

At a regular meeting of the
Malone Village Board, held on
Monday, August 11, 2008, at
6:30 p.m., at the Malone Village
Meeting Room, located at 14 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:

**John Coryea, Village Resident
Gary Carstens
Kristen Walton, Reality Check
Nikita Marshall, Reality Check
Stephen Bernier, Reality Check
Linda LaFave, Reality Check
Ken Nephew
Dave Roecker, C.T. Male
Joe Hyland, C.T. Male
John Carr
Mark Gonyea
Tammy R. LaValley, Village Clerk
Dolly Maguire, Village Treasurer
Darcy Fargo, Malone Telegram**

MINUTES APPROVED. (Last Regular/Public Hearing Meeting held on 7-14-2008.)

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

BILLS PAID.

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

CAPITAL FUND-	\$700.00
REVOLVING LOAN FUND-	\$1605.01
JOINT REC. FUND-	\$23354.15
WATER FUND-	\$56934.30
SEWER FUND-	\$61788.42
GENERAL FUND-	\$229623.79
TRUST & AGENCY-	<u>\$264118.67</u>
TOTAL -	\$638124.34

CODE APPLICATIONS.

BUILDING APPLICATIONS:

**86 Washington St., LLC
86 Washington St.
Poughkeepsie, NY 12601**

**Application to renovate 64 Ketcham Street at an estimated cost of \$10,000.
Application approved by Building Inspector Charles Robert.**

**Dzevat Cecunjanin
58 Railroad St.
Malone, NY 12953**

Application to do repairs in the kitchen at 403 East Main Street (Villa Fiore) at an estimated cost of \$1,000. Application approved by Building Inspector Charles Robert.

2. **WILLIAM GOKEY SIDEWALK**
27-29 CEDAR STREET
MALONE

Upon motion made by Trustee Richards, seconded by Trustee Hafter and unanimously carried by the board, this cement application was approved as received.

3. **PAUL CANTWELL CURBING**
37 CONSTABLE STREET
MALONE

Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried, the cement application from Paul Cantwell was approved as received.

ALL APPLICATIONS HAVE BEEN APPROVED BY JEFF SMITH, DPW SUPERVISOR.

REALITY CHECK PRESENTATION/YMCA. (CIGARETTE SMOKING-ADVERTISING.)

Reality Check is a New York State led group that targets the tobacco industry and it's advertising of cigarettes, which is usually geared toward children and young adults. Linda Lafave is the coordinator and three young people did a presentation on this item. They asked if the Village would support their program by adopting three resolutions that deal with the advertisement of tobacco in movies and magazines; and a tobacco sponsorship free policy.

The resolutions are as follows:

RESOLUTION #8 - 2008

TOBACCO ADVERTISEMENT FREE MAGAZINE RESOLUTION

WHEREAS, Smoking is the number one cause of preventable death in the United States; and

WHEREAS, Each day more than 4,000 youth try smoking for the first time, and another 2,000 youth become regular daily smokers; and

WHEREAS, The Surgeon General has concluded that tobacco advertising contributes to youth smoking rates; and

WHEREAS, An estimated 1/3 of adolescent experimentation with smoking can be directly attributed to tobacco advertising and promotional activities; and

WHEREAS, In 2003 tobacco companies spent \$13.4 billion to market cigarettes in the United States; and

WHEREAS, These marketing expenditures tend to overwhelm and counteract efforts by school systems, government, and the medical community to decrease smoking rates, particularly when advertisements are displayed in educational and health care settings; and

WHEREAS, In the fall of 2003, the National Association of Attorneys General (NAAG) and four tobacco companies (Philip Morris, RJ Reynolds (Reynolds America), US Smokeless Tobacco Company and Santa Fe Tobacco Company) reached an agreement to eliminate tobacco advertising in the classroom program versions of *Time, Newsweek and US News and World Report*; and

WHEREAS, Reality Check surveyed 233 school libraries across New York and found that magazines carried in school libraries contained tobacco ads thus encouraging youth to begin smoking; and

WHEREAS, School is a place where children and teenagers can learn and grow in a safe and secure environment; and

WHEREAS, Schools and school libraries should not be an outlet for the tobacco industry to target youth and find replacement smokers; and

WHEREAS, In June of 2005, NAAG, tobacco companies and magazine publishers reached an arrangement that eliminates all tobacco advertisement in *Newsweek*, *Sport Illustrated*, *People* and *Time* going to schools including school libraries.

THEREFORE BE IT RESOLVED that **The Village of Malone, Board of Trustees**, hereby expresses its opposition to tobacco advertisements in magazines in the school setting including school libraries and enthusiastically supports the tobacco advertisement free arrangement reached between NAAG, the tobacco companies and the publishers of *Newsweek*, *Time*, *Sports Illustrated* and *People* to eliminate tobacco advertising from editions of these four magazines that are sent to school setting, including school libraries.

BE IT FURTHER RESOLVED because there are still many magazines in school libraries that contain tobacco advertisements, the **Village of Malone, Board of Trustees** supports future efforts of Reality Check and the Attorney General to limit tobacco company access to youth by eliminating tobacco advertising in all editions of all magazines in schools.

BE IT FURTHER RESOLVED because *Ebony*, *Essence*, *Jet*, *Outdoor Life*, *Field and Stream* and *Popular Science* are carried in so many school libraries, these magazines should be included in the tobacco advertisement free arrangement immediately.

PASSED AND ADOPTED this **11th day of August 2008** by **unanimous** vote of the Malone Village Board, Village of Malone, County of Franklin, New York.

Trustee Susan Hafter- yes
Trustee Lenora Richards- yes
Trustee Todd LePine- yes
Trustee Dailon Patnode- yes
Mayor Brent S. Stewart- yes

Signatures of board members:

This resolution will be sent to the Attorney General, Time Inc. (the publisher of *Outdoor Life*, *Field and Stream*, *Popular Science* and *Essence*) and Johnson Publishing Company, Inc. (the publishers of *Jet* and *Ebony*).

Certified that the above resolution is a part of the Minutes from the Village of Malone, Board of Trustees meeting held on August 11, 2008 by the Malone Village Clerk, Tammy R. LaValley dated the 11th day of August 2008.

Resolution #9 - 2008
Smokefree Movies Resolution

Whereas tobacco use is the leading cause of preventable death and disability in the United States;

Whereas youth ages 12-20 are one-sixth of the U.S., population but buy one-quarter of all movie tickets;

Whereas most U.S. movies with tobacco imagery are rated G, PG or PG-13, and three-quarters of all U.S. live-action films rated PG-13 and 40 percent of films rated G or PG released 1999-2005 feature tobacco;

Whereas exposure to smoking in movies is the primary influence on half of all new adolescent smokers;

Whereas each year an estimated 390,000 teens start smoking because of exposure to smoking in movies and 120,000 will die prematurely as a result;

Whereas the tobacco industry has had a long, documented history of promoting tobacco use and particular brands on screen, while obscuring its true role;

Whereas the U.S. Centers for Disease Control and Prevention in 2002, 2003 and 2005 listed smoking in movies as a primary reason why the decline in teen smoking rates has stalled;

Whereas the World Health Organization, American Medical Association, National PTA, American Heart Association, American Lung Association, American Legacy Foundation, American Academy of Pediatrics, American Academy of Allergy, Asthma, and Immunology, Society for Adolescent Medicine, L.A. County Department of Health Services and others endorse getting smoking out of movies rated G, PG and PG-13;

Now, therefore be it resolved that the Village Board of Trustees in Malone, NY, County of Franklin endorses the four objectives of the Smoke Free Movies Campaign:

1. Rate new smoking movies "R", with the sole exceptions being when the tobacco presentation clearly and unambiguously reflects the dangers and consequences of tobacco use or is necessary to represent smoking of a real historical figure;
2. Require producers to certify on screen that no one on the production received anything of value in consideration for using or displaying tobacco;
3. Require strong anti-smoking ads before any movie with tobacco use, regardless of rating;
4. Stop identifying tobacco brands.

PASSED AND ADOPTED this 11th day of August 2008 by unanimous vote of the Malone Village Board of Trustees, as follows: Trustee Hafter - Yes

Trustee Patnode	-	Yes
Trustee Richards	-	Yes
Trustee LePine	-	Yes
Mayor Stewart	-	Yes

Hereby certified that this resolution is a part of the minutes from the Village Board Meeting held on August 11, 2008 in the Village of Malone, County of Franklin, New York.

Malone Village Clerk

Resolution #10 - 2008
A Commitment to Community Health
Saying "No Thanks" to the Tobacco Industry

WHEREAS, 400,000 Americans die each year from tobacco-related illnesses and millions more continue to suffer from lung cancer, emphysema, and heart disease caused by smoking; and

WHEREAS, each day in the U.S., about 4,000 youth try their first cigarette and each day another 1,000 kids under 18 years of age become new regular daily smokers; and

WHEREAS, more than 6.3 million children under age 18 alive today will eventually die from smoking-related disease, unless current rates are reversed; and

WHEREAS, the Surgeon General has concluded that nicotine is a powerfully addictive drug similar to cocaine and heroin; and

WHEREAS, tobacco industry financial support of organizations, elected officials and community events is made possible by addicting, deceiving, disabling and killing millions of Americans; and

WHEREAS, Philip Morris documents reveal the true intent of its corporate giving is "to advance the company's communications, public affairs, and government relations agendas" to prevent meaningful regulation of the tobacco industry;

THEREFORE, this organization pledges to

- **neither accept nor solicit any financial contributions, sponsorships, grants or gifts from any tobacco company or executive, or from retail stores that exclusively sell tobacco products, (with the exception of *Master Settlement* funds)**
- **not allow sampling, distribution and/or promotion of tobacco products at events we conduct,**
- **not use written, audiovisual or internet materials produced by tobacco companies to facilitate smoking cessation or in the provision of tobacco education.**

Name of Organization/Business			Date
Authorized Representative (pls.print) Position		Authorized Representative (signature)	
Address	City	Zip	Phone

SEWER SERVICE APPLICATION:

**BLUE MOUNTAIN ENGINEERING
FOR THE NEW YORK STATE TROOPERS BARRACKS**

Mayor Stewart stated since the Town has not acted on this application, we will have to strike it from the agenda. Mr. Gary Carstens had some questions as to why the Village would not address this. Mr. Carstens is involved with the engineer firm working on this project. Mayor Stewart explained that because it is part of the IDA line, the Town has to act on it first then it comes to the Village for acceptance or refusal. There is a sequence of events that have to be followed; the Mayor stated he was unsure of the reason why the Town did not act on this at their last meeting. Past applications from various businesses always went through. The Mayor also stated that the sewer agreement we have with the Town should not hold up this sewer tap application. We are in the process of discussing and updating such agreement but it should not hold up the sewer tap application in which we are discussing tonight. The Mayor suggested going back to the Town and find out what the reason is. Mayor Stewart did state that one of the concerns he had was the lateral line that the engineering firm was suggesting in the plans. That is something that needs to be looked at. Mr. Carstens thanked the Board and Mayor for their time.

CORRESPONDENCE.

1. **FRANKLIN COUNTY REAL PROPERTY OFFICE – REFUND
SANA ULLAH 2008 TAX BILL.
RE: CORRECTION TO 2008 VILLAGE TAX BILL/
SANA ULLAH, ID # 98.80-3-7**

Upon motion made by Trustee LePine, seconded by Trustee Richards and unanimously carried, the Malone Village Board hereby approves and authorizes that, due to an error on the assessors part, (assessment has been lowered) the tax bill for 2008, for parcel #98.80-3-7, the amount to be collected will be \$90.84 instead of \$276.83.

**RE: INCORRECT ASSESSMENT- ID #98.59-2-7
TOTAL AMOUNT OF REFUND NOT YET DETERMINED.**

This property, belonging to Dwayne and Karen LaMay, parcel ID #98.59-2-7, has been over assessed for 9 years. A refund amount has not yet been determined. This item will be tabled until we can find out more information on it.

2. STATE OF NEW YORK; UNIFIED COURT SYSTEM; AUDITING OF BOOKS FOR THE MALONE VILLAGE JUSTICE COURT.

Trustee Hafter and Trustee Richards stated that they will get together with Rene and see what her schedule looks like so they can set up a time to do the auditing of the Village Justice Court Books.

3. FRANKLIN COUNTY YOUTH BUREAU. (3 LETTERS)

These letters were received from Bill Sullivan; he made visits; one to the Police Station and two visits to the Malone Rec Park. He stated that in all his findings for the Rec Park and the Police Station were all good. He also stated that the programs were organized and quite impressive. Because the program, the Juvenile Aid Bureau, is running satisfactorily, it will not need to be monitored further this year. The same applies to the Swimming and Arts & Crafts Program. He thanked Chief Stone and Dan Andrews for their time.

4. WEST STREET PLAYGROUND - LETTER FROM CARLY WALBRIDGE TO TOWN BOARD.

A copy of the letter received from Ms. Walbridge will be sent to the Malone Commission. She has concerns over about the West Street Playground.

5. STATE OF NEW YORK DEPART. OF PUBLIC SERVICE.

Mayor Stewart stated that we received a letter from the public service commission. It's just informational.

6. NEW YORK STATE DEPT. OF STATE – AGREEMENT #T006742 FEASIBILITY STUDY FOR SALMON RIVERS PARKS.

The funding for this above stated project has been extended to May 29, 2009. The extension agreement was signed by the Mayor.

**7. ALCOHOL LICENSE: VILLAGE FIORE RESTAURANT
403 EAST MAIN STREET
MALONE**

MR. DZEVAT CECUNJANIN HAS APPLIED FOR A LIQUOR LICENSE FOR THE ABOVE STATED BUSINESS.

The letter was received by the Malone Village Clerk and this letter was acknowledged. It will be kept on file at the Malone Village Clerk's office.

8. EARL LAVOIE; WEBSTER STREET PROPERTY COMPLAINT.

Mr. LaVoie sent the Mayor a letter complaining again about the houses in the vicinity of his home on Webster Street. The houses are falling down, are infested with cats, etc. Mayor Stewart stated that he would speak with Mr. LaVoie and see if maybe the County could help with this situation.

NEW BUSINESS.

1. NYCOM FALL TRAINING; SEPTEMBER 15-19, 2008, IN LAKE PLACID.

Mayor Stewart announced that the annual NYCOM training is coming up and the Village Treasurer and Village Clerk are interested in attending. Mayor Stewart grants permission to both of them to attend.

2. VILLAGE CLERK REPORT FOR MONTH OF JULY 2008.

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

3. TAX COLLECTOR REPORT THROUGH 7-25-2008.

The tax collector announced how much money the Village has received so far in tax

collection since starting collection on June 1, 2008. She stated that we are slightly ahead in collection this year as compared to last year.

4. REC. PARK ACTIVITY REPORT FOR JUNE 2008.

An activity report was read for the Village Recreation Park. It will be kept on file in the Village Clerk's Office.

**5. PROFESSIONAL SERVICES RETAINER AGREEMENT
2008 FOR DAN MCKILLIP.**

The above retainer agreement was discussed amongst all Trustees. Dan McKillip is used during union contract negotiations. Trustee Richards stated that she is for this agreement; Dan knows all of our people and knows what we as Trustees want; we all get along well. Trustee Patnode stated that he has a lot of experience and is always available. Trustee Hafter stated that maybe we should get some quotes from others as well. Trustee LePine asked what we do if we want to terminate this agreement. Mayor Stewart stated that it does say we have to notify Dan within 30 days or more if we decide to terminate. He would do the same for us if he ever decided to terminate the agreement.

Trustee Richards made a motion to accept and approve this agreement with an addition as follows: this agreement shall be reviewed annually and it will be based on our fiscal year. Also she stated that the motion includes authorization for the Mayor to sign such agreement. This motion was seconded by Trustee Hafter and unanimously carried by the Malone Village Board of Trustees.

**6. COMMITTEE REPORTS.
(BROWNFIELD TRAINING – OCTOBER 28-29 IN ALBANY.)**

So far Susan Hafter and Tammy LaValley are on this committee and plan to attend the training in Albany. If there is anyone out there that would like to join the committee, we are looking for members. The Village Clerk will be attending the Town Meeting on Wednesday night to ask for the Town's involvement because this is a joint grant.

7. POLICE REPORT FOR MONTH OF JULY 2008.

Chief Steve Stone read the report a loud and this report was reviewed by all of the Board members, including the Mayor. It will be kept on file in the Village Clerk's Office.

INSTRUCTOR DEVELOPMENT COURSE.

Chief Stone stated that he only has one person in the department that is a certified instructor; Jim Russell. He would like to send Robert Fountain to this training. It is being sponsored by the Ulster County Sheriff's Department and is a two week course. Forfeiture monies can be used to pay for the course and lodging; only meals need to be paid for. Mayor Stewart grants permission to send Officer Fountain to this training.

**8. BUDGET AMENDMENTS AS PRESENTED BY DOLLY
MAGUIRE.**

GENERAL FUND
BUDGET AMENDMENT NO. 5-2008/2009

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.**

\$ 800.00 FROM ACCOUNT NO. A1110.4 Justice Other Expenses

AS FOLLOWS:

\$ 800.00 TO ACCOUNT NO. A1110.2 Justice Equipment/Capital Outlay

\$ 958.00 FROM ACCOUNT NO. A1990.0 Contingency

AS FOLLOWS:

\$ 958.00 TO ACCOUNT NO. A1325.2 Treasurer Equipment
\$ 255.00 FROM ACCOUNT NO. A5132.2 Garage Equipment

AS FOLLOWS:

\$ 255.00 TO ACCOUNT NO. A5110.2 Street Repair Equipment
\$ 7.00 FROM ACCOUNT NO. A5182.4 Street Lighting Other Expenses

AS FOLLOWS:

\$ 7.00 TO ACCOUNT NO. A5182.2 Street Lighting Equipment

MOTION MADE BY: Trustee Dailon Patnode

SECONDED BY: Trustee Todd LePine

APPROVED BY BOARD OF TRUSTEES ON: 08-11-2008

GENERAL FUND
BUDGET AMENDMENT NO. 6-2008/2009

OFFERED BY: DOROTHY MAGUIRE, BUDGET OFFICER/TREASURER

AMEND THE GENERAL FUND BUDGET AS FOLLOWS:

INCREASE REVENUE CODE A2680 Insurance Recoveries by \$38,209.70
INCREASE APPROPRIATION CODE A5130.4 Machinery Other Expenses by \$38,209.70

MOTION MADE BY: Trustee Lenora Richards

SECONDED BY: Trustee Dailon Patnode

APPROVED BY BOARD OF TRUSTEES ON: 08-11-2008

GENERAL FUND
BUDGET AMENDMENT NO. 7-2008/2009

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.

\$ 636.26 FROM ACCOUNT NO. A511.2 Appropriated Forfeiture Fund Reserve

AS FOLLOWS:

\$ 636.26 TO ACCOUNT NO. A3120.1 Police Salaries (Forfeiture Fund)

MOTION MADE BY: Trustee Susan Hafter

SECONDED BY: Trustee Dailon Patnode

APPROVED BY BOARD OF TRUSTEES ON: 08-11-2008

SEWER FUND
BUDGET AMENDMENT NO. 1-2008/2009

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.

\$678.00 FROM ACCOUNT NO. G8130.4 WWTP Other Expenses

AS FOLLOWS:

\$678.00 TO ACCOUNT NO. G8130.2 WWTP Equipment

MOTION MADE BY: Trustee Lenora Richards

SECONDED BY: Trustee Todd LePine

APPROVED BY BOARD OF TRUSTEES ON: 08-11-2008

9. STREET LIGHT REQUEST ON HIGHLAND AVENUE.

The Village received a street light request for Highland Avenue; it is very dark through this

area. We are not sure who requested it. The Village Clerk stated that she would be happy to donate the street light in front of her home or move the street lights all down one spot so they would shine better in this darkened area. Costs are a concern whether you move the street lights or buy a new one. The board decided to not take action on this tonight.

10. WINTER/HOLIDAY BANNERS.

More information is needed in regards to costs of the banners. Trustee Patnode will check into this further. Get together with Karen from the DPW and find out what the total cost will be for the Banners.

11. RETIREMENT LETTER FROM JOHN LECLERC.

Upon motion made by Trustee LePine, seconded by Trustee Richards and unanimously carried, the Malone Village Board accepts and approves the retirement letter from Mr. John Leclerc.

12. USED VEHICLES/EQUIPMENT TO GO OUT TO BID.

The Department of Public Works is getting together a list of used equipment that will go out for bids in the near future.

12. LEASE AGREEMENT WITH COMMUNITY BANK.

This item is not being addressed tonight, as we have not yet received this lease agreement from the officials at Community Bank. The agreement is still being finalized.

OLD BUSINESS.

1. BOA PROPOSALS- TABLED AT LAST MEETING ON JULY 14, 2008.

The Mayor stated that we have received clarifications of the Brownfield Proposals from both Barton and Loguidice and CT Male. (CT Male has two individuals present tonight if there are any questions.) Mayor Stewart asked the board if they have had a chance to review such paperwork and they answered yes. Mayor Stewart said we need the board's vote on who will be the consultants for the Brownfields Pre Nomination Study.

Upon motion made by Trustee Hafter, seconded by Trustee Patnode and unanimously carried, the firm of C. T. Male Associates, P.C., has been approved and accepted as consultants for the Brownfields Pre Nomination Study, in the amount of \$41,700.00.

Both Dave Roecker and Joe Hyland, who were here tonight representing C. T. Male, thanked the board for choosing them and stated that they were excited about the project and are looking forward to the next step.

2. MALONE CIVIC CENTER BID PACKAGE/APPROVAL NEEDED FROM MALONE VILLAGE BOARD TO GO OUT FOR BIDS.

The Malone Village Board would like the Village Attorney to review this package and then the board will act on this. The Village Clerk will contact the attorney.

2. UPDATE ON THE DEMOLITION OF 8 MORTON STREET.

The final cost to demolish 8 Morton Street came to \$14301.26. The Village spent \$5606.56 and the County spent \$8694.70. This is a very costly thing to take down old, abandoned buildings. We have many sites in the community that need attention; we know that, stated the Mayor, but to find monies in the budget is a difficult thing. The board and I are aware of this situation and will continue to address it and to find monies to take of such buildings.

4. MALONE VILLAGE JUSTICE COURT.

Mayor Stewart stated that we received the moving schedule for Malone Village Justice Court. August 29, 2008 will be the last day open here at 16 Elm Street; it was discussed and decided that because of the involved moving of all the items from Village Justice Court down to the Town Offices, that the Justices feel that closing for the week of Sept 2-5 will

help get them organized.

Upon motion made by Trustee Richards, seconded by Trustee Patnode and unanimously carried, the board approves the moving dates for the Malone Justice Court and approves the closing of the Justice Court from Sept 2, through Sept 5, 2008 for moving and setting up purposes.

5. TRAINING REQUEST FOR JEFF SMITH AND RALPH JESMER.

Mayor Stewart has granted permission to Jeff Smith and Ralph Jesmer to attend the Annual NY Rural Water Association to be held on October 20-23, 2008, in Plattsburgh.

6. SEQRA NOTICE FOR GUZY PROPERTY.

Attorney Race has completed the SEQRA review for the Guzy Property. After tonight's meeting, letters will be sent to the Town of Malone and to the DOT stating that the Village would like to assume Lead Agency. The board needs to approve SEQRA and tentatively set up public hearing for this SEQRA review.

Upon motion made by Trustee LePine, seconded by Trustee Hafter and unanimously carried by the Board, the SEQRA reviews for the Guzy Property is accepted as received and notices for Lead Agency will be mailed to the Town of Malone and DOT. Pending approval and recommendation from the Village Attorney, the public hearing for this item is tentatively set up for September 8, 2008, at 6:30 p.m. The Village Clerk will check with the attorney first thing in the morning in regards to the public hearing.

7. TMOBILE – ANTENNA ON WATER TOWER.

Pyramid Network Services, LLC (TMobile) has been working with our attorney on an agreement to put their antenna on the Water Tower. The Village Attorney stated that all is set except for a monthly rental fee for the agreement.

Trustee Hafter made a motion to charge TMobile (Pyramid Network Services, LLC) a monthly fee of \$1400.00 to install and keep an antenna on the Village of Malone Water Tower; included in this motion is a two (2) percent increase annually in this fee and the initial term of the agreement is five (5) years, with three, five (5) year renewable terms. This motion was seconded by Trustee LePine and unanimously carried by the board.

Mr. John Coryea was in attendance of this meeting and had some comments tonight on the blight situation that the Village has in certain areas of the Village. He specifically sited the old college on College Ave. The grass is not being mowed and he has mowed it at his own expense. He stated that while he praises the efforts of the Village Board to tear down the blighted buildings, there is a lot more to go. He also had questions in regards to dog leash laws; stated that his father-in-law was bit by a dog and he wanted to know the law.

Upon motion made by Trustee LePine, seconded by Trustee Patnode and unanimously carried, the Malone Village Board went into executive session.

EXECUTIVE SESSION; PERSONNEL ISSUES.

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

Upon motion made by Trustee Patnode, seconded by Trustee Richards and unanimously carried, the Malone Village Board was back in regular session.

ADJOURN.

Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried, this meeting adjourned at 10:50 p.m.

RESPECTFULLY SUBMITTED:

TAMMY R. LAVALLEY
Malone Village Clerk

