

**Town of Malone
Regular Board Meeting
June 27th 2012**

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A regular meeting of the Malone Town Board was held Wednesday, June 27th 2012, at the Malone Town Offices, 27 Airport Rd., Malone, NY, commencing at 6:00pm.

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

ABSENT: Deputy Supervisor Paul Walbridge

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

Mary Fredenburg, Malone Tim Burley, Burley-Guminiak
Larry Pruwošuc, Aldi's Arianna Mac Neil, Malone Telegram T

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

MINUTES & REPORTS:

Motion – Councilor Scharf

Second – Councilor Sullivan

Resolved (#128- 2012): to accept the minutes of the regular meeting of 06/13/12 as presented and place on file.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

Reports submitted for review and filing:

Supervisor – 5/2012 Code Officer – 5/2012

OLD BUSINESS:

Army Corp of Engineers River inspection 6/15/12 – Supervisor Maneely reported on the Salmon River inspection, performed by representatives the U.S. Army Corps of Engineers. They acknowledged the silt and flooding problems and advised that the Town will have to pay a share of the cost for correction. Follow-up correspondence has been promised but not received. **Councilor Scharf** reported that, at a recent conference, she learned that one solution for the flooding problem could be a berm. She also said the owners of the dams should be held responsible for adjusting the flow in the spring, to avoid release of sediment. Councilor Scharf also attended a Chamber of Commerce sponsored meeting with Susan Merrill and Senator Gillibrand, where federal funding (FEMA) was discussed. A study of the river would cost \$100,000.00, with the Town required to pay half. In-kind services can go toward the Town share. FEMA would help fund a berm, but not dredging. Councilor Scharf suggested the Town check with the residents of Lower Park Street to determine whether they would want a berm built. Supervisor Maneely said that Ricky Provost of Franklin County Emergency Services might assist in this process.

DEC River Inspection meeting 6/20/12 – Supervisor Maneely reported that the DEC did not, in fact conduct an inspection of the river on June 20th. They reminded the Village and Town of an agreement calling for the municipalities to do periodic clean-up. They have not supplied a copy of that agreement.

Revised Consultant agreement with Avalon Associates –

Motion – Councilor Scharf

Second – Councilor Taylor

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Resolution #129- 2012

**Authorizing a contract with Avalon Associates, Inc.
for Application Preparation, Program Development, Administration,
and Program Delivery Services under the Home Investment Partnership Program**

RESOLVED: The Supervisor is authorized to execute a contract with Avalon Associates, Inc. Community Development Consultants, for preparation of an application for federal and state funding and administrative services required to complete all activities under the Home Investment Partnership Program. Fees for application preparation and completion and closeout activities will be paid from local funds. All other fees for program development, general administration and program delivery services will be paid for from grant proceed based on established hourly billing rates plus reimbursement of expenses or at fixed fees allocated for each approved project.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

Malone EMS Inc. – Town Attorney Duffy reported that she has not heard back from the Workers Compensation Board in regard to concerns about how WC coverage is to be provided for EMS personnel.

SUPERVISOR REPORTS:

Airport Project -

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#130- 2012): that the Malone Town Board approves and accepts the FAA grant award for Malone Dufort-Airport RW 14-32 Rehab Design; and authorizes Supervisor Maneely to sign the award contract.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#131- 2012): that the Malone Town Board approves, and authorizes Supervisor Maneely to sign, the consultant agreement with Passero Associates in the amount of \$124,000.00, for the Malone-Dufort Airport RW 14-32 Rehab Design Project.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

SUPERINTENDENT OF HIGHWAYS REPORT:

Superintendent of Highways Shanty was not in attendance. Supervisor Maneely reported that the usual summer activities continue at the Highway Department, and that work continues on the Justice Court addition.

BOARD MEMBER/COMMITTEE REPORTS:

Councilor Scharf reported on salary negotiations for Assessor position and the need for a full time data collector/field worker.

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#132- 2012): that the Town Board appoints Amy Hewitt to a combined position of Assessor (20 hours weekly) and Assessment Assistant (10 hours weekly), effective June 30, 2012 at a 2012 salary of \$40,000.00 pro-rated; with a six month employee review to be done in December 2012.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#133- 2012): that the Town Board appoints Martin Tichenor to the position of Assessment Data Collector, provisionally, pending satisfactory completion of the Civil Service test requirements, at a salary of \$13.00 per hour, effective June 30, 2012, or as soon as possible thereafter.

CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

Councilor Scharf reported that the Dissolution Study Committee wants begin work on MOU's and agreements between the Town and Village of Malone that will improve efficiency. She said the Public Hearing on the completed Study is to be held on July 11th 2012, a scheduled Town Board Meeting date.

Motion – Councilor Taylor

Second – Councilor Sullivan

Resolved (#134- 2012): that the Malone Town Board alter the meeting schedule for July 2012; conducting one meeting only, to be held Wednesday, July 18th beginning at 6:00pm.

CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

Councilor Scharf reported on an Energy Savings workshop she attended, where she learned that approximately 70% of wasted energy is produced by landlord owned properties. For renters who have their heating costs subsidized by HEAP, the cost for those inefficiencies falls on the taxpayers. To lessen the burden, the Councilor said local codes should be stricter and State energy codes need to be enforced.

Councilor Sullivan reported that grass around the runway lights at the airport is growing too high for safety.

Councilor Sullivan reported that the Micro-enterprise grant committee has finished with the awards. There were 22 or 23 applications, and 12 grants were awarded, to 7 start-up and 5 existing businesses, for a total of \$176,000.00.

Councilor Taylor reported that the Justice Court has been busy, and that she and Councilor Sullivan will visit that office soon.

PRESENTATION TO BOARD: Tim Burley of Burley-Guminiak Engineers presented an update to the Board in regard to West-Side Sewer District issues and solutions. Mr. Larry Pruwoosuc, representing the engineering firm working with Aldi's, was also present. Together the engineers have developed a plan to address Aldi's immediate concerns, as they are under consent order from the DEC, and to also allow for additions to the sewer line at a later date. Mr. Burley advised the board of funding options, noting that the Town is not eligible for hardship funding. Aldi's has budgeted for a project that will fulfill their needs. They would like cooperation from the Town in exchange for turning over the infrastructure, once built, and allowing for future add-ons to the system.

Motion – Councilor Sullivan

Second – Councilor Scharf

Resolved (#135-2012) – that the Malone Town Board authorizes Burley-Guminiak Engineers to work on behalf of the town, in conjunction with Aldi's engineers, to provide a plan that will serve Aldi's immediate sewer concerns and allow for future additions and improvements to the Town of Malone West Side Sewer District.

CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#136-2012) that the Malone Town Board authorize Aldi's, in conjunction with Burley-Guminiak Engineers, to proceed with the design and construction of a sewer connection to the Town of Malone West Side Sewer District with the following contingencies:

1) The Village of Malone agrees to the addition of Aldi's sewage connection and flow to the waste treatment facility; 2) an agreement is made between the Town of Malone and Aldi's for fee reimbursement or abatement as other entities tap on; and 3) FAA, DEC and all other necessary approvals are granted.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

CORRESPONDENCE:

From Congressman Owens – Salmon River Flooding

From Malone Planning Board - minutes from 5/2/12, for Board information

From Henningson, Durham & Richardson (HDR) – Invitation to participate in the Chasm Hydro Project site visit, scheduled for 9:30am, Monday, July 9th 2012, at the project's powerhouse.

From Bond Schoeneck & King – St. Lawrence Gas to Public Service Commission, correspondence on public need petition

From Attorney Gary Abraham – comments to Draft Article 10 Regulations, to PSC

NEW BUSINESS:

Journal Entries –

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#137- 2012): to authorize budget Officer Stewart to process the following Journal Entries for Payroll software purposes:

From: A1330.1	\$ 19,435.00
From: A1460.1	<u>1,100.00</u>
To: A1410.1	\$ 20,535.00

And

From: B3620.1	<u>\$ 15,500.00</u>
To: B8010.1	\$ 15,500.00

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

Water Application -

Motion – Councilor Taylor

Second – Councilor Sullivan

Resolved (#138- 2012): to approve the request from Thomas Delorm for a residential water service connection at 146 Meehan Road, in the Town of Malone West side Water District, with village approval having been granted and tap on fees having been paid.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

Vermont National Guard -

Motion – Councilor Taylor

Second – Councilor Sullivan

Resolved (#139- 2012): that the Town Board authorizes the use of Town of Malone Highway property for the use of a rest stop for the Vermont National Guard during 2012 convoys through Malone, with the National Guard providing port-a-johns on site.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

BILLS FOR AUDIT & PAYMENT:

Motion – Councilor Taylor

Second – Councilor Sullivan

Resolved (# 140 - 2012): that the following bills, having been audited, vouchers #540-565, be paid:

General Fund- Abstract #12	\$ 24,618.99
Part Town General – Abstract #11	69.90
Trust & Agency – Abstract # 23	332.05
CDBG - Abstract#5	500.00
Chips – Abstract #5	2,665.08
Airport Capital Project – Abstract #7	41,347.89
Highway DA-Abstract #8	429.11
Highway DB- Abstract #11	46.00
Grand Total -	\$ 70,008.72

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

ATTORNEY ITEM:

Housing Authority Request -

Motion – Councilor Taylor

Second – Councilor Sullivan

Resolved (# 141 - 2012): to authorize Attorney Duffy to send a letter to Malone Housing Authority, advising that they are not exempt from Fire Protection District charges.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

ADJOURN:

At 7:45pm Motion - Councilor Sullivan

Second – Councilor Taylor

Resolved (# 142-2012): there being no further business to come Before the Board that it adjourn, with the next regular meeting to be held at 6:00pm Wednesday, July 18th 2012.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

RESPECTFULLY SUBMITTED,

SUSAN M. HAFTER, TOWN CLERK
July 3rd 2012