

Town of Malone
Regular Board Meeting
09/26/2012

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A regular meeting of the Malone Town Board was held Wednesday September 26th 2012, 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
Peter Taylor, Brushton Misty Cook, Malone Laura Trudell, Burke
Tasha Martin, Malone William LaPage, N. Bangor A. Ronneto(?), Massena
Eugenia Conway, Malone Mary Fredenburg, Malone
Arianna MacNeill, Malone Telegram

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

MINUTES & REPORTS:

Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (#183 - 2012): to waive the minutes of the regular meeting of 9/12/2012 until the next regular meeting.

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

The following report was presented and placed on file:

Justice Court/ Comptroller report 8/12

OLD BUSINESS:

MCF/EMS – Town Attorney Duffy presented a modified agreement to ratify the MCF action of contracting with Malone EMS, Inc. The Attorney explained that paid EMS workers are covered by their own workers comp but volunteers are not. This modified agreement allows for the volunteers to have workers comp coverage through the Town of Malone/Franklin County self-insurance. A copy of the agreement has been forwarded to the Franklin County Attorney and Paul Duffee. The Supervisor **TABLED** action on the agreement until the next meeting to allow time for comment.

SUPERVISOR REPORTS:

Variance -A vacancy exists for the position of secretary to the Board of Variances and Appeals. No letters of interest have been received.

River Inspection – Supervisor Maneely reported that he and Councilor Taylor joined 3 representatives from the Army Corps of Engineers for inspection of the Salmon River in Malone on 9/25/12. The ACE expressed surprise at the change in the river and size of the shoals. They promised a report within 90 days. The Town will take responsibility for removing a tree that has fallen into the river. Councilor Scharf suggested a letter, and the Supervisor said he will make a call, regarding the sediment release plan for the Macomb Dam. Councilor Taylor noted that the problems on the Salmon River affect more than just Malone. ACE said the DEC and National Grid and FERC should be involved in regional remediation.

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#184 - 2012): that the Town Board will send a letter to the Buffalo District Commander of the Army Corps of Engineers, acknowledging that the Town understands the non-Federal financial requirements associated with projects under Section 205 authority and expressing the Town's intention to cooperate in ACE efforts to address the flooding problem on Lower Park Street in Malone.

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

NYMIR - Insurance inspection was done on 9/21/2012; a Safety Inspection is set for 10/01/2012 at 10:00am. They have offered assistance with a "Violence in the Workplace" policy.

Cornerstone – 3 yr renewal agreement for telephone service, for Board consideration

Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (#185 - 2012): that the Town Board authorizes a 3 year renewal of the agreement with Cornerstone for telephone service for the Town Offices, as recommended by Budget Officer Stewart.

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 noted that the paving is done for this year and that some of the plows have been harnessed for winter.

BOARD MEMBER/COMMITTEE REPORTS:

Councilor Scharf talked about the possibility of sharing a mechanic with the Village. If that proves to be impossible, she wants the municipalities to explore other avenues for efficiencies. She suggested setting up a "Shared Services Committee" with the Village, and volunteered to serve on it. Deputy Supervisor Walbridge also volunteered for the proposed committee, with Councilor Taylor to act as alternate.

Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (#186 - 2012): that the Town offers a formal proposal, by letter, to the Village of Malone Board, to form a joint committee to consider efficiencies by sharing of services, personnel and equipment.

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

Councilor Scharf - referred to the e-mail Village Trustee Hill sent to the Supervisor and Town Council asking for their views on the issue of dissolution and their commitment to provide services in the event that the Village does dissolve. Councilor Scharf responded that she would want the Town to immediately apply for a police district, and if unsuccessful, create a Town-wide police force. Supervisor Maneely said that in his opinion there is not enough information and too many unanswered questions to go forward with Village dissolution. Councilor Taylor agreed with the Supervisor and Councilor Sullivan said he would like to see a Town-wide budget prepared that shows projected savings created by dissolution.

Councilor Taylor - said the Justice Court is operating well and is looking forward to completion of the office addition.

CORRESPONDENCE:

From DnP's Country Store Liquor license application –

Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (#187 - 2012): that the Town Board waive the 30-day waiting period for issuance of a liquor license to DnP's Country Store.

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

From Carolyn McNamara - requesting reappointment to BAR

Appointments -

Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (#188 - 2012): that the Town Board appoints Carolyn McNamara to another five year term on the Board of Assessment review from 10/01/12- 9/30/17.

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

Motion – Councilor Taylor

Second – Deputy Supervisor Walbridge

Resolved (#189 - 2012): that the Town Board appoint Anne Farden to her position on the Planning Board – for another seven year term, from 9/9/12 – 9/8/19.

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

From Attorney Piasecki – FOIL request #2, on behalf of the Village of Malone Housing Authority & the response from Records Access Officer Hafter

From Michael Hosler – letter of resignation as an alternate to the Variance board

NEW BUSINESS:

Motion – Councilor Taylor

Second – Deputy Supervisor Walbridge

Resolved (#190 - 2012): that the Town Board authorize the Budget Officer Stewart to transfer \$9,586.00 from A690 Clearinghouse to A2610 Court fines & fees for the month of August, 2012, as per the NYS Comptroller statement.

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

EXECUTIVE SESSION:

At 6:39 pm, Motion – Supervisor Maneely

Second – Deputy Supervisor Walbridge

Resolved (#191- 2012): that the Town Board enters into Executive Session pertaining to a) matters leading to the employment appointment of a particular person, with Board Members, Attorney, Budget Officer and Clerk, and b) Attorney/Client privilege 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 7:15 pm, the executive session ended and the regular meeting resumed with no action taken.

New Employee -

Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (#192 - 2012): that the Town Board appoints Denice Hudson to the position of floater/Deputy Clerk, to fill the vacancy left by Sherri Smith's resignation, at salary of \$23,000.00 annually, to be pro-rated for 2012, to begin as soon as Ms. Hudson is available.

Discussion – Town Board members thanked Clerk Hafter and Budget Officer Stewart for managing the interview process. The Clerk and Budget Officer thanked the Board for allowing their input and accepting their recommendation.

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 (#193 - 2012): that the following bills, having been audited, vouchers #784 - 821, be paid:

General Fund- Abstract #17	\$24,477.52
Part Town General – Abstract #15	4,844.74
Trust & Agency – Abstract #35	30,675.52
Airport Capital – Abstract #11	15,000.00
CDBG – Abstract #8	26,700.00
Highway DB- Abstract #15	<u>6,923.39</u>
Grand Total	\$108,621.17

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

ADJOURN:

At 7:18pm , Motion – Deputy Supervisor Walbridge

Second – Councilor Taylor

Resolved (# 194-2012): there being no further business to come before the Board that it adjourn, with the next regular meeting to be October 10th, 2012, 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
October 4th 2012**