At a Regular Meeting of the Malone Village Board, held on May 28, 2014 at 6:30 PM at the Board Room at NCCC, the following were present:

Todd LePine  Mayor
Joe Riccio  Trustee
Mike Maneely  Trustee
Brian Langdon  Trustee
Hugh Hill  Trustee

Also in attendance:
Cheryl Douglas, Village Clerk
Dorothy Maguire, Treasurer
Gerry Fisher, DPW Supervisor
Dave Werner
Robert Fountain, Srgt.
Chris Lawton, B & L
Taylor Bottar, B & L

APPROVE THE MINUTES OF REGULAR MEETING:  5/12/2014

Upon the motion of Trustee Riccio seconded by Trustee Hill and Mayor LePine and Trustee Maneely abstaining and Trustee Langdon approving the minutes were accepted as presented and placed on file.

PAY BILLS:

<table>
<thead>
<tr>
<th>FUND</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revolving Loan-Rehab Fund</td>
<td>102.00</td>
</tr>
<tr>
<td>Economic Development Fund</td>
<td>102.00</td>
</tr>
<tr>
<td>Capital Fund - Yonkowski Project</td>
<td>5,219.57</td>
</tr>
<tr>
<td>Joint Recreation Fund</td>
<td>5,257.98</td>
</tr>
<tr>
<td>State Grant Fund</td>
<td>7,375.00</td>
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<tr>
<td>Water Fund</td>
<td>36,310.85</td>
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<tr>
<td>Sewer Fund</td>
<td>39,249.90</td>
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<tr>
<td>Capital Fund - WWTP Improvement Project</td>
<td>77,500.08</td>
</tr>
<tr>
<td>Trust Fund</td>
<td>131,906.85</td>
</tr>
<tr>
<td>General Fund</td>
<td>241,082.32</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 544,106.55</strong></td>
</tr>
</tbody>
</table>

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

CODE APPLICATIONS:

**Building Application**

Brett Rousell
15 Frederick Street
Malone, NY  12953

Application to build a 16’ x 20’ deck located at 15 Frederick Street at an estimated cost of $700. Application approved by Building Inspector James Haley.
Application to renew building permit (for 1 store office) at 40 Mill Street at an estimated cost of $12,000. Application approved by Building Inspector James Haley.

Application to rebuild house (due to fire) at 255 Park Street at an estimated cost of $50,000. Application approved by Building Inspector James Haley.

Application to add roof over deck at 27 Raymond Street at an estimated cost of $2065. Application approved by Building Inspector James Haley.

Application to install a 27’ swimming pool at 8 St Marks Ave at an estimated cost of $5,500. Application approved by Building Inspector James Haley.

Application to set up large tent in Kmart plaza parking lot, 230 W Main Street, to display cars for sale at an estimated cost of $1000. Application approved by Building Inspector James Haley.

Application to add on garage, rebuilding porch and roof at 78 Academy Street at an estimated cost of $5,000. Application approved by Building Inspector James Haley.

Application to put up a 6’ fence at 18 Murray Street at an estimated cost of $1,000. Application approved by Building Inspector James Haley.
**Heating Application**

Lawrence Willett  
176 Elm Street  
Malone, NY  12953

Application to install a new oil heating unit at 176 Elm Street. Application approved by Building Inspector James Haley.

**Demolition Application**

Martin Shaw  
15263 St Rt 30  
Malone, NY  12953

Application to remove a 10x14 shed at 627 E Main Street at an estimated cost of $3,300. Application approved by Building Inspector Charles Robert.

**SIDEWALK APPLICATIONS:**

25 Marion Street and 36 First Street – Applications have been submitted and signed by DPW Supervisor Gerald Fisher.

Upon the motion of Trustee Hill seconded by Trustee Riccio and unanimously carried to approve the sidewalk applications as presented.

**WATER SERVICE APPLICATION:** 3365 State Route 11 – This is for the new Dairy Queen located on Route 11 between Mo’s and McDonald’s. The application has been signed and approved by DPW Supervisor Gerald Fisher and the fee of $250 has been paid.

Upon the motion of Trustee Riccio seconded by Trustee Hill and unanimously carried to approve the water service application.

**WATER METER APPLICATION:** 3365 State Route 11 - This is for the new Dairy Queen located on Route 11 between Mo’s and McDonald’s. The application has been signed and approved by DPW Supervisor Gerald Fisher and the fee of $550 has been paid.

Upon the motion of Trustee Riccio seconded by Trustee Hill and unanimously carried to approve the water meter application.

**HAWKER AND PEDDLER PERMIT** – Vision Resale Center – Auto Tent Sale – All appropriate documentation has been provided and an agreement has been made between Malone Plaza Realty LLC and Vision Resale Center to have a sale in the K-Mart Plaza May 31 to June 9.

Upon the motion of Trustee Maneely seconded by Trustee Riccio and unanimously carried to approve the Hawker and Peddler Permit.

**COMMITTEE REPORTS:** None at this time.

**CORRESPONDENCE:**
Malone Fish and Game Club – Fishing Derby – The Malone Fish and Game Club is requesting the use of the Village Pond at 90 College Avenue for the Fishing Derby to be held on June 7, 2014.

Upon the motion of Trustee Hill seconded by Trustee Riccio and unanimously carried to have the Fishing Derby at the Village Pond.

Franklin County Agricultural Society – Beer and Wine Permit – Letter received from Dale Chapin and Ross Sutton informing us they have applied for a beer and wine permit for the fair from August 1 to August 10. No action needed.

Speed Limit – Discussion – The Board of Trustees wanted to discuss setting a local rule for speed limit laws, particularly lowering it to 20 mph. Dave Werner from the Traffic Safety Board was here to discuss the topic. Under current vehicle traffic law (VTL), speed limits must be 30 mph in the Village – changing VTL to allow villages to set speed limits at 20 mph would then require an engineering study and it wouldn’t pass. Trustee Hill recommended traffic calming techniques as people speed through Main Street. Trustee Hill also stated that our requests for this have been ignored twice by the Traffic Safety Board and NYS DOT. The Board was polled and they felt that lowering the speed limit and techniques for calming devices would be beneficial. It also may help to have the Board of Trustees, Traffic Safety Board and NYS DOT sit down to have a meeting about this. See Resolution #54.

Resolution #54-2014 – Lowering Speed Limits

VILLAGE OF MALONE
RESOLUTION NO.  54-2014

LEGISLATION FOR LOWER SPEED LIMITS

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees would like to enact legislation this year that would change state law to provide municipalities with more home-rule authority over speed limits.

Motion Made By: Trustee Riccio
Seconded By: Trustee Hill
Approved By Board of Trustees on: May 28, 2014

NEW BUSINESS:

Chris Lawton and Taylor Bottar Engineers from Barton and Loguidice - Topics for discussion were the WWTP, Solar Power and I & I study. We are approaching 90% right now of the final design for the WWTP. The construction bids will go out possibly in the Fall for this. As far as the Solar Power Farm there have been studies about putting the solar power at the landfill. The problem is that there are a lot of limitations on capping the landfill. It is hard to come up with a way to mount the panels. B & L will help in any way they can with this project. For the east side I & I study we have worked with Dan Rousseau from DPW getting the manholes mapped.

MOU – Town of Malone/Village of Malone – Justice Court Records – A memorandum of understanding has been drawn up and submitted to the Town of Malone
to request inactive storage space in the Town Office Building for the storage of defunct Village Court Records.

Upon the motion of Trustee Riccio seconded by Trustee Maneely and unanimously carried to authorize the Mayor to sign the MOU contingent on the Town approval.

Resolution #49-2014 – Rejection of Bids for Liquid Polymer

VILLAGE OF MALONE
RESOLUTION NO. 49-2014

REJECTION OF BIDS FOR LIQUID POLYMER

WHEREAS; on April 1, 2014, the Village of Malone solicited sealed bids for liquid polymer and reserved the right to reject all bids; and

WHEREAS, bids were opened on April 22, 2014; and

WHEREAS, it has been determined additional information is needed in the bid specifications;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees rejects all bids received on April 22, 2014 for liquid polymer.

Motion Made By: Trustee Riccio
Seconded By: Trustee Maneely
Approved By Board of Trustees on: May 28, 2014

Resolution #50-2014 – Adoption of 2009 NYMS Post Monitoring Plan

VILLAGE OF MALONE
RESOLUTION NO. 50-2014

ADOPTION OF 2009 NYMS POST MONITORING PLAN

WHEREAS, by letter dated February 19, 2013, the Village of Malone (Village) agreed to complete the annual monitoring of the assisted properties associated with the New York Main Street (NYMS) Grant Program originally awarded to Malone Economic Development Corporation; and

WHEREAS, on March 24, 2014 the NYS Office of Community Renewal approved the Village of Malone’s proposal to take over the monitoring responsibilities of the 2009 NYMS Grant Program; and

WHEREAS, property owners that received grant funds are required to maintain the assisted improvements for a period of seven years; and

WHEREAS, according to the Grant Agreement, all projects will be monitored by periodic inspections to ensure assisted improvements are being maintained; and

WHEREAS, the Village must develop a formal plan for monitoring the assisted properties;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees adopts the Village of Malone 2009 New York Main Street Monitoring Plan as presented.
Resolution #51-2014 – Authorization for WWTP Improvement Capital Project Temporary Transfers

VILLAGE OF MALONE
RESOLUTION NO. 51-2014

AUTHORIZATION FOR WWTP IMPROVEMENT CAPITAL PROJECT TEMPORARY TRANSFERS

WHEREAS, by Resolution No. 53-2013 the Village Board of Trustees (the “Village”) approved the upgrade and improvement of the waste water treatment plant, sewer collection system and related facilities (the “Project”), at a maximum cost of $13,000,000; and

WHEREAS, the Village has submitted an application to the New York State Environmental Facilities Corporation (“NYSEFC”) Clean Water State Revolving Fund for the short and long term financing of said Project; and

WHEREAS, by Resolution No. 31-2013 and Resolution No. 79-2013, the Village Board authorized temporary transfers from the Sewer Fund to the Capital Project Fund to fund the Project with said funds to be returned upon receipt of the short term financing of the Project; and

WHEREAS, due to the delay in obtaining the short term financing from NYSEFC, the sewer fund is no longer able to fund the Project on a temporary basis;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees approves the temporary transfer of funds from General Fund to the Waste Water Treatment Plant Capital Project Fund with the Sewer Fund reimbursing the General Fund for any lost bank interest.

Motion Made By: Trustee Hill
Seconded By: Trustee Riccio
Approved By Board of Trustees on: May 28, 2014

Resolution #52-2014 – Local Waterfront Grant Application

VILLAGE OF MALONE
RESOLUTION NO. 52-2014

AUTHORIZATION TO EXECUTE 2014 LOCAL WATERFRONT GRANT APPLICATION LETTER OF SUPPORT

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to execute a letter of support for Clinton County’s regional grant application for Local Waterfront Program funding to assist Clinton and Franklin County communities in implementing essential downtown and waterfront revitalization development projects.

MOTION MADE BY: Trustee Maneely
Meeting Dates for June, July and August – The Village Board would like to only have one meeting a month in the summer. The dates will be as follows: June 16, July 21 and August 18.

TREASURER’S REPORT:

GENERAL FUND
BUDGET AMENDMENT NO. 30 2013-2014

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.

$1,206.00  From Account No. A511 Appropriated (Federal) Forfeiture Fund Reserve
As Follows:
$1,206.00  To Account No. A3120.4R Police Other Expenses (Federal) Forfeiture Fund

$  81.00  From Account No. A511 Appropriated (State) Forfeiture Fund Reserve
As Follows:
$  81.00  To Account No. A3120.4R Police Other Expenses (State) Forfeiture Fund

$1,922.00  From Account No. A9060.8 Health Insurance
As Follows:
$  97.00  To Account No. A1210.4 Mayor Other Expenses
$  725.00  To Account No. A1325.4 Treasurer Other Expenses
$1,100.00  To Account No. A1610.4 Central Administration Other Expenses

Motion Made By: Trustee Maneely
Seconded By: Trustee Hill
Approved by the Board of Trustees On: May 28, 2014

WATER FUND
BUDGET AMENDMENT NO. 10 2013-2014

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.

$ 460.00  From Account No. F1990.0 Contingency
As Follows:
$ 260.00  To Account No. F8310.2 Water Administration Equipment & Capital Outlay
$ 200.00  To Account No. F8320.2 Water Source of Supply Equipment & Capital Outlay
SEWER FUND
BUDGET AMENDMENT NO. 9  2013-2014

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.

$  377.00 From Account No. G1990.0 Contingency As Follows:

$  377.00 Account No. G8110.2 Sewer Administration Equipment & Capital Outlay

JOINT RECREATION FUND
BUDGET AMENDMENT NO. 8  2013-2014

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.

$ 639.00 From Account No. J7140.4 Playground Other Expenses
$ 350.00 From Account No. J9050.8 Unemployment Claims

As Follows:

$ 989.00 To Account No. J9950.9 Transfer to Capital Projects

TRAINING:

Mayor LePine to grant training to Gerald Fisher, DPW Supervisor and Scott Gavin to attend the 2014 Highway School in Ithaca, NY from June 1 to June 4, 2014.

DPW REPORT: Mayor LePine reported that Gerald Fisher’s probationary period is up and he has done an outstanding job as supervisor. He was congratulated by the Board. Supervisor Gerald Fisher reported that clean-up of branches and leaves has ended. We received the plow truck last week. They are working on milling Raymond, Center, Lafayette, Patnode, Mill and Harding Streets. Paving will start soon. The waterline from Pinnacle to College Avenue was completed last year and we will be working on the line to the school as soon as school is out.

POLICE CHIEF: No comments.
PUBLIC COMMENTS: Jim Haley, Code Office reported he would like to make a few changes. He noticed that owner occupied rentals are not inspected. He has found that some of these places are uninhabitable. We should run this by our village attorney. Also Jim has found some unlicensed rentals and code enforcement would like to enforce the rule of sending them a fine. Jim also would like to become a registered asbestos inspector. The moratorium on the shelters (homeless/boarding) is still in place, but the 90 days will be up soon. We will need our attorney to look into this further. The building in question is not up to building code.

EXECUTIVE SESSION:

Upon the motion of Trustee Maneely seconded by Trustee Hill and unanimously carried to go into executive session for the purpose of a personnel issue.

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

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

Resolution #53-2014 – Approval of Notice of Benefits Code Enforcement Officer

VILLAGE OF MALONE
RESOLUTION NO. 53-2014

APPROVAL OF 2014-2015 NOTICE OF BENEFITS & VILLAGE POLICY

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees approves the 2014-2015 Notice of Benefits for the Code Enforcement Officer as presented; and

BE IT FURTHER RESOLVED: The Village Board of Trustees approves the 2014-2015 Notice of Salary and Village Policy as presented for the part-time Code Enforcement Officer.

Motion Made By: Trustee Maneely
Seconded By: Trustee Riccio
Approved By Board of Trustees on: May 28, 2014

ADJOURNMENT:

Upon the motion of Trustee Maneely seconded by Trustee Riccio and unanimously carried to adjourn the meeting at 8:30 PM.

Respectfully submitted,

__________________________
Cheryl A. Douglas
Village Clerk