

VILLAGE OF PALMYRA BOARD OF TRUSTEES

Regular Mtg. Nov. 7, 1994 7:30 p.m.

**PRESENT:** Mayor James G. Elliott, Trustees Ann F. Guest, Daniel E. Wooden, Frederick J. Celentano, and Kathleen C. Drews. Attorney John Nesbitt was also present.

**CALL TO ORDER:** Mayor Elliott called the meeting to order at 7:28 p.m. with a mention of congratulations to Gertrude DeWitt on her 100th Birthday. Mayor Elliott moved to officially wish Gertrude DeWitt Happy Birthday on her 100th year, seconded by Trustee Guest, vote, 5 ayes, **CARRIED.**

**MINUTES 10-3-94/10-19-94/10-31-94:** Motion made by Trustee Celentano to accept the meetings for the above dates with the correction in the 10-19-94 minutes changing the name Denosky to Diesenroth, seconded by Trustee Wooden, vote, 5 AYES, **CARRIED.**

**NEGOTIATOR AND UNION BUSINESS:** Mayor Elliott reported on a letter that he received from the CSEA rep. P. Domeratz concerning the PD breaking off and starting their own bargaining unit. Attorney Nesbitt said that the Village should talk to J. Galligan of NYCOM. Mayor Elliott said that he would like to wait on any action. The PD are eligible for binding arbitration with the PD in the present union no one was eligible for arbitration. Mayor Elliott said that arbitration awards are usually large.

Mayor Elliott noted that negotiations should be open soon since the contract expires on May 1995. The Village needs one (1) spokesman but it is usual that at least three (3) people are on the bargaining team. There should be one (1) chief spokesman. Mayor Elliott suggested that the entire VB as the negotiating team or three people. Mayor noted that 2 team members could say yes and one could say no. Whoever is the spokesperson for the VB should realize that anything that is said at the negotiations by the spokesperson needs to convince the VB since it the promise is binding and the spokesman is obligated to see that the promised item passed. Trustee Celentano asked how long negotiations last. Last contract started in May of 1992 and settled in December of 1993 noted Trustee Wooden. Mayor Elliott explained that once the Village declares and impasse then negotiations move along. Mayor Elliott noted that the scheduling of the CSEA negotiator for this area was extremely busy and her schedule was difficult to work with. Trustee Celentano and Trustee Drews noted that they wished to be involved but did not want to be spokespersons.

Trustee Guest moved that Mayor Elliott be the negotiating spokesperson and the Village Board be the negotiating team, seconded by Trustee Celentano, vote, 5 ayes, **CARRIED.**

**ABSTRACT #11:** It was noted by Mayor Elliott that the vouchers were not all finished at this time and Mayor Elliott moved that the VB authorize the Treasurer to pay on all the vouchers on Abstract 11 with a total amount to be determined on all vouchers paid by Thursday, seconded by Trustee Guest, vote, 5 ayes, **CARRIED.**

**POLLING PLACE:** Mayor Elliott moved that the Village Election Polling Place be the Palmyra - Macedon High School located on Hyde Parkway, seconded by Trustee Celentano, vote, 5 ayes, **CARRIED.**

Mayor Elliott explained that the Village will receive a check for the unpaid taxes from the County.

**PURCHASE OFFER FOR SPRING STREET:** Mayor Elliott moved to reject the Purchase Offer received from B. Jacobs for \$3,000 for the Spring St. property, seconded by Trustee Celentano, vote, 5 ayes, **CARRIED.**

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**BITE STICK POLICY:** Mayor Elliott moved to accept the BITE STICK POLICY for use by the Animal Control Officer at a cost of approx. \$85 seconded by Trustee Celentano, vote, 5 ayes, **CARRIED.**

## VILLAGE OF PALMYRA ANIMAL CONTROL

### BITE-STICK POLICY

#### **EQUIPMENT:**

The extendible bite-stick(EBS) is made up of telescoping pieces of metal and is 16 to 18 inches in length, with 26 inches being a good average length. For purposes of this policy, it is assumed a 26 inch bite-stick is being used. When not extended the EBS is about 8 inches in length, and is carried in a leather holster on the belt. The bite-stick is non-obtrusive and should be worn on the left side if the person is right handed.

#### **PURPOSE:**

The purpose of the bite-stick is based on a use of force continuum based on the aggression level of the dog. It is carried with the intent of producing an audio and visual intimidation to attacking dogs. If a dog persists in its attack, it may be used as a tool to offer to the dog to bite, which will, because of its metal surface, repel the dog.

### USE OF FORCE CONTINUUM

#### **LEVEL I**

When entering an area where the possibility of a dog bite or attack exists, the bite-stick should be withdrawn from the holster and held ready in the hand. At the approach of the dog, the bite-stick should be quickly and firmly extended in plain view of the dog, and snapped out to its full length. The sight and sound of the extension produce a significant intimidation in many dogs, so it is important that the EBS be extended in sight of the dog when feasible. At this point it is pointed at the dog. Keep the tip down and the handle up. Present a strong, confident, dominant posture to the dog. Give the dog commands such as "Go Home" or "Stay" in a low, calm voice. Move the stick from side to side, keeping it low between you and the dog. The dog should feel he has to come through the EBS to get to you. If the dog halts its attack keep a firm frontal posture to the dog until you have left the area or secured the dog.

#### **LEVEL II:**

Brace yourself for the impact. As the dog comes in, position the EBS to deflect the dog using its own momentum. If the dog is intent on biting, make sure he gets the EBS. You may have to literally force him to bite it. As the dog bites, or moves in, push the dog away to the side, using his momentum. As the dog is deflected, move quickly back into position to either continue to offer the EBS as a bite-stick, or position yourself to move Level III.

#### **LEVEL III:**

If the dog is intent on a serious, life threatening attack, and will not desist after the above levels have been tried, it is now justified to strike the dog on the snout with the EBS. Because the dog is attempting to injure you, and you are presented with a serious situation, it is appropriate to make your strikes firm. A series of quick up and down strikes will deter all but the most determined dogs. Do not swing side to side. Make your swings up and down.

Policy approved: YES Date 11-7-94

Village Board vote: Mayor Elliott\_\_Aye\_ Trustee Wooden\_aye  
Trustee Celentano\_aye Trustee Drews\_aye\_  
Trustee Guest\_aye\_. carried-unanimously

VAN AT THE SEWER PLANT: Mayor Elliott moved to accept a sum of \$500 to reclaim upon receipt of the \$500 cash or certified check the van which was seized by the PD released to its owner, seconded Trustee Celentano, vote, 5 ayes, CARRIED.

EXECUTIVE SESSION: Mayor Elliott moved to go into executive sess. at 8:05 p.m. for matters of legal and personnel with C. Ackerman, the Village Attorney, and VB, seconded by Trustee Drews, vote, 5 ayes, CARRIED.

Motion made by Mayor Elliott to go out of exec. session at 8:45 p.m. seconded by Trustee Guest, vote, 5 ayes, CARRIED.

CITIZEN HARTNAGEL: Questioned the VB if the Pl. Bd received an item and sent to the ZBA on multiple dwelling in a R1 which was done and approved by the Zoning Officer on his/her own does the Village have recourse. Mr. Ackerman's response was Yes.

BANG BOX: Trustee Celentano noted that prices had been received by R. Weaver for a Bang box and pathfinder. Gang box \$2,500. Purchase orders were done.

DRAINAGE: Smith easement is back and Denosky's and Knorr's is still pending. Permission to cut out trees was given.

R. WEAVER REPORT ON SCHOOL: Public Works School was very informative. Pavement management, Guidelines to selecting a pavement system, how to hire a pavement firm, curb stops, public liability, underground and above ground tanks.

Trustee Celentano also reported on the month of October work by R. Weaver and crews. Snow plow plan was also discussed with Highway Dept.

DRAINAGE A meeting has been schedule for pre-construction on the Drainage project on Tuesday, November 15, at 2:00 p.m.in the Trustees' room.

SANTA VISIT: Trustee Drews reported that the Santa Visit would be on Sunday, December 4 at 1:00 p.m. the Canaltown Choral.

PUBLIC HEARING ON FIRE CONTRACT WITH TOP: It was announced that a public hearing was held and the TOP approved the contract.

QUESTIONS: Trustee Drews questioned the bill of Zurich masonry and asked if other quotes were received. Trustee Celentano said other regreted. Jacobs and Finewood. Why are the shoes so expensive at Marafioti's Shoe Store asked Mayor and Trustees. Limiting the amount spent on work boots was discussed. Agway was suggested and prices will be gotten by Mayor Elliott. Looking at setting a limit on the allotment for shoes with employee paying balance.

SIGN SHRUBS: Trustee Drews noted how nice the shrubs looked around the village signs.

MHPC: Report given by S. Stauffer noting the water use on Rt. 21 bridge by Nory Construction. Supplied evaluation was done. S. Stauffer and MRB did the test on the Rt. 31 R. and Stafford St. valves and water lines to see if the VOP can supply water to the TOP. The customer is responsible for the large meters. Trustee Wooden will meet with the TOP. A new main was discussed down Jackson St. MHPC will send a copy of the report on the test to TOP.

Trustee Wooden asked who is going to pay for the needed pump to supply TOP. Prices are being checked out. Mayor Elliott said a pump may not be needed. Trustee Wooden noted that a pump would be necessary unless water was bought from Newark. A pump is needed even with a new tank.

**CANAL GRANT FROM THRUWAY AUTHORITY:** Trustee Wooden announced the \$100,000 grant that was awarded to the VOP from the State Thruway authority for the canal improvements requested. Trustee Wooden said that he would meet the the Canal Development Comm. on Weds. or Tues. and will call and ask the Thruway Authority if the decision on what to do with the money can be held off a couple of weeks. Mayor Elliott stated that he thought at least one (1) month would be needed to decide and a request should be made to the Thruway to see if the plan can be modified in part or some other less expensive project. The VOP is required to supply \$275,000 balance on the grant. Trustee Wooden will ask the Thruway Auth. if the VOP could get additional money considering some other municipalities have turned down their grants. There was an original time restriction but Trustee Wooden will ask to work something out with the Authority.

**NO TRESPASSING SIGNS:** Ordered for the flag pole and other areas of Village property.

**HISTORIC PRESERVATION INFORMATION MTG.:** TUESDAY, November 8 at 7:30 p.m. at the Elem. School featuring Cynthia Haucks from Landmark Society.

**COURT CONTRACT:** Trustee Guest moved to accept the new court contract with the TOP and authorize the Mayor to sign said contract, seconded by Trustee Drews, vote, 5 ayes, **CARRIED.**

**PARK AND CLUB ROOMS:** Trustee Celentano moved to change the responsibility of the P&C Rooms to the Trustee in charge of the Village Hall (Trustee Guest) and remove from Highway/C&P. Seconded by Trustee Wooden, vote, 4 ayes, 1 abstain (Trustee Guest). **CARRIED. 4-1**

**ZURICH BILL:** A motion was made by Trustee Guest not to pay for the Hathaway portion of the Zurich bill for sidewalks until substantiating information was given, seconded by Trustee Drews, vote, 5 ayes, **CARRIED.**

**ADJOURNMENT:** Motion by Trustee Guest and seconded by Trustee Celentano to adjourn the meeting at 9:45 p.m., vote, 5 ayes, **CARRIED.**

Respectfully submitted,

Bonnie J. Hays, Village Clerk