

Town of Malone
Regular Board Meeting
02/12/2014

A regular meeting of the Malone Town Board was held Wednesday, February 12th 2014, at the Malone Town Offices, 27 Airport Rd., Malone, NY, commencing at 6:00pm.

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

ALSO PRESENT: Susan Hafter, Town Clerk
Andrea Stewart, Budget Officer
Lillian-Anderson Duffy, Town Attorney
Amy Hewitt, Assessor

Carl Sherwin, Malone Jacob Hogeboon, Malone Cody Smith, Malone
Arianna MacNeill, Malone Telegram

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

EXECUTIVE SESSION:

At 6:02 pm * Motion – Supervisor Maneely

Second – Deputy Supervisor Walbridge

Resolved (#38-2014): that the Town Board enter into Executive Session pertaining to litigation, with all Board Members, Budget Officer, Assessor and Attorney to be present.

**CARRIED (5 - 0) Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

At 6:22pm, the executive session ended and the regular meeting resumed, with no action taken.

MINUTES & REPORTS:

Motion – Councilor Taylor

Second – Councilor Sullivan

Resolved (#39-2014): to accept the minutes of the regular meeting of 1/22/2014 as presented and place on file.

**CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (# 40-2014): to accept the following reports as presented and place on file: Supervisor – 12/2013

Supt. of Highways – 1/2014 Code Officer – 1/2014

Airport Manager – 1/14 Town Clerk/Registrar – 1/2014

**CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

SUPERVISOR REPORTS:

Agreement for the Expenditure of Highway Funds – Supervisor Maneely read aloud agreement presented for approval.

Motion – Deputy Supervisor Walbridge

Second – Councilor Taylor

Resolved (# 41-2014): to accept and approve for Board signature, the Town & County 2014 Agreement for Expenditure of Highway Funds as presented, and to include a hold-harmless clause.

**CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

BOARD MEMBER/COMMITTEE REPORTS:

Councilor Scharf asked that the Board appoint a member to the Complete Streets Advisory Committee, now that the plan has been formally approved. She is willing to serve.

Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (# 42-2014): to appoint Councilor Scharf to the Complete Street Advisory Committee as representative for the Town of Malone.

CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

Councilor Scharf read a prepared statement of resignation from the Town Board Grants Committee, as follows:

February 12, 2014

To the Board of the Town of Malone

I wish to resign from the Grant Committee for the following reasons:

I will only work on a committee with individuals who demonstrate trust, honesty, transparency and ethical behavior. So, I would gladly work on any Town committee assigned to me with Counselors Taylor, Walbridge or Sullivan. On the January 8, 2014 meeting I was assigned to the Grant Committee with Howard Maneely. I will not share duties on a committee with Howard Maneely for the following reasons:

In April of 2012 Howard Maneely was removed from the Grant Committee by council members because he enclosed unauthorized letters to the NYS Housing Trust Corporation with our grant agreement, a letter from his MEDCO cronies that contained false and disparaging comments about me and other members of the Town Board. We warned Howard that this type of activity would not be tolerated and we removed him from the grant committee. He was advised at that time that if this unacceptable behavior continued, I would make it public information because I believe it is my duty and responsibility as a counselor.

It has recently come to light that Howard Maneely continued to interfere with the progress of this grant until it reached an abominable situation. Approximately 4 weeks ago it was discovered that Howard Maneely was illegally holding grant monies in the Town's CDBG02 bank account without counselor or administrator knowledge. Naturally that contributed to an unbalanced grant budget. Curious, I went to the bank and got a copy of 2 years of bank statements for that account. The money in question was deposited on January 22, 2013 by the State. I was not aware until January 13, 2014, a full year later, that this money sat in the Town's account illegally and without authorization of the Town Counselors. I was sent a copy of an email from the NYS Housing Trust Fund Corporation's representative which stated "that CDBG funds must not sit in the recipient's bank account for longer than 5 business days" as per federal law. Only after that email was the money finally returned to the state and accounted for on the 21 of January 2014, a full year later.

I don't know if Howard Maneely and the Town will be investigated by the State, but as I said when the Town chose an insurance broker, I will not tolerate corruption or the APPEARANCE OF CORRUPTION. I am repeating that again at this public meeting, and due to Howard Maneely's action during this grant, I will not work on this committee with him. I would gladly do my duty on this committee with Counselors Taylor, Walbridge or Sullivan who have maintained openness, trustworthiness and a clear dedication to the best interests of the town at all times.

I joined the Town Board to do my best for the good of the Town, to give my best efforts, to improve the town, not myself. That is an accepted standard for good government, the same standard I hold myself to as well as those I work with.

Supervisor Maneely denied all charges and said he would welcome an investigation.

Councilor Sullivan reported that he has met with Gar Smith in regard to a survey of Robinson Circle. Mr. Smith is sorting out the deed descriptions.

Councilor Sullivan suggested a PA System should be installed in the Board Room.

Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (# 43-2014): that the Town Board authorizes Councilor Sullivan to research and arrange for the purchase of a PA system for the Town Board Room.

**CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

NEW BUSINESS:

From Assessor Hewitt, a request for training

Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (# 44-2014): to authorize Assessor Hewitt to attend to attend a not-for-profit exemption seminar on 3/28/14 in Canton, NY, with all necessary expenses to be paid by the Town.

**CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

BILLS FOR AUDIT & PAYMENT:

Motion – Deputy Supervisor Walbridge

Second – Councilor Taylor

Resolved (#45-2014): that the following bills, having been audited, vouchers # , be paid:

Vouchers # 114 - 190	
General Fund – Abstract #3	\$34,194.75
Part Town General- #3	295.89
Highway Townwide #3	17,203.67
Highway Outside (DB) Fund -#3	6,602.97
CDBG #1	17,250.00
Sewer #1	12,313.83
East Side Water #2	409.00
Grand Total:	<u>\$88,332.11</u>

**CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

ADJOURN:

At 7:38 pm Motion - Deputy Supervisor Walbridge

Second – Councilor Taylor

Resolved (#46-2014): there being no further business to come before the Board that it adjourn, with the next regular meeting to be held at 6:00pm, February 26th 2014.

**CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

RESPECTFULLY SUBMITTED,

**SUSAN M. HAFTER, TOWN CLERK
February 26th 2014**