

**TOWN OF MALONE
REGULAR MEETING
August 23, 2023**

A regular meeting of the Town Board of the Town of Malone, County of Franklin and State of New York was held at the Town Offices, 27 Airport Road, Malone, NY on the 23rd day of August 2023 at 6:00 p.m.

PRESENT:

Andrea Stewart, Supervisor
Jody Johnston, Councilor
Paul Walbridge, Councilor

Terrance Maguire, Deputy Supervisor
Brian Taylor, Councilor

ALSO PRESENT:

Denice Hudson, Budget Officer, Town Clerk
Michael Andrews, Highway Superintendent
Michael McMahon, Code Officer
Ken Tracy, Burke Resident
Bruce Burditt, Airport Manager

Abby Monica, Deputy Town Clerk
John Manley, Deputy Highway Superintendent
Alex Violo, Malone Telegram
Janet Tracy, Burke Resident

CALL TO ORDER: Supervisor Stewart called the Regular Meeting to order at 6:00 PM with the Pledge of Allegiance.

MINUTES: For review and approval

RESOLUTION 232-2023 - Minutes

Upon motion by Councilor Johnston, second by Deputy Maguire the following resolution was ADOPTED Ayes 5 Stewart, Johnston, Taylor, Walbridge, Maguire

Nays 0

Resolved to approve the following minutes:

July 26, 2023 - Regular Board Meeting Minutes

Reports:

Airport Manager- July 2023

Code Office- July 2023

Town Clerk- July 2023

Justice Fisher- July 2023

Judge Main- July 2023

NYS Comptroller, Justice Court Fund- July 2023

Airport Lease Manager- July 2023

Budget to Actual- July 2023

Supervisor's Reports- July 2023

OLD BUSINESS:

RESOLUTION 232-2023- Public Meeting

Upon motion made by Supervisor Stewart, seconded by Deputy Maguire the following resolution was

ADOPTED Ayes- 5

Nays- 0

TOWN OF MALONE TOWN BOARD RESOLUTION

SETTING A PUBLIC SCOPING MEETING FOR THE PROPOSED COMMUNITY SOLAR FARM TO BE LOCATED AT 176 BARE HILL ROAD

WHEREAS, on or about September 3, 2021, Yellow 17, LLC filed an application for a Zoning Permit for the "Malone Solar Project" to be located at 176 Bare Hill Road in the Town of Malone (the "Proposed Action"), and

WHEREAS, as part of its application for a Zoning Permit, the Applicant submitted a Full Environmental Assessment Form dated August 26, 2021, and

WHEREAS, on or about February 11, 2022, Yellow 17, LLC filed a response to a deficiency letter for the Proposed Action with supplemental materials in support of its application, and

TOWN OF MALONE
REGULAR MEETING
August 23, 2023

WHEREAS, on or about October 12, 2022, Yellow 17, LLC filed supplemental materials in support of its application, and

WHEREAS, the Town Board adopted a Resolution on May 11, 2022, which classified the project as a Type I Action under the New York State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, the Town Board assumed lead agency status pursuant to 6 NYCRR 617.6(b)(1), and

WHEREAS, the Town Board conducted public hearings on the proposed project on June 22, 2022, and July 13, 2022, and

WHEREAS, on November 16, 2022, the Town Board made a Positive Declaration of Environmental Significance, requiring preparation of a DEIS, and

WHEREAS, on or about June 26, 2023, the Applicant filed an Environmental Impact Statement Scoping Document for the Malone Solar Project, and

NOW THEREFORE, the Town Board resolves to hold a public scoping meeting on September 13, 2023 at 6:00 PM to provide an opportunity for the public to identify specific issues and environmental impacts that should be addressed in a Draft Environmental Impact Statement (DEIS) for the Proposed Community Solar Farm to be located at 176 Bare Hill Road in the Town of Malone.

SUPERVISORS REPORTS:

RESOLUTION 233-2023- MCF Physical

Upon motion made by Councilor Johnston, seconded by Deputy Maguire the following resolution was

ADOPTED Ayes- 5

Nays- 0

Permission for Supervisor Stewart to sign MCF Physical for Patrick Odell and add on to the Franklin County Self Insurance Plan.

RESOLUTION 234-2023- Staff Development Day

Upon motion made by Deputy Maguire, seconded by Councilor Johnston the following resolution was

ADOPTED Ayes- 5

Nays- 0

Offices will be closed 11:30 AM to 2:30 PM on August 30th for Staff Development Day *Special Meeting September 31st* for Executive Session (Attorney- Client Privilege)

BOARD MEMBER/COMMITTEE ITEMS:

Councilor Taylor states he attended the Rec Park end of summer celebration and it was a good turnout, a lot of people went, and the staff are doing a great job over there. He states the courts are extremely busy and are doing a great job as always.

SUPERINTENDENT OF HIGHWAY REPORTS:

Highway Superintendent Andrews states he would like to extend the road closure on Johnston Road to October 31, 2023. It will be done to be able to plow this winter. He states they reached the CHIPS deadline on August 11th. It was a total of \$541,372.34. New York State responded back through email accepting it, the Town of Malone will have a response by September 19th regarding the reimbursement amount we will receive back. Andrews states the last 2 ½ days we've blacktopped for the Village, we have put down a 1,000 ton for them and have approximately 250 more ton that needs to be done, we cannot move forward until they are done their drainage on Jane Street. We have also installed 60 foot of culverts on the Meehan Road and cutting shoulders. Andrews thanks Code Officer McMahon for helping with the build of the addition and teaching the guys. We also received the 92-inch mower yesterday from Burke Farm Supply, it was paid for with the money we received from the auction.

**TOWN OF MALONE
REGULAR MEETING
August 23, 2023**

RESOLUTION 235-2023- Johnson Road Closure

On a motion made by Deputy Maguire, seconded by Councilor Johnston the following resolution was

ADOPTED Ayes- 5

Nays-0

Permission for Superintendent Andrews to extend road closure on the Johnson Road until October 31, 2023.

CORRESPONDENCE:

From the Association of Towns: Membership Dues 2024

From Franklin County: 2024 Franklin County Self Insurance Budget, Town of Malone Assessment is \$72,120.00, \$1,966.00 more than 2023.

From Charter Communications: Upcoming change

From Bangor Town Court: Hearing Date Snyder V. Town of Malon

RESOLUTION 236-2023- Elizabeth Bowles

Upon motion made by Councilor Walbridge, seconded by Deputy Maguire the following resolution was

ADOPTED Ayes- 5

Nays- 0

Appoint Elizabeth Bowles to the Planning Board Committee.

From Friends of the North Country: NYS Office of Community Renewal 2021 Housing Rehab Grant (689HR305-21) Update.

RESOLUTION 237-2023- Friends of the North Country

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

ADOPTED Ayes- 5

Nays- 0

To authorize capital expenditure of \$30,100.00, plus administrative, project delivery and other soft cost, in accordance with the Town of Malone Housing Rehabilitation Program, for project # MA-21-08.

From North Country Habitat for Humanity: 31 Pershing Street

RESOLUTION 238-2023- National Notary Association Exam

On a motion made by Deputy Maguire, seconded by Councilor Walbridge the following resolution was

ADOPTED Ayes- 5

Nays- 0

Permission for Town Clerk Abby Monica to attend National Notary Association Exam held in Plattsburgh September 27, 2023 with all expenses paid by the town.

From NYS Department of State: Confirmation Local Law #1-2023 was filed August 7th, 2023.

TOWN OF MALONE
REGULAR MEETING
August 23, 2023

NEW BUSINESS:

RESOLUTION 238-2023- Journal Entry

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

ADOPTED Ayes- 5

Nays- 0

Permission for Budget Officer to make the following Journal Entry as Per Comptroller Notice for July 2023 from 690 Clearinghouse \$5,284.00 to A980 Revenues \$5,284.00 (A2610 court fines & fees).

RESOLUTION 239-2023- Journal Entry

On a motion made by Councilor Taylor seconded by Deputy Maguire the following resolution was

ADOPTED Ayes- 5

Nays- 0

Permission for Budget Officer to make the following Journal Entry for annual insurance expenditure from A1990.4 (Contingency) to AS1910.4 (Unallocated Insurance) \$6,483.15.

RESOLUTION 240-2023- ARPA Funds

On a motion made by Supervisor Stewart seconded by Councilor Johnston the following resolution was

ADOPTED Ayes- 5

Nays- 0

WHEREAS, the American Rescue Plan (ARPA) Coronavirus Local Fiscal Recovery Fund, enacted in June, 2021 provides funding to State, Local and Tribal governments to address the myriad of economic, financial, and public safety needs due to the Covid 19 pandemic, and **WHEREAS**, the Town of Malone submitted a request to receive funds under this program, and

WHEREAS, the Town of Malone has been allocated \$869,535.84 as follows: \$434,767.91 was received in July, 2021 and July 2022, respectively, by the Office of the NYS Comptroller, and **WHEREAS**, specific criteria for use of these monies include a response to the public health emergency and its negative economic impacts and loss of revenue, capital improvements in public facilities to meet pandemic operational needs and/or mitigation tactics, with monies to be obligated by the end of 2024, and expended by the end of 2026, and **WHEREAS**, on May 10, 2023, \$317,425.37 of remaining ARPA Funds were designated to Capital Improvements to Town of Malone facilities, roads, and infrastructure.

NOW, THEREFORE, be it **RESOLVED**, that the Town Board of the Town of Malone does hereby designates \$1,105.00 of the designated funds for Town of Malone Equipment Decals.

EXECUTIVE SESSION:

RESOLUTION 241-2023- Executive Session

On a motion made by Supervisor Stewart seconded by Councilor Walbridge the following resolution to enter Executive Session to discuss employment history of, and matters leading to, the employment, discipline, suspension, dismissal, or removal of a particular person at 6:27 P.M was

ADOPTED Ayes- 5

Nays- 0

Resolved Return to Regular Session at 6:40 P.M. No action taken.

RESOLUTION 242-2023- Court Clerk

On a motion made by Deputy Maguire seconded by Counselor Johnston the following resolution was

ADOPTED Ayes 5

Nays-0

Permission to appoint Kim Lannica the Court Clerk effective August 24, 2023 at \$19.10 an hour.

**TOWN OF MALONE
REGULAR MEETING
August 23, 2023**

RESOLUTION 243-2023- Deputy Court Clerk

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

ADOPTED Ayes- 5

Nays- 0

Permission to appoint Leigh Murphy-Mulverhill the Deputy Court Clerk effective September 12, 2023 with starting pay at \$17.00 an hour.

BILLS FOR AUDIT & PAYMENT:

*Batch No. 1236
Voucher Nos. 669-723, 663*

<i>General Fund (A)</i>	<i>\$123,711.52</i>
<i>Part Town General Fund (B)</i>	<i>1,201.58</i>
<i>Highway Townwide (DA)</i>	<i>474.35</i>
<i>Highway Outside (DB)</i>	<i>20,280.67</i>
<i>East Side Water Fund (FE)</i>	<i>207.36</i>
<i>Trust & Agency (T)</i>	<i>39,265.46</i>
<i>Airport Capital Project (H4)</i>	<i>17,264.99</i>
<i>Escrow Capital Project (H2)</i>	<i>336.50</i>
<i>General Fund (A)</i>	<i>350.00</i>

GRAND TOTAL ***\$203,092.43***

RESOLUTION 244-2023 Bills

Upon Motion by Councilor Walbridge, second by Councilor Johnston the following resolution was,

ADOPTED Ayes 5 Stewart, Johnston, Taylor, Walbridge, Maguire

Nays 0

Resolved to pay the bills listed.

RESOLUTION 245-2023 Adjourn

Upon Motion of Councilor Walbridge, second by Councilor Johnston the following resolution was,

ADOPTED Ayes 5 Stewart, Johnston, Taylor, Walbridge, Maguire

Nays 0

Resolved to adjourn regular board meeting at 6:41 P.M on August 23rd, 2023.

The next Regular Board Meeting will be September 13, 2023, at 6:00 P.M. at 27 Airport Rd. Malone, NY 12953.

RESPECTFULLY SUBMITTED,


Abby Monica, Town Clerk