

**TOWN OF MALONE
REGULAR MEETING
OCTOBER 12, 2022**

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 12th day of October 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/Town Clerk
- Cindy Gadway, Deputy Town Clerk
- Michael Andrews, Highway Superintendent
- John Manley, Deputy Highway Superintendent
- Michael McMahon, Building Code Inspector
- Alex Violo, Malone Telegram
- June Fisher, Town Justice
- Ryin Doyle

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

MINUTES:

RESOLUTION 280 – 2022 – Minutes

Upon motion of Councilor Walbridge and seconded by Deputy Supervisor Maguire the following resolution was

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

Resolved to approve the following minutes:

September 28, 2022 – Regular Meeting

**Councilor Taylor abstained from voting as he was not present for this Regular Meeting.*

RESOLUTION 281 – 2022 – Minutes

Upon motion of Councilor Johnston and seconded by Councilor Walbridge, the following resolution was

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

Resolved to approve the following minutes:

October 4, 2022 – Special Meeting

**Councilor Taylor abstained from voting as he was not present for this Regular Meeting.*

REPORTS:

RESOLUTION 282 – 2022 – Reports

Upon motion of Councilor Walbridge and seconded by Councilor Johnston the following resolution was

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

Resolved to accept the following reports:

Airport Manager – September 2022

Code Office – September 2022

Justice Fisher – September 2022

Justice Main – September 2022

Town Clerk – September 2022

NYS Comptroller, Justice Court Fund – July 2022

Budget to Actual – September 2022

Supervisor's Report – September 2022

OLD BUSINESS:

Franchise Agreement between the Town of Malone and Spectrum Northeast, LLC. The Town Attorney is still working on the agreement and the board expects receipt any day for their review.

Town Clerk Report: RFP Animal Shelter Bid Opening. Town Clerk Denice Hudson reported on one response to the RFP for Dog Control and Sheltering from Ryin Doyle. The letter of interest as submitted does not fit the criteria as set forth in the Ag & Market Law pertaining to Dog Control and Sheltering Services.

Mr. Doyle stated he has a lot experience and is very interested in obtaining information on meeting the proper criteria. Supervisor Stewart advised Mr. Doyle we can supply him with a copy of the Ag & Market Law and thanked him for his interest.

RESOLUTION 283 – 2022 – Dog Control & Sheltering

Upon motion of Supervisor Stewart, seconded by Councilor Walbridge the following resolution was

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

Resolved to reject Mr. Doyles bid.

RESOLUTION 284 – 2022 – Dog Control & Sheltering

Upon 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 put the RFP for Dog Control & Sheltering out to bid once again and use the Telegram, Free Trader and our social media page. Bids will be accepted until November 16th at 10:30 a.m.

SUPERVISOR REPORTS:

RESOLUTION 285 – 2022 – 2021 Financial Audit

Upon 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 accept the 2021 audit.

Special Meeting with Town Attorney: A special meeting is scheduled for tomorrow at 9:30 a.m. here for the specific purpose of meeting with our Town Attorney for Attorney-Client privilege. It will be an executive session, no other business will take place.

Local Law #1 – Town Roads: This local law will prohibit the depositing of any materials on Town Roadways and prohibit the plowing of Town Roadways by private snow removal equipment.

Supervisor Stewart and the board thanked the Highway Superintendent for his research and work on this Law.

Highway Superintendent Mike Andrews stated this is an issue in several areas. There are issues with snow plowing, gravel, manure and poses a liability issue. Through Highway Law 205A all our posted seasonal roads are warning signs only and states the Town is not doing any maintenance on them. The State has the law but the state law does not blanket municipalities, Towns, Villages, County roads. Without this law, the Town is not protected regarding private individuals on these roads and making the Town responsible. Once this law is adopted, violators can be fined \$1500.00 and it won't take long for word to get around.

RESOLUTION 286 – 2022 – Public Hearing for Proposed Local Law #1

Upon motion of Supervisor Stewart, seconded by Councilor Johnston, the following resolution was

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

Resolved to schedule the public hearing for proposed Local Law #1 for 6:00 p.m., October 26th after which our regular scheduled meeting will follow as soon as the hearing is done.

BOARD MEMBER /COMMITTEE ITEMS:

Callfiremen Contract: Deputy Supervisor Maguire reported the Callfiremen have voted to agree to the contract of 3% for three years. Councilor Johnston and Deputy Maguire negotiated and appreciate during Covid when they were in trouble and we were in trouble they took a couple of years of zero's and they were very good to negotiate with. This time was painless and easy and we got done what needed to be done and we appreciate them and they appreciate us.

Councilor Johnston agreed and this is the 3rd contract and they're always great to work with and they understand what we're facing and we understand what their facing and what they provide for us for the money we pay is remarkable.

Councilor Walbridge thanked Deputy Supervisor Maguire and Councilor Johnston for a job well done. The Callfiremen have always been good and we know what they do for this community and it's a great hand-in-hand relationship.

RESOLUTION 287 – 2022 – Public Hearing for Malone Callfiremen 3-Year Contract

Upon motion of Supervisor Stewart, seconded by Councilor Walbridge the following resolution was

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

Resolved to schedule the public hearing on the 3-year agreement with the Malone Callfiremen for 6:10 p.m., October 26th to be immediately followed by our regular board meeting.

Franklin Academy Multi-Use Field: Deputy Supervisor Maguire and couple other board members attended the first soccer game on the new F.A. multi-use field and had a football game at 1:00 and they had the Hall of Fame inductions on it. The facility and field are incredible to see the athletes out there, soccer players and football players. There a lot of work yet to be done, concession stands, bathrooms, bleachers around the whole field and they haven't worked on the track yet as want to be able to get the heavy equipment in to set the bleachers. It's amazing and Massena athletic director commented nowhere in the north country, when this field is done will be able to outshine us. Hopefully that will bring sectionals, state meets. Instead of people traveling to Plattsburgh, Potsdam they will stay here and people will show up here. Saturday night you couldn't find a place to eat in this town. Country Club, Pines, Mo's, Donovan's, every restaurant in town was packed because little things like this. There was bunch of other things going on too.

Councilor Walbridge stated Deputy Superintendent Maguire hit the nail on the head. The implementation of this new facility, it's going to be state of the art with our baseball field upgrade with the American Legion with the possibility of the team coming in I think Malone is sitting pretty and in a nice spot where we are going to be the hub and it will be nice to stay home and to be able to watch some state sectional championship play. Kudos to Malone Central and kudos to Malone and our community.

Councilor Johnston as Paul eluded to it with the baseball field, were not ready to make the announcement yet but we have agreed upon a name for the team. Logistically there's a couple things that have to be done before we do this. I think everyone will like the name. It kind of fits to the area, let's put it that way. With that we're having a local individual draw the mascot for us and that's going to be part of all the licensing and all the so-called swag for this team. Eddie was in Town on Monday we had all the logistical questions and answers on how things are going to be happening. He's very happy with what the field looks like now. By the end of the month we should have our fencing in which will really set things off, when we enclose that field. Their mowing the field tonight, getting stuff ready to put it to bed for the winter. Jason LaFlesh and I will be putting the mound in on Saturday, mound and home plate in with clay. It's really starting

to take shape. Councilor Johnston thanked the board for the seed money that got that started. The funding process is still a lot of uphill runs that we have to make. This community effort and the response from them has been pretty amazing. Fiscally we're okay to get through everything we need to get through this year but were looking in the future with locker rooms, concession and ticket booths and were going to need more funding to get that from various funding sources. To make sure we have not only a field for this league that I'm 99.99% sure will come in, we'll have a great field to match that football, soccer and multi-use field that we have at F.A. Now we can marry that with a really nice baseball field and by the time we're done Malone will be a destination. What we've done through the school district and the Town of Malone and the community effort that's involved were going to have a destination. People are running out of reasons to say there's nothing to do in Malone. Through everyone's effort we're going to take away that ability for them to say that. There are going to be people in these other areas that we've been driving to and say "hey lets go to Malone and watch a ball game", "let's go here, let's do that". I want to thank everyone who's been involved from the beginning and especially the community. We want to make sure we let them know how much we appreciate it. This is a big deal.

SUPERINTENDENT OF HIGHWAYS REPORTS:

Seasonal Roads: Highway Superintendent Mike Andrews presented a map of the five seasonal roads with all the measurements of each. He would like these five roads to be allocated as our seasonal roads that we will not be doing any maintenance on from December 1st to April 1st. The Town Clerk will have this drawing on file if anyone has any questions. The five roads are Porter Rd (Macedonia section), California Road, Johnson Road (up until past the first house headed East. The post will be located just past the driveway), Hicks Road (half mile stretch in between Webster St Rd and Cty Route 25), and the Bloomer Road (one mile of it past the very last house on the Bloomer Road). Signs have already been put up and posted.

CHIPS Reimbursement: Highway Superintendent thanked Highway Clerk Cindy Gadway and Budget Officer Denice Hudson for their work and help as payment will be issued December 15, 2022 for the Chips reimbursement \$500,425.86. The board is extremely happy and congratulated Mike and his crew on an outstanding job on being able to complete that amount of work in highway improvement for the Town this summer.

Culvert Flushing: Superintendent Mike Andrews thanked Steve, Superintendent from the Village of Malone for offering up their flusher truck and Brian Cole for 8 hours last week along with two of our employees. We were able to flush out 27 culverts as a preventative measure with our trouble spots from last spring flooding.

Highway Garage: Painting of the exterior of the highway garage has begun. It will take about 2 weeks and will be a hunter green color.

Town of Bellmont-Shared Services: Town of Bellmont had a fire at their highway garage last week. Superintendent Mike Andrews and Deputy Superintendent John Manley went to location and offered assistance. Employee Matt Casey spent 2 days pushing their sand up for them.

Winter Preparation: Next week employees will start putting trucks together in preparation for snow. All highway wood stoves have been inspected and new stove pipes installed to avoid the situation the Town of Bellmont is experiencing with the recent fire.

CORRESPONDENCE:

From Friends of the North Country: NYS Office of Community Renewal 2021 Housing Rehabilitation Grant (689HR305-21) for October 1st giving status of the projects.

NEW BUSINESS:**RESOLUTION 288 – 2022 - Journal Entry**

Upon motion of Deputy Superintendent Maguire, seconded by Councilor Taylor the following resolution was

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

Resolved to approve and give permission for Budget Officer to make the following Journal Entry:
Payroll Expenditures: From B1990.4 (Contingency) to B8010.1 (Zoning Personal Services)
\$1,005.08.

RESOLUTION 289 – 2022 – Journal Entry

Upon 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 and give permission for Budget Officer to make the following Journal Entry:
Brush & Weeds: From DA9030.8 (Social Security) to DA5140.4 (Brush & Weeds Contractual)
\$68.27.

RESOLUTION 290 – 2022 – Executive Session

Upon motion of Supervisor Stewart, seconded by Councilor Walbridge the following resolution was

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

Resolved to enter into Executive Session at 6:43 p.m. to discuss a personnel matter.

RESOLUTION 291 – 2022 – Executive Session

Upon motion of Supervisor Stewart, seconded by Councilor Walbridge the following resolution was

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

Resolved to return to Regular session at 6:50 p.m. There was no action taken in Executive Session.

RESOLUTION 292 – 2022- Hiring of Town Clerk

Upon 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 appoint Nicole Guerin at Town Clerk at the rate of \$25.00 per hour for up to 35 hours per week, to start as soon as she is able.

RESOLUTION 293 – 2022- Hiring of Town Floater Clerk

Upon motion of Councilor Walbridge, seconded by Councilor Taylor the following resolution was

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

Resolved to appoint Jean Lyng at Town Floater Clerk at the rate of \$22.00 per hour for up to 35 hours per week, to start as soon as she is able.

BUDGET WORK SESSION:

A budget work session to meet with Highway Superintendent Mike Andrews was scheduled for Friday, October 14, 2022 at 3:00 p.m.

RESOLUTION 294 – 2022 – Bills for Audit and Payment

Upon 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 following:

BILLS FOR AUDIT & PAYMENT:

*Batch No. 1023
Voucher Nos. 875-920*

<i>General Fund (A)</i>	<i>\$26,834.31</i>
<i>General fund – part Town (B)</i>	<i>45.00</i>
<i>Highway Townwide (DA)</i>	<i>21,990.78</i>
<i>Highway Outside (DB)</i>	<i>14,125.43</i>
<i>East Side Water (FE)</i>	<i>209.17</i>
<i>Trust & Agency (T)</i>	<i>2,724.83</i>
<i>Escrow Capital Project (H2)</i>	<i>2,950.00</i>
<i>Airport Capital Project (H4)</i>	<i>30,584.65</i>
<i>Landfill Closure Capital Project (H7)</i>	<i>740.00</i>

GRAND TOTAL *\$100,204.17*

RESOLUTION 295 – 2022 – Adjourn

Upon motion of Councilor Walbridge, seconded by Deputy Supervisor Maguire and unanimously carried the following resolution was

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

Resolved to adjourn the Regular Meeting at 7:13 p.m.

RESPECTFULLY SUBMITTED,

CINDY GADWAY, DEPUTY TOWN CLERK