

At a regular meeting of the Malone Village Board, held on Monday, June 16, 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**

**Lenora Richards**

**Trustee**

**Todd LePine**

**Trustee**

**Susan Hafter**

**Trustee**

**Dailon Patnode**

**Trustee**

**Also in attendance:**

**Jeffrey Smith, DPW Supervisor**

**Chief of Police, Steve Stone**

**Village Clerk, Tammy LaValley**

**Franklin Fisher, VOM Planning Board**

**Josh Jock, Malone Telegram**

**Sandy Allen, Village Resident**

**Ken Nephew, VOM Planning Board**

**Nicholas Curtis, Comlinks, Economic Dev.**

**Brenda Thomas, Sawyer Ave. Apartment Resident**

**Chris LaBarge**

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

**MINUTES APPROVED FROM LAST REGULAR MEETING HELD ON 5-29-08.**

**Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried by Trustee Richards, the minutes from the last regular meeting were approved as received. Trustee Patnode abstained from voting as he was not in attendance.**

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

**BILLS PAID.**

<b>CAPITAL FUND:</b>	<b>\$2070.99</b>
<b>REVOLVING LOAN FUND:</b>	<b>8351.41</b>
<b>SEWER FUND:</b>	<b>25486.59</b>
<b>WATER FUND:</b>	<b>32632.73</b>
<b>JOINT REC FUND:</b>	<b>37332.96</b>
<b>TRUST AND AGENCY FUND:</b>	<b>90102.15</b>
<b>GENERAL FUND:</b>	<b><u>217233.84</u></b>

**TOTAL: \$413210.67**

**CODE APPLICATIONS.**

**BUILDING PERMITS**

**MALONE MEMORIAL RECREATION PARK  
STATE STREET  
MALONE**

**APPLICATION SUBMITTED FOR THE EXPANSION OF THE KELLEY PAVILION.  
ESTIMATED COST IS \$50,000.00. APPLICATION WAS APPROVED BY CODE  
ENFORCEMENT OFFICER, JOHN LECLERC.**

**FRANKLIN COUNTY AG. SOCIETY  
606 EAST MAIN STREET  
MALONE**

**APPLICATION SUBMITTED TO RENOVATE BATHROOMS IN CATTLE BARN AND TO  
BUILD DRESSING ROOMS. APPROXIMATE COST OF STHIS PROJECT IS \$7000.00.  
APPLICATION APPROVED BY CODE ENFORCEMENT OFFICER, CHARLIE ROBERT.**

**SHARLENE DONAHUE  
85 ACADEMY STREET  
MALONE**

**APPLICATION SUBMITTED TO TAKE OFF SMALL DECK AND REPLACE WITH ENCLOSED PORCH. ESTIMATED COST IS \$150.00. APPLICATION APPROVED BY CODE ENFORCEMENT OFFICER, JOHN LECLERC.**

**MIKE AND ELIZABETH MARSHALL  
346 ELM STREET  
MALONE**

**APPLICATION SUBMITTED TO BUILD A WOODEN DECK SET UP A POOL. ESTIMATED COST IS \$5000.00. APPLICATION APPROVED BY CHARLES ROBERT, CODE ENFORCEMENT OFFICER.**

**DEMOLITION PERMIT**

**DIANNE HARDY  
8 PORTER ROAD  
MALONE**

**APPLICATION SUBMITTED TO TEAR DOWN A GARAGE. NO COST IS ASSOCIATED WITH THIS PROJECT. APPLICATION APPROVED BY JOHN LECLERC.**

**CEMENT APPLICATIONS.**

- 1. GREGORY DAME CURBING  
165 WILLIAM STREET  
MALONE**

**Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried, this application for curbing was approved as received.**

- 2. RANDY BASHAW SIDEWALK  
9 SPRUCE STREET  
MALONE**

**Upon motion made by Trustee Susan Hafter, seconded by Trustee Patnode and unanimously carried, this application for sidewalk was approved as received.**

**BOTH APPLICATIONS HAVE BEEN APPROVED BY DPW SUPERVISOR, JEFFREY SMITH.**

**FRANK FISHER-PLANNING BOARD CHAIRMAN -  
SET UP PUBLIC HEARING FOR ZONING/PLANNING ISSUES  
FOR THE EAST END OF THE VILLAGE: GUZY PROPERTY.**

**Frank Fisher stated that it is the Planning Board's recommendation to set up a public hearing to get the input of the village resident's on the proposed zoning changes for the Guzy property located at the east end of the village. It is the Planning Board's recommendation to zone this land commercial industrial/limited business as originally suggested.**

**Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried, the public hearing for the purpose of hearing public input on the proposed zoning changes for the Guzy property is set up for July 14, 2008, at 6:30 p.m. with the Village Board of Trustees regular meeting to follow.**

**CORRESPONDENCE.**

- 1. OWENS GROGAN – TRAFFIC ON PARK STREET.**

**A letter was received from Owens Grogan in regards to heavy traffic (truck traffic) on Park Street. He suggested posting the road and rerouting to another street. The DPW just paved this street and he feels that the heavy truck traffic is what contributes to the wear and tear on the street. The DPW Supervisor and board members will revisit this topic at a later date after researching it and coming up with ideas.**

**2. FRANKLIN COUNTY 911.**

Mayor Stewart received a letter from Franklin County 911 Office in regards to Mass Notification just in case there is a large emergency in the Village. One of the things Ricky Provost referred to was if we should ever have an emergency in regards to the dam.

**3. OFFICE OF COMMUNITY RENEWAL- NYS CDBG GRANT AGREEMENT #690TA182-07.**

The Mayor announced that this grant agreement for ANCA is fully executed, with the Village of Malone and Camoin Associates.

**4. FRANKLIN COUNTY TREASURER'S OFFICE – BRYON VARIN.**

The Franklin County Treasurer's Office is looking into having a data base on line for the purposes of public access to tax information and will be contacting the Village of Malone Tax Collector for her thoughts and ideas; an informal survey will be done. If this database is put on line, which would mean that real estate offices, attorneys, etc. could access this information.

**5. VILLAGE OF MALONE NOTIFIED OF LIENS AGAINST UICC HOLDING LLC.**

This is an informational item.

**NEW BUSINESS.**

**SANDY ALLEN – VACANT, FALLING DOWN BUILDINGS IN THE VILLAGE.**

Mr. Allen requested to speak now. He stated that he has concerns with several houses; 4 to be exact, in the areas of Rennie Street, Front Street, and West Street. He stated that they are dangerous, a health hazard and wants to see something done to rectify this problem. He stated that he realizes that it is expensive to tear them down, but something needs to be done.

He thanked the Mayor and the Village Board for allowing him time to speak in regards to this matter.

The Mayor stated that the Village would look into this further.

**1. BUDGET AMENDMENTS AS PRESENTED BY VILLAGE OF MALONE TREASURER, DOLLY MAGUIRE.**

GENERAL 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.**

\$23,000.00 FROM ACCOUNT NO. A5110.2 Street Repair Equipment/Capital Outlay

**AS FOLLOWS:**

\$23,000.00 TO ACCOUNT NO. A5112.2 Street Improvements Equipment/Capital Outlay

**MOTION MADE BY: Trustee Lenora Richards**

**SECONDED BY: Trustee Todd LePine**

**APPROVED BY BOARD OF TRUSTEES ON: 06-16-2008**

GENERAL FUND  
BUDGET AMENDMENT NO. 2-2008/2009

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

**AMEND THE GENERAL FUND BUDGET AS FOLLOWS:**

**INCREASE REVENUE CODE A2705 Donations by \$300.00**

**INCREASE APPROPRIATION CODE A7550.4 Celebrations Other Expenses by \$300.00**

**MOTION MADE BY: Trustee Dailon Patnode**

**SECONDED BY: Trustee Susan Hafter**

**APPROVED BY BOARD OF TRUSTEES ON: 06-16-08**

**All of the Board Members and Mayor thanked the Elks Club for this generous donation.**

**JOINT RECREATION FUND  
BUDGET AMENDMENT NO 1-2008/2009**

**OFFERED BY: DOROTHY MAGUIRE, BUDGET OFFICER/TREASURER  
AMEND THE JOINT REC FUND BUDGET AS FOLLOWS:**

**\$49,637.00 FROM ACCOUNT NO. J599 Appropriated Fund Balance**

**AS FOLLOWS**

**\$49,637.00 TO ACCOUNT NO. J7197.2 Recreation Equipment/Capital Outlay**

**MOTION MADE BY: Trustee Lenora Richards**

**SECONDED BY: Trustee Dailon Patnode**

**APPROVED BY BOARD OF TRUSTEES ON: 06-16-2008**

- 2. VILLAGE OF MALONE CLERK REPORT FOR THE MONTH OF MAY 2008.**

**Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried, the Clerk Report for May 2008 was accepted as received.**

- 3. BUILDING INSPECTOR AND FIRE CODE ENFORCEMENT OFFICE REPORT FOR THE MONTH OF MAY 2008.**

**This report was reviewed by all and will be kept on file at the Malone Village Clerk's Office.**

- 4. VILLAGE OF MALONE POLICE REPORT FOR THE MONTH OF MAY 2008.**

**Chief Stone reviewed the report aloud and it will be kept on file at the Malone Village Clerk's Office.**

**The Chief reviewed the Family and Youth Celebration that was held and reported a great turn out.**

**He also thanked the DPW for their help during the bad wind and thunder storm we had. He thanked the DPW and other individuals for their help during the parade that took place.**

**He also gave an update on the STEP monies, and the BUNY monies; he also stated that he has not heard anything more on the license plate readers.**

**SAFETY AND OTHER CONCERNS.**

**Liquor Authority has changed regulations for the selling of alcohol and what type of alcohol will be sold. This is something that the fair grounds need to be aware of. They need to supply us with this information. Once this letter is received by the Village Clerk, the Village Clerk is to certify that this information was received. Other concerns have been voiced in regards to the fair grounds. Mayor Stewart stated that the code officers have been speaking with the fair board and trying to come up with solutions to problems such as smoking in the grandstands, too crowded near the cement wall in front of the grandstands, people who are drinking at the beer tent are mixing in with families, etc.**

- 5. REQUEST FROM THE VILLAGE BOARD TO REMOVE ERRONEOUS RELEVY OF WATER AND SEWER RELEVIES ON TAX BILL.**

**IN THE AMOUNT OF \$96.16  
ACCT. # 408  
DAVID CROSS  
125 DUANE STREET  
MALONE**

**WATER SHUT OFF ON 8/22/07; PROPERTY OWNER REQUESTED  
VACANCY CREDIT ON 8/22/07.**

Upon motion made by Trustee Hafter, seconded by Trustee Richards and unanimously carried, the Malone Village Board hereby agrees and approves the removal of the above referenced water/sewer relevies.

- 6. MAYOR GRANTS PERMISSION TO VFW POST 238 TO HOLD  
POPPIES DAYS ON JULY 3, 4 AND 5, 2008.**
- 7. FORM A STEERING COMMITTEE FOR THE BOA OPPORTUNITY  
AREAS PRENOMINATION STUDY.**

The Mayor stated that we need to form a steering committee to work on the pre-nomination study for the Brownfields; it is mandatory for the grant work plan. It does require that you attend training for the Brownfields, which is a commitment. Most training sessions are in Albany. We need a minimum of three people to serve on it. I think it should be split between the Village and Town and a resident (s) of the Village and/or Town. Mayor Stewart stated that someone from the board should be on this committee. He was looking for a volunteer. This person or persons will work with the consultant we hire. There will also be meetings to attend periodically. Trustee Susan Hafter volunteered her time to serve on the steering committee. Mayor Stewart stated that we should have someone else sitting on this committee and we will revisit this item in the near future.

**TRAINING OFFERED ON JUNE 18, 19. AND 20, 2008 FOR BOA.**

This is being announced as an informational piece.

- 8. COMMITTEE REPORTS.**

Trustee Hafter stated that the only thing she has is the updates on all the grants going on at the present time but that item is listed further in the agenda and she will comment later.

Mayor Stewart thanked SeaComm Federal Credit Union for cleaning up the park on Main Street near the bridge and for their contribution of the painting of the hydrants. The Mayor stated that there are still hydrants that need to be painted so if anyone would like to volunteer their time, please contact the DPW Supervisor. Other projects are being looked at for the future in the Village.

- 9. MORTGAGE DISCHARGE FOR WALLACE MARTIN/CDBG GRANT.**

Upon motion made by Trustee Hafter, seconded by Trustee Patnode and unanimously carried by the board, the mortgage discharge for Wallace Martin, is approved and the Mayor is authorized to sign such discharge. The Village Attorney has reviewed the Wallace Martin mortgage discharge and gives it his approval.

- 10. DISCUSS WATER LAW, SPECIFICALLY POOL FILL UPS.**

A discussion was held in regards to the charge for pool fill ups. In the new water law, it does not specifically state a rate; it does however, state that a person will be charged a metered rate of \$3.00 per thousand gallons times the estimated gallons of water needed. There were many ideas and suggestions on how to handle this topic. Two other applications for water were handled already this season. They were charged by the estimated gallons of water that they needed. An application came in last week and there was some question as to how to handle this. It is up to the board on the decision.

Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried by the Village Board of Trustees, the present application, for Elizabeth and Michael Marshall for a pool fill up will be charged \$3.00 per thousand gallons times the estimated gallons of water needed for the pool; in the future, the Village of Malone will not be doing any pool fill ups by hydrants; a letter will be sent to pool companies and to the local fire department. Private haulers (tankers) can fill up with the approval of the DPW at the rate of \$3.00 per thousand gallons times the estimated gallons of water needed to fill up the pool as stated in the water law.

- 11. ACKNOWLEDGE RECEIPT OF FORFEITURE FUNDS.**

We received some monies, in the amount of \$880.66 for the forfeiture funds; the Village Treasurer wanted us to acknowledge its receipt tonight.

**12. CS ARCH/ SALMON RIVER CENTRAL SCHOOL; ICE RINK RECONSTRUCTION – BRINE WATER DISPOSAL.**

Mayor Stewart stated that there is a brine solution of 3000 gallons from the Salmon River Central School that they are interested in dumping at our Waste Water Treatment Plant. This has been discussed with the DEC and the DEC states that it is possible for them to dump that at our plant. Mayor Stewart stated that he never spoke with anyone personally at the DEC so he requested something in writing that would back up their approval of this solution going into our plant. But it is ultimately up to the Village Board. The request comes from CS Arch, the architect/engineer from the SRCS. They want to bring 600 gallons a day.

Upon motion made by Trustee Richards, seconded by Trustee LePine and unanimously carried, the Malone Village board hereby approves the acceptance of the above described brine solution at a rate of \$.20 per gallon, to be delivered by a local hauler; we will accept 600 gallons per day, in the morning hours, for five days, within the same week, as recommended by the Waste Water Treatment Plant Operator, Paul Hutchins and the DEC. CS Arch will be notified as such.

**OLD BUSINESS.**

**1. SUMMARY/UPDATE OF VILLAGE AND TOWN OF MALONE GRANTS.**

Trustee Hafter stated that she put together this summary because we have so many grants and other business going on right now. It will help to keep things straight. It's only informational.

**2. ONE RFP RECEIVED FOR THE VILLAGE OF MALONE STRATEGIC PLANNING TECHNICAL ASSISTANCE GRANT.**

- 1. CAMOIN ASSOCIATES.  
PO BOX 3367  
SARATOGA SPRINGS, NY**

Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried, the Village Board accepts the RFP from Camoin Associates and approves Camoin Associates to administer the Strategic Planning Grant in the amount of \$25000.00.

**3. AUTHORIZE MAYOR STEWART TO SIGN CONTRACT WITH EARTH IN MOTION (DANIEL LASHOMB) FOR THE KELLEY PAVILION EXPANSION WORK. (BID ALREADY ACCEPTED IN LAST REGULAR MEETING)**

Upon motion made by Trustee LePine, seconded by Trustee Patnode and unanimously carried, the Village Board of Trustees authorizes the Mayor to sign the contract with Earth In Motion for the work being done on the Kelley Pavilion, in the amount of \$49637.00.

**4. SANDY ALLEN; OLD BUILDINGS IN THE VILLGE.**

Please note: Sandy Allen was here to discuss old building; vacant and falling down; he requested to speak in the beginning of the meeting under New Business.

Jeff Smith brought up an issue about yard debris pickup. He stated that village residents are still putting debris out and they need to know that unless it is storm debris, the village will not pick it up. It is the village resident's responsibility to get rid of it. Due the storm we just had, we will do a pick up any of the debris. Any debris not out by Friday, June 20, 2008, will not be picked up. It is becoming too costly (fuel costs especially) to pick up all summer. It is now policy that there will only be one pickup in the spring and one in the fall. There will be a notice to that effect put in the Malone Telegram.

Brenda Thomas, a resident of the Sawyer Avenue apartments, expressed her concerns over the dangerous situation that one is faced with when trying to get onto Main Street from Sawyer Avenue. She would like to see if there is a possibility of getting a traffic light put there. She stated that accidents are happening there and someday some one will be hurt badly or killed. She thanked the board and Mayor for their time.

**Upon motion made by Trustee Richards, seconded by Trustee Hafter and unanimously carried, this meeting went into executive session for the purpose of discussing particular personnel issues.**

**EXECUTIVE SESSION. (IF WARRANTED.)**

**Upon motion made by Trustee Patnode, seconded by Trustee LePine 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.**

**ADJOURN.**

**Upon motion made by Trustee Lepine, seconded by Trustee Hafter and unanimously carried, this meeting adjourned at 9:45 p.m.**

**RESPECTFULLY SUBMITTED:**

**TAMMY R. LAVALLEY  
Malone Village Clerk**