

**Town of Malone
Regular Board Meeting
June 12th 2013**

MINUTES & REPORTS:

Motion – Deputy Supervisor Walbridge

Second – Councilor Scharf

Resolved (#120- 2013): to accept the minutes of the regular meeting of 05/22/2013 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**

Motion – Councilor Scharf

Second – Councilor Sullivan

Resolved (# 121-2013): to accept the following reports for review and filing as presented and place on file:

Airport Manager – 5/2013 Supt. of Highways – 5/2013

Town Clerk/Registrar – 5/2013 Code Officer – 5/2013

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

OLD BUSINESS:

Lower Park Street Mitigation Process – Supervisor Maneely reported that a meeting will be held at 10:00am Monday, June 17th 2013, with Franklin County Emergency Services and representatives from NYS, regarding mitigation efforts related to flooding issues on Lower Park Street. There have been three letters of interest in buy-out submitted to the Town so far. Letters will be accepted until July 5th 2013.

SUPERVISOR REPORTS:

Sewer Agreement

Motion – Councilor Scharf

Second – Deputy Supervisor Walbridge

Resolved (# 122-2013): that the Town Board authorizes the Supervisor to sign the Inter-municipal Sewer Agreement between the Town of Malone and the Village of Malone, as presented by Town Attorney Duffy and as already approved by the Village Board.

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

Farmers Market-

Motion – Deputy Supervisor Walbridge

Second – Councilor Taylor

Resolved (# 123-2013): that the Malone Town Board authorizes the Adirondack Farmers' Market to use the Town Pavilion, from noon to 4:30pm, Wednesdays, June 12th through October 16th 2013 for sale of local produce and goods.

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

Border Patrol Certiorari -

Motion – Deputy Supervisor Walbridge

Second – Councilor Taylor

Resolved (# 124-2013): that the Malone Town Board consent to a “change of attorney” (addition of a partner) for the Certiorari proceeding relating to the Border Patrol complex.

**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 Taylor

Resolved (# 125-2013): that the Malone Town Board accept and approve for signature, the Order and Stipulation of Settlement for the Border Patrol Tax Certiorari proceeding as presented.

**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 was not present to report. Supervisor Maneely said the

**Town of Malone
Regular Board Meeting
June 12th 2013**

department has been very busy with wash outs, due to recent heavy rains, and has had to temporarily close sections of Webster, Studley Hill and California Roads. He added that since Franklin County has declared a state of Emergency, the Town may be eligible for funding to recoup some of the cost of repairs.

BOARD MEMBER/COMMITTEE REPORTS:

Councilor Scharf asked Supervisor Maneely to speak with Mayor LePine about the Complete Street Committee's proposal to repaint some traffic lines in the Village and Town to provide safer roads for pedestrians, cyclists and motorists.

Councilor Scharf has received responses, from Bangor and Constable, to her letter regarding the possibility of joint funding applications. Supervisor Maneely suggested she may want to attend the next meeting of Town Supervisors of Franklin County in July.

Councilor Sullivan suggested that the staging area for the upcoming airport construction project be located at the end of RW 32. Supervisor Maneely said that will be determined at the pre-construction meeting.

CORRESPONDENCE:

From NYS ORPS – Tentative Equalization rate – 85.00

From NYS ORPS – Notification that Malone Town Assessor Amy Hewitt has been designated as a State Certified Assessor

From County Treasurer Varin – Mortgage Tax received - \$40,795.71

From Village of Malone – Delinquent Water rents for East (\$7,471.63) & West (\$1,500.80) Water Districts.

EXECUTIVE SESSION:

At 6:30pm * Motion – Supervisor Maneely

Second – Deputy Supervisor Walbridge

Resolved (# 126- 2013): that the Town Board enter 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, Budget Officer 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 6:45pm, the executive session ended and the regular meeting resumed with no action taken.

OLD BUSINESS:

Insurance Agent of Record –

Motion – Councilor Scharf

Second – Councilor Sullivan

Resolved (# 126-2013): that the Malone Town Board appoints Patrick Maguire of Sid G. Spear, Inc. to be the agent of record for the Town of Malone insurance policies through NYMIR and for airport liability insurance through a separate provider.

Discussion - Councilor Scharf said all three interested agents are qualified to act as Agent of Record, but Sid G. Spear, Inc. was the only agency that met the deadline for RFQ, and is a long-standing, local firm. She then read aloud the following prepared statement:

We made a commitment to provide fairness and equity in our Town Government, especially in bidding legally and appropriately, and getting multiple quotes even when we are not required to do so.

In my opinion there are two goals:

1. To use local businesses as much as possible. That benefits our local economy, taxpayers and constituents. We even passed a local "value" law to assist us in these pro-community decisions.

**Town of Malone
Regular Board Meeting
June 12th 2013**

2. To have a reform government in action as well as words. I am committed to honest government, to stop corruption, not to extend special favors, and to have an ethical government.

There are three insurance companies that can provide us with the same NIMIR coverage at the same cost. Since all is equal, which do we award it to? I have made a decision based upon three important issues:

1. When all is equal, we give our business to a company located in the Town of Malone. This eliminates Latremore's as they are out of Plattsburgh. While they may have a representative here, as I look in both the offices of King Clark and Sid G. Spear agencies, I see many of my former students who graduated from FA. I give weight to the fact that the two local companies employ local people...and lots of them.

2. I also believe that we must include integrity as a "value" in our decision making. Integrity includes both the lack of corruption AND the lack of the appearance of corruption. I have not forgotten the recent activities of MEDCO, actions that appeared to be illegal. Certainly the leadership of MEDCO blatantly ignored grant rules set by NY State. MEDCO was ultimately eliminated not only from Town of Malone business, but also Village of Malone business. I cannot forget that the Chair of the Board of MEDCO and CEO of King-Clark insurance are one and the same person. While I am in no way asserting that that makes him corrupt, I believe that the appearance of corruption is as detrimental to the legitimacy of government as the actual deed. We must constantly earn and maintain the trust of our taxpayer. I will not hire an insurance agent that may or may not be following State laws or regulations. Thus, I cannot support King-Clark insurance agency as our representative.

3. I support Sid G. Spear agency in this instance, because we have, and we must have, complete trust in their abilities and honesty.

Deputy Supervisor Walbridge and Councilors Sullivan and Taylor agreed that since Sid G. Spear is a local firm and was on time with the RFQ, Mr. Maguire should be named Agent of Record. Supervisor Maneely said that all three could be considered local agencies.

**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 Scharf

Resolved (#127-2013): that the following bills, having been audited, vouchers #505-560, be paid:

General Fund – Abstract #12	\$20,405.94
Part Town General - #10	3,940.96
Landfill Capital Project Fund -#2	306.56
Highway Town-wide (DA) -#9	257.43
Highway Outside (DB) Fund - #11	30,943.10
Chips Fund - #3	9,910.68
CDBG - #4	11,700.00
Trust & Agency Fund - #22	257.60
East Side Water - #6	131.37
Airport Capital Project - #6	<u>6,099.59</u>
Grand Total:	\$83,953.23

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

ADJOURN:

At 6:55 pm Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (# 128-2013): there being no further business to come before the Board that it adjourn, with the next regular meeting to be June 26, 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,

SUSAN M. HAFTER, TOWN CLERK
June 21, 2013

**Town of Malone
Regular Board Meeting
June 12th 2013**