

**Town of Malone**  
**Regular Board Meeting**  
**10/10/2012**

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A regular meeting of the Malone Town Board was held Wednesday, October 10th 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  
Amanda Rochefort, NCCC Tasha Martin, NCCC 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 Taylor

**Resolved (# 195- 2012):** to accept the minutes of the regular meetings of 09/12/12 and 09/26/2012 and the special meeting of 10/13/2012 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**

**Reports for review & filing-**Town Clerk/Registrar 9/2012;Justice Court reports for 9/2012; Supt. of Highways – 9/2012

**OLD BUSINESS:**

**EMS/Workers Comp –Tabled from 9/26/2012** – Attorney Duffy reported that the issue of Workers Comp. for EMS volunteers will be resolved by the Town agreement with them. She noted a concern about the cost of emergency services from May through December, which has already been paid to the MCF. The attorney asked for more time to investigate the issue.

**Board of Variances and Appeals-** no letters of interest, or recommendations from the Variance Board Chairman received as of 10/10/12, for Secretary to the BVA.

**SUPERVISOR REPORTS:**

**Sewer District** – Supervisor Maneely has written to the NYS DOT advising them of the Town's intention to assume the operation and maintenance of the portions of the Aldi's sewer main that is in public areas, specifically the area within the NYSDOT right-of-way.

**SUPERINTENDENT OF HIGHWAYS REPORT:**

**Superintendent of Highways Shanty** reported that the blacktopping has been completed for this season; the fallen tree has been removed from the Salmon River on Lower Park Street; sand has been put up for winter; and court addition work has resumed.

**Surplus Bids** – Clerk Hafter reported on the opening of bids for surplus highway materials and equipment, which was held today at 1:00pm.

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Taylor

**Resolved (# 196- 2012):** that the Town Board awards all 2012 highway surplus items to highest bidders for each lot

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

**BOARD MEMBER/COMMITTEE REPORTS:**

**Supervisor Maneely** and **Councilor Scharf** reported that they attended the Local Government Conference in Potsdam on Tuesday October 9<sup>th</sup> 2012.

**CORRESPONDENCE:**

**From AHMC** – announcement of the new President & CEO, Douglas Divello.

**From Malone Planning Board** – minutes from 9/5/12 for Town Board information

**Deferred Compensation -**

**Motion** – Deputy Supervisor Walbridge

**Second** – Councilor Scharf

**Resolution # 197- 2012**

Adoption of The State of New York Deferred Compensation Plan

WHEREAS, the Town of Malone wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the “Plan”) for voluntary participation of all eligible employees; and

WHEREAS, the Town of Malone is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law\* and

WHEREAS, the Town of Malone has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Town of Malone by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

\* A local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law includes: a county, city, town, village or other political subdivision as defined in Section 131 of the Retirement and Social Security law or civil division of the State; a school district or other governmental entity operating a public school, college, or university; a public improvement or special district, a public authority, commission, or public benefit corporation; or any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the State.

NOW, THEREFORE, it is hereby:

RESOLVED, that the Town of Malone hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the Town of Malone are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

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

**Condolences** – Supervisor Maneely offered condolences, on behalf of the Board, to Town Assessor Amy Hewitt, on the recent passing of her mother Janet Irving Kilburn. The Town Offices will close at 1:30pm Friday, October 12<sup>th</sup> to allow staff to attend the funeral services for Mrs. Kilburn.

**ADJOURN:**

**At 6:20pm Motion** - Deputy Supervisor Walbridge

**Second** – Councilor Sullivan

**Resolved (# 198 -2012):** there being no further business to come before the Board that it adjourn, with the next regular meeting to be 10/24/2012, at 6:00pm, preceded by a budget work session at 4:00pm

**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  
October 16, 2012