

At a regular meeting of the Malone Village Board, held on November 9, 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  
Jeffrey Smith, DPW Supervisor  
Dolly Maguire, Treasurer  
Stephen Stone, Chief of Police  
Darcy Fargo, Malone Telegram  
Tom Owney, Burley-Guminiak  
Garth DePuy, Malone Minor Hockey Association

**APPROVE THE MINUTES OF THE LAST REGULAR MEETING: 10/26/09**

Upon the motion of Trustee Hafter seconded by Trustee Richards and carried as follows (4-0, Trustee LePine abstained) to accept the minutes of October 26, 2009 as presented and placed on file.

**PAY BILLS:**

<u>FUND</u>	<u>AMOUNT</u>
Joint Recreation Fund	1,725.22
Revolving Loan Fund	6,291.68
Water Fund	33,635.39
Sewer Fund	41,911.47
General Fund	137,789.81
Trust & Agency Fund	<u>138,301.69</u>
	\$359,655.26

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

**CODE APPLICATIONS:**

**BUILDING APPLICATIONS:**

Nicole Preston  
834 Depot St  
PO Box 56  
Burke, NY 12917

Application to insulate, sheetrock, new bathroom, kitchen fixtures, window replacement, finish work at 573 East Main Street, Malone at an estimated cost of between \$2-5,000. Application approved by Code Officer Charles Robert.

Dwayne & Karen Lamay  
59 Williamson Street  
Malone, NY 12953

Application to put a pressure treated deck off side of the house at 59 Williamson Street at an estimated cost of \$260. Application approved by Code Officer Charles Robert.

Shawn Burgess  
87 Amsden Street  
Malone, NY 12953

Application to repair and replace old wood and roofing cover at 53 Factory Street, Malone at an estimated cost not to exceed \$1000. Application approved by Code Officer Charles Robert.

Judith Gardner  
22 South Street  
Malone, NY 12953

Application for a new roof, electrical entrance, and bathroom repair at 22 South Street, Malone at an estimated cost of \$15,100. Application approved by Code Officer Charles Robert.

**DEMOLITION PERMIT:**

Jerry Jones/Catherine Street Enterprises  
123 Catherine Street  
Malone, NY 12953

Warehouse at 123 Catherine Street at an estimated cost of between \$9-10,000. Application approved by Code Officer Charles Robert.

**HEATING APPLICATION:**

Linda Soderbaum  
645 E Main Street  
Malone, NY 12953

Application for an oil heating appliance and metalbestos chimney. Application approved by Code Officer Charles Robert.

**CHAPTER 57:**

Code Enforcement has issued the Chapter 57 on 11 Spruce Street. It is an unsafe fire damaged building with large amounts of mold and mildew. We should have a contractor, unrelated to the Village of Malone, evaluate the house.

Upon the motion of Trustee Hafter seconded by Trustee LePine and unanimously carried to authorize the Code Officers to contract with a building contractor for an independent inspection



**SEQR** – Short Environmental Assessment Form for the Duane Street Water Main project.

Upon the motion of Trustee Hafter seconded by Trustee LePine and unanimously carried to accept the short environmental assessment form for the Duane Street Water Main project and authorize the Mayor to sign it.

**VILLAGE OF MALONE  
RESOLUTION #20-2009**

**WHEREAS**, the Village of Malone received a 2009 grant from the New York State Office of Community Renewal for its “Water System Improvement Project” (NYS CDGB Project #690PW95-09, hereinafter referred to as “Duane Street Water Main Replacement Project): and

**WHEREAS**, said project requires preparation of an Environmental Review Record in order to comply with state and federal regulations; and

**WHEREAS**, the Village of Malone has reviewed the environmental evaluation prepared by Burley-Guminiak & Associates for the proposed Duane Street Water Main Replacement Project; and

**WHEREAS**, the Village Board feels the information to be true and correct;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of the Village of Malone feels that a finding of no significant impact and a negative declaration be made for this Type II action, to be placed on file at the Village Offices.

**MOTION** was made by Trustee Richards; seconded by Trustee LePine, and voted as follows: Yes   5   No           . Motion carried.

**VILLAGE OF MALONE  
RESOLUTION NO. 21-2009**

**AUTHORIZATION TO ENTER INTO AGREEMENT FOR ENGINEERING SERVICES**

**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 Village released a Request for Qualifications (RFQ) for professional engineering services associated with the NYS CDBG public water project; and

**WHEREAS**, after reviewing the statement of qualifications, the Village Board of Trustees agreed to hire the engineering firm of Burley-Guminiak & Associates, Consulting Engineers, PLLC;

**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 2009 NYSCDBG public water project.

Motion Made By: Trustee Hafter  
Seconded By: Trustee Patnode  
Approved by the Board of Trustees.

**VILLAGE OF MALONE  
RESOLUTION NO. 22-2009**

**APPOINTMENT OF 2009 HOME PROGRAM PROJECT REVIEW COMMITTEE  
MEMBER**

**WHEREAS**, 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 16 residential units; and

**WHEREAS**, a Project Review Committee was formed to review proposed projects and authorize grant awards; and

**WHEREAS**, a member of the Project Review Committee has resigned;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees appoints the following member to the 2009 Malone HOME Program Project Review Committee:

Timothy McCarthy, Malone Chamber of Commerce

Motion Made By: Trustee LePine  
Seconded By: Trustee Richards  
Approved by the Board of Trustees.

**VILLAGE OF MALONE  
RESOLUTION NO. 23-2009**

**AUTHORIZATION TO ENTER INTO AGREEMENT FOR CONSULTING SERVICES**

**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 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**, the Village released a Request for Proposals (RFP) seeking the services of a qualified firm or individual to provide technical assistance to Village staff in administering its 2009 NYS CDBG award and its 2009 Restore NY grant; and

**WHEREAS**, after reviewing the proposals, the Village Board of Trustees agreed to hire the firm of Camoin Associates, Inc.;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees authorizes the Mayor to enter into an agreement with Camoin Associates, Inc for technical and administrative services associated with the 2009 NYS CDBG grant and its 2009 Restore NY grant.

Motion Made By: Trustee Patnode  
Seconded By: Trustee LePine  
Approved by the Board Trustees.

**GASOLINE BID** - Discussion was held and the base price Adirondack Energy sent was \$1.6522 (with escalation and de-escalation that will occur in the price).

Upon the motion of Trustee Patnode seconded by Trustee Hafter and unanimously carried to accept the bid from Adirondack Energy at \$1.6522.

**VILLAGE OF MALONE  
RESOLUTION NO. 24-2009**

**AWARD OF GASOLINE BID AND AUTHORIZATION TO ENTER INTO AN  
AGREEMENT**

**WHEREAS**, according to the New York State Office of General Services, no gasoline bids were received for Franklin County; and

**WHEREAS**, the Village of Malone Board of Trustee authorized the solicitation of bids for gasoline for a one year contract period, with the option to extend for one additional year;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees awards the bid to Adirondack Energy and authorizes the Mayor to enter into an agreement for the purchase of gasoline.

Motion Made By: Trustee Richards  
Seconded By: Trustee Patnode  
Approved by the Board of Trustees

**GARTH DEPUY, MALONE MINOR HOCKEY** – Garth wanted to come to the meeting to personally thank the Board of Trustees on behalf of the Hockey Association for the new equipment the Malone Minor Hockey Association received as part of the grant. He thanked Dolly for all her help. In turn Mayor Stewart thanked the Malone Minor Hockey for their hard work along with the Town of Malone and Village of Malone. They put a lot of time into the arena.

**VILLAGE CLERK REPORT** – For the Month of October 2009.

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

**CHIEF OF POLICE REPORT** – Chief Stone reported the report is not yet complete for month of October.

**GENERAL FUND  
BUDGET AMENDMENT NO. 20 – 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.

\$111.00 From Account No. A511.2 Appropriated Forfeiture Fund Reserve

As Follows:

\$111.00 To Account No. A3120.4R Police Other Expenses (Forfeiture Fund)

Motion Made By: Trustee Richards

Seconded By: Trustee LePine

Approved by the Board of Trustees.

**DPW** – Jeff Smith reported that we would be picking up leaves and debris until November 13, 2009.

**OLD BUSINESS:**

**IDA SEWER AGREEMENT** – Between the Town of Malone and the Village of Malone this agreement shall replace the parties' aforesaid January 27, 1997 agreement in all respects. There were two changes made, the fourth and thirteenth items.

Upon the motion of Trustee Patnode seconded by Trustee Hafter and unanimously carried to approve the sewer agreement dated October 28, 2009.

**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 Patnode and unanimously carried to come out of executive session.

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

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

Respectfully submitted,

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Cheryl A. Douglas, Village Clerk