

Town of Malone
Regular Board Meeting
March 9, 2016

A regular meeting of the Malone Town Board was held Wednesday, March 9, 2016, at the Malone Town Offices, 27 Airport Rd., Malone, NY, commencing at 6:00 p.m.

PRESENT:

Supervisor Howard Maneely
Deputy Supervisor John Sullivan
Councilor Louise Taylor
Councilor Mary Scharf
Councilor Edward Lockwood

RECORDING SECRETARY: Deborah Hutchins, Deputy Town Clerk

ALSO PRESENT:

Denice Hudson, Town Clerk
Lillian Anderson-Duffy, Town Attorney
Bruce Mallette, Highway Superintendent
EJ Conzola, Malone Telegram
Bruce Burditt, Malone
Carla Gerber, Malone
Tom Arnold, Malone
Hannah Arnold, Malone
Bradley LaGrave, Malone

CALL TO ORDER: Supervisor Maneely called the regular meeting to order at 6:10 p.m., with a pledge to the flag.

Webster Street Road

Carla Gerber, Malone resident, addressed the Board with concerns on the condition of the Webster Street Road. Ms. Gerber explained that she was present to complain about the condition of the road and stated that she wanted a projection on what to expect. Bruce Mallette explained this road is in the same condition as the rest of the roads at this time. He informed Ms. Gerber that he proactively stock piled enough gravel last year and plans to put the proper amount of gravel and pack down with a roller to take care of the road. He also indicated that he will do this with dust control. Bruce stated that he plans to gravel a lot of roads this summer with the stockpile of gravel. Ms. Gerber stated that she has spoken to DEC about a certain ditch or marsh that belongs to DEC and was told a special permit is needed to do work in that area and that Mr. Maneely needs to send in the paperwork to Mr. O'Connor which takes two weeks to get a permit. Bruce stated that he should be fine if working just to build up the road. Ms. Gerber requested that someone should double check with DEC on this. Ms. Gerber then explained that there needs to be some ditching in front of her place in order for her to put up a fence. Bruce Mallette stated that he will take a look at it for her. Ms. Gerber then asked when the road work would be done. Bruce explained that he will be working on roads when it dries up and all the frost is out of the road.

MINUTES:

Approval of February 24, 2016 Regular Meeting

Motion – Councilor Sullivan

Second – Councilor Scharf

Resolved (#72-2016) to accept the Minutes as written for February 24, 2016 Regular Meeting.

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

REPORTS:

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#73–2016) to accept the following reports for review and filing as written and placed in the file: NYS Comptroller – Justice Court report for 1/2016; Justices Gardner & Robert – submission reports for 2/2016; Town Clerk/Registrar – 2/2016, Airport Lease Manager – 2/2016, and Supervisor reports for 12/2015 and 01/2016.

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

Councilor Scharf then questioned Bruce Burditt on his Airport Lease Manager Report with the AWOS system being down a lot. Bruce responded that they will be coming up in the next two weeks and that the power is dropping and there is also a software glitch; two different things we are fighting on. Councilor Scharf asked Bruce to keep the Board informed on this situation.

SUPERVISOR REPORTS:

Motion: Councilor Scharf

Second: Councilor Taylor

Supervisor Maneely read the recommendation from Passero Associates with reference to the Airport bids to award the low bid to Friend Commercial Contracting for a bid total of \$644,625.00. At this time Councilor Lockwood voiced his concern about the difference with this bid and the next lowest bid as all the other bids were relatively close. Supervisor Maneely stated that the engineers have checked the information and checked with the contractor on their bid and are satisfied with everything. Councilor Lockwood asked if there is a bond in case something were to happen and they could not finish the project. Bruce Burditt stated that is a good question for the engineers. Councilor Scharf suggested there could be some cost difference because the firm is local and would not have additional expenses of hotel rooms, etc. Supervisor Maneely stated that the engineers have checked on other jobs they have done and they have worked here for the Town previously. Bruce Burditt suggested that the award be tabled until the next meeting. It was agreed to table the bid award until further information was obtained from the engineers with regard to the bid spread.

Motion: Deputy Supervisor Sullivan

Second: Councilor Scharf

Resolved (#74-2016): Approval for Supervisor Maneely to sign Application Package for Transient Aircraft Parking and Apron Rehabilitation Project.

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

Motion: Councilor Scharf

Second: Councilor Taylor

Resolved (#75-2016): Approval for Supervisor Maneely to sign draft consultant agreement, reasonableness of fee letter and selection of consultant's certification pertaining to Transient Aircraft Parking and Apron Rehabilitation Project.

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

Motion: Deputy Supervisor Sullivan

Second: Councilor Taylor

Resolved (#76-2016): Request from Village requesting funding from the Clinton and Franklin Regional Waterfront Program to develop a marketing plan and content that will advance revitalization goals identified in the Malone Local Waterfront Revitalization Program and Economic Development Strategy. Supervisor Maneely stated he thought that was in reference to dredging of the lake and Councilor Taylor concurred. Supervisor Maneely stated that Chastity Miller from Soil and Water was putting in an application for a grant on dredging. Councilor Lockwood reported that at two meetings ago it was stated that she could be involved with this grant but needed help to write it; it is his understanding that there is a grant out there to help fund the project.

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

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Motion: Councilor Scharf
Second: Councilor Louise

Resolved (#77-2016): NYS request for Proclamation regarding Building Safety Month – May 2016. Supervisor Maneely stated that Bob Crossman, Town Code Officer, recently went to training and it was requested that the Town adopt the following Proclamation and give to the newspaper and radio.

Whereas, our Town's continuing efforts to address the critical issues of safety, energy efficiency, water conservation, and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound, and;

Whereas, our confidence is achieved through the devotion of vigilant guardians – building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry – who work year-round to ensure the safe construction of buildings, and;

Whereas, these guardians – dedicated members of the International Code Council – use governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, plan, and;

Whereas, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern buildings codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes, and;

Whereas, Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our communities' largely unknown guardians of public safety – our local code officials – who assure us of safe, efficient and livable buildings, and;

Whereas, "Building Codes: Driving Growth through Innovation, Resilience and Safety" the theme for Building Safety Month 2016, encourages all Americans to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, water safety and conservation; energy efficiency and new technologies in the construction industry. Building Safety Month 2016 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies, and,

Whereas, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, I, Howard Maneely, Supervisor of the Town of Malone, do hereby proclaim the month of May 2016 as Building Safety Month. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Month activities.

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

Motion: Councilor Lockwood

Second: Councilor Scharf

Resolved (#78-2016): Acknowledgement of March as Law Enforcement Appreciation Month.

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

BOARD MEMBER/COMMITTEE ITEMS:

Councilor Scharf stated that she has been talking with Bruce Mallette about the sharrows, "Complete Streets" and the grand opening of our "Walk and Bike Challenge" which will occur in May. We will have two bike routes in the area of the Houndsville and Shears Roads and would like signs to warn traffic that there will be bicyclists on the road for safety. Bruce is in the process of finding signs and Councilor Scharf is researching for the funding. The plan was to put down the sharrows but because the roads have a speed limit over 40 mph, we are unable to use them. Councilor Scharf then reported she has concerns about the removal of the trees along the river on Lower Park Street where they are taking down the houses. She has indicated that she feels that if the trees are not left to hold the bank together there will be much sediment going in to Lamica Lake with the Spring thaw.

Supervisor Maneely stated that the County is in charge of the work being done. Bruce Mallette stated this is a double-edged sword as they always have to remove trees out of the river so if taken down that would help in that respect. Councilor Scharf stated that as many trees as we can keep would be to the benefit of the Town; Supervisor Maneely stated that he will speak to the County about this.

Deputy Supervisor Jack Sullivan spoke about the ongoing solar projects in the area. He feels it is very valuable in that it does not cause people to be sick as is the case in townships east of us that he has spoken to. Deputy Supervisor Sullivan also stated that solar is also more valuable that it doesn't cause widespread devaluation of property. He has seen studies where industrialized wind devalues property whereas solar is more localized and does not. Nor does solar cause widespread decrease in rural ambience of the area. Solar is becoming a very valuable source of renewable power without some of the bad associated with industrial wind.

Councilor Scharf then commented with reference to solar that the ribbon cutting for the Town's solar project here at the airport will be on Friday, April 15th - 10:00 AM - with Apex and the Chamber who will provide snacks after. Councilor Scharf asked for Board permission to send out invitations to this event to which all were in agreement.

Lillian Anderson, Town Attorney, discussed her concern for the solar on the landfill that is going to be built by the County as she spoke to DEC officials today. The Town is the lead agency for the SEQR review for the landfill solar farm sponsored by the Village at the landfill. We had passed a resolution requiring their engineer to provide a long EAF form and to submit a plan that was sent out in DEC correspondence dated 08/24/2015 to include measures for maintaining cap integrity, storm water control at the site, changes to future post closure monitoring, changes to the site and other environmental impact as well as submitting application to the DEC for environmental permit; there has been nothing received to date. We should have a meeting with the DEC officials, County, Village and Town so all are on the same page as concerned that we have not received anything yet from the engineer. Supervisor Maneely stated that the monitoring engineer from Rochester should be involved and they should pay their expenses and should be part of it. The Town is responsible for the integrity of the cap and the maintenance of the old landfill.

SUPERINTENDENT OF HIGHWAYS:

Superintendent Mallette reported that he and a few others from the area went to Albany today to lobby for CHIPS monies. Bruce reported that when he got back today the steam boiler at the garage was leaking and he called Kerry Gillen to come and look at it. They both agree to red tag it and shut it down. Bruce stated that he wanted to make the Board aware of the situation and he will be looking for quotes for a replacement this summer,

Councilor Taylor asked Bruce the age of this boiler and he stated it is likely 50-75 years old. He also confirmed this is the oil burner, not the wood boiler that needs replacing. It is the source for operation of the Modine (ceiling heaters) in the garage. He reported that the roads were posted today and he does not expect it to take long for them to dry up given the current weather.

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NEW BUSINESS:

Motion: Councilor Taylor
Second: Councilor Scharf

Resolved (#79-2016): Board motion to make the following journal entries, as per the Comptroller notice for January: From A690 Clearinghouse \$10,394.00 to A980 Revenues (A2610 court fines & fees).
CARRIED (5-0) – Supervisor Maneely – Aye Deputy Supervisor Sullivan – Aye Councilor Taylor – Aye Councilor Scharf – Aye Councilor Lockwood – Aye

Motion: Councilor Scharf
Second: Councilor Lockwood

Resolved (#80-2016): Request by Town Clerk to attend NYS Town Clerks Association 2016 Conference in Saratoga, NY April 17-20, 2016 with all expenses paid by the Town. Supervisor Maneely stated that he would like for both the Town Clerk and the Deputy Town Clerk to attend this conference.

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

Motion: Councilor Scharf
Second: Deputy Supervisor Sullivan

Resolved (#81-2016): Request by Bruce Burditt that the Town of Malone send a letter to UPS offering our airport during the Potsdam airport renovations. Bruce explained the Potsdam Airport renovations and the shutdown of one of their runways. He explained that UPS has daily freight going in to that airport and suggested that the Town send a letter to UPS in Potsdam offering our airport for use during the renovation process given the fact that our airport is central and possibly a shorter route. Bruce also informed the Board that we are NYS DOT registered again with security measures in place. He has given this documentation to the Town Clerk for filing.

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

EXECUTIVE SESSION:

At 6:45 p.m. Motion: Supervisor Maneely
Second: Deputy Supervisor Sullivan

Resolved (#82-2016): that the Town Board to enter into an Executive Session for the purpose of a matter leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person, with Board Members, Town Attorney and acting Budget Officer.

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

At 7:25 p.m. the executive session ended
Motion – Councilor Scharf

Second – Deputy Supervisor Sullivan

Resolved (#83-2016): to return to regular session.

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

BILLS FOR AUDIT & PAYMENT:

Motion – Councilor Scharf
Second – Deputy Supervisor Sullivan
Resolved (#84-2016): that the following bills, having been audited, Vouchers
#223-258

General Fund (A) – Abstract #5	\$ 24,895.70
Part Town General (B) - Abstract #5	41.74
Hwy Townwide (DA) - Abstract #5	64.00
Highway Outside (DB) – Abstract #5	67,649.35
East Side Water (FE) – Abstract #3	205.84
Airport Capital Project (H4) - Abstract #3	15,304.53
Landfill Closure Capital Project H7) – Abstract #3	13.23
Trust & Agency (T) - Abstract #10	1,205.49

GRAND TOTAL: \$109,379.88

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

ADJOURN:

At 7:25 p.m.

Motion – Councilor Taylor

Second – Deputy Supervisor Sullivan

Resolved (#85-2016) there being no further business to come before the Board
that it adjourn, with the next meeting to be March 23, 2016 at 6:00 p.m.

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

RESPECTFULLY SUBMITTED,

Deborah A. Hutchins
DEBORAH A. HUTCHINS, DEPUTY TOWN CLERK