

At the Regular Meeting
of the Malone Village Board,
Held on April 8, 2024 at 5:00PM
At 343 West Main St. the
Following were present:

Andrea Dumas	Mayor
Norman Bonner	Trustee
Archie McKee	Trustee
Matthew Boyea	Trustee
Brian Langdon	Trustee

Also in attendance:

Kristine Lashway, Village Treasurer	Rebahka Scaccia, Village Clerk
Alex Violo, Telegram	William T. Andre, Chief of Police
Mike Maneely	Dr. Calvin Martin
Thomas Larocque	Tom Schulz

Mayor Dumas called the meeting to order at 5:00PM.

PLEDGE OF ALLEGIANCE

OPEN PUBLIC HEARING ON LOCAL LAW #1-2024 – ARTICLE II – CHAPTER 4 – ANIMALS – REPEAL OF SUBSECTIONS §4-2; §4-3.1, §4-3.23; §4-4; §4-4.1; §4-5; §4-6; §4-7; and §4-7.1; AMENDMENT OF SUBSECTION §4-3

OPEN PUBLIC HEARING ON LOCAL LAW #2-2024 – A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

OPEN PUBLIC HEARING ON 2024-2025 TENTATIVE VILLAGE BUDGET

Dr. Martin asked the Board for a synopsis of the proposed 2024-2025 Budget and what the increase was due to. Treasurer Lashway stated that the proposed Tax Rate included an increase of 3.748%. She further noted that there were packets out that included a detailed list of the items that were of necessity to each department, including the Police Department, DPW and Water and Sewer Departments, that have pushed the budget over the Tax Cap. Citing aging equipment and Police Department additions, the tax levy must increase.

Dr. Martin further asked who would be covering the Dogs in the Village considering the proposed repeal of the Village dog laws. The Board explained that the Town of Malone receives all revenue for the licensing of dogs. The Town will be the entity to enforce Dog control. The Village laws have been an impediment to the Town being able to enforce the dog laws. The repeal of those should rectify that.

Mike Maneely asked if the rumors about a Village employee looking to take a new job were true. The mayor noted the Village does not react to rumors and that this was not a topic of discussion at this meeting.

Hearing no further public comments on the three public hearings, Mayor Dumas left the Public Hearings open and moved forward with the Regular Meeting agenda.

APPROVE THE MINUTES OF THE REGULAR SESSION MEETING 03/25/2024

Upon the motion of Trustee Langdon with a second by Trustee Boyea and unanimously carried to approve the minutes and place on file.

APPROVE THE MINUTES OF THE BUDGET SESSION MEETING 03/27/2024

Upon the motion of Trustee Bonner with a second by Trustee McKee and unanimously carried to approve the minutes and place on file.

APPROVE THE MINUTES OF THE BUDGET SESSION MEETING 04/03/2024

Upon the motion of Trustee Langdon with a second by Trustee Bonner and unanimously carried to approve the minutes and place on file.

TREASURER’S REPORT

PAY BILLS:

Fund	Amount	# of Bills Audited
General/Sewer/Water	\$ 102,212.83	71
Joint Recreation Fund	\$ 444.51	6
Trust & Agency	\$ 117,705.51	10
Grand Total	\$ 220,362.85	87

Upon the motion of Trustee McKee with a second by Trustee Bonner and unanimously carried to approve the bills and place them on file.

➤ **Resolution 31-2024 – To Amend Resolution 21-2024 – 2023-2024 Budget Amendment No. 19**

**VILLAGE OF MALONE
RESOLUTION 31-2024
To Amend Resolution No. 21-2024
2023-2024 Budget Amendment No. 19**

Related to the appropriation and/or transfer of funds:

Now, therefore be it resolved: The Village Board of Trustees amends their Budget as follows:

FROM	Unallocated Insurance	A1910.430	\$ 1,832.05
TO	Admin Bldg Purchased Services	A1610.440	\$ 832.05
	*Hyde Stone Contract		
TO	Police Uniforms & Accessories	A3120.410.20	\$ 1,000.00
	*New Hires		
FROM	Police Retirement	A9015.800	\$ 20,000.00
TO	Police Post Employment Health Ins.	A9060.800.30	\$ 20,000.00
FROM	Unemployment Insurance	A9050.800R	\$ 2,000.00
FROM	Workers Compensation	A9040.800	\$ 6,711.16
TO	Health Insurance Post Employment	A9060.800.20	\$ 8,711.16
FROM	Water Fund Attorney Fees	F1420.440	\$ 1,582.40
TO	Water Central Garage Wages	F1640.160	\$ 1,200.00
TO	Water Central Garage OT Wages	F1640.161	\$ 382.40
FOR	*Mechanic Wages		
FROM	Water Fund Contingency	F1990.000	\$ 2,000.00
FROM	Water Department Equipment	F8340.200	\$ 13,124.98
TO	Water Department Wages	F8340.160	\$ 14,750.00
TO	Water Department OT	F8340.161	\$ 374.98
FROM	Sewer Admin Salaries	G8110.150.01	\$ 8,600.00
TO	Sewer Department OT	G8120.161	\$ 2,000.00
TO	Sewer Dept. Stand-By Wages	G8120.165	\$ 700.00
TO	Sewer Sept. Drug Testing	G8120.447	\$ 100.00
TO	Sewer Plant Chemicals	G8130.410.40	\$ 5,000.00
TO	Sewer Plant Lab Testing	G8130.441	\$ 300.00
TO	Sewer Plant Equipment Repair	G8130.461	\$ 500.00

FROM	Lifeguard Salaries	J7140.162	\$ 865.15
TO	Unallocated Insurance	J7140.430	\$ 365.15
TO	Purchased Services	J7140.440	\$ 300.00
TO	Advertising/Public Notice	J7140.443	\$ 200.00

Motion Made By: Trustee Langdon
 Seconded By: Trustee Boyea
 Approved by Board of Trustees on: April 8, 2024

➤ **Resolution 32-2024 – 2023-2024 Budget Amendment #20**

**VILLAGE OF MALONE
 RESOLUTION 32-2024
 2023-2024 Budget Amendment No. 20**

Related to the appropriation and/or transfer of funds:

Now, therefore be it resolved: The Village Board of Trustees amends their Budget as follows:

FROM	Clerk Postage	A1410.415	\$ 195.00
TO	Admin Bldg. Purchased Services *Adirondack Mobile Shredding	A1610.440	\$ 195.00
FROM	Public Works Supervisor	A5010.150.01	\$ 1,200.00
TO	Registrar Software Maintenance	A4020.446	\$ 1,200.00
FOR	*Laserfiche Annual Maintenance – Town owes of \$600.00		
FROM	Shade Tree Salaries	A8560.160	\$ 1,000.00
TO	Shade Tree Diesel	A8560.463	\$ 1,000.00
FROM	Chasm Falls Plant Maintenance	F8320.459	\$ 14,311.05
TO	Water Fund OT	F8340.161	\$ 2,000.00
TO	Water Active Employee Health Ins.	F9060.800	\$ 11,936.07
TO	Water Department OT	F8340.161	\$ 374.98
FROM	Sewer Contingency	G1990.000	\$ 6,797.00
TO	Sewer Fund Equipment *DPW Storage Containers	G8120.200	\$ 1,997.00
TO	Sewer Plant OT	G8130.161	\$ 2,000.00
TO	Sewer Plant Outside Lab Testing	G8130.441	\$ 2,000.00
TO	Sewer Plant Gas	G8130.462	\$ 500.00

TO Sewer Plant Diesel Fuel G8130.463 \$ 300.00

Motion Made By: Trustee Bonner

Seconded By: Trustee Langdon

Approved by Board of Trustees on: April 8, 2024

➤ **Resolution 33-2024 – Water Capital Reserves**

**VILLAGE OF MALONE
RESOLUTION NO. 33-2024**

WATER CAPITAL RESERVES

BE IT RESOLVED that the Village of Malone Board of Trustees has determined that the funds from the Water Capital Reserves are needed to pay existing Water System Improvement obligations (Third Well Project) in the sum of \$53,325.21. The Village Board of Trustees authorizes the transfer of an amount not to exceed Fifty-Three Thousand, Three Hundred Twenty-Five Dollars and Twenty-One Cents (\$53,325.21) from the Water Capital Reserve Fund.

Motion Made By: Trustee Langdon

Seconded By: Trustee Boyea

Approved by Board of Trustees on: April 8, 2024

POLICE REPORT

➤ **March 2024 Monthly Report**

Police Chief William Andre noted that the department saw an increase in arrests and calls for service over the past month. The full report has been reviewed and placed on file.

Chief Andre also noted that he had been contacted by Stop DWI and they are offering the department a car and to pay the salary of one officer that can be designated to focus on DWI arrests. Discussions are on-going.

➤ **Resignation Letter – Officer Ashley Rule**

Upon the motion of Trustee Boyea with a second by Trustee McKee and unanimously carried to accept the resignation letter from Officer Ashley Rule.

The Village Board extends their sincere appreciation and thanks to Officer Rule for her service to the Village of Malone and wishes her all success at the NY State Police academy.

CODE REPORT

- **Permit and Violation Reports from 03/26/2024 – 04/08/2024**

Reports reviewed and placed on file.

DPW REPORT

- **DPW Departmental Updates from 03/26/2024 – 04/08/2024**

Reports reviewed and placed on file.

- **Resolution 34-2024 – Declaration of Lead Agency – Barton & Loguidice SEQR Pretreatment Leachate**

**VILLAGE OF MALONE
RESOLUTION NO. 34-2024**

Proposed Action: Village of Malone Wastewater Treatment Plant Leachate Pre-Treatment Project

RESOLUTION DECLARING THE INTENT OF THE VILLAGE OF MALONE VILLAGE BOARD TO ACT AS LEAD AGENCY

WHEREAS, the Village of Malone (Village) is proposing the Village of Malone Wastewater Treatment Plant Leachate Pre-Treatment Project (Project), located in the Town of Malone, Franklin County, New York; and

WHEREAS, the Project has been classified as a “Type I Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, it is the intent of the Village of Malone Village Board to assume the role of “Lead Agency” for purposes of conducting a SEQRA/SERP assessment of the Project; and

WHEREAS, Part I of a Full Environmental Assessment Form (FEAF) has been completed, reviewed by the Village of Malone Village Board, and will be circulated to all Interested and Involved Agencies for purposes of establishing the Village of Malone Village Board as “Lead Agency” in accordance with 6 NYCRR Part 617.6(b).

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Mayor of the Village of Malone hereby is authorized to sign Part I of the FEAFF (page 13); and it is further

RESOLVED AND DETERMINED, that the Village of Malone will send said Part I of the FEAFF and associated site figure to the attached list of “Interested and Involved Agencies” under cover of a “Notice of Intent to Establish Lead Agency” letter for purposes of establishing Lead Agency status under the SEQRA/SERP; and it is further

RESOLVED, that the Mayor of the Village of Malone and the Village Board, together with the Village of Malone Attorney and B&L, are hereby authorized to take all actions, serve all notices, and complete all documents required to give full force and effect to this determination.

Motion Made By: Trustee Bonner

Seconded By: Trustee McKee

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

Andrea M. Dumas, Mayor	Aye
Matthew Boyea, Trustee	Aye
Norman J. Bonner III, Trustee	Aye
Archie McKee, Trustee	Aye
Brian Langdon, Trustee	Nay

The foregoing resolution was thereupon declared duly adopted.

Dated: April 8, 2024

CORRESPONDENCE

None

SIDEWALK APPLICATION

➤ 80 Railroad Street – Penny Friend

Upon the motion of Trustee Langdon with a seconded by Trustee Boyea and unanimously carried to approve the Sidewalk Application for Penny Friend at 80 Railroad Street.

UNFINISHED BUSINESS

None

CLOSE PUBLIC HEARING ON 2023-2024 VILLAGE TENTATIVE BUDGET

CLOSE PUBLIC HEARING ON LOCAL LAW #1-2024 – REPEAL/AMENDMENT OF VILLAGE DOG LAWS

CLOSE PUBLIC HEARING ON LOCAL LAW #2-2024 – TAX LEVY OVERRIDE

NEW BUSINESS

- **Resolution 35-2024 – Adoption of Local Law #1-2024 – Amendment of Chapter 4 – Article II – Dogs**

**VILLAGE OF MALONE
RESOLUTION NO. 35-2024
LOCAL LAW #1-2024**

RESOLUTION ADOPTING LOCAL LAW #1-2024 TO AMEND THE VILLAGE CODE FOR THE VILLAGE OF MALONE -- ARTICLE II – CHAPTER 4 – ANIMALS

WHEREAS, pursuant to Village Law § 4-412, the Village Board of Trustees has the authority to make and amend local laws for the good governance of the Village and for the protection of property and the health, safety, comfort and general welfare of its inhabitants; and

WHEREAS, the Village Board finds that it is in the best interests of the Village to amend Chapter 4 Article II, of the Village Code regarding dog licenses in order to align and conform with Article 7 of the New York State Agriculture and Markets Law; and

WHEREAS, the Village Board duly noticed and conducted a public hearing to allow for public comment to address the application; and

WHEREAS, the Village Board appointed itself lead agency and analyzed the proposed local law against provisions of the State Environmental Quality Review Act; and

WHEREAS, pursuant to NYS Mun. Home Rule Law § 20, the proposed local law to amend Chapter 4 of the Village Code (See Attachment A) was received in final form by the Trustees more than seven days prior to the date of this resolution,

NOW, THEREFORE BE IT RESOLVED by the Village of Malone Board of Trustees as follows:

- Section 1. Following review of the application pursuant to the guidance of the State Environmental Quality Review Act the Village Board has determined that the proposed action will not result in any significant adverse impacts.

Section 2. The Village Board hereby adopts Local Law 2 of 2024 thereby amending Chapter 4 of the Village Code.

Section 3. This resolution shall take effect immediately.

Motion Made By: Trustee Bonner

Seconded By: Trustee Boyea

Approved By Board of Trustees On: April 8, 2024

➤ **Resolution 36-2024 – Adoption of Local Law #2-2024 – Authorization of Property Tax Levy in Excess of Limit Established by General Municipal Law §3-c**

**VILLAGE OF MALONE
RESOLUTION NO. 36-2024
LOCAL LAW #2-2024**

A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C.

WHEREAS, the Village of Malone 2024-2025 Budget is in excess of the Property Tax Levy limit established in General Municipal Law §3-c;

NOW, THEREFORE, be it resolved that the Village of Malone Board of Trustees, in its capacity as governing body of the Village of Malone, does hereby adopt Local Law #1-2024, which reads as follows:

Section 1. – Legislative Intent

“It is the intent of this local law to allow the Village of Malone to adopt a budget for the fiscal year commencing June 1, 2024, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.”

Section 2. – Authority

“This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.”

Section 3. – Tax Levy Limit Override

“The Board of Trustees of the Village of Malone, County of Franklin, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2024, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.”

Section 4. – Severability

“If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.”

BE IT FURTHER RESOLVED, this Local Law shall take effect immediately upon filing with the New York State Secretary of State.

Motion Made By: Trustee McKee

Seconded By: Trustee Langdon

Resolution Approved by the Board of Trustees on: April 8, 2024

➤ **Resolution 37-2024 – Municipal Mowing Bid Award**

**VILLAGE OF MALONE
RESOLUTION NO. 37-2024**

AUTHORIZATION TO AWAR MUNICIPAL MOWING BID

WHEREAS, the Village of Malone (the “Village”) solicited bids for contractual mowing for the fiscal year 2024-2025; and

WHEREAS, one bid was received and opened on April 1, 2024 at 3:00 PM;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees awards the bid to: Saint Brothers Lawn Care in the amount of \$18,925.00.

Motion Made By: Trustee Boyea

Seconded By: Trustee McKee

Approved By Board of Trustees on: April 8, 2024

➤ **Resolution 38-2024 – Liquid Polymer Bid Award**

**VILLAGE OF MALONE
RESOLUTION NO. 38-2024**

AUTHORIZATION TO AWARD LIQUID POLYMER BID

WHEREAS, the liquid polymer bid was advertised in the local paper; and

WHEREAS, the bids were due March 29, 2024; and

WHEREAS, we received one bid;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees awards the liquid polymer bid to: Slack Chemical Co. Inc. at a price of \$1.90/lb for a total of four totes at \$17,480.00.

Motion Made By: Trustee Bonner

Seconded By: Trustee Langdon

Approved By Board of Trustees on: April 8, 2024

➤ **Resolution 39-2024 – Sodium Hypochlorite Bid Award**

**VILLAGE OF MALONE
RESOLUTION NO. 39-2024**

AUTHORIZATION TO AWARD SODIUM HYPOCHLORITE BID

WHEREAS, the chemical bid was advertised as sodium hypochlorite in the local newspaper; and

WHEREAS, the bids were due March 29, 2024 at 3:00 PM; and

WHEREAS, one bid was received;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees awards the sodium hypochlorite bid to: Slack Chemical Co. Inc. at a price of \$3.893/gallon for a total of \$17,518.50.

Motion Made By: Trustee Boyea

Seconded By: Trustee Bonner

Approved By Board of Trustees on: April 8, 2024

➤ **Resolution 40-2024 – Concrete Bid Award**

**VILLAGE OF MALONE
RESOLUTION NO. 40-2024**

AUTHORIZATION TO AWARD READY MIX CONCRETE BID

WHEREAS, the Village of Malone (the “Village”) solicited bids for ready mix concrete for the fiscal year 2024-2025; and

WHEREAS, there was one bid received and opened on April 1, 2024 at 3:00 PM;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees awards the bid to: Arnold Lumber & Concrete at a price of \$133.00CY (4000 PSI) and \$130.00CY (3000 PSI).

Motion Made By: Trustee Bonner

Seconded By: Trustee Boyea

Approved By Board of Trustees on: April 8, 2024

➤ **Resolution 41-2024 – Authorization to Increase Water Use Application Fees**

**VILLAGE OF MALONE
RESOLUTION NO. 41-2024**

WATER USE APPLICATION FEE INCREASE

WHEREAS, the Village of Malone currently allows businesses to utilize Village Hydrants and Meter for large volume water use; and

WHEREAS, the current fee for the application is \$100.00 plus a charge based on the size of the meter used; and

WHEREAS, the Village is faced with rising costs associated with installation of Well #3 and improvements to the Village Water Plant;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees agrees to increase the Water Usage Application fee to \$250.00 plus \$1.50 per 500 gallons of water used, effective immediately.

Motion Made By: Trustee Langdon

Seconded By: Trustee Boyea

Approved by Board of Trustees on: April 8, 2024

➤ **Resolution 42-2024 – Approval to Hire Two Lifeguards for 2024 Rec Park Season**

**VILLAGE OF MALONE
RESOLUTION NO. 42-2024**

APPROVAL TO HIRE MALONE RECREATION PARK LIFEGUARDS FOR 2024 SEASON

WHEREAS, Pursuant to Chapter 43, the Village of Malone embodied the terms of an informal agreement executed between the Town of Malone and Village of Malone on January 20, 1969,

establishing a Joint Recreation Commission pursuant to Article XIII of the General Municipal Law; and

WHEREAS, the Joint Recreation Commission was given the powers and duties to equip, operate and maintain playgrounds and neighborhood recreation centers; and

WHEREAS, employees hired to operate and maintain playgrounds are employees of the Village of Malone; and

WHEREAS, the Recreation Director's/Rec Commission have provided their recommendations for the hiring of Lifeguards as outlined below;

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees approves the hiring of following Lifeguards for the 2024 Malone Recreational Park Summer season at the rate indicated pending all certifications, working papers, pre-employment physicals and approval from Civil Service.

<u>Name</u>	<u>Title</u>	<u>Rate of Pay</u>
Skylar Gravell	Lifeguard	\$15.20/hour
Brianna Perrigo	Lifeguard	\$15.20/hour

Motion Made By: Trustee Boyea

Seconded By: Trustee Bonner

Approved By Board of Trustees on: April 8, 2024

NEXT MEETING

- Regular Board Meeting, April 22, 2024 @ 5:30PM; Work Session, 04/24/2024 at 9:00AM.

PUBLIC COMMENTS

None

EXECUTIVE SESSION

Upon the motion of Trustee Bonner with a second by Trustee McKee and unanimously carried to go into Executive Session on a contractual issue.

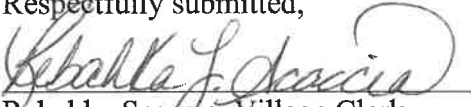
Upon the motion of Trustee Bonner with a second by Trustee Boyea and unanimously carried to come out of Executive Session.

Upon the motion of Trustee Langdon with a second by Trustee McKee and unanimously carried to go back into Regular Session.

ADJOURNMENT

Upon the motion of Trustee Boyea with a second by Trustee McKee and unanimously carried to adjourn the meeting at 6:35PM.

Respectfully submitted,



Rebahka Scaccia, Village Clerk