

At a regular meeting of the Malone Village Board, held on April 12, 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
Susan Hafter	Trustee

Also in attendance:

Cheryl Douglas, Village Clerk	Darcy Fargo, Malone Telegram
Dorothy Maguire, Village Treasurer	Jeff Smith, DPW Superintendent
Stephen Stone, Chief of Police	Brenda Marlowe, Resident
Michelle Picaro-Scott, Student	Mr. & Mrs. Tim Allen, Resident

**Public Hearing** – Tentative Budget – Budget hearing was opened at 6:30 PM. Dorothy Maguire compared the spending plans for all the funds against this current year; the village will be reducing their plan by \$324,241 a decrease of 4.70%. The tax levy will have a decrease of \$45,578 for 1.46%, tax rate will remain the same. The tax limit will show an increase of 5.13%. There being no public comment on the tentative budget the public hearing was closed at 6:39 PM. This will be voted on at the next meeting to be held on 4/26/2010.

**Public Hearing** – Define Phase II Water Project – Water project hearing was opened at 6:40 PM. This will be an extension of Phase I, which will be from Duane Street to the Rec Park. The grant will be written for \$600,000. There being no public comment the public hearing was closed at 6:45 PM.

**APPROVE THE MINUTES OF LAST REGULAR MEETING: 03/22/2010**

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

**APPROVE THE MINUTES OF PUBLIC HEARING: 04/1/2010**

Upon the motion of Trustee Patnode seconded by Trustee Hafter and carried (4-0) to accept the minutes as presented and placed on file. (Mayor Stewart was not in attendance).

**PAY BILLS:**

<u>FUND</u>	<u>AMOUNT</u>
Revolving Loan Fund	5,185.24
Joint Recreation Fund	8,246.91
Sewer Fund	64,728.91
Water Fund	68,800.08
Capital Projects Fund	150,000.00
Trust & Agency Fund	224,891.85

General Fund 251,258.60  
\$ 773,111.59

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

**CODE APPLICATIONS:**

**BUILDING APPLICATIONS:**

Royal Forgues  
Tammy Dupont Forgues  
PO Box 832  
Malone, NY 12953

Application to construct a 20' x 26' storage shed at 23 Hillside Ave. at an estimated cost of \$2,750.00. Application approved by Building Inspector Gordon Halley.

Douglas LaPradd  
43 Bucktown Road  
Massena, NY 13662

Application for a Certificate of Occupancy at 386 West Main Street to open a taxi stand replacing the one that was located at this address. Application approved by Building Inspector Charles Robert.

Malone Housing Authority  
215 Elm Street  
Malone, NY 12953

Application to renovate 25 family kitchens at 215 Elm Street at an estimated cost of \$90,600.00. Application approved by Building Inspector Gordon Halley.

**HEATING APPLIANCE APPLICATIONS**

Don Collette  
59 Cedar Street  
Malone, NY 12953

Application to install an oil boiler at 59 Cedar Street. Application approved by Building Inspector Charles Robert.

**FILLING AND GRADING APPLICATION**

Ian Martin  
8900 Viscount # 211  
El Paso, TX 79925

Application to fill and grade at 22 Andrus Street. Filling and grading are required to repair the backyard. Application approved by Planning Board on April 7, 2010.

**SIDEWALK APPLICATIONS:**

Barry Leonard – 254 Elm Street – Sidewalk  
William Smith – 72 Academy Street – Sidewalk  
Marion Murphy – 10 Jones Street – Sidewalk

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

**CORRESPONDENCE:**

**CFSWMA** – Roadside Waste will be accepted during the month of May at a cost of \$55.00 per ton delivered by any state, county, town or village owned vehicle.

**County of Franklin IDA** – Meeting Schedule – John Tubbs is requesting our board room on April 28, 2010 at 5:00 PM.

**NYSDOT** – Letter to Burley & Guminiak regarding the water main replacement and gave a list of comments they had for the project.

**Burley-Guminiak & Associates** – Letter to NYSDOT regarding the water main replacement addressing their comments of their letter dated March 19, 2010.

**NYSDOT** – Signal Improvement Project at the interestecction of NYS Route 30 (Elm Street) and Park Street.

**Rec Park Commission Board Member Vacancy** - Letter of interest received from Marlene LeRoy to fill the vacancy of Tanya Benware who resigned.

Upon the motion of Trustee Richards seconded by Trustee Patnode and unanimously carried to approve Marlene LeRoy for the rec park commission to fill the unexpired term until 3/1/2012.

**Time Warner Cable** – Style – This is a new service including new HD channels, on demand programming, and enhanced high-speed data services.

**NEW BUSINESS:**

**Sign Code** – Chapter 48 proposed revision. Need to set public hearing (4/26/10)

Upon the motion of Trustee Hafter seconded by Trustee Richards and unanimously carried to set the public hearing for the sign code revisions for April 26, 2010 at 6:30 PM.

**Used Vehicles** – Authorization to go out to bid for three vehicles at DPW.

Upon the motion of Trustee Richards seconded by Trustee LePine and unanimously carried to go out to bid for the 1992 Dodge D250, 1999 GMC, 1998 Ford Ranger to be opened at 12:00 on April 23, 2010.

**Justice Court – Distribution Statement – February 2010**

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

**HOME Project** – Completed applications for approval as presented by the Project Review Committee.

**Resolution #15-2010 - 04-VM-ML**

**VILLAGE OF MALONE  
RESOLUTION NO. 15-2010**

**HOME PROGRAM GRANT CONTRACT CASE NO: 04-VM-ML**

WHEREAS, the Village of Malone (the “Village”) was awarded a grant in the amount of \$400,000.00 from the New York State Division of Housing and Community Renewal to assist in the rehabilitation of residential units located in the Village; and

WHEREAS, the Project Review Committee has reviewed the application for Project Case Number 04-VM-ML and recommends approval of a grant award of Fifteen Thousand Dollars (\$15,000.00) to Ms. Maureen Lewis of 118 Ft. Covington St., Malone NY 12953 to carry out the approved scope of work on her property;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees agrees to enter into a contract with the applicant of HOME Program Grant Case No. 04-VM-ML as presented by the Project Review Committee.

Motion Made By: Trustee Richards

Seconded By: Trustee Patnode

**Resolution #16-2010 - 05-VM-MM**

**VILLAGE OF MALONE  
RESOLUTION NO. 16-2010**

**HOME PROGRAM GRANT CONTRACT CASE NO: 05-VM-MM**

WHEREAS, the Village of Malone (the “Village”) was awarded a grant in the amount of \$400,000.00 from the New York State Division of Housing and Community Renewal to assist in the rehabilitation of residential units located in the Village; and

WHEREAS, the Project Review Committee has reviewed the application for Project Case Number 05-VM-MM and recommends approval of a grant award of Eleven Thousand One Hundred Fifty Four Dollars and Ninety Six Cents (\$11,154.96) to Mr. and Ms. Michael and Rosemary Monette of 8 Clark St., Malone NY 12953 to carry out the approved scope of work on their property;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees agrees to enter into a contract with the applicant of HOME Program Grant Case No. 05-VM-MM as presented by the Project Review Committee.

Motion Made By: Trustee LePine  
Seconded By: Trustee Hafter

**Resolution #17-2010 - 06-VM-ES**

**VILLAGE OF MALONE  
RESOLUTION NO. 17-2010**

**HOME PROGRAM GRANT CONTRACT CASE NO: 06-VM-ES**

WHEREAS, the Village of Malone (the "Village") was awarded a grant in the amount of \$400,000.00 from the New York State Division of Housing and Community Renewal to assist in the rehabilitation of residential units located in the Village; and

WHEREAS, the Project Review Committee has reviewed the application for Project Case Number 06-VM-ES and recommends approval of a grant award of Eleven Thousand Nine Hundred and Twenty Five Dollars (\$11,925.00) to Ms. Elizabeth Steenberge of 20 Charles St., Malone NY 12953 to carry out the approved scope of work on her property;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees agrees to enter into a contract with the applicant of HOME Program Grant Case No. 06-VM-ES as presented by the Project Review Committee.

Motion Made By: Trustee Patnode  
Seconded By: Trustee Richards

**Resolution #18 - Submission of Grant Application NYSCDBG/OCR for the Phase II Water Project.**

**VILLAGE OF MALONE  
RESOLUTION NO. 18-2010**

**Resolution Authorizing Submission of a Grant Application for the  
2010 New York State Community Development Block Grant  
Office of Community Renewal Annual Competitive Round Program**

WHEREAS, the Village of Malone is determined to continue pursuing revitalization and community development plans; and

WHEREAS, the Village of Malone has identified public water infrastructure as a critical community development need; and

WHEREAS, the Village has identified a project that would resolve repeated breaks in the Duane Street water main, which will enhance fire safety in the downtown and provide benefit to the Village at large; and

WHEREAS, the Village of Malone is predominately low to moderate income; and

WHEREAS, the replacement of the section of the Duane Street water main between Halley Drive and the west side pumping station will provide benefit to the area's low and moderate income population and address public safety concerns; and

WHEREAS, the only affordable means to secure funding for this public water infrastructure project is through the New York State Community Development Block Grant Office of Community Renewal Program; and

WHEREAS, the Village of Malone is an eligible applicant under the Community Development Block Grant Office of Community Renewal Program and is thus eligible for financial assistance, and

WHEREAS, the application for said grant assistance requires the submission of certifications along with and as part of said application;

**NOW, THEREFORE, BE IT RESOLVED**, by the Village of Malone Board of Trustees, being the governing body thereof, that Brent Stewart, Mayor of the Village of Malone, is hereby authorized and directed to:

1. Sign and submit an application not to exceed \$600,000 to the New York State Office of Community Renewal for a public infrastructure improvement project;
2. Act as authorized representative of the Village of Malone in connection with the submission of the application; and
3. Provide such additional information as may be requested.

Motion Made by: Trustee Richards

Seconded By: Trustee Hafter

**Resolution #19** - Contract – Agreement between Camoin Associates and VOM to amend the water fund budget to have Camoin write that grant.

**VILLAGE OF MALONE  
RESOLUTION NO. 19-2010**

**AUTHORIZATION TO EXECUTE AGREEMENT WITH CONSULTANT FOR WRITING OF 2010 NYS OCR GRANT APPLICATION & AMENDMENT TO WATER FUND BUDGET**

WHEREAS, on March 22, 2010, the Village of Malone (the “Village”) awarded grant writing, grant administration and program/project delivery services for a number of various grants that it may choose to apply for over the course of the next three years to Camoin Associates, Inc.; and

WHEREAS, the Village has agreed to submit a grant application for a 2010 New York State Community Development Block Grant Office of Community Renewal Annual Competitive Round Program for a project defined as Phase II Duane Street Water Main Replacement Project; and

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees authorizes the Mayor to enter into an agreement with Camoin Associates, Inc. for professional services associated with a 2010 New York State Community Development Block Grant Office of Community Renewal grant application at a cost of \$6,500.00; and

**BE IT FURTHER RESOLVED:** The Village Board of Trustees agrees to amend the Water Fund budget by transferring the following:

\$6,500.00 From Account No. F599 Appropriated Fund Balance

As Follows:

\$6,500.00 To Account No. F8310.4 Water Administration Other Expenses

Motion Made By: Trustee Hafter

Seconded By: Trustee Patnode

**Resolution #20** - RFP Engineering Services – We received four requests for proposals: Barton & Loguidice, PC, CT Male Associates, Chazen Companies and Bernier, Carr & Associates. The total scores were reviewed and it was unanimous that the engineering firm of Barton & Loguidice was the most impressive.

**VILLAGE OF MALONE  
RESOLUTION NO. 20-2010**

**WASTE WATER SEWER SYSTEM AND TREATMENT PLANT ENGINEERING  
SERVICES BID AWARD**

WHEREAS, the Village of Malone requested proposals for engineering services/qualifications to complete a Waste Water Sewer System and Waste Water Treatment Plant Study; and

WHEREAS, the result of the study will produce long and short term planning for the operation of the Waste Water Sewer System and Waste Water Treatment Plant; and

WHEREAS, it is understood that the scope of services agreement will be produced after the consultant engineer is selected;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees hereby selects the engineering firm of Barton & Loguidice P.C. to complete a Waste Water Sewer System and Waste Water Treatment Plant Study.

Motion Made By: Trustee Hafter

Seconded By: Trustee Patnode

**Resolution #21** - Clarifier Pool Brush System – Two bids were received, one from Ford Hall (\$26,599) and one from Envirodyne (\$26,318). The difference in the bid was \$281 dollars.

**VILLAGE OF MALONE  
RESOLUTION NO. 21-2010**

**CLARIFIER POOL BRUSH SYSTEM BID AWARD**

WHEREAS, the Village of Malone solicited bids for the purpose of designing, manufacturing and installing a Clarifier Pool Brush System located at the Waste Water Treatment Plant;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees awards the bid to Ford Hall at a cost of Twenty Six Thousand Five Hundred Ninety Nine (\$26,599.00) based on previous experience of installing two similar systems at the Village of Malone's Waste Water Treatment Plan and lack of a reference list from the second bidder.

Motion Made By: Trustee Patnode  
Seconded By: Trustee Richards

**Resolution #22** - Rec Park Maintenance Worker approval for seasonal work.

**VILLAGE OF MALONE  
RESOLUTION NO. 22-2010**

**RECREATIONAL PARK MAINTENANCE WORKER APPROVAL**

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 recommended the hiring of Jeremy Temper as the Recreational Park's Maintenance Worker;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees approves the hiring of Jeremy Temper to the seasonal position of Recreational Park Maintenance Worker effective April 16, 2010 at an hourly rate of \$10.00.

Motion Made By: Trustee Richards  
Seconded By: Trustee LePine

**Resolution #23** - Dispatcher Position – Creation of a new full time dispatcher.

**VILLAGE OF MALONE  
RESOLUTION NO. 23-2010**

**APPROVAL OF FULL TIME DISPATCHER POSITION**

WHEREAS, the Village of Malone desires to create a new full time dispatcher position; and

WHEREAS, under Civil Service Law, the position will be competitive;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees approves the creation of a new full time dispatcher position and authorizes staff to submit a MSD-222 New Position Duties Statement to the Franklin County Personnel Office.

Motion Made By: Trustee Hafter  
Seconded By: Trustee Patnode

**Resolution #24** - Village Tax Refund due to a clerical error as the parcel was entitled to a veteran's exemption.

**VILLAGE OF MALONE  
RESOLUTION NO. 24-2010**

**APPROVAL OF 2009 VILLAGE TAX REFUND**

WHEREAS, the Village of Malone has received notification from Franklin County Real Property of a clerical error as defined in Section 550 (2) of the Real Property Tax Law on Village tax bill #312; and

WHEREAS, the parcel was entitled to a veterans exemption which had been removed in error;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees approves the refund of \$195.39 for Village 2009 tax bill #312.

Motion Made By: Trustee Patnode

Seconded By: Trustee LePine

**Resolution #25** - State Street Arena Capital Project Closure

**VILLAGE OF MALONE  
RESOLUTION NO. 25-2010**

**STATE STREET ARENA CAPITAL PROJECT CLOSURE**

WHEREAS, the Village of Malone was awarded a Grant from the New York State Office of Parks, Recreation and Historic Preservation (the "NYS OPRHP") in the amount of One Hundred Fifty Thousand Dollars (\$150,000); and

WHEREAS, the funds were used to improve the existing State Street Arena by installing a new floor system, and cooling system for the ice surface; and

WHEREAS; the total cost of the project was Three Hundred Eighty Five Thousand Ninety Three Dollars (\$385,093); and

WHEREAS, the amount of Two Hundred Thirty Five Thousand Ninety Three Dollars (\$235,093) was donated by the Malone Minor Hockey Association; and

WHEREAS, the project has been completed and final payment has been received from NYS OPRHP;

**NOW THEREFORE BE IT RESOLVED;** The Village Board of Trustees authorizes the closure of State Street Arena Capital Project.

Motion Made By: Trustee Hafter

Seconded By: Trustee Patnode

**Resolution #26** - Reclassify Name of Unemployment Capital Reserve Fund – Treasurer Dorothy Maguire is asking the board to change the title on that reserve fund.

**VILLAGE OF MALONE  
RESOLUTION NO. 26-2010**

**RECLASSIFY NAME OF UNEMPLOYMENT CAPITAL RESERVE FUND**

WHEREAS, on May 8, 1978, the Village of Malone Board of Trustees established a Capital Reserve Fund pursuant to 6-m of the General Municipal Law for the purpose of accumulating moneys to reimburse the State Unemployment Insurance Fund for payments made to claimants; and

WHEREAS, moneys accumulated in this fund have been accounted for in the General Fund;

**NOW THEREFORE BE IT RESOLVED:** the reserve fund established pursuant to section 6-m of the General Municipal Law, for the purpose accumulating moneys to reimburse the State Unemployment Insurance Fund for payments made to claimants will be known as the “General Unemployment Insurance Payment Reserve Fund”.

**BE IT FURTHER RESOLVED:** The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Malone. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Motion Made By: Trustee Richards

Seconded By: Trustee LePine

**Resolution #27** - Establishment of Water Unemployment Insurance Payment Reserve Fund

**VILLAGE OF MALONE  
RESOLUTION NO. 27-2010**

**ESTABLISHMENT OF WATER UNEMPLOYMENT INSURANCE PAYMENT RESERVE FUND**

**RESOLVED:** that pursuant to section 6-m of the General Municipal Law, as amended, there is hereby established an unemployment insurance payment reserve fund to be known as the “Water Unemployment Insurance Payment Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to reimburse the State Unemployment Insurance Fund for payments made to claimants.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Malone. Any interest

earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

A referendum is not required to expend reserve monies.

Motion Made By: Trustee LePine

Seconded By: Trustee Patnode

**Resolution #28 - Establishment of Sewer Unemployment Insurance Payment Reserve Fund**

**VILLAGE OF MALONE  
RESOLUTION NO. 28-2010**

**ESTABLISHMENT OF SEWER UNEMPLOYMENT INSURANCE PAYMENT RESERVE FUND**

**RESOLVED:** that pursuant to section 6-m of the General Municipal Law, as amended, there is hereby established an unemployment insurance payment reserve fund to be known as the "Sewer Unemployment Insurance Payment Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to reimburse the State Unemployment Insurance Fund for payments made to claimants.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Malone. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

A referendum is not required to expend reserve monies.

Motion Made By: Trustee Hafter

Seconded By: Trustee Richards

**Resolution #29 - Establishment of Water Capital Reserve Fund**

**VILLAGE OF MALONE  
RESOLUTION NO. 29-2010**

**ESTABLISHMENT OF WATER CAPITAL RESERVE FUND**

**RESOLVED:** that pursuant to section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Water Capital Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of capital improvement. The type of capital improvement to be financed from the Reserve Fund is the construction and/or reconstruction of the water system source of supply, transportation and distribution.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Malone. Any interest

earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c.

Motion Made By: Trustee Patnode

Seconded By: Trustee LePine

**Resolution #30 - Establishment of Sewer Capital Reserve Fund**

**VILLAGE OF MALONE  
RESOLUTION NO. 30-2010**

**ESTABLISHMENT OF SEWER CAPITAL RESERVE FUND**

RESOLVED: that pursuant to section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Sewer Capital Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of capital improvement. The type of capital improvement to be financed from the Reserve Fund is the construction and/or reconstruction of the waste water sewer system and/or waste water treatment plant.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Malone. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c.

Motion Made By: Trustee Richards

Seconded By: Trustee Hafter

**Resolution #31 - Establishment of General Equipment Reserve Fund**

**VILLAGE OF MALONE  
RESOLUTION NO. 31-2010**

**ESTABLISHMENT OF GENERAL EQUIPMENT RESERVE FUND**

**RESOLVED:** that pursuant to section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “General Equipment Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is the acquisition of equipment for the administration and operation of General Fund activities.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Malone. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c.

Motion Made By: Trustee LePine

Seconded By: Trustee Richards

**Resolution #32 - Establishment of Water Equipment Reserve Fund**

**VILLAGE OF MALONE  
RESOLUTION NO. 32-2010**

**ESTABLISHMENT OF WATER EQUIPMENT RESERVE FUND**

**RESOLVED:** that pursuant to section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “Water Equipment Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is the acquisition of equipment for the administration and operation of the entire water system.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Malone. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c.

Motion Made By: Trustee Patnode  
Seconded By: Trustee Hafter

**Resolution #33 - Establishment of Sewer Equipment Reserve Fund**

**VILLAGE OF MALONE  
RESOLUTION NO. 33-2010**

**ESTABLISHMENT OF SEWER EQUIPMENT RESERVE FUND**

**RESOLVED:** that pursuant to section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “Sewer Equipment Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment. The type of equipment to be financed from the Reserve Fund is the acquisition of equipment for the administration and operation of the entire sewer system and waste water treatment plant.

The Village Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Malone. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Village Treasurer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Except as otherwise provided by section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and without such additional actions or proceedings as may be required by section 6-c of the General Municipal Law, including a permissive referendum if required by subdivision 4 of section 6-c.

Motion Made By: Trustee Richards  
Seconded By: Trustee LePine

**Resolution #34 – Solicitation of bids for the water main replacement Phase I**

**VILLAGE OF MALONE  
RESOLUTION NO. 34-2010**

**AUTHORIZATION TO SOLICIT BIDS FOR DUANE STREET WATER MAIN  
REPLACEMENT PHASE I**

WHEREAS, the Village of Malone (the “Village”) was awarded a 2009 New York State Community Development Block Grant (NYS CDBG) in the amount of \$515,000 from the New York State Housing Trust Fund Corporation to assist in completion of a public water project; and

WHEREAS, the project to be completed has been defined as the Duane Street Water Main Replacement Phase I;

WHEREAS, the bid document has been prepared by the engineering firm of Burley-Guminiak & Associates, Consulting Engineers, PLLC; and

WHEREAS, the bid document has been approved by the New York State Department of Health, New York State Department of Transportation and New York State Office of Community Renewal;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees authorizes the solicitation of bids for the replacement of Duane Street Water Main Phase I; and

**BE IT FURTHER RESOLVED:** The bids will be opened on May 7, 2010 at 12:00 noon at the Village Clerk's office located at 14 Elm Street Malone.

Motion Made By: Trustee LePine  
Seconded By: Trustee Richards

**BUDGET AMENDMENTS:**

**GENERAL FUND  
BUDGET AMENDMENT NO. 36-2009/2010**

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.

\$82,642.00 FROM ACCOUNT NO. A909 Unreserved Fund Balance

AS FOLLOWS:

\$82,642.00 TO ACCOUNT NO. A889 Employee Benefit Liability Reserve

MOTION MADE BY: Trustee Richards  
SECONDED BY: Trustee Hafter

**GENERAL FUND  
BUDGET AMENDMENT NO. 37 – 2009/2010**

Related to the appropriation and/or transfer of funds;

NOW, THEREFORE BE IT RESOLVED: that the following transfer approved on March 22, 2010 is rescinded:

Reduce Revenue Code: A1001 Real Property Taxes by \$5,453.86

Increase Appropriation Code A8660.2 Acquisition of Real Property by \$5,453.86

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

\$5,453.86 FROM ACCOUNT NO. A1990.0 Contingency

AS FOLLOWS:

\$5,453.86 TO ACCOUNT NO. A8660.2 Acquisition of Real Property

Motion Made By: Trustee LePine

Seconded By: Trustee Hafter

**WATER FUND**

**BUDGET AMENDMENT NO. 8-2009/2010**

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.

\$180,988.00 FROM ACCOUNT NO. F909 Unreserved Fund Balance

AS FOLLOWS:

\$ 10,000.00 TO ACCOUNT NO. F815 Unemployment Insurance Payment Reserve

\$160,000.00 TO ACCOUNT NO. F878 Water Fund Capital Reserve

\$ 10,988.00 TO ACCOUNT NO. F889 Employee Benefit Liability Reserve

MOTION MADE BY: Trustee Patnode

SECONDED BY: Trustee LePine

**SEWER FUND**

**BUDGET AMENDMENT NO. 4-2009/2010**

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.

\$761,982.00 FROM ACCOUNT NO. G909 Unreserved Fund Balance

AS FOLLOWS:

\$ 10,000.00 TO ACCOUNT NO. G815 Unemployment Insurance Payment Reserve

\$705,000.00 TO ACCOUNT NO. G878 Sewer Fund Capital Reserve

\$ 46,982.00 TO ACCOUNT NO. G889 Employee Benefit Liability Reserve

MOTION MADE BY: Trustee Richards

SECONDED BY: Trustee Hafter

**REVOLVING LOAN FUND**

**BUDGET AMENDMENT NO. 5-2009/2010**

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.

\$15,831.26 From Account No. CL599 Appropriated Fund Reserve

As Follows:

\$12,425.00 To Account No. CL8668.2 Housing Rehabilitation Grants

\$ 1,553.13 To Account No. CL8668.4 Program Delivery

\$ 1,553.13 To Account No. CL8686.4 Administration

\$ 300.00 To Account No. CL8686.4 Other Expenses

Motion Made By: Trustee Richards

Seconded By: Trustee Hafter

**DPW REPORT: Spring Pick-Up**

Jeff Smith announced that we began spring pick up today, Monday, April 12 through April 23. Brenda Marlowe spoke on behalf of the residents of Malone and the older people who don't have a means to get rid of brush and such. Mayor Stewart said he is working on something right now and will hopefully have an answer soon.

**TAXI SERVICE** – Tim Allen was present with his wife to report that we no longer have a taxi service and he would like to open up a stand, not in the village, but rather outside the village limits. Mayor Stewart stated he would need to fill out an application, have a location for the stand; the stand would have to be reviewed by the code officer and he would also need to be approved by the Village Police. Mayor Stewart asked if he could check with the Town of Malone to see what their policy is and Mayor Stewart said he would check the village code on taxi service and get back to him.

**POLICE CHIEF'S REPORT:**

Chief Stone presented the report for March 2010.

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

**EXECUTIVE SESSION:**

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

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

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

**ADJOURNMENT:**

Upon the motion of Trustee LePine seconded by Trustee Patnode and unanimously carried to adjourn the meeting at 8:45 PM.

Respectfully submitted,

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Cheryl A. Douglas, Village Clerk