

Town of Malone  
Regular Board Meeting  
March 26<sup>th</sup> 2014

A regular meeting of the Malone Town Board was held Wednesday, March 26<sup>th</sup> 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  
Thomas Shanty, Superintendent of Highways  
Mark Besio, Highway Clerk

Paule Coryea, Malone	Roger Sorrell, Plattsburgh	Kelly Mulverhill, Malone
Sarah Benwre, Malone	Marissa Perez, Malone	Jordan Yando, Malone
Alyssa Tatro, Constable	Alex Johnson, Malone	Isai Peredones, Malone
Jacob Hogeboon, Malone	Kayla Lamica, Bangor	Bruce Monette, Malone
Andrew LaPlante, Burke	Dylan Kelley, Malone	Ben Otis, Malone
Olivia Pepe, <u>Malone Telegram</u>		

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

**PRESENTATIONS:**

**AMBIT Energy –**

Paule Coryea and Roger Sorrel addressed the Board, representing AMBIT, a power supply consortium, as an alternative to National Grid. They claim to be the largest direct seller of energy. The Board thanked them for the presentation and will research and consider the proposal.

**Dairy Queen –**

Bruce Monette & Tim McCarthy requested the Town act as lead agency for the Dairy Queen project.

**Motion –** Deputy Supervisor Walbridge

**Second –** Councilor Scharf

**Resolution # 64-2014**

**Whereas:** the Malone Town Board has been presented with a Short Environmental Assessment Form (EAF) from Tim McCarthy, architect and project sponsor for Three Treats LLC, relating to the construction of a Dairy Queen restaurant on Rt. 11 in the Town of Malone;

**Resolved:** the Board acknowledges that this is a Type II project under SEQR and that the involved agencies are the Village of Malone, the New York State Department of Transportation and the New York State Department of Environmental Conservation the New York State Department of Health; and

**Further Resolved:** the Malone Town Board agrees to act as lead agency for the SEQR process related to the proposed construction of a Dairy Queen restaurant on Route 11 in the Town of Malone; and

**Further Resolved:** the Clerk will forward a copy of this resolution along with a copy of the EAF to all of the involved agencies asking for compliance.

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

**MINUTES & REPORTS:**

**Motion –** Councilor Sullivan

**Second –** Councilor Taylor

**Resolved (#65 - 2014):** to accept the minutes of the regular meeting of March 13<sup>th</sup> 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 (#66 -2014):** to accept the following reports as presented and place on file: Supervisor – 2/2014; NYS Comptroller Court Report – 2/2014; Code Officer – 2/2014; Airport Manager – 2/2014; Supt. of Highways – 2/2014

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

**OLD BUSINESS:**

**Airport Pre-construction Meeting** – Supervisor Maneely reported on the pre-construction meeting held 3/25/14, in regard to the Malone Dufort Airport Electrical Vault upgrades. He, Deputy Clerk Hudson and Airport Manger Besio were in attendance.

**SUPERINTENDENT OF HIGHWAYS REPORT:**

**Superintendent of Highways Shanty** reported the crew has been busy with snow removal, renovation work at the Justice Court and equipment maintenance.

**Gravel & Sand Bid**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolution #67 -2014**

**Be it Resolved:**

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 11:00 am, Wednesday, April 23<sup>rd</sup> 2014, 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 11:15 am, Wednesday, April 23<sup>rd</sup> 2014, 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 reject any and all bids and to waive any informalities.

**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*** –  
**Complete Streets Advisory Committee-**  
**Motion** – Councilor Scharf  
**Second** – Councilor Sullivan

***Resolution #68-2014***  
***to Create the Malone Complete Streets Advisory Board***

*WHEREAS, policies that support and promote a healthy lifestyle contribute to the economic and quality of life benefits for the Town of Malone; and*

*WHEREAS, the Town of Malone has been a hub for recreation; community survey results show that residents value recreational assets and strongly support investment in multi-use paths and sidewalks; and*

*WHEREAS, promoting walking, bicycling and other recreational activities through policy, planning, and investment in related infrastructure are cost-effective solutions to the rapidly increasing costs of health care, energy, and motorized transportation; and*

*WHEREAS, ‘Complete Streets’ is a new way of describing community connections for walking, bicycling and physical fitness as an integrated part of transportation, recreation and community quality of life; and*

*WHEREAS, the Malone Complete Streets Partnership has demonstrated a significant commitment to improving the walkability and bikability of Malone by advocating for policy, plans and infrastructure projects; and*

*WHEREAS, the Town of Malone’s Government and residents should join together to formulate and implement policies that promote walking, bicycling and other recreational activities;*

*Now, therefore, be it resolved that the Board of the Town of Malone hereby creates the Malone Complete Streets Advisory Board to make recommendations regarding the implementation of the Malone Complete Streets Policy and the Malone Complete Streets Plan; and*

***BE IT FURTHER RESOLVED*** that upon creation of the Malone Complete Streets Advisory Board a complete set of bylaws, approved by the Village and Town of Malone and revised from time to time, shall be created to govern the organization of the Malone Complete Streets Advisory Board.

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

***Councilor Scharf*** –  
**Solar Initiatives -**  
**Motion** – Deputy Supervisor Walbridge  
**Second** – Councilor Sullivan

***Resolution # 69-2014***

**Resolved:** that the Town Board of the Town of Malone does not and will not charge for parking at any solar power electric car charging station in the Town of Malone.

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

***Councilor Sullivan*** –  
**Sweetie’s Cat Closet**  
**Motion** – Councilor Sullivan  
**Second** – Deputy Supervisor Walbridge

**Resolved (#70 -2014):** that the Malone Town Board will contract with North Country Animal Control Center, Inc., DBA North Country Animal Shelter, for the purpose of assisting with the operational costs of Sweetie’s Cat Closet , located on the shelter to serve the needs of stray and surrendered cats.

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

***Attorney Duffy –***

**Solar Power Contract** – Attorney Duffy is continuing on her work on a contract for solar panel service through APEX. The current version is unacceptable for IRS reasons. The FAA requires a rooftop appraisal and glare tests.

**St. Lawrence Gas PILOT** – Attorney Duffy addressed the issue of a PILOT agreement for St. Lawrence Gas on their gas lines. She said the Franklin County IDA will have “possession” of the easements, making it tax exempt and eligible for a PILOT. Assessor Hewitt said the state has set value on the infrastructure.

**CORRESPONDENCE:**

**From** Tabitha Black: Liquor License application notice for The Black Out Bar & Grill to be located Route 11B, Malone)

**From** FEMA - \$48,538.55 for June/July 2013 flooding

**From** New Wave Energy Corp – energy supply group

**NEW BUSINESS:**

**Training Request -**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Sullivan

**Resolved (#71-2014):** to authorize Town Clerk Hafter and Deputy Clerk Hudson to attend the 2014 NYSATC Conference in Saratoga Springs, from April 27<sup>th</sup> – 30<sup>th</sup>, 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 -**

**Budget Transfer -**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (#72-2014):** to authorize the Budget Officer to transfer \$12,279.50 from A690 Clearinghouse, to A2610 Court Fines/Fees, as per the Comptroller notice for February 2014.

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

**EXECUTIVE SESSION:**

**At 7:12pm \* Motion** – Supervisor Maneely

**Second** – Deputy Supervisor Walbridge

**Resolved (#73 - 2014):** that the Town Board enter into Executive Session pertaining to two issues of litigation, with Board Members and Town Attorney and Assessor to be present.

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

**At 7:45pm,** the executive session ended and the regular meeting resumed with no action taken.

**BILLS FOR AUDIT & PAYMENT:**

**Motion** – Councilor Scharf

**Second** – Councilor Sullivan

**Resolved (#74 - 2014):** that the following bills, having been audited, vouchers #297-333, be paid:

General Fund (A) – Abstract #8	\$ 37,782.14
Highway Townwide (DA) #6	8,642.38
Highway Outside (DB) #5	458.90
Trust & Agency (T) #11	64,590.64
West Side Water (FW) #1	5,540.11

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Sewer (G) #3

2,657.80

**Grand Total:**

\$ 119,671.97

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

**ADJOURN:**

**At 7:50pm Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (#75 -2014):** there being no further business to come before  
the Board that it adjourn, with the next regular meeting to be at 6:00pm,  
April 9<sup>th</sup> 2014.

**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, TOWN CLERK**

April 14, 2014