

TOWN OF MALONE
REGULAR MEETING
October 25, 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 25th day of October 2023 at 6:00 p.m.

PRESENT:

Andrea Stewart, Supervisor
Jody Johnston, Councilor

Terrence Maguire, Deputy Supervisor

ALSO PRESENT:

Abby Monica, Town Clerk
John Manley, Deputy Highway Superintendent
Nathan Sherman, Malone Resident
Tara Graybill, Malone Resident

Michael Andrews, Highway Superintendent
Michael McMahon, Code Officer
Nancy Sherman, Malone Resident

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

Nathan and Nancy Sherman addressed the Board regarding their property on Bloomer Road in Malone. They asked the board and Highway Superintendent if it was possible to make Bloomer Road a yearly maintained road instead of seasonal. The reason for it is they want to build two houses on the property and in order to get it approved by the Planning Board is to make the road yearly maintained. The EMS and Fire trucks need to be able to get to their house and have a turn around once they get there in order for it to get approved by the planning board. Superintendent Andrews states he will go up and measure the distance from when the seasonal rode starts to his driveway. He will have to get ion contact with NYS with the change of the distance on the seasonal road, but he doesn't see why this wouldn't be possible.

MINUTES: For review

October 11, 2023 - Regular Board Meeting Minutes

Waived until next meeting.

Reports:

RESOLUTION 287-2023 - Reports

Upon motion by Councilor Johnston, second by Deputy Maguire the following resolution was ADOPTED Ayes 3 Stewart, Johnston, Maguire

Nays 0

Resolved to approve the following reports

NYS Comptroller, Justice Court Fund- September 2023

SUPERVISORS REPORTS:

Budget Officer 2024 Budget Statement

The Preliminary tax rate for the Town is \$9.70 per thousand of assessed value (\$9.695786), an increase of \$.56 per thousand over the 2023 rate.

The Preliminary tax rate for the Village is \$5.24 per thousand of assessed value (\$5.237098), an increase of \$.62 per thousand over the 2023 rate.

Items of note are the Local Law for Tax Cap override for FY 2024 and, by fund, as follows: *GENERAL FUND* – Revenues for Court fines & fees remain same with hope for revenue increase during 2024 fiscal year. Appropriations for attorney's fees and judgments remain higher due to ongoing assessment litigation. Slight increase in dog control contractual and Youth Project Contractual for commitment to Village of Malone Recreation Fund as per agreement. Municipal liability insurance continues to increase. Cemetery contractual increase for assistance with Morningside Cemetery upkeep.

PART-TOWN GENERAL FUND – Addition of Planning Attorney Contractual to show expenditure regarding continuing increase in solar applications, new site plan law and updating local laws, which expenditure is split from Planning Contractual. Commitment to purchase of Code Officer truck with sale of current vehicle.

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HIGHWAY OUTSIDE/TOWNWIDE FUND - Increase in commitments for purchases of new highway equipment for fleet upgrading as well as current CSEA Contract.
WEST WATER DISTRICT – Long-Term Financing for 2021 Emergency Water Line Repair completion.

FIRE PROTECTION – Increase in Contractual amount as per three-year Agreement.

EMS DISTRICT – Creation of EMS District and contract negotiations for 2024.

Overall appropriations were increased from 2023 by 7.50% and tax levy was increased by 10.44%.

RESOLUTION 288-2023 – West Water District

Upon motion by Supervisor Stewart, second by Deputy Maguire the following resolution was ADOPTED Ayes 3 Johnston, Stewart, Maguire

Nays 0

Permission to schedule the West Water District Public Hearing for 5:30 PM on November 6, 2023.

RESOLUTION 289-2023 – East Water District

Upon motion by Deputy Maguire, second by Supervisor Stewart the following resolution was ADOPTED Ayes 3 Johnston, Stewart, Maguire

Nays 0

Permission to schedule the East Water District Public Hearing for 5:40 PM on November 6, 2023.

RESOLUTION 290-2023 – 2024 Town of Malone Budget

Upon motion by Councilor Johnston second by Deputy Maguire the following resolution was ADOPTED Ayes 3 Johnston, Stewart, Maguire

Nays 0

Permission to schedule the 2024 Town of Malone Budget Public Hearing for 5:50 PM on November 6, 2023.

BOARD MEMBER/COMMITTEE ITEMS:

Supervisor Stewart thanks everyone for helping out why she was out of town.

SUPERINTENDENT OF HIGHWAY REPORTS:

Superintendent Andrews states he had a resident come to him today, Mr. Allen, who lives on the Johnson Road and part ownership on the Wah property and had nothing but good things to say about the work we have done on that road. He did have a couple request such as for the Highway crew to remove the brush and tree stumps off his property and build the end of his driveway up, I told him we could do that. He had asked why some of the road is wider than other parts, Andrews explained to him that it was if someone did start going off the road, they have more room to maybe stop before they go off the cliff. Allen asked if the road was going to be maintained all year around, the answer is yes it will be an all-seasons road now. Allen is very excited and happy to be able to have his family come visit in the winter now so they can go skiing and snowboarding.

Superintendent Andrews states he believes they finally fixed the Town sewer problem and is very happy about it. When we took it apart on Friday is was bad and we fixed it the right way and now if there is a little bit of a problem it is easy to look into them now instead of digging in the ground like we had to do. We put green covers on the sewer tanks now so if there's an issue all you have to do is pop the cover off. All the windows are in, computer system is ready to go in the new office and we will be ready to move everything in the new offices by Friday or Monday.

Andrews states 4 out of 5 will be all serviced and inspected by the end of this week and if it were to snow, we will be ready.

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RESOLUTION 291-2023 ABS 2024 RC341 Flowboy

Upon Motion by Deputy Maguire, second by Councilor Johnston the following resolution was.
ADOPTED Ayes 3 Johnston, Stewart, Maguire

Nays 0

Resolved allow Superintendent Andrews to buy the 2024 ABS RC 341 Flowboy from R.R Charlebois, Inc for \$110,00 using CHIPS Money.

CORRESPONDENCE:

From NYS Parks, Recreation and Historic Preservation: Malone Residential Historic District.

From Heather Marlow, Deputy Clerk Franklin County Legislature: Correction for 2023-2024 Malone Central School District Tax Roll.

RESOLUTION 292-2023 – Nancy Legacy Resignation

Upon motion by Supervisor Stewart, second by Deputy Maguire the following resolution was
ADOPTED Ayes 3 Johnston, Stewart, Maguire

Nays 0

Permission to accept the resignation of Nancy Legacy from the planning board with regret.

RESOLUTION 293-2023 – Town Assessor

Upon motion by Supervisor Stewart, second by Deputy Maguire the following resolution was
ADOPTED Ayes 3 Johnston, Stewart, Maguire

Nays 0

Permission to attend Ethics seminar at a cost of \$200.00 to be paid by the Town

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

From NYMIR: NYMIR Claim National Grid

NEW BUSINESS:

RESOLUTION 294-2023 – Journal Entry

Upon motion by Deputy Maguire, second by Councilor Johnston the following resolution was
ADOPTED Ayes 3, Johnston, Stewart, Maguire

Nays 0

Permission for Budget Officer to make the following Journal Entry as Per Comptroller Notice for September 2023 from A690 Clearinghouse \$5,086.00 to A90 Revenues \$5,086.00 (A2610 court fines and fees)

RESOLUTION 295-2023 – Change Order

Upon motion by Councilor Johnston, second by Deputy Maguire the following resolution was
ADOPTED Ayes 3, Johnston, Stewart, Maguire

Nays 0

Permission to authorize change order for the well scope of work only, in accordance with the Town of Malone Housing Rehabilitation Program, for project #MA-21-01.

RESOLUTION 296-2023 – ARPA

Upon motion by Deputy Maguire, second by Supervisor Stewart the following resolution was
ADOPTED Ayes 3, Johnston, Stewart, Maguire

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

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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.

WHEREAS, on July 12, 2023, \$87,000 was designated to the Town of Malone Highway Department for a Garage Addition/Paving project.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Malone does hereby designate an additional \$10,000.00 of the designated funds for the completion of the Town of Malone Highway Department Garage Addition.

RESOLUTION 297-2023 – Surplus

Upon motion by Deputy Maguire, second by Councilor Johnston the following resolution was ADOPTED Ayes 3, Johnston, Stewart, Maguire

Nays 0

Permission to Declare Code Officer Vehicle, a 2017 Ford Escape, surplus for auction.

RESOLUTION 298-2023 – Lily McCaffery

Upon motion by Supervisor Stewart, second by Deputy Maguire the following resolution was ADOPTED Ayes 3, Johnston, Stewart, Maguire

Nays 0

Permission to hire Lily McCaffery as the Deputy Clerk/Floater at a starting pay of \$18.00 an hour.

BILLS FOR AUDIT & PAYMENT:

Batch No. 1278
Voucher Nos. 884-928, 930-933

<i>General Fund (A)</i>	<i>\$58,028.49</i>
<i>Part Town General Fund (B)</i>	<i>31.52</i>
<i>Highway Outside (DB)</i>	<i>8,857.82</i>
<i>Highway Town Wide (DA)</i>	<i>29,167.02</i>
<i>Trust & Agency (T)</i>	<i>31,201.23</i>
<i>Garage Reserve Fund (H9)</i>	<i>6,775.60</i>
<i>GRAND TOTAL</i>	<i>\$134,061.68</i>

RESOLUTION 299 -2023 Bills

Upon Motion by Deputy Maguire, second by Councilor Johnston the following resolution was.

ADOPTED Ayes 3 Johnston, Stewart, Maguire

Nays 0

Resolved to pay the bills listed.

RESOLUTION 300-2023 Adjourn

Upon Motion of Supervisor Stewart second by Councilor Johnston the following resolution was.

ADOPTED Ayes 3 Johnston, Stewart, Maguire

Nays 0.

The next Regular Board Meeting will be November 15, 2023, at 6:00 P.M., preceded by an IDA meeting at 5:45 P.M. Public Hearings will take place on November 6,2023 Beginning at 5:30 P.M.

RESPECTFULLY SUBMITTED,


Abby Monica, Town Clerk