

Application for doors, decks, repairs to bathroom, painting, plumbing and electrical work at 63 Williamson at an estimated cost of \$12,000. Application approved by Building Inspector Gordon Halley.

Rea Tarr
16 Pine Street
Malone, NY 12953

Application for windows, doors, decks, painting and electrical work at 16 Pine at an estimated cost of \$23,000. Application approved by Building Inspector Gordon Halley.

Heating Appliance Application

Derek Lamica
51 William Street
Malone, NY 12953

Application to install a pellet heating appliance with a direct vent and a metal flue at 51 William. Application approved by Building Inspector Gordon Halley.

COMMITTEE REPORTS: None.

CORRESPONDENCE: None.

NEW BUSINESS:

Permissive Referendum – 30 days has passed and no petition received on abolishing the fire department. “Pursuant to Village Law Section 10-1020, this Board hereby resolves that, subject to permissive referendum, the fire department of the Village of Malone is hereby abolished, effective upon the passage of time for the filing of a petition or the completion of a mandatory referendum after the timely submission of a proper petition. Any and all assets of the Malone Call Firemen, Inc. shall remain with such corporation.”

Bids Used Vehicles – Two vehicles were advertised for bids, a 2005 Ford Crown Victoria and a 1994 Plymouth Voyager. Only one bid was received. David VanGulick bid \$1000 on the 2005 Ford Crown Victoria.

Upon the motion of Trustee LePine seconded by Trustee Riccio and unanimously carried to award the bid to Mr. VanGulick.

CSEA/DPW and Clerical Contracts – The contracts for the Clerical and DPW have been agreed upon by the Village, CSEA, Clerical Staff and DPW Staff.

Upon the motion of Trustee LePine seconded by Trustee Riccio and unanimously carried to approve the contract for the Clerical staff for the June 1, 2009 – May 31, 2012 years.

Upon the motion of Trustee Riccio seconded by Trustee LePine and unanimously carried to approve the contract for the DPW staff for the June 1, 2010 – May 31, 2012 years.

WWTP Operator Certification - Curtis Rottier passed his certification examination for a WWTP Operator Grade 2. He will now be eligible for a pay increase based on the contract.

Upon the motion of Trustee LePine seconded by Trustee Riccio and unanimously carried to increase Curtis’s pay to \$15.27/hour contractually.

Resolution #77-2011 – Malone Chamber of Commerce Holiday Decoration Agreement. The Chamber would like the snowflakes left up until the 1st of March with the Chamber assuming the cost of electricity.

**VILLAGE OF MALONE
RESOLUTION NO. 77- 2011**

MALONE CHAMBER OF COMMERCE HOLIDAY DECORATION AGREEMENT

NOW THEREFORE, BE IT RESOLVED: The Village Board of Trustees hereby agrees to enter into an agreement with the Chamber of Commerce for the purpose of displaying holiday garland and snowflakes; and providing electric service for the period November 1, 2011 until January 6, 2012; and

BE IT FURTHER RESOLVED: The Village Board of Trustees agrees to allow the snowflakes to remain displayed beyond January 6, 2012 with the Chamber of Commerce assuming the cost of electricity.

MOTION MADE BY: Trustee LePine

SECONDED BY: Trustee Hafter

APPROVED BY BOARD OF TRUSTEES ON: November 28, 2011

Resolution #78-2011 – Authorization to amend agreement for 2010 OCR Grant Technical and Administrative Services to comply with Section 3 of the Housing and Community Development Act of 1968.

**VILLAGE OF MALONE
RESOLUTION NO. 78-2011**

AUTHORIZATION AMEND AGREEMENT FOR 2010 OCR GRANT TECHNICAL & ADMINISTRATIVE SERVICES

WHEREAS, the Village of Malone (the “Village”) was awarded a 2010 New York State Community Development Block Grant (NYS CDBG) in the amount of \$558,300 from the New York State Housing Trust Fund Corporation to assist in completion of a public water project; and

WHEREAS, The Village entered into an agreement with Camoin Associates, Inc for technical and administrative services associated with the 2010 NYS CDBG Grant;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to amend the Agreement to include provisions to comply with Section 3 of the Housing and Community Development Act of 1968.

Motion Made By: Trustee Riccio

Seconded By: Trustee LePine

Approved By Board of Trustees on: November 28, 2011

Resolution #79-2011 – 207-c Leave – One of our officers fell while in the line of duty back in 2005.

**VILLAGE OF MALONE
RESOLUTION NO. 79-2011**

RELATING TO: § 207-c Leave

WHEREAS, on January 2, 2005 a local State of Emergency was called due to treacherous street conditions; and

WHEREAS, a police officer fell while placing flares in the intersection of Finney Blvd and West Main Street; and

WHEREAS, the officer is scheduled for surgery on December 1, 2011 for the January 2, 2005 injury and will be absent from his police duties;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees hereby designates that the Officer is entitled to Section 207-c benefits of the General Municipal Law effective December 1, 2011.

MOTION MADE BY: Trustee Riccio

SECONDED BY: Trustee LePine

APPROVED BY BOARD OF TRUSTEES ON: November 28, 2011

Resolution #80-2011 – Removal of accounts receivable metered water fee. This was due to an inaccurate charge for the period 3/29/10-6/30/10.

VILLAGE OF MALONE

RESOLUTION NO. 80-2011

REMOVAL OF ACCOUNTS RECEIVABLE METERED WATER FEE

WHEREAS, it has been determined that Franklin County metered water account #1626 was inaccurately charged for the period 3/29/10 – 6/30/10;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees agrees to remove the uncollected water fee of \$542.40 from accounts receivable.

MOTION MADE BY: Trustee LePine

SECONDED BY: Trustee Hafter

APPROVED BY BOARD OF TRUSTEES ON: November 28, 2011

Resolution #81-2011 – RCC Lease Agreement – Authorization to permit Tenant to add, modify and/or replace equipment in order to be in compliance. Donna Love from General Dynamics was present and submitted new construction drawings.

**VILLAGE OF MALONE
RESOLUTION NO. 81-2011**

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC

WHEREAS, THIS SECOND AMENDMENT TO LEASE AGREEMENT (“Second Amendment”), dated as of the latter of the signature dates below, is by and between the Village of Malone, a New York municipal entity situated in Franklin County, State of New York, having a mailing address of 14 Elm Street, Malone, New York 12953 (“Landlord”) and New Cingular Wireless PCS, LLC, a Delaware limited liability company, successor in interest to RCC Atlantic, Inc. having a mailing address of 12555 Cingular Way, Suite 1300, Alpharetta, GA 30004 (“Tenant”).

WHEREAS, Landlord and Tenant entered into a Lease Agreement dated February 7th, 2003, as amended by First Amendment dated March 1, 2005, whereby Landlord leased to Tenant certain Premises, therein described, that are a portion of the Property located at the Water Tank at 49 Country Side Lane, Malone, NY 12953 (“Agreement”); and

WHEREAS, Tenant desires to change, modify or relocate the Communication Facility, which Landlord is willing to approve;

WHEREAS, Landlord and Tenant desire to adjust the rent in conjunction with the modifications to the Agreement contained herein;

WHEREAS, Landlord and Tenant desire to amend the Agreement to modify the notice section thereof; and

WHEREAS, Landlord and Tenant desire to amend the Agreement to permit Tenant to add, modify and/or replace equipment in order to be in compliance with any current or future federal, state or local mandated application, including but not limited to emergency 911 communication services; and

WHEREAS, Landlord and Tenant, in their mutual interest, wish to amend the Agreement as set forth in the attached agreement, and

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to enter into an agreement with New Cingular Wireless PCS, LLC.

Motion Made By: Trustee Riccio

Seconded By: Trustee Patnode

Approved By Board of Trustees on: November 28, 2011

BUDGET AMENDMENTS:

GENERAL FUND

BUDGET AMENDMENT NO. 13 2011-2012

WHEREAS, the Village of Malone has received notification from the State of New York Governor's Traffic Safety Committee Department of Motor Vehicles an award of \$1,008.00 to participate in the statewide "Selective Traffic Enforcement Program"; NOW THEREFORE, BE IT

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

Increase Revenue Code: A3389 State Aid-(STEP) Grant by \$1,008.00

Increase Appropriation Code No.: A3120.1 Police Salaries (STEP) by \$1,008.00

Motion Made By: Trustee Patnode

Seconded By: Trustee Hafter

Approved by the Board of Trustees On: November 28, 2011

GENERAL FUND

BUDGET AMENDMENT NO. 14 2011-2012

WHEREAS, the Village of Malone has received notification from the State of New York Governor's Traffic Safety Committee Department of Motor Vehicles an award of \$4,100.00 to participate in the statewide "Child Passenger Safety" Program; NOW THEREFORE, BE IT

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

Increase Revenue Code: A3389 State Aid - Grant by \$4,100.00

Increase Appropriation Code No.: A3120.4 Police Other Expenses by \$4,100.00

Motion Made By: Trustee Hafter

Seconded By: Trustee Riccio

Approved by the Board of Trustees On: November 28, 2011

GENERAL FUND

BUDGET AMENDMENT NO. 15 2011-2012

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.

\$ 159.45 From Account No. A511 Appropriated (State) Forfeiture Fund Reserve

As Follows:

\$ 159.45 To Account No. A3120.4R Police Other Expenses (State) Forfeiture Fund

Motion Made By: Trustee LePine

Seconded By: Trustee Patnode

Approved by the Board of Trustees On: November 28, 2011

DPW REPORT:

POLICE CHIEF: Chief Premo reported that we had a large drug bust last week and they also seized three guns.

GRANT OPPORTUNITY: Shawn Glazier spoke with Mayor Stewart regarding a grant that is available for playgrounds up to \$15,000. It is going to be available November 30 and applications are due by January 2012. Shawn knows of some people that could write the grant.

Upon the motion of Trustee LePine with a second thereto by Trustee Riccio and unanimously carried to look into the Kaboom grant opportunity as it becomes available.

Todd LePine thanked all the Board members, Dailon, Susan and Brent for their years of service.

Joe Riccio thanked all the Board members as well and echoed Todd's remarks.

Mayor Stewart thanked the Board for their eight years, Chief Premo, Jeff Smith and past Trustee Lenora Richards as well.

Susan Hafter thanked each and every Board member and staff and the village has been served well. The Village is in better shape by far now than when I came in to office.

Dailon Patnode thanked everyone and had eight good years of experience.

ADJOURNMENT:

Upon the motion of Trustee Patnode seconded by Trustee Hafter and unanimously carried to adjourn the meeting at 7:12 PM.

Respectfully submitted

Cheryl A. Douglas
Village Clerk