

**TOWN OF MALONE  
REGULAR MEETING  
PUBLIC HEARING**

**December 27, 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 27th day of December 2023 at 6:00 p.m.

**PRESENT:**

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

Terrence Maguire, Deputy Supervisor  
Brian Taylor, Councilor

**ALSO PRESENT:**

Abby Monica, Town Clerk  
Michael Andrews, Highway Superintendent  
Michael McMahon, Code Officer  
Tim Boyea, Malone Resident

Denice Hudson, Budget Officer  
John Manley, Deputy Highway Superintendent  
Bruce Burditt, Airport Manager  
Real Choiniere, Malone Resident

**CALL TO ORDER: Supervisor Stewart called the Public Hearing to order at 5:50 PM regarding road abandonment for Mattimore Road and Brockway Road.**

Tim Boyea a Malone resident has concerns with Brockway Road abandonment due to owning a home on the road. Boyea states his address is on the Moody Road due to the mail not going down his road, but he does have an actual 911 address on Brockway Road. Superintendent Andrews asked Boyea if he can confirm he has a 911 address on the Brockway Road because when he was doing research for the road abandonment he could not find his(Boyea) property on the road, only on Moody Road. Boyea is concerned with the winter season and who will be able to plow his road as no one will go up the road. Real Choiniere has concerns with who will own the road as it will be abandoned. Superintendent Andrews and Supervisor Stewart explained it will be divided between the owners on the West and East side of the road. Whoever own the West side owns the West side of the road and same goes with the East side. Choiniere was concerned about the owners on the end of the road, but Andrews explained that house is vacant, and he has done extensive research before moving forward with this decision. Choiniere states the Town is anti-farmers because if there were more houses on the road and not just farmland we would not be abandoning the road. Deputy Maguire states we all take offense to that statement as none of us are anti farmers we one hundred percent support farmers and what they do for us. Nothing more was said at this time. Supervisor Stewart closed the public hearing at 6:25 PM.

**RESOLUTION 351-2023- Mattimore Road Abandonment**

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

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

Nays 0

WHEREAS the Town of Malone maintains in said town a public highway described in Schedule A and known as Mattimore Road,

WHEREAS it appears to the Town Superintendent of Highways of the Town of Malone (“Town Superintendent”) and this Board that said public highway has, while not been wholly disused, not for the past two (2) years been usually travelled upon the greater portion thereof by more than two (2) vehicles daily, in addition to pedestrians and persons on horseback, and

WHEREAS and that a public hearing on qualified abandonment of said public highway was held by the Town Superintendent after twenty (20) days’ written notice was given to the owners and occupants of adjoining properties, and

WHEREAS it appears to the Town Superintendent that such qualified abandonment is proper and will not cause injustice or hardship to the owner or occupant of any lands adjoining such highway.

**NOW THEREFORE IT IS**

RESOLVED that the Town of Malone shall effect a qualified abandonment of said public highway described in Schedule A annexed hereto, and it is further

RESOLVED that the Town Superintendent is authorized and directed to prepare a certificate effecting a qualified abandonment, and it is further

RESOLVED that the Town Superintendent is authorized and directed to file a signed certificate in the Clerk’s Office of the Town of Malone.

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**RESOLUTION 352-2023- Brockway Road Abandonment**

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

**ADOPTED** Ayes 5 Stewart, Taylor, Walbridge, Johnston Maguire  
Nays 0

WHEREAS the Town of Malone maintains in said town a public highway described in Schedule A and known as Brockway Road,

WHEREAS it appears to the Town Superintendent of Highways of the Town of Malone (“Town Superintendent”) and this Board that said public highway has, while not been wholly disused, not for the past two (2) years been usually travelled upon the greater portion thereof by more than two (2) vehicles daily, in addition to pedestrians and persons on horseback, and

WHEREAS and that a public hearing on qualified abandonment of said public highway was held by the Town Superintendent after twenty (20) days’ written notice was given to the owners and occupants of adjoining properties, and

WHEREAS it appears to the Town Superintendent that such qualified abandonment is proper and will not cause injustice or hardship to the owner or occupant of any lands adjoining such highway.  
**NOW THEREFORE IT IS**

**RESOLVED** that the Town of Malone shall effect a qualified abandonment of said public highway described in Schedule A annexed hereto, and it is further

**RESOLVED** that the Town Superintendent is authorized and directed to prepare a certificate effecting a qualified abandonment, and it is further

**RESOLVED** that the Town Superintendent is authorized and directed to file a signed certificate in the Clerk’s Office of the Town of Malone.

**CALL TO ORDER: Supervisor Stewart called the Public Hearing to order at 6:15 PM regarding the 2024 EMS Contract.**

Deputy Maguire states regarding the 2024 EMS contract that they have worked extremely hard to get this contract and we are very lucky to have this agreement because not all towns have these contracts. The EMS is all volunteer work, and they do a lot for us. No other comments were made at this time. Supervisor Stewart closed the public hearing at 6:25 PM

**RESOLUTION 353-2023: 2024 EMS Contract**

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

**ADOPTED** Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor  
Nays 0

Permission for Supervisor Stewart to Sign the 2024 EMS Contract.

**CALL TO ORDER: Supervisor Stewart called the Regular Meeting to order at 6:05 PM with the Pledge of Allegiance.**

**MINUTES: For review and approval**

**RESOLUTION 354-2023 – Minutes**

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

**ADOPTED** Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor  
Nays 0

Resolved to approve December 13, 2023 Regular Meeting Minutes

**SUPERVISORS REPORTS:**

**RESOLUTION 355-2023 – Development Authority of the North Country**

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

Nays 0

Permission for Supervisor Stewart to execute the 2024-2028 agreement with DANC.



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<i>Highway Townwide (DA)</i>	6,081.07
<i>Trust &amp; Agency (T)</i>	589.44
<i>Landfill Closure Capital Project (H7)</i>	6,900.00

**GRAND TOTAL**                      **\$25,696.68**

**RESOLUTION 359 -2023 Bills**

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

Nays 0

Resolved to pay the bills listed.

**RESOLUTION 360-2023 Adjourn**

Upon Motion of Councilor Taylor, second by Councilor Walbridge the following resolution was.  
ADOPTED Ayes 5 Stewart, Johnston, Taylor, Walbridge, Maguire

Nays 0.

The next Regular Board Meeting will be January 10, 2024 preceded by the Organizational Meeting starting at 6:00 P.M. and an IDA meeting at 5:50 P.M at 27 Airport Rd. Malone, NY 12953.

RESPECTFULLY SUBMITTED,

  
Abby Monica, Town Clerk