

At a regular meeting of the Malone Village Board, held on December 14, 2009, 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
Susan Hafter	Trustee
Todd LePine	Trustee

Also in attendance:

Cheryl Douglas, Village Clerk	Ed Boyea
Jeffrey Smith, DPW Supervisor	Malcolm Miner
Dolly Maguire, Treasurer	Tom Sherwin
Stephen Stone, Chief of Police	Brian Monette
Darcy Fargo, Malone Telegram	Tom Owney

APPROVE THE MINUTES OF SPECIAL MEETING: 11/16/2009

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

APPROVE THE MINUTES OF LAST REGULAR MEETING: 11/23/09

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

APPROVE THE MINUTES OF ORGANIZATIONAL MEETING: 12/7/09

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

PAY BILLS:

<u>FUND</u>	<u>AMOUNT</u>
Joint Recreation Fund	1,065.63
Revolving Loan Fund	17,634.22
Water Fund	34,764.23
Sewer Fund	35,917.36
Trust & Agency Fund	139,375.57
General Fund	<u>141,255.90</u>
	\$ 370,012.91

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

CODE APPLICATIONS:

Building Applications

AIM Properties
34 Clay Street
Malone, NY 12953

Application to build non structural partition walls, demo water fountain, paint, carpet and do minor electrical work at 453 East Main Street at an estimated cost of \$17,000. Application approved by Building Inspector Charles Robert.

A & M Beverages
627 East Main Street
Malone, NY 12953

Application to build up the roof and rafters with galvanized steel at 627 East Main Street at an estimated cost of \$8,500. Application approved by Building Inspector Charles Robert.

HEATING APPLIANCE APPLICATIONS

Robert Hammond
5 Murray Street
Malone, NY 12953

Application to have a boiler installed at 5 Murray Street by Adirondack Energy. Application approved by Building Inspector Charles Robert.

Hipolita Miller
17 Patnode Street
Malone, NY 12953

Application to have a boiler installed at 34 Scott Drive by Leroux Oil. Application approved by Building Inspector Charles Robert.

JanaMarie Tylenda
34 Scott Drive
Malone, NY 12953

Application to have a metal flue installed at 5 Murray Street by Adirondack Energy. Application approved by Building Inspector Gordon Halley.

SIGN APPLICATIONS

John Mills
100 Elm Street
Malone, NY 12953

Application to erect a non-illuminated pole sign at 144 Elm Street at an estimated cost of \$200. Application approved by Building Inspector Charles Robert.

John Mills
100 Elm Street
Malone, NY 12953

Application to erect a non-illuminated pole sign at 56 Park Street at an estimated cost of \$200. Application approved by Building Inspector Charles Robert.

John Mills
100 Elm Street
Malone, NY 12953

Application to erect a non-illuminated pole sign at 73 Elm Street at an estimated cost of \$200. Application approved by Building Inspector Charles Robert.

John Mills
100 Elm Street
Malone, NY 12953

Application to erect a non-illuminated pole sign at 80 Elm Street at an estimated cost of \$200. Application approved by Building Inspector Charles Robert.

John Mills
100 Elm Street
Malone, NY 12953

Application to erect a non-illuminated pole sign at 100 Elm Street at an estimated cost of \$200. Application approved by Building Inspector Charles Robert.

PERSONNEL:

Trustee Hafter and Trustee Richards reviewed six applications and recommended three names for the position to Justice Marsden and Justice Lamitie. The recommendation from the justices was Meagan Marshall.

**VILLAGE OF MALONE
RESOLUTION NO. 26-2009**

AUTHORIZATON TO HIRE JUSTICE COURT CLERK

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the hiring of Meagan Marshall to the position of Justice Court Clerk effective December 15, 2009 at an hourly rate of \$11.00.

Motion Made By: Trustee Hafter
Seconded By: Trustee Richards
Approved By Board of Trustees on: December 14, 2009

Chief of Police Stephen Stone has a vacant part-time police dispatcher position (20 hours a week) and would like to recommend Craig Collette as he is on the dispatcher list and presently working at 911 part-time. He also has training at the police department as a retired police officer.

**VILLAGE OF MALONE
RESOLUTION NO. 27-2009**

AUTHORIZATION TO HIRE PART-TIME DISPATCHER

WHEREAS, the Village of Malone (the “Village”) has a vacant part-time police department dispatcher position available;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the hiring of Craig Collette as a part-time police department dispatcher at an hourly rate of Thirteen Dollars (\$13.00) effective December 15, 2009.

Motion Made By: Trustee Patnode
Seconded By: Trustee Richards
Approved by Board of Trustees: December 14, 2009

CORRESPONDENCE:

- Memorial Recreation Pond Dam – Letter from NYSDEC regarding clean-up. For informational purposes.
- Abandoned Building – Letter from Poissant, Nichols, Grue & Vanier, P.C. regarding the old LaPizza building. Mr. Nichols feels that it needs to be torn down. For informational purposes.
- Trooper Barracks Sewer Line & Proposed Branch Commercial Development Hotel Sewer Line – Letter from NYSDEC approving this connection. For informational purposes.
- Trooper Barracks & Hotel Sewer Line – Letter from NYSDOH – for informational purposes.
- Holiday Inn Express – Brian Monette is here on behalf of Branch Commercial Development for an application for sewer service. A full set of plans for this project is available in the Clerk’s Office for review.

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

- Liquor License Renewal – Gallagher’s Restaurant and Lounge – Application and letter submitted from Roger Allen, President.

Upon the motion of Trustee Hafter seconded by Trustee Patnode and unanimously carried to approve the liquor license renewal.

- Feasibility Study for Salmon River Parks – Letter from NYSDOS sending us a fully executed copy. For informational purposes.
- Holiday Decoration Attachments – Letter from National Grid regarding placement of holiday decorations on power poles – for informational purposes.
- Burley & Guminiak Engineering Report – Available in Clerk’s Office for review. For informational purposes.

NEW BUSINESS:

- Malone Callfiremen, Inc. Contract – Resolution #28-2009 – Nathan Race, Village Attorney submitted the contract for approval. It is identical to the last contract. The only comment is that it treats the Fire Department as a stand-alone entity. The Town and Village have agreed to one year, running from June 1, 2009 to May 31, 2010.

**VILLAGE OF MALONE
RESOLUTION NO. 28-2009**

AUTHORIZATION TO ENTER INTO AGREEMENT FOR FIRE SUPPRESSION & RESCUE SERVICES

WHEREAS, the Village of Malone (the “Village”) presently maintains a contractual relationship with the Malone Callfiremen, Inc. for the purpose of fire suppression and rescue services to the residents of the Village; and

WHEREAS, the Village and the Malone Callfiremen are desirous of renewing their contractual relationship; and

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to enter into the agreement as presented with the Malone Callfiremen, Inc. for the period of June 1, 2009 to May 31, 2010 at a cost of \$205,000.00.

BE IT FURTHER RESOLVED: That the Village enters into the Agreement without prejudice with respect to the question of whether the Malone Callfiremen, Inc. is a “Village Fire Department”.

Motion Made By: Trustee LePine

Seconded By: Trustee Patnode

Approved by Board of Trustees: December 14, 2009

- Capital Project – Discussion was held regarding the Chasm Falls Reservoir Upgrade and the Phase II Duane Street (Water) Main Replacement. Mayor Stewart asked that the Board consider two proposals which would be to look at the engineering costs for both projects and then make a decision on what direction we would like to go and use the unreserved fund balance that we have in the water fund, which we would put into capital reserve fund. We would not accrue any debt or borrow any money.

- Burley-Guminiak – Preliminary engineering proposals – Discussion was held regarding the two proposals.

**VILLAGE OF MALONE
RESOLUTION NO. 29-2009**

**AUTHORIZATION TO ENTER INTO AGREEMENT FOR ENGINEERING SERVICES-
CHASM FALLS RESERVOIR UPGRADES**

WHEREAS, the Village of Malone is evaluating the existing condition of the Chasm Falls Reservoir; and

WHEREAS, a capital improvement is being considered based on the result of an engineering study to determine options and costs;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to enter into an agreement with Burley-Guminiak & Associates, Consulting Engineers, PLLC for professional engineering services associated with the evaluation of the Chasm Falls Reservoir at a cost of Four Thousand Dollars (\$4,000.00) plus expenses.

Motion Made By: Trustee Hafter

Seconded By: Trustee LePine

Approved by the Board of Trustees: December 14, 2009.

**VILLAGE OF MALONE
RESOLUTION NO. 30-2009**

**AUTHORIZATION TO ENTER INTO AGREEMENT FOR ENGINEERING SERVICES-
PHASE II DUANE STREET MAIN REPLACEMENT**

WHEREAS, the Village of Malone 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 (“Phase I Duane Street Project”); and

WHEREAS, Phase I Duane Street Project will replace a portion of the 12” water main located on Duane Street; and

WHEREAS, upon completion of the Phase I Duane Street Project, there will remain an additional old section of the 12” water main located between the end of Phase I to the west side pump station and beyond to where the 12” water main connects to the 20” water main from Chasm Falls; and

WHEREAS, a Phase II Duane Street Main Replacement Project is being considered based on the completion of an engineering study to evaluate several potential options and costs associated with said Project;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to enter into an agreement with Burley-Guminiak & Associates, Consulting Engineers, PLLC for

professional engineering services associated with a Phase II Duane Street Main Replacement Project study at a cost of Three Thousand Dollars (\$3,000.00) plus expenses.

Motion Made By: Trustee Richards
Seconded By: Trustee LePine
Approved by Board of Trustees: December 14, 2009.

- Streetlights – Authorization to go out to bid. MEDCO was awarded a 2009 NYS Main Street Grant for streetscape and building renovation within a target area. There is \$25,000 available for streetscape. The Village of Malone would like to submit bids for the purchase of three new streetlights.

**VILLAGE OF MALONE
RESOLUTION NO. 31-2009**

AUTHORIZATION TO SOLICIT STREETLIGHT BIDS

WHEREAS, the Malone Economic Corporation was awarded a 2009 New York State Main Street Grant in the amount of \$200,000.00 from the New York State Housing Trust Fund Corporation for streetscape and building renovation within a target area in the Village of Malone; and

WHEREAS, the target area includes Main Street from Harrison to Pearl Streets; and

WHEREAS, the sum of \$25,000.00 is available for streetscape; and

WHEREAS, the Village of Malone will be submitting a request for the streetscape funds to be used for the purchase of three (3) streetlights;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the solicitation of bids for the purchase of three (3) streetlights.

BE IT FURTHER RESOLVED: The bids will be opened on December 23, 2009 at noon in the Village Clerk's office.

Motion Made By: Trustee Patnode
Seconded By: Trustee Hafter
Approved by the Board of Trustees: December 14, 2009.

BUDGET AMENDMENTS:

**GENERAL FUND
BUDGET AMENDMENT NO. 21 – 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.

\$ 689.00 From Account No. A511.2 Appropriated Forfeiture Fund Reserve

As Follows:
\$ 689.00 To Account No. A3120.1R Police Salaries (Forfeiture Fund)

\$1,498.00 From Account No. A1325.4 Treasurer Other Expenses

As Follows:
\$1,498.00To Account No. A1325.2 Treasurer Equipment, Capital Outlay

\$ 50.00 From Account No. A1460.1 Records Mgt. Salaries

As Follows:
\$ 50.00 To Account No. A1460.4 Records Mgt. Other Expenses

Motion Made By: Trustee Patnode
Seconded By: Trustee LePine
Approved by Board of Trustees: December 14, 2009

**GENERAL FUND
BUDGET AMENDMENT NO. 22 – 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.

\$10,599.00 From Account No. A1990.0 Contingency

As Follows:
\$10,599.00 To Account No. A3410.4 Fire Protection Other Expenses

Motion Made By: Trustee LePine
Seconded By: Trustee Patnode
Approved by the Board of Trustees On: December 14, 2009

**WATER 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.

Increase Revenue: F2144.1 Tap On Charges by \$2,107.00

Increase Appropriation: F8340.4 Water Transport & Distribution Other Expenses by
\$2,107.00

\$3,000.00 From Account No. F1990.0 Contingency

As Follows:
\$3,000.00 To Account No. F8340.4 Water Transport & Distribution Other Expenses

Motion Made By: Trustee Hafter

Seconded By: Trustee Patnode
Approved by the Board of Trustees On: December 14, 2009

**WATER 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.

\$7,400.00 From Account No. F599 Appropriated Fund Balance

As Follows:

\$7,400.00 To Account No. F8310.4 Water Administration Other Expenses

Motion Made By: Trustee Richards
Seconded By: Trustee Hafter
Approved by the Board of Trustees On: December 14, 2009

**WATER 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.

\$1,000,000.00 FROM ACCOUNT NO. F909 Unreserved Fund Balance

AS FOLLOWS:

\$1,000,000.00 TO ACCOUNT NO. F878 Water Fund Capital Reserve

MOTION MADE BY: Trustee Hafter
SECONDED BY: Trustee Patnode
APPROVED BY BOARD OF TRUSTEES ON: December 14, 2009

**JOINT RECREATION 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.

\$ 92.00 From Account No. J1990.0 Contingency

As Follows:

\$ 92.00 To Account No. J1930.4 Judgment & Claims

Motion Made By: Trustee Richards

Seconded By: Trustee Patnode
Approved by the Board of Trustees On: December 14, 2009

POLICE REPORT:

Chief Stephen Stone submitted his report for the month of November 2009. He also wanted to let us know that he was awarded \$2860 in a grant for S.T.E.P. (Selective Traffic Enforcement Program) to reduce aggressive driving and speeding.

DPW REPORT:

Jeff Smith didn't have anything new to report. They have started shift work for the winter.

MALONE MINOR HOCKEY AND RECREATION COMMISSION:

Malcolm Miner was present to report on the public skating rink and show board the proposal for the new warming room. Ed Boyea, Contractor was also present and showed the plans for the warming area. The Fire Department has flooded the area. Mayor Stewart commented that we have an agreement with Malone Minor Hockey Association and Rec Commission so we cannot act on this until we get a letter in writing from Malone Minor Hockey Association and the Rec Commission. This in turn needs to go through the Code Office and then it comes back to the Village Board for approval.

ADJOURNMENT:

Upon the motion of Trustee LePine seconded by Trustee Richards and unanimously carried to adjourn the meeting at 7:56 PM.

Respectfully submitted,

Cheryl A. Douglas, Village Clerk