

At the Regular Meeting of the Malone Village Board, held on September 23, 2019 at 6:00 PM at 343 West Main Street the following were present:

Joe Riccio	Mayor
Brian Langdon	Trustee
Archie McKee	Trustee
Norm Bonner	Trustee
Andrea Dumas	Trustee

Also in attendance:

Christian Fout, DANC	EJ Conzola, Telegram
Gerald Fisher, DPW Supervisor	Martha Dishman, CAI
Kristine Lashway, Treasurer	Kati Jock, CAI
Chris Premo, Police Chief	James Button, CAI
Alex Tober, Student	John Inns
Jacob Harning, Student	Paul Langdon, CAI
Abigayle Spinner, Student	Lindsay Hendricks, CAI
Brent Hesseltine, IT	Linda Shova, Deputy Village Clerk
William Andre, Police Officer	

**APPROVE THE MINUTES OF THE REGULAR MEETING: 09/09/2019**

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

**PAY BILLS:**

Fund	Amount	# of Bills Audited
General/Water/Sewer	\$ 154,832.16	60
Joint Recreation	\$ 524.74	6
State Grant Fund	\$ 1903.40	1
Trust & Agency	\$ 169,427.70	13
WWTP Capital Project	\$ 16,900.00	1
<b>Grand Total</b>	<b>\$ 343,588.00</b>	<b>81</b>

Upon the motion of Trustee McKee with a second by Trustee Bonner and unanimously carried to approve the bills for payment as presented by Treasurer, Kristine Lashway.

**POLICE CHIEF:** RMS System- Chief Premo wanted to address the board and explain why he hasn't switched to Cushing, the vendor for the county's new record management system, yet. He does not want to switch yet because there are still issues with the software.

The original pitch was to streamline the current three programs that are currently being used; SJS (record management), TRAC (accidents and ticket reporting) and an Evidence program into one and only have one log in. That has not happened yet. Officer Andre has spoken to a lieutenant in Washington Co about this new program and they are still having a lot of issues with theirs. Cushing is asking us to troubleshoot their software. Tupper Lake is using the program but not 100%. Cannot compare as they are not using the complete program, and neither is Saranac Lake who used it for one day and switched back. Our current system is working great now that Brent is on board.

Ricky Provost has a grant for the Village of Malone, Saranac and Tupper Lake to be able to go back and forth with their systems. There are no mandates to switch to this program, but we are trying to work with them.

Trustees Bonner and Langdon met with county officials and a representative from Cushing on the phone. It is felt that the more practice we have with the system that it would bring it up to speed for us. Brent feels that the reps from Cushing seems to sell things before they develop it. It has created a lot of extra effort for the people involved. Officer Andre has spent a lot of time on this software. He feels that Cushing needs to have it up and running before we switch to it.

Mayor Ricco and Chief Premo want Cushing to work out the bugs first before we buy into it. Officer Andre stated that Washington County had to figure out their own issues to get around entering information. It is felt that this program is not user friendly. Trustee McKee asked if all of the current systems that the police department has are currently working. Officer Andre stated that the whole idea was to make it streamline all programs but it is not doing that. Brent is now involved to correct issues Cushing is having.

What is the advantage of participating in this inter-municipal grant? If it worked the way it was supposed to than yes it would be good. Brent has been a go between vendors and has allowed them to get access to the server to the TRAC program.

Mayor Riccio feels at this time to keep using what we are currently using for software. Trustee Langdon asked if we are in it too far or could we look for something else. Trustee Dumas feels Cushing should be coming up to fix the problems.

**CODE OFFICE:**

We are in the process of recruiting for a clerical position for the Code Office.

**COMMITTEE REPORTS:**

Trustee Bonner stated that DANC did some camera work on one of the line in question that hadn't been replaced. It was reported that there were no problems in the line and it will not need to be replaced.

Trustee Langdon reported that the boiler here at the village office is ready for the winter, other than the state inspection.

Trustee Dumas reported that the Mill Park project is going to proceed. Northroute Development Corp. was awarded the project and another organization will help take down trees and overgrowth. Mayor Riccio consulted with soil and water and they seem to be ok with what we are doing.

By next week, the parking lot on Duane Street should start to see the equipment staging. This lot will also be used for the workers to park and construction tape will be going up where necessary. This shouldn't impact traffic much at all. This is a \$175,000 grant and will be phase one of the Mill Park project. This is a huge success for this grant project. We've had several extensions and we are on the last one now and have gone thru all the hurdles.

Trustee McKee stated there is no finance report at this time.

**CORRESPONDENCE:**

Mayor Riccio sent a letter to Don Dabiew, Chairman, Franklin County Legislator, regarding ownership of 48 and 52 Duane Street with the intent to demolish. Trustee Dumas said that the resolution was passed at county level and it was being worked on it.

**SIDEWALK APPLICATION:** Michael Kincaid – 20 First Street

Upon the motion of Trustee Langdon with a second by Trustee Dumas and unanimously carried to approve this sidewalk application.

**SEWER SERVICE APPLICATION:** Jon Brown – East Main Street

Upon the motion of Trustee Bonner with a second by Trustee Langdon and unanimously carried to approve this sewer service application.

**WATER SERVICE APPLICATION:** Jon Brown – East Main Street

Upon the motion of Trustee Bonner with a second by Trustee Langdon and unanimously carried to approve this water service application.

**NEW BUSINESS:**

**DANC – Christian Fout – Monthly status report for August 2019.**

We have received quotes from vendors as it is required to get OSHA inspections on the cranes and hoists yearly. It will be the same vendor that we used last year.

The new propane vaporizer is finally installed and ready to go to work if we need it.

The months of July and August we have had 0 violations and are in compliance. Trying to operate the new Ultra Violet system but have not seen the results that it is required to produce at this point. The readings are 5 and 6 times higher than allowed by permit. DEC will require us to operate within compliance by May 2020. It is important for us to get it operational now. We will go thru the whole system to troubleshoot it. Putting it on the manufacturer to get their product to work and hopefully they will bring the readings down to permit requirements.

Trustee Dumas asked if the line video was done because sand is coming back in the line. A few extra samples are now being taken to monitor the sand and gravel and it hasn't been affecting anything right now. If we need to, could we put a screen up to limit the sand? Christian said that we have to be careful with that and not restrict the flow. He will talk to people next week to see if they have encountered that problem before.

Trustee McKee asked if there are other UV systems in the state. As far as Christian knows, not like ours as it is very new technology.

#### **DANC – Christian Fout – Update on Mill Park**

Christian stated that there may be a light disruption of traffic when they do the curb and the handicap ramp on the opposite corner.

#### **Defibrillator- Remove from asset list**

Trustee Langdon stated that the rec park defibrillator on the asset list is over 10 years old and we cannot get batteries or pads. There is no current method to re-certify it. The defibrillator has already been replaced.

Upon the motion of Trustee Langdon with a second by Trustee Dumas and unanimously carried to remove the Rec Park defibrillator from the VOM asset list.

#### **Flag Pole Light and Dedication**

Trustee Langdon states phase two will be to put a permanent light on the flag pole. Would like to have a small ceremony for the lighting of the flag. Trustee Langdon will look into purchasing a light to install.

#### **T Mobile- Authorization to sign for site modifications-**

Received a consent letter for site modifications. Code officer, Bob Rowe, is ready to give them the permit application but needed board authorization and this letter signed before he can do that. Trustee McKee asked if there will be any additional rent. It is included in the current lease. Trustee Langdon stated that he is in favor of this modification as they

are removing some items. Discussion was held regarding the available space that is left. Jerry stated that our need will be higher for the meter system. Trustee Langdon stated that from this day forward no more towers as we are running out of room. Action is tabled until the next meeting as further review of the 2008 lease is necessary prior to approving.

Mayor Ricco exited the meeting at this time.

### **Resolution No. 51-2019 – Citizen Advocates Pilot**

Further information had previously been requested from Citizen Advocates which we now have received regarding the proposed pilot payment schedule. The lead agency is the Town of Malone with the payment going to them and they divide it up. Trustee McKee stated that it was agreed upon by the Ad-Hoc committee that the PILOT payment calculations utilizing 581-A asset based info was the procedure to be used. Some amendments were requested which were agreed upon. The annual payment would be 3 ½ % instead of 2%. Management services agreement to address excessive services to be provided for police and DSS which was acceptable to the Ad Hoc finance committee.

### **VILLAGE OF MALONE RESOLUTION NUMBER 51-2019**

#### **RESOLUTION OF THE BOARD MEMBERS OF THE VILLAGE OF MALONE AUTHORIZING THE EXECUTION OF A PAYMENT IN LIEU OF TAX (“PILOT”) AGREEMENT BY AND AMONG THE VILLAGE OF MALONE, THE TOWN OF MALONE, MALONE HOUSING DEVELOPMENT FUND COMPANY, INC. AND MALONE LIMITED PARTNERSHIP**

**WHEREAS**, the Village of Malone (the “Village”) desires to encourage a sufficient supply of adequate, safe and sanitary dwelling accommodations properly planned for persons with low incomes; and

**WHEREAS**, Malone Housing Development Fund Company, Inc., a to-be-formed Article XI New York private housing finance law corporation and a New York not-for-profit corporation (the “HDFC”), and Malone Limited Partnership, a to-be-formed New York limited partnership (the “Partnership”), have identified property located at Harison Place, Village and Town of Malone, County of Franklin, State of New York (the “Property”), for the purpose of the construction on the Property of a housing project for persons of low income, said project to consist of: (i) the acquisition of the Property; (ii) the construction of forty (40) units of housing for persons of low income thereon (the “Improvements”); (iii) first floor community and commercial space; and (iv) the acquisition and installation therein and thereon of certain

machinery, equipment, furniture, fixtures and other tangible personal property (the “Equipment”, and collectively with the Property and the Improvements, the “Project”); and

**WHEREAS**, the HDFC will be formed for the purpose of providing residential rental accommodations for persons of low-income; and

**WHEREAS**, the HDFC will acquire fee title to the Property, as nominee for the Partnership, and will convey its equitable and beneficial interests in the Property to the Partnership in furtherance of the development of the Project; and

**WHEREAS**, the HDFC’s and the Partnership’s plan for the use of the Property constitutes a “housing project” as that term is defined in the Private Housing Finance Law of the State of New York (“PHFL”); and

**WHEREAS**, the HDFC will be a “housing development fund company” as the term is defined in Section 572 of the PHFL and Section 577 of the PHFL authorizes the Village Board to exempt the Project from real property taxes; and

**WHEREAS**, the HDFC will be a general partner of the Partnership; and

**WHEREAS**, the Partnership and the HDFC will be willing to enter into a PILOT Agreement whereby they will make annual payments in lieu of taxes to the Town of Malone as set forth in the PILOT Agreement presented to this Board for approval;

**NOW THEREFORE, BE IT RESOLVED** that the Village Board hereby exempts the Project from real property taxes to the extent authorized by Section 577 of the PHFL and approves the proposed PILOT Agreement among the Village of Malone, the Town of Malone, the Partnership and the HDFC, in substantially the form presented at this meeting, providing for annual payments as set forth in such agreement.

**FURTHER RESOLVED**, that upon the formation of the Partnership and the HDFC, the Mayor of the Village of Malone is hereby authorized to execute and deliver the foregoing PILOT Agreement on behalf of the Village of Malone.

**FURTHER RESOLVED**, that this resolution shall take effect immediately.

Duly adopted by the Village Board  
on the 23<sup>rd</sup> day of September, 2019.

Approved:	4
Veto:	0
Not Endorsed:	0

## CERTIFICATION

The undersigned, being the duly elected Clerk of the Village of Malone (the "Village"), hereby certifies that the attached is a true, correct and complete copy of certain resolutions unanimously adopted by the Board Members of the Village on Malone, 2019, and such resolutions have not been modified, amended or repealed and are in full force and effect as of the date hereof.

Name: Linda J. Shova  
Title: Clerk (Deputy)

year	Residential	Commercial	Total Annual Payment
1	\$20,758.17	\$4,656.00	\$25,414.17
2	\$21,173.33	\$4,749.12	\$25,922.45
3	\$21,596.80	\$4,844.10	\$26,440.90
4	\$22,028.74	\$4,940.98	\$26,969.72
5	\$22,469.31	\$5,039.80	\$27,509.11
6	\$22,918.70	\$5,140.60	\$28,059.30
7	\$23,377.07	\$5,243.41	\$28,620.48
8	\$23,844.61	\$5,348.28	\$29,192.89
9	\$24,321.50	\$5,455.25	\$29,776.75
10	\$24,807.93	\$5,564.35	\$30,372.28
11	\$25,304.09	\$5,675.64	\$30,979.73
12	\$25,810.17	\$5,789.15	\$31,599.33
13	\$26,326.38	\$5,904.93	\$32,231.31
14	\$26,852.91	\$6,023.03	\$32,875.94
15	\$27,389.96	\$6,143.49	\$33,533.46

Motion Made By: Trustee McKee

Seconded By: Trustee Dumas

Approved by Board of Trustees On: September 23, 2019

Mayor Riccio re-entered the meeting at this time.

**VILLAGE OF MALONE  
RESOLUTION NO. 54-2019  
2019-2020 BUDGET AMENDMENT NO. 7**

Related to the appropriation and/or transfer of funds:

NOW, THEREFORE BE IT RESOLVED: The Village Board of Trustees amends their Budget As Follows:

**\$142.90 from Account No. A 511S Appropriated State Forfeiture Fund Reserve**

As Follows:

**\$142.90 to Account No. A3120.491RS Police Other Expenses State Forfeiture Fund (PO 20-00307 Galls & PO 20-00376 The Fire Store)**

**Increase Revenue Code J2705.50 Park Memberships by \$287.70**

**Increase Appropriation Code J7140.440.10 Art Program Contractual by \$287.70**

Motion Made By: Trustee Bonner

Seconded By: Trustee McKee

Approved by Board of Trustees on 9/23/2019

**TREASURER'S REPORT:** Kristine reported that she is working on the state report and it should be completed in another week. Other than that, business as usual.

**POLICE CHIEF:** Bus Stop at 90 Elm –Chief Premo stated that the no parking signs have to be approved by Rob Haynes. It is also felt that the bus stop issue is the jurisdiction of the state and should be sent back to Rob Haynes as well. Trustee McKee feels that there is plenty of room to turn around in the back and doesn't feel it needs to be approved. Traffic is already busy in this area and we do not need to impede on it any more.

**DPW REPORT:** The sidewalks are being done, hot patching the roads, cleaning drains and continuing to get things ready for winter. Been researching hot boxes from McGrath and Stephens Equipment Co. Recommendation is for a dual heater as it makes the material more pliable. The lowest price for a new four ton dual heated hot box is \$41,915.00. Jerry has been looking at used ones, but they are only single burners and they are not efficient enough. Trustee Langdon asked if we have any CHIPS money left and Jerry said he would check with Karen. Jerry to get a final proposal for next meeting.

**NEXT MEETING:** Due to Columbus Day being on October 14, 2019, the next meeting will be held on Tuesday, October 15, 2019. In addition, the first meeting scheduled for



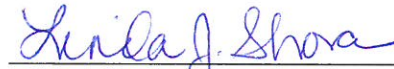
November 11, 2019 falls on Veteran's Day and will be changed to November 12, 2019.

**PUBLIC COMMENTS:** None

Trustee Langdon suggested to take the tree down that is in front of this building. Discussion was held regarding the replacement, possibly a non-fruit bearing tree.

**ADJOURNMENT:** Upon the motion of Trustee McKee with a second by Trustee Dumas and unanimously carried to adjourn the meeting at 7:00 PM.

Respectfully submitted,



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Linda Shova, Deputy Clerk

