

**Town of Malone
Regular Board Meeting
October 24, 2012**

A regular meeting of the Malone Town Board was held Wednesday October 24, 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: Denice Hudson, Deputy Town Clerk
Andrea Stewart, Budget Officer
Lillian-Anderson Duffy, Town Attorney
Mary Fredenburgh
Scott Marshall
Mary Shantie, Malone
Logan Goodman, Malone
Misty Cook, Malone
Eugenia Conaway, Malone
Karen Bisso, Plattsburgh
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 – Councilor Taylor

Second – Councilor Scharf

Resolved (# 199 - 2012): to accept the minutes of the regular meeting of October 10, 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**

The following reports were presented and placed in file:

Code Officer Report 9/2012, Justice Court Report 9/2012

OLD BUSINESS:

MCF/EMS – Tabled from 10/10/2012 – Town Attorney Duffy presented a modified agreement for the MCF action of contracting with Malone EMS, Inc. MCF formed EMS to provide general ambulance service. There was concern regarding workers' compensation coverage for volunteers, which Attorney Duffy believes has been taken care of. There is a meeting scheduled for tomorrow, 10/25/12. Attorney Duffy further discussed General Municipal Law 122B with regard to the fees to be paid for the Town and Village. The contract as it is drafted now provides that the fees are the Towns. If there is an excess there would be a credit for the next contract. If there is a deficiency, the Town would be responsible. Fire protection is not involved in this Agreement. There is also an issue raised by the County and Controller's office with regard to collection of fees and responsibility for collection. Andrea Stewart inquired if this could be a subsidiary with Call Fireman. Attorney Duffy noted that was a different section of General Municipal law. Attorney Duffy will check into other local Towns and their agreements as guides.

Supervisor Maneely – The Agreement should be for Fire Rescue, not ambulance. Attorney Duffy indicated all phases are different. Supervisor Maneely indicated that we are contracting for fire and rescue, not ambulance. We will have to revisit.

Deputy Supervisor Walbridge – We have to be on same page with EMS and Attorney Pinski. Cannot enter into an agreement for ambulance service. Willing to work to iron out details that fit for the service provided. Pursuant to General Municipal Law we cannot charge. Further we need to check other Town departments for how they handle this issue.

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Budget Officer Stewart – We are not setting ambulance district, just for providing rescue services. With regard to payments by the Town for deficiencies, the Town has no monies in the general fund for payment of same.

TABLED for next meeting. Councilor Scharf will attend meeting scheduled for October 25th with the County Attorney and Attorney Pinski.

Board of Variances and Appeals – Vacancy

Motion – Deputy Supervisor Walbridge

Second - Councilor Scharf

Resolved (# 200 - 2012): to appoint Andrea Dumas as Secretary for the Board of Variances and Appeals. There is no term limit.

CARRIED (4-0) –Deputy Supervisor Walbridge – Aye Councilor Sullivan – Aye Councilor Taylor – Aye Councilor Scharf – Aye Supervisor Maneely abstained as he is a relative of Ms. Dumas.

SUPERVISOR REPORTS:

Dept. of Labor Violation Notice (Workplace Violence Prevention Policy needed).

Supervisor Maneely reported a Violation after the state mandated inspection. A policy needs to be in place by December 4, 2012. Supervisor Maneely has drafted a policy for review by the Board. Councilor Taylor asked if this was a standard policy. Supervisor Maneely indicated it was. Councilor Scharf asked if this would be placed in the Town Handbook. Supervisor Maneely indicated it would be. Supervisor Maneely also indicated there would be a one-half day training for all employees associated with this policy, which he would schedule. Board Members were asked to review this policy for discussion and to adopt at next scheduled meeting.

Court Addition: The heat hooked up last week. No work was completed this week. The glass wall will be taken down next week.

Water in Basement: Flood watchers from Massena inspected damage in basement. We need to do some revamping. Not this year. We need to obtain pricing for fixing crawl space.

CORRESPONDENCE:

From RMO Hafter – Response to FOIL Request #3 from Attorney Piasecki.

From Tim Burley – NYSDOT approved Aldi’s Sewer. Howard spoke to Mr. Burley and will schedule meeting for next week, week of October 29th. Should be done next Fall.

From Hugh Hill – Contract for Shared Highway Services

Will be discussed at Committee meeting.

From Windy Acres in Ellenburg – Invitation to Weatherization Works scheduled for 10/25/2012.

From Shawn Bray – FAA AIP Grant Funding

Need to appoint a committee for proposed three projects to be completed by September 2013. Believes our share is too much. Deputy Supervisor Walbridge will move ahead and pick project. Fuel farm is top priority. Five Percent (5%) cost is steep. We want airport to be asset, not liability.

SUPERINTENDENT OF HIGHWAYS REPORT:

Superintendent of Highways Shanty was not present to report. Supervisor Maneely noted that everything was okay and ready for the winter. Sand all set for winter.

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NEW BUSINESS:

Request – From Jules Faubert for permission to connect to East Side Water district.

Motion: Deputy Supervisor Walbridge

Second: Councilor Taylor

Resolved (#201 - 2012): to Jules Faubert, permission to connect to East Side Water district for property on Route 11. Fee paid to Village on 10/14/2012.

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

Budget Transfer -

Motion: Deputy Supervisor Walbridge

Second: Councilor Taylor

Resolved (#202 - 2012): to authorize Budget Officer Stewart to transfer \$8,885.04 from A690 Clearinghouse to A980 Revenues (A2610 town court fees for 9/12), as per Comptroller statement.

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

EXECUTIVE SESSION:

At 6:35 pm Motion – Supervisor Maneely

Second – Deputy Supervisor Paul Walbridge

Resolved (#203 - 2012): that the Town Board enters into Executive Session pertaining to contract negotiations with Board Members, Attorney and Budget Officer.

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

At 6:47 pm, the executive session ended and the regular meeting resumed with no action taken.

Town of Malone Board Meeting Schedule

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (# 204 - 2012): to alter the November meeting schedule to have a Public Hearing on November 7, 2012 and a regular board meeting November 28, 2012.

Public Hearings –

Motion – Deputy Supervisor Walbridge

Second – Councilor Scharf

Resolved (#205 - 2012): That the Town Board will conduct two public hearings for Wednesday, November 7th, 2012, as follows:

1. At 5:00 p.m. – East Water District proposed 2013 rate of \$134.430, from a 2012 Rate of \$206.492.
2. At 5:10 p.m. – West Side Water District proposed 2013 rate of \$117.029, from a 2012 Rate of \$135.65217.

**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 Scharf

Resolved (#206 - 2012): That the Town Board will conduct one public hearing at 5:20 p.m. on Wednesday, November 7th, 2012, with regard to the Fire Protection Contract with Malone Call Firemen.

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

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Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#207 - 2012): That the Town Board will conduct one public hearing at 5:30 p.m. on Wednesday, November 7th, 2012, for the proposed 2013 Town Budget

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

Supervisor Maneely thanked Board, Budget Officer and Clerk for assistance with the Budget.

Deputy Town Clerk Denice Hudson to arrange for publishing notices in the Malone Telegram.

BILLS FOR AUDIT & PAYMENT:

Motion – Deputy Supervisor Walbridge

Second – Councilor Taylor

Resolved (# 208 - 2012): that the following bills, having been audited, Vouchers #830-896, be paid:

General Fund – Abstract #18	\$ 86,113.00
Part Town General – Abstract #16	61.39
Highway Townwide (DA) Fund – Abstract #11	58,787.98
Highway Outside (DB) Fund - #16	50,383.98
East Side Water Fund – Abstract #__	12,636.72
West Side Water Fund – Abstract #5	2,000.00
CHIPS Fund – Abstract #7	190,075.01
Airport Capital Project Fund – Abstract #12	36,643.19
Trust & Agency Fund – Abstract #38	31,617.19
Grand Total:	\$468,317.99

**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 – Supervisor Maneely

Second – Deputy Supervisor Paul Walbridge

Resolved (#209 - 2012): there being no further business to come before the Board that it adjourn, with the next meeting to be November 7, 2012 at 6:00 p.m.

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

RESPECTFULLY SUBMITTED,

DENICE A. HUDSON, DEPUTY TOWN CLERK