

**Town of Malone
Regular Board Meeting
March 11, 2015**

A regular meeting of the Malone Town Board was held Wednesday, March 11, 2015 at the Malone Town Offices, 27 Airport Rd., Malone, NY, commencing at 6:00 pm.

PRESENT: Supervisor Howard Maneely
Councilor Mary Scharf
Councilor Louise Taylor
ABSENT: Deputy Supervisor Paul Walbridge
Councilor John Sullivan

RECORDING SECRETARY: Denice Hudson, Deputy Town Clerk

ALSO PRESENT: Andrea Stewart, Budget Officer
Bruce Mallette, Highway Superintendent
Lillian Anderson-Duffy, Attorney
Bruce Burditt, Malone
Mark Besio, Airport Manager
E.J. Conzola, Malone Telegram

CALL TO ORDER: Supervisor Maneely called the meeting to order at 6:00 p.m., with a pledge to the flag.

MINUTES:

Approval of February 11, 2015 regular meeting and March 5, 2015 Special Meeting. February 25, 2015 tabled due to absence of Councilors.

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#69 – 2015) to accept the Minutes of February 11, 2015 and the Special Meeting of March 5, 2015 adding Lillian Anderson-Duffy as Also Present at both meetings and placed in file.

CARRIED (3 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Absent Councilor Taylor - Aye Councilor Scharf - Aye

REPORTS:

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#70 – 2015) to accept the following reports for review and filing as written and placed in the file: NYS Comptroller – Court report for January, 2015, Town Clerk/Registrar for February 2015, Receiver of Taxes for February 2015, Justices Lamitie & Gardner Submission Reports for February 2015.

CARRIED (3 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Absent Councilor Taylor - Aye Councilor Scharf – Aye

OLD BUSINESS:

Limekiln Road Abandonment Update

Attorney Anderson-Duffy indicated she has not received the legal description from Gar Smith, and has not heard from him after leaving several messages. Highway Superintendent Mallette indicated Gar stopped by his office and had a few questions for him regarding this subject. Supervisor Maneely indicated Tom Sherwin sent paperwork to DEC and has not heard anything.

**Town of Malone
Regular Board Meeting
March 11, 2015**

Transient Sales Local Law

Attorney Anderson Duffy indicated there were revisions made to General Exemptions. There were also some added licensing requirements. This was added to address concern that a fly by night operation could not skip out on sales tax. A Public Hearing will be set for March 25, 2015 at 5:30 p.m. Deputy Town Clerk Hudson will send a copy of the Notice to all local car dealerships.

Motion – Supervisor Maneely

Second – Councilor Scharf

Resolved (#71 – 2015) to set a Public Hearing for March 25, 2015 at 5:30 p.m. for Local Law #2-2015 to be published in The Malone Telegram with Notices sent to local Car Dealerships with copy of Local Law.

CARRIED (3 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Absent Councilor Taylor - Aye Councilor Scharf – Aye

Airport Land Lease

Poupores have been out of town. We will have meeting in a couple of weeks. Attorney Anderson-Duffy indicated we need to work on land information, but bid specs are drawn up. Attorney Anderson-Duffy also indicated this is an opportunity to renegotiate terms. Airport Tenant Bruce Burditt indicated the farmer should only be allowed to cross at 90 degree angle, not straight across runways and taxiways. Attorney Anderson-Duffy indicated this could be added to new lease.

SUPERVISOR REPORTS:

Notice of Claim: Hyde v. Town of Malone and Malone Central School District

This Claim is a result of an accident on Lower Whitten Road. Supervisor Maneely stated we had no prior warnings of an issue on Whitten Road. Highway Superintendent Mallette indicated the issue has been taken care of.

Adoption Local Law #1-2015

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#72 – 2015) to Adopt Local Law #1-2015.

Deputy Clerk Hudson will file with Secretary of State.

CARRIED (3 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Absent Councilor Taylor - Aye Councilor Scharf – Aye

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#73 - 2015) to grant Supervisor Maneely permission to sign

Callfiremen Evaluation Sheet for Stephen Cornell, and add to the Self-Insurance Plan.

CARRIED (3 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Absent Councilor Taylor - Aye Councilor Scharf – Aye

BOARD MEMBER/COMMITTEE ITEMS

Councilor Scharf indicated Ruth Demers resigned from Complete Streets Committee and she would like for Mary Kay Tulloch to serve as a member of Complete Streets Committee. The Village passed it on Monday.

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#74 – 2015) to confirm that Mary Kay Tulloch is a member of the Complete Streets Board.

CARRIED (3 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Absent Councilor Taylor - Aye Councilor Scharf – Aye

Councilor Scharf further indicated that she and Josey Delaney would be representing Malone at a New York State DASH Conference representing regarding the Complete Streets project and will be coordinating help with policies. The reason they were asked to present was there had was so much support for Complete Streets with Village, Town and School System. They believe we are working with the health of our community and our government is supporting those efforts.

**Town of Malone
Regular Board Meeting
March 11, 2015**

Councilor Scharf further discussed the Notice from New York State Maisonnette about using Airport as a weather station. Councilor Scharf's issue was if the community could use this service it would be good, but wanted to know if it would serve the pilots, but did not want it to hurt chances of obtaining grant for weather station from the FAA. If we allow them to do it, it obviously will help our community, but we want to help the pilots and airport, but do not want to interfere with our chances for better weather stations. New York State indicated it would not affect our chances for the grant which we are in line to receive. Mark Besio indicated it is to be absolutely free. Supervisor Maneely indicated it would provide accurate weather for Malone. Bruce Burditt asked if there was any indication where it would be put. At this time there was no location noted. Supervisor Maneely will contact Mary Kay Gunther at Passero.

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#75 – 2015) to move forward in the approval of a Maisonnette Service and ask Passero to research where it should be located and to obtain permission from FAA.

CARRIED (3 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Absent Councilor Taylor - Aye Councilor Scharf – Aye

SUPERINTENDENT OF HIGHWAY REPORTS:

Superintendent of Highways Bruce Mallette states the department is taking care of the water from the recent snow melting. He further indicated he was in Albany on March 4th with New York State Superintendents and that there is \$500 Million up for grabs. There was between 1,000 and 1,200 Superintendents there. The Superintendents spoke with Representatives Duprey and Little about concerns. CHIPS money has not gone up in 10 years, and they want to spend this money elsewhere. If we received all, it would go up 68%; chances of receiving are pretty slim. Smaller towns rely on CHIPS to get things done.

Superintendent Mallette also reported on meeting with DEC on soil erosion. There is a whole new process for road construction. There will be forms to be filed within five days. If opened up, land will need to be seeded within 14 days of being opened up. Soil and Water has a hydro seeder. Somewhere down the line we may need to purchase a hydro seeder. We can look into that when the times comes.

Superintendent Mallette also reported that the department has been cutting ice off roads and using the grater peeling off ice. We had one thaw this winter. Getting things back to normal.

Superintendent Mallette also reported six highway employees, including him, attended training at soil and water. Anyone that has part in digging, there will always be one employee with this training on-site.

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#76 - 2015) granting Budget Officer Stewart permission to transfer monies from A690 Clearinghouse to A980 Revenues (A2610 court fees) in the amount of \$9,194.00, as per State Comptroller Court report for January, 2015.

CARRIED (3- 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Absent Councilor Taylor - Aye Councilor Scharf - Aye

EXECUTIVE SESSION:

At 6:25 p.m. Motion – Supervisor Maneely

Second – Councilor Scharf

Resolved (#77 - 2015) that the Town Board enters into Executive Session pertaining to the employment history of, and matters leading to, the employment, discipline, suspension, dismissal or removal of a particular person, with Board Members, Attorney, and Budget Officer Stewart, to be present.

CARRIED (3- 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Absent Councilor Taylor - Aye Councilor Scharf - Aye

**Town of Malone
Regular Board Meeting
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At 6:40 p.m. the executive session ended with no action taken

Motion – Supervisor Maneely

Second – Councilor Scharf

Resolved (#78 - 2015) to return to regular session.

**CARRIED (3- 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Absent Councilor Taylor - Aye Councilor Scharf - Aye**

BILLS FOR AUDIT & PAYMENT:

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#79 - 2015): that the following bills, having been audited,
Vouchers #239-285, be paid:

General Fund (A) – Abstract #5	\$30,016.90
Part Town General (B) – Abstract #5	96.61
Highway Townwide (DA) – Abstract #5	10,827.53
Highway Outside (DB) – Abstract #5	9,095.05
East Side Water (FE) – Abstract #3	357.46
Trust & Agency (T) – Abstract #10	<u>1,485.16</u>
Grand Total:	\$51,878.71

**CARRIED (3 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan – Absent Councilor Taylor - Aye Councilor Scharf - Aye**

ADJOURN:

At 6:45 p.m.

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#80 – 2015) there being no further business to come before
the Board that it adjourn, with the next meeting to be March 25, 2015 at 6:00 p.m., with a
Public Hearing at 5:30 on Transient Business Law.

**CARRIED (3- 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Absent Councilor Taylor - Aye Councilor Scharf - Aye**

RESPECTFULLY SUBMITTED,

DENICE A. HUDSON, DEPUTY TOWN CLERK