

**Town of Malone  
Regular Meeting  
03/13/2013**

A regular meeting of the Malone Town Board was held Wednesday March 13, 2013, 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  
Mark Besio, Highway Clerk

Karen Elmer-Pritchard, Malone	Carol Q. Hunter, MCS, Malone
Timothy Whipple, MCS, Malone	David Brooks, MCS, Malone
Cheryl Douglas, Malone	Victoria Howard, Malone
Ted Howard, MCS, Malone	Mykayla Pearsau, Malone
Gary Mageean, Malone	Tim Lashomb, Malone
Arianna MacNeill, <u>Malone Telegram</u>	Denise Raymo, <u>Press-Republican</u>

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

**PRESENTATION TO BOARD:**

**Shared Transportation Facility Program** – Representatives of the Malone Central School District were in attendance to speak to the Board about the proposed shared services bus/highway garage. Carol Hunter, an MCS board member, spoke for the group. She distributed information related to the proposal to build a garage on Town-owned (airport) land near the existing Town Highway garage that would be shared by MCS, Town of Malone and Village of Malone. In the draft plan, each entity is given separate areas for their needs as well as space to be shared by all three for some purposes. A cost breakdown is included in the proposal and Town Board members expressed surprise and concern about the expense to the Town. Councilor Scharf said the three entities should continue discussion and negotiation in the interest of shared services. Village of Malone Trustee Hugh Hill, spoke for the Village Board, noting that although his board cancelled the MCS presentation scheduled for last Monday, they remain open minded and willing to partake in further discussion on the subject. Ms. Hunter explained that the draft plans contain “wish lists” for all the municipalities and there is room for more sharing of space and services within the project to bring the costs down. Already, a large storage building has been removed from the plans in order to reduce costs. Ms. Hunter also noted, and apologized for, a misunderstanding by the Town and Village that their portion of the costs would be subsidized at 90%, as is the schools. This is not the case, but the plan can be modified to make it more affordable to the taxpayers. One area of savings could be in the form of in-kind services provided by town and village highway employees during the construction phase. Airport Manager Mark Besio said that the first step is to get the FAA to authorize building on airport land. He noted that a recent request to put a truck weigh station at the same location was denied by the FAA. He added that in his opinion, the current Town Highway garage could last another 20 – 30 years with some repairs. Supervisor Maneely said the project should go back to the drawing board to come up with a more realistic and affordable proposal. Ms. Hunter said the village has proposed having a public forum on the issue on March 28, 2013. The Supervisor and Board thanked Ms. Hunter and the MCS representatives for the presentation.

**MINUTES & REPORTS:**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (#56 - 2013):** to accept the minutes of the regular meeting of 02/27/2013 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**

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**The following reports were accepted as presented for review and filing:**

Judges Lamitie & Cositore – 2/2013	Supt. of Highways – 2/2013
Airport Manager – 2/2013	Code Officer – 2/13
Town Clerk/Registrar – 2/13	

**OLD BUSINESS:**

**AHMC Project** – the Town has received two (2) favorable responses to the resolution of intention to assume lead agency status for Alice Hyde Medical Center Skilled Nursing/Assisted Living Facility: the NYS Department of Health and the Franklin County Legislature.

**Sewer Agreement** - Town Attorney Duffy reported that she has forwarded the draft inter-municipal sewer agreement to Dominic Fontana of the NYS DEC and to the Village of Malone for review.

**Victor Fellion Chargeback** - from 2/27/13 –Town Attorney asked for more time to draft an agreement for the payment of Chargebacks to the Town of Malone (prior year’s taxes due) by Victor Fellion, for his Airport Hangar situated on Town property at Malone Dufort Airport.

**Local Law Proposal** - from 2/27/13 - Town Attorney Duffy said she will draft a local law (to allow for the choice of “best value” rather than just the “Low Bid” in purchase and procurement) to be ready for Town Board review tomorrow.

**Bid Opening**- for Runway 14-32 Rehabilitation Airport Project was conducted on 2/21/13 and the bids were turned over to Passero Associates for evaluation & recommendation. Passero has approved the lowest responsible bidder, Peckham Road Corporation, and has recommended them to the Board. Supervisor Maneely TABLED action on this matter until funding has been secured.

**Town Office Security System** – an upgrade to the system (originally presented & tabled on 1/23/13 and tabled again 2/27/13) The committee reported no companies, other than Adirondack Alarms has come forward with interest in this project.

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (#57 - 2013):** to accept proposal from Adirondack Alarms for upgrade of the Security System in the Town Offices in the amount of \$4,695.00.

**Discussion** – Press-Republican reporter, **Denise Raymo** asked why the Board was not going to seek other quotes, as is called for in the town’s procurement policy. **Councilor Sullivan** said the cost of the project is below the State requirement for seeking quotes or bids. Deputy Supervisor Walbridge said the Town wants to contract locally. Ms. Raymo noted that the Town’s policy is stricter. **Supervisor Maneely** TABLED the issue until the next meeting.

**SUPERVISOR REPORTS:**

**Lower Park St. Status report** – Supervisor Maneely said that representatives from the NYS DOS will visit Malone in late March to discuss flood mitigation for the Salmon River.

**Taxiway B Phase 2 – Payment 5 & final** -Town Attorney Duffy reviewed and approved the Maintenance Bond and related documents.

**North Country Life Flight** –

**Motion** – Councilor Taylor

**Second** – Councilor Scharf

**Resolved (#58 - 2013):** that the Town Board approves, for signature and payment, the 2013 agreement with North Country Life Flight for \$2,000.00, as budgeted

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

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**SUPERINTENDENT OF HIGHWAYS REPORT:**

**Superintendent of Highways Shanty** was not present but has provided specs for the 2013 Sand & Gravel bid process.

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolution #59 - 2013**

The Town of Malone is accepting sealed bids from qualified suppliers currently permitted by the NYS DEC (preference will be given to bidders within the Town of Malone) for the on-site purchase of sand and gravel as follows:

It is understood and agreed that in addition to the Town of Malone Highway Department, its agents or contractors, Franklin County agencies and political subdivisions (cities, towns, villages, etc.) within Franklin County, including their agents and contractors, are authorized users of this contract. All terms and conditions of this contract shall apply to the other authorized user named herein as follows:

10,000 Yards, more or less, of Bank-run Gravel as per established NYS standards and regulations, and bids must be presented as Price per Yard. All materials must be easily accessible to the Highway Departments. Bidders may bid on one or both (separately) of the following options:

1) The Town of Malone Highway Department will extract and screen materials on-site. Pick-up and delivery of materials will be the responsibility of the Town of Malone.

-OR-

2) Materials will be processed and ready for pick-up by the Town of Malone Highway Department.

Sealed bids, marked “Gravel-Option #1 or “Gravel-Option #2” will be accepted at the office of the Malone Town Clerk, 27 Airport Rd., Malone, NY 12953, during normal business hours, until 10:00 am, Wednesday, March 27<sup>th</sup> 2013, at which time they will be opened and read aloud. A Certificate of Non-Collusion must accompany each bid. The Town Board reserves the right to waive any informalities and/or to reject any and all bids.

**AND**

6,000 – 8,000 Yards, more or less, of Road Sand in Bank as per established NYS standards and regulations, and bids must be presented as Price per Yard. All materials must be easily accessible to the Highway Departments. Bidders may bid on one or both (separately) of the following options:

1) The Town of Malone Highway Department will extract and screen materials on-site. Pick-up and delivery of materials will be the responsibility of the Town of Malone.

-OR-

2) Materials will be processed and ready for pick-up by the town of Malone Highway Department.

Sealed bids, marked “Sand-Option #1 or “Sand-Option #2” will be accepted at the office of the Malone Town Clerk, 27 Airport Rd., Malone, NY 12953, during normal business hours, until 10:00 am, Wednesday, March 27<sup>th</sup> 2013, at which time they will be opened and read aloud. A Certificate of Non-Collusion must accompany each bid. The Town Board reserves the right to waive any informalities and/or to reject any and all bids.

**Discussion** – the bid notice is to be published in the Malone Telegram and the Press-Republican.

**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** – commented that it is time to think about renewal of the town’s insurance coverage. She said a letter of interest has been received from King-Clark Insurance, and she would like to advertise for additional options. There was discussion as to whether the board wants different coverage or different representation. The consensus is that the board is satisfied with NYMIR.

**RFQ Insurance Broker-**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Sullivan

**Resolved (#60 - 2013):** the Town of Malone is seeking letters of interest from qualified local insurance agents for representation and service of the Town’s existing insurance program and to act as local Broker of Record for the Town’s insurance needs.

Letters and/or resumes will be received at the Office of the Malone Town Supervisor, 27 Airport Road, Malone, NY 12953, until April 10<sup>th</sup> 2013. Current Town insurance policies may be reviewed at the Office of the Malone Town Clerk, at the above address, during normal business hours, 9:00am to 4:00pm, Monday – Friday.

**Discussion** – the request for qualifications will be published in the Malone Telegram and the Press-Republican.

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

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**Councilor Sullivan** – commented on an e-mail from DCO Shirley Morton, asking for a meeting with the Dog Control Committee (Deputy Supervisor Walbridge & Councilor Scharf), to discuss enumeration issues. Town Clerk Hafter said that the DCO has spoken about having Malone raise the enumeration fees to \$25.00, as they have in Burke.

**Procurement Policy** – There was discussion regarding the need to update the Town of Malone's Procurement Policy. Attorney Duffy is to review, modify and update the policy for board consideration.

**NEW BUSINESS:**

**Training Request** –

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (#61 - 2013):** that the Town Board authorizes Assessment Field Worker Tichenor, to attend the NYSORPS certification exam, for assessment purposes, in Raybrook on 3/28/13, 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**

**EXECUTIVE SESSION:**

**At 7:20pm \* Motion** – Councilor Sullivan

**Second** – Deputy Supervisor Walbridge

**Resolved (#62 - 2013):** that the Town Board enter into Executive Session under Attorney/ Client privilege in regarding to possible litigation, with all Board Members and Town Attorney to be present.

**CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye**

**Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

**At 7:34pm, the executive session ended and the regular meeting resumed with no action taken.**

**BILLS FOR AUDIT & PAYMENT:**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Scharf

**Resolved (#63 - 2013):** that the following bills, having been audited, vouchers #235 -287 , be paid:

General Fund – Abstract # 6                   \$33,755.80

Part Town General - #5                         36.63

Highway Townwide (DA) - #4                 8,478.10

Highway Outside (DB) Fund - #5             7,275.71

East Side Water # 3                             302.26

CDBG – Abstract # 3                             12,400.00

Trust & Agency Fund - # 9                     1,568.29

**Grand Total -                                     \$63,816.79**

**CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye**

**Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

**ADJOURN:**

**At 7:40pm Motion** - Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (# 64-2013):** there being no further business to come before the Board that it adjourn, with the next regular meeting to be March 27, 2013, at 6:00pm.

**CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye**

**Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

**Respectfully Submitted,**

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**Susan M. Hafter  
March 18<sup>th</sup> 2013**