

At a regular meeting of the Malone Village Board, held on April 26, 2010, at 6:30 PM, at the Malone Village Meeting Room, located at 16 Elm Street, the following were present:

Brent Stewart	MAYOR
Lenora Richards	Trustee
Dailon Patnode	Trustee
Todd LePine	Trustee

Also in attendance:

Cheryl Douglas, Village Clerk	Darcy Fargo, Malone Telegram
Jeff Smith, DPW Superintendent	Brick Marshall, Realtor
Stephen Stone, Chief of Police	Chris LaBarge, Realtor
Dave Roecker, CT Male	Douglas LaPradd, Taxi

**Public Hearing** – Proposed Sign Code Revisions, Chapter 48 – Hearing was opened at 6:30 PM and the only public comment was that the signs are stuck in the permafrost in the winter and they are hard to get out, but the realtors would do their best to get them out as soon as possible after the frost. The public hearing was closed at 6:45 PM.

Upon the motion of Trustee Richards seconded by Trustee Patnode and unanimously carried to approve the sign code revisions as written, pass along to the Village attorney and then send to the NYS Department of State.

**APPROVE THE MINUTES OF LAST REGULAR MEETING: 04/12/2010**

Upon the motion of Trustee Patnode seconded by Trustee LePine and unanimously carried to accept the minutes as presented and placed on file.

**PAY BILLS:**

<u>FUND</u>	<u>AMOUNT</u>
Joint Recreation Fund	1,149.90
State Grant Fund	1,534.00
Revolving Loan Fund	5,227.34
CDBG Grant Fund	5,477.50
2009 HOME Grant Fund	23,151.61
Trust & Agency Fund	86,916.28
General Fund	97,555.49
Water Fund	209,835.82
Sewer Fund	<u>743,795.63</u>
	\$1,174,643.57

Upon the motion of Trustee Richards seconded by Trustee Patnode and unanimously carried the above bills were paid.

**CODE APPLICATIONS:**

**BUILDING APPLICATIONS:**

John OraPallo  
29 Edward St.  
Malone, NY 12953

Application to do major interior renovations at 29 Edward Street at an estimated cost of \$29,500.00. Application approved by Building Inspector Charles Robert.

Donald Collette  
59 Cedar Street  
Malone, NY 12953

Application for a major interior renovations at 59 Cedar Street at an estimated cost of \$16,825.00 Application approved by Building Inspector Charles Robert.

Paul Bashaw  
14 Wilcox Ave.  
Malone, NY 12953

Application to replace a cement and flagstone porch with an 8'x18' treated lumber deck at an estimated cost of less than a \$1,000 at 14 Wilcox Ave. Application approved by Building Inspector Charles Robert.

Jean-Paul Perrault  
85 Sycamore Road  
Jersey City, NJ 07305

Application to repair roof, repair plumbing and electrical and repair and replace drywall at 67 Pearl Street at an estimated cost of \$8,000.00. Application approved by Building Inspector Charles Robert.

Michael Lawrence  
210 County Route 13  
North Bangor, NY 12966

Application install a new front porch at 134 Webster Street at an estimated cost of \$2,500.00 Application approved by Building Inspector Charles Robert.

Brett Tatro  
621 East Main Street  
Malone, NY 12953

Application to divide the two businesses and provide separate entrances for each at 621 East Main Street at an estimated cost of \$11,000.00 Application approved by Building Inspector Charles Robert.

Tammy & Al Riley  
11 Moses Street  
Malone, NY 12953

Application for major interior renovations at 11 Moses Street at an estimated cost of \$3,500.00 Application approved by Building Inspector Charles Robert.

Adirondack ARC  
17 West Street  
Malone, NY 12953

Application for a door with covered stairway through an existing window at 17 West Street at an estimated cost of \$4,900.00. Application approved by Building Inspector Charles Robert.

Frank W. Quimby  
PO Box # 565  
Malone, NY 12953

Application to replace an existing porch on the front of the building at 1 Milwaukee Street at an estimated cost of \$1,000.00 Application approved by Building Inspector Charles Robert.

James Lavoie  
31 Spruce Street  
Malone, NY 12953

Application to install flooring, windows, porch roof, step and GFI at 31 Spruce Street at an estimated cost of \$12,245.00 Application approved by Building Inspector Gordon Halley.

Farrar Home  
Constable Street  
Malone, NY 12953

Application to remove the tub/shower unit and move the toilet and wall at the Farrar Home on Constable Street at an estimated cost of \$3,000.00 Application approved by Building Inspector Charles Robert.

### **DEMOLITION PERMIT**

Frank W. Quimby  
PO Box # 565  
Malone, NY 12953

Application to demolish a front porch at 1 Milwaukee Street at an estimated cost of \$500.00. Application approved by Code Enforcement Officer Charles Robert.

## **UNSAFE BUILDING**

Diana Kara  
229 County Rt. 22  
PO Box 454  
Salisbury, CT. 06068

A Chapter 57 (Unsafe Building) notification was sent to Diana Kara regarding her building at 395 West Main Street. It is unsafe and unsecured. The roof leaks, the floor collapsed, there are open windows and doors, and structural members are cracked and questionable.

Upon the motion of Trustee Richards seconded by Trustee LePine and unanimously carried to have the Code Office notify the owner and let her know that we either expect it to be either torn down or repaired by order of the Village Board because it is unsafe and unsecured.

## **SIDEWALK APPLICATIONS:**

Rachel Wade – 35 Front Street – Sidewalk  
Joanne Henry – 28 Scott Drive – Sidewalk  
Van Langlois – 16 Cherry Street – Sidewalk  
Hugh McCann – 3 Morton Street – Sidewalk

Upon the motion of Trustee Patnode seconded by Trustee LePine and unanimously carried to approve the applications as approved by the DPW Supervisor.

## **CORRESPONDENCE:**

**Davis PTA** – PTA Teacher Appreciation Week – Letter received from Nicole Spinner regarding May 2-8, 2010 as teacher appreciation week. Proclamation will be sent to the PTA as such.

**Malone Fish & Game Club** – Children's Fishing Derby – Letter received from Ray Tarbell asking for the Board's permission to use the fishing pond on College Avenue on May 22, 2010 from 9:00 AM to 2:00 PM.

Upon the motion of Trustee LePine seconded by Trustee Richards and unanimously carried to approve the use of the village pond.

## **NEW BUSINESS:**

**Permissive Referendum** – Residents did not file petition regarding establishment of Chasm Falls Reservoir Water System Improvement Capital Project so Resolution #12-2010 takes effect immediately.

**BIDS** – Used Vehicles – Bids were opened on Friday, April 23, 2010.

Upon the motion of Trustee LePine seconded by Trustee Patnode and unanimously carried to award the bid for the 1998 Ford Ranger to Kenneth Golden at a price of \$695.50.

Upon the motion of Trustee Richards seconded by Trustee Patnode and unanimously carried to award the bid for the 1992 Dodge D250 to Douglas LaPlant at a price of \$333.33.

Upon the motion of Trustee Patnode seconded by Trustee LePine and unanimously carried to award the bid for the 1999 GMC pick-up to Robert LeClerc for \$452.00.

**Village of Malone Housing Authority** – Letter received from Barry Webb, Executive Director of the Malone Village Housing Authority for a \$500 salary increase across the board for each employee. These monies are not from the Village Budget.

Upon the motion of Trustee Patnode seconded by Trustee Richards and unanimously carried to concur with the increase of \$500 across the board for each employee.

**Resolution #35** – Adoption of 2010-2011 Budget – The Village Board of Trustees adopts the budget for the fiscal year 2010-2011.

**VILLAGE OF MALONE  
RESOLUTION NO. 35-2010**

**ADOPTION OF 2010-2011 VILLAGE OF MALONE BUDGET**

WHEREAS, the Village of Malone Board of Trustees was presented the 2010-2011 Tentative Budget at a Special Meeting held on March 15, 2010; and

WHEREAS, on April 12, 2010 a public hearing was held for the purpose of presenting the 2010-2011 Tentative Budget; and

WHEREAS, no comments or recommendations were received; and

WHEREAS, no revisions have been made;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees adopts the Tentative Budget in the amount of Six Million Five Hundred Seventy Five Thousand Seven Hundred Ninety Five Dollars (\$6,575,795.00) with a tax rate of \$20.04065.

Motion Made By: Trustee Richards

Seconded By: Trustee Patnode

**Resolution #36** – Water/Sewer Removal Charges – Letter received from Perrault Jean-Paul asking that the current water and sewer charges be removed from this bill. The water was shut off in 2005 and he purchased the property in January 2010.

**VILLAGE OF MALONE  
RESOLUTION NO. 36-2010**

**APPROVAL OF 2010 VILLAGE WATER/SEWER REMOVAL OF CHARGES**

WHEREAS, the Village of Malone has received notification from property owner, Perrault Jean-Paul, of an error he believes exists on a water/sewer bill for property located at 67 Pearl Street; and

WHEREAS, the water was shut off on 12/16/2005 at the request of the Village Code Officer; and

WHEREAS, the property owner purchased the property at a tax sale auction in January 2010;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees approves the removal of the charges of \$1,172.61 for the Village Water/Sewer Bill Account 51-0001218-0.

Motion made by: Trustee LePine

Seconded by: Trustee Patnode

**Resolution #37** – Approval of Recreational Park Employees – The Joint Rec Commission has provided recommendations for the hiring of their 2010 Rec Park Season.

**VILLAGE OF MALONE  
RESOLUTION NO. 37-2010**

**APPROVAL OF RECREATIONAL PARK EMPLOYEES**

WHEREAS, Pursuant to Chapter 43, the Village of Malone embodied the terms of an informal agreement executed between the Town of Malone and Village of Malone on January 20, 1969, establishing a Joint Recreation Commission pursuant to Article XIII of the General Municipal Law; and

WHEREAS, the Joint Recreation Commission was given the powers and duties to equip, operate and maintain playgrounds and neighborhood recreation centers; and

WHEREAS, employees hired to operate and maintain playgrounds are employees of the Village of Malone; and

WHEREAS, the Joint Recreation Commission has provided recommendations for the hiring of their 2010 Summer Staff;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees approves the hiring of the following staff members for the 2010 Recreational Park Summer season at the rate indicated:

<u>Name</u>	<u>Title</u>	<u>Rate of Pay</u>
Dan Andrews	Recreational Leader	\$ 7,725.00
Theresa Miles	Asst. Recreational Leader	\$ 4,500.00
Natalie A. Brand	Lifeguard	\$ 8.00/hr
Daniel R. Gerow	Lifeguard	\$ 8.00/hr
Julie A. Haynes	Lifeguard	\$ 8.00/hr
Julie L. Kane	Lifeguard	\$ 8.00/hr
Amanda M. Payne	Lifeguard	\$ 8.00/hr
John P. Payton, Jr.	Lifeguard	\$ 8.00/hr
Michael A. Perry	Lifeguard	\$ 8.00/hr
Kailey B. Prue.	Lifeguard	\$ 8.00/hr
Laura T. Stone	Lifeguard	\$ 8.00/hr
Ellen M. Studlack	Lifeguard	\$ 8.00/hr

Motion Made By: Trustee Richards  
Seconded By: Trustee LePine

**BUDGET AMENDMENT:**

**GENERAL FUND  
BUDGET AMENDMENT NO. 38 – 2009/2010**

Related to the appropriation and/or transfer of funds;

NOW, THEREFORE BE IT RESOLVED: that the following amount(s) be and the same hereby is (are) appropriated/transferred.

\$ 238.50 From Account No. A511.2 Appropriated Forfeiture Fund Reserve

As Follows:

\$ 238.50 To Account No. A3120.1R Police Salaries (Forfeiture Fund)

\$ 18.00 From Account No. A1325.4 Treasurer Other Expenses

As Follows:

\$ 18.00 To Account No. A1340.4 Budget Other Expenses

\$ 9,022.00 From Account No. A5110.1 Street Repair Salaries

As Follows:

\$ 500.00 To Account No. A3989.1 Public Safety Salaries

\$ 22.00 To Account No. A5112.1 Street Improvement Salaries

\$ 8,500.00 To Account No. A5130.1 Machinery Salaries

\$ 6,300.00 From Account No. A5130.4 Machinery Other Expenses

As Follows:

\$ 5,300.00 From Account No. A5110.4 Street Repair Other Expenses

\$ 1,000.00 To Account No. A8170.4 Street Cleaning Other Expenses

Motion Made By: Trustee Patnode

Seconded By: Trustee Richards

**VILLAGE CLERK REPORT:** 1<sup>st</sup> Quarter 2010 – Cheryl Douglas reported that this is for the first quarter of 2010, January, February, March. This does not include water/sewer fees or taxes.

Upon the motion of Trustee Richards seconded by Trustee LePine and unanimously carried to approve the report as presented and placed on file.

**DPW REPORT:**

**Resolution #38** - Request for County Highway Department Assistance

**VILLAGE OF MALONE  
RESOLUTION NO. 38-2010**

## **REQUEST FOR COUNTY HIGHWAY DEPARTMENT ASSISTANCE**

WHEREAS, the Village of Malone Department of Public Works has requested assistance between the Village of Malone and the Franklin County Highway Department; and

WHEREAS, the specific equipment involved is a paver and a roller; and

WHEREAS, it is agreed that the work is undertaken by the Village Highway Department, and the job is totally under the direction and supervision of the Village Highway Department, and the Village Highway Department will get the necessary permits and agreements; and

WHEREAS, the Village of Malone will hold the County harmless from property damages and any claims brought by any third party as a result of this work, and if the County is held responsible for damages the Village will indemnify the County; and

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees approves the request for assistance between the Village of Malone Highway Department and the Franklin County Highway Department.

Motion Made By: Trustee LePine

Seconded By: Trustee Patnode

**Resolution #39** – Shared Municipal Services Agreement

### **VILLAGE OF MALONE RESOLUTION NO. 39-2010**

## **SHARED MUNICIPAL SERVICES AGREEMENT**

WHEREAS, the Village of Malone Department of Public Works has requested Shared Services between the Village of Malone and the Town of Malone; and

WHEREAS, the agreement is for the use of Town of Malone Screening Plant; and

WHEREAS, no charges will be levied against either municipality for this shared service; and

WHEREAS, in the event of any minor mechanical breakdown while the equipment is in use under this agreement, the Village of Malone will be responsible for repair; including screens; and

WHEREAS, this agreement will be for April and May of 2010;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees approves the request for Shared Municipal Services between the Village of Malone Highway Department and the Town of Malone.

Motion Made By: Trustee Patnode

Seconded By: Trustee Richards

**POLICE CHIEF'S REPORT:**

Taxi Stand Application – Douglas LaPradd has applied for a taxi stand application. The Chief of Police Stephen Stone has denied the application based on Section 53-3 L, 53-4A, 53-5A of the Village of Malone Code. Joyce Durett handed in a petition signed by people from in and around Malone asking for support to open a taxi stand. Mayor Stewart said Mr. LaPradd cannot apply for a taxi stand or a taxi license in the Village of Malone by law. Douglas LaPradd identified himself stating he was from Massena Taxi and no where on our form does it say anything about a misdemeanor or a felony. Chief Stone pointed out that above his signature it states: "I understand that my authorization to operate a taxi stand is subject to compliance with all ordinances and local laws of this Village, specifically including the Zoning Law." Chief Stone stated also that he offered Mr. LaPradd copies of the law and he refused. Joyce Durett asked if the people that applied for a taxi license will get reimbursed since the stand will not be opened. Mayor Stewart said he has three active permits that he is hanging on to until we had a taxi operator and we would not charge those three people another fee because they just paid it, but it would have to come in front of the board for approval for reimbursement.

Upon the motion of Trustee LePine seconded by Trustee Patnode and unanimously carried to deny this taxi stand application based on Chief Stone's findings.

**ADJOURNMENT:**

Upon the motion of Trustee LePine seconded by Trustee Richards and unanimously carried to adjourn the meeting at 7:55 PM.

Respectfully submitted,

---

Cheryl A. Douglas  
Village Clerk