

At a regular meeting of the Malone Village Board, held on Monday, February 25, 2008, at 6:30 p.m., in the Malone Village Meeting Room, the following were present:

BRENT S. STEWART **MAYOR**

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

Also in attendance: **Dolly Maguire, Village Treasurer**
 Tammy R. LaValley, Village Clerk
 Chief of Police, Steve Stone
 DPW Supervisor, Jeff Smith
 Pat Maguire, Sid G. Spear
 Darcy Fargo, Malone Telegram

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

MINUTES APPROVED. (LAST REGULAR MEETING 2-11-08)

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

BILLS PAID.

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

JOINT REC FUND	-	\$230.02
REVOLVING LOAN	-	\$800.00
CAPITAL FUND	-	\$948.40
SEWER FUND	-	\$29105.42
WATER FUND	-	\$33881.00
GENERAL FUND	-	\$120341.84
TRUST & AGENCY	-	<u>\$148453.97</u>
TOTAL -		\$333760.65

PAT MAGUIRE – SID G. SPEAR

Pat Maguire from Sid G. Spear was present to do a presentation on the Insurance Proposal for the Village of Malone. He explained changes in the Village's Insurance Policy for the period starting March 1, 2008-March 1, 2009. There is a slight increase in the premium. It is going from \$142002.71 to \$146076.20 for the year. Pat stated that I would like to schedule a meeting to discuss Risk Management; I would like to meet with Trustees Hafter and Richards. I would also like to see Jeff Smith and Chief Stone join us too. A meeting was scheduled for March 5, 2008 at 8:00 a.m. The Trustees and Mayor presented questions to Pat Maguire, and he answered those questions.

Trustee Hafter made a motion to approve and accept the proposed insurance policy for the Village of Malone as presented by Pat Maguire of Sid G. Spear and if possible, if any reductions can be found, Mr. Maguire will do as such. Trustee Patnode seconded this motion and it was unanimously carried.

EMPLOYMENT APPLICATION

- 1. ABBY PREMO DPW-SUMMER EMPLOYMENT
23 LOVERS LANE ROAD
MALONE**

Mayor Stewart stated that this application will be added to our file for summer employment.

CORRESPONDENCE.

- 1. NEW YORK STATE DEPT OF ENVIRONMENTAL
CONSERVATION – APPLICATION FOR RESTRICTED
BURNING PERMIT.**

DPW Supervisor Jeff Smith stated that the DEC was not going to allow any burning permits; however, after a second phone call with Tom Gliddi, they have allowed some municipalities a permit. They granted permission for us to have an open burning fire permit up at the sand pit on Barehill Road. They are strongly recommending that we explore and implement alternate methods of reuse, treatment and or disposal of materials such as brush, trimmings, etc. Mayor Stewart stated that we will have to keep an eye on this. See what the future brings.

- 2. FRANKLIN COUNTY BICENTENNIAL COMMISSION.**

Mayor Stewart stated that we received a letter from Wanda Murtagh stating that a lot of planning is going on and scheduling has been done for a full day of activities. We are still getting the details on this event; it is to be held on June 14, 2008. The Mayor stated that there has been information already put in the paper. We will keep you posted as we get information and updates.

NEW BUSINESS.

- 1. MAYOR STEWART GRANTS PERMISSION TO SEND
SGT. PREMO TO TRAINING FOR POLICE SUPERVISION.
THIS TRAINING IS BEING HELD IN CANTON STARTING
ON 5-19-2008 THROUGH 6-6-2008.**
- 2. VILLAGE OF MALONE FINANCIAL REPORT FOR
PERIOD ENDING JANUARY 31, 2008.**

This report was presented by Village Treasurer, Dolly Maguire.

Upon motion made by Trustee Richards, seconded by Trustee Hafter and unanimously carried, the Village of Malone Financial Report for period ending January 31, 2008 was approved and accepted as received.

- 3. JOINT RECREATION FUND FINANCIAL REPORT.**

The Joint Rec. Fund Financial Report was presented by Village of Malone Treasurer, Dolly Maguire.

Upon motion made by Trustee Hafter, seconded by Trustee Patnode and unanimously carried, this report was approved and accepted as received.

- 4. BUDGET AMENDMENTS.**

**GENERAL FUND
BUDGET AMENDMENT NO. 23-2007/2008**

**OFFERED BY: DOROTHY MAGUIRE, BUDGET OFFICER/TREASURER
RELATING TO THE APPROPRIATION AND/OR TRANSFER OF FUNDS**

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

\$451.10 FROM ACCOUNT NO. A511.2 Appropriated Forfeiture Fund Reserve

AS FOLLOWS:

\$451.10 TO ACCOUNT NO. A3120.1 Police Salaries (Forfeiture Fund Reserve)

\$2,000.00 FROM ACCOUNT NO. A1990.0 Contingency

AS FOLLOWS:

\$2,000.00 TO ACCOUNT NO. A1430.4 Personnel Other Expenses

\$125.00 FROM ACCOUNT NO. A1410.4 Village Clerk Other Expenses

AS FOLLOWS:

\$125.00 TO ACCOUNT NO. A3620.4 Code Enforcement Other Expenses

\$ 235.00 FROM ACCOUNT NO. A1210.2 Mayor Equipment

\$6,680.00 FROM ACCOUNT NO. A5182.4 Street Lighting Other Expenses

AS FOLLOWS:

\$6,915.00 TO ACCOUNT NO. A5182.2 Street Lighting Equipment

MOTION MADE BY: Trustee Lenora Richards

SECONDED BY: Trustee Todd LePine

APPROVED BY BOARD OF TRUSTEES ON: 2-25-2008

SEWER FUND

BUDGET AMENDMENT NO. 5-2007/2008

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.

\$2,800.00 FROM ACCOUNT NO. G1990.0 Contingency

AS FOLLOWS:

\$2,800.00 TO ACCOUNT NO. G8130.4 Waste Water Treatment Plant Other Expenses

MOTION MADE BY: Trustee Susan Hafter

SECONDED BY: Trustee Dailon Patnode

APPROVED BY BOARD OF TRUSTEES ON: 2-25-2008

5. FIXED ASSETS POLICY.

Dolly Maguire, Village Treasurer, explained that it is the responsibility of the property control manager to develop and maintain the inventory records of fixed assets for the Village. Cindy Douglas is our property control manager. At an accounting workshop that Dolly went to recently, most of the representatives from the municipalities that were there have a significant value of \$500.00 or more; the Village of Malone currently uses \$100.00. Mayor Stewart stated that he has discussed it with the treasurer and the clerk and at this time, would recommend changing our present fixed asset policy from the significant value of \$100.00 to \$500.00. We would keep a separate inventory of machinery, equipment, etc.

Trustee Hafter made a motion to accept the updated fixed asset policy, as recommended and presented by the Malone Village Treasurer. Trustee Richards seconded this motion and it was unanimously carried by the board.

6. CANCER SCREENING PAID LEAVE; NOTICE RECEIVED FROM NYCOM- JOHN GALLIGAN.

The Village Clerk explained that last year, the Village received notice from the Franklin County Personnel Office stating that according to a New State law, municipalities have to furnish employees with time off with pay for cancer screening. It states 4 hours for females and 8 hours for men. Then the other day, the Treasurer brought it to the clerk's attention that she had received the opinion of NYCOM on this subject and their opinion states that we do not have to furnish this time; we already furnish sick time to our employees to take care of such screenings. The Village Clerk spoke directly to John Galligan, counsel at NYCOM and he stated that the Personnel Office had no authority to direct the Village that we had to provide this "paid leave". He stated that we can chalk it up to Administrative Error and rescind this decision/policy that went into effect last year.

A couple of employees have already taken this time, so it was suggested by Trustee Hafter that as to be fair, maybe we should leave this policy in place until June 1, 2008, to let other employees take advantage of this policy. Then come June 1, 2008 this policy shall no longer be.

Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried, the Malone Village Board has decided to limit the decision made on paid cancer screening for our employees to June 1, 2008, with a memo going to employees giving them a chance to use this policy before such expiration of this policy on June 1, 2008; the employees will use their own sick time to take care of these screenings after June 1, 2008.

7. VILLAGE OF MALONE WEB PAGE.

Village Clerk, Tammy LaValley announced that the Web Page for the Village is just about complete and can be accessed at malonevillage.com. She stated that there is a page for each Village Department and will be a valuable tool for the public. There are forms that can be accessed on the Web Page for vital records, water and sewer applications, code applications, and DPW applications, such as cement/sidewalk applications. The Police page should have some links pretty soon to take you other areas of the web. The Rec. Park is currently working on their page and it should be up on the site very soon. Tammy LaValley also thanked CST and Jeff Tuper for all of their help. They have been very helpful and accommodating.

8. LETTER OF SUPPORT – CAMP GABRIELS.

Mayor Stewart stated that everyone is aware that there was a recent announcement that there are plans to close down Camp Gabriels. Mayor Stewart sent a letter of support to all of our elected officials encouraging them to help keep Camp Gabriels open. It certainly will have an effect on the economy if it closes. It has furnished this area with local employment and we have received help from the inmates on work crews.

9. COMMITTEE REPORTS.

Trustee Hafter stated that she had an update in regards to the cat problem that she spoke about a couple of weeks ago. Trustee Hafter stated that there is an organized interest in the welfare of the cats; a group has been formed. It is under the direction of North Country Animal Shelter and Shirley Morton. They (a handful of ladies that volunteer their time to help Shirley) want to expand and improve the services for cats. They want to increase funds for the cat population here in Malone. Trustee Hafter stated that this year's dog walk will be held on May 17 and the proceeds will actually help the cat population. They will purchase new cages, kennels, etc. They do accept donations on a regular basis in the form of time, money, food products, cages, etc.

OLD BUSINESS.

1. RFP RECEIVED FROM CT MALE IN REGARDS TO THE POSSIBLE REZONING OF CERTAIN AREAS IN THE VILLAGE; AND CHANGING OF WORDING IN ZONING AND SUBDIVISION ORDINANCES IN THE VILLAGE'S CODE BOOK.

We sent out the RFP's for our rezoning however we only received one response. CT Male originally sent us their hourly rates, but we requested an additional proposal that would give us an idea of the costs in lump sums for their services. It can range anywhere from \$5000.00-\$8000.00 and go up to \$35000.00, depending on the level of revisions that we need in our code and the length of time this takes. We have some monies in our present budget; about \$13,000.00. They also stated in their proposal that they may be able to assist us in applying for grants that help pay for such rezoning changes. We will also have to put more monies in the upcoming budget for 2008-2009.

Upon motion made by Trustee Hafter, seconded by Trustee Richards and unanimously carried, the Village shall engage in the services of CT Male Associates, on an hourly basis, for the purpose of rewording the Village's Zoning and Subdivision chapters, and for the possible rezoning of certain areas of the Village, and to have CT Male assist us in the process of applying for the grant monies for the Village of Malone rezoning project.

2. VILLAGE OF MALONE JUSTICE COURT DISCUSSION.

Mayor Stewart stated that we recently received a letter from the Board of Elections; they needed to know if anyone would be going on the ballot from the Village for this fall's election. They needed to do their Ballot Certification. If we decide to add or take anyone off, we have until September to do this according to the Board of Elections. They had a deadline of March 3, 2008 but after the Village Clerk called them, we found out that we do have more time.

Trustee Hafter and Mayor Stewart updated the board on a recent conference call that included the Department of State, the Comptroller's Office, Mayor Stewart, Supervisor Maneely, Town Clerk Susan Hafter, Town Budget Officer, Andrea Stewart and Village Clerk, Tammy LaValley. This call was in regards to abolishing the justice's positions and the process by which is can be done. Judge Simays term ends 11-2008 and Judge Lamitie's ends in November of 2010. This abolishment of the positions would have to be done by separate resolutions and 30-day referendums. The attorneys and representatives that were involved with this conference call stated that our next step should be meeting with our attorney and discussing a few things. There will be no decision made tonight on this issue.

Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried, this meeting went into executive session to address particular employment/employee issues.

EXECUTIVE SESSION. (ADDRESS PARTICULAR EMPLOYEES AND EMPLOYMENT ISSUES.

Upon motion made by Trustee Patnode, seconded by Trustee Richards and unanimously carried, this meeting came out of executive session.

Upon motion made by Trustee Patnode, seconded by Trustee Hafter and unanimously carried, this meeting was back in regular session.

Upon motion made by Trustee LePine, seconded by Trustee Patnode and unanimously carried by the board, Carolyn Brown, Account Clerk for the Village of

Malone is granted a two week extension of sick time as stated in the Clerical Contract.

GENERAL FUND
BUDGET AMENDMENT NO. 24-2007/2008

OFFERED BY: DOROTHY MAGUIRE, BUDGET OFFICER/TREASURER

AMEND THE GENERAL FUND BUDGET AS FOLLOWS:

INCREASE REVENUE CODE A2705 DONATIONS by \$6579.00

INCREASE APPROPRIATION CODE A3120.1 POLICE SALARIES BY \$1,569.00

INCREASE APPROPRIATION CODE A9015.8 POLICE RETIREMENT BY \$1,227.00

INCREASE APPROPRIATION CODE A9030.8 SOCIAL SECURITY TAX BY \$455.00

INCREASE APPROPRIATION CODE A9035.8 MEDICARE TAX BY \$107.00

**INCREASE APPROPRIATION CODE A9060.8 HEALTH/DENTAL/VISION INSURANCE
BY \$3,221.00**

MOTION MADE BY: Trustee Todd LePine

SECONDED BY: Trustee Lenora Richards

APPROVED BY BOARD OF TRUSTEES ON : 2-25-2008

Upon motion made by Trustee LePine, seconded by Trustee Richards, and unanimously carried, William Martin III, a transfer from the Franklin County Sheriff's Department is approved to be hired as a police officer for the Village of Malone and will be starting out at Step 1 as per contract; hire date is after March 10, 2008.

Upon motion made by Trustee Hafter, seconded by Trustee Patnode and unanimously carried, Nathan Preve will be hired as a trainee Police Officer, beginning on February 29, 2008.

Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried, Rene Braley will have to first use her 7 hours that she has on the book towards her vacation scheduled for April 2008 and then will be allowed the remainder of her vacation to be unpaid leave time.

ADJOURN.

Upon motion made by Trustee Patnode, seconded by Trustee Richards and unanimously carried, this meeting closed at 10:00 p.m.

RESPECTFULLY SUBMITTED:

**TAMMY R. LAVALLEY
Malone Village Clerk**