

At a regular meeting of the Malone Village Board, held on September 28, 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  
Lenora Richards                      Trustee

Also in attendance:      Cheryl Douglas, Village Clerk                      Douglas Gallagher, PB  
   Dolly Maguire, Treasurer                      Kenneth Nephew, PB  
   Stephen Stone, Chief of Police                      Gregory Paye, PB  
   Jeffrey Smith, DPW Supervisor                      Frank Fisher, PB  
   Connie Jenkins, Malone Telegram                      Chuck Voss, CT Male  
   Charles Robert, Code Officer  
   Gordon Halley, Code Officer  
   Carolyn Brown, Code Secretary  
   Karen Elmer-Pritchard, Deputy Clerk

Others in attendance: Steve Butchino                      Jennifer Stevenson                      Debbie Gilson  
   Mary Scharf                      Lisa McKenna                      Hugh Hill  
   Lance Evans                      John LaSelva                      William Lacy  
   Dave Werner                      JoAnna Brown                      Chris LaBarge  
   Jackie Burns                      Ron Deragon                      Heather Carniege  
   Patrick Henry                      Christopher Covert                      Brick Marshall  
   Melissa Hellijas                      Doug Yando                      Gary Mageean  
   Bill McCabe                      Jack Fleury                      Jack Sullivan  
   Cheryl Bluteau                      Ed Legacy                      Rick Honahan  
   Calvin Martin                      Marla Schanck                      David Schanck

**APPROVE THE MINUTES OF THE LAST REGULAR MEETING:**      September 14, 2009

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

**PAY BILLS:**

<u>FUND</u>	<u>AMOUNT</u>
Joint Recreation Fund	2,281.05
Revolving Loan Fund	11,522.92
Water Fund	16,744.94
Sewer Fund	46,367.05
General Fund	79,906.80
Trust & Agency Fund	<u>90,622.91</u>
	\$247,445.67

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

**CODE APPLICATIONS:**

**Building Applications**

Loffler Gessler Family Trust  
418 Finch Dr.  
Satellite Beach, FL 32937

Application for a renewal of a building application to finish a single family residence at 56 Howard Ave. Application approved by Building Inspector Charles Robert.

Patricia St. Mary  
20 Wilson Street  
Malone, NY 12953

Application to build a garage from a kit at 20 Wilson Street at an estimated cost of \$5,000. Application approved by Building Inspector Charles Robert.

**Fence Applications**

Heidi Lange  
12 Park Street  
Malone, NY 12953

Application to build a wooden blockade fence at 12 Park Street. Application approved by Building Inspector Gordon Halley.

**PROPOSED SIGN CODE PUBLIC COMMENTS:**

Mayor Stewart started off by introducing the Planning Board members and Chuck Voss, Consultant from CT Male. He asked that Jack Fleury and Lance Evans speak first as they were included in the agenda and then go around the room and anyone that wishes to speak may. He stated we are looking for input at this time; no decision will be made tonight.

Jack Fleury spoke about how many signs are around town, not just realtor signs. Can you tell me where our signs are more offensive than all the other signs? He stated we don't put out signs to advertise. If you charge a fee, you have to give a service.

Lance Evans gave a three page detailed speech stating fundamental fairness of charging only for signs selling or renting real property. Why are real estate professionals being targeted?

Several other people in the board room made comments. They were concerned tax payers, real estate persons, and politicians. The general

consensus is why just the real estate people, why not everyone else. What is the purpose for the fee, was it compliance, complaints or purely trying to generate revenue? The other comments were who is going to enforce this issue, and ultimately you would spend more money policing them than you would generating revenue. Several speakers commented that placing of signs on private property is a “property right.” Several speakers agreed with the suggestion from one realtor that they should be treated as temporary signs.

**CEMENT APPLICATIONS:**

- Lyle Boyea Curbing  
33 Brown Street  
Malone, NY 12953

Upon the motion of Trustee LePine seconded by Trustee Richards and unanimously carried to approve the above curbing application as approved by Jeff Smith.

- David Bilow Drive  
29 Highland Ave  
Malone, NY 12953

Upon the motion of Trustee Richards seconded by Trustee LePine and unanimously carried to approve the above drive apron application as approved by Jeff Smith.

**WATER PURCHASE APPLICATION:**

- J. E. Sheehan 1000 gallons  
208 Sissonville Rd  
Potsdam, NY 13676

Upon the motion of Trustee LePine seconded by Trustee Richards and unanimously carried to approve the water purchase application.

**WATER SERVICE APPLICATION:**

- Branch Commercial Development LLC  
PO Box 390  
Malone, NY 12953

This was submitted to the Town of Malone who in turn submitted it to the Village Board of Trustees.

Upon the motion of Trustee LePine seconded by Trustee Richards and unanimously carried to acknowledge the water service application.

**FILLING AND GRADING PERMIT:**

- Sandra Fairchild  
51 South Pearl Street  
Malone, NY 12953

No action necessary.

**CORRESPONDENCE:**

Letter from the Department of Health in regards to West Main Street/Route 11 Sewer, Malone (T&V), Franklin County. Both Town and Village received copies of this letter. This letter will trigger an action by the Town to do a new sewer district which incorporates everything on the other side of the village corporate line. This probably will be a bit of time before they come up with some kind of plan which will be given to the Village to look at before it is finalized.

**NEW BUSINESS:**

**Budget Amendments:**

**REVOLVING LOAN FUND  
BUDGET AMENDMENT NO. 3-2009/2010**

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.

\$23,875.00 From Account No. CL599 Appropriated Fund Reserve

As Follows:

\$19,100.00 To Account No. CL8668.2 Housing Rehabilitation Grants

\$ 2,387.50 To Account No. CL8668.4 Program Delivery

\$ 2,387.50 To Account No CL8686.4 Administration

Motion Made By: Trustee Todd LePine

Seconded By: Trustee Lenora Richards

**GENERAL FUND  
BUDGET AMENDMENT NO. 14 – 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.

\$ 569.26 From Account No. A511.2 Appropriated Forfeiture Fund Reserve

As Follows:

\$ 569.26 To Account No. . A3120.1R Police Salaries (Forfeiture Fund)

\$ 500.00 From Account No. . A8020.4 Planning Board Other Expenses

As Follows:

\$ 500.00 To Account No. . A8020.1 Planning Board Salaries

Motion Made By: Trustee Lenora Richards

Seconded By: Trustee Todd LePine

Columbus Day Holiday – Our next regular meeting falls on October 12, 2009, which is the holiday.

Upon the motion of Trustee Richards seconded by Trustee LePine and unanimously carried to change the meeting date to October 15, 2009 at 6:30 PM.

**TRAINING:**

- Mayor Brent Stewart granted approval for Sgt. Chris Premo to attend Multijurisdictional Counterdrug Task Force Training Program from October 13 to October 15, 2009 in Lake Placid.

**POLICE REPORT:**

Chief Stone finished a grant application for up to \$30,000 for a live scan and card scan, which would be for fingerprinting.

**OLD BUSINESS:**

Residency requirement for the village clerk. Public hearing was held on September 14, 2009. Local Law #1-2009 has been drafted and when finalized will be sent to the Secretary of State.

Upon the motion of Trustee Richards seconded by Trustee LePine and unanimously carried to have the local law enacted to read the Village Clerk may reside in any municipality within the County of Franklin.

Letter of resignation received from Rene' Braley. She will be resigning from her Village Court Clerk position as of October 2, 2009 to accept employment elsewhere.

Upon the motion of Trustee LePine seconded by Trustee Richards and unanimously carried to accept her resignation letter and thank her for her years of service.

**EXECUTIVE SESSION:**

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

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

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

Upon the motion of Trustee LePine seconded by Trustee Richards and unanimously carried to adjourn the meeting at 8:20 PM.

Respectfully Submitted,

---

Cheryl A. Douglas  
Village Clerk