

TOWN OF MALONE  
REGULAR MEETING  
April 13, 2022

A Regular Meeting of the Town Board of the Town of Malone, County of Franklin and the State of New York was held at the Town Offices, 27 Airport Road, Malone, NY on the 13th day of April 2022.

**PRESENT:** Terry Maguire Deputy Supervisor  
Jody Johnston Councilor  
Brian Taylor Councilor  
Paul Walbridge Councilor

**ABSENT:** Andrea Stewart Supervisor

**ALSO PRESENT:** Denice Hudson, Budget Officer  
Jean Marlow, Town Clerk  
Mike Andrews, Highway Superintendent  
John Manley, Deputy Highway Superintendent  
Alex Violo, Malone Telegram

Deputy Supervisor Maguire called the Regular Meeting to order with the Pledge of Allegiance.

**MINUTES:**

**RESOLUTION 94 - 2022 – Minutes**

On a motion of Councilor Johnston seconded by Councilor Taylor the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge  
Nays 0

Resolved to approve the following minutes:

***March 23, 2022 – Regular Meeting***

**REPORTS:**

**RESOLUTION 95 - 2022 – Reports**

On a motion of Councilor Walbridge seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge  
Nays 0

Resolved to approve the following reports:

***Office of the State Comptroller, Justice Court Fund – January 2022***

***Airport Service Worker – March 2022***

***Office of the State Comptroller, Justice Court Fund – February 2022***

***Justice Main – March 2022***

***Justice Fisher – March 2022***

***Code Office – March 2022***

***Budget to Actual – March 2022***

***Supervisor's Report – March 2022***

***Town Clerk – March 2022***

***2022 Receiver of Taxes Report***

**OLD BUSINESS:**

*Bid Opening, April 8, 2022:* There were no bids submitted for the 1998 Portable Stone Jaw Crusher.

**SUPERVISOR REPORT:**

**RESOLUTION 96 - 2022 – Approval for Publication of Bid for Airport Lighting & Signage**

On a motion of Councilor Taylor seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge

Nays 0

Resolved to approve the publication of Notice to Bidders on Airport Lighting & Signage Improvements project for May 10, 2022 2:00 p.m., bid opening to be published in The Malone Telegram one-time.

**SUPERINTENDENT OF HIGHWAYS:**

Superintendent Andrews presented the Board with a list of items that he would like declared surplus and permission to list them on Auctions International. The Board reviewed the list and as a result, the following resolution was adopted:

**RESOLUTION 97 - 2022 – Highway Department Surplus Items**

On a motion of Deputy Supervisor Maguire seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge

Nays 0

Resolved to declare surplus the list of items as presented by Superintendent Andrews and give permission to list them on Auctions International.

**RESOLUTION 98 - 2022 – Advertise for Seasonal Laborer**

On a motion of Councilor Johnston seconded by Councilor Walbridge the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge

Nays 0

Resolved to advertise for a Seasonal Laborer in the Highway Garage until the position is filled. To be advertised on the signboard, social media and the Town of Malone website. This is a 12 week position that can begin once all the necessary paperwork is submitted and approved.

**BOARD MEMBER / COMMITTEE ITEMS:**

*Councilor Taylor* has met with the Electrician regarding the work at the Pavilion and Highway Garage. He should have a price and work should begin within a few weeks.

**CORRESPONDENCE:**

*From Eversheds Sutherland (US) LLP:* Complaint on Tentative Special Franchise Full values for the year 2022.

*From Hodgson Russ:* SLIC Network Solutions, Inc. – ORPTS Grievance Complaint.

*From Planning Board:* Minutes from February 2, 2022 meeting.

*From NYS DEC:* Shears Road mining permit application. Response due on or before May 11, 2022. There are some questions that need to be answered before we can respond.

*From Friends of the North Country:* 2021 Housing Rehabilitation Grant Monthly Report.

**NEW BUSINESS:**

**RESOLUTION 99 - 2022 – Joint Rec Commission – Letter of Interest**

On a motion of Councilor Walbridge seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge

Nays 0

Resolved to solicit letters of interest for a vacant seat as the Town representative on the Joint Rec Commission for seven-year term ending 3/1/2029.

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**RESOLUTION 100- 2022 – Journal Entry**

On a motion of Councilor Johnston seconded by Councilor Walbridge the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge  
Nays 0

Resolved to give permission for Budget Officer to make the following Journal Entry as Per Comptroller Notice for January 2022: From A690 Clearinghouse \$5,731.00 to A980 Revenues \$5,731.00 (A2610 court fines & fees).

**RESOLUTION 101- 2022 – Journal Entry**

On a motion of Councilor Johnston seconded by Councilor Walbridge the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge  
Nays 0

Resolved to give permission for Budget Officer to make the following Journal Entry as Per Comptroller Notice for February 2022: From A690 Clearinghouse \$5,852.00 to A980 Revenues \$5,852.00 (A2610 court fines & fees).

*Justice Fisher* discussed with the Board the need for an AED in the building. She has contacted Emergency services to see if there are any grant opportunities to purchase one.

The court is working with the County Clerk on an Orders of Judgement Program. Close to 100 have been filed already. The County Clerk has waived all filing fees for these judgements.

The Town Court has also been working with the County on the logistics of holding jury trials at the County Courthouse until the Town is able to have them at our building.

The target date for the Court to accept credit card payments is May 1, 2022.

The Board thanked Judge Fisher for all the initiative she has shown in such a short time with the Town Court.

**EXECUTIVE SESSION:**

**RESOLUTION 102- 2022 – Executive Session**

On a motion of Deputy Supervisor Maguire seconded by Councilor Walbridge the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge  
Nays 0

Resolved to go in to Executive Session at 6:31 p.m. to discuss the employment history of, and matters leading to, the employment, discipline, suspension, dismissal or removal of a particular person and proposed, pending or current litigation, to include the Board members present, Budget Officer Hudson and Highway Superintendent Andrews.

*\*Superintendent Andrews left the Executive Session at 6:58 p.m.*

**RESOLUTION 103- 2022 – Executive Session**

On a motion of Councilor Walbridge seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge  
Nays 0

Resolved to return to Regular Session at 7:16 p.m., with no action taken in Executive Session.

**RESOLUTION 104- 2022 – Purchase of Excavator**

On a motion of Deputy Supervisor Maguire seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge  
Nays 0

Resolved to give Highway Superintendent Andrews permission to make an emergency purchase of a new excavator at State pricing.

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**RESOLUTION 105 - 2022 – Bills for Audit and Payment**

On a motion of Deputy Supervisor Maguire seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge  
Nays 0

Resolved to approve the following:

**BILLS FOR AUDIT & PAYMENT:**      *Batch No. 895*  
*Voucher Nos. 332-382*

<i>General Fund (A)</i>	<i>\$ 47,399.66</i>
<i>Part Town (B)</i>	<i>413.49</i>
<i>Highway Town Wide (DA)</i>	<i>18,156.52</i>
<i>Highway Outside (DB)</i>	<i>60,517.53</i>
<i>Highway Equipment (H1)</i>	<i>43,910.00</i>
<i>Airport Capital Project (H4)</i>	<i>7,711.21</i>
<i>Trust &amp; Agency (TA)</i>	<i>31,176.00</i>
<i>East Side Water (FE)</i>	<i>324.39</i>

***GRAND TOTAL***                      ***\$209,608.80***

**RESOLUTION 106 - 2021 – Adjourn**

On a motion of Councilor Johnston seconded by Councilor Taylor the following resolution was

ADOPTED Ayes 4 Maguire, Johnston, Taylor, Walbridge  
Nays 0

Resolved to adjourn the Regular Meeting at 7:20 p.m. The next Regular Town Board Meeting is scheduled for April 27, 2022 at 6:00 p.m.

**RESPECTFULLY SUBMITTED,**

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**JEAN MARLOW, TOWN CLERK**

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