

At a regular meeting of the Malone Village Board, held on Monday, May 12, 2008, at 6:30 p.m. at the Malone Village Meeting Room, located at 16 Elm Street, the following were present:

SUSAN HAFTER

DEPUTY MAYOR

Lenora Richards

Trustee

Todd LePine

Trustee

Dailon Patnode

Trustee

Mayor Brent Stewart was not in attendance at this meeting.

Also in attendance:

Chief of Police, Steve Stone

Mr. and Mrs. Leon Emond

Frank Fisher, Planning Board Chairman

Darcy Fargo, Malone Telegram

Tammy R. LaValley, Village Clerk

MINUTES APPROVED.

Upon motion made by Trustee Patnode, seconded by Trustee LePine and carried by Deputy Mayor Hafter, the minutes from the last meeting were approved as received. Trustee Lenora Richards abstained from voting as she did not attend the last regular meeting held on April 28, 2008.

BILLS PAID.

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

REVOLVING LOAN FUND-	\$4.10
JOINT REC FUND-	\$931.55
WATER FUND-	\$23811.72
SEWER FUND-	\$25228.11
CAPITAL FUND-	\$60030.47
GENERAL FUND-	\$79489.35
TRUST AND AGENCY-	<u>\$84922.35</u>
	\$274,417.65

CODE REPORTS.

BUILDING APPLICATIONS:

WP Realty
940 Haverford Road
Bryn Mawr, PA 19010

Application to renovate suite 14B at 228 West Main Street for an Easy Home retail store at an estimated cost of \$140,000. Application approved by Building Inspector John Leclerc.

Sarah Lanthier Bogett
99 Pleasant Street
Malone, NY 12953

Application to build a deck at 99 Pleasant Street at an estimated cost of \$250. Application approved by Building Inspector John Leclerc.

Nicholas Woodward
Lisa Bergeron
29 Third Street
Malone, New York 12953

Application to install a 24' round pool at 29 Third Street. Application approved by Building Inspector John Leclerc.

**Malone Cemetery Association
Raymond Street
Malone, NY 12953**

**Application to upgrade electrical to 100 amp service at an estimated cost of \$500.
Application approved by Building Inspector John Leclerc.**

FENCE APPLICATIONS

Betzy Nichols

Application to erect a six foot high wooden fence at 2 Margaret Street. Application approved by Building Inspector Charles Robert.

Carol Perry

Application to erect a four to five foot chain-link fence at 314 West Main Street. Application approved by Building Inspector Charles Robert.

Peter Guerin

Application to erect a six foot wooden fence at 50 Milwaukee Street. Application approved by Building Inspector Charles Robert.

HEATING EQUIPMENT

John Decillis

Application to change a masonry chimney to a prefab chimney at 15 Shield Street. Application approved by Building Inspector John Leclerc.

POOL FILL-UPS

Tim Hyde

All of the above applications were reviewed by the Malone Village Board and will be on file in the Village Clerk's Office.

PRESENTATION BY FRANK FISHER; RE – ZONING AND PLANNING.

Frank Fisher, Chairman of the Planning Board, explained to the Board of Trustees what the planning board was proposing in regards to changes in the current zoning of the East end property known as the Guzy Property. He showed the board an updated map also. The next work session for the zoning/planning is scheduled for May 14, 2008 at 7:00 p.m. and the public is invited to attend.

CORRESPONDENCE:

1. LIQUOR LICENSE RENEWALS:

- 1. NIGHT LIFE LOUNGE
ZUFER CECUNJANIN
403 EAST MAIN STREET
MALONE**
- 2. VILLA FIORE RESTAURANT
ZUFER CECUNJANIN
403 EAST MAIN STREET
MALONE**

Trustee Hafter explained that the Village's only responsibility when it comes to liquor license renewals is to acknowledge that we have received it and that the business has applied to the state. The 30 days is for public comment. We do not have to actually vote on these renewals. The state has the say in this.

**LETTER OF INTEREST RECEIVED FROM TANYA BENWARE
IN REGARDS TO BECOMING A MEMBER OF THE MALONE RECREATION
COMMISSION.**

Deputy Mayor Hafter stated that Tanya Benware is a Village Resident who is interested in sitting on the Malone Recreation Commission Board. She has small children and would like to become more involved.

Upon motion made by Trustee Richards, seconded by Trustee LePine and unanimously carried, Tanya Benware is hereby appointed to the Malone Recreation Commission and will finish out the term of Patricia Jackson, who resigned last year, which expires in March 2012.

**CHAMBER OF COMMERCE REQUEST TO CONDUCT A PARADE
AS PART OF THE INDEPENDENCE DAY CELEBRATION ON
JULY 5, 2008.**

Upon motion made by Trustee Richards, seconded by Trustee LePine and unanimously carried, the Chamber of Commerce was granted permission to conduct a parade in the Village, beginning on Homestead Park to Pearl Street, as part of the Independence Day Celebration, on July 5, 2008.

**MALONE SHRINE CLUB HOLDING A CIRCUS ON MAY 14, 2008
AT THE FRANKLIN COUNTY FAIRGROUNDS. (INFORMATIONAL)**

There are some free tickets for children under 12 years old around the Village at various businesses that the Shrine Club members have been handing out. There will be two shows; one at 4:30 p.m. and one at 7:30 p.m.

**AMERICAN LEGION POST 219 REQUEST PERMISSION TO HOLD
MEMORIAL DAY PARADE ON MAY 26, 2008 AT 10:00 A.M.**

Chief Stone stated that they will begin the parade path from Webster Street to Elm Street. And once on Elm Street they will have their traditional ceremonies at the Legion. Chief Stone also stated that he will have to work that day and Deputy Mayor Hafter granted him permission to work on Memorial Day.

Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried, permission is granted to the American Legion Post 219 to hold the annual Memorial Day parade on May 26, 2008.

**AMERICAN LEGION POST 219 REQUESTS THE PARTICIPATION OF
ELECTED OFFICIALS FOR THE MEMORIAL DAY PARADE.**

Deputy Mayor Hafter stated that if any of the Trustees can make it, the Legion would love to have a lot of participation in this parade.

**TRAFFIC SAFETY BOARD/PEDESTRIAN SAFETY IN MALONE
VILLAGE.**

This is an informational piece of correspondence. Recently, it has been an issue in front of the YMCA. Deputy Mayor Hafter stated that maybe they can go out for some funding or grants to help them get a flashing yellow light for out in front of the YMCA building.

BLUE MOUNTAIN ENGINEERING, PLLC. – SEQRA.

This correspondence is in regards to the new New York State Trooper Barracks. The Town of Malone is seeking lead agency for the SEQRA review.

Upon motion made by Trustee Hafter, seconded by Trustee Richards and unanimously carried, the Village of Malone approves the Town of Malone as lead agency for the SEQRA review for the construction of the New York State Trooper Barracks.

**CORRESPONDENCE RECEIVED FROM A CONCERNED
CITIZEN IN REGARDS TO HOWARD AVENUE.**

Kathy Rosenfield from Howard Avenue sent a letter of concern in regards to “Kid” activity down on that street; near and in the river. Last year our Police Department, as she states in her letter, did wonders to help curve problems on this street and she is hoping for the same this summer.

**SHARED MUNICIPAL SERVICES INCENTIVES PROGRAM
SUCCESSFUL- RE: FRANKLIN COUNTY PAVER GRANT.**

Deputy Mayor Hafter stated that we received word that the grant was successful. The county helps us out a lot as they do share this equipment with the Village at no charge.

**HUD – FY2001 ECONOMIC DEVELOPMENT INITIATIVE
SPECIAL PROJECT (EDI-SP) GRANT. MONIES LEFT OVER
MUST BE DISBURSED BY SEPTEMBER 30, 2008 OR GRANT IS
CANCELLED.**

The Deputy Mayor stated that there is still \$111,110.05 HUD monies grant. It was originally meant for the Flanagan rehabilitation. But it is now in private hands and we cannot give it to the private entity. Deputy Mayor Hafter stated that she called HUD today with some questions in regards to this money but never heard back from anyone. The subject of possibly fixing the sidewalks around the Flanagan with this money was brought up and someone will check on that with HUD.

**MALONE LIONS CLUB/WHITE CANE AWARENESS DAY,
TUESDAY JUNE 3, 2008, 9:00 AM TO 11:00 AM, MAIN STREET.**

The Lions Club is asking for participation from Village Officials for the White Cane Awareness Day. They hold this event every year.

Upon motion made by Trustee LePine, seconded by Trustee Patnode and unanimously carried, the Malone Village Board approves the request of the Lions Club to hold White Cane Awareness Day on June 3, 2008 from 9-11 a.m.

NEW BUSINESS:

BUDGET AMENDMENT.

GENERAL FUND
BUDGET AMENDMENT NO. 31-2007/2008

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.**

\$57.00 FROM ACCOUNT NO. A1410.4 Village Clerk Other Expenses

AS FOLLOWS:

\$57.00 TO ACCOUNT NO. A1410.1 Village Clerk Salaries

\$4,000.00 FROM ACCOUNT NO. A5130.4 Machinery Other Expenses

AS FOLLOWS:

\$4,000.00 TO ACCOUNT NO. A5110.4 Street Repair Other Expenses

\$1,715.00 FROM ACCOUNT NO. A5142.4 Snow Removal Other Expenses

AS FOLLOWS:

\$1,715.00 TO ACCOUNT NO. A5110.4 Street Repair Other Expenses

MOTION MADE BY: TRUSTEE LENORA RICHARDS

SECONDED BY: TRUSTEE DAILON PATNODE

APPROVED BY BOARD OF TRUSTEES ON: 5-12-2008

**VILLAGE CLERK REPORT FOR THE MONTH OF
APRIL 2008.**

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

Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried by the Malone Village Board, the Village Clerk report for the month of April 2008 was approved as received.

VOM BUILDING INSPECTOR AND FIRE CODE ENFORCEMENT REPORT FOR THE MONTH OF APRIL 2008.

This report was reviewed by all and will be on file in the Village Clerk's Office.

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

VOM POLICE REPORT FOR MONTH OF APRIL 2008.

This report was reviewed by the Malone Village Board and will be on file in the Village Clerks Office.

Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried, the report from the Malone Village Police Department for the month of April 2008 was approved and accepted as received.

Chief Stone stated that he had a couple of training items that he wanted to discuss and request permission to send two members of the Police Department. The first one is for Sex Offender Management; he stated it is on June 5 in Plattsburgh and he will send Jim Russell. There is no cost associated with this training. This training was granted by Deputy Mayor Hafter.

The next training is for Advanced Roadside Impairment and Field Sobriety. The Chief stated that he would like to send Patrolman Crawford; it is being held in Canton and again there is no cost. Deputy Mayor Hafter granted this request for training.

Lastly, Chief Stone is suggesting that maybe the Village Offices should consider some sort of barrier for inside the Village Office lobby area. There have been several incidents lately when individuals have just walked in and walked into the Clerk's office and have displayed some aggression. The Chief stated that it wouldn't hurt to have some sort of barrier there so not just anyone could walk in and walk by the counter. The counter has a half wall; that acts like a barrier between the other account clerks and the public. But just as a recommendation, the Chief stated that we may want to look into that. Possibly get one of those rope barriers.

MAYOR GRANTS PERMISSION TO VILLAGE CLERK TO ATTEND TRAINING FOR DECALS (FISH AND GAME LICENSING COMPUTER PROGRAM UPDATES.) TRAINING IS ON MAY 13, 2008 IN PLATTSBURGH, FROM 1-4 P.M. AT THE HOLIDAY INN: THERE IS NO COST FOR THE TRAINING; ONLY COST WILL BE MILEAGE.

PLANNING BOARD DECISION ON TWO SIGN PERMITS:

- 1. PLANNING BOARD APPROVES SIGN PERMIT FOR A SIGN FOR THE DRESSING ROOM, AT THE KMART PLAZA.**
- 2. PLANNING BOARD APPROVES SIGN PERMIT FOR A SIGN FOR TRILAKES AQUARIUM AND STYLISH SET SUBMITTED BY MALONE ASSOCIATES.**

These two sign permits were reviewed by the Village Board of Trustees.

TAX WARRANT COMPLETED FOR THE VILLAGE OF MALONE; TAX COLLECTION STARTING JUNE 1, 2008.

Deputy Mayor Hafter stated that it is almost that time again to collect taxes. The amount to be raised this year for the Village is \$3095797.08. June will be a busy month.

NEXT VILLAGE OF MALONE BOARD MEETING FALLS ON MAY 26, 2008, THIS IS MEMORIAL DAY. MEETING NEEDS TO BE RESCHEDULED OR CANCELLED.

Upon motion made by Trustee Richards, seconded by Trustee Patnode and unanimously carried, the next board meeting of the Malone Village Board will be held on May 29, 2008 at 6:30 p.m.

OLD BUSINESS:

AUTHORIZE MAYOR STEWART TO SIGN THE MBE/WBE FORM THAT THE STATE REQUIRES IN REGARDS TO THE AWARD OF THE GRANT FOR THE ARENA.

Upon motion made by Trustee LePine, seconded by Trustee Richards and unanimously carried, the Village Board of Trustees hereby approves and authorizes the Mayor to sign the MBE/WBE form in regards to the grant for the Arena.

REVIEW FEE SCHEDULE FOR NON-ESSENTIAL POLICE SERVICES.

The fee schedule for certain non-essential police services are as follows:

Copy of DMV 104A (accident report filed by Police agency for DMV)	\$2.00
Fingerprinting of non village residents	\$10.00
Police background checks (excluding military and criminal justice agencies)	\$10.00
Freedom of Information request – reports	\$0.25 per page and postage
Freedom of Information – photos	associated cost plus postage

Upon motion made by Trustee Richards, seconded by Trustee LePine and unanimously carried, the above stated fee schedule is approved and accepted by the Malone Village Board of Trustees.

RFP FOR CONSULTANT FOR THE CDBG PLANNING AWARD IN THE AMOUNT OF \$25,000.00 FOR ANCA.

This is a Village/Town joint grant. It is a planning grant. The Village needs to advertise for a consultant.

Upon motion made by Trustee LePine, seconded by Trustee Richards and unanimously carried, the Malone Village Board hereby approves going out for RFP's for the ANCA Planning Grant and such RFP's are due back in the Village office on Friday, June 6, 2008 by noon.

RESOLUTION FROM THE BOARD APPROVING TOWN OF MALONE AS LEAD AGENCY FOR THE NEW STATE TROOPER BARRACKS.

Upon motion made by Trustee Hafter, seconded by Trustee Richards and unanimously carried, the Village Board of Trustees hereby approves the Town of Malone as lead agency for the New York State Trooper Barracks.

RESOLUTION FROM THE BOARD APPROVING VILLAGE OF MALONE TO BE LEAD AGENCY ON BROWNFIELD AREA OPPORTUNITY. TOWN OF MALONE NON-LEAD AGENCY.

Upon motion made by Trustee LePine, seconded by Trustee Richards and unanimously carried, the following resolution, in regards to the BOA Program was approved and authorized as written:

VILLAGE OF MALONE
Resolution # 7 – 2008
Lead Applicant Resolution
Village/Town Pre-Nomination Study
Brownfield Opportunity Areas Program

Whereas, the Village of Malone after thorough consideration, has hereby determined that certain work, as described in its application and attachments, herein called the “Project”, is desirable; and

Whereas, Section 970-r of the General Municipal Law authorizes State assistance to eligible parties for Brownfield Opportunity Areas Program grants by means of a State Assistance

Contract (SAC) and the applicant deems it to be in the public interest and benefit under this laws to enter in contract therewith;

Now, therefore, be it resolved,

By the Village of Malone that:

- 1.) Mayor Brent S. Stewart is the representative authorized to act in behalf of all applicants in all matters related to State Assistance under Section 97-r of the General Municipal Law for the Project. The representative is also authorized to sign and submit application, execute the SAC, request SAC advances and reimbursements, redistribute SAC reimbursements as appropriate, submit Project documentation, and otherwise act for all applicants in all matters related to the Project and to State Assistance;
- 2.) The Applicant agrees that it will complete the Project;
- 3.) The Applicant agrees that it will fund its portion of the Applicant's 10% share of the Project;
- 4.) This Authorization takes effect immediately.

CERTIFICATE OF RECORDING OFFICER

**STATE OF NEW YORK
COUNTY OF FRANKLIN SS:**

I, Tammy R. LaValley, Clerk of the Village of Malone, County of Franklin, State of New York, do hereby certify that at a regular meeting of the Malone Village Board held on May 12, 2008, the attached Resolution, #7 - 2008, was duly adopted:

Motion offered by Trustee Todd LePine
Second thereto by Trustee Lenora Richards
Trustee Dailon Patnode - Aye
Deputy Mayor/Trustee Susan Hafter - Aye
Mayor Brent S. Stewart – Absent

And that the foregoing is a true and correct copy of the record on file in my office, in the Village of Malone Board of Trustees meeting minutes.

**In witness whereof, I have hereunto set my
Hand and Seal this 13th day of May 2008.**

Tammy R. LaValley, Village Clerk

Chief Stone stated that he had one more item. He would like to recommend to the Village Board the hiring of Mike Kirby to the dispatcher position that is open. He turned in an application and the Chief has spoken with him.

Upon motion made by Trustee LePine, seconded by Trustee Patnode and unanimously carried by the board, Mike Kirby is hereby hired to work in the Village of Malone Police Station as a dispatcher, at a rate of pay of \$8.00 an hour and will start on Tuesday, May 20, 2008.

EXECUTIVE SESSION. (IF WARRANTED)

ADJOURN.

Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried, this meeting adjourned at 8:00 p.m.

RESPECTFULLY SUBMITTED:

**TAMMY R. LAVALLEY
Malone Village Clerk**