At a Regular Meeting of the Malone Village Board, held on January 26, 2015 at 6:30 PM in Room 203 at NCCC Meeting Room, the following were present:

Joseph Riccio        Deputy Mayor
Andrea Dumas         Trustee
Hugh Hill            Trustee
Mike Maneely         Trustee

Also in attendance:
Cheryl Douglas, Village Clerk
EJ Conzola, Telegram
Matt Steenberge, Code Officer (6:35 PM)
Kyle Mulverhill, Student
Ned & Pam LeMieux, Town of Duane
Scott Benware, Student
Katie Strack, FCPH
Matt Fish, Student

Chief Chris Premo
Chris Lawton, Barton and Loguidice
Beatrice Mulverhill
William Trombley, Ambit Energy
Peg Cantwell, FCPH
Steve Dustin, Resident
Patti McGillicuddy, FCPH
Cody Charland, Student

APPROVE THE MINUTES OF REGULAR MEETING: 1/12/2015

Upon the motion of Trustee Maneely seconded by Trustee Dumas and unanimously carried to approve the minutes as presented and placed on file.

PAY BILLS:

<table>
<thead>
<tr>
<th>FUND</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joint Recreation Fund</td>
<td>692.60</td>
</tr>
<tr>
<td>Economic Development Fund</td>
<td>737.50</td>
</tr>
<tr>
<td>2010 HOME Grant</td>
<td>15,500.10</td>
</tr>
<tr>
<td>Trust Fund</td>
<td>243,197.59</td>
</tr>
<tr>
<td>General/Water/Sewer Funds</td>
<td>300,219.64</td>
</tr>
<tr>
<td></td>
<td>$ 560,347.43</td>
</tr>
</tbody>
</table>

Upon the motion of Trustee Maneely seconded by Trustee Hill and unanimously carried to approve the bills for payment as presented by Treasurer, Dorothy Maguire.

CODE APPLICATIONS:

Building Application

Farrar Home
46 Constable Street
Malone, NY 12953

Application for renovations to bathroom and dining room area at 46 Constable Street at an estimated cost of $15,000.00. Application approved by Building Inspector Charles Robert.

Wilma Harwood
322 Teboville Rd
Malone, NY 12953
Application to replace roof at 45 Willow Street at an estimated cost of $10,000.00. Application approved by Building Inspector Charles Robert.

Charlene Andrews
67 Cedar Street
Malone, NY 12953

Application to replace roof on front of house and front porch at 67 Cedar Street at an estimated cost of $16,000.00. Application approved by Building Inspector Charles Robert.

Olga Mills
100 Elm Street
Malone, NY 12953

Application to install a new meter box at 209 West Main Street at an estimated cost of $11,000.00. Application approved by Building Inspector Mathew Steenberge.

**Heating Application**

Heather Rolland
18 Murray Street
Malone, NY 12953

Application to install a pellet heating appliance at 18 Murray Street. Application approved by Building Inspector Mathew Steenberge.

**CODE OFFICER REPORT:** Demolition Permits – Upon review of our current demolition permit application for asbestos abatement, Charles Robert found that the application is lacking in that the Village does not require a bid bond or performance payment bond from the contractor applying for the permit. This requirement would further protect the Village in that the bond would cover any default from the contractor and payment performance bond would insure that the contractor has the means to cover cost if a default occurred. Also this would insure that the contractor has all the required insurances to do the demolition.

Upon the motion of Trustee Hill seconded by Trustee Dumas and unanimously carried to amend the application to include the language for bid and performance payment bond as recommended by Charles Robert.

**COMMITTEE REPORTS:** Trustee Maneely informed the Board that we moving forward with the steps to amend §66-5 of Chapter 66 (Zoning) of the Code of the Village of Malone. The Local Law has been drafted by Attorney Richard Edwards and has been placed on the Board of Trustees desks, as of today, for seven days.

At this point Matt Steenberge, Code Officer arrived and he was asked if he had anything to add to the demolition permit application. He said no. The other thing that he wanted to discuss was possibly revising the animal code. Our current code says that we contract with the Town of Malone to do animal enforcement. We do not use them. The only thing addressed in our code was barking dogs. Chief Premo said that Shirley Morton is supposed to do it because the Village is located within the Town. Shirley has no contract currently with the Village of Malone. Deputy Mayor Riccio asked Matt to check with Town Supervisor Maneely to see where we are currently with the dog code.
Matt also asked if we could have a logo created for the Village of Malone. Trustee Hill said he would speak with one of the local artists that he knows to see if he would do it “pro bono.”

NEW BUSINESS:

Chris Lawton – Barton and Loguidice – Solar RFP – Chris Lawton presented the four responsive vendors for the landfill solar panel RFP. He did a comparison study with Kelly Lathan from Fiscal Advisors and presented this to the Board. The Village Board of Trustees concurred that GreenPower Developers was the best choice and would like to invite them to a Board meeting in February for further discussion. See Resolution #8 below.

Resolution #8-2015 – Solar RFP

VILLAGE OF MALONE
RESOLUTION NO. 8-2015

PHOTOVOLTAIC POWER PRODUCTION LEASE

WHEREAS, bids were solicited for vendors to bid on the landfill photovoltaic power production lease; and

WHEREAS, four responsive vendors were compared; and

WHEREAS, after extensive comparison by Chris Lawton, P.E. from Barton and Loguidice and Kelly Lathan at Fiscal Advisors, Chris Lawton prepared a summary comparison for the Board of Trustees with their findings; and

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees concurred that GreenPower Developers was the best choice and would like to invite them to a Board meeting in February for further discussion.

Motion Made By: Trustee Hill
Seconded By: Trustee Maneely
Approved By Board of Trustees on: January 26, 2015

Franklin County Department Health – Lead Exposure – Peg Cantwell, Katie Strack and Patti McGillicuddy were present tonight to talk about the concern of lead exposure. There is a GIS (high lead) target neighborhood identified in the Village of Malone. They would like us to provide educational information where we can and make people aware of the seriousness of lead exposure. Brochures were left with Board to pass out.

Resolution #3-2015 – Request for Highway Department Assistance

VILLAGE OF MALONE
RESOLUTION NO. 3-2015

REQUEST FOR COUNTY HIGHWAY DEPARTMENT ASSISTANCE

WHEREAS, the Village of Malone Department of Public Works has requested assistance between the Village of Malone and the Franklin County Highway Department; and
WHEREAS, the specific equipment involved is a paver and a roller; and

WHEREAS, it is agreed that the work is undertaken by the Village Highway Department, and the job is totally under the direction and supervision of the Village Highway Department, and the Village Highway Department will get the necessary permits and agreements; and

WHEREAS, the Village of Malone will hold the County harmless from property damages and any claims brought by any third party as a result of this work, and if the County is held responsible for damages the Village will indemnify the County; and

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees approves the request for assistance between the Village of Malone Highway Department and the Franklin County Highway Department.

Motion Made By: Trustee Maneely
Seconded By: Trustee Dumas
Approved By Board of Trustees on: January 26, 2015

Resolution #4-2015 – Approval to Solicit Bids on 73 Rennie Street Demolition

VILLAGE OF MALONE
RESOLUTION NO. 4-2015

APPROVAL TO SOLICIT BIDS ON 73 RENNIE STREET DEMOLITION

WHEREAS, the building located at 73 Rennie Street has been deemed an unsafe structure as defined by Village of Malone Code;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees agree to solicit bids for the demolition of 73 Rennie Street; and

BE IT FURTHER RESOLVED: The Village Board of Trustees agrees to amend the 2014-2015 General Fund budget as follows:

Increase to Revenue Code: A2260 Public Services Other Governments by $25,000

Increase to Appropriation Code A3650.4 Demolition of Buildings other Expenses by $25,000

Motion Made By: Trustee Hill
Seconded By: Trustee Maneely
Approved By Board of Trustees on: January 26, 2015

Resolution #5-2015 – Appointment of Hearing Officer

VILLAGE OF MALONE
RESOLUTION NO. 5-2015

APPOINTMENT OF HEARING OFFICER

WHEREAS, the Village of Malone has previously authorized the termination of General Municipal Law Section 207-c benefits for Casandra Stone; and
WHEREAS, Casandra Stone has appealed that termination and has requested an appeal hearing; and

WHEREAS, the Village Board has the authority to conduct said hearing; and

WHEREAS, the Village Board desires to appoint a hearing officer to hear the matter, render a report and recommendation back to the Board for its consideration; and

WHEREAS, the Village Board would like to appoint David Hoover, Esq., as the hearing officer in this matter;

WHEREAS, the Village Board desires to empower the Mayor to take all further action necessary to effectuate the hearing; and

WHEREAS, the appointed hearing officer shall not have DeNovo review authority but rather shall hear the matter and only decide whether or not the Village’s decision was arbitrary and capricious;

NOW it is RESOLVED as follows:

The Board authorizes the Mayor to take all further action necessary to effectuate the hearing, and RESOLVED, that David Hoover, Esq., is hereby appointed as hearing officer in this matter; and RESOLVED, that the Board sets the authority of the hearing officer as not having DeNovo review but rather the hearing officer shall hear the matter and only decide whether or not the Village’s decision was arbitrary and capricious; and RESOLVED, that this Resolution is in effect as immediately.

Motion Made By: Trustee Hill
Seconded By: Trustee Maneely
Approved By Board of Trustees on: January 26, 2015

Resolution #6-2015 - Approval to solicit bids for Towing Services

VILLAGE OF MALONE
RESOLUTION NO. 6-2015

APPROVAL TO SOLICIT BIDS FOR TOWING

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees agree to solicit bids for Village Towing Services; and

BE IT FURTHER RESOLVED: The bid will be awarded based on best value.

Motion Made By: Trustee Hill
Seconded By: Trustee Dumas
Approved By Board of Trustees on: January 26, 2015

TREASURER’S REPORT:

Upon the motion of Trustee Hill seconded by Trustee Dumas and unanimously carried to accept the financial report for the period ending December 31, 2014.

BUDGET AMENDMENTS:

GENERAL FUND
BUDGET AMENDMENT NO. 17  2014-2015

Related to the appropriation and/or transfer of funds;

NOW THEREFORE, BE IT RESOLVED: The Village Board of Trustees amends their General Fund Budget as follows:

$960.00 From Account No. A1325.4 Treasurer Other Expenses
As Follows:
$960.00 To Account No. A1325.2 Treasurer Equipment

Motion Made By: Trustee Maneely
Seconded By: Trustee Hill
Approved By Board of Trustees on: January 26, 2015

TRAINING:

Mayor LePine to grant training to Jay Shanty for Nutrient Removal in Peru, NY on April 15, 2015.

Mayor LePine to grant training to Matt Steenberge to attend Northern Adirondack Code Enforcement in Lake Placid from 3/1/15 to 3/5/2015.

DPW REPORT: Gerry Fisher reported they are doing winter maintenance.

POLICE CHIEF: Year End 2014 Report was given by Chief Chris Premo.

PUBLIC COMMENTS: Steve Dustin – Primrose Street – Mr. Dustin explained that his next door neighbor just put a metal roof on his house. His metal roof and my house (Dustin) are 8’ apart. He showed pictures of his house. He tried all summer to get the neighbor to put up metal breaks on the roof. All the debris from his roof slammed into Mr. Dustin’s house. The neighbor’s chimney came down onto Mr. Dustin’s house. He is suing the guy in small claims court. The neighbor’s roof has cost Mr. Dustin between $12-14,000 dollars. It’s a safety hazard. Mr. Dustin can’t convince him to do the right thing. Mr. Dustin found out that we can’t order him to put them up, but that the Board can declare it a safety hazard and convince him. Deputy Mayor Riccio suggested to Matt Steenberge, Code Officer to look into this and see if we can add and/or change language to the code. We will address this as quickly as we can. He goes to court February 23, and if this continues he has no choice but to “sue the Village.”

William Trombley – Ambit Energy – We are working in Fort Covington and Bangor with their electric bills. I would like to take a look at the Village of Malone’s electric bills to see if we can save you some money. Mr. Trombley will contact the Village Clerk to get these bills.

EXECUTIVE SESSION:
Upon the motion of Trustee Maneely seconded by Trustee Dumas and unanimously carried to go into executive session for the purpose of contract negotiations.

Upon the motion of Trustee Maneely seconded by Trustee Hill and unanimously carried to come out of executive session.

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

Resolution #7-2015

VILLAGE OF MALONE
RESOLUTION NO. 7-2015

AUTHORIZATION TO ACCEPT TEAMSTERS LOCAL 687 MEMORANDUM OF AGREEMENT

WHEREAS, a Memorandum of Agreement for the Malone Police Department’s 2011-2016 Agreement was presented to the Village Board;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees accepts and authorizes the Mayor to execute the Memorandum of Agreement between the Village of Malone and Teamsters Local 687 on behalf of the Village of Malone Police Benevolent Association for the term of June 1, 2011 to May 31, 2016.

Motion Made By: Trustee Maneely  
Seconded By: Trustee Hill  
Approved By Board of Trustees on: January 26, 2015

ADJOURNMENT:

Upon the motion of Trustee Maneely seconded by Trustee Dumas and unanimously carried to adjourn the meeting at 8:00 PM.

Respectfully submitted,

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Cheryl Douglas, Village Clerk