

At a Work Session of the Malone Village Board,  
held on May 12, 2021 at 9:00 AM via in person  
and Zoom meeting the following were present:

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

Also in attendance (in person and via Zoom):

Kristine Lashway, Treasurer	Nathan Bull, AES
Rebahka Scaccia, Village Clerk	Mark Saltsman, Liberty Utilities
Alex Violo – Telegram	Adam Soulia, Liberty Utilities
Ken Hobbins, Centrica Business Solutions	Ryan Hayes, Liberty Utilities
Scott Clark, Centrica Business Solutions	Ryne Martin, Liberty Utilities
Kari Tremper, DANC	

Work Session called to order by Mayor Dumas at 9:03AM.

#### **Sid Spear Agency**

##### **➤ Builder's Risk Insurance – DPW Project**

### **VILLAGE OF MALONE RESOLUTION NO. 109-2021**

#### **AUTHORIZATION TO ACCEPT BUILDER'S RISK INSURANCE PROPOSAL FOR DPW PROJECT**

**WHEREAS**, Rural Development requires all Municipal owners to obtain and maintain Builder's Risk Insurance whenever engaged in a Capital Building Project; and

**WHEREAS**, Patrick Maguire, of Sid G. Spear Insurance, has provided the Village of Malone with a competitive quote for the Builder's Risk Insurance for the DPW Building Project;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees authorizes the Mayor to accept the Builder's Risk Insurance quote from Selective at a cost of \$3,131.

Motion Made By: Trustee McKee

Seconded By: Trustee Boyea

Approved By Board of Trustees on: May 12, 2021

**AES & DANC**

- **Resolution 110-2021 – Approval to Rescind Resolution 95-2021 at the Request of Rural Development**

**VILLAGE OF MALONE  
RESOLUTION NO. 110-2021  
RESCINDING OF RESOLUTION 95-2021**

**APPROVAL TO RESCIND RESOLUTION 95-2021 - APPROVAL OF AMENDMENT NO. 2 – AES AGREEMENT FOR DPW BUILDING PROJECT**

**WHEREAS**, Rural Development has requested that the previous resolved Amendment #2 for AES be held until a date closer to the date of delay;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees hereby rescinds Resolution 95-2021, dated April 28, 2021, which approved Amendment No. 2 for AES.

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

- **Resolution 111-2021 – Approval to Rescind Resolution 96-2021 at the Request of Rural Development**

**VILLAGE OF MALONE  
RESOLUTION NO. 111-2021  
RESCINDING OF RESOLUTION 96-2021**

**APPROVAL TO RESCIND RESOLUTION 96-2021 - APPROVAL OF DANC AMENDMENT NO. 4 FOR DPW BUILDING PROJECT**

**WHEREAS**, Rural Development has requested that the previous resolved Amendment #4 for DANC be held until a date closer to the date of delay;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees hereby rescinds Resolution 96-2021, dated April 28, 2021, which approved Amendment No. 4 for DANC.

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

➤ **Change Order for General Contractor**

**VILLAGE OF MALONE  
RESOLUTION NO. 112-2021**

**APPROVAL OF CHANGE ORDER NO. GC-CO.01 – CON TECH SYSTEMS INC –  
GENERAL CONTRACTOR – DPW FACILITY PROJECT**

Pertaining To: General Construction Contract – Con Tech Building Systems, Inc.

Reason: Change Order submitted to add project Contingency Allowance to the contract sum.

**WHEREAS**, an original Contract Sum was awarded in the amount of \$2,188,585.00; and

**WHEREAS**, Change Orders are a common part of the Building process; and

**WHEREAS**, this Change Order will add a Contingency Allowance designed to assist in moving the project forward as smoothly as possible; and

**WHEREAS**, any unused funds remaining in this Contingency Allowance at the end of the project will revert back to the Village of Malone’s project account;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees hereby approves Change Order No. GC-CO.01 in the amount of \$120,000, brining the new Contract Sum to \$2,308,585.

Result of voting was as follows:

AYE

NAY

Trustee Bonner  
Trustee Boyea  
Mayor Dumas

Trustee McKee  
Trustee Langdon

Motion Made By: Trustee Boyea

Seconded By: Trustee Bonner

Approved By Board of Trustees On: May 12, 2021

➤ **Change Order for Mechanical Contractor**

**VILLAGE OF MALONE  
RESOLUTION NO. 113-2021**

**APPROVAL OF CHANGE ORDER NO. M-CO.01 – FREEDOM MECHANICAL, LLC –  
MECHANICAL CONTRACTOR – DPW FACILITY PROJECT**

Pertaining To: Mechanical Contract – Freedom Mechanical, LLC.

Reason: Change Order submitted to add project Contingency Allowance to the contract sum.

**WHEREAS**, an original Contract Sum was awarded in the amount of \$253,000; and

**WHEREAS**, Change Orders are a common part of the Building process; and

**WHEREAS**, this Change Order will add a Contingency Allowance designed to assist in moving the project forward as smoothly as possible; and

**WHEREAS**, any unused funds remaining in this Contingency Allowance at the end of the project will revert back to the Village of Malone’s project account;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees hereby approves Change Order No. M-CO.01 in the amount of \$20,000, bringing the new Contract Sum to \$273,000.

Result of voting was as follows:

AYE

NAY

Trustee Bonner  
Trustee Boyea  
Mayor Dumas

Trustee McKee  
Trustee Langdon

Motion Made By: Trustee Boyea

Seconded By: Trustee Bonner

Approved By Board of Trustees On: May 12, 2021

➤ **Change Order for Electrical Contractor**

**VILLAGE OF MALONE  
RESOLUTION NO. 114-2021**

**APPROVAL OF CHANGE ORDER NO. E-CO.01 – TEL INC – ELECTRICAL  
CONTRACTOR – DPW FACILITY PROJECT**

Pertaining To: Electrical Contract – TEL Inc.

Reason: Change Order submitted to add project Contingency Allowance to the contract sum.

**WHEREAS**, an original Contract Sum was awarded in the amount of \$306,000; and

**WHEREAS**, Change Orders are a common part of the Building process; and

**WHEREAS**, this Change Order will add a Contingency Allowance designed to assist in moving the project forward as smoothly as possible; and

**WHEREAS**, any unused funds remaining in this Contingency Allowance at the end of the project will revert back to the Village of Malone’s project account;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees hereby approves Change Order No. E-CO.01 in the amount of \$20,000, bringing the new Contract Sum to \$326,000.

Result of voting was as follows:

AYE

Trustee Bonner  
Trustee Boyea  
Mayor Dumas

NAY

Trustee McKee  
Trustee Langdon

Motion Made By: Trustee Boyea  
Seconded By: Trustee Bonner  
Approved By Board of Trustees On: May 12, 2021

➤ **Change Order for Plumbing Contractor**

**VILLAGE OF MALONE  
RESOLUTION NO. 115-2021**

**APPROVAL OF CHANGE ORDER NO. P-CO.01 – K&L PLUMBING & HEATING,  
INC – PLUMBING CONTRACTOR – DPW FACILITY PROJECT**

Pertaining To: Plumbing Contract – K&L Plumbing & Heating, Inc.

Reason: Change Order submitted to add project Contingency Allowance to the contract sum.

**WHEREAS**, an original Contract Sum was awarded in the amount of \$286,505; and

**WHEREAS**, Change Orders are a common part of the Building process; and

**WHEREAS**, this Change Order will add a Contingency Allowance designed to assist in moving the project forward as smoothly as possible; and

**WHEREAS**, any unused funds remaining in this Contingency Allowance at the end of the project will revert back to the Village of Malone’s project account;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees hereby approves Change Order No. P-CO.01 in the amount of \$20,000, bringing the new Contract Sum to \$306,505.

Result of voting was as follows:

AYE

Trustee Bonner  
Trustee Boyea  
Mayor Dumas

NAY

Trustee McKee  
Trustee Langdon

Motion Made By: Trustee Boyea  
Seconded By: Trustee Bonner  
Approved By Board of Trustees On: May 12, 2021

➤ **AES – Amendment #2 – DPW Building Facilities Project**

**VILLAGE OF MALONE  
RESOLUTION NO. 116-2021**

**APPROVAL OF AMENDMENT NO. 2 – AES AGREEMENT FOR DPW BUILDING PROJECT**

**Pertaining To:** Mileage for Resident Project Representative

**Reason:** Addition of estimated RPR Mileage – RPR for the entire project (256) working days, was not included in the base Agreement.

**WHEREAS,** the compensation adjustment for said mileage addition is \$15,770;

**NOW THEREFORE BE IT RESOLVED:** The Village Board of Trustees hereby approves Amendment No. 2 for AES in the amount of \$15,770.

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

**Liberty Utilities**

➤ **2021 Malone Distribution Construction Drawings**

Gas line Construction Update - going on now - finishing a few items left from last year - now complete. Seeding all areas from last year and performing asphalt and sidewalk restoration.

This year's project - working on planning now with DPW crew, conducting geo technical work, producing plan submissions for DOT prior to obtaining their permit.

Working on the environmental permits with stormwater prevention plan added to the current one.

Busy signing up customers, have submitted drawings to the Code Office and have spoken with Brian Lamondie requesting he review the new drawings.

Awaiting final signoff from PSC before construction can begin. That is almost complete. Will provide a schedule once the general contractor responsible for the installation of the lines draws up his tentative plan.

**Correspondence**

- **NYS DOT Approval of No Parking Zone on Rt. 30**

Letter noted and filed.

**NYSLRS**

- **Standard Work Day and Reporting Resolution – Trustee Bonner**

**Standard Workday and Reporting Resolution  
Resolution 108-2021**

**BE IT RESOLVED**, that the Village of Malone (40018) hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Employees' Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Village Trustee	8 hrs.	Norman Bonner	1649	14130736	√	12/1/2018-11/30/2022		√

Motion Made By: Trustee Langdon  
Seconded By: Trustee McKee  
Abstained: Trustee Bonner  
Approved By Board of Trustees On: May 12, 2021

### **DPW Building Facilities Project**

#### **➤ Color Scheme**

Upon the motion of Trustee McKee with a second by Trustee Langdon and unanimously carried to select the following color scheme: Green Siding/Brown Roof/Tan Trim.

### **Malone Tax Assessor Letters**

- Assessment Letter for Rec Park Additional Land**
- Assessment Letter for Solar Farms**

Mayor Dumas confirmed with Town Tax Assessor, James Snyder, that the properties referenced still fall under the Tax-Exempt status.

### **TAPP Industries**

- Letter received from Village Attorney as to the progress of the DEC.**

Letter has been noted and the Village Board will continue to work with the Attorney and the DEC to secure a positive outcome.

### **Centrica Business Solutions**

- Presentation of Streetlight Buy-Back Information**

The dollar amount came in lower on the buy-back price from National Grid - Which lowers the performance contract term, from a 20-year term to a 10-year term. Warranty on the fixtures is 10 years. So, all lights would be covered for entire loan term.

Buy Back good till October. The PSC has to approve the transfer of assets from National Grid to the Village. That takes 90 days. The Village would need to let national grid of intent to buy back before October.

Next Steps:

1st - Run an RFQ to put something on the street looking for qualified contractors to submit for the project. Centrica can provide some language for the RFQ.

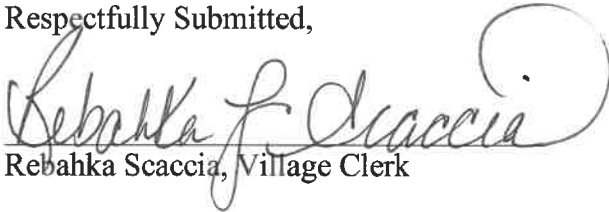


2nd - Centrica needs access to remainder of utilities uses by the Village to see where the savings could be applied since the Solar program pays for the current light fixtures.

Need Copy of Solar Agreements and the Audits for 2018, 2019, 2020.

Motion to Adjourn at 10:25AM by Trustee Boyea.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Rebeka Scaccia". The signature is written in black ink and is positioned above the printed name. The final letter of the last name is a large, decorative loop.

Rebeka Scaccia, Village Clerk

