

**Town of Malone  
Regular Board Meeting  
April 23, 2014**

A regular meeting of the Malone Town Board was held Wednesday, April 23<sup>rd</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

Jerry Griffin, MCS                      Tim Whipple, MCS                      Nancy Legacy, Malone  
Giles Legacy, Malone                      Trevor Codey, Malone                      Hanna Dustin  
Emily O'Keefe                      Karissa Beaudry                      Angela Grimshaw                      Thomas Garland, Bangor  
Phoebe Belanga                      Olivia Pepe, Malone Telegram

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

**PRESENTATION:**

**Bus Garage** - Jerry Griffin, Superintendent and Tim Whipple, Business Manager for Malone Central Schools addressed the Board in regard to revised Transportation Facility Plans. The new plans call for the acquisition of the former NCCC campus on College Ave., which borders district property. The old buildings would be demolished, site cleaned up, and additional sports playing fields would be developed. The current bus garage would be expanded and improved. Taxpayers would see a minimal increase to their tax bills because older district debt is being retired. The district can get 91% state aid for the project. Mr. Griffin said this is a win-win situation, as a decayed and dangerous site will be cleaned up while a much needed transportation facility and playing fields will be added. There is a public hearing on the issue scheduled for Tuesday, May 13, 2014 at the Franklin Academy auditorium. The project will be up for vote along with the regular school budget from noon to 8pm, on May 20, 2014 at the Franklin Academy gym. Supervisor Maneely thanked Mr. Whipple and Mr. Griffin for their presentation.

**MINUTES & REPORTS:**

**Motion** – Councilor Scharf

**Second** – Councilor Sullivan

**Resolved (79#-2014):** to accept the minutes of the regular meeting of March 26, 2014 and the regular meeting of April 9, 2014 as presented and place on file.

**CARRIED (3 – 0- 2) – Supervisor Maneely – Abstain; Deputy Supervisor Walbridge – Aye  
Councilor Sullivan - Abstain      Councilor Taylor - Aye      Councilor Scharf - Aye**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (#80 -2014):** to accept the following reports as presented and place on file:

Town Clerk/Registrar – 3/2014	Tax Receiver – Collection 2014
Highway Superintendent – 3/2014	Code Officer – 3/2014
Justices Lamitie & Cositore – 3/2014	NYS Comptroller/ Court - 3/2014
Airport Manager – 3/2014	Supervisor - 03/2014

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

**OLD BUSINESS:**

**Sand & Gravel Bid** - Clerk Hafter reported on the bid opening held April 23, 2014 as follows: All bids were properly presented and all included certificates of non-collusion.

Titus Mountain –      sand option 1 @ \$2.20 py      sand option 2 @ \$4.50py  
                                 gravel option 1 @ \$2.50 py      gravel option 2 @ \$8.00py

Robinson -                      sand option 1 @ \$3.48 py      sand option 2 @ \$5.68py

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Legton - sand option #1 @ \$2.35py sand option 2 @ \$7.25py  
gravel option 1 @ \$1.99py gravel option 2 @ \$7.45py

There was a question as to whether all bidders have NYS permits. Councilor Scharf asked for information regarding the mileage from the pits to the highway projects planned.  
**Supervisor Maneely tabled the issue, pending further information.**

**Dairy Queen** - Town of Malone Lead Agency Status request - concurrence received from NYSDOH; Village of Malone; NYSDEC and NYSDOT

**Motion** – Councilor Scharf

**Second** – Councilor Sullivan

**Resolution - #81 – 2014**  
*Determining the significance under SEQR regulations  
for Malone Dairy Queen Project*

**WITNESSETH:**

**Whereas**, the Malone Town Board, by Resolution #64-2014, on March 26, 2014, regarding the proposed Malone Dairy Queen project, assumed Lead Agency status, preliminarily classified the project as a Type II action and identified involved agencies as the Village of Malone, the New York State Department of Transportation, the New York State Department of Environmental Conservation and the New York State Department of Health; and

**Whereas:** all of the above referenced agencies have consented to the Town of Malone assuming Lead Agency status; and

**Whereas**, the project sponsor, Three Treats LLC, through Tim McCarthy, Architect PC submitted to the Town Board a Short Environmental Assessment Form describing the project; and

**Whereas**, the Town Board had reviewed the aforesaid Short Environmental Assessment Form; and

**Now, Therefore, Be It Resolved** by the Town of Malone Town Board that:

The Town of Malone Town Board makes the following final findings and determinations with respect to the proposed project:

The project constitutes a “**Type II Action**” as that term is defined in Section 6 (A-2) NYCRR Section 617.5(b)(7). In that it involves the “construction or expansion of a primary or accessory...non-residential structure or facility involving less than 4000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but no radio communication or microwave transmission facilities.”

As such, the project, a **Type II Action**, is not subject to review under SEQR and no further action is required.

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

**LWRP** - Committee information, reports and maps relating to Mill Park Improvements and the Salmon River Watershed Management Plan, were distributed to the Town Board.

**Runway 14-32 Rehabilitation** -

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Scharf

**Resolution #82 -2014**  
*Notice to Proceed*

**Whereas**, in regard to the AIP Project No. 3-36-0053-029-2013, Runway 14-32 Rehabilitation (Construction) at the Malone-Dufort Airport, the Malone Town Board has received notification of FAA approval of contract documents, payment and performance bonds and insurance certificates submitted to them for review; and

**Whereas**, the FAA has indicated approval of the issuance of a **Notice to Proceed** to Peckham Road Corporation;

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**Now, Therefore, Be It**

**Resolved:** that the Malone Town Board does hereby issue **Notice to Proceed** to Peckham Road Corporation, in regard to the above referenced project, provided that the Construction Management Program (CMP) has been submitted prior to the start of construction; and

**Further Resolved:** that a copy of this **Notice to Proceed** shall be forwarded to the FAA, Peckham Road Corporation, Passero Associates and the NYSDOT.

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

**SUPERVISOR REPORTS:**

**Malone Golf Club** - lease payment received, in the amount of \$7,404.95

**Pre-Bid Meeting** – a pre-construction meeting, relating to the Electrical Vault Replacement project at the Malone- Dufort Airport, will be held at 10:00am, April 24, 2014.

**MCF/EMS -**

**Motion** – Councilor Scharf

**Second** – Councilor Taylor

**Resolved (#83 -2014):** that the Malone Town Board approves for the Supervisor’s signature, the following Malone Callfiremen/EMS physical health forms for:  
Paul Langdon, Jason Ellis, Mark Perry and V. Perkins.

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

**SUPERINTENDENT OF HIGHWAYS REPORT:**

**Superintendent of Highways Shanty** reported the men are busy with usual spring work: patching, sweeping, repairs, etc. He asked approval for a temporary summer worker.

**Summer Hire -**

**Motion** – Councilor Taylor

**Second** – Deputy Supervisor Walbridge

**Resolved (#84 -2014):** that the Malone Town Board authorizes Superintendent Shanty to hire Tim LaVoie as a temporary summer laborer, as per the Superintendents recommendation as budgeted.

**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** commended Superintendent Shanty for his cooperative efforts with the Duane Highway Department.

**Councilor Scharf** has been attending Planning Board meetings and wants to move forward with new zoning regulations, to include the LWRP.

**Councilor Scharf** said Malone Complete Streets plan was commended by the Governors Office.

**Councilor Sullivan** reported that Gar Smith has completed the survey on Robinson Circle, and is ready to do the land transfer.

**Councilor Sullivan** noted that the lease for farmland to Papas Dairy is due for renewal.

**Supervisor Maneely** reported that the Lower Park Street FEMA buy-out plan has been approved by NYS and forward to FEMA. The project will provide \$750,000 for the demolition.

**CORRESPONDENCE:**

From NYS DEC - Mining permit information for Titus Mountain Sand & Gravel Inc. on Johnson Road, and for the Village of Malone at Bare Hill Road

From Data Collector Tichenor – request for permission to attend ethics course 4/28/14 at no cost to the town.

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**Training Request**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Scharf

**Resolved (#85-2014):** that the Town Board authorizes Assessment Assistant Tichenor to attend an Ethics course on April 28<sup>th</sup> 2014, at no cost to the Town.

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

**NEW BUSINESS:**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (#86-2014):** that the Town Board authorizes Budget Officer Stewart to transfer \$10,209.00 from A690 Clerainghouse to A2610 Court Fines/Fees, as per the Comptroller report for March 2014.

**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 (# 87 - 2014):** that the following bills, having been audited, vouchers #347-405, be paid:

General Fund (A) – Abstract #9	\$29,430.23
Part Town General (B)- # 6	239.92
Highway Townwide (DA) #7	13,664.40
Highway Outside (DB) #6	3,681.38
Trust & Agency (T) #14	2,886.88
Airport Capital Project (H4) #4	9,499.36
East Side Water (FE) # 4	457.20
Sewer Project (G) #4	<u>211.12</u>
Grand Total:	\$60,070.49

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

**ADJOURN:**

**At 6:41 pm Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (#88 -2014):** there being no further business to come before the Board that it adjourn, with the next regular meeting to be May 14th 2014 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, TOWN CLERK**  
May 14, 2014

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