other people's cats or feral cats because everywhere that there are woods in Buchanan you have feral cats. You have people who feed those cats. That makes them friendly and they roam around and are friendly to people. She wanted to know how we are going to know if somebody actually owns the cat. The Mayor advised that the person who is complaining has the burden of proof is on them. She commented that if a cat came to her front door she would not know whose it was. The Mayor commented that if [what was confirmed] is what Ms. Vines is doing, the cats are confined in her home and not running all over the neighborhood then in her opinion she does not see a problem.

Ms. Vines commented that this ordinance is really a leash law for cats. She commented that as was pointed out some people have open door policies. She wanted to know how the Village is going to stop people from having open door policies for their cats. Everybody does not know who owns what cat. There are cats that come over from Verplanck and ones that travel from Henry Street over to Donahue Court. Mayor Knickerbocker commented that we do not know who owns them. She thinks that the problem is, going back, that there were so many cats in the neighborhood. She understands that there are not as many now. She is not understanding what the problem still is. She commented that we are going over whose cat poop it is. She is not going to check on that. Ms. Vines commented that the ordinance is basically a leash law for cats. The Mayor advised that the Town of Cortlandt and a couple of other municipalities have the same thing because of the same problems. She commented that we do not want to have problems in the Village. We are trying to resolve this.

Mayor Knickerbocker said that she wants to go into this Facebook page and comment on that but she will hold off at the moment. She just wanted to find out the status of Ms. Vines' containment.

Ms. Fletcher commented that what she is worried about is that if she is a neighbor of Ms. Vines for example, and there is cat on her lawn. She does not know whose it is but she assumes that is Ms. Vines'. She calls whoever is in charge of it. She wanted to know if they are coming in response to her and she has to capture the cat for proof. Then do they go to Ms. Vines' house every time and ask her if it is her cat? She wanted to know how that works. Mayor Knickerbocker advised that cats run away. So if you saw that cat and said that it is definitely Ms. Vines' cat and the cat is not there, she does not know how he is going to enforce that. Ms. Fletcher thinks that he will go to Ms. Vines' house and say that she has a cat outside; and she will say that she does not. Ms. Fletcher commented that at that point it just be harassment.

Trustee Pasquale commented that nobody is going to go chasing cats down that block. He thinks that how this whole thing got started was not the occasional stray cat. It started because there were more than 5 - maybe 6, 7 or 8 - cats that were congregating on one person or another person's property and they deemed it a nuisance. He commented that they have every right to deem it that. They wanted something done. The Board was hoping that neighbors could talk amongst themselves but apparently that did not go anywhere. He commented that now that we have found that Ms. Vines has the enclosure it is a step in the right direction. He commented that as for enforcing this law we are not going to do like the guy in the cartoons with a net running through Buchanan catching cats. He commented if there are 2 cats continually coming to your property every day, he would call on him for help. He thinks that is what we are talking about.

Trustee Funchion commented that this Board is not going to pass a law that is passed for one person. It is not against Ms. Vines. If it is passed, it is a law that applies to everybody. He commented that she has mentioned people having an open door policy. He feels that if this is a domesticated cat then that is a problem. He has a problem with that as a Village resident. He does not let his dogs out the door and let them go wherever they want. He emphasized that this is about domestic cats owned by people in the Village. As has been said, this immediate problem has been resolved. He noted that he does not have any cats around his house so he does not personally have a problem with this. But if he is living in a house and every day he sees his neighbor opening their door to let their cat out, and the cat keeps coming over onto his property and doing damage or doing its "business" on his property, he thinks that he has a right to complain. That is what this law is about.

Mayor Knickerbocker asked if any Board member had any other comments. There were none. She commented that before she closes this Public Hearing she wanted to say that she is very disappointed where this all went. She thought we could work this out together, talk to each other and come to some type of a compromise. She takes exception to the Facebook page that someone handed her today. She asked if the person who administers or takes care of the Paws For Love Facebook page is present. *[No one responded]*. The Mayor commented that she was sure that even if that person were here that they would not have the courage to stand up. She commented that while she was at the Buchanan Post Office today she got this from a Peekskill resident who asked her what is going down [in the Village] and if it is legal to run a business like that and having that many cats. The Mayor advised that the Board is just looking that it is not a nuisance.

Mayor Knickerbocker said that she is going to read some of the highlights from the Facebook page. She commented that she is a little annoyed and she is going to respond in this Public Hearing. She noted for the record that her name is Theresa Knickerbocker and it is being

documented that she has the courage to respond to this. She commented that she does not hide behind a Facebook page.

The Mayor commented that one of the things that was mentioned is that we are a "...cat hating community". She commented that no, we are not. She wants to set the record straight on that. She commented that the Village Board is getting attacked in this. She quoted "...the Village has wasted two months talking about this. This is a bad government." The Mayor commented that we have allowed people to come in over 2 months and at a Workshop to express their opinions. The whole Board has listened very respectfully. We have asked questions. We have learned new things about cats. We have sat here very respectfully. When you have a Public Hearing you hear from both sides. Then you make a determination. She commented that if this was bad government we would have had the meeting, had the Public Hearing open for 5 minutes, closed it and then we would have voted. We have listened to everyone's comments.

The Mayor commented that our job here on the Board is several things. One of them is basic services here in the Village. We are responsible for plowing the roads, maintaining the roads and picking up garbage. Another thing is public safety. We have our own police department. We want to make sure that all our residents are safe. She commented that we have a great community here. It is a great place to live. She thinks that when you have a small community one of the most important things is quality of life. We have to be very careful as we go through the Code updating it. People are speaking to us so we are addressing that. She commented that there are a couple of things that need to be asked. If you had a neighbor that was having a loud party at 3:00 in the morning and it woke you up, wouldn't that be a quality of life issue? Would that not bother you? She thinks it would bother all of us. So we have noise ordinances. If your neighbor had a goat and it came and chewed up your garden and everything around it, wouldn't that bother you? So you have to have some type of law to protect everyone's quality of life. If your neighbor decided that they wanted to open an auto repair shop and put 20 cars on their front lawn so they could work on them, they cannot do that. You cannot disturb somebody else's peace and their quality of life. The Mayor commented that what we did here was try to come to some type of agreement. There are hard feelings on both sides. She commented that you might not agree with the Board, whatever their vote is. The Board is trying to do the right thing for our residents here in the Village. She commented that what the people who rescue cats are doing is very commendable. She does not think that she could do that. She does not have the time. She commented that for those that do that is fantastic. But whatever you do should not hurt your neighbor or affect the quality of life. The Board tried to figure out what we could do to make this work for both sides. The Mayor commented that this was not easy. She commented that since she has been on this Board it has been a great Board. They are not afraid to face anything that is controversial. We have gone through major controversial issues and here is another one. We did not walk away from it. We address it and try to handle it.

The Mayor commented that this Facebook page was unacceptable. She remarked, bad government? She does not think so. If it was bad we just would not have listened to them at all. There are certain things she does not want the Village to be attacked for when we are trying to do the right thing for everyone.

Trustee Zachary commented that people are entitled to their own opinions. He is doing what he thinks is right.

At 8:19 PM a MOTION to close the Public Hearing was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

b. 16-61 RESOLUTION AUTHORIZING THE ADOPTION OF LOCAL LAW 3 OF 2016 AMENDING CHAPTER 53 OF THE CODE OF THE VILLAGE OF BUCHANAN.

Trustee Jackson read the Resolution (*copy attached*).

A MOTION to adopt this Resolution as presented was made by Trustee Funchion, seconded by Trustee Zachary with all in favor.

c. 16-62 RESOLUTION AWARDING THE ROADWAY DRAINAGE REPAIR PROJECT.

Trustee Funchion read the Resolution (*copy attached*).

Village Administrator Hay advised that what we had on Catherine Street toward the intersection of Albany Post Road was starting to be a sink hole. The Highway Department dug it up. There is a corrugated metal drainage pipe that is deteriorating and falling apart. They kept digging and it kept falling apart. Once we thought we had we would see another sink hole. So we have to go from catch basin to catch basin. This is a worst case scenario price. The Administrator advised that at one of the catch basins further up on Catherine Street there is already black corrugated pipe. We just do not know how far it goes. So it might be less of a repair until we get to that black corrugated plastic pipe. Trustee Zachary wanted to know if that was standard material for that. He thought it was heavier than that. The Administrator advised that it is. The Mayor advised that they are not using metal any more. Trustee Zachary wanted to know if it was plastic then it would not be corroding but would be fracturing because of settling or something. The Administrator advised that the metal part is rusting and deteriorating and falling apart. There is a certain section that has been replaced with plastic but we do not know how far it goes. We will replace the metal part with plastic.

Trustee Zachary wanted to confirm that Tate Avenue was done by Consorti Brothers. The Administrator advised that was correct. Trustee Zachary noted that they came in at twice the price of the others. That is not just paving. Mayor Knickerbocker advised it includes excavating. Trustee Zachary wanted to know if we had references on Benny Siniscalchi Paving. The Administrator advised that we do. The Mayor noted that he has been in business in this area for many years. He is just over the Buchanan border across from the Westchester Diner.

A MOTION to adopt this Resolution as presented was made by Trustee Funchion, seconded by Trustee Pasquale with all in favor.

d. 16-63 RESOLUTION APPOINTING A POLICE OFFICER.

Mayor Knickerbocker read the Resolution (*copy attached*).

Mayor Knickerbocker advised that we are down one police officer. She commented that Tom Cobelli was a great police officer for us. He got injured and is no longer with us. The Police Chief was in the process of interviewing. The Board also interviewed this person and felt that that she (*Courtney Loertscher*) was the best person for the job. The Mayor advised that this is provisional, subject to the approval of the Westchester County Civil Service. At the next Board meeting, we should be swearing her in and everyone can meet our new police officer. This will be the first female police officer in the Village of Buchanan.

Trustee Zachary wanted to know why it is effective on December 30 instead of January 1. The Administrator advised that it is to get all the Civil Service requirements taken care of and because it is the beginning of a pay period. Trustee Funchion commented that we interviewed her. She had a lot of training background. He thinks that she will be an excellent addition to our Village. He thinks that in any organization it is good to have a mixture of young and old. She is young and will bring a new way of looking at law enforcement in the Village. He is thrilled to have her coming on board. As was noted, she is going to be the first female officer in Buchanan's history. He would like to welcome her.

A MOTION to adopt this Resolution as presented was made by Trustee Jackson, seconded by Trustee Pasquale with all in favor.

5. INFORMATION FROM OFFICERS & DEPARTMENTS:

- a) Justice Court Report – November 2016
Received and filed.

The Mayor noted that the reported amount is \$3164.00.

b) Fire Inspector's Report – October-November 2016

Received and filed.

Trustee Funchion commented that he noticed on the Fire Inspector's report about Fat Sal's again. He commented that has been going on for quite a while about whether or not that back door is a proper fire exit. Mayor Knickerbocker advised that the issue is the back stair railing. She noted that these reports were from October and November. She asked the Administrator to find out if that issue has now been resolved. The Administrator will talk to the Building Inspector. Trustee Funchion commented that might be a different issue. He commented if it is the same as the original one, he likes Fat Sal's and is not picking on them. The Mayor commented that when this happened someone approached her and questioned it, commenting that it is a really small business. The Mayor commented that our number one concern in any business is that it is safe. You can look at the terrible tragedy with all the people that died. So number one, it is the law. And you want to make sure that everybody is safe. You never want to see a fire like that. You want to make sure everyone can get out and is safe.

c) Police Reports – October-November 2016

Received and filed.

d) Wastewater Reports – October-November 2016

Received and filed.

e) Attorney's Report

Village Attorney Porteus reported that they changed the Planning Board until December 12. AAA will be coming in. She wanted to know if the Board is continuing with the trailers/RVs. Mayor Knickerbocker advised that we are. She thinks that we are close to some type of resolution. She commented that she is sure we will say that it was a waste of all those months. We worked through all the issues and sometimes it takes a little longer. It does not happen in 2 days. We have taken a lot of feedback from people. Trustee Jackson commented that they call that democracy. Trustee Zachary thinks that at the next Workshop we need to be specific on any tweaks to the proposed changes. Village Attorney Porteus said then we can prepare it and schedule a Public Hearing.

f) Administrator's Report

Village Administrator Hay reported on the on-going soffit work at Village Hall. It will be wrapped up by the end of the week. The color selected was white.

The Westchester Avenue ball field work is completed. The contractor will return in the Spring to set the bases and see if there is a need for any more clay if there was any settling.

The Administrator reminded that we have Letters To Santa Claus in the lobby at Village Hall. Letters received by December 16 are guaranteed to receive a response. The Buchanan Police Department has a Toys For Tots box in the Village Hall lobby.

The Administrator advised that the Highway Department is doing a great job with leaf pick up. They will continue until just before Christmas.

g) Mayor's Reports

Mayor Knickerbocker commented that the new leaf vac that we bought works so much better. They can cover a lot more of the Village a lot more quickly. The previous one was a 1976 vehicle.

Mayor Knickerbocker wanted to thank everyone who made the Buchanan Tree Lighting a success. There was a great turnout. Our Recreation Supervisor Nancy Bayer runs that. Our Highway Department decorated it very nicely. This year they added more decorations in the Circle. It looks great. Our Police Department was there helping control the traffic, supplemented by the Sherriff's Department. They always come to help us when we have events. Santa was great. The Mayor thanked the Beautification Committee for the great job on the barrels and coming into the Village where our signs are. Everything looks great and our Village looks wonderful. The Mayor thanked everyone who came out. It is a great community event. It is always a lot of fun. We all had a good time. It is always a tradition we have here in the Village.

The Mayor commented that we have had a very busy year. The last couple of years we have gotten a lot of good things done. At the beginning of the next Board meeting, the first meeting of the year, she is going to summarize all of the accomplishments, what we managed to do and tell the direction of other things that the Board is working on. It will be a kind of a State of the Village Address. If you are able to come out to meet our new police officer, we will be welcoming her to the Village of Buchanan with a warm Buchanan welcome.

Mayor Knickerbocker wished everyone a Merry Christmas and Happy Holidays for the holidays you may celebrate. She wished everyone much happiness and a Happy and healthy New Year.

h) Trustee's Reports

Trustee Jackson congratulated the citizens of Buchanan and their friends who came out for the lighting of the tree. He commented that as he said that night, he sees Buchanan as the pearl of the Hudson River. It continues to amaze him of the “community-ism” and the heartfelt “neighborly-ism” that exists here in Buchanan. He commented that we may not know all of each other’s names because of our busy lives but on those occasions where we come together as a community like the other night it shows that small town America is very alive and well in Buchanan. He thanked our Highway Department, our Police Department, the Sherriff’s Department, the Buchanan Fire Department volunteers, our Recreation Supervisor and all of her crew and the singers from the Cortlandt Music Center who were great. He commented that is what it is all about; the simple things that we take pleasure in and can celebrate together. He wished a Merry Christmas and Happy Hanukkah to everyone.....and to everyone a good night.

Trustee Funchion reported that on November 11 he and the Mayor attended the Veteran’s Day Remembrance. It was well attended. Town Supervisor Linda Puglisi always does a great job. He commented let us not forget that tomorrow is the 75th Anniversary of Pearl Harbor. If it was not for the men and women of WWII, we probably would not be here. There are very few WWII veterans left. We thank them for their service and our freedom that we have today.

Trustee Funchion thought that the tree lighting was great. He agrees with the Mayor that they did a nice job with the decorations. He thinks that the Recreation Supervisor had a good idea bringing in a lot of gifts that were given out. He thinks that all the kids had a good time. It is great for the community spirit. He commented that we have Christmas coming up. He cautioned to always be careful with the Christmas lights. Look at the boxes when you buy those lights. Most of them are made in China. Most say that they are UL approved but about 50% are counterfeit. They do mention on the box with the older lights that you are not supposed to string 5 together. Then you are overloading. If you do buy the new LED lights, they are so low in usage that you can string more together. He commented that he has a rule that he never leaves the house without turning out the Christmas lights. He commented that many people in the Village have some beautiful lights out and decorate nicely. It makes our Village look nice. Trustee Funchion wished everyone a Merry Christmas and Happy Holidays to all.

Trustee Zachary reported that the Master Plan Committee meeting will be on Tuesday, December 20, at 6:30 PM. He will start feedback to the Board at the Workshops about things being discussed. If the Board members have any time to look over the Master Plan, he would like to bring in the Board’s comments to the Master Plan Committee. If you did not have a copy, get one. He will advise the Board of which sections they will be discussing.

Trustee Zachary wished everyone Happy Holidays.

Trustee Pasquale wished everybody a Merry Christmas, Seasons Greetings and a Happy New Year.

Trustee Pasquale wanted to offer his condolences to Mayor Knickerbocker who lost her aunt a couple of weeks ago. He commented that he knows how especially sad this is around the holidays. He is sorry for her loss and we are all thinking about her. He lost his mother 6 years ago today.

6. COMMENTS FROM THE FLOOR:

Jennifer Fleming, Donahue Court, thanked the Board for taking so much time to consider the law they put in place tonight. She commented that it does mean a lot to the quality of life on Donahue Court. They want to update the Board so they know everything that is going on on that street. She does not want the lady who spoke before to think that they are targeting her but Ms. Fleming commented that they have a lot of problems on the street. They are taking care of the cats and she thinks that it is on to the real problem now. They have a few incidents that they would like the Board to know about.

Lori Pyrch, Donahue Court, commented that for a small cul-de-sac of 8 houses there seems to be an awful lot of traffic coming in and making short stops at a particular house. Someone either runs in and comes out in a couple of minutes or someone runs to a car for a couple minutes and they both depart. She commented that it has gotten to the point that the day after Thanksgiving she could not get in her own driveway because there was a car parked on the wrong side of the street parked in front of her driveway. There were 3 passengers in it. She commented that there was a fellow who looked to her to be a little blurry. She commented that he was not quite catching her drift that she had to get out of her car and walk over to him to say would he please move his vehicle so she could get into her driveway. She commented that for her to have to repeat it to him left her questioning his condition. She asked if he was waiting for somebody. He said they were waiting for somebody on another street. When she asked why he was on her street blocking her driveway, his female passenger cursed her out. He then pulled away and Ms. Pyrch was able to get into her driveway. She commented that another occasion occurred that evening. A car flew out of a driveway in reverse at the end of the cul de sac, hit a mailbox and hit a Jeep. Ms. Pyrch heard it from her living room. She went out onto her porch to see what it was as did her neighbor. She commented that the next thing there were 4 or 5 people there trying to figure out what was going on. They all came out from the same neighbor's house. She said nothing but she did observe her neighbor getting cursed out by this group. The police were called. She commented that they came, checked things out and did whatever they do. To her and her neighbors' surprise nothing was done. She does not know if any test was issued or if somebody evaluated who was driving. She commented that it seemed bizarre to her. She

commented that maybe everything was all in place but the traffic that comes and goes at all hours at the end of their cul de sac is crazy.

Jennifer Fleming wanted to let the Board know that on December 2 around 7:30 PM she saw flashing lights outside. She went outside and observed a flatbed truck coming in and dropping off a car in front of Donahue Court. It was smashed up. She has photos which she can show the Board. It had flat tires and was missing a bumper. It clearly had just been in a major accident. The flatbed truck left the car there on the street. The next morning she went over and saw a warning on the windshield. The Mayor commented that because it was after December 1 it may have been an overnight parking warning. They should not have been parking there. On Monday, December 5, the car was towed off the street by a tow truck. It did not belong to somebody on Donahue Court. She thinks that it was owned by a friend of someone in the house. She commented that the traffic on her street is out of control. She has personally negotiated hours with the parents if they could kind of keep the traffic minimal from 3 to 6 PM so that her son could play outside. It has pretty much been followed for those hours with a few exceptions. She commented that she moved up from [New York City]. She found the perfect house on a lake on the cul de sac. She thought it was a great place to raise a child. She thinks that it is one of the un-safest streets in Buchanan. She commented that she has reiterated to the parents that these kids could certainly hit a child. She commented that if they are hitting a Jeep that is parked and a mailbox, they could certainly hit a child. There are the people who come and go into the house. She feels that it has to stop. Trustee Zachary commented that it sounds like a policing issue.

Lori Pyrch commented that the week before Thanksgiving, she was getting ready for work and her son was going off to high school. As he was going out she noticed a running small black car on the road straight out from her front door. She wondered who was sitting outside her house at 7:20 in the morning. She went out, knocked on the car window and asked if she could help him. She asked if the person was looking for somebody. He said no, that he was lost. Ms. Pyrch asked where he needed to get to and where did he come from. He told her that was looking for Washington Street. She gave him directions on how to get out of Buchanan. She does not believe that he was telling the truth but she said that she decided to go along with it so that he would know that he had been seen and noticed. She commented that with all the traffic that they have seen that she probably should not have approached that car. She saw the car later that day when she was coming home from work. It was pulling out with a passenger for Donahue Court. She did a U-turn to try to follow them. They floored it and she did not catch up to them. She did not catch the plate number. She commented that they have been told to get a plate number. But they hear no feedback of anything. She remarked that they are at a point of being up to here with this. She thinks that everyone there is aware of what is going on but they just refuse to acknowledge it or just ignore it.

Mayor Knickerbocker advised that she is going to have a discussion with the Police Chief. This has been discussed before. She will get back to Ms. Pyrch.

Trustee Pasquale advised that when you do see cars like that, for safety reasons do not go tapping on the window or try to follow them. That is what we have the Police Department for. Ms. Pyrch does not want them to think that she is harassing them. Trustee Pasquale commented that if she sees something on her block that she thinks is suspicious to report it as that and ask that the police come by. Ms. Pyrch commented that by the time they get there, many times the car has left. They are so quick, in and out. Ms. Fleming commented that just hitting the Jeep and the mailbox shows that they should not be driving. Trustee Pasquale wanted to confirm that this was at night. Ms. Pyrch confirmed that it was. Trustee Pasquale wanted to know if that was the only time that she saw that black car. Ms. Pyrch believes that it was. She commented that she is not there just looking. Trustee Pasquale advised everyone to be safe and careful.

7. BOARD MEMBER REBUTTALS:

None

8. ADJOURNMENT:

At 8:55 PM a MOTION to adjourn this meeting was made by Trustee Funchion, seconded by Trustee Jackson with all in favor.