

At a regular meeting of the Malone Village Board, held on September 14, 2009, 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
Dailon Patnode	Trustee
Lenora Richards	Trustee
Susan Hafter	Trustee

Also in attendance:	Cheryl Douglas, Village Clerk	Merrill McKee
	Stephen Stone, Chief of Police	Debbie Robert
	Jeffrey Smith, DPW Supervisor	Timothy Marlow
	Darcy Fargo, Malone Telegram	Donald McQueen
	Charles Robert, Code Officer	

PUBLIC HEARING: Residency Requirement for the Village Clerk

Mayor Brent Stewart opened the public hearing at 6:30 PM for public comment. There were no comments on this.

Upon the motion of Trustee Richards seconded by Trustee Patnode and unanimously carried to change the residency requirements of the Village Clerk to read they may reside in any municipality in the County of Franklin. The Village Attorney will draft the local law and it will need to be submitted seven days prior to acting on it.

PUBLIC HEARING: Proposed Sign Code – Chapter 48

Mayor Brent Stewart opened the public hearing at 6:30 PM for public comment. Code Officer Charles Robert was in attendance to answer any questions. There were some changes made such as realtor signs (\$25 per sign), lawn signs (off the village right-of-way by one foot), political signs (put up six weeks prior to election, taken down four days after election) and reducing size of signs (16 feet to 8 or 12 feet). The proposal was to take all signage out of zoning and just include it in signage.

Upon the motion of Trustee Hafter seconded by Trustee LePine to accept the proposed sign code with the exception of section 48-7-C-2 to read "No such sign shall be erected without first having obtained a permit from the Code Enforcement Office at a cost of \$50.00 per year, per realty agency, to be renewed annually." (3 yeah, 1 nay)

The public hearings closed at 7:12 PM.

APPROVE THE MINUTES OF THE LAST REGULAR MEETING: August 17, 2009

Upon motion made by Trustee Hafter, seconded by Trustee Richards and unanimously carried the above minutes were approved as presented and placed on file.

PAY BILLS:

FUND

AMOUNT

Revolving Loan Fund	4.40
Revolving Loan Fund	16,109.18
Joint Recreation Fund	16,125.08
Capital Fund	21,750.25
Sewer Fund	45,884.34
Water Fund	141,422.48
General Fund	237,053.51
Trust & Agency Fund	<u>239,449.93</u>
	\$717,799.17

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

CODE APPLICATIONS:

Building Applications

Sean O'Conner
101 Webster Street
Malone, NY 12953

Application for a permit for an above ground pool at 101 Webster Street at an estimated cost of \$8,000.

Application approved by Building Inspector Charles Robert.

Alice Hyde Medical Center
133 Park Street
Malone, NY 12953

Application for replacing roof, siding, windows and exterior doors. Complete renovations to approximately 3,000 sq ft at lower level at 134 Park Street at an estimated cost of \$367,300.

Application approved by Building Inspector Charles Robert.

Mike Fellion
58 Constable Street
Malone, NY 12953

Application to repair/replace porch and roof at 152 Duane Street at an estimated cost of \$3,000.

Application approved by Building Inspector Gordon Halley.

Jon M. Parent
4 Prospect Street
Malone, NY 12953

Application for restoring widow walk (peak) that was removed by previous owners at 4 Prospect Street at an estimated cost of \$17,500.

Application approved by Building Inspector Gordon Halley.

Malone Housing Authority
215 Elm Street
Malone, NY 12953

Letter from NYSDOT regarding the proposed light at Elm Street and Park Street. They will look over our recommendations. For informational purposes.

Letter from Franklin County regarding Self-Insurance Plan. For informational purposes.

Letter from NYS Senate regarding new open fire regulations. For informational purposes.

NEW BUSINESS:

Budget Amendments:

**WATER FUND
BUDGET AMENDMENT NO. 2-2009/2010**

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.

\$74.00 FROM ACCOUNT NO. F9089.8 Flexible Spending Plan

AS FOLLOWS:

\$74.00 TO ACCOUNT NO. F9055.8 Disability Insurance

MOTION MADE BY: Trustee LePine

SECONDED BY: Trustee Hafter

**REVOLVING LOAN FUND
BUDGET AMENDMENT NO. 2-2009/2010**

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.

\$19,312.50 FROM ACCOUNT NO. CL599 Appropriated Fund Reserve

AS FOLLOWS:

\$15,450.00 TO ACCOUNT NO. CL8668.2 Housing Rehabilitation Grants

\$ 1,931.25 TO ACCOUNT NO. CL8668.4 Program Delivery

\$ 1,931.25 TO ACCOUNT NO. CL8686.4 Administration

MOTION MADE BY: Trustee Richards

SECONDED BY: Trustee Patnode

**JOINT RECREATION FUND
BUDGET AMENDMENT NO. 2-2009/2010**

OFFERED BY: DOROTHY MAGUIRE, BUDGET OFFICER/TREASURER

WHEREAS, Ira and Linda Parks of Colton New York have donated Twenty Five Dollars (\$25.00): NOW THEREFORE, BE IT

RESOLVED: The Village Board of Trustees accepts said donation and amends the Joint Recreation Fund Budget as follows:

Increase Revenue: J2705 Donations by \$25.00

Increase Appropriation: J7140.4 Rec Park Other Expenses by \$25.00

MOTION MADE BY: Trustee Richards

SECONDED BY: Trustee LePine

**JOINT RECREATION FUND
BUDGET AMENDMENT NO. 3-2009/2010**

OFFERED BY: DOROTHY MAGUIRE, BUDGET OFFICER/TREASURER

WHEREAS, when preparing the Joint Recreation Fund 2009-2010 budget, the amount of One Thousand Twelve Hundred Dollars (\$1,200.00) was estimated for Fun Run donations; and

WHEREAS, an additional Four Hundred Dollars (\$400.00) was donated: NOW THEREFORE, BE IT

RESOLVED: The Village Board of Trustees accepts the additional donations of Four Hundred Dollars (\$400.00) and amends the Joint Recreation Fund Budget as follows:

Increase Revenue: J2705 Donations by \$400.00

Increase Appropriation: J7140.4 Rec Park Other Expenses by \$400.00

MOTION MADE BY: Trustee Richards

SECONDED BY: Trustee LePine

**SEWER FUND
BUDGET AMENDMENT NO. 3-2009/2010**

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.

\$88.00 FROM ACCOUNT NO. G9089.8 Flexible Spending Plan

AS FOLLOWS:

\$88.00 TO ACCOUNT NO. G9055.8 Disability Insurance

MOTION MADE BY: Trustee LePine

SECONDED BY: Trustee Richards

**GENERAL FUND
BUDGET AMENDMENT NO. 11 2009/2010**

WHEREAS, a Court Order has been received reducing the assessed valuation on tax parcel ID #112.30-2-7 and ID# 112.30-2-8; and

WHEREAS, the reduced assessments have resulted in a refund to WP Malone Associates, L.P. in the amount of Eighteen Thousand Thirty Six Dollars and Fifty Nine Cents (\$18,036.59); NOW THEREFORE, BE IT

RESOLVED: The Village Board of Trustees amends their General Fund Budget as follows:

Decrease Revenue: A1001 Real Property Taxes by \$18,036.59

Decrease Appropriation: A1990.0 Contingency by \$18,036.59

MOTION MADE BY: Trustee Hafter

SECONDED BY: Trustee Richards

**GENERAL FUND
BUDGET AMENDMENT NO. 12 – 2009/2010**

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.

\$765.00 FROM ACCOUNT NO. A1410.1 Village Clerk Salaries

AS FOLLOWS:

\$765.00 TO ACCOUNT NO. A5010.1 Street Administration Salaries

\$3,000.00 FROM ACCOUNT NO. A5110.1 Street Repair Salaries

AS FOLLOWS:

\$3,000.00 TO ACCOUNT NO. A5112.1 Street Improvement Salaries

\$364.00 FROM ACCOUNT NO. A5110.4 Street Repair Other Expenses

AS FOLLOWS:

\$364.00 TO ACCOUNT NO. A7110.4 Parks Other Expenses

MOTION MADE BY: Trustee Richards

SECONDED BY: Trustee Hafter

**GENERAL FUND
BUDGET AMENDMENT NO. 13 – 2009/2010**

WHEREAS, roof repairs are needed on the Police Department building; NOW THEREFORE, BE IT

RESOLVED: THAT THE FOLLOWING AMOUNT(S) BE AND THE SAME HEREBY IS (ARE) APPROPRIATED/TRANSFERRED.

\$ 550.00 FROM ACCOUNT NO. A511.2 Appropriated Forfeiture Fund Reserve

AS FOLLOWS:

\$ 550.00 TO ACCOUNT NO. A3120.4R Other Expenses (Forfeiture Fund)

\$ 466.00 FROM ACCOUNT NO. A3120.4 Police Other Expenses

AS FOLLOWS:

\$ 466.00 TO ACCOUNT NO. A1620.1 Buildings Personal Services

MOTION MADE BY: Trustee Hafter

SECONDED BY: Trustee Patnode

Annual Financial Report for the Village of Malone fiscal year ending May 31, 2009 submitted by Treasurer Dorothy Maguire.

Upon the motion of Trustee Hafter seconded by Trustee LePine and unanimously carried to approve the annual financial report for the fiscal year ending 5/31/09 of the Village of Malone.

Village of Malone Financial Report for the period ending June 30, 2009
submitted by Treasurer Dorothy Maguire.

Upon the motion of Trustee Hafter and seconded by Trustee Patnode and unanimously carried to
approve the report for the period ending 6/30/09.

Village of Malone Financial Report for the period ending July 31, 2009
submitted by Treasurer Dorothy Maguire.

Upon the motion of Trustee Hafter and seconded by Trustee Patnode and unanimously carried to
approve the report for the period ending 7/31/09.

Village of Malone Financial Report for the period ending August 31, 2009
submitted by Treasurer Dorothy Maguire.

Upon the motion of Trustee Hafter and seconded by Trustee Patnode and unanimously carried to
approve the report for the period ending 8/31/09.

Joint Recreation Fund Financial Report ending 7/31/09 submitted by Treasurer
Dorothy Maguire.

Upon the motion of Trustee Richards seconded by Trustee Patnode and unanimously carried to
approve the Joint Recreation Fund financial report for the fiscal year ending 7/31/09.

Joint Recreation Fund Financial Report ending 8/31/09 submitted by Treasurer
Dorothy Maguire.

Upon the motion of Trustee Richards seconded by Trustee Lepine and unanimously carried to
approve the Joint Recreation Fund financial report for the fiscal year ending 8/31/09.

Village Clerk's Report for the month of August submitted by Cheryl Douglas,
Village Clerk.

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

Letter from the Town of Malone (SEQR) agreement requesting our approval for
the Town of Malone to be lead agency for the proposed renewal of the agreement
between the Town of Malone and Village of Malone for sewer service to the
Town of Malone IDA Park.

Upon the motion of Trustee LePine seconded by Trustee Richards and unanimously carried to
accept the Town of Malone SEQR agreement and for the Town of Malone to be lead agency and
the Village of Malone to be second.

Letter from the Office of Community Renewal on the NYS CDBG public water
project grant agreement. This agreement needs to be signed and sent back to
them within 45 days.

Upon the motion of Trustee Hafter seconded by Trustee LePine and unanimously carried to accept with gratitude the \$515,000 CDBG and to allow the Mayor to sign into the grant agreement.

RFP for a consultant to administer the 2009 Office of Community Renewal Grant (public water infrastructure project) and 2009 Restore NY Grant (Flanagan Hotel) \$2.1 million for the Village of Malone.

Upon the motion of Trustee Hafter seconded by Trustee LePine and unanimously carried to advertise in the Malone Telegram and Press Republican for a RFP for technical assistance to village staff administering the CDBG award for public water infrastructure and the restore NY Grant (Flanagan) to be returned by October 16, 2009 at 12:00 PM.

RFQ for professional engineering and construction services to provide services to the Village of Malone for the Water System Improvements Project.

Upon the motion of Trustee Hafter seconded by Trustee Richards and unanimously carried to advertise in the Malone Telegram, Press Republican, as well as to some engineering firms for a RFQ for professional engineering and construction services to be returned by October 16, 2009 at 12:00 PM.

NYS Main Street Grant agreement from MEDCO to sign into the agreement.

Upon the motion of Trustee Hafter seconded by Trustee LePine and unanimously carried to authorize the Mayor to sign into agreement for the main street program in the amount of \$200,000 for rehabilitation of main street and area housing residential units.

Award of RFP for the HOME Program Administration. Four proposals were submitted, Camoin Associates, James McKee, CPA, Franklin County Community Housing Council, Housing Revitalization Association.

Upon the motion of Trustee Hafter seconded by Trustee Lepine and unanimously carried to award the proposal to Camoin Associates for a fee not to exceed \$61,440 because of their background, history of success, particularly with us, and in general.

Letter from Office of Community Renewal on the successful completion of the Village of Malone NYS CDBG for the project 690TA182-07. For informational purposes.

NYS DEC letter acknowledging the private line sewage blockage. Letters have been sent from Attorney Nate Race to all outside users along that line explaining to them that we accept their septic, charge for going through the sewer plant, but we are not liable for their pipes or private line.

Letter from County of Franklin Industrial Development Agency regarding Branch Commercial Development SEQR Findings Statement. For informational purposes only.

Resolution for Boundary Revision of Empire Zone to change the boundaries to include the Holiday Inn Express.

Upon the motion of Trustee LePine seconded by Trustee Patnode and unanimously carried for acceptance and concurrence for the Franklin County Empire Zone boundary revision application to be signed by the Mayor.

Letter from Business Development Corporation for Greater Massena looking for us to pass a resolution of support on the four lane interstate highway (I 98) across the North Country.

**VILLAGE OF MALONE
RESOLUTION OF SUPPORT
CONSTRUCTION OF A FOUR-LANE HIGHWAY**

Motion made by Trustee Hafter and seconded by Trustee LePine for support of the four lane interstate highway (I 98) across the North Country. All were in favor.

WHEREAS, Northern Corridor Transportation Group will be working closely with New York State Department of transportation and the Federal Highway Administration and

WHEREAS, construction of the highway will create thousands of jobs thus reducing unemployment rates and

WHEREAS, the four-lane highway will help alleviate congestion, particularly along Route 11 and Route 37, but at the same time drawing travelers to the area and

WHEREAS, the Village of Malone strongly urges the Commissioner of Transportation, Governor Paterson, New York State Senators, New York State Assembly persons, New York State Congress persons and all other parties involved to work closely with the Northern Corridor Transportation Group and

NOW, THEREFORE, be it resolved that the Village of Malone Board of Trustees, in its capacity as governing body of the Village of Malone, does hereby support the construction of a four-lane highway within St. Lawrence, Franklin, Lewis, Jefferson and Clinton Counties with spurs to Ogdensburg, Massena, Lowville and Plattsburgh.

Petition from the residents on Williamson Street and Marion Street for the 2-way stop sign to be converted to a 4-way stop sign. Stephen Stone, Chief of Police agrees with the hazardous situation in this area. Jeff Smith will have his department follow up.

Upon the motion of Trustee Patnode seconded by Trustee LePine and unanimously carried to convert this 2-way stop sign to a 4-way stop sign at the intersection of Williamson and Marion Street.

EMPLOYMENT APPLICATIONS:

- Michael Rousseau – Crossing Guard
- Joshua Cayea – Crossing Guard
- Daniel St. Denis – DPW

These applications have been forwarded to the appropriate personnel and placed on file.

TRAINING:

Mayor Brent Stewart to grant approval for Cheryl Douglas, Gordon Halley, Charles Robert and Carolyn Brown to attend SUNY Potsdam Government Conference on October 13, 2009.

Mayor Brent Stewart to grant approval for Jay Shanty to attend a NYRWA Pump Designs and Applications seminar in Canton on October 21, 2009.

POLICE REPORT:

Chief of Police Stephen Stone submitted a letter regarding the parking issue on Pearl Street due to the closing of the Willow Street bridge due to repairs.

**VILLAGE OF MALONE
RESOLUTION #13-2009
PEARL STREET "NO PARKING ZONE"**

WHEREAS, the Village of Malone has temporarily posted the west side of Pearl Street due to the temporary closing of the Willow Street bridge for repairs.

WHEREAS, the Board of Trustees feels that the parking should now be on a permanent basis.

WHEREAS, the Board of Trustees believes in traffic safety and a steady flow of traffic during school hours especially for the school buses.

NOW, THEREFORE, be it resolved that the Village of Malone Board of Trustees, in its capacity as governing body of the Village of Malone, does hereby support the posting of a "No Parking" zone on the west side of Pearl Street as described below.

Motion made by Trustee Hafter and seconded by Trustee LePine and unanimously carried for "No Parking" on the west side of Pearl Street from Milwaukee Street to the bridge, and the west side of South Pearl Street from Seaver Street to South Street between the hours of 7:00 AM and 4:00 PM, Monday through Friday permanently.

Chief of Police Stephen Stone submitted his monthly report for the month of August 2009.

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

Chief Stephen Stone reports that the roof is leaking at the police department and he needs to replace some shingles. He has reviewed the cost of the materials (\$550), which he could take from drug forfeiture money, and labor for two people (\$466), which he could take from maintenance fund, and looked into when this may be accomplished. He has asked that he use two laborers from DPW on a weekend so that business at the police department is not interrupted for an extended period of time.

Upon the motion of Trustee Hafter seconded by Trustee Patnode and unanimously carried to have the roof repaired on a weekend at the Police Department.

Chief Stephen Stone received an email late on Monday about a training seminar on Advanced Roadside Impaired Intoxicated Driver Enforcement he would like to send Patrol Officer Brian Miller to on September 21, 2009. Mayor Brent Stewart granted approval for this seminar.

EXECUTIVE SESSION:

Upon the motion of Trustee Patnode seconded by Trustee LePine and unanimously carried this meeting went into executive session for the purpose of discussing two personnel matters.

Upon the motion of Trustee Hafter seconded by Trustee Patnode and unanimously carried this meeting came out of executive session.

Upon the motion of Trustee Richards seconded by Trustee Patnode and unanimously carried this meeting went back into regular session.

Upon the motion made by Trustee LePine and seconded by Trustee Hafter and unanimously carried in favor by Mayor Stewart, by recommendation of the DPW Supervisor, Jeffrey Smith, Bryan Cole, an employee of the Village of Malone Department of Public Works, who is currently under the title of laborer is promoted to the title of MEO; this change in title is being made as a result of Mr. Cole's CDL license being reinstated.

Upon the motion made by Trustee Patnode and seconded by Trustee Richards and unanimously carried to promote Detective James Russell to Sergeant as of October 2, 2009.

ADJOURNMENT:

Upon the motion of Trustee LePine seconded by Trustee Patnode and unanimously carried to adjourn the meeting at 10:00 PM.

Respectfully submitted,

Cheryl A. Douglas
Village Clerk