

TOWN OF MALONE
REGULAR MEETING
July 27, 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 27th day of July 2022 at 6:00 p.m.

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

ALSO PRESENT: Denice Hudson, Budget Officer
Jean Marlow, Town Clerk
Michael Andrews, Highway Superintendent
John Manley, Deputy Highway Superintendent
Alex Violo, Malone Telegram
John Bashaw II, Malone EMS
Al Durant, Malone
Pat Maguire, Sid Spear Insurance
Matt Maguire, Sid Spear Insurance
Karl Bender, AOK Engineering
Schiel Wood, Parkway Properties

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

Sid Spear Presentation on the Town Insurance Policy for 2022-2023

Pat Maguire and Matt Maguire reviewed the proposed insurance policy for 2022-2023 with the board.

RESOLUTION 200 - 2022 – Approval of 2022-2023 Town Insurance Policy

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

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

Resolved to approve the 2022-2023 town insurance policy as presented, which begins on August 1, 2022.

Malone EMS Presentation

John Bashaw II from Malone EMS presented to the Board information regarding the current operations of the Malone EMS. He discussed the needs of the organization, such as a larger facility and more space to accommodate the EMS crew that sometimes work a 24 or 36 hour shifts. He also gave details on the expenses vs revenues it takes to run their organization. They have outgrown the space they have at the Fire Station. They have looked at new buildings but do not have the funds to pay for it at this time. They spend 90 percent of their budget on payroll and have equipment maintenance and training requirements that they have to adhere to. They expressed how lucky they are to have a great staff who works in the cramped environment. They are hoping that the town will be able to establish an ambulance district to help fund their organization.

Last April the board hired an attorney to assist with the process of establishing an ambulance district. This process starts by filing the plan and map with the Town Clerk. The Board has done that and now needs to adopt an order to start the process. As a result, the following resolution was adopted:

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RESOLUTION 201 - 2022 – Order – Ambulance District

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

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

Resolved to order the following:

The town Board of the Town of Malone hereby ORDERS as follows:

The description of the boundaries of the proposed ambulance district shall be:

All of that portion of the Town of Malone, Franklin County, New York which lies outside of the Village of Malone. It is anticipated that the Village of Malone will agree to extend the ambulance district into the village so as to include the limits of the entire town.

The maximum estimated amount in the future years, proposed to be expended annually by the town for such ambulance services paid for through the ambulance district raised through taxes shall be \$450,000 which would impose a tax of \$75.09 for the owner of a property valued fully at \$100,000. However, with the village included, a taxpayer for the same property would pay \$46.55. A map, plan and report describing the proposed ambulance district shall be placed on file in the Town of Malone town clerk's office for public inspection. The clerk of the Town of Malone shall provide the public notice of a public hearing where all persons interested in the proposed ambulance district can be heard. Such hearing shall be held on the 17th day of August, 2022, at 6:00 p.m. in the Town of Malone, at the street address as follows: 27 Airport Road, Malone, NY 12953.

This order shall be published at least once in the official paper, the first publication thereof to be not less than ten nor more than twenty days before the day set therein for the hearing as aforesaid, and shall also cause a copy of this order to be posted on the sign-board of the town of Malone maintained pursuant to subdivision six of section thirty of the town law.

This constitutes the Order of the town board of the Town of Malone, Franklin County.

Councilor Johnston asked the members of Malone EMS to put in a formal request to the Town Board for assistance in the meantime.

MINUTES:

RESOLUTION 202 - 2022 – Minutes

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

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

Resolved to approve the following minutes:

June 22, 2022 – Public Hearing

**Councilor Walbridge abstained from voting, as he was not present for this Public Hearing.*

RESOLUTION 203 - 2022 – Minutes

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

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

Resolved to approve the following minutes:

July 13, 2022 – Regular Meeting

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OLD BUSINESS:

SEQR for Parkway Express Project: The Town Clerk reported on the responses from the two agencies involved, stating that both the DEC and DOT were in agreement with the recommendation that the Town of Malone be the SEQR Lead Agency for this project. Karl Bender the engineer for this project updated the board on the status of approvals and permits. They met with the Planning Board and received approval for their site plan. They are currently in the process of obtaining a DOT permit. One of the items the DOT has asked for is a SEQR Lead Agency, he said they need a SEQR determination at this point in that permit process. The application for the Storm Water Drainage permit from DEC has been submitted. At the request of the Airport Manager they reviewed the town law regarding height requirements. Their building meets the height requirement, it is actually approximately half of what is allowed. They have submitted all that information to the FAA, there is a several step process and they consider it to be a work in progress at this point. The FAA may require that they put a light on their building and they will do that if required. Mr. Bender then asked for the SEQR determination, he wants to start the project as soon as they receive the storm water permit. Supervisor Stewart and the board then reviewed and answered the questions in the Short Environmental Assessment Form Part 2 – Impact Assessment and made a determination of negative impact for this project.

RESOLUTION 204 - 2022 – Determination of Negative Impact

On a motion of Councilor Walbridge seconded by Councilor Taylor the following resolution was ADOPTED Ayes 5 Stewart, Maguire, Johnston, Taylor, Walbridge

Nays 0

Resolved to make a determination of Negative Impact for the Parkway Properties Malone, LLC project.

Planning Board Vacancies: Reminder that here is still an open spot and alternate position on the Planning Board.

SUPERVISOR REPORT:

Elise Stefanik announced that the FAA Airport project grant has been approved for the Airport Lighting and Signage Improvements Construction.

RESOLUTION 205 - 2022 – MCF Physicals

On a motion of Councilor Taylor seconded by Councilor Johnston the following resolution was ADOPTED Ayes 5 Stewart, Maguire, Johnston, Taylor, Walbridge

Nays 0

Resolved to give permission for Supervisor Stewart to sign the MCF Physical for Nathan Mulverhill, and add him to the Franklin County Self Insurance Plan.

RESOLUTION 206 - 2022 – Malone Volunteer Fire Department Roster

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

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

Nays 0

Resolved to give permission for Supervisor Stewart to sign the updated Malone Volunteer Fire Department Roster.

The tentative Public Hearing listed on the agenda for a franchise agreement between the Town of Malone and Spectrum Northeast, LLC was tabled while it is reviewed to add additional language that calls for communication between Spectrum and the Highway Superintendent for projects that involve town roads.

Special Meeting: There will be a Special Meeting on Thursday, July 28, 2022 at 10:15 a.m. for the purpose of entering in to Executive Session for attorney client privilege to include the Board and the Highway Superintendent for part of it.

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BOARD MEMBER / COMMITTEE ITEMS:

Councilor Walbridge attended the Rec Park meeting. Jen Hathaway, Kevin St.Hilaire and staff have been attending the concert in the park doing tye dye and face painting. They have also attended the TruNorthern Customer Appreciation Event. Merrill McKee is working to put together a Disc Golf Course at the Rec Park. He has 100 participants interested in this program.

Councilor Johnston updated the board on the progress being made on the new baseball field. It is coming together nicely, everyone involved should be proud of their efforts.

Deputy Supervisor Maguire drove around with Superintendent Andrews to look at the newly blacktopped roads. He is very happy with the work and how much has got done this year. He thanked Superintendent Andrews and the entire Highway Department for their efforts to get the roads done in a timely manner.

SUPERINTENDENT OF HIGHWAYS:

-All the projected roads have been completed. Superintendent Andrews thanked his crew, they went above and beyond by not scheduling vacations and some cancelling vacation weeks in order to get the job done. After he meets with Budget Officer Hudson to see where the numbers are to this point, he would like to put together a list of a few more areas he would like to see worked on this year.

-Received the permit he was waiting for from DEC to remove a beaver dam from behind the Fish and Game Club that was threatening to Webster Street Road. That dam was taken down this week.

-Three more culverts have been put in for residents.

-Cutting more brush and roadsides.

-Superintendent Andrews wanted to thank all the towns who helped out as part of Shared Services. The Village of Malone, Town of Bellmont, Constable, Burke, Dickinson.

-Councilor Johnston thanked Superintendent Andrews and Deputy Superintendent Manley, and said the progress being made is a direct reflection of their leadership.

-Shoulder work on the Wheeler Road will start next week.

-The Highway crew will be assisting with the waterline to the new ball field.

-Councilor Walbridge wanted to add how impressed he is with the communication between the Highway Superintendent and Budget Officer.

CORRESPONDENCE:

From Verizon: Notice of Claim dated July 11, 2022.

From Malone Chamber of Commerce: Application and Agreement for Use of Town of Malone Facilities and Special Event Permit Application Hosler's Family Restaurant.

RESOLUTION 207 - 2022 – Hosler's Special Event Permit Application

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

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

Resolved to approve and give permission for Supervisor Stewart to sign the Special Event Permit Application for Hosler's Family Restaurant. This application is a requirement that Hosler's will need to submit to the NYS Liquor Authority.

RESOLUTION 208 - 2022 – Malone Fly In Facilities Use

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

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

Resolved to give permission for Town Clerk Marlow to sign the Facilities Use form for the Chamber Of Commerce for use of the Pavilion on August 27th & 28th, 2022 and notify them that the porta potty will not be provided by the Town.

There is still some water issues near the pavilion where the Fly In is to be held. Superintendent Andrews is going to put in drainage to help with that problem. It will also be beneficial to the Farmer's Market to have this problem solved.

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From Steep Steel, LLC: Foil Request and response.

From Friends of the North Country: Update on NYS Office of Community Renewal 2021 Housing Rehab Grant (689HR305-21). They also wanted to let the Board know that if they wish representatives of Friends of the North Country are willing to come to a meeting to answer questions.

From Outside Plant Damage Recovery: Request for payment to Charter Communications for damages to cable owned and operated by Charter.

NEW BUSINESS:

RESOLUTION 209 - 2022 – Journal Entry

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

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

Resolved to give permission for the Budget Officer to make the following journal entry pertaining to sale of highway equipment: Increase Revenue DB2665 (Sale of Equipment) to \$303,678.00 and Increase Expenditure DB5130.2 (Machinery/Equipment) to \$303,678.00.

RESOLUTION 210 - 2021 – Bills for Audit and Payment

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

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

Resolved to approve the following:

BILLS FOR AUDIT & PAYMENT:

Batch No. 965

Voucher Nos. 649-678, 681-684, 687

<i>General Fund (A)</i>	<i>\$2,783.37</i>
<i>General Fund – Part Town (B)</i>	<i>78.96</i>
<i>Highway Townwide (DA)</i>	<i>1,022.87</i>
<i>Highway Outside (DB)</i>	<i>50,361.62</i>
<i>Trust & Agency (T)</i>	<i>1,545.39</i>
<i>Escrow (H2)</i>	<i>3,334.00</i>
<i>Consolidated Highway Capital Improvement (H3)</i>	<i>173,052.32</i>

GRAND TOTAL ***\$232,178.53***

RESOLUTION 211 - 2021 – Adjourn

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

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

Resolved to adjourn the Regular Meeting at 7:27 p.m. The next regular Town Board meeting is scheduled for August 17, 2022 at 6:00 p.m., which will begin with a Public Hearing. The IDA meeting will begin at 5:45 p.m. There will be a Special Meeting to enter in to Executive Session on Thursday, July 28, 2022 at 10:15 a.m.

RESPECTFULLY SUBMITTED,

JEAN MARLOW, TOWN CLERK

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