

At a Regular Meeting of the Malone Village Board, held on April 8, 2019 at 6:00 PM at 343 West Main Street the following were present:

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

Also in attendance:

Cheryl Douglas, Village Clerk
Gerald Fisher, DPW Supervisor
Kevin Nichols, Attorney
Brian Stewart, Attorney
Elizabeth Weissman
William Lamica

Kristine Lashway, Treasurer
Chris Premo, Chief of Police
Mary & Anthony Hooper
Wayne Roberts
Matt Tessier

Public Hearing – Local Law #2-2019 to change R-LB to B – Mayor Riccio read the legal notice. He then asked for any comments from the public with regards to parcel number 112.36-2-2. If no objection, later in the meeting the Board will be asked to vote on the local law.

APPROVE THE MINUTES OF THE REGULAR MEETING: 03/25/2019

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

PAY BILLS:

Fund	Amount	# of Bills Audited
DPW Garage Capital Project	\$ 14,172.69	1
General/Sewer/Water	\$ 25,341.87	60
Joint Recreation	\$ 77.60	1
Trust & Agency	\$ 170,766.60	15
Grand Total	\$ 210,358.76	77

Upon the motion of Trustee McKee with a second by Trustee Dumas and unanimously carried to pay the bills as presented by Treasurer Lashway.

CODE OFFICE:

Building Application

Centenary United Methodist Church
345 West Main Street
Malone, NY 12953

Application for repairs to a steam pipe at 345 West Main Street at an estimated cost of \$56,000.00. Application approved by Building Inspector Robert W. Rowe.

Christine Fiore
52 Anderson Road
North Bangor, NY 12966

Application for Valley Roofing to strip off shingles and re-shingle at 9 Jones Street at an estimated cost of \$2,700.00. Application approved by Building Inspector Robert W. Rowe.

Elaine Gonyea-Ruvola
35 Fourth Street
Malone, NY 12953

Application for Smitty's Home Improvement to install a new roof at 35 Fourth Street at an estimated cost of \$3,000.00. Application approved by Building Inspector Robert W. Rowe.

James Bashaw
80 Duane Street
Malone, NY 12953

Application for Valley Roofing to install steel roof, repairs on chimney and reattach front porch upper sill to house at 80 Duane Street at an estimated cost of \$6889.00. Application approved by Building Inspector Robert W. Rowe.

Fr. Co. Court House
355 West Main Street
Malone, NY 12953

Application for Verizon Wireless to install wireless equipment upgrades to antennas, radio heads and coax cables at 355 West Main Street at an estimated cost of \$15,000.00. Application approved by Building Inspector Robert W. Rowe.

Walgreens Corporation
P.O. Box 1159
Deerfield, IL 60015

Application for AES Mechanical Services Group, Inc to remove and replace six RTU's at 305 West Main Street an estimated cost of \$25,000.00. Application approved by Building Inspector Robert W. Rowe.

Vicki Rockhill
114 Sand Street
Constable, NY 12926

Application to install smoke alarms and stair rail at 45 Willow Street at an estimated cost of \$75.00. Application approved by Building Inspector Robert W. Rowe.

Vicki Rockhill
114 Sand Street
Constable, NY 12926

Application for window replacement at 45 Willow Street at an estimated cost of \$2,600.00. Application approved by Building Inspector Robert W. Rowe.

EXECUTIVE SESSION: For the purpose of legal proceedings at 6:09 PM.

Upon the motion of Trustee McKee with a second by Trustee Bonner and unanimously carried to go into executive session.

Upon the motion of Trustee Dumas with a second by Trustee Bonner and unanimously carried to come out of executive session at 6:32 PM.

Upon the motion of Trustee Dumas with a second by Trustee Langdon and unanimously carried to go into regular session.

COMMITTEE REPORTS: DPW Garage – Christian Fout will set up a meeting with Dave Whitford from AES for the DPW Garage.

Trustee Bonner: As far as work on the streets, we used 36 tons of cold patch last year and 55.5 tons this year.

Trustee McKee: Twelve outstanding MEDCO loans total \$526,706. No one has made application to the court system for relief of payment. MEDCO turned all the assets over to the Village of Malone in July 2012. We will send bills to each one. Trustee McKee also mentioned that we have some properties that we would like to sell and he will do some research and give the Board a report on this.

NEW BUSINESS:

E-Code 360 – Presentation by Jeannie and Todd from E Code. We have been with General Code since 1965 and have had over 90 supplementations. They explained to the Board what it will entail to convert over to E-Code. General Code would be doing away with the 6 x 9 books, just having one 8 ½ x 11 on hand, and we would be able to have everything on the internet. More information will be forthcoming as Todd

and Jeannie prepare an estimate for the Board as far as the pricing structure.

Matt Tessier – Star of the North – Matt is here tonight to ask for the Board support as well as the Police Department’s support as he prepares to organize a 5K Run, a 10K Run, a half marathon and a full marathon. The dates would be 8/31/2019 and 9/5/2020. They would need help from about 7:30 AM to 12:30 PM.

Upon the motion of Trustee Dumas with a second by Trustee Langdon and unanimously carried to approve the runs for the Star of the North for the two dates indicated above.

SWAP – Authorization for Mayor to Sign – A letter will be sent to D. Billy Jones and Elizabeth O’C Little with regards to the new program for the operation and maintenance of the Safe Water Infrastructure Action Program also known as SWAP. This is similar to the CHIPS funding and is a new program but for under the ground. The Board is certainly in support of this and authorizes the Mayor to sign.

Village of Malone vs. Malone Housing Authority – Demarest Mediation Services has rendered its decision on the arbitration between VOM and MHA. This is in reference to the authority deducting from its annual PILOT to the Village the costs it incurs for fire protection services from the Town of Malone. The answer is no they cannot. We may be able to recoup some monies down the road. The Board is being asked to approve the \$500 for the services rendered. This was in the bills tonight for approval.

Meeting Date of May 27 – Need to change due to Holiday. The Board held a discussion and decided to just have one meeting in May, May 13 and then if a special meeting is needed then we would hold a special meeting at another time during the month.

Contractual Mowing Bid – Resolution No. 11-2019

**VILLAGE OF MALONE
RESOLUTION NO. 11-2019**

AUTHORIZATION TO CONTRACTUAL MOWING BID

WHEREAS, the Village of Malone (the “Village”) solicited bids for contractual mowing for the fiscal year 2019-2020; and

WHEREAS, one bid was received and opened on March 27, 2019 at 3 PM; and

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees awards the bid to: Saint Brothers Lawn Care in the amount of \$17,864.00.

Motion Made By: Trustee Dumas

Seconded By: Trustee McKee

Approved By Board of Trustees on: April 8, 2019

Close Public Hearing: Mayor Riccio closed the public hearing at 7:14 PM on Local Law #2-2019.

Resolution No. 12-2019 – Local Law #2-2019

**VILLAGE OF MALONE
RESOLUTION NO. 12-2019**

LOCAL LAW 2-2019

RE-ZONING PARCEL 112.36-2-2 FROM R-LB TO B

WHEREAS, a request to amend the zoning map of the Village of Malone for a certain parcel from Residential Limited Business to Business has been received; and

WHEREAS, given the proposed use and the actual use of the surrounding lands, the Village Board of Trustees requests that the indicated section of Zone R-LB (Residential/Limited Business) contained in Tax Map Number 112.36-2-2 be rezoned to B (General Business). The size of the parcel for which a zoning change is requested is under five acres.

WHEREAS, the zoning map shall read as follows:

All that portion of Tax Map Number 112.36-2-2 which is currently zoned R-LB. This parcel is approximately 3.5 acres and is bounded on the north by the southerly bounds of a General Business district, on the east by a residence district which is part of Tax Map Number 112.36-2-2, on the south by the northerly bounds of the residence district which is part of Tax Map Number 112.36-2-2, and on the west by the easterly lines of the following tax map parcels: 112.28-3-22.100 (portion of), 112.28-3-22.200, 112.28-3.20, and a portion of 112.28-3-1.

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the change of this parcel from R-LB to B.

Motion Made By: Trustee McKee

Seconded By: Trustee Bonner

Approved By Board of Trustees on: April 8, 2019

Resolution No. 13-2019 – Tax Refund

VILLAGE OF MALONE

RESOLUTION NO. 13-2019

TAX BILL 98.75-3-6

WHEREAS, on January 21, 2019 a tax payment in the amount of \$1177.68 was made in error on the on-line payments; and

NOW, THEREFORE BE IT RESOLVED: that the following amount be adjusted to reflect a reversal in this payment and refund the tax payer the amount of \$1177.68. The payment will reflect in the Franklin County Treasurer Check #080498.

Parcel 98.75-3-6 – Jay Danis

Motion Made By: Trustee Bonner

Seconded By: Trustee Dumas

Approved By Board of Trustees on: April 8, 2019

Unpaid Tax Check from County – Discussion was held. The County has rendered a decision to make parcel number 555.55-6-1 null and void and reduced our tax payment by \$41,474.26. This is for St. Lawrence Gas. The Board needs clarification of how they can do this. The check will be held until such time as clarification can be made. Tabled.

Letter of Resignation – Donna Savage – Donna has submitted her letter. She will be done at the end of the school year this year on June 26, 2019.

Upon the motion of Trustee Dumas with a second by Trustee McKee and unanimously carried to accept Donna's letter of resignation.

Resolution 14-2019 – Budget Amendment

**VILLAGE OF MALONE
RESOLUTION NO. 14-2019
2018-2019 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:

\$500 from Account No. A1990 General Fund Contingency

As follows:

\$500 to Account A5142.165 Snow Removal Stand By Pay

\$2,300 from Account No. A5142.463 Snow Removal Diesel

As follows:

\$2,300 to Account A5142.165 Snow Removal Regular Wages

\$500 from Account No. A5142.440 Snow Removal Purchased Services

As follows:

\$500 to Account A5142.161 Snow Removal OT Pay

\$500 from Account No. A5142.440 Snow Removal Purchased Services

As follows:

\$400 to Account A5142.162 Snow Removal Shift Differential

\$100 to Account A5142.165 Snow Removal Stand By Pay

Motion Made By: Trustee Dumas

Seconded by: Trustee McKee

Approved by Board of Trustees on 4/8/2019

TREASURER'S REPORT: Discussion of Tentative Budget – A public hearing will be scheduled on April 17, 2019 at 5 PM.

DPW REPORT: Darrin Fefee – Letter of Resignation

Upon the motion of Trustee Bonner with a second by Trustee Langdon and unanimously carried to accept the letter of resignation.

Jerry Fisher reported that they are patching, sweepers getting ready for new brooms. Clean up dates April 29 to May 10.

POLICE CHIEF: Nothing to report.

NEXT MEETING: April 22, 2019

PUBLIC COMMENTS: Anthony and Mary Hooper were here tonight to express their concern about the bill they got for a brush pile that was put on their property by the Hooper's as well as other people and taken away by our DPW Department after a complaint was received from Holy Family. School was starting the next day and this was a danger. This pile was enormous, was after the pick up dates, and violated the rules for length of logs, etc. They are upset that this is a service that we provide the residents and they feel they should not pay it. The bill was sent out in September and will be a special re-levy on their tax bill if they do not pay it by May 1. The Board stands by their decision.

Elizabeth Weissman from Brown Street was here tonight to express her concern for her neighbor's trash/cars and the unrepaired sidewalk. She has been years trying to get this corrected. She provided pictures as well as documentation of all the times she has called the Code Office, DPW and the neighbors. She has been through four code officers. She is tired of it and rightfully so. Nothing has been done after numerous complaints. Her

confidence in Code and DPW is no longer there. There has always been an excuse. She does not want to go to court to testify.

Upon the motion of Trustee Dumas with a second by Trustee McKee and unanimously carried to repair the sidewalk at 45 Brown Street.

ADJOURNMENT:

Upon the motion of Trustee McKee to adjourn at 8:10 PM.

Respectfully submitted,

Cheryl A. Douglas, Village Clerk