

At a regular meeting of the Malone Village Board, held on Monday, January 14, 2008, at 6:30 p.m., at the Malone Village Meeting Room, located at 16 Elm Street, the following were present:

**BRENT S. STEWART**

**MAYOR**

**Susan Hafter  
Lenora Richards  
Dailon Patnode  
Todd LePine**

**Trustee  
Trustee  
Trustee  
Trustee**

**Also in attendance:**

**Dolly Maguire, Village Treasurer  
Tammy R. LaValley, Village Clerk  
Jeffrey Smith, DPW Supervisor  
Chief of Police, Steve Stone  
Darcy Fargo, Malone Telegram  
Andy Stewart, Village Resident  
William L. McCabe, Village Resident  
Mark Gonyea, Resident  
Stephan and Alexander Marceau,  
Village Residents**

The meeting opened at 6:30 p.m. with the Pledge of Allegiance.

**MINUTES APPROVED FROM LAST REGULAR MEETING. (12-10-07)**

Upon motion made by Trustee LePine, seconded by Trustee Hafter and unanimously carried, the minutes of the last regular meeting were approved as received.

**MINUTES APPROVED FROM LAST SPECIAL MEETING. (1-3-08)**

Upon motion made by Trustee Richards, seconded by Trustee LePine and carried by Mayor Brent Stewart, the minutes of the last special meeting were approved as received. Trustees Hafter and Patnode abstained from voting as they were not present for this meeting.

**BILLS PAID.**

Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried, the following bills were approved and authorized for payment:

<b>JOINT REC. FUND</b>	<b>\$203.53</b>
<b>CAPITAL FUND</b>	<b>607.00</b>
<b>TRUST AND AGENCY</b>	<b>1481.10</b>
<b>REVOLVING LOAN FUND</b>	<b>8333.33</b>
<b>SEWER FUND</b>	<b>18310.14</b>
<b>WATER FUND</b>	<b>56573.55</b>
<b>GENERAL FUND</b>	<b><u>90258.88</u></b>

**TOTAL: \$175767.53**

Upon motion made by Trustee LePine, seconded by Trustee Patnode and unanimously carried, the Malone Village Board of Trustees went into executive session for the reasons stated below.

**EXECUTIVE SESSION. (DISCUSSION OF PENDING LITIGATION,  
EMPLOYMENT OF A PARTICULAR INDIVIDUAL, & FINANCIAL/  
CREDIT MATTER OF A PARTICULAR INDIVIDUAL)**

Upon motion made by Trustee Richards, seconded by Trustee Patnode and unanimously carried, the Malone Village Board of Trustees came out of executive session.

Upon motion made by Trustee Richards, seconded by Trustee Hafter and unanimously carried, the Malone Village Board of Trustees went back into regular session.

**CODE REPORT/APPLICATIONS.**

The following code report/applications were reviewed by the Malone Village Board and will be on file in the Village Clerk's office for future review.

**BUILDING PERMIT**

**DONNA FLEURY  
129 ACADEMY STREET  
MALONE**

**APPLICATION SUBMITTED TO PUT ON A NEW ROOF AND ADD A SUPPORT POST FOR PORCH, ON A SINGLE FAMILY HOME. ESTIMATED PROJECT COST IS \$5000.00-\$8000.00. APPLICATION WAS APPROVED BY CODE ENFORCEMENT OFFICER, JOHN LECLERC.**

**HEATING EQUIPMENT PERMITS**

**JOHN SOROKA INSTALLER FOR HOMEOWNER, PAULA FLEURY  
189 DUANE STREET  
MALONE**

**APPLICATION SUBMITTED TO INSTALL A CHIMNEY AT THIS SINGLE FAMILY HOME. APPLICATION WAS APPROVED BY CODE ENFORCEMENT OFFICER, JOHN LECLERC.**

**MARYANN WALKER  
112 DUANE STREET  
MALONE**

**APPLICATION SUBMITTED TO INSTALL A CHIMNEY AT THIS SINGLE FAMILY HOME. APPLICATION WAS APPROVED BY CODE ENFORCEMENT OFFICER, JOHN LECLERC.**

**EMPLOYMENT APPLICATIONS.**

- 1. THOMAS AVERY  
586 CTY RT 3  
BRUSHTON, NY**
- 2. DARRYL LANGDON                      DPW GARAGE  
168 CTY RT 24  
MALONE, NY**
- 3. ABBY PREMO                              SUMMER DPW EMPLOYMENT  
23 LOVERS LANE ROAD  
MALONE, NY**

The above employment applications were read aloud by Mayor Stewart and will be kept on file in the Village Clerk's Office for possible future use.

**TAXI DRIVER LICENSE APPLICATION.**

- 1. TIMOTHY ALLEN  
265 POWERS ROAD  
CONSTABLE, NY**

**THIS APPLICATION HAS BEEN APPROVED BY SGT. DEAN FOUNTAIN.**

**Upon motion made by Trustee Richards, seconded by Trustee LePine and unanimously carried, the above Taxi Driver License was approved and accepted as received.**

**WATER SERVICE APPLICATION.**

- 1. FRANKLIN HYDRO, INC.  
EAST MAIN STREET  
MALONE, NY**

**APPLICATION SUBMITTED FOR A ¾ INCH TAP. THE FEE IS \$150.00 AND COST OF MATERIALS. THIS APPLICATION HAS BEEN APPROVED BY DPW SUPERVISOR, JEFF SMITH.**

**The water that is needed at this location is probably for the cooling of the generator. Mr. John Webster is the applicant; he has paid the fee of \$150.00 and will be billed for cost of materials after the tap is completed.**

**Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried, this water service application was approved and accepted as received.**

**NEW BUSINESS.**

**1. LIQUOR LICENSE RENEWALS.**

- 1. GALLAGHERS RESTAURANT AND LOUNGE  
227 WEST MAIN STREET  
MALONE, NY 12953**

**Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried, the Malone Village Board accepts and approves this renewal for a liquor license as received.**

- 2. KNIGHTS OF COLUMBUS  
MALONE COUNCIL NO. 308  
41 ELM STREET  
MALONE, NY 12953**

**Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried, the Malone Village Board accepts and approves this renewal for a liquor license as received.**

**2. BUILDING INSPECTOR/FIRE CODE REPORT FOR THE MONTH OF DECEMBER 2007.**

**This report was reviewed by the Malone Village Board and it will be on file in the Village Clerk's Office.**

**3. VOM POLICE REPORT FOR THE MONTH OF DECEMBER 2007.**

**This report was reviewed and will be on file in the Village Clerk's Office for review.**

**Police Chief Stone brought up a topic that had to do with the parking in front of Flanders School to Clay Street. At present, employees park there all day. We received complaints about it. So we looked into it and the State, back in 1995 removed the signage when they did the road work; it was assumed that there was a 2 hour parking limit however, after looking through our code, there is no parking allowed in this area. It is designed for student pick up area; as long as you do not park there. Reverend Werley called me and is concerned that parishioners will not**

be able to park there. However, the Flanders School officials said it is okay for them to park in Flanders Parking lot behind the school on Sundays. And Notre Dame gave the Flanders employees permission to park in their parking lot since they cannot fit every employee car behind Flanders School. Chief Stone said we need to get the proper signage there. It will be a state signage replacement. Rob Haynes is looking into it and we will get this rectified.

#### **4. VILLAGE CLERK REPORT FOR THE MONTH OF DECEMBER 2007.**

Upon motion made by Trustee Hafter, seconded by Trustee Patnode and unanimously carried, the Village Clerk report for the month of December 2007 was accepted and approved as received.

#### **5. JOINT RECREATION FUND FINANCIAL REPORTS.**

We had an unemployment claim for the Recreation Park and it has not been budgeted now or in the past. The treasurer spoke to the commission about it and they will now budget this in the future.

Trustee Richards had some questions in regards to utility bills.

Upon motion made by Trustee Hafter, seconded by Trustee Richards and unanimously carried, the Joint Recreation Fund Financial Report was approved and accepted as received.

#### **6. BUDGET AMENDMENTS AS PRESENTED BY VILLAGE TREASURER.**

To: Mayor Brent Stewart  
Village Board of Trustees  
From: Dorothy M. Maguire  
Budget Officer/Treasurer  
Date: January 14, 2008  
Re: Donation-Joint Recreation Fund  
Joint Recreation Fund Budget Amendment #6

The following donation has been received for the renovation of the Kelly Pavilion:

Malone Auto Club Inc.                      \$ 200.00

I recommend that the Board accept the donations for said purpose and amend the Joint Recreation Fund Budget as follows:

Increase Revenue Code J2705 Gifts & Donations by \$200.00

Increase Appropriation Code J7197.2 Capital Improvements by \$200.00

**MOTION MADE BY: Trustee Lenora Richards**

**SECONDED BY: Trustee Dailon Patnode**

**APPROVED BY BOARD OF TRUSTEES ON: 01-14-2008**

Mayor Stewart thanked the Malone Auto Club for this donation. It is greatly appreciated.

JOINT RECREATION FUND  
BUDGET AMENDMENT NO. 7-2007/2008

**OFFERED BY: DOROTHY M. MAGUIRE, TREASURER/BUDGET OFFICER**

**RELATING TO THE APPROPRIATION AND/OR TRANSFER OF FUNDS**

**RESOLVED: THAT THE FOLLOWING AMOUNT(S) BE AND THE SAME HEREBY IS (ARE) APPROPRIATED/TRANSFERRED.**

\$1,590.00 FROM ACCOUNT NO. J7140.1 Maintenance Staff Salaries

\$2,555.00 FROM ACCOUNT NO. J599 Unreserved Fund Balance

**AS FOLLOWS:**

\$4,145.00 TO ACCOUNT NO. J9050.800 Unemployment Claim

**MOTION MADE BY: Trustee Todd LePine**

**SECONDED BY: Trustee Lenora Richards with discussion.**

Trustee Richards asked if this person would be returning in the summer and the treasurer was not sure if this person would be returning in the spring.

**APPROVED BY BOARD OF TRUSTEES ON: 1-14-2008**

GENERAL FUND

BUDGET AMENDMENT NO. 18-2007/2008

**OFFERED BY: STEVEN STONE, POLICE CHIEF**

**RELATING TO THE APPROPRIATION AND/OR TRANSFER OF FUNDS**

**RESOLVED: THAT THE FOLLOWING AMOUNT(S) BE AND THE SAME HEREBY IS (ARE) APPROPRIATED/TRANSFERRED.**

\$2,314.77 FROM ACCOUNT NO. A511.2 Appropriated Forfeiture Fund Reserve

**AS FOLLOWS:**

\$2,314.77 TO ACCOUNT NO. A3120.4 Police Other Expenses (Forfeiture Fund Reserve)

**MOTION MADE BY: Trustee Lenora Richards**

**SECONDED BY: Trustee Dailon Patnode**

**APPROVED BY BOARD OF TRUSTEES ON: 01-14-2008**

## **7. COMMITTEE REPORTS.**

Trustee Richards stated that she had a chance to meet with Rene Braley at Justice Court and received an update from her on how things were going there. Heather Phillips has been working on fine notices and bench warrants. They are scheduling motor vehicle trials but have not gotten to criminal trials yet. Trustee Richards read a synopsis of the cases for each judge. Rene has been given a title of the TAC Coordinator; Terminal Agency Coordinator. The prior account clerk typist had this title but has since retired. They are working really hard there to get things caught up.

Upon motion made by Trustee Richards, seconded by Trustee Hafter and unanimously carried by the Village Board, Heather Phillips will continue as a temporary part time account clerk over at the Village Justice Court until March 17-18, 2008. We will revisit that situation when we get to that time.

Trustee Hafter brought up the subject of animal welfare concerns. She stated that at one time the Village and Town tried to come up with a committee on Dog Control. It kind of grew out of hand and later abandoned. Trustee Hafter stated that she would like to present an idea to have the Village Board; a problem of overpopulation of cats. We have had some work done with the assistance from the Neuter Commuter. I would like to see a shelter for these stray cats. I am looking for ideas and people who would like to help with the feline population. It would not be funded by the Village, just coordinated by the Village. Educating the public is a possibility. The cats seem to be left behind when someone moves. I will speak with other Towns and see how they are handling this problem. I would also like to see in the future that we revisit the item of dog control and possibly getting Town/Village to work together on this. The Town should take the forefront on this but I would like to see the Village be a part of this.

**8. MAYOR STEWART GRANTS PERMISSION TO GERALD FISHER AND TIMOTHY ROTTIER TO ATTEND TRAINING IN PLATTSBURGH ON JANUARY 15, 2008.**

**9. MAYOR STEWART GRANTS PERMISSION TO JOHN LECLERC AND CHARLIE ROBERT TO ATTEND THE NORTHERN ADIRONDACK CODE ENFORCEMENT OFFICIALS TRAINING IN LAKE PLACID. THE CONFERENCE COMMENCES ON MARCH 2, 2008 AND WILL END ON MARCH 6, 2008.**

**10. IMPROVEMENTS NEEDED FOR THE VOM POLICE DEPARTMENT BUILDING.**

We presently have an issue with the East Side of the building. There is ice/snow buildup on the roof which has caused some minimal damage. We need to insulate the ceiling over the ceiling tiles. We received 3 quotes; Steve looked into this. We can use money from the drug asset fund.

One quote is from Malone Lumber and Ready Mix, one from Samples and one from Ward Lumber. Chief Stone is recommending the quote from Malone Lumber; they are in the Village and we would like to stay with someone from in the Village.

Upon motion made by Trustee Richards, seconded by Trustee Patnode and unanimously carried by the Board, approval was given to use \$2314.77 from the drug asset fund for repairs needed at the Village of Malone Police Department in the ceiling/roof.

**11. RESIGNATION RECEIVED FROM MR. HAROLD LAMONDIE FROM THE MALONE VILLAGE PLANNING BOARD.**

Mayor Stewart and the Village Board thanked Mr. Lamondie for all his time and all that he has done for the Village Planning Board.

Upon motion made by Trustee Hafter, seconded by Trustee Patnode and unanimously carried, the Village Board accepts with regret this resignation letter from Mr. Lamondie.

Mayor Stewart stated that we will need to fill the vacancy with someone else.

**12. INSURANCE CLAIM RECEIVED FROM EUGENE AND GAIL LAFLESH, OF 10 PERSHING AVENUE, VILLAGE OF MALONE; THIS CLAIM HAS BEEN FORWARDED TO THE VILLAGE OF MALONE'S INSURANCE CARRIER.**

**13. MALONE VILLAGE PLANNING BOARD APPROVED A SIGN PERMIT FOR HOSLER'S RESTAURANT LOCATED AT 609 EAST MAIN STREET.**

**14. PUBLICATION IN MALONE TELEGRAM IN REGARDS TO DEC PERMIT RENEWAL FOR THE VILLAGE OF MALONE WASTERWATER TREATMENT PLANT.**

This item is information. This has appeared already in the Malone Telegram. It is for the waste water treatment plant and is in regards to a renewal for a permit with the DEC.

**15. LWRP – MUNICIPAL RESOLUTION SUPPORTING THE RECENT APPLICATION SUBMITTED TO THE DEPT OF STATE FOR FUNDING.**

Mayor Stewart asked the Village Clerk if we had received this resolution from the LWRP Committee and she stated no. Mayor Stewart stated that we will put it through our next meeting. We will strike this from tonight's agenda.

**OLD BUSINESS.**

**1. UNSAFE BUILDINGS LAW AND ABANDONED VEHICLES LAW. SET UP PUBLIC HEARING.**

Trustee Hafter made a motion to set up a public hearing for the purpose of reviewing Local Law #1-2008, titled Unsafe Buildings, for Monday, January 28, 2008 at 6:30 p.m. This motion was seconded by Trustee Patnode. Mr. William L. McCabe said he would like to talk for a moment. He stated that it has now been 34 months since Mr. Hall and he first discussed the junk cars with this same board

**with the exception of Mr. LePine. He asked for a clear answer as to why it took so long to get anything done about it. Mayor Stewart tried to explain that it takes time for laws; it's a lot of work and we do not have an attorney on staff 8 hours a day Monday through Friday. We (the board and mayor) have been working on these laws; I feel we have done a good job on this. Mr. McCabe was not happy that it took so long to complete these laws.**

**Trustee Hafter stated that we have a motion on the floor that has nothing to do with junk cars; we are trying to schedule the Unsafe Building Public Hearing. Trustee Richards stated that she felt we should have John Leclerc, Code Enforcement Officer at this public hearing just in case we have any questions or concerns.**

**Upon motion made by Trustee Hafter, seconded by Trustee Patnode and unanimously carried by the board, the Public Hearing for Local Law 1-2008 titled Unsafe Buildings, is set for Monday, January 28, 2008, at 6:30 p.m.**

**Mr. McCabe again voiced his disapproval of the length of time it took to come up with these proposed laws. Mayor Stewart told Mr. McCabe that the board and he did the best that they could do and he was pleased with the outcome. Mr. McCabe exchanged words with Mayor Stewart and some of the Trustees. Mr. McCabe left the meeting.**

**Upon motion made by Trustee Richards, seconded by Trustee LePine and unanimously carried, the Public Hearing for Local Law 2 – 2008 titled Vehicles, Abandoned, is set up for Monday, January 28, 2008 immediately following the public hearing for Local Law #1-2008. The regular board meeting will follow the second public hearing.**

**ADJOURN.**

**Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried, this meeting adjourned at 8:40 p.m.**

**RESPECTFULLY SUBMITTED:**

**TAMMY R. LAVALLEY  
Malone Village Clerk**