

**TOWN OF MALONE
REGULAR MEETING
April 12, 2017**

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 12th day of April, 2017.

PRESENT:

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

RECORDING SECRETARY: Deborah Hutchins, Town Clerk

ALSO PRESENT:

- Denice Hudson, Budget Officer
- Lillian Anderson-Duffy, Town Attorney
- Bruce Burditt, Airport Service Worker
- Bruce Mallette, Highway Superintendent
- Frank DiFiore, Malone Telegram
- Marshall Gokey, Malone
- Leeah LaMay, Malone
- Deistiny Prue, Malone
- Steve Shafer, Malone
- Tyler Charette, Malone
- Sarah Margaret, Malone
- Guthrie Schumacher, Malone
- Michelle Schumacher, Malone
- Phil Durkin, Malone
- Kathy Durkin, Malone

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

Guthrie Schumacher and Tom Shafer to Address the Board re: Earth March:

Guthrie Schumacher and Tom Shafer, Franklin Academy students, addressed the Board on Earth March. They informed the Board members and residents in attendance that they would like to hold an environmental solidarity event in conjunction with the planned walk in Washington DC on April 29th and have planned a litter pick-up day and tree planting ceremony the same day beginning at 9:00 AM. They will meet at the Kelly Pavilion at the Rec Park and groups will split to pick up trash on different roads and will then do a tree planting (donated by Dr. Dean Chapman) back at the starting point and there will also be speakers at the ceremony. Permission is being requested to hold the march on the Town streets and also for garbage bags and trash pick to be provided by the Town. Supervisor Maneely stated that the Town Highway Department will provide garbage bags and will pick up the collected trash. Councilor Lockwood stated that the students should also inform the Rec Park Commission and Councilor Scharf advised that they should also make the Chamber of Commerce aware of the event.

RESOLUTION 95-2017

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

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

Resolved to support the group for the Earth Day Rally to be held on April 29, 2017 and for the use of Town roads as well as the Town Highway Department for trash pick-up.

APPROVAL OF MINUTES

RESOLUTION 96-2017

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

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

Resolved to approve the minutes of the March 22, 2017 Regular Meeting.

**TOWN OF MALONE
REGULAR MEETING
April 12, 2017**

REPORTS

RESOLUTION 97-2017

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

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

Resolved to accept the following reports for review as written and placed in file:
Airport Service Worker – 03/2017, Town Clerk – 03/2017, Receiver of Taxes – 01/01 – 04/06/2017, and Justices Gardner and Robert – 03/2017.

At this time Councilor Scharf asked Bruce Burditt, Airport Service Worker, for an update on the new fuel tank. Mr. Burditt informed the Board that they are waiting for the credit card reader installation, Weights and Measures approval, and the various government permitting processes.

OLD BUSINESS:

RESOLUTION 98-2017 – Airport Lighting Improvements Project Bids Results

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

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

Resolved to accept the bids and request award concurrence from the FAA as recommended by Mary Kay Genthner, Passero Associates. Two bids received as read by the Town Clerk were Baseline King Corporation at \$281,017.00 and Kobo Utility Construction Corporation at \$380,330.00.

RESOLUTION 99-2017 – Vehicle Lease/Purchase

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

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

Resolved to approve 5 year lease/purchase for four (4) Ford F350 gas trucks and one (1) Ford Escape to include a one-time additional cost of \$2,480 for a gooseneck trailer as submitted by Bailey Ford of Malone.

RESOLUTION 100-2017 – Justice Court Audit

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

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

Resolved to approve quote for fee of services not to exceed \$7,000.00 from John C. Parcell, CPA firm to complete the Justice Court Audit for 2015.

RESOLUTION 101-2017 – Energy Benchmarking Policy

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

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

Resolved to approve the Energy Benchmarking Policy as read by Deputy Supervisor Sullivan and included below.

TO ADOPT ENERGY BENCHMARKING POLICY REQUIREMENTS FOR CERTAIN MUNICIPAL BUILDINGS IN THE TOWN OF MALONE

WHEREAS, buildings are the single largest user of energy in the State of New York, and the poorest performing buildings typically use several times the energy of the highest performing buildings, for the exact same building use; and

WHEREAS, this local policy will use Building Energy Benchmarking to promote the public health, safety, and welfare by making available good, actionable information on

**TOWN OF MALONE
REGULAR MEETING
April 12, 2017**

municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town of Malone; and

WHEREAS, collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide; and

WHEREAS, equipped with this information, the Town of Malone will be able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

WHEREAS, the following definitions will apply:

- (1) "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.
- (2) "Building Energy Benchmarking" shall mean the process of measuring a building's Energy use, tracking that use over time, and comparing performance to similar buildings.
- (3) "Commissioner" shall mean Town Supervisor.
- (4) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Town of Malone that is 1,000 square feet or larger in size.
- (5) "Department" shall mean the [name of the Department or authorized Body assigned the responsibility of administering the Energy benchmarking program].
- (6) "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.
- (7) "Energy Performance Score" shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.
- (8) "Energy Use Intensity (EUI)" shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.
- (9) "Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.
- (10) "Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.
- (11) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.
- (12) "Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations; and

WHEREAS, this local policy is applicable to all Covered Municipal Buildings as defined in item 4 above; and

WHEREAS, the Supervisor or authorized individual may exempt a particular Covered Municipal Building from the benchmarking requirement if he determines that it has characteristics that make benchmarking impractical; and

WHEREAS, no later than December 31, 2017, and no later than May 1 every year thereafter, the Supervisor or authorized individual or his designee shall enter into Portfolio Manager the total energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year; and

**TOWN OF MALONE
REGULAR MEETING
April 12, 2017**

WHEREAS, for new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Superintendent or authorized individual or his designee shall begin inputting data in the following year; and

WHEREAS, the Department shall make available to the public online Benchmarking Information for the previous calendar year:

- (a) no later than December 31, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

WHEREAS, the Department shall make available to the public online and update at least annually, the following Benchmarking Information:

- (a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and
- (b) For each Covered Municipal Building individually:
 - (i) The status of compliance with the requirements of this Local Policy; and
 - (ii) The building address, primary use type, and gross floor area; and
 - (iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and
 - (iv) A comparison of the annual summary statistics (as required by this Local Policy) across calendar years for all years since annual reporting under this Local Policy has been required for said building; and

WHEREAS, the Department shall maintain records as necessary for carrying out the purposes of this Local Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years; and

WHEREAS, the Supervisor or authorized individual or his or her designee shall be the Administrator of this Local Policy; and

WHEREAS, the Administrator of this Local Policy may promulgate procedures necessary for the administration of the requirements of this Local Policy; and

THEREFORE BE IT RESOLVED THAT within thirty days after each anniversary date of the effective date of this Local Policy, the Administrator of the Benchmarking Policy shall submit a report to the Town Board, including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Supervisor or authorized individual determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Local Policy; and

BE IT ALSO RESOLVED THAT this Local Policy shall be effective immediately upon adoption by the Town Board and a copy of this resolution shall be provided to the Superintendent or authorized body assigned the responsibility of administering the Energy benchmarking program.

RESOLUTION 102-2017 – RFP's for Consolidated Funding Applications

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

ADOPTED 5 Maneely, Sullivan, Taylor, Lockwood, Scharf

0

Resolved to approve proposal from C.T. Male Associates to administer NYS-CDBG, HOME and Various Funding Applications and to work with the Village Mayor on these applications.

Councilor Scharf discussed the recent meetings that she and Deputy Supervisor Sullivan have attended to work with the Village in a joint effort for a stronger grant application.

**TOWN OF MALONE
REGULAR MEETING
April 12, 2017**

SUPERVISOR REPORT:

Supervisor Maneely discussed the recent meeting on “Shared Services” with the County and other Town(s) input. He stated that the County has been put to task to come up with a shared services proposal for the November voting ballot on way to consolidate and save money. He also stated that there is a Supervisor’s meeting next Wednesday to be held in Paul Smiths at 10:00 a.m. and any other Board members who would like to attend are welcome. The topic of “Shared Services” will be addressed at this meeting. Supervisor Maneely stated that Budget Officer Hudson will be attending this meeting with him as well.

RESOLUTION 103-2017 – MCF Physicals

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

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

Resolved for permission for Town Supervisor to sign the following MCF Physicals (Geordan Caswell, Alan Durant, Paul Langdon) and add to the Franklin County Self Insurance Plan.

RESOLUTION 104-2017 – EMS Roster of Active Members

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

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

Resolved for permission for Town Supervisor to sign the Roster of Active Members of Malone EMS.

RESOLUTION 105-2017 – Citizens Advocates Adopt-A-Highway Request

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

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

Resolved to give permission for Citizens Advocates to “Adopt-A-Highway” known as the Junction Road for the purpose of picking up garbage and recyclables by young people from the Adirondack Youth Lodge as addressed in letter sent to Supervisor Maneely.

At this time Supervisor Maneely requested a moment of silence for Hugh Hill who recently passed away and was quite an advocate for Malone and a very good citizen heavily involved in the community.

RESOLUTION 106-2017 – Sponsor Certification Environmental Assessment

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

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

Resolved for permission for Town Supervisor to sign the FFY 2017 Environmental Assessment Application/Consultant Agreement as prepared by Passero Associates.

BOARD MEMBER/COMMITTEE ITEMS:

Deputy Supervisor Sullivan discussed the Feral Cats Neutering Program. He explained that he has found research done by the Audubon Society, American Bird Conservancy, the Conservation Department- Smithsonian, and the US Fish and Wildlife Department and found that are all opposed to this program as the cats kill thousands and even millions of birds and small animals. He further stated that he did a survey and asked many local residents about their thoughts on this program and found this was heavily opposed and there were more residents against it than in favor of the program. Councilor Taylor did state that some of these feral cats are being adopted and not all are being turned back in to the wild.

Councilor Scharf provided an update on Complete Streets. Jane Street is being addressed as the School District has budgeted some money for this street and with the help of the Village

**TOWN OF MALONE
REGULAR MEETING
April 12, 2017**

the sidewalk is scheduled to be done this summer with the School District paying for materials and the Village providing labor.

Councilor Lockwood provided an update on the Civic Center. They received their letter of funding last week for the boards that were installed. He then thanked the Village Trustees and Mayor for the help on getting this project accomplished.

Councilor Taylor stated that everything is fine, we are busy and there are no big problems.

Supervisor Maneely stated that he was involved in a conference call with the DEC, County, Village with the Army Corps of Engineers earlier today. The end result learned was that the Army Corps of Engineers did not get a budget last year from the federal government and, therefore, they have no money. They are going to have a training session this coming October to be held in Plattsburgh or Watertown on how to deal with flooding. We do still have our application submitted to them for a study to be completed and it continues to remain in a pending status at this time. Discussion was held on the possible flooding effects on the Village Sewage Treatment Plant.

SUPERINTENDENT OF HIGHWAYS:

Superintendent Mallette thanked the Board for their time on the vehicle bids. He then stated that they have cut all the trees down at the airport that needed to go. He reported that crews have been out taking care of water problems and have begun grading some roads and doing some cold patching.

Supervisor Maneely then asked Superintendent Mallette to read the notice for request for bids for sand and gravel.

RESOLUTION 107-2017 – Sand & Gravel Bids for 2017

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

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

Resolved to approve permission to advertise in the Malone Telegram for solicitation of Sand and Gravel bids for 2017 to be opened on April 26th at 10:00 a.m. and 10:15 a.m.

At this time Bruce Burditt, Airport Service Worker, stated that in addition to the trees being cut at the airport, he has taken pictures of all runways and sent to Passero to be forwarded on to the FAA to close out this process.

CORRESPONDENCE:

RESOLUTION 108-2017 – Franklin County- Emergency Use of Equipment

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

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

Resolved for permission for Supervisor Maneely to sign the memorandum from Franklin County Office of Emergency Services for Emergency Use of Equipment.

RESOLUTION 109-2017 – NYS Department of Transportation Capital Funding

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

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

Resolved to approve application to apply for funding for T-Hangar Grant relative to the NYS DOT notification of \$20 million in capital funding to maintain the State's airport infrastructure.

NY Broadband Program Phase III – notification of this program from Senator Little.

**TOWN OF MALONE
REGULAR MEETING
April 12, 2017**

RESOLUTION 110-2017 – *NYMIR Distracted Driving Month (April)*

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

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

Resolved to participate in the training for the NYMIR Distracted Driving Prevention Program.

RESOLUTION 111-2017 – *Spring 2017 Highway Workshop in Saratoga County*

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

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

Resolved to approve Superintendent Mallette’s request to attend the Spring 2017 Highway Workshop in Saratoga Council on April 18 (Highway Dept. Legal Liabilities), in Warren County on May 11 (Asphalt Paving Principals), and in St. Lawrence County on May 23 (Road Safety 365) at a cost of \$150.00 (\$50.00 each registration).

RESOLUTION 112-2017 – *2017 Highway School at Ithaca College*

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

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

Resolved to approve Superintendent Mallette’s request to attend the 2017 Highway School at Ithaca College on June 12-14, 2017 at a cost of \$110.00 for registration and all expenses paid by the Town.

NEW BUSINESS:

RESOLUTION 113-2017 – *Boot Camp Main Street Conference*

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

ADOPTED Ayes 4 Maneely, Taylor, Sullivan, Lockwood
Nays 0
Abstain 1 Scharf

Resolved to approve Councilor Scharf’s request to attend the Boot Camp Main Street Conference on Wednesday, April 19th in Utica with all expenses paid by the Town.

EXECUTIVE SESSION (if warranted):

BILLS FOR AUDIT & PAYMENT:

RESOLUTION 114-2017

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

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

Resolved that the following bills, having been audited and approved for payment, Vouchers #295-370.

	<u>2016</u>	<u>2017</u>
General Fund (A) – Abstracts #7	\$16,010.03	\$23,672.92
Part Town General (B) – Abstract #6		7.38
Highway Townwide (DA) – Abstract #7		11,190.37
Highway Outside (DB) – Abstract #7	117.50	9,207.41
Highway Capital Improvement (H3) – Abstract #1	25,609.41	
Trust & Agency (T) – Abstract #15		2,137.85
Sub-Totals	41,736.94	46,215.93
GRAND TOTAL:	\$87,952.87	

**TOWN OF MALONE
REGULAR MEETING
April 12, 2017**

**ADJOURN:
RESOLUTION 115-2017**

With no further business to be brought before the Board and on a motion of Deputy Supervisor Sullivan, seconded by Councilor Taylor, the meeting was adjourned at 6:55 p.m. The next regular meeting is scheduled for April 26, 2017 at 6:00 p.m.

RESPECTFULLY SUBMITTED,

DEBORAH A. HUTCHINS, TOWN CLERK