

At a regular meeting of the Malone Village Board, held on Tuesday, October 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
Todd LePine
Dailon Patnode
Lenora Richards**

**Trustee
Trustee
Trustee
Trustee**

Also in attendance:

**Tammy R. LaValley, Village Clerk
Dolly Maguire, Village Treasurer
Darcy Fargo, Malone Telegram
Jeffrey Smith, DPW Supervisor
Chief of Police, Steve Stone
Mary Fredenburgh, Resident
Nikki Taylor, Resident
Mrs. Johnson, Resident**

PLEDGE OF ALLEGIANCE.

This meeting opened at 6:30 p.m. with the pledge of allegiance.

APPROVE MINUTES OF LAST REGULAR MEETING. (9-22-08)

Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried by Trustee Richards, Trustee Hafter and Mayor Brent S. Stewart, the minutes of the last regular meeting were approved as received.

APPROVE MINUTES OF LAST SPECIAL MEETING. (10-2-08)

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

PAY BILLS.

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

Revolving Loan Fund:	\$6.72
Joint Recreation Fund:	1151.89
Community Development Fund:	8097.96
Sewer Fund:	41170.70
Trust and Agency Fund:	86294.55
General Fund:	126947.70
Debt Service Fund:	191472.58
Water Fund:	<u>245969.80</u>
Total:	\$701111.90

CODE APPLICATIONS.

BUILDING APPLICATIONS:

**Patricia St. Mary
20 Wilson Street
Malone, NY 12953**

Application to build a deck in the back of the house at 20 Wilson Street. Application approved by Building Inspector Charles Robert.

**Jack Stewart
Wiley Road
North Bangor, NY 12966**

Application to upgrade electrical at 102, 104 & 106 College Ave at an estimated cost of \$1,000. Application approved by Building Inspector Charles Robert.

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

Application to do renovations at 7 Morton Street at an estimated cost of \$15,000.00. Application approved by Building Inspector Charles Robert.

**William Smith
336 East Pond Rd.
Woodridge, NY 12789**

Application to repair building at 78 Academy Street to be used as a two family dwelling at an estimated cost of \$19,000. Application approved by Building Inspector Charles Robert.

**Pyramid Network Services
Thomas Erwin
(TMobile)**

Application to place six panel antennas on the sides of the existing water tank at 59 Countryside Lane. Application approved by Building Inspector Charles Robert.

HEATING EQUIPMENT

Daniel Dumont

Application to install an add-on wood heater at 42 Marion Street. Application approved by Building Inspector Charles Robert.

Leslie Payne

Application to install a wood heater at 35 West Street. Application approved by Building Inspector Charles Robert.

Robert Tracey

Application to install a pellet stove at 29 Branch Street. Application approved by Building Inspector Charles Robert.

Com-Links

Application to install an oil heat at 44 Cedar Street. Application approved by Building Inspector Charles Robert.

Robert Hurteau

Application to install a wood stove at 45 Second Street. Application approved by Building Inspector Charles Robert.

David Cross

Application to install a pellet stove at 123 Duane Street. Application approved by Building Inspector Charles Robert.

Andrew Kiser

Application to install a pellet stove at 124 Academy Street. Application approved by Building Inspector Charles Robert.

Gerald Duffy

Application to install a pellet stove at 100 Finney Blvd. Application approved by Building Inspector Charles Robert.

Joanne Riccio

Application to install a pellet stove at 20 State Street. Application approved by Building Inspector Charles Robert.

Adrien Brooks

Application to install a pellet stove at 134 College Ave. Application approved by Building Inspector Charles Robert.

Karen Grogan

Application to install a wood stove insert at 85 Constable Street. Application approved by Building Inspector Charles Robert.

Roslyn Gaetano

Application to install a pellet stove at 63 Webster Street, apt. 2. Application approved by Building Inspector Charles Robert.

Roslyn Gaetano

Application to install a pellet stove at 63 Webster Street, apt. 1. Application approved by Building Inspector Charles Robert.

Heather Sauve

Application to install a pellet stove at 69 Pearl Street. Application approved by Building Inspector Charles Robert.

SIGN PERMITS

Feed Commodities International, Inc.

Application to install a 4'x37' wall sign at 245 Elm Street at a cost of \$1,165. Application approved by Building Inspector Charles Robert.

**Northeastern Sign Corporation
PO Box 34
South Colton, NY 13687**

Application to install a double-faced non-illuminated 8'x4' sign at Community Bank, 320 West Main Street. Application approved by Building Inspector Charles Robert.

All of the above listed applications were reviewed by the Board and the Mayor and there were no questions. The applications will be kept on file in the Village Clerk's office for review.

CEMENT APPLICATIONS.

- 1. EILEEN LAVINE SIDEWALK
52 MARION STREET
MALONE, NY**

Upon motion made by Trustee LePine, seconded by Trustee Patnode and unanimously carried by Trustee Hafter, Trustee Richards and Mayor Stewart, this sidewalk/cement application was accepted and approved as received.

- 2. LORI LAPRAD DRIVE APRON
62 BEMAN STREET**

Upon motion made by Trustee LePine, seconded by Trustee Richards and unanimously carried by Trustee Hafter, Trustee Patnode and Mayor Stewart, this request to forgive late fees on a water/sewer billed was refused.

2. EXTENSION ON FIRING RANGE AGREEMENT WITH DEPT OF CORRECTIONS.

This agreement consists of a six (6) month extension to the agreement that already exists between the Village of Malone and DOCS.

Upon motion made by Trustee Richards, seconded by Trustee Patnode and unanimously carried by Trustee Hafter, Trustee LePine and Mayor Stewart, the 6 month extension to the Firing Range Agreement has been approved as received and the Mayor has been authorized to sign such agreement. DOCS will be notified as such.

NEW BUSINESS.

1. VILLAGE CLERK REPORT FOR THE MONTH OF SEPT. 2008.

Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried by Trustee Hafter, Trustee Richards and Mayor Stewart, the Village Clerk Report for the month of September 2008, in the amount of \$245535.78 was accepted and approved as received.

2. VOM POLICE REPORT FOR THE MONTH OF SEPT. 2008.

The Village Police Report was read by Chief Stone and reviewed by all members of the board. It will be placed on file at the Village Clerk's office. The Mayor thanked the Village of Malone Police Officers for doing a great job.

3. MAYOR STEWART GRANTS PERMISSION TO SEND OFFICER ROBERT FOUNTAIN TO TRAINING FOR A TASER INSTRUCTOR COURSE. TOTAL COST IS \$367.00 AND FUNDS ARE IN TRAINING BUDGET.

Chief Stone explained that at this time, the VOM Police Department does not use these electronic devices; we are looking into it. He stated that he would like to send an officer there to learn more about them.

Chief Stone stated that the license plate reader was just received; we are just waiting for the computer that goes along with it.

4. COMMITTEE REPORTS.

Mayor Stewart mentioned the draft of the Time Warner franchise agreement has been received and the committee is currently reviewing it and will meet with the individual from the public service commission once the review is done and we have any ideas or suggested changes that we would like to see put in it. The committee will update the board as soon as we know more. The Village Clerk will copy this draft agreement to the Village Board.

Trustee Hafter gave an overview of the Shared Services Conference that the Village Board of Trustees attended.

5. BUDGET AMENDMENTS.

GENERAL FUND

BUDGET AMENDMENT NO. 11 – 2008/2009

OFFERED BY: DOROTHY MAGUIRE, BUDGET OFFICER/TREASURER

An invoice has been received from the State Comptroller's Office requiring that a \$10,000.00 bail forfeiture received on 6/19/06 be returned. The forfeiture was deposited to the General Fund in 2006 and recognized as a 2006-2007 revenue.

According to the law, a defendant has the right to appeal a bail forfeiture. Refunding the 2006 bail will now result in a loss of 2008-2009 anticipated revenue.

Based on this information, I recommend the Board of Trustees amend the General Fund budget as follows:

Reduce Revenue Code: A2610 Fines & Forfeited Bail by \$10,000.00

Reduce Appropriation Code No.: A1110.1 Justice Court Salaries by \$8,500.00

Reduce Appropriation Code No.: A1990.0 Contingency by \$1,500.00

MOTION MADE BY: Trustee Dailon Patnode

SECONDED BY: Trustee Todd LePine

APPROVED BY BOARD OF TRUSTEES ON: 10-14-2008

GENERAL FUND

BUDGET AMENDMENT NO. 12-2008/2009

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.

\$ 3,462.00 FROM ACCOUNT NO. A599 Appropriated Fund Balance

AS FOLLOWS:

\$ 2,993.00 TO ACCOUNT NO. A1325.1 Treasurer's Dept.- Salaries

\$ 186.00 TO ACCOUNT NO. A9030.8 Social Security

\$ 43.00 TO ACCOUNT NO. A9035.8 Medicare

\$ 240.00 TO ACCOUNT NO. A9010.8 Employees' Retirement

MOTION MADE BY: Trustee Dailon Patnode

SECONDED BY: Trustee Todd LePine

APPROVED BY BOARD OF TRUSTEES ON: 10-14-2008

GENERAL FUND

BUDGET AMENDMENT NO. 13-2008/2009

OFFERED BY: DOROTHY MAGUIRE, BUDGET OFFICER/TREASURER

Steve Stone, Chief of Police, has received the following donations for the purchase of crosswalk signs.

Rotary Club of Malone NY \$300.00

Walsh & Edwards \$100.00

I hereby recommend that the Board accept said donations and amend the General Fund budget as follows:

Increase Revenue Code A2705 Donations by \$400.00

Increase Appropriation Code A3310.4 Traffic Control Other Expenses by \$400.00

MOTION MADE BY: Trustee Lenora Richards

SECONDED BY: Trustee Susan Hafter

APPROVED BY BOARD OF TRUSTEES ON: 10-14-2008

GENERAL FUND

BUDGET AMENDMENT NO. 14-2008/2009

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.

\$ 300.00 FROM ACCOUNT NO. A5132.4 Garage Other Expenses

AS FOLLOWS:

\$ 300.00 TO ACCOUNT NO. A5010.2 Street Administration Equipment

MOTION MADE BY: Trustee Lenora Richards

SECONDED BY: Trustee Dailon Patnode

APPROVED BY BOARD OF TRUSTEES ON: 10-14-2008

WATER 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.**

\$ 1,732.00 FROM ACCOUNT NO. F599 Appropriated Fund Balance

AS FOLLOWS:

\$ 1,497.00 TO ACCOUNT NO. F8310.1 Water Administration Salaries

\$ 93.00 TO ACCOUNT NO. F9030.8 Social Security

\$ 22.00 TO ACCOUNT NO. F9035.8 Medicare

\$ 120.00 TO ACCOUNT NO. F9010.8 Employees' Retirement

MOTION MADE BY: Trustee Lenora Richards

SECONDED BY: Trustee Todd LePine

APPROVED BY BOARD OF TRUSTEES ON: 10-14-2008

SEWER FUND

BUDGET AMENDMENT NO. 2-2008/2009

**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.**

\$ 1,732.00 FROM ACCOUNT NO. G599 Appropriated Fund Balance

AS FOLLOWS:

\$ 1,497.00 TO ACCOUNT NO. G8110.1 Water Administration Salaries

\$ 93.00 TO ACCOUNT NO. G9030.8 Social Security

\$ 22.00 TO ACCOUNT NO. G9035.8 Medicare

\$ 120.00 TO ACCOUNT NO. G9010.8 Employees' Retirement

MOTION MADE BY: Trustee Dailon Patnode

SECONDED BY: Trustee Susan Hafter

APPROVED BY BOARD OF TRUSTEES ON: 10-14-2008

6. **MAYOR GRANTS PERMISSION TO TAMMY LAVALLEY TO ATTEND TRAINING FOR THE BROWNFIELDS AREA OPPORTUNITY GRANT, BEING HELD ON OCT. 28 AND 29, 2008 IN ALBANY. COST OF TRAINING IS PAID FOR BY THE GRANT MONIES. LODGING IS \$222.00 FOR TWO DAYS AND COST OF MEALS.**

OLD BUSINESS.

1. **BIDS FOR USED EQUIPMENT.**

All Bids were opened on Friday, October 10, 2008 at Noon; they were opened by the Village Clerk, Tammy LaValley and Karen Elmer-Pritchard, Account Clerk Typist from the DPW. A complete listing of all the bids is on file at the Village Clerk's office for review; below are the successful high bidders:

- | | | | |
|----|---|--------------------|----------|
| 1. | 1995 FORD P/U
VIN. #2FTEF15Y8SCA71032 | Arno's Scrap Metal | \$217.00 |
| 2. | 2005 FORD CROWN VIC.
VIN. #2FAHP71W75X146520 | Gary Mallette | \$331.57 |
| 3. | 1987 CHEVY S-10 P/U
VIN. #1GCCT14E8H2239067 | Jay Shanty | \$317.42 |
| 4. | 1993 CHEVY UTILITY P/U | Arno's Scrap Metal | \$228.00 |

VIN. #1GBGK24K7PE233889

- | | | | |
|-----|---|--------------------|-----------|
| 5. | 2000 CHEVY P/U
VIN. #1GCDT19W4Y8168131 | Michelle Fountain | \$1575.00 |
| 6. | (2) GENERATORS ON TRAILER | Arno's Scrap Metal | \$228.00 |
| 7. | (2) GENERATORS ON TRAILER | Arno's Scrap Metal | \$228.00 |
| 8. | (2) GENERATORS ON TRAILER | Arno's Scrap Metal | \$228.00 |
| 9. | 4" HOMELITE WATER PUMP
SER. #3245583 | No Bids Received | |
| 10. | 4" HOMELITE WATER PUMP
SER. #4762014 | No Bids Received | |
| 11. | 4" WISCONSIN MUD PUMP
SER. #JAEJERP163286 | No Bids Received | |
| 12. | APPROXIMATELY (20) BROKEN HYDRANTS | Craig Brand | \$151.00 |
| 13. | SNOW BLOWER ATTACHMENT FOR LOADER
SER. #20178 | Edward Dorey | \$1250.75 |
| 14. | SMALL JEEP TRAILER | Edward Dorey | \$257.70 |
| 15. | POLICE DEPT. GENERATOR | Kile Matthews | \$125.00 |
| 16. | (3) HACH CL-17 CHLORINE ANALYZERS | No Bids Received | |
| 17. | ABB KENT TAYLOR CIRCULAR CHART MACHINE | No Bids Received | |
| 18. | HONEYWELL CIRCULAR CHART MACHINE | No Bids Received | |
| 19. | (2) LMI CHLORINE METERING PUMPS | No Bids Received | |
| 20. | 110 VOLT, ½ HORSEPOWER ROOF VENT WITH COVER | No Bids Received | |
| 21. | HACH 1720 SERIES LOW RANGE TURBIDIMETER &
AQUATRENDINTERFACE SYSTEM W/ CALIBRATION KIT | No Bids Rec'd. | |
| 22. | WALLACE & TIERNAN DIGITAL TWO-CYLINDER SCALE SERIES 55-350 | No Bids Received. | |
| 23. | ZETRON MODEL 1512 SENTRIDIAL
PART #025-9121N | No Bids Received. | |

Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried by Trustee Hafter, Trustee Richards and Mayor Stewart, the above listed successful high bidders were approved as received and will be notified in writing as such. The successful bidders will be instructed to come into the Village Offices to pay for such equipment and then may go pick up the equipment at the DPW Garage.

The Mayor asked anyone if they had any other business to discuss.

Jeffrey Smith, DPW Supervisor stated that they are considering doing a fall pickup of leaves the week prior to Halloween. This is just a tentative date as of now. It will be announced soon. He stated that there are still a lot of leaves to fall from the trees yet so we have not set a definite date yet.

Mayor Stewart thanked the guys from the DPW who are working on the stone work in some of the sidewalks; they are doing a great job.

Mrs. Johnson, a resident of the Village had several concerns about several areas in the Village that were "blind" spots; shrubs that had grown up by stop signs and it

makes it very hard to see if there's any traffic coming. She also has concerns about shrubs around sidewalks. She stated that she also has noticed several unregistered cars at a residence on Porter Avenue. She wanted to know if the Village had a law or rule that made it mandatory for businesses to post their address number on their buildings. The Mayor instructed her to contact the Code Enforcement Officer to set up a meeting with him to discuss all of her concerns.

MOTION TO GO INTO EXECUTIVE SESSION. (IF WARRANTED)

Trustee Dailon Patnode made a motion to go into executive session for the purpose of contract negotiations. This motion was seconded by Trustee LePine and unanimously carried by Trustee Hafter, Trustee Richards, and Mayor Brent Stewart.

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

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

ADJOURN.

Upon motion made by Trustee LePine, seconded by Trustee Patnode and unanimously carried by Trustee Hafter, Trustee Richards and Mayor Stewart, this meeting adjourned at 8:30 p.m.

RESPECTFULLY SUBMITTED:

**TAMMY R. LAVALLEY
Malone Village Clerk**