

At the Regular Meeting of the Malone Village Board,
held on May 26, 2020 at 3:00 PM via teleconference, the
following were dialed in:

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

Also in attendance:
Cheryl Cook, Village Clerk
Rebahka Scaccia, Village Clerk
Kristine Lashway, Treasurer
Chief Premo, Police Chief
Christian Fout, DANC
Star Carter, DANC
EJ Conzola, Telegram
Tom Schultz

Excused Absence:
Matthew Boyea, Trustee
Gerald Fisher, DPW

APPROVE THE MINUTES OF THE REGULAR MEETING: 05/11/2020

Upon the motion of Trustee McKee 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: 05/19/2020

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
DPW Bldg. Capital Project	\$ 1,919.00	1
Economic Development Fund	\$ 312.00	1
General/Sewer/Water	\$ 30,219.30	52
Joint Recreation	\$ 22,845.64	6
State Grant Fund	\$ 3,060.00	1
Trust & Agency	\$ 94,621.87	9
Grand Total	\$ 152,977.81	70

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

CORRESPONDENCE:

Letter from DANC – Letter was to announce the retirement of James Write

Malone Auto Club – Writing to inform the Village that they would not be holding the 2020 Malone Auto Shoe and Flea Market slated for July 18th & 19th, due to the COVID-19 pandemic.

SIDEWALK APPLICATION:

344 West Main Street- Joanna Brown

Upon the motion of Trustee Bonner with a second by Trustee McKee and unanimously carried to grant this application.

ELECTRICAL INSPECTION PERMIT APPLICATION:

The Inspector LLC – David Smith

Upon the motion of Trustee Langdon with a second by Trustee Bonner and unanimously carried to approve the permit.

NEW BUSINESS:

DANC – Presentation of Bond Counsel Proposal, Financial Advisors Agreement, External Audit Services Proposal and Amendment #3

**VILLAGE OF MALONE
RESOLUTION 47-2020**

AUTHORIZATION TO ACCEPT THE PROPOSAL TO PROVIDE BOND COUNSEL SERVICES

WHEREAS, Barclay Damon (“Bond Counsel”) has presented the Village of Malone Board of Trustees (the “Village”) with a Proposal to Provide Bond Counsel Services in relation to the DPW Capital Project; and

WHEREAS, the Proposal to Provide Bond Counsel Services provides the Village Board with a Proposed Fee Schedule, with the total fee, including disbursements, for all financings related to the Project, not to exceed \$8,750.00; and

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to accept the Proposal to Provide Bond Counsel Services from Barclay Damon, as presented.

Motion Made By: Trustee Bonner

Seconded By: Trustee McKee

Approved By the Board of Trustees on: May 26, 2020

**VILLAGE OF MALONE
RESOLUTION 48-2020**

**AUTHORIZATION TO ACCEPT AND EXECUTE FINANCIAL ADVISORY SERVICES
AGREEMENT**

WHEREAS, a Financial Advisory Services Agreement from Fiscal Advisors & Marketing, Inc. (“Fiscal Advisors”) was presented to the Village of Malone Board of Trustees (“Client”) at a regular meeting of the Village Board; and

WHEREAS, the Financial Agreement proposes the hiring of said Fiscal Advisors to act as financial advisors to the Client to provide financial advice and services relating to the issuance of Bond Anticipation Notes and to provide administrative services related to funding provided by the USDA- Rural Development for the Client’s Department of Public Works Facility Project; and

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to execute the financial Advisory Services Agreement with Fiscal Advisors & Marketing, Inc. as presented.

Motion Made By: Trustee Bonner

Seconded By: Trustee McKee

Approved By the Board of Trustees on: May 26, 2020

**VILLAGE OF MALONE
RESOLUTION 49-2020**

AMENDMENT 3

**DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY
TECHNICAL SERVICES AGREEMENT
PUBLIC WORKS PROJECT**

WITH THE

VILLAGE OF MALONE

WHEREAS, the Development Authority of the North Country (Authority) and the Village of Malone (Village) entered into an Agreement dated June 25, 2018 for an amount not to exceed \$12,000 to provide Phase 1 tasks to include: project coordination, development of a request for proposal and retention of an architectural firm, report on project status, and assisting the Village with the development of funding strategy and completion of funding applications; and

WHEREAS, the project delays, and additional requested services increased the Authority’s level of effort resulting in additional expenses of \$5,000 in accordance with Amendment No. 1 approved on February 25, 2019, and

WHEREAS, the continued project delays, and additional requested services increased the Authority’s level of effort resulting in additional expenses of \$3,500 in accordance with Amendment No. 2, approved January 21, 2020, and

WHEREAS, the Phase 2 services listed in the original Agreement dated June 25, 2018 to include grant administration, maintaining project budgets, submittal of disbursement requests, compiling and submitting MWBE reports, and coordination between involved parties through the current estimated project completion of June 30, 2022 for design, bidding and construction phase of this project will result in additional expenses of \$39,500 in accordance with Amendment No. 3.

NOW, THEREFORE, the Authority and the Village agree to amend the amount of the agreement to \$60,000.

The return of one signed copy of this Amendment, together with the formal resolution of approval, constitutes acceptance of this Amendment and shall be written authorization for the Authority to proceed with contract services up to the amount agreed upon.

Motion Made By: Trustee Bonner
Seconded By: Trustee McKee
Approved By the Board of Trustees on: May 26, 2020

**VILLAGE OF MALONE
RESOLUTION 50-2020**

AUTHORIZATION TO ACCEPT THE PROPOSAL TO PERFORM EXTERNAL AUDIT SERVICES

WHEREAS, The Village of Malone Board of Trustees (the "Village") has been presented with a proposal from The Hoffman Ells Group, to perform External Auditing Services to the Village of Malone for the year ending May 31, 2021; and

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees authorizes the Mayor to accept and sign the proposal to Perform External Auditing Services from The Hoffman Ells Group, as presented.

Motion Made By: Trustee Bonner
Seconded By: Trustee McKee
Approved By the Board of Trustees on: May 26, 2020

**VILLAGE OF MALONE
RESOLUTION 39-2020**

EXTRACT OF MINUTES OF MEETING OF THE VILLAGE BOARD ADOPTING BOND RESOLUTION

At a meeting of the Board of Trustees of the Village of Malone, in the County of Franklin, in the State of New York on the 26th day of May, 2020:

Present: Mayor Andrea Dumas
Trustee Archie McKee
Trustee Norman Bonner
Trustee Brian Langdon

Also Present: Christian Fout, DANC
Star Carter, DANC
Kristine Lashway, Treasurer
Cheryl Cook, Village Clerk
Rebahka Scaccia, Village Clerk
Chief Premo, Village Chief of Police
EJ Conzola, Malone Telegram
Tom Shultz, Village Resident

Absent: Trustee Matthew Boyea

Trustee McKee presented the following resolution and moved that it be adopted:

BOND RESOLUTION DATED MAY 26, 2020 OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MALONE AUTHORIZING NOT TO EXCEED \$4,500,000.00 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE CONSTRUCTION OF NEW DEPARTMENT OF PUBLIC WORKS FACILITIES, CONSTRUCTION OF ASSOCIATED SITE IMPROVEMENTS AND INFRASTRUCTURE, AND ACQUISITION OF ORIGINAL FURNISHINGS, EQUIPMENT, MACHINERY OR APPARATUS AT AN ESTIMATED MAXIMUM COST OF \$4,500,000.00, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

BE IT RESOLVED, by the Village Board (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

Section 1. The Village shall construct two (2) structures consisting of approximately 8,000 square feet of space to house new facilities for the Department of Public Works, including a vehicle storage and maintenance facility, a storage canopy, and a fueling station, construct associated site improvements and infrastructure, and acquire original furnishings, equipment, machinery or apparatus required for the purpose for which such facilities are to be used and pay incidental costs related thereto, at a maximum cost of \$4,500,000, as more particularly described in Section 3 hereof.

Section 2. The Village is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$4,500,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution is the construction of two (2) structures consisting of approximately 8,000 square feet of space to house new facilities for the Department of Public Works, including a vehicle storage and maintenance facility, a storage canopy, a fueling station, construction of associated site improvements and infrastructure, acquisition of original furnishings, equipment, machinery or apparatus required for the purpose for which such facilities are to be used and payment of incidental costs related thereto (the "Purpose").

Section 4. It is hereby determined and declared that (a) the maximum cost of said Purpose, as estimated by the Village Board, is \$4,500,000, (b) no money has heretofore been authorized to be

applied to the payment of the cost of said Purpose, and (c) the Village plans to finance the costs of said Purpose entirely from funds raised by the issuance of the Bonds and bond anticipation notes herein after referred to.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 11 in Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is thirty (30) years. The proposed maturity of the Bonds authorized herein will be in excess of five (5) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to further authorize the issuance of the Bonds and to authorize the issuance of bond anticipation notes issued in anticipation of the sale of the Bonds (including renewals thereof) and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Treasurer of the Village, the chief fiscal officer. The Treasurer is hereby authorized to sign and the Village Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Village Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Village.

Section 7. The faith and credit of the Village, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property in the Village, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable, to the extent the necessary funds are not provided from other sources and subject to any statutory limitations.

Section 8. This Resolution shall constitute the declaration of the Village's "official intent" to reimburse expenditures authorized by Section 1 with proceeds of the Bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

Section 9. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 9-900 of the Village Law. The Village Clerk is hereby authorized and directed within ten (10) days after the adoption of said Resolution, to cause to be published a notice which sets forth the date of the Resolution's adoption and contains an abstract of the Resolution concisely stating its purpose and effect.

Section 10. When effective, this Resolution, or a summary thereof, shall be published by the Village Clerk together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the official newspapers of the Village. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution, or summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 11. This Resolution shall take effect upon the earlier of (a) the expiration of the time for filing a petition requesting that the issuance of the Bonds be submitted to referendum or (b) a positive vote upon the referendum authorizing the issuance of the Bonds.

The Motion having been duly seconded by Trustee Langdon, it was adopted and the following votes were cast:

AYES

NAYS

Trustee Bonner
Mayor Dumas

DANC – Presentation of Local Government Efficiency Grant Application

**VILLAGE OF MALONE
RESOLUTION 40-2020**

RESOLUTION IN SUPPORT OF A 2020 LOCAL GOVERNMENT EFFICIENCY GRANT APPLICATION FOR A NORTH COUNTRY REGIONAL SHARED GEOGRAPHIC INFORMATION SYSTEM PROJECT

WHEREAS, the Board of Trustees of the Village of Malone (Village) has an existing agreement with the Development Authority of the North Country to be part of the Authority's regional shared services Geographic Information Services (GIS) platform; and

WHEREAS, the Village will act as a participating municipality for a shared services project, involving multiple local governments in the North Country to develop GIS datasets for municipally owned assets, including water, wastewater, electric, highway, public works, and cemeteries; and

WHEREAS, the project partners will submit an application to the Department of State Local Government Efficiency (LGe) Implementation Grant Program, anticipated to be part of the 2020 Consolidated Funding Application; and

WHEREAS, the Village understands that they will be required to contribute a 10% match for the Village's portion of the overall project budget, up to \$2,000, which will be paid to the lead agency;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Malone will participate as a municipal partner as required for the LGe grant application to be filed with the NYS Department of State; and

BE IT FURTHER RESOLVED, that the Village authorizes the Mayor to execute all financial and/or administrative processes relating to the implementation of the grant program project as a participating applicant; and

BE IT FURTHER RESOLVED, that the Village will provide the required documentation and the support of its staff (as necessary) to the Development Authority of the North Country in performance of the North Country Regional Shared GIS Implementation Project.

Motion Made By: Trustee McKee
Seconded By: Trustee Langdon
Approved By Board of Trustees on: May 26, 2020

NYS DOCCS Agreement Review – Tabled until May 27, 2020 Work Session

Reappointment of Jay Perras to the Rec Park Commission

Upon the motion of Trustee McKee with a second by Trustee Bonner and unanimously carried to approve the reappointment of Jay Perras to the Rec Park Commission.

Rec Park Commission – Five Letters of Interest to Serve on Rec Park Commission – Tabled until May 27, 2020 Work Session

**VILLAGE OF MALONE
RESOLUTION NO. 41-2020**

APPROVAL OF RECREATIONAL PARK SEASONAL STAFF

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 recommendations for the hiring of summer help; and

NOW THEREFORE BE IT RESOLVED: The Village Board of Trustees approves the hiring of following staff members for the 2020 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>
Steven Marshall	Rec Park Laborer	\$11.80
Kristyn Penera	Rec Park Laborer	\$11.80
Ellie Gravell	Rec Park Laborer	\$11.80

Motion Made By: Trustee Bonner

Seconded By: Trustee Langdon

Approved By Board of Trustees on: May 26, 2020

**Standard Workday and Reporting Resolution
Resolution 42-2020**

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 Mayor	6 hrs.	Andrea Dumas	666 4	61644 60-5		12/1/2019-11/30/2023	27.92	

I, Rebahka L. Scaccia, clerk of the governing board of the Village of Malone of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 26th day of May 2020 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

Motion Made By: Trustee Bonner
 Seconded By: Trustee McKee
 Approved By Board of Trustees on: May 26, 2020

**VILLAGE OF MALONE
RESOLUTION 43-2020**

**RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE
HIRING OF AN ENGINEER TO ASSESS 14 HARISON PLACE**

WHEREAS, the Village of Malone (Village) is the Owner of the property located at 14 Harison Place; and

WHEREAS, the building located at 14 Harison Place has been deemed Condemned by the Village Code Officer; and

WHEREAS, the collapse of the structure is imminent, equating to a Public Safety Concern; and

WHEREAS, the current structure is located in close proximity to the Main Street bridge and Harison Place road;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Malone, does hereby authorize the advertisement for bids for an Engineer's Survey of the building located at 14 Harison Place; and

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

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

Upon the motion of Trustee Bonner with a second by Trustee McKee and the vote was taken as follows:

Trustee Langdon Voted Yea
Mayor Dumas Voted Yea

Resolution 44-2020 – Authorization of First Round Water Meter and Supplemental Equipment/Technology Purchase – Tabled until May 27, 2020 Work Session

**VILLAGE OF MALONE
RESOLUTION NO. 45-2020
2019-2020 BUDGET AMENDMENT NO. 23**

Related to the appropriation and/or transfer of funds:

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

\$39,000 from Account No. A1990 General Fund Contingency
As Follows:
\$39,000 to CE8689 Mill Park, Salmon River Project

Motion Made By: Trustee Bonner
Seconded By: Trustee McKee
Approved by Board of Trustees on: May 26, 2020

VILLAGE OF MALONE

RESOLUTION NO. 46-2020

2019-2020 BUDGET AMENDMENT NO. 24

Related to the appropriation and/or transfer of funds:

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

Increase Revenue Code CM2171.00 MEDCO Late Fees by \$312.00

Increase Appropriation Code CM8687.442 MEDCO Consulting Fees by \$312.00

Increase Revenue Code A2770.20 K-9 Donations by \$305.55

Increase Appropriation Code A3120.480 K-9 Supplies & Materials by \$305.55

\$1,400 from Account No. J7140.160 Maintenance Staff

As Follows:

\$1,400 to Account No. J7140.410 Supplies & Materials

\$2,600 from Account No. G8120.160 Sewer Regular Wages

As Follows:

\$2,472.34 to Account No. G8110.150.01 Sewer Support Staff Wages

\$127.66 to Account No. G8110.170 Fixed Asset Officer Wages

\$6,795 from Account No. F8310.153R Unused Sick Time Reserve

As Follows:

\$127.65 to Account No. F8310.170 Fixed Asset Officer

\$6,667.35 to Account No. F8310.150.01 Water Administrative Staff

\$55.18 from Account No. A1325.415 Postage

\$120 from Account No. A1325.424 Website Updates

\$722 from Account No. A1325.470 Treasurer Training

As Follows:

\$3 to Account No. A1325.150 Treasurer Salary

\$894.18 to Account No. A1325.152 Treasurer Support Staff

\$1,867.86 from Account No. A1910.430 Unallocated Insurance

As Follows:

\$1,867.86 to Account No. A3620.160 Code Officer Account Clerk

\$867.71 from Account A1620.463 Admin Building Fuel

As Follows:

\$127.66 to Account No. A1610.170 Fixed Asset Officer

\$3.19 to Account No. A1610.410 Admin Building Supplies & Materials

\$49.01 to Account No. A1620.460 Admin Building & Site Maintenance
\$687.85 to Account No. A3120.170.01 Police Dispatchers

\$188.91 from Account No. A5110.410.20 Street Protective Clothing
\$92.55 from Account No. A5110.410.40 Street Blacktop

As Follows:

\$281.46 to Account No. A5110.410.22 Streets Protective Clothing

\$9,725 from Account No. 5142.160 Snow Regular Wages

As Follows:

\$3,225 to Account No. A5140.160 Brush & Leaf Wages

\$6,500 to Account No. A8170.160 Street Cleaning Wages

Motion Made By: Trustee McKee

Seconded By: Trustee Bonner

Approved by Board of Trustees on: May 26, 2020

TREASURER'S REPORT:

CODE REPORT: Letter from TAPP Industries

DPW REPORT: Gerald Fisher returning to work from medical leave of absence on June 1, 2020.

POLICE CHIEF: Summary of activity for the months of March and April 2020.

NEXT MEETING: Monday, June 8, 2020 at 6:00 PM. Tuesday Work Sessions, Wednesdays at 9:00am.

PUBLIC COMMENTS: Tom Shultz addressed the Board. He stated there is a property he owns on lower Park Street that possibly has a broken water line near the dead end where the road used to run. There is a great deal of water and he asked if the DPW could take a look.

Upon the motion of Trustee Bonner with a second by Trustee Langdon and unanimously carried to go into Executive Session.

EXECUTIVE SESSION:

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

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

Upon the motion of Trustee Bonner with a second by Trustee McKee and unanimously carried to approve the proposed Clerical Union Contract changes and updates as presented by the CSEA. A Resolution to follow upon receipt of final contract submission by the CSEA.

ADJOURNMENT:

Upon the motion of Trustee McKee to adjourn the meeting at 4:55 PM.

Respectfully submitted,


Rebahka L. Scaccia, Village Clerk

