

A regular meeting of the Malone Town Board was held Wednesday, September 10, 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

**ABSENT:** Councilor John Sullivan  
Councilor Mary Scharf

**ALSO PRESENT:** Denice Hudson, Deputy Town Clerk  
Andrea Stewart, Budget Officer  
Derek Sprague  
Dan Honahan  
Bruce Mallette, Acting Highway Superintendent  
Tim Burley, C2AE  
E.J. Conzola, II, Malone Telegram

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

**MALONE GOLF CLUB:** Derek Sprague addressed the board requesting an extension of the Golf Club's lease, which expires in 2024. It is the Golf Club's wish to extend the lease to November 15, 2049, so that the Golf Club can obtain a mortgage for capital improvements on the Golf Club's clubhouse. The terms are to be identical to the last extension. Attorney Duffy is to work with the Golf Club's attorney to work out this extension.

**Motion:** Councilor Taylor

**Second:** Deputy Supervisor Walbridge

**Resolved (#188 - 2014)** The Malone Golf Club is granted an extension of their current lease to November 15, 1949 with the same terms as their current Lease.

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

**WEST SIDE SEWER PROJECT:**

Tim Burley addressed the board for an update on the West Side Sewer Project. Restoration is going well. They need to properly abandon the line that is connected to Village. There is one line user on Route 11b. All man holes need to be blocked and cemented. Contractor knows we need to find them for him. It is not Contractor's responsibility. They first need to be located. Supervisor Maneely indicated Kimball Gillette knows where the man holes are and he will assist in locating them. Mr. Burley indicated the contractor needs to wrap up with the vendors and get cancelled checks to him.

Mr. Burley spoke with EFC regarding paperwork for loan to loan committee in October. To separate board and approval committee. Approval from committee should come in November for a closing in December/January (conservatively). Everybody is using system. Up

to point of closing it is an expense. The Town may want to consider working on beginning to bill for January.

Budget Officer Stewart asked if it was realistic to get this done. Tentative budget needs to be completed by end of month. Finalized by mid-November. We do need a local law to memorialize the billing method.

Mr. Burley will begin drafting a narrative for billing and requests that a work session be scheduled to discuss same. All parties to be involved are checking their schedules and this will be scheduled sometime the week of September 22<sup>nd</sup>. The goal would be to have something drafted for the September 24<sup>th</sup> Board meeting. Mr. Burley does have budget and resulting borrowing will be right about \$357,000.00.

It was further discussed that there would need to be a local law for use and charge section.

**EAST SIDE SEWER DISTRICT:**

Procedurally the District was 99% done, but a map was not filed with the Clerk. The DEC does recognize the East Side as a water district, Tim Burley needs a map that can be filed. There was an old map done by the Village engineer, the Windmill Estates was a part. The Village is looking for what is to be in the District memorialized for bonding. Looking for a 30 year addendum that we need for the West for the East. This District was formed, but not filed with Clerk for the data base.

Mr. Burley doesn't believe you need a survey, just a description. If we can provide the infrastructure, Mr. Burley will work on this and do a one page report.

Budget Officer Stewart will send a sketch to Mr. Burley to review. He doesn't want to hold up the closing, but needs parcels to redo map. Mr. Burley will contact Dolly at the Village office to get appoint of contact at EFC to be sure that we provide what is needed. Mr. Burley will contact Budget Officer Stewart on this as well as Dolly.

**Motion:** Deputy Supervisor Walbridge

**Second:** Councilor Taylor

**Resolved (#189 - 2014)** for C2AE to complete work necessary to create a map for East Side Sewer District.

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

**REPORTS:**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (#190 - 2014):** to accept the following reports for review and filing as presented and placed in the file:

Supervisor Report – 8/2014; Airport Manager – 8/2014; Justices Lamitie and Boardway and NYS Comptroller Court – 8/2014; Town Clerk/Registrar – 8/2014; and Code Officer 8/2014.

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

**OLD BUSINESS:**

**Solar Project/FAA status --** Held up as we do not have rooftop appraisers. Mr. Coombs from Watertown needs to get back to Lillian Anderson-Duffy.

**SUPERVISOR REPORTS:**

**Medical Evaluation Forms:**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (#191 - 2014):** to allow supervisor to sign medical evaluation forms as submitted for Robert Miles, Randy Wood, Stephen Stone and Barry Stickle.

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

**Halberstadt v. Malone (from 2009):**

Notification from Brian Stewart this has been dismissed.

**Electrical Vault Replacement Project Preconstruction Meeting:**

There was a preconstruction meeting on 8/27/2014 meeting, and the target date for start is the 2<sup>nd</sup> week of October.

**Employee Training Held:**

Employee training held on Workplace Violence 9/3/2014. Deputy Clerk Hudson handing out policy to each Town Employee.

### **Moratorium on Tent Sales:**

Supervisor Maneely proposes a six month moratorium on tent sales. Supervisor Maneely indicated a request had come in to the Code Office from a company in Florida regarding a permit to sell automobiles in the Aldi parking lot. Propose six month moratorium until local law can be put in place.

Budget Officer Stewart indicated the six month moratorium has to be local law. Copies provided for a prior moratorium. The language is pretty much same and should not take long to put in final form. If can be ready in two days, it can be adopted at next board meeting.

**Motion** – Deputy Supervisor Walbridge

**Second** – Supervisor Maneely

**Resolved (#192 - 2014)** to hold a Public Hearing on Wednesday, September 24<sup>th</sup>, 2014 at 5:45 p.m. to adopt local law No. 1 for a moratorium.

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

### **SUPERINTENDENT OF HIGHWAY REPORTS:**

Acting Superintendent of Highways Mallette reports that keeping busy on the road jobs. Going to top and save some roads now. Plans to get Arnold road in Spring, then to do Whitten Road in the Spring. Acting Superintendent Mallette provided a hand-out of information/rental agreement regarding the Gorman Groups Calcium Control System and setting up our own. Set us up with 5,000 gallon tank. We do not need license or dyke for holding tank. The cost to rent is \$1.00 per year, and the Town would need to Lock in delivery from their Company for three years at \$1.05 per gallon. He indicated last year the County Bid was for \$1.35 per gallon, so there would be a cost savings of \$.20 per gallon. He indicated this would allow the Town to take care of itself and allow one road at a time to be sprayed for dust control as it is grated. The Town would no longer have to wait and risk having to regrade. This is an item that cannot be bid out because the amount needed is below the threshold. Tabled to 9/24 meeting so Board can review documentation.

### **One Ton Truck:**

Acting Superintendent Mallette asked for permission to place order for One Ton Truck.

**Motion:** Deputy Supervisor Walbridge

**Second:** Councilor Taylor

**Resolved (#195 - 2014)** to allow Highway Superintendent to Order a One Ton 2015 350 XL DRW141WB16NCABB at a price of \$60,066.12.

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

### **Training Session:**

**Motion:** Deputy Supervisor Walbridge

**Second:** Councilor Taylor

**Resolved (#196 - 2014)** Acting Superintendent Mallette and one other highway employee to attend Training in Westport at a fee of \$50.00, New York in October, with all expenses (mileage & meals) to be paid by the Town.

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

**BOARD MEMBER/COMMITTEE ITEMS:**

Deputy Supervisor Walbridge indicated the Airport Committee met with Bruce Burdett on the pew incident. Deputy Supervisor Walbridge reported that Bruce Burdett will determine who was responsible for the damage, and a payment of \$150.00 will be made to the Town for the damage once it is determined who is responsible for the damage. There was also a discussion regarding the Airport pilots' usage of the airport building. A policy was discussed whereby if the pilots would like to use the building for anything other than pilot business, they are to ask for permission of the Board. That will be policy and procedure.

There was no discussion of the Airport lease, payment report by the Town Clerk from 8/20/2014.

**CORRESPONDENCE:**

**From FAA** – determination made on 9/2/14 that the Environmental Categorical Exclusion form submitted on 8/20/2014 by the Town for the Solar Project at airport qualifies for the exclusion from the preparation of a formal Environmental Assessment.

**Request** – From Supervisor Maneely, Town Clerk Hafter, Deputy Clerk Hudson, Assessor Hewitt, Code Officer Crossman and Budget Officer Stewart for permission to attend Local Government Conference in Potsdam October 14, 2014.

**Motion:** Deputy Supervisor Walbridge

**Second:** Councilor Taylor

**Resolved (#197 - 2014):** to Supervisor Maneely, Town Clerk Hafter, Deputy Clerk Hudson, Assessor Hewitt, Code Office Crossman and Budget Officer Stewart, and Council Person Louise Taylor permission to attend Local Government Conference in Potsdam on October 14, 2014 at a fee of \$40.00.

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

**NEW BUSINESS:**

**Request Budget Transfer -**

**Motion:** Deputy Supervisor Walbridge

**Second:** Councilor Taylor

**Resolved (#198 - 2014):** to authorize Budget Officer Stewart to transfer \$10,066.00 from A690 Clearinghouse to A2610 Fines & Fees, as per the NYS Comptroller notice.

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

**EXECUTIVE SESSION:**

**At 7:00 pm Motion** – Supervisor Maneely

**Second** – Deputy Supervisor Paul Walbridge

**Resolved (#199 - 2014):** that the Town Board enters 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 to be present.

**CARRIED (3 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye**

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

**At 7:15 pm**, the executive session ended and the regular meeting resumed with no action taken.

**BILLS FOR AUDIT & PAYMENT:**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (#200 - 2014):** that the following bills, having been audited,

Vouchers #765-816, be paid:

General Fund – Abstract #17	\$32,538.16
Sewer (G) #6	6,613.90
Highway (DA) #12	20,380.97
Highway Outside (DB) Fund #14	20,826.18
West Water (FW) #3	10,000.00
East Side Water (FE) #9	124.16
Trust & Agency Fund #32	1,370.80
Chips Fund (H3) #6	10,334.06
Grand Total:	\$102,188.23

**CARRIED (3 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye**

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

**ADJOURN:**

**At 7:16 p.m. Motion** – Supervisor Maneely

**Second** – Deputy Supervisor Walbridge

**Resolved (#201 - 2014):** there being no further business to come before the Board that it adjourn, with the next meeting to be September 24, 2013 at 6:00 p.m. with a public hearing at 5:45 p.m.

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

**RESPECTFULLY SUBMITTED,**

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**DENICE A. HUDSON, DEPUTY TOWN CLERK**