

TOWN OF MALONE
REGULAR MEETING
 May 11, 2016

A regular meeting of the Town Board of the Town of Malone, County of Franklin and the State of New York was held at the Town Offices, 27 Airport Rd., Malone, NY on the 11th day of May 2016.

PRESENT:

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

RECORDING SECRETARY: Deborah Hutchins, Town Clerk

ALSO PRESENT:

Lillian Anderson-Duffy, Town Attorney
 Bruce Mallette, Highway Superintendent
 Drew Bombard, Malone
 Bruce Burdash, Malone
 Alisha Hudson, Malone
 Nathan Giroux, Malone
 Rinn Schanck, Malone
 Marla Schanck, Malone
 Madison Crow, Malone
 Nancy Legacy, Malone
 Ben Walley, Malone
 Josh Bordeaux, Malone
 Devin Normandeau, Constable
 Jake Douglas, Malone
 Karson Lamica, Malone
 Eryne McCann, Malone
 EJ Conzola, Malone Telegram

CALL TO ORDER: Supervisor Maneely called the regular meeting to order at 6:00 p.m., with a welcome to students attending this meeting and then a pledge to the flag.

APPROVAL OF MINUTES

RESOLUTION 123-2016

On a motion of Councilor Taylor, seconded by Councilor Scharf, the following resolution was

ADOPTED Ayes 5 Maneely, Scharf, Sullivan, Lockwood, Taylor
 Nays 0

Resolved that the minutes of the April 20, 2016 Regular Meeting be approved.

REPORTS

RESOLUTION 124-2016

On a motion of Deputy Superintendent Sullivan, seconded by Councilor Lockwood, the following resolution was

ADOPTED Ayes 5 Maneely, Scharf, Sullivan, Lockwood, Taylor
 Nays 0

Resolved to accept the following reports for review and filing as written and placed in file: Town Clerk – 04/2016, Airport Manager – 04/2016, and Justices Gardner and Robert – 04/2016.

At this time Councilor Scharf questioned the number of outstanding parking tickets currently outstanding for the court. She stated that she has read a report regarding the number of municipalities with outstanding tickets amounting to large sums of money. One municipality in this report had over \$100,000 in outstanding tickets and they hired an individual to do collections and were able to retrieve over \$60,000 of this money. Supervisor Maneely stated that he will discuss this with Judge Gardner to determine what is outstanding in Malone court.

TOWN OF MALONE
REGULAR MEETING
May 11, 2016

OLD BUSINESS:

Supervisor Maneely reported on the update of the SEQR for SeaComm project. At this time nothing new to report – FAA is still waiting for sign-off from two agencies. Lillian Anderson-Duffy reported that she spoke to the CEO of SeaComm and informed him that the FAA approval is a slow process. She informed him that the FAA does not tolerate any congregation relative to the runway and that moving the building and parking lot south (closer to Route 11) may speed up the process; this had been conveyed to their project engineer previously. CEO indicated he was unaware of this and was going to work on it now. Bruce Burditt stated that there are also lighting issues regarding the project and the FAA has questions. Councilor Lockwood expressed his concern that the Town should be advising new businesses of the FAA process of constructing around the airport. Councilor Scharf discussed the slow process with the FAA relative to the solar panels project even though they had contacted the FAA for required information at the very beginning. She indicated that perhaps the Town should advise any potential businesses to plan for a year dealing with the FAA prior to starting any project.

Supervisor Maneely reported on the SEQR for the Village of Malone and County Solar Farm on the abandoned Landfill which the Town monitors and has agreed to take lead agency. At this time there has been nothing received back by the Town. Lillian Anderson-Duffy also stated that if the Village and County have made a deal on the Solar Farm, further paperwork needs to be submitted which will expand the SEQR review. Councilor Lockwood asked if we have contacted the County regarding this and Lillian Anderson-Duffy stated that she has been in contact with County officials to take action and to lead meetings.

Lillian Anderson-Duffy then reported on an update for the Town to take over the Maplewood Cemetery. She asked the Town Clerk to read the following resolution which was adopted.

**RESOLUTION 125-2016
TOWN OF MALONE'S ASSUMPTION OF DUTY TO MAINTAIN
ABANDONED MAPLEWOOD CEMETERY**

WHEREAS it has been presented to the Town Board that Maplewood Cemetery, located within the Town of Malone, which contains the remains of Civil War veterans, is abandoned and is not controlled by any existing board or body and there is no special fund or endowment for the care of said cemetery; and

WHEREAS certain private individuals for a lengthy period of time in the past had volunteered to maintain Maplewood Cemetery, but that this responsibility has become too burdensome for them to continue to assume; and

WHEREAS Section 291(1) of the Town Law mandates that the Town must provide for the minimum maintenance of a public cemetery, which is abandoned or not controlled by any existing board or body and the care of which there exists no special fund or endowment.

NOW THEREFORE BE IT RESOLVED,

The Town Board of the Town of Malone hereby assumes the duty, pursuant to Section 291(1) of the Town Law, to mow Maplewood Cemetery and to remove weeds therefrom at least three times a year and the cost and expenses for the performance of said duty shall be a Town charge for which the Town Board shall appropriate and provide for annually.

Date: May 11, 2016

Adopted: Ayes - 5

Nays - 0

Recorded by: Deborah A. Hutchins, Town Clerk

SUPERVISOR REPORT

RESOLUTION 126-2016

On a motion of Councilor Scharf, seconded by Deputy Supervisor Sullivan, the following resolution was

ADOPTED Ayes 5 Maneely, Scharf, Sullivan, Lockwood, Taylor
Nays 0

Resolved to grant permission for Supervisor Maneely to sign the following MCF Physical – Shawn Monica and add to the Franklin County Self Insurance Plan.

TOWN OF MALONE
REGULAR MEETING
May 11, 2016

Resolved to award the Gravel bid to Legton, Inc. for Option #1 at \$1.74/yard and to award Sand bid to H&C Robinson Contractors, Inc. for Option #2 at \$4.85/yd.

Superintendent Mallette asked about the possibility of hiring summer help. Supervisor Maneely stated that he would like to wait until the purchase of the new lawn mower to determine if any help still needed. Supervisor Maneely then recapped the discussion and approval at the IDA meeting to purchase a new zero turn mower with the costs to be split between the IDA and the Town. Superintendent Mallette also discussed purchasing another brush mower and indicated he will get pricing and also determine if monies can come out of CHIPS funds. Supervisor Maneely thanked Superintendent Mallette for his help in a good job taking down the church and Councilor Scharf praised the shared services efforts with the Village.

CORRESPONDENCE

From CSEA regarding Employee Benefit Fund – Retiree Vision Memorandum of Agreement.

RESOLUTION 129-2016

On a motion of Deputy Supervisor Sullivan, seconded by Councilor Scharf, the following resolution was

ADOPTED Ayes 5 Maneely, Scharf, Sullivan, Lockwood, Taylor
Nays 0

Resolved permission for Supervisor Maneely to sign Employee Benefit Fund – Retiree Vision Memorandum of Agreement as no cost to the Town.

From Village of Malone regarding Kmart Plaza court ruling.

From Denice Hudson, resignation as Town Clerk and Deborah Hutchins, resignation as Deputy Clerk.

RESOLUTION 130-2016

On a motion of Councilor Lockwood, seconded by Councilor Taylor, the following resolution was

ADOPTED Ayes 5 Maneely, Scharf, Sullivan, Lockwood, Taylor
Nays 0

Resolved to accept the resignation of Denice Hudson as Town Clerk and of Deborah Hutchins as Deputy Town Clerk effective April 6, 2016, documentation as required by the County.

NEW BUSINESS:

RESOLUTION 131-2016

On a motion of Councilor Scharf, seconded by Deputy Supervisor Sullivan, the following resolution was

ADOPTED Ayes 5 Maneely, Scharf, Sullivan, Lockwood, Taylor
Nays 0

Resolved for permission for Budget Officer to make the following journal entries, as per the Comptroller notice for March: From A690 Clearinghouse \$11,996.00 to A980 Revenues \$11,996.00 (A2610 court fines & fees).

RESOLUTION 132-2016

On a motion of Councilor Taylor, seconded by Councilor Scharf, the following resolution was

ADOPTED Ayes 5 Maneely, Scharf, Sullivan, Lockwood, Taylor
Nays 0

Resolved for permission for Harold Mallette to attend May 12th Pavement Maintenance workshop with Superintendent Mallette in Lewis County.

EXECUTIVE SESSION:

RESOLUTION 132-2016

On a motion of Deputy Supervisor Sullivan, seconded by Councilor Lockwood, the following resolution was

TOWN OF MALONE
REGULAR MEETING
May 11, 2016

ADOPTED Ayes 5 Maneely, Scharf, Sullivan, Lockwood, Taylor
Nays 0

Resolved that the Town Board enter in to executive session to discuss the employment history of, and matters leading to, the employment, discipline, suspension, dismissal or removal of a particular person with Board Members and Town Attorney.
At 6:44 p.m. the executive session ended.

RESOLUTION 133-2016

On a motion of Deputy Supervisor Sullivan, seconded by Councilor Scharf the following resolution was

ADOPTED Ayes 5 Maneely, Scharf, Sullivan, Lockwood, Taylor
Nays 0

Resolved that the Town Board return to regular session.

RESOLUTION 134-2016

On a motion of Councilor Scharf, seconded by Councilor Taylor, the following resolution was

ADOPTED Ayes 5 Maneely, Scharf, Sullivan, Lockwood, Taylor
Nays 0

Resolved that the title of Airport Manager be changed to Airport Service Worker, part-time.

Supervisor Maneely discussed email from Scott Campbell regarding the NYS Consolidated Funding Application with VRM Director expressing the need for funding to replace the roof, change the boiler system to natural gas, and some grounds work at the facility located at 4827 NY-30, Malone. Councilor Taylor stated that she must excuse herself from this vote as she is the Director of VRM.

RESOLUTION 134-2016

On a motion of Council Scharf, seconded by Deputy Supervisor Sullivan, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood
Nays 0

Abstained 1 Taylor

Resolved that the Town support the NYS Consolidated Funding Application for Friends of the North Country for the upgrades to Valley Ridge Manor.

BILLS FOR AUDIT & PAYMENT:

RESOLUTION 135-2016

On a motion by Councilor Lockwood, seconded by Councilor Taylor, the following resolution was

ADOPTED Ayes 5 Maneely, Scharf, Sullivan, Lockwood, Taylor
Nays 0

Resolved that the following bills, having been audited and approved for payment, Vouchers #399-452

| | |
|-------------------------------------|--------------|
| General Fund (A) – Abstract #8 | \$ 29,771.57 |
| Part Town General (B) – Abstract #7 | 34.38 |
| Hwy Townside (DA) – Abstract #7 | 6,544.14 |
| Highway Outside (DB) – Abstract #9 | 10,435.47 |
| Trust & Agency (T) – Abstract #17 | 1,205.49 |
| GRAND TOTAL: | \$ 47,991.05 |

ADJOURN:

RESOLUTION 136-2016

With no further business, on a motion by Deputy Supervisor Sullivan, seconded by Councilor Taylor, the meeting was adjourned at 6:48 PM. The next regular meeting is scheduled for May 25th at 6:00 P.M.

RESPECTFULLY SUBMITTED,

Deborah A. Hutchins

DEBORAH A. HUTCHINS, TOWN CLERK