

At the Regular Meeting of the Malone Village Board, held on April 12, 2021 at 6:00 PM at 343 West Main St. the following were present:

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

Also in attendance:

Kristine Lashway, Village Treasurer	Jay Perras, Malone Minor Hockey
Rebahka Scaccia, Village Clerk	Lisa & Tim Smythe, Residents
Alex Viola, Telegram	Michelle Schumacher, YMCA
Steven Freddette	Molly Royal, YMCA
Matt Jones, Resident	Gordy Crossman, Resident

Mayor Dumas opened the regular meeting at 6:00PM.

**Public Hearing – 2021-2022 Tentative Budget**

**Local Law #1-2021 – No Parking Zone**

**Local Law #2-2021 – Other Parks**

**Local Law #3-2021 – No Single/Double Wide Trailers**

**Local Law #4-2021 – Electrical Inspector Standards**

Mayor Dumas opened each Public Hearing with a statement briefly outlining the intent of the Tentative Budget and each Local Law being presented. Public Comments we received until the closing of each hearing.

**APPROVE THE MINUTES OF THE REGULAR MEETING:** 03/22/2021

Upon the motion of Trustee Bonner with a second by Trustee Boyea and unanimously carried to approve the minutes as presented and placed on file.

**APPROVE THE MINUTES OF THE WORK SESSION:** 03/24/2021

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

**APPROVE THE MINUTES OF THE WORK SESSION:** 03/31/2021

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

**APPROVE THE MINUTES OF THE WORK SESSION:**

04/07/2021

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

**PAY BILLS:**

<b>Fund</b>	<b>Amount</b>	<b># of Bills Audited</b>
DPW Bldg. Capital Project	\$ 3,456.76	2
General/Sewer/Water	\$ 81,728.03	85
Joint Recreation Fund	\$ 477.70	4
Trust & Agency	\$ 161,171.94	15
WWTP Capital Project	\$ 2,500.00	1
<b>Grand Total</b>	<b>\$ 249,334.43</b>	<b>107</b>

\* No comments made on behalf of Trustee McKee.

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

**NEW BUSINESS**

➤ **Malone YMCA Star of the North 3K Marathon in September of 2021**

Molly Royal and Michelle Schumacher presented the plans for the Star of the North 3K Marathon in September, citing the many benefits these races bring to the Village of Malone and the visitors they draw. Local vendors are being used for Trophies and t-shirts. This race will begin at the Malone Rec Park off Duane Street and go out to Whippleville, circling back to the Village by way of the River Road and then winding through the back streets to the Park, twice. There will be four support stations along the route to assist runners along the way.

Mayor Dumas thanked them for the presentation and asked that they confirm use of the Park with the Directors (by way of a use application) and notify the Town of Malone, Franklin County and the Malone PD of the marathon date.

➤ **Malone Civic Center – Jay Perras**

Update on the damage done to the Compressor Unit building. Three quotes have been obtained and all information turned over to the Insurance Company. A check from the insurance will be arriving at the Village of Malone shortly.

Discussion about the cost to move the compressor revealed the cost to be between \$30K to \$50K.

➤ **Resolution 62-2021 – Celebrating the 90<sup>th</sup> Birthday of Gerald K. Langdon**

**VILLAGE OF MALONE  
RESOLUTION NO. 62-2021**

**CELEBRATING THE 90<sup>TH</sup> BIRTHDAY OF GERALD K LANGDON**

**WHEREAS** Gerald K. Langdon was born on April 11, 1931, at his home in Brandon, NY, to Darrel and Marjorie Langdon; and

**WHEREAS** Gerald spent several years growing up on the family farm, attending Brushton Central School, until the family moved to Malone where he attended Malone Central School; and

**WHEREAS** upon graduation from high school, Gerald went on to attend Cornell University; and

**WHEREAS** Gerald worked on the family farm, for Langdon Oil Company and later went on to own an independent trucking company, ultimately establishing Malone Transport Trucking Company; and

**WHEREAS** Gerald married Joyce E. Gardner on November 21, 1952, who together, became the proud parents of seven beautiful children: Brian, Dana, Linda, Steven, Lori, David and Mark; and

**WHEREAS** Gerald is now enjoying the glories of retired life, splitting his time between Tampa Florida and Malone, New York;

**NOW THEREFORE BE IT RESOLVED** that the Village Board of Trustees:

1. Celebrates the 90<sup>th</sup> Birthday of Gerald K. Langdon
2. Extends best wishes to Mr. Langdon
3. Directs the Clerk of the Village to transmit a copy of this resolution to Mr. Gerald K. Langdon

Motion Made By: Trustee Langdon

Seconded By: Trustee Bonner

Approved By Board of Trustees On: April 9, 2021

➤ **Resolution 63-2021 – National Crime Victims’ Rights Week – April 18-24, 2021**

**VILLAGE OF MALONE  
RESOLUTION 63-2021**

**NATIONAL CRIME VICTIMS' RIGHTS WEEK – APRIL 18-24, 2021**

**Whereas** being a victim of crime and navigating the criminal justice system can be a frightening and confusing experience; and

**Whereas** progress in improving the treatment of crime victims has been made through the efforts of thousands of victims and survivors who have turned their own experiences into a force for positive change, ensuring that others can receive justice, meaningful assistance, and compassionate treatment before the law; and

**Whereas** since the passage of the Victims of Crime Act of 1984, and through the dedicated work of advocates, lawmakers, and victim service providers, there is a growing array of services and resources available to victims and their loved ones; and

**Whereas** honoring the rights of victims—including the rights to be heard and to be treated with fairness, dignity, and respect—and working to meet their needs rebuilds their trust in the criminal justice and social service systems; and

**Whereas** individuals' trust in the compassion, understanding, and support of their communities is achieved through sustained, deep-rooted, and coordinated outreach; Whereas identifying, reaching, and serving all victims of crime—especially those from groups that often have less access to healing services and avenues to justice—is essential; and

**Whereas** our community's continued engagement with the challenges faced by victims of crime will ensure that the progress made to date is not lost, and that new ground is broken to gain greater justice and healing for all victims; and

**Whereas** National Crime Victims' Rights Week provides an opportunity to recommit to ensuring that accessible, appropriate, and trauma-informed services are offered to all victims of crime; and

**Whereas** STOP Domestic Violence is hereby dedicated to supporting victims and survivors in the aftermath of crime, building trust among our clients; collaborating with other service providers, and engaging our community in response efforts;

**Now, therefore,** I, as Mayor of Malone, do hereby proclaim the week of April 18–24, 2021, as **Crime Victims' Rights Week**, reaffirming this Village's commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims' Rights Week and throughout the year; and expressing our sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to all victims of crime so that they may find relevant

assistance, support, justice, and peace.

Motion Made By: Trustee Boyea

Seconded By: Trustee Langdon

Approved by Board of Trustees on: April 12, 2021

- **Resolution 64-2021 –Celebration of the 103<sup>rd</sup> Birthday of Marjorie Mary Myers**

**VILLAGE OF MALONE  
RESOLUTION NO. 64-2021**

**CELEBRATING THE 103<sup>rd</sup> BIRTHDAY OF MARJORIE MARY MYERS**

**WHEREAS** Marjorie Mary Myers (born Marjorie Mary Booth) was born April 15, 1918, the youngest of four children to Catherine Seymour Booth and James C. Booth, in Ellenburg, New York; and

**WHEREAS** Marjorie has been a living witness of two Global Pandemics, including the Influenza Pandemic of 1918 and the COVID-19 Pandemic, the Great Depression, many wars and conflicts, and the coming and going of nineteen different Presidents of the United States; and

**WHEREAS** Marjorie has also witnessed some amazing marvels including the invention of the Television and the Microwave, the Apollo Moon landing and her favorite, the invention of a Cell Phone that answers her questions when asked, and allows her to see her Granddaughter in Spain, while they talk; and

**WHEREAS** Marjorie received her teaching Certificate from Plattsburgh Normal Teacher's School and began teaching in a one room schoolhouse in Ellenburg at the age of seventeen. However, upon her marriage to Richard Myers and the existence of an antiquated law requiring teachers to remain single, she had to leave her teaching career behind for several years. At the age of 50, and the changing of the law, Marjorie went on to acquire a master's degree in teaching.; and

**WHEREAS** Marjorie is the devoted mother of four children, two of which are still living today, visiting her daily. In addition to raising a family, Marjorie and her husband Richard traveled extensively throughout this country visiting all states but Hawaii and Alaska. She loves to read, continuing to devour a book in a single day, visit with friends, discuss politics and dining out in Malone as least once a week, a Town she feels is the greatest Town in this land; and

**WHEREAS** Marjorie is a kind and generous soul, still as curious today at the age of 103, as she ever was; Wanting young people to know they can lead a long and full life if they take care of themselves, saying NO to drugs, smoking and heavy drinking;

**NOW THEREFORE BE IT RESOLVED** that the Village Board of Trustees:

- 1) Celebrates the 103<sup>rd</sup> Birthday of Marjorie Mary Myer
- 2) Extends best wishes to Marjorie on her 103<sup>rd</sup> Birthday, and
- 3) Directs the Clerk of the Village to transmit a copy of this resolution to Mrs. Marjorie Mary Myer

Motion Made By: Trustee Bonner

Seconded By: Trustee Langdon

Approved by Board of Trustees on: April 12, 2021

➤ **Ready-Mix Concrete Bid Award**

**VILLAGE OF MALONE  
RESOLUTION NO. 70-2021**

**AUTHORIZATION TO AWARD READY MIX CONCRETE BID**

**WHEREAS**, the Village of Malone (the “Village”) solicited bids for ready mix concrete for the fiscal year 2021-2022; and

**WHEREAS**, there were two bids received and opened on April 8, 2021 at 2 PM; and

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees awards the bid to: Arnold Lumber & Concrete at a price of \$106.00CY (4000 PSI) and \$104.00CY (3000 PSI).

Motion Made By: Trustee Bonner

Seconded By: Trustee McKee

Approved By Board of Trustees on: April 12, 2021

➤ **Liquid Polymer Bid Award**

**VILLAGE OF MALONE  
RESOLUTION NO. 71-2021**

**AUTHORIZATION TO AWARD LIQUID POLYMER BID**

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

**WHEREAS**, the bids were due April 8, 2021; and

**WHEREAS**, we received one bid; and

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees awards the liquid polymer bid to: Slack Chemical Co. Inc. at a price of \$1.85/lb for a total of four totes at \$17,020.00.

Motion Made By: Trustee Bonner  
Seconded By: Trustee Langdon  
Approved By Board of Trustees on: April 12, 2021

➤ **Sodium Hypochlorite Bid Award**

**VILLAGE OF MALONE  
RESOLUTION NO. 72-2021**

**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 April 8, 2021 at 2 PM; and

**WHEREAS,** one bid was received; and

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees awards the sodium hypochlorite bid to: Slack Chemical Co. Inc. at a price of \$2.073/gallon.

Motion Made By: Trustee Boyea  
Seconded By: Trustee McKee  
Approved By Board of Trustees on: April 12, 2021

➤ **Contractual Mowing Bid Award**

**VILLAGE OF MALONE  
RESOLUTION NO. 73-2021**

**AUTHORIZATION TO CONTRACTUAL MOWING BID**

**WHEREAS,** the Village of Malone (the “Village”) solicited bids for contractual mowing for the fiscal year 2021-2022; and

**WHEREAS,** one bid was received and opened on April 8, 2021 at 2:00 PM; and

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees awards the bid to: Saint Brothers Lawn Care in the amount of \$17,690.00.

Motion Made By: Trustee Langdon  
Seconded By: Trustee McKee  
Approved By Board of Trustees on: April 12, 2021

**Public Comments:**

**Local Law # 1-2021**

Mr. Crossman, a Third Street resident is pleased to see the Village is attempting to take this step to preserve the parks. Residents should know better than to use public spaces for their personal parking and dumping of debris.

**CLOSE OF PUBLIC HEARINGS**

- **Resolution 65-2021 – Local Law #1-2021 No Parking Zone Second and Third Street Parks**

**VILLAGE OF MALONE  
RESOLUTION NO. 65-2021**

**SECOND AND THIRD STREET PARKS – “NO PARKING ZONE”**

**WHEREAS**, the Village of Malone provides and maintains Parks on Second and Third Street meant for the enjoyment of the community; and

**WHEREAS**, local residents are utilizing the Parks as a personal parking area, destroying the grass and intended purpose of the Parks;

**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 support the posting of a “No Parking” zone within the Second and Third Street Parks.

**BE IT FURTHER RESOLVED**, this Local Law shall take effect immediately.

Motion Made By: Trustee Bonner  
Seconded By: Trustee Boyea  
Resolution Approved by the Board of Trustees on: April 12, 2021



➤ **Resolution 66-2021 – Local Law #2-2021 Other Parks**

**VILLAGE OF MALONE  
RESOLUTION NO. 66-2021**

**“OTHER PARKS”**

**WHEREAS**, the Village of Malone provides and maintains a number of Parks including, Second Street, Third Street, Arsenal Green, Memorial Park, West Street Park & Playground, Duane Street, Mill Street and what is known as Duck Pond, meant for the enjoyment of the community; and

**WHEREAS**, the Village wants to ensure the maintenance and proper use of these parks under the same guidelines as the Malone Memorial Recreation Park;

**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 support the addition of Subsection 1.1 – Other Parks to Chapter 41-1 of the current Village Code.

**BE IT FURTHER RESOLVED**, this Local Law shall take effect immediately.

Motion Made By: Trustee Langdon

Seconded By: Trustee McKee

Resolution Approved by the Board of Trustees on: April 12, 2021

➤ **Resolution 67-2021 – Local Law #3-2021 No Singlewide or Doublewide Trailers**

**VILLAGE OF MALONE  
RESOLUTION NO. 67-2021**

**MOBILE HOMES AND DOUBLEWIDE TRAILERS**

**WHEREAS**, in an effort to maintain the historical beauty and integrity of the Village of Malone; and

**WHEREAS**, to further clarify permitted/non-permitted uses of residential property located within the Village limits;

**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 support the addition of letter (D) to Subsection 28-7 of Chapter 28 of the current Village Code to read as follows:

“No Mobile Homes or Double Wide Trailers shall be placed on any lot within the Village of Malone for the purpose of permanent residence.”

**BE IT FURTHER RESOLVED**, this Local Law shall take effect immediately.

Motion Made By: Trustee Langdon

Seconded By: Trustee Boyea

Resolution Approved by the Board of Trustees on: April 12, 2021

➤ **Resolution 68-2021 – Local Law #4-2021 Electrical Inspector Standards**

**VILLAGE OF MALONE  
RESOLUTION NO. 68-2021**

**AMENDMENT OF CHAPTER 20-6 SUBSECTION A OF THE VILLAGE OF MALONE  
CODE**

**WHEREAS**, the current Chapter 20-6 subsection A of the Village of Malone Code calls for a current liability coverage of \$10,000,000; and

**WHEREAS**, New York State code sets the Liability Coverage standard at \$5,000,000;

**WHEREAS**, the Village of Malone does not wish to place an undue burden upon local Electrical Inspectors, thus limiting the pool of available, qualified inspectors operating within the Village;

**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 support the amendment of letter (A) to Subsection 20-6 of Chapter 20 of the current Village Code to read as follows:

“Any person or organization may apply to the Board of Trustees for permission to conduct electrical inspections in the Village of Malone. The application shall be in writing, on such forms as may be prescribed by a Board of Trustees' resolution and shall be accompanied by proof of New York State Certification and an insurance certificate showing statutory workers' compensation coverage for its employees and automobile and public liability coverage for property damage and personal injury, including wrongful death, in an amount of at least \$5,000,000.”

**BE IT FURTHER RESOLVED**, this Local Law shall take effect immediately.

Motion Made By: Trustee McKee

Seconded By: Trustee Langdon

Resolution Approved by the Board of Trustees on: April 12, 2021

➤ **Resolution 69-2021 – 2020-2021 Budget Amendment No. 18**

**VILLAGE OF MALONE  
RESOLUTION NO. 69-2021  
2020-2021 BUDGET AMENDMENT NO. 18**

Related to the appropriation and/or transfer of funds:

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

\$1,046.00 from Account No. A1325.446 Treasurer Software Contractual

As Follows:

\$1,046.00 to Account No. A3120.440 Police Purchased Services (2-year firewall security)

\$68.69 from Account No. A3120.410.10 Police Building & Supplies

As Follows:

\$68.69 to Account No. A3120.440 Police Purchased Services

\$42.00 from Account No. A511S Appropriated State Forfeiture Fund Reserve

As Follows:

\$42.00 to Account No. A312.0.49161 Police Other Expenses State Forfeiture Fund (Purchase Orders: 21-01402 Gas)

\$170.96 from Account No. A5142.161 Snow Removal OT Wages

As Follows:

\$30.00 to Account No. A5142.162 Snow Shift Differential Wages

\$140.96 to Account No. A5142.165 Snow Stand-By Wages

\$10,297.89 from Account No. F1990 Water Fund Contingency

As Follows:

\$2,000.00 to Account No. F8310.160.01 Water Support Staff

\$663.31 to Account No. F8320.420.10 Electric Pump #1

\$3,837.29 to Account No. F8320.420.20 Electric pump #2

\$772.69 to Account No. F8320.420.30 Electric Chasm Falls Water

\$54.23 to Account No. F8320.420.40 Electric Chlorine

\$187.45 to Account No. F8320.420.50 Electric Pump Station

\$249.90 to Account No. F8320.440 Chasm Falls Water Purchased Services (Copier Charges)

\$919.00 to Account No. F8320.441 Water Tests

\$8.71 to Account No. F8340.410 Water Supplies & Materials

\$42.16 to Account No. F8340.410.20 Water Protective Clothing

\$1,563.14 to Account No. F8340.440 Water Purchased Service (DANC charges)

\$3,589.48 from Account No. G1990 Sewer Fund Contingency

As Follows:

\$700.00 to Account No. G8120.161 Sewer Fund OT  
\$244.93 to Account No. G8120.410 Sewer Supplies & Materials  
\$628.32 to Account No. G8120.410.80 Sewer Fittings  
\$664.25 to Account No. G8130.410 Sewer Plant Supplies & Materials  
\$140.00 to Account No. G8130.410.22 Sewer Plant Clothing Allowance  
\$1,005.00 to Account No. G8130.455 Sewer Plant Equipment Maintenance  
\$206.98 to Account No. G8130.459 Sewer Plant System Repairs

Motion Made By: Trustee Boyea  
Seconded By: Trustee Langdon  
Approved by Board of Trustees on: April 12, 2021

**TREASURER REPORT:** Village is receiving many calls about the readings of the new meters. Final Budget will be ready for the April 26<sup>th</sup> meeting.

**DPW:** One of the laborers gave his notice. Spring clean-up is underway, sweeping the streets. Currently working on two sewer calls. Spare time clean-up happening at the new DPW Garage site.

**POLICE:** No Report.

**CODE:** Violation and Building Permit reports submitted and reviewed. Code Officer test being given by the County on June 5, 2021.

➤ **11 Monroe Street Deck – Referred to Board by Planning Board**

**VILLAGE OF MALONE  
RESOLUTION NO. 74-2021**

**APPROVAL TO GRANT VARIANCE OF VILLAGE CODE CHAPTER 66-23 –  
SCENIUC FOR 11 MONROE STREET DECK**

**WHEREAS,** Tim and Lisa Smythe erected a 10x12 platform style deck on their property approximately 20 feet from the Salmon River's edge, in breach of the Village of Malone Scenic Preservation Law located in the Village Code, Chapter 66, Article IX – Scenic Preservation Districts, §66-23 – Permitted Uses; and

**WHEREAS,** Village Code Officer, Brian Lamondie, contacted Kevin Riggs with the NYS DEC who stated that the State of New York had no problem with the location of the deck in proximity to the Salmon River; and

**WHEREAS,** this case was then referred to the Village Planning Board by the Village Code Officer, and was reviewed by the Planning Board at a Public Hearing on March, 31, 2021, at

which time the Planning Board made recommendation to the Village Board that the Smyths be required to move the deck to the 75 foot limit or be granted a variance of the Scenic Preservation Law; and

**WHEREAS**, Village Code, Chapter 66-23 states, “Within this Scenic Preservation District, which includes that area within 200 feet of the shoreline at normal water level of those streams and waterways as delineated on the map, all development will be in accord with the planned development process as set forth in the following Article. No permanent building or structure shall be located within 75 feet of the shoreline at normal water level except by approval of the Village Board under Article X”;

**NOW THEREFORE BE IT RESOLVED**, the Village Board of Trustees does hereby grant Tim and Lisa Smythe, of 11 Monroe Street, a variance to Chapter 66, Article IX – Scenic Preservation Districts, for the 10x12 platform style deck.

Motion Made By: Trustee Boyea

Seconded By: Trustee Langdon

Approved By Board of Trustees on: April 12, 2021

➤ **R2 vs. R1 Listing for Motels Within Village Limits -- TABLED**

**NEXT MEETING:** Monday, April 26, 2021 at 6:00PM Public Hearing for Adoption of Final 2021-2022 Budget; Wednesday Work Sessions at 9:00 AM.


**PUBLIC COMMENTS:**

None.

**ADJOURNMENT:**

Upon the motion of Trustee Boyea to adjourn the meeting at 7:38PM.

Respectfully submitted,

  
Rebahka L. Scaccia, Village Clerk

