

At a regular meeting of the Malone Village Board, held on May 23, 2011, at 6:30 PM, at the Malone Village Meeting Room, located at 16 Elm Street, the following were present:

Brent Stewart MAYOR

Todd LePine Trustee
Joseph Riccio Trustee
Dailon Patnode Trustee

Also in attendance:

Cheryl Douglas, Village Clerk
Dorothy Maguire, Treasurer
Hugh Hill, Chamber
Ken Carre, Complete Streets
Andrea Dumas
Tim Lashomb
Jamie Konkoski, Heart Network
Michelle Lester
Jason Ellis, MCF

Darcy Fargo, Malone Telegram
Christopher Premo, Chief of Police
Connie Jenkins, Complete Streets
Karen Carre, Complete Streets
Josy Delaney, Complete Streets
Dave Werner
Chastity Miller, Complete Streets
Sue Patterson, FCPH
Dave Werner

APPROVE THE MINUTES OF LAST REGULAR MEETING: 05/09/2011

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

PAY BILLS:

<u>FUND</u>	<u>AMOUNT</u>
Revolving Loan Fund	0.46
2009 HOME Grant Fund	13,535.94
Water Fund	15,683.36
Joint Recreation Fund	17,112.20
Sewer Fund	42,456.07
Trust Fund	97,168.00
General Fund	<u>101,673.36</u>
	\$ 287,629.39

Upon the motion of Trustee Riccio seconded by Trustee LePine and unanimously carried to accept the bills as presented for payment.

CODE APPLICATIONS:

Building Applications

Malone Housing Authority
215 Elm Street
Malone, NY 12953

Application to replace vinyl windows at 215 Elm Street at an estimated cost of \$124,991.
Application approved by Building Inspector Gordon Halley.

Rick Ellis
529 East Main Street
Malone, NY 12953

Application for renovations of the existing store front, showroom open office galley at 529 East Main Street at an estimated cost of \$60,000. Application approved by Building Inspector Charles Robert.

Robert Bodway
14 Seaver Street
Malone, NY 12953

Application to replace front porch (covered) at 14 Seaver Street at an estimated cost of \$680.
Application approved by Building Inspector Charles Robert.

Heating Application

Warren & Loretta Fish
327 West Main Street
Malone, NY 12953

Application to have Upstate Heating & Plumbing install an oil boiler, chimney liner and a stainless metal flue at 327 West Main Street. Application approved by Building Inspector Charles Robert.

Planning Board

The planning board met on 5/12/11 on 2 sign permits. One was from the YMCA and the other was from Signarama (Verizon Wireless Cellular Sales) The board unanimously approved both permits.

WATER PURCHASE APPLICATION:

Robert Main on behalf of Notre Dame Church in the sum of \$100 to hook onto the Morton Street Hydrant.

COMMITTEE REPORTS:

Todd LePine and Joe Riccio met with Steve Shafer to get an update on his effort with the village liter pick-up and brush.

CORRESPONDENCE:

Franklin County Ag Society – Letter received from Dale Chapin, President informing us of the fair dates. It will run from August 6-14, 2011 and all necessary preparation has been completed for security and medical services.

WOTM – Letter received from Cindy Brown, Director of the Women of the Moose Teen Softball League asking for tag days from May 26-28, 2011.

CHIEF OF POLICE – Before we move on to the rest of the business on the agenda, Mayor Stewart wanted to congratulate Chief Premo for passing the Chief of Police test.

NEW BUSINESS:

Malone Complete Streets Partnership – Ken Carre, Presenter. Ken presented a power point presentation on Complete Streets Partnership which is designed to provide safe and accessible streets and sidewalks for all. He said the primary goal of the Partnership is to draft a Complete Streets Plan for the community of Malone. He is also asking the Village Board of Trustees to consider appointing a representative to serve on the Steering Committee. Jeff Smith would be a good representative for this committee.

Upon the motion of Trustee Riccio seconded by Trustee Patnode and unanimously carried to have the Village Board partner with Complete Streets.

Resolution #32 - Traffic Patterns Main Street – Hugh Hill spoke on pedestrian safety along the Malone Village Historic District (from the Congregational Church to YMCA). He is concerned that the business environment and property values in Malone are being negatively impacted due to the speed and traffic patterns. This is not law, it is just a recommendation. He would like to see the Village work with the Department of Transportation. The lanes would have to be legally permissible in width.

**VILLAGE OF MALONE
RESOLUTION NO. 32-2011**

CHANGES IN TRAFFIC PATTERNS ALONG MAIN STREET

WHEREAS, the Malone Village Board recognizes that pedestrian safety, the business environment and property values in Malone are being negatively impacted by the speed and configuration of traffic in the Main Street (Route 11) Historic District between the Congregational Church and the YMCA; and

WHEREAS, the Village of Malone further believes that safety, business and property values can be protected and enhanced by narrowing the width of the travel lanes in the historic district, re-configuring and widening parking spaces, eliminating some lanes and increasing the width and visibility of pedestrian crosswalks;

NOW THEREFORE BE IT RESOLVED: that the Malone Village Board urges the NYSDOT to consider changes to the traffic pattern in the Malone Village Historic District by reducing speed, re-painting the road markings, reducing lane width, and by keeping an open dialogue with stakeholders in the Village and Town of Malone in regard to future safety and aesthetic improvements to Route 11, Malone, and

BE IT FURTHER RESOLVED; the Village of Malone will designate representatives to advise and assist the NYSDOT in instituting these changes.

Motion Made By: Trustee LePine

Seconded By: Trustee Riccio

Approved By Board of Trustees on: May 23, 2011

Resolution #33 - Approval of Notice of Benefits/Revisions – Dorothy Maguire is asking the board to approve the notice of benefits for the Chief of Police and also to approve revisions to the notice of benefits to the Village Clerk, DPW Supervisor and Treasurer by changing the definition of immediate family as it pertains to sick time. The definition will include parent, spouse, children, brother, sister and parent in-law and to also change the term of the appointment from one year to two year appointment for the clerk and treasurer to be in compliance with Village Law.

**VILLAGE OF MALONE
RESOLUTION NO. 33-2011**

APPROVAL OF NOTICE OF BENEFITS AND REVISIONS

WHEREAS, the Village of Malone’s Police Chief, Clerk/Registrar, Department of Public Works Supervisor and Treasurer are provided with a Notice of Benefits;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees approves the Notice of Benefits for the Police Chief as presented; and

BE IT FURTHER RESOLVED; the Village Board of Trustees approves the revision to the Notice of Benefits for the Clerk/Registrar, Department of Public Works Supervisor and Treasurer to recognize the definition of immediate family as it pertains to sick time and the Clerks and Treasurers’ two year term appointments.

Motion Made By: Trustee Riccio

Seconded By: Trustee Patnode

Approved By Board of Trustees on: May 23, 2011

Resolution #34 - Removal of A/R Uncollected Funds – Dorothy Maguire reported that after many attempts to collect and after judgments have been placed there remains outstanding A/R balance for nonpayment of the following fees:

Water Rents - \$6,622.22
Water Turn Off/On Fees - \$1,470.00
Safety Inspection Fees - \$1,145.00
Cement Replacement Fees - \$124.72

The Village Board has since implemented pre-payment procedures for water turn off/on fees and cement replacement fees and passed a local law to collect unpaid safety inspection fees to a special tax assessment. She is asking the Board to agree to remove the uncollected fees of \$9361.94 from

A/R. We need to take them off our books, but if they are collected then we would just recognize the revenue at that time.

**VILLAGE OF MALONE
RESOLUTION NO. 34-2011**

REMOVAL OF ACCOUNTS RECEIVABLE UNCOLLECTED FEES

WHEREAS, After many attempts to collect and judgments placed, there remains outstanding account receivable balances for non-payment of the following fees:

Water Rents - \$6,622.22
Water Turn Off/On Fees - \$1,470.00
Safety Inspection Fees - \$1,145.00
Cement Replacement Fees - \$124.72

WHEREAS, aware of the difficulty to collect fees after the service has been completed, the Village Board implemented pre-payment procedures for Water Turn Off/On Fees and Cement Replacement Fees and a passed a local law to collect unpaid Safety Inspection Fees through a Special Tax Assessment;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees agrees to remove the uncollected fees of \$9,361.94 from accounts receivable.

MOTION MADE BY: Trustee LePine
SECONDED BY: Trustee Patnode
APPROVED BY BOARD OF TRUSTEES ON: May 23, 2011

Resolution #35 - Approval of Rec Park Employees – Two more employees have been recommended by the Joint Rec Commission.

**VILLAGE OF MALONE
RESOLUTION NO. 35-2011**

APPROVAL OF ADDITIONAL RECREATIONAL PARK EMPLOYEES

WHEREAS, the Joint Recreation Commission has provided additional recommendations for the hiring of their 2011 Summer Staff;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees approves the hiring of following additional staff members for the 2011 Recreational Park Summer season at the rate indicated:

<u>Name</u>	<u>Title</u>	<u>Rate of Pay</u>
Amy LaVine	Fun Run Coordinator	\$ 300.00
Kenneth Golden	Maintenance	\$ 10.00/hr

Motion Made By: Trustee Patnode
Seconded By: Trustee Riccio
Approved By Board of Trustees on: May 23, 2011

Resolution #36 - Discharge of Mortgage for Mary Lamitie of 45 Edward Street. This has been reviewed by Nathan Race.

**VILLAGE OF MALONE
RESOLUTION NO. 36-2011**

AUTHORIZATION TO EXECUTE DISCHARGE OF MORTGAGE - LAMITIE

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to execute the Discharge of Mortgage for Mary Lamitie of 45 Edward Street, Malone, New York.

Motion Made By: Trustee Riccio
Seconded By: Trustee Patnode
Approved By Board of Trustees on: May 23, 2011

Resolution #37 - Discharge of Mortgage for Debra and Harold Capstraw of 159 Park Street. This has been reviewed by Nathan Race.

**VILLAGE OF MALONE
RESOLUTION NO. 37-2011**

AUTHORIZATION TO EXECUTE DISCHARGE OF MORTGAGE - CAPSTRAW

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to execute the Discharge of Mortgage for Debra Gordon-Capstraw, a/k/a Debra Gordon-Viau and Harold J. Capstraw at 159 Park Street, Malone, New York.

Motion Made By: Trustee LePine
Seconded By: Trustee Riccio
Approved By Board of Trustees on: May 23, 2011

Resolution #38 - Fire Protection District Legislation – One year ago we were in the process of the fire protection district. This is to authorize the enactment of Assembly bill No. 6558 and Senate bill No. 4151.

**VILLAGE OF MALONE
Resolution No. 38-2011**

HOME RULE REQUEST

WHEREAS, in the interest of consolidation of government resources, the Village of Malone requested the Senate and Assembly of the State of New York to enact a special law authorizing the Town of Malone in the County of Franklin to extend the Town of Malone Fire Protection District into the Village of Malone;

WHEREAS, pursuant to Article IX of the Constitution, the Village of Malone authorizes the enactment of Assembly bill No. 6558 and Senate bill No. 4151 authorizing the Town of Malone to extend the Malone Fire Protection District into the Village of Malone;

NOW THEREFORE BE IT RESOLVED: The Village of Malone Board of Trustees adopts the resolution authorizing the Senate and Assembly of the State of New York to proceed with the Home Rule Request.

Said motion made by: Trustee LePine
Seconded by: Trustee Patnode
Voting: Trustee Riccio – Aye
Mayor Brent Stewart – Aye
Carried.

Dated: May 23, 2011

Taxi License Applications – We received two applications, George Bessey and Todd Lewis. They both have been approved by the Police Department, have had their physicals and both have a Class E license.

Upon the motion of Trustee Patnode seconded by Trustee LePine to approve the taxi license applications that were presented. Trustee Riccio abstained as he knows one of the applicants personally. Motion carried.

Tobacco Free Comments – The Joint Rec Commission met on 5/17/2011 and on a motion by Bess Hanna seconded by Malcolm Miner the Commission recommended the adoption of a tobacco-free policy throughout the park in concert with the Village and Town of Malone. This policy is to discourage the use of tobacco products through voluntary compliance. Upon the entertainment of what the Board follows this evening, we would like to have the same from the town, in order to direct that to a tobacco free area.

Upon the motion of Trustee Riccio seconded by Trustee Patnode and unanimously carried for the adoption of a tobacco-free policy to discourage the use of tobacco.

Employment Application – We received one application for rec park maintenance, which will be kept on file. It was from a Peter Proper.

Elm Street – Mayor Stewart wanted to address a few concerns along Elm Street. Mayor Stewart has been asked why do we need to have two lanes on the south side of the road as you go down the hill towards Superior Glass.

This would help eliminate parking on the median and lawns and for safety reasons. Chief Premo said there really is no reason to have two lanes there. Mayor Stewart also mentioned the fence close to the road on the corner of Raymond and Elm Street. Trustee Riccio and Trustee LePine will speak with Jeff Smith about this. Maybe Complete Streets could incorporate our concerns in the plan.

Upon the motion of Trustee Riccio seconded by Trustee LePine and unanimously carried to recommend eliminating one lane and possibly putting a crosswalk at Raymond and Elm Street.

BUDGET AMENDMENTS:

**GENERAL FUND
BUDGET AMENDMENT NO. 23 2010-2011**

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.

\$ 2,770.24 From Account No. A511 Appropriated (Federal) Forfeiture Fund Reserve
As Follows:

\$ 2,770.24 To Account No. A3120.4 Other Expenses (Federal Forfeiture Fund)

\$ 459.18 From Account No. A511 Appropriated (State) Forfeiture Fund Reserve
As Follows:

\$ 459.18 To Account No. A3120.4 Other Expenses (State Forfeiture Fund)

\$ 1,281.00 From Account No. A5140.1 Brush & Leaf Salaries
As Follows:

\$ 385.00 To Account No. A7145.1 Joint Rec Projects Salaries

\$ 500.00 To Account No. A8170.1 Street Cleaning Salaries

\$ 396.00 To Account No. A8560.1 Shade Trees Salaries

Motion Made By: Trustee Riccio
Seconded By: Trustee Patnode
Approved by the Board of Trustees On: May 23, 2011

**GENERAL FUND
BUDGET AMENDMENT NO. 24 2010-2011**

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.

\$ 1,200.00 From Account No. A1990.0 Contingency
As Follows:

\$ 1,200.00 To Account No. A1110.4 Justice Other Expenses

Motion Made By: Trustee LePine
Seconded By: Trustee Riccio
Approved by the Board of Trustees On: May 23, 2011

**SEWER FUND
BUDGET AMENDMENT NO. 10-2010/2011**

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.

\$ 873.00 FROM ACCOUNT NO. G511 Appropriated Unemployment Reserve

AS FOLLOWS:

\$ 873.00 TO ACCOUNT NO. G9050.8R Unemployment Claims

MOTION MADE BY: Trustee Patnode
SECONDED BY: Trustee Riccio
APPROVED BY BOARD OF TRUSTEES ON: May 23, 2011

**JOINT RECREATION FUND
BUDGET AMENDMENT NO. 5-2010/2011**

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.

\$667.00 From Account No. J1990.0 Contingency
As Follows:
\$667.00 To Account No. J9050.8 Unemployment Claims

MOTION MADE BY: Trustee LePine
SECONDED BY: Trustee Riccio
APPROVED BY BOARD OF TRUSTEES ON: May 23, 2011

**2009 HOME GRANT FUND
BUDGET AMENDMENT NO. 4 2010-2011**

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.

\$600.00 Increase to Revenue Code CH 2770 Miscellaneous – Owner Contributions
\$600.00 Increase to Appropriation Code: CH8668.2 Housing Rehab – Owner Contributions

MOTION MADE BY: Trustee Riccio
SECONDED BY: Trustee Patnode
APPROVED BY BOARD OF TRUSTEES ON: May 23, 2011

**REVOLVING LOAN FUND
BUDGET AMENDMENT NO. 3 2010-2011**

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.

\$18,600.00 From Account No. CL599 Appropriated Fund Reserve
As Follows:
\$14,640.00 To Account No. CL8668.2 Housing Rehabilitation Grants
\$ 1,830.00 To Account No. CL8668.4 Program Delivery
\$ 1,830.00 To Account No CL8686.4 Administration
\$ 300.00 To Account No CL8686.4 Other Expenses

Motion Made By: Trustee LePine
Seconded By: Trustee Riccio
Approved by the Board of Trustees On: May 23, 2011

FINANCIAL REPORT: Dorothy Maguire, Treasurer presented the financial report for the period ending April 30, 2011. All the trustees have reviewed this report.

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

JOURNAL ENTRY REPORT: Dorothy Maguire, Treasurer presented journal entries 318-339.

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

TRAINING:

Mayor Stewart to grant training for Craig Brand, Lyle Gratton, Ralph Jesmer II, Robbie Lane for a no cost excavator breakfast to be held in Malone for Dig Safely New York the morning of May 25, 2011.

DPW REPORT: The contractor is going to come back to finish the river crossing in the Phase I water project on Duane Street.

POLICE CHIEF'S REPORT: Chief Premo said they are picking up a lot of calls with the warmer weather with car larcenies, criminal mischief, and juveniles. The new officer is out of the Police Academy.

EXECUTIVE SESSION:

Upon the motion of Trustee Riccio seconded by Trustee LePine and unanimously carried to go into executive session for contractual negotiations and medical history of an employee.

Upon the motion of Trustee Riccio seconded by Trustee LePine and unanimously carried to come out of executive session.

Upon the motion of Trustee LePine seconded by Trustee Riccio and unanimously carried to go into regular session.

Notice of Salary and Village Policy for Code Officers with the definition of call out to be authorized by Police Department, Fire Department or any Village Board Member.

Upon the motion of Trustee LePine seconded by Trustee Patnode and unanimously carried to accept the notice of salary and village policy with changes noted. Trustee Patnode will present these to Code Officer Robert and Code Officer Halley.

ADJOURNMENT:

Upon the motion of Trustee LePine seconded by Trustee Patnode and unanimously carried to adjourn the meeting at 8:52 PM.

Respectfully submitted,

Cheryl A. Douglas
Village Clerk