

At a regular meeting of the Malone Village Board, held on December 28, 2009, at 6:30 PM, at the Malone Village Meeting Room, located at 16 Elm Street, the following were present:

LENORA RICHARDS                      DEPUTY MAYOR

Dailon Patnode                      Trustee  
Susan Hafter                      Trustee  
Todd LePine                      Trustee

Also in attendance:

Cheryl Douglas, Village Clerk                      Darcy Fargo, Malone Telegram  
Dolly Maguire, Village Treasurer

**APPROVE THE MINUTES OF LAST REGULAR MEETING: 12/14/2009**

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

**PAY BILLS:**

<u>FUND</u>	<u>AMOUNT</u>
Revolving Loan Fund	6,180.44
Joint Recreation Fund	21,900.16
Sewer Fund	38,020.43
Trust & Agency Fund	105,111.74
General Fund	304,398.45
Water Fund	<u>1,034,751.03</u>
	\$1,510,362.25

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

**CODE APPLICATIONS:**

**BUILDING APPLICATIONS:**

Jeffrey Scharf  
For the Malone Civic Center  
State Street  
Malone, NY 12953

Application to erect a fence. Application approved by Code Officer Charles Robert.

Village of Malone  
14 Elm Street  
Malone, NY 12953

Application to remove old and replace compressors and chillers at the State Street Arena at an estimated cost of \$150,000. Application approved by Code Officer Charles Robert.

**HEATING APPLIANCE:**

Mark Carter  
For Roland Carter  
52 Factory Street  
Malone, NY 12953

Application for an LP Gas Monitor, sidewall flue and metal flue at 52 Factory Street. Application approved by Code Officer Charles Robert.

Edward Pritchard  
79 Pearl Street  
Malone, NY 12953

Application for a metal liner. Application approved by Code Officer Gordon Halley.

**SIDEWALK APPLICATION:**

Michael Pehush of 93 Catherine Street, Malone, NY.

Upon the motion of Trustee Hafter seconded by Trustee Patnode and unanimously carried to approve the sidewalk application as approved by Jeff Smith, DPW Superintendent for the spring of 2010.

**CORRESPONDENCE:**

Adirondack North Country Association – They are asking for help on two fronts, financial support and input and feedback for the future. The Board will consider this at budget time. Trustee Hafter commented that ANCA helped us get started on all our many grants that are in progress.

NYS Department of Environmental Conservation – Letter received acknowledging complete Notice of Intent (NOI) for coverage under General Permit No. GP-0-08-001 for the construction activities located at Main Replacement/Salmon River Crossing, Duane Street, Malone, NY.

NYS Department of Environmental Conservation – Letter received regarding the Memorial Recreation Pond Dam. We are considered Hazard Class B. We need to submit an annual certification to DEC by January 31, 2010 and annually thereafter. Develop an emergency action plan by August 19, 2011. Develop and implement an inspection and maintenance plan by August 19, 2010 upon request.

NYS Office of Community Renewal – Letter regarding approval of request for release of funds for NYS CDBG Project #690PW95-09. We have been approved to release funds.

**NEW BUSINESS:**

Change in Police Officer Start Date – The Village Board of Trustees hired Christopher Crawford with a start date of November 24, 2009. Due to certain circumstances the start date needs to be changed to December 21, 2009.

**VILLAGE OF MALONE  
RESOLUTION NO. 32-2009**

**AGREEMENT TO CHANGE POLICE OFFICER START DATE**

**WHEREAS**, the Village of Malone Board of Trustees hired a full time police officer at their November 23, 2009 meeting with an effective start date of November 24, 2009;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees agrees to change the start date from November 24, 2009 to December 21, 2009.

Motion Made By: Trustee Patnode  
Seconded By: Trustee Hafter  
Approved By Board of Trustees on: December 28, 2009

Training for Code Enforcement Officials – Mayor Brent Stewart has authorized Gordon Halley and Charles Robert to attend code officers training in Lake Placid March 1 through March 4, 2010.

Independent Audit – Dragon, Benware, Crowley & Co, P.C. performed an audit of the statement of contract revenues and expenses of the Village of Malone’s State Street Arena Project, Contract No. C540491 for the period of June 1, 2005 through October 31, 2009. No discrepancies were found.

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

**GENERAL FUND  
BUDGET AMENDMENT NO. 23 2009-2010**

Related to the appropriation and/or transfer of funds;

WHEREAS, the Village of Malone has received from the State of New York Governor’s Traffic Safety Committee Department of Motor Vehicles an award of \$2,860.00 to participate in the statewide “Selective Traffic Enforcement Program” to reduce aggressive driving and speeding;  
NOW THEREFORE, BE IT

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

- Increase Revenue Code: A3389.1 State Aid-STEP Grant by \$2,860.00
- Increase Appropriation Code No.: A3120.1 Police Salaries (STEP) by \$1,360.00
- Increase Appropriation Code No.: A3120.2 Police Equipment (STEP) by \$1,500.00

Motion Made By: Trustee Patnode  
Seconded By: Trustee LePine  
Approved by the Board of Trustees On: December 28, 2009

**GENERAL FUND  
BUDGET AMENDMENT NO. 24 – 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.

\$4,211.38 From Account No. A511.2 Appropriated Forfeiture Fund Reserve

As Follows:

\$2,711.38 To Account No. A3120.1R Police Salaries (Forfeiture Fund)

\$1,500.00 To Account No. A3120.4R Other Expenses (Forfeiture Fund)

Motion Made By: Trustee Patnode  
Seconded By: Trustee Hafter  
Approved by the Board of Trustees On: December 28, 2009

**CAPITAL FUND  
BUDGET AMENDMENT NO. 1 2009-2010**

Related to the appropriation and/or transfer of funds;

WHEREAS, the Village of Malone (the “Village”) was awarded a 2009 Restore NY grant in the amount of \$2,164,751 from the Empire State Development Corporation to assist in the restoration of the Flanagan Hotel; and

WHEREAS, an escrow account was established by the Village to pay for certain expenses related to the administration of the 2009 Restore NY grant; and

WHEREAS, the account will be funded by UICC Holding LLC and accounted for in the Village’s Capital Fund; and

WHEREAS, the Village Treasurer has received Five Thousand Dollars (\$5,000.00) on behalf of UICC Holding LLC; NOW THEREFORE, BE IT

**RESOLVED:** The Village Board of Trustees agrees to:

Increase Revenue Code: H2770 Miscellaneous Revenue by \$5,000.00

Increase Appropriation Code No.: H6497.2 Economic Development Adm. Costs by \$5,000.00

Motion Made By: Trustee Patnode  
Seconded By: Trustee LePine  
Approved by the Board of Trustees On: December 28, 2009

Village of Malone Financial Report – For the period ending November 30, 2009.

Upon the motion of Trustee Hafter seconded by Trustee Patnode and unanimously carried to approve the financial report as presented by Dorothy Maguire, Treasurer and placed on file.

Village Clerk's Report – For the month of November 2009 submitted.

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

Discharge of Mortgage – Lavare Property – Trustee LePine has a conflict with this as he worked on the project.

Upon the motion of Trustee Hafter seconded by Trustee Patnode and unanimously carried this will be tabled until further research can be done.

Revolving Loan Fund Change Order – The Village has been presented with a change order for Village-Wide Housing Improvement Program Project Number 13-VM-ID.

**VILLAGE OF MALONE  
RESOLUTION NO. 33-2009**

**APPROVAL OF REVOLVING LOAN FUND CHANGE ORDER**

WHEREAS, the Village has been presented with a change order for Village-Wide Housing Improvement Program Project Number 13-VM-ID; and

WHEREAS, the change order will result in an increase in the project cost of \$511.00 and \$127.76 in program delivery and administrative fees; NOW THEREFORE BE IT

**RESOLVED:** The Village Board of Trustees approves Contract Change Order No. 1 for Project Number 13-VM-ID.

MOTION MADE BY: Trustee Patnode

SECONDED BY: Trustee Hafter

APPROVED BY BOARD OF TRUSTEES ON: December 28, 2009

**OLD BUSINESS:**

Streetlight Bids – Bids were sent out to two vendors, Warren Electric and Everything Electric for three streetlights.

**VILLAGE OF MALONE  
RESOLUTION NO. 34-2009**

**STREETLIGHT BID AWARD**

WHEREAS, the Village of Malone (the "Village") solicited bids for three (3) streetlights; and

WHEREAS, the Village will be reimbursed for the cost of the streetlights by Malone Economic Corporation's 2009 New York State Main Street Grant;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees awards the bid to Warren Electric at a cost of \$20,905.

Motion Made By: Trustee Hafter

Seconded By: Trustee Patnode

Approved By Board of Trustees on: December 28, 2009

Discussion was held that streetscape funds of \$25,000 will be used to pay for the three lights and the bid was \$20,095 so we have \$4,095 left. Dorothy Maguire got in touch with Camoin Associates to see if the Village could use the balance of the money, kick in the difference and get a fourth light. This will be discussed at the next Village meeting.

DPW Report – Jeff Smith not available.

POLICE CHIEF Report – Stephen Stone on vacation.

Deputy Mayor Lenora Richards wanted to wish the Mayor, the Village Board and the people of Malone a very happy, healthy New Year as this is the last meeting of 2009.

Upon the motion of Trustee LePine seconded by Trustee Patnode and unanimously carried to adjourn the meeting at 7:00 PM.

Respectfully submitted,

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Cheryl A. Douglas, Village Clerk