

At a regular meeting of the Malone Village Board, held on October 24, 2011, at 6:30 PM, at the Malone Village Meeting Room, located at 16 Elm Street, the following were present:

Brent Stewart                      MAYOR  
  
Joe Riccio                            Trustee  
Dailon Patnode                    Trustee  
Todd LePine                        Trustee  
Susan Hafter                        Trustee

Also in attendance:

Cheryl Douglas, Village Clerk  
Chris Premo, Chief of Police  
Jeff Smith, DPW  
Kellan Wheeler  
Melissa Brown

Dorothy Maguire, Treasurer  
Tricia Livernois, Telegram  
Paul Nichols  
Ryan Brown  
Russell Clarke

**APPROVE THE MINUTES OF LAST REGULAR MEETING: 10/13/2011**

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

**PAY BILLS:**

<b><u>FUND</u></b>	<b><u>AMOUNT</u></b>
Revolving Loan Fund	35.38
Joint Recreation Fund	1,933.65
2009 HOME Grant	3,400.00
Water Fund	17,785.88
Sewer Fund	22,791.96
General Fund	81,057.99
Trust Fund	<u>84,176.73</u>
	\$ 211,181.59

Upon the motion of Trustee LePine seconded by Trustee Riccio and unanimously carried to accept the bills as presented by Treasurer, Dorothy Maguire.

**CODE APPLICATIONS:**

**Building Applications**

Royal Forgues  
P.O. Box 832  
Malone, NY 12953

Application to repair roof damage caused by hotel collapse at 358 West Main Street, at an estimated cost of \$5,000. Application approved by Building Inspector Charles Robert.

John Mills  
100 Elm Street  
Malone, NY 12953

Application to convert 2,190 square feet of office space for new tenant at 208 West Main Street at an estimated cost of \$90,000. Application approved by Building Inspector Charles Robert.

Steve Pond  
110 Park Street  
Malone, NY 12953

Application for restoration of downstairs and upstairs apartments at 122 Park Street at an estimated cost of \$ 10,000. Application approved by Building Inspector Charles Robert.

### **Heating Application**

John Mills  
100 Elm Street  
Malone, NY 12953

Application to install a hot water boiler (propane) and plastic vent at 144 Elm Street. Application approved by Building Inspector Charles Robert.

John Mills  
100 Elm Street  
Malone, NY 12953

Application to install a LP Gas heating appliance with a direct vent at 477-479 East Main Street. Application approved by Building Inspector Charles Robert.

John Mills  
100 Elm Street  
Malone, NY 12953

Application to install a LP Gas heating appliance with a direct vent at 209 West Main Street. Application approved by Building Inspector Charles Robert.

John Mills  
100 Elm Street  
Malone, NY 12953

Application to install a LP Gas heating appliance with a direct vent at 473-475 East Main Street. Application approved by Building Inspector Charles Robert.

Po Tai  
255 West Main Street  
Malone, NY 12953

Application to install a wood heating appliance with a prefab chimney and a metal flue. Application approved by Building Inspector Charles Robert.

**COMMITTEE REPORTS:**

The insurance committee met with Burnham Financial Services this afternoon. They have proposed our renewal rates for 2012. It will be a 7.5% increase. The Committee is asking the Mayor to sign the proposal for renewal with current benefits. There is a time constraint as these rates are good through 11/15/11.

Upon the motion of Trustee Riccio seconded by Trustee Hafter and unanimously carried to authorize Mayor Stewart to sign the proposal for renewal.

**CORRESPONDENCE:**

**NYS CDBG - Phase II Waterline Monitoring Visit** – Letter received from Jennifer Breen regarding the monitoring visit scheduled for December 15, 2011 for the Waterline Project Phase II. The project is just about finished.

**NEW BUSINESS:**

**Parking Lot Main Street** – Mayor Stewart showed photos of the parking lot that has settled just to the right of the Lashomb Building as you are facing the building. It is in need of repair. Will look to budget for next year.

**Tax Collector's Report** – As of October 20, 2011 we have collected 84.28% of our taxes. We will collect until October 31, 2011 and then allow a few days for postmarks to come in and then turn over to the Franklin County Treasurer's office on November 7, 2011.

Upon the motion of Trustee Hafter seconded by Trustee Patnode and unanimously carried to accept the collection report.

**Used Vehicles** – Authorization to go out to bid – We have three vehicles to go out to bid. A 2005 Ford Crown Victoria, 1994 Plymouth Voyager Van, and a 1994 Ford Dump Truck. Cheryl Douglas, Village Clerk has asked that we advertise 10/26/11, open bids on 11/9/11 at 12:00 and place on the agenda to award on 11/14/11.

Upon the motion of Trustee Riccio seconded by Trustee LePine and unanimously carried to authorize the Village Clerk to advertise for the used vehicles.

**Resolution #69-2011 - Westelcom Agreement** – The agreement we had with Westelcom for the DPW expired in September. We were paying \$67.45 and they have offered a two year agreement of \$59.96. Dolly Maguire is asking the Board to enter into a two year agreement.

**VILLAGE OF MALONE  
RESOLUTION NO. 69-2011**

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH WESTELCOM**

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees authorizes the Mayor to enter into a two year agreement with Westelcom for internet service located at 90 College Avenue at a monthly cost of \$59.96.

Motion Made By: Trustee Patnode

Seconded By: Trustee Riccio

Approved By Board of Trustees on: October 24, 2011

**Resolution #70-2011 – Fire District** – The following resolution, subject to permissive referendum, the fire department of the Village of Malone is hereby abolished. The Town of Malone has to pass a similar resolution.

**VILLAGE OF MALONE  
RESOLUTION #70-2011**

Whereas, in the interest of consolidation of government resources, the Village approved and requested that the Town extend the Town of Malone Fire Protection District into the Village of Malone;

Whereas, the Town of Malone and the Village of Malone required specific legislation authorizing the Town of Malone to extend the Malone Fire Protection District into the Village of Malone;

Whereas, on or about July 25, 2011, the Governor of the State of New York signed into law Chapter 144 of the Laws of 2011, permitting the Town to extend its fire protection district into the Village;

Whereas, Chapter 144 of the Laws of 2011 requires the Village to first abolish its fire department, and the Village has determined that its fire department and its taxpayers will be benefitted by such abolishment, and that such firefighters of its fire department are in full support of this abolishment;

**NOW THEREFORE:**

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.

Said motion made by: Trustee LePine

Seconded by: Trustee Patnode

Voting: Trustee Hafter, Trustee Riccio, Mayor Stewart

**Resolution #71-2011 – HOME Grant 2010 VOM-02** – The Project Review committee has approved the following HOME Grant Contract for Board of Trustee approval.

**VILLAGE OF MALONE  
RESOLUTION NO. 71-2011**

**HOME PROGRAM GRANT CONTRACT CASE NO: VOM-02**

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 VOM-02 and recommends approval of a grant award of Twenty Six Thousand, One Hundred Twenty Three Dollars and Sixty Seven Cents (\$26,123.67) to Ms. Rea Tarr of 16 Pine Street, Malone NY 12953 to carry out the approved scope of work on this 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. VOM-02 as presented by the Project Review Committee.

Motion Made By: Trustee Patnode

Seconded By: Trustee Riccio

Approved By Board of Trustees on: October 24, 2011

**Resolution #72-2011 – HOME Grant 2010 VOM-03** - The Project Review committee has approved the following HOME Grant Contract for Board of Trustee approval.

**VILLAGE OF MALONE  
RESOLUTION NO. 72-2011**

**HOME PROGRAM GRANT CONTRACT CASE NO: VOM-03**

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 VOM-03 and recommends approval of a grant award of Thirty Two Thousand Sixty Eight Dollars (\$32,068.00) to Lloyd Brown of 104 William Street, Malone NY 12953 to carry out the approved scope of work on this 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. VOM-03 as presented by the Project Review Committee.

Motion Made By: Trustee Riccio

Seconded By: Trustee Hafter

Approved By Board of Trustees on: October 24, 2011

**Resolution #73-2011 – HOME Grant 2010 VOM-06** - The Project Review committee has approved the following HOME Grant Contract for Board of Trustee approval.

**VILLAGE OF MALONE  
RESOLUTION NO. 73-2011**

**HOME PROGRAM GRANT CONTRACT CASE NO: VOM-06**

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 VOM-06 and recommends approval of a grant award of Fifteen Thousand Three Hundred Ninety Eight Dollars and Thirty Three Cents (\$15,398.33) to Tammy Fish of 63 Williamson Street, Malone NY 12953 to carry out the approved scope of work on this 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. VOM-06 as presented by the Project Review Committee.

Motion Made By: Trustee Hafter  
Seconded By: Trustee Patnode  
Approved By Board of Trustees on: October 24, 2011

**OLD BUSINESS:**

**Chairperson of Study Committee** – The LGE Study Committee requires a chairperson to work with the consultant. We have a request for Martha Weaver and she is willing to take on the duties.

Upon the motion of Trustee LePine seconded by Trustee Riccio and unanimously carried to appoint Martha Weaver as the chairperson.

**BUDGET AMENDMENTS:**

**GENERAL FUND  
BUDGET AMENDMENT NO. 10 2011-2012**

WHEREAS, the Village was awarded a 2010-2011 New York State Local Government Efficiency Grant in the amount of \$49,500.00;

NOW THEREFORE, BE IT RESOLVED: The Village Board of Trustees amends the General Fund 2011-2012 Budget as follows:

Increase Revenue: A3089-Other State Aid by \$49,500.00

Increase Appropriation: A1610.4 Shared Services Central Administration by 49,500.00

MOTION MADE BY: Trustee LePine

SECONDED BY: Trustee Riccio

APPROVED BY BOARD OF TRUSTEES ON: October 24, 2011

**DPW REPORT:** Fall pick-up November 7 thru November 21.

**POLICE CHIEF'S REPORT:** We have received notification from the Town of Malone Justice Court that we should be receiving parking ticket money. They have around \$1,000 for us. Chief Premo also reported that they will be getting a 2012 Chevy Tahoe from Operation Stone Garden program.

**ADJOURNMENT:**

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

Respectfully submitted,

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Cheryl Douglas, Village Clerk