

At a Regular Meeting of the Malone Village Board, held on September 14, 2015 at 6:30 PM in Room 203 at NCCC the following were present:

Todd LePine	Mayor
Joseph Riccio	Trustee
Andrea Dumas	Trustee
Hugh Hill	Trustee
Mike Maneely	Trustee

Also in attendance:

Cheryl Douglas, Village Clerk	Kristine Lashway, Treasurer
Gerald Fisher, DPW Supervisor	Frank DiFiore, Telegram
Chief Chris Premo	Kevin Nichols, Attorney
Katherine Youngcliss	Dene Savage, Chamber
Anita Kinsley, Garden Club	Rhoda Gough, Garden Club
Anne Gaggin, Garden Club	Joan Mazzacano, Garden Club
Archie McKee	Chastity Miller, FCSWCD
Fran White, Garden Club	Tom Schulz
Barbara Allen, Garden Club	Maurice Woods

APPROVE THE MINUTES OF REGULAR MEETING: 08/24/2015

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

APPROVE THE MINUTES OF SPECIAL MEETING: 09/08/2015

Upon the motion of Trustee Maneely seconded by Trustee Dumas and Mayor LePine abstaining, to approve the minutes as presented and placed on file.

PAY BILLS:

<u>FUND</u>	<u>AMOUNT</u>
Joint Rec Fund	14,608.50
Trust & Agency	184,840.06
General/Water/Sewer Funds	185,451.11
WWTP - CP	52,709.17
395 West Main Street	<u>10,983.00</u>
	\$ 448,591.84

Upon the motion of Trustee Maneely seconded by Trustee Dumas and unanimously carried to approve the bills as presented for payment by Treasurer, Kristine Lashway.

CODE REPORT: Trustee Hill asked if Mayor LePine could give an explanation about the Board of Trustees approving or disapproving code applications. There appears to be a

misconception that the Trustees approve these applications. Mayor LePine stated that there are certain situations where applicants come to the Board to be heard in regards to code issues. The Board of Trustees or Mayor doesn't have any authority to disapprove or approve code applications, that is the Code Officer's job.

Building Application

Mike Stone
10 Knollwood Drive
Malone, NY 12953

Application by Marshall Bros to do fire restoration at 19 Milwaukee Street at an estimated cost of \$10,000.00. Application approved by Building Inspector Charles Robert.

Kevin Benware
24 Wellington Street
Malone, NY 12953

Application to replace paneling, remove two walls as well as reinforcing the header and electrical work at 24 Wellington Street at an estimated cost of \$500.00. Application approved by Building Inspector Charles Robert.

David Scott
35 Pershing Ave
Malone, NY 12953

Application to build breezeway at 35 Pershing Ave at an estimated cost of \$ 10,000.00
Application approved by Building Inspector Charles Robert.

Kristen Hart
28 Williamson Street
Malone, NY 12953

Application to install pool with deck at 28 Williamson Street at an estimated cost of \$5,000.00.
Application was approved by Building Inspector Charles Robert.

John Cook
Gouverneur, NY 13642

Application by GW Cook to fix garage roof, build small car port and install fence at 33 Edward Street at an estimated cost of \$350.00. Application approved by Building Inspector Charles Robert.

Fr Co Historical & Museum
51 Milwaukee Street
Malone, NY 12953

Application by Valley Construction and Roofing to install a new roof at 51 Milwaukee Street at an estimated cost of \$5,089.00. Application approved by Building Inspector Charles Robert.

Sign Application

Purdy Group LLC
P.O. Box 1542
Millersville, MD 21108

Application to install a non-illuminated marquee sign at 54 Harrison Place an estimated cost of \$75.00. Application approved by Building Inspector Charles Robert.

SIDEWALK APPLICATION: 44 Willow Street - Joel Saumier – Application received for a sidewalk repair and approved by DPW Supervisor Gerald Fisher

Upon the motion of Trustee Dumas seconded by Trustee Maneely and unanimously carried to approve the sidewalk application.

COMMITTEE REPORTS: Last Thursday there was a very productive meeting regarding Rotary Lake. There were representatives from Village, Town, NYSDEC, FCSWD, Franklin County, and Joint Rec Commission. There was extensive conversation and all entities have agreed to work together. Chastity Miller spoke about the lake. We are looking at getting a joint permit from NYSDEC and the US Army Corp of Engineers. The permit will look at how much to remove, the timeframe to complete it, what sections to remove, where it is going to go and the health of that material.

NYSDEC – Lead Agency Proposed Mill Park

VILLAGE OF MALONE RESOLUTION NO. 84-2015

INTENT TO DECLARE LEAD AGENCY

WHEREAS: 6 NYCRR Part 617 of the State Environmental Quality Review Law requires that a lead agency be established for conducting environmental review of projects in accordance with local and state environmental law, and

WHEREAS: State Law specifies that for actions governed by local environmental review, the lead agency shall be that local agency which has primary responsibility for approving and funding or carrying out the action, and

WHEREAS: Village of Malone Board of Trustees is developing a plan and a permit application for the improvement of the Malone Rotary Park Recreation Lake for the Village and Town of Malone, and

WHEREAS: this is an Unlisted Action pursuant to the New York State Environmental Quality Review Act, (SEQRA) which requires review, *now, therefore be it*

RESOLVED: that the Village Board of Trustees of the Village of Malone is, by way of this resolution, declaring its intent to act as Lead Agency in Environmental Review for the proposed adoption of the Malone Local Waterfront Revitalization Plan.

Motion made by: Trustee Hill

Seconded by: Trustee Maneely

Approved by the Board of Trustees: September 14, 2015

CORRESPONDENCE:

Request for Arsenal Green – October 15, 2015 for a Candlelight Vigil – Amber Brown of Behavioral Health Services North, Inc. has requested the use for Stop Domestic Violence. The event will take place from 5:30 to 8:00 PM. They will be providing their insurance certificate prior to the event.

Upon the motion of Trustee Maneely and Trustee Hill to approve the request for the use of the Arsenal Green.

Just Energy – Request for a Peddler’s Permit – Nicole Hayes, Regional Office Administrator has requested a peddler’s permit for their company to go door to door in the Village of Malone. In the past we have had trouble with this company asking for people’s social security numbers, not being cooperative to leave when asked to leave, and asking for personal information.

Upon the motion of Trustee Maneely and Trustee Dumas to disapprove the request for the Peddler’s Permit.

NYSDEC – Proposed Mill Park – SEQR Lead Agency Coordination Response. The NYSDEC agrees with our request to be lead agency.

Insurance Services Office – Public Fire Protection – They will be meeting with Fire Chief Paul Langdon, Water Superintendent Gerald Fisher, and they will be sending a survey to the Code Office. Letter acknowledged.

NEW BUSINESS:

Chamber of Commerce Tax/Water Bill – Dene Savage, Chamber President spoke about the water bill. Dene just wanted to state in the letter from him the “bill was inaccurate.” The bill was not inaccurate. There is no doubt the water went through the meter. The other comment he made was it was not a “faulty valve.” The valve was left open. The Board agreed to have the Chamber pay \$125 and waive the portion of the water bill that was relieved to the taxes and waive the late fees. The Board suggests that the Chamber cap the line so this doesn’t happen again.

Upon the motion of Trustee Riccio with a second by Trustee Dumas and Trustee Hill abstaining to remove the water charges and late fees and have the Chamber of Commerce pay only \$125 of the bill.

Malone Garden Club – Water Issues - Anne Gaggin Co President of the Malone Garden Club asked for a request for improvement of the watering system that has not worked correctly for the past four years in the park where the fountain is located. This year it has not worked at all from June to September. Gerald Fisher was asked his opinion and he said he would check into it with the ladies and promised to get them water for next year.

PILOT – Indian Trails – Kevin Nichols, Attorney was present tonight to talk about the PILOT for Indian Trails. He was given a document with an emergent reason to sign this. He is reluctant to have the Village sign this document with so many blanks in it. It might be a good idea for each taxing entity to meet and discuss the document. Trustee Riccio said he would like to volunteer to be on the committee. Franklin

County is meeting on Thursday to discuss this. Trustee Maneely said he would be on the committee as well. Tabled until further investigation.

Change Orders – WWTP Project – This change order is to replace existing drainage piping and bedding material within the Scum Drying Bed.

Upon the motion of Trustee Hill with a second by Trustee Riccio and unanimously carried to approve the change order.

Erroneous Water/Sewer Re-L Levy – Tabled until further investigation from our Attorney Kevin Nichols.

Refund of Variance Board Fee – Kim Reid from Learning Tree Christian Academy paid for a variance board fee in the amount of \$100 and the variance was not needed.

Upon the motion of Trustee Hill seconded by Trustee Riccio and unanimously carried to refund the \$100 for payment of a variance that wasn't needed.

Resolution #85-2015 Lifetime Benefit Solutions (RMSCO) –
Updated Business Associate Agreement – Authorize Mayor to Sign

**VILLAGE OF MALONE
RESOLUTION NO. 85-2015**

AUTHORIZATION TO EXECUTE AGREEMENT

WHEREAS, the Village of Malone has an agreement with EBS-RMSCO (now known as Lifetime Benefit Solutions, Inc); and

WHEREAS, this updated agreement complies with requirements of Health Insurance Portability and Accountability Act of 1996 (“HIPPA”) and the Health Information Technology for Economic and Clinical Health Act (the “HITECH Act”), collectively “the Federal Privacy Rules”; and

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to execute the updated agreement between Lifetime Benefit Solutions and the Village of Malone.

Motion Made By: Trustee Riccio

Seconded By: Trustee Dumas

Approved By Board of Trustees on: September 14, 2015

Resolution #86-2015 – Friend Commercial Contracting Corp – Proposal – Kristine Lashway is questioning whether this is a capital fund project or a general fund project. We shouldn't give up on getting funding from other sources. We should resolve this with the Comptroller's Office.

**VILLAGE OF MALONE
RESOLUTION NO. 86-2015**

AUTHORIZATION TO SIGN PROPOSAL

WHEREAS, the Village of Malone received a proposal from Friend Commercial Contracting Corp for the demolition of 395 West Main Street; and

WHEREAS, this estimated proposal is in the amount of \$395,849; and

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to sign the estimated proposal.

Motion Made By: Trustee Hill

Seconded By: Trustee Dumas

Approved By Board of Trustees on: September 14, 2015

Resolution #87-2015 – Authorization to Pay Invoice #86 to Friend Commercial Contracting

**VILLAGE OF MALONE
RESOLUTION NO. 87-2015**

AUTHORIZATION TO PAY INVOICE

WHEREAS, the Village of Malone received an invoice (#86) from Friend Commercial Contracting Corp for the demolition of 395 West Main Street; and

WHEREAS, the invoice is in the amount of \$205,024.28; and

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to pay the invoice from Friend Commercial Contracting Corp.

Motion Made By: Trustee Dumas

Seconded By: Trustee Hill

Approved By Board of Trustees on: September 14, 2015

Resolution #88-2015 – Award bid for Trailer Vacuum Debris Collector

**VILLAGE OF MALONE
RESOLUTION NO. 88-2015**

TRAILER VACUUM DEBRIS COLLECTOR

WHEREAS, the Village of Malone (the “Village”) solicited bids for a trailer vacuum; and

WHEREAS, only one bid was received;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees awards the bid to ODB (Old Dominion Brush Co) at a price of \$28,926.

Motion Made By: Trustee Maneely

Seconded By: Trustee Hill

Approved By Board of Trustees on: September 14, 2015

WESTELCOM PHONE PROSPOSAL – Cheryl and Kristine met with Westelcom. The phones we have now are outdated with regards to voicemail, messages, what people are hearing when they call in, changing names, etc. The phones we have are dated 2006. Basically it would be \$2,000 more a year. Trustee Dumas wants to table this until next meeting and ask to get another price from Twinstat.

TREASURER’S REPORT: Budget Amendment

BUDGET AMENDMENT NO. 2 2015-2016

JOINT RECREATION FUND - WHEREAS, a donation in the amount of Two Hundred Dollars (\$200.00) was received from the Ladies of the Elks #1303;

NOW THEREFORE, BE IT RESOLVED: The Village Board of Trustees accepts said donation from the Ladies of the Elks #1303 and amends the Joint Recreation Fund Budget as follows:

Increase Revenue: J2705.2 Donations by \$200

Increase Appropriation: J7140.410 Recreation Supplies & Materials by \$200

MOTION MADE BY: Trustee Riccio

SECONDED BY: Trustee Hill

APPROVED BY BOARD OF TRUSTEES ON: September 14, 2015

TRAINING:

Mayor LePine to authorize Gerald Fisher to attend Snow and Ice Control Operations in Canton, NY on September 22, 2015.

Mayor LePine to authorize Gordon Halley and Norman Bonner to attend Local Government Conference at SUNY Potsdam on October 13, 2015.

DPW REPORT: Work is continuing on Academy Street. Duane Street looks great. Sidewalk work is getting started. Today we are working on the sanders and getting them tuned up.

POLICE CHIEF:

Report for month of August 2015 – Chief Premo gave his report. We need some type of smoke alarm system since we switch our phones to 911 at night.

PUBLIC COMMENTS: Maurice Woods wanted to talk about derelict houses and what he would like to do to help rehab some houses. People cannot pay the high rents. If we could come up with an application process where they can apply for a building permit and fix the houses up to live in. Maurice will work with Joe Riccio and the County Treasurer. The state has a program called a Land Bank. This will be looked into.

EXECUTIVE SESSION: For the purposes of a personnel issue (7:45 PM)

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

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 Hill and unanimously carried to go into regular session.

RESOLUTION 89-2015 - Approval of Revised Notice of Benefits

**VILLAGE OF MALONE
RESOLUTION NO. 89-2015**

APPROVAL OF 2015-2016 NOTICE OF BENEFITS

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees approves the revised 2015-2016 Notice of Benefits for the Chief of Police.

Motion Made By: Trustee Riccio

Seconded By: Trustee Hill

Approved By Board of Trustees on: September 14, 2015

ADJOURNMENT:

Upon the motion of Trustee Riccio seconded by Trustee Dumas and unanimously carried to adjourn the meeting at 8:20 PM.

Respectfully submitted,

Cheryl A. Douglas, CMC, RMC
Village Clerk