

**At a Public Hearing and Regular Meeting
of the Malone Village Board, held on
Monday, March 9, 2009, at 6:30 p.m., at
the Malone Village Meeting Room, located
at 16 Elm Street, the following were present:**

BRENT S. STEWART

MAYOR

**Susan Hafter
Lenora Richards
Todd LePine**

**Trustee
Trustee
Trustee**

Trustee Dailon Patnode and Malone Village Treasurer Dolly Maguire did not attend this meeting. Chief of Police Steve Stone was not in attendance tonight.

Also in attendance:

**Tammy R. LaValley, Malone Village Clerk
Jeffrey Smith, DPW Supervisor
Sgt. Dean Fountain, VOM Police Dept.
Hugh Hill, Chamber
Andrea Dumas, Malone
Ken Nephew, Malone
Mark Gonyea, Malone
Gordon B. Dewbury, MEDCO
Rob Camoin, Camoin Associates
Darcy Fargo, Malone Telegram**

PLEDGE OF ALLEGIANCE.

PUBLIC HEARING. CDBG PROGRAM 2009; CAMOIN ASSOCIATES.

The public hearing opened at 6:30 p.m. for public comment on the CDBG program, 2009, in which the Village intends to apply for grant monies to upgrade some deficiencies on the village's water system. Jeffrey Smith, DPW supervisor explained about the grant program. Rob Camoin, of Camoin Associates also commented on the subject. This public hearing is the first of two; the next hearing will be in April at which time, a resolution will be passed to go forward with the grant application. There were no public comments tonight, for or against, positive or negative in regards to the CDBG Program 2009.

The public hearing closed at 6:40 p.m.

MINUTES APPROVED FROM LAST REGULAR MEETING HELD ON 2-23-2009.

Upon motion made by Trustee LePine, seconded by Trustee Hafter and unanimously carried by the Malone Village Board, the minutes from the last meeting were approved as received.

Upon motion made by Trustee Lenora Richards, seconded by Trustee LePine and unanimously carried by the Malone Village Board, the following bills were authorized for payment:

BILLS PAID.

| | |
|-------------------------------|---------------------------|
| Joint Rec. Fund: | \$161.43 |
| Revolving Loan Fund: | \$5926.28 |
| Sewer Fund: | \$42160.96 |
| Water Fund: | \$43397.49 |
| General Fund: | \$119464.16 |
| Trust and Agency Fund: | <u>\$159310.04</u> |
| TOTAL: | \$370420.36 |

CODE APPLICATIONS.

**TIEP HOANG
12 TIFFANY WAY
PLATTSBURGH, NY**

APPLICATION SUBMITTED TO RENOVATE SPACE LOCATED AT 452 EAST MAIN STREET FOR A NAIL/SPA/TANNING SALON. MIKE HOSLER IS THE OWNER OF THE SPACE. ESTIMATED COST IS \$3000.00. APPLICATION WAS APPROVED BY CHARLES ROBERT, CODE ENFORCEMENT OFFICER.

This code application was reviewed by the Board and will be on file at the Malone Village Clerk's Office.

TABLED AT LAST MEETING; MEDCO APPLYING FOR A SMALL CITIES GRANT; TOWN WISHES TO BE LEAD AGENCY. GORDON DEWBURY AND ROB CAMOIN ATTENDING.

Upon motion made by Trustee LePine, seconded by Trustee Richards and unanimously carried by the Malone Village Board, this item was untabled from the last regular meeting.

Trustee LePine and Hafter stated that there had seemed to be some confusion at the last meeting as to what Medco was looking for and some confusion on all the grants and applications that are now out there.

Rob Camoin from Camoin Associates stated that there was a conference call after the last board meeting to further explain things. Mr. Camoin gave all the board members a chart that he had made up to show the number of opportunities that are out there for funding and the chart broke things down to clarify things better. The first grant shown on the chart is a CDBG Competitive Round grant through the Office of Community Renewal that the Village is presently applying for; that's what the public hearing tonight was for. It will help to rectify some problems with the Village's water supply line.

The next grant listed is the New York Main Street grant; this applicant will be Medco; and Medco would like a letter of support from the Village Board to be included with the application. The Deadline is April 24, 2009 to file. The use of these funds is for façade and interior renovations to downtown buildings, with first floor commercial and upstairs residential.

The next grant is RESTORE NY; final round. The owners of the Flanagan are looking to get some funding from this grant to help their project of rehabilitating the hotel. A letter of support has already been received from the Village Board for this grant. The letter of intent was submitted on that from the owner, but at this point the owner has not, all though he signed a contract, we have a requirement of 50% payment up front for the application, but not sure if the owner has submitted such.

The fourth grant is the CDBG open round; it's for revolving loans and grants to small and growing businesses with a focus on downtown. The applicant for this one will be the Town of Malone, with Medco being the administrator. The Town is looking to the Village for support; and to allow the Town to be lead agency.

The final grant is the HOME LPA. This is a grant used for the rehabilitation of low to moderate income housing. The applicant is the Village with the support from the Town, and the Village would be the administrator of the grant. The deadline, however, is March 17, 2009 so we would need to act quickly if the Village would truly like to apply. The Board will have to approve Camoin to proceed with the application process.

Mr. Camoin explained that this is a total of 3.5 million dollars that could potentially help the Village and the Town.

Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried by the Malone Village Board, the Malone Village Board hereby approves and supports the Town's application for the CDBG Open Round grant application with the Town of Malone as lead agency in the application process; also as part of this motion, MEDCO would be the administrator of such monies if this application is approved and funded.

Upon motion made by Trustee LePine, seconded by Trustee Richards and unanimously carried by the Malone Village Board, the Malone Village Board of Trustees hereby the following resolution, support MEDCO's resubmission of the Village's prior application for the New York Main Street application for grant monies. These monies, if received will be administered by MEDCO. Please see the following resolution:

RESOLUTION #4-2009

WHEREAS, the NYS Office for Community Renewal is making available funding for the NY Main Street (NYMS) Program, and

WHEREAS, eligible applicants include not-for-profit corporations, and

WHEREAS, the Malone Economic Development Corporation, a not-for-profit, has resolved to apply for New York Main Street funding, and

WHEREAS, the proposed service area is Main Street in Downtown Malone, and

WHEREAS, the proposed funding will assist in exterior and interior building improvements to downtown "main street" buildings and streetscape enhancements, and

WHEREAS, the Village of Malone is in support of the proposed projects to be included in the funding application, and

WHEREAS, the Village of Malone is pursuing a HOME housing grant, and

WHEREAS, proceeds of said grant will be made available to eligible applicants that participate in the Main Street Program, therefore be it

RESOLVED that the Village of Malone supports the Malone Economic Development Corporation in its efforts to procure funding through its NY Main Street Program application for main street/downtown revitalization efforts and will make available funds through the Malone Housing Rehabilitation Program to eligible applicants.

Upon motion made by Trustee Lenora Richards, seconded by Trustee Susan Hafter and unanimously carried by the Malone Village Board, the Malone Village Board hereby approves the submittal of a HOME LPA (home program) grant application, to be done by Camoin Associates; part of this motion is to also authorize the Mayor to sign such application, in which the focus will likely be village wide with a focus on downtown housing rehabilitation.

Rob Camoin will get the certification form and application to us very shortly on the HOME LPA grant, since the deadline for such application is March 17, 2009.

CORRESPONDENCE.

- 1. KEVIN ST. HILAIRE, FEH BOCES HEAVY EQUIPMENT INSTRUCTOR; WORK STUDY PROGRAM REQUEST.**

Over the past two years, there have been at least two students who work with the DPW and learn on the job. They are doing a work study program. Mr. St. Hilaire is asking once again to continue with this. Mayor Stewart asked the board for a vote. The students are covered under the BOCES insurance so there is no liability to the Village should something happen.

Upon motion made by Trustee Richards, seconded by Trustee LePine and unanimously carried by the Malone Village Board, the Village will allow two students to work with the DPW Supervisor and employees as part of a work study program through BOCES. Trustee Richards stated that it is good experience for the students and gives the Village a couple of extra helping hands.

- 2. INSURANCE CLAIM RECEIVED FROM CYNTHIA COSGROVE; FORWARDED TO VILLAGE OF MALONE INSURANCE COMPANY.**

This item is informational and is on file at the Village Clerk's office.

NEW BUSINESS.

- 1. COMMITTEE REPORTS.**

Trustee Richards stated that there have been seven meetings so far with the police in regards to negotiations. The next meeting is Wednesday, March 11, 2009. The DPW/Clerical negotiations start tomorrow, March 10, 2009.

There were no other committee reports tonight.

2. **DISCUSS WATERLINE MATERIALS, CLARIFIER BRUSH, AND DIGESTER CLEANER AND POSSIBILITY OF GOING OUT TO BID FOR SUCH.**

At this time, we need to get three items out to bid. One is a clarifier brush for the Wastewater Treatment Plant, and also a digester cleaner for the WWTP. The other is New Waterline Parts and Materials for work that needs to be done on Pershing Ave.

The Clarifier brush has been budgeted for. And the waterline materials and parts are also in the budget. The Digester Cleaner is an item that will be in the 2009-2010 budget. The state comptroller was contacted by the treasurer who wanted to be sure that going out to bid right now for the digester would be okay, since it hasn't been budgeted for yet. The State Comptroller's Office stated that as long as no work begins until after June 1, 2009, it is okay to put this out to bid and to award it.

Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried by the Malone Village Board, it is hereby approved by the Malone Village Board to go out to bid for the clarifier brush and work needed at the VOM Wastewater Treatment Plant. Bid Specs are being furnished by the DPW Supervisor, Jeff Smith and legal ads will be placed in the Malone Telegram. Vendors will be mailed bid packets.

Upon motion made by Trustee Richards, seconded by Trustee Hafter and unanimously carried by the Malone Village Board, it is hereby approved by the Malone Village Board to go out to bid for the Digester Cleaner and work needed at the VOM Wastewater Treatment Plant. Also approved would be the acceptance and award of such bid, however, no work should begin on this project until after June 1, 2009. Bid Specs are being furnished by the DPW Supervisor, Jeffrey Smith; ads will be placed in the Malone Telegram and vendors will be mailed the bid packets.

Upon motion made by Trustee LePine, seconded by Trustee Richards and unanimously carried by the Malone Village Board, it is hereby approved by the Malone Village Board to go out to bid for New Waterline Materials and Parts for work on Pershing Avenue. Bid specs are being furnished by the DPW Supervisor and legal notice will be placed in the Malone Telegram. Vendors will be mailed a bid packet.

3. **PLANNING BOARD WORK SESSION PLANNED FOR 3-25-2009 AT 7:00 P.M.; DISCUSS CURRENT AND PROPOSED SIGN CODE. MEETING IS BEING HELD IN THE VOM MEETING ROOM, 16 ELM STREET.**

This item is informational, for those who wish to attend.

4. **VILLAGE OF MALONE CLERK REPORT FOR THE MONTH OF FEBRUARY 2009.**

The Village Clerk stated that for the month of February 2009, the clerk's office collected \$68530.15.

Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried by the Malone Village Board, this report was approved and accepted as received.

5. BUDGET AMENDMENTS.

**GENERAL FUND
BUDGET AMENDMENT NO. 33-2008/2009**

**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.**

\$6,931.00 FROM ACCOUNT NO. A9060.8 Hospital & Medical Insurance

AS FOLLOWS:

\$6,931.00 TO ACCOUNT NO. A9010.8 Employees' Retirement

MOTION MADE BY: Trustee Susan Hafter

SECONDED BY: Trustee Todd LePine

APPROVED BY BOARD OF TRUSTEES ON: 03-09-09

**SEWER FUND
BUDGET AMENDMENT NO. 5-2008/2009**

**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.**

**\$26,400.00 FROM ACCOUNT NO. G8130.4 Waste Water Treatment Plant Other
Expenses**

AS FOLLOWS:

\$26,400.00 TO ACCOUNT NO. G8130.2 Waste Water Treatment Plant Equipment

MOTION MADE BY: Trustee Lenora Richards

SECONDED BY: Trustee Susan Hafter

APPROVED BY BOARD OF TRUSTEES ON: 03-09-09

**GENERAL FUND
BUDGET AMENDMENT NO. 34-2008/2009**

OFFERED BY: DOROTHY MAGUIRE, BUDGET OFFICER/TREASURER

WHEREAS, the Village Treasurer anticipates a General Fund Revenue shortfall for the current fiscal year: NOW THEREFORE, BE IT

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

Decrease Revenues: Non-Property Taxes by \$20,000
 Departmental Income by \$12,275
 Intergovernmental Charges by \$14,440
 Licenses & Permits by \$4,070
 State Aid by \$5,500
Total: \$56,285

Increase Revenues: Real Property Taxes & Tax Items by \$2,200
 Use of Money & Property by \$10,300
 Sale of Property & Compensation for Loss by \$5,800
 Miscellaneous Local Sources by \$1,529
 Interfund Transfers by \$433

Decrease Appropriations: A3620.1 Code Enforcement Salaries by \$16,345
 A5142.1 Snow Removal Salaries by \$5,000
 A1990.0 Contingency by \$14,678
Total: \$56,285

MOTION MADE BY: Trustee Todd LePine

SECONDED BY: Trustee Susan Hafter

APPROVED BY BOARD OF TRUSTEES ON: 03-09-09

6. **PLANNING CONTRACT BETWEEN THE VILLAGE OF MALONE AND ELAN PLANNING AND DESIGN.**

Trustee Susan Hafter stated that there were a couple of revisions done to this contract and she and the Treasurer needed some clarification before this is approved and authorized for signature. Unfortunately, she did not hear back from Lisa Nagle, from Elan Planning and Design before the board meeting tonight and would like to table this item until after she hears from Lisa to get some answers to a few questions.

Upon motion made by Trustee Hafter, seconded by Trustee LePine and unanimously carried by the Malone Village Board, this item is being tabled until the next board meeting scheduled for March 23, 2009.

7. **VOM POLICE REPORT FOR THE MONTH OF FEBRUARY 2009.**

Sgt. Dean Fountain read and reviewed the Police report tonight. It will be kept on file in the Village Clerk's office for review.

- 8. MAYOR STEWART GRANTS PERMISSION TO SEND VOM POLICE PERSONNEL TO THE FOLLOWING:**

**MARCH 10, 11, AND 12TH -OFFICER CASANDRA STONE
STANDARD FIELD SOBRIETY TEST COURSE IN CANTON**

**APRIL 28TH -SGT PREMO AND OFFICER CRAWFORD
FEDERAL LAW ENFORCEMENT TOOLBOX TRAINING**

**APRIL 7, 8, 9 AND 10TH -OFFICER KEMP
BREATHTEST OPERATOR ANALYSIS COURSE IN CANTON**

- 9. DISCUSS POSSIBLE RENTAL OF PARTIAL SPACE IN JUSTICE COURT BUILDING UNTIL BUILDING IS SOLD.**

Trustee LePine stated that he was approached by Michael Hart who is interested in renting space at 16 Elm Street for the purpose of storing musical instruments and for having jam sessions with his band. Mayor Stewart stated that Mr. Hart would need liability insurance and the board would have to establish a fee; by the square footage or a flat fee, if the board is in favor of this. Trustee Richards was not in favor of this idea; she has a concern about the noise; the building is next to a church and when the windows are all open in the warmer weather, it may be a problem. Trustee Hafter stated that she liked the idea. There would have to be specific hours set up. Mayor Stewart suggested getting more information on this item from Michael Hart; have Mr. Hart come before the board and present his ideas and requests. Then we can make a decision from there.

Upon motion made by Trustee LePine, seconded by Trustee Hafter and unanimously carried by the Malone Village Board, this item was tabled until Mr. Hart can be here to make a presentation. Trustee LePine stated that he will contact Mr. Hart to see if he can attend the next board meeting.

- 10. RESOLUTION AUTHORIZING THE MAYOR TO SIGN PERM I; UNDERTAKING IN CONNECTION WITH HIGHWAY PERMITS ISSUED BY NYS DOT AGREEMENT. (RESOLUTION ATTACHED.)**

**Village of Malone
14 Elm Street
Malone, NY 12953**

RESOLUTION #3-2009

March 10, 2009

At a regular meeting of the Malone Village Board, held on Monday, March 9, 2009, the following members of the Village of Malone Board of Trustees were present:

Mayor Brent S. Stewart

**Trustee Lenora Richards
Trustee Susan Hafter
Trustee Todd LePine**

Trustee Dailon Patnode did not attend this meeting.

At said meeting, Trustee Todd LePine made a motion in regards to the following resolution, which was seconded by Trustee Susan Hafter:

WHEREAS, the Village of Malone from time to time receives permits from the Department of Transportation (DOT) to temporarily obstruct, install, construct, maintain, operate, or replace any facilities within the bounds of a State highway right-of-way, and

WHEREAS, the Village is required by NYS DOT to indemnify or hold harmless agencies and/or officials of the State of New York for such temporary obstructions, installations, construction or maintenance.

THEREFORE, BE IT RESOLVED, that Brent S. Stewart, in his capacity as Mayor of the Village of Malone, is authorized to execute the Undertaking in Connection with Highway Permits Issued by NYS DOT Agreement.

The roll call vote was as follows:

Mayor Brent Stewart – aye; Trustee Lenora Richards – aye; Trustee Susan Hafter – aye; Trustee Todd LePine – aye; and the resolution was adopted. Trustee Dailon Patnode did not attend this meeting.

I, Tammy R. LaValley, Clerk of the Village of Malone, do declare that the above resolution is a true and exact copy of the original resolution as it appears in the official minute's book of the Board of Trustees of the Village of Malone.

Dated

**Tammy R. LaValley
Malone Village Clerk**

seal

- 11. MAYOR GRANTS PERMISSION TO DPW SUPERVISOR AND FIVE FIVE OTHER EMPLOYEES TO ATTEND TRAINING IN REGARDS TO DIGGING AND UNDERGROUND UTILITIES; THIS IS BEING HELD AT THE MALONE GOLF CLUB AT THE END OF MARCH.**

OLD BUSINESS.

- 1. SIGN APPLICATIONS APPROVED AT PLANNING BOARD MEETING, HELD ON FEBRUARY 25, 2009.**

1. WOODMEN OF THE WORLD.
 2. NORTHERN ADIRONDACK REALTY.
 3. PERYEA LABARGE REAL ESTATE.
2. BUDGET WORK SESSIONS:

SCHEDULED AS FOLLOWS: MARCH 21ST 9:00 A.M.

MARCH 28TH - TIME
TO BE DETERMINED.

APRIL 4TH - TIME TO BE
DETERMINED.

The Malone Village Clerk that a member of the Rec Park Commission's term has expired; Ms. Kathleen Perras; she was contacted and has decided not to continue on as a member; she has a lot of personal things going on in her life and does not have enough time to devote to the board. She stated that she would send a letter in writing. There is now an opening on this board if anyone knows of someone who may be interested. An ad will go into the newspaper as well.

EXECUTIVE SESSION (IF WARRANTED).

There was no executive session held tonight.

ADJOURN.

Upon motion made by Trustee LePine, seconded by Trustee Richards and unanimously carried by the Malone Village Board, this meeting adjourned at 7:40 p.m.

RESPECTFULLY SUBMITTED:

**TAMMY R. LAVALLEY
MALONE VILLAGE CLERK**