

Town of Malone
Regular Board Meeting
January 27, 2016

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

PRESENT: Deputy Supervisor John Sullivan
Councilor Louise Taylor
Councilor Edward Lockwood
Councilor Mary Scharf
ABSENT: Supervisor Howard Maneely
RECORDING SECRETARY: Denice Hudson, Town Clerk

ALSO PRESENT: Andrea Stewart, Budget Officer
Bruce Mallette, Highway Superintendent
Despo Baltoumas, Malone Telegram
Matthew Hall, Malone
Henry Gonyea, Malone
Judith Gonyea, Malone
Bruce Burditt, Malone
Kyle Weaver, Malone
Rick Yelle, Malone

PUBLIC HEARINGS:

5:45 p.m. – Deputy **Supervisor Maneely** opened the Public Hearing for the purpose of Proposed Local Law #1-2016 relating to Junk Storage. Clerk Hudson read the Public Hearing Notice.

Code Officer Robert Crossman gave a brief overview on the Law, indicating there were problems with trash and rubbish in residential areas. Councilor Scharf stated it could affect property values. Mr. Crossman indicated he has issued Orders of Remedy for removal and they have 30 days. It is not a lot of people, but some places are pretty bad. Councilor Scharf asked about old cars, and Mr. Crossman indicated there is not much trouble with that. New York States law states you can have one unregistered vehicle. Code Officer Crossman stated that if trash can be viewed from highway and by a neighbor, it will have to be removed.

A letter from Town Resident Diane Hellman was read. The letter indicates she has a neighbor who has broken furniture, appliances, half burned waste from logging operations, a large number of old tires and improperly disposed of trash. She further indicated the neighbors' garage has collapsed. She indicated the new garage was "grandfathered" in and built over three stories in height and inches from her property line. She states that the people appointed to protect us from ambiguities of this sort are reluctant to do so, perhaps because of lack of written code authorizing such protections, or perhaps other reasons as well. She further indicates the front of the property seems tidy as the new structure blocks the rear yard from view of the street. She states that aside from being unsightly to look at, these types of situations are also a public health hazard.

Councilor Scharf stated that one of the things in the law is that if it is unsightly for neighbors, it should be cleaned up, and if it is behind the garage, if it is in full view of her, it should be cleaned up even though it is not in view of the road. She believes Ms. Hellman has a beef. Councilor Scharf would like clarification on the building of the new garage -- if new garage was built on the footprint, it is exempt from the 15 foot property line rule. I think she should be told. Mr. Crossman indicated she has been told and that there is a discrepancy going on. The intent of the law is it should not be unsightly to the neighbors, even though behind the garage, it should be corrected.

Resident Henry Gonyea wanted to know if the law affects how he does business. It was noted there is exemption for businesses. Deputy Supervisor Sullivan indicated there is an exemption for businesses. Mr. Crossman indicated he has not had any complaints with any businesses. He wants to be sure down the road there will not be an issue.

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Mr. Gonyea spoke of scrap, etc. at his daughter's property on Pigeon Road and Code Officer Crossman indicated that needs to be taken care of, and he would work out a deadline for the clean-up as it would not be feasible in the winter to clean up some of the item in the spring. Mr. Gonyea agreed to work with Mr. Crossman.

With no further public or board comments on the issues, Deputy Supervisor Sullivan closed the Public Hearing.

CALL TO ORDER: Deputy Supervisor Sullivan called the regular meeting to order at 6:00 p.m., with a pledge to the flag.

MINUTES:

Approval of January 13, 2016 Organizational and Regular Meeting.

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#32-2016) to accept the Minutes as written for January 13, 2016 Organization and Regular Meeting.

**CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood - Aye**

REPORTS:

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#33–2016) to accept the following reports for review and filing as written and placed in the file: NYS Comptroller's Court Report – 12/2015; Code Officer – 12/2015; Airport Lease Manager – as of 1/26/2016

**CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood - Aye**

SUPERVISOR REPORTS

Residents Shawn and Lisa Brown request for water service at home on Meehan Road. The Village of Malone has approved application and the fee has been paid.

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#34-2016) to approve West Side Water District application for Shawn and Lisa Brown at 222 Meehan Road.

**CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood - Aye**

Motion – Councilor Lockwood

Second – Councilor Taylor

Resolved (#35-2016) to approve signature 2016 Agreement with Malone Chamber of Commerce for \$10,000 as budgeted.

**CARRIED (3- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Abstain Councilor Lockwood – Aye**

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#36-2016) to approve signature of 2016 Agreement with North Country Flight for \$1,500.00, as budgeted.

**CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood - Aye**

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#37-2016) to grant Supervisor Maneely permission to sign MCF Physicals for Robert Miles and the 2016 Roster for the Franklin County Self Insurance Plan.

**CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood - Aye**

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Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#38-2016) to seek bids for the Transient Aircraft Apron Rehabilitation and Installation of a Fuel Farm, with bid opening February 25, 2016 at 3:30 p.m., and permission for Supervisor Maneely to sign Airport project sponsor certifications relating to both projects, to include Drug Free and Airport Improvement Project.

**CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood - Aye**

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#39-2016) to grant permission to change signature authority status for Deputy Supervisor – deleting Paul Walbridge and adding John Sullivan.

**CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood - Aye**

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#40-2016) to approve Shared Services Agreement between Franklin County and the Town of Malone.

**CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood – Aye**

Motion – Councilor Scharf

Second – Deputy Supervisor Sullivan

Resolved (#41-2016) to authorize Supervisor and Councilors to sign Agreement for Expenditure of Highway Moneys.

**CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood - Aye**

SUPERINTENDENT OF HIGHWAYS:

Highway Superintendent Mallette stated the Department is taking care of snow and nothing is happening out of the ordinary.

CORRESPONDENCE:

Letter from Andrea Stewart stating noting of intent to retire. Deputy Supervisor Sullivan accepts with great regret.

NEW BUSINESS:

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#42-2016) to grant Budget Officer Stewart permission to make necessary Journal entries as per Comptroller notice for 12/2015 from A690 Clearinghouse to A980 Revenues for \$10,963.00 and A2610 Court Fines & Fees.

**CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood - Aye**

EXECUTIVE SESSION:

At 6:11 p.m. Motion – Deputy Supervisor Sullivan

Second – Councilor Scharf

Resolved (#43-2016) that the Town Board enters into Executive Session to discuss collective negotiations under the Taylor Law with Board Members and Budget Officer to be present.

**CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood - Aye**

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At 6:25 p.m. the executive session ended

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#44-2016) to return to regular session.

CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood – Aye

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#45-2016) to accept agreement between the Town of Malone and Civil Service Employee Association, Inc. Local 1000 AFSCME/AFLCIO for 1/1/2016 to 12/31/2018.

CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood – Aye

Motion – Councilor Taylor

Second – Councilor Lockwood

Resolved (#46-2016) to accept Proposed Town of Malone Junk Storage Law.

CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood – Aye

BILLS FOR AUDIT & PAYMENT:

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#47-2016): that the following bills, having been audited, Vouchers #79-123

	2015	2016
General Fund (A) – Abstract #2	\$4,272.88	\$31,398.84
Part Town General (B) #2		770.99
Hwy Townwide (DA) #2	52.55	3,807.69
Highway Outside (DB) - #2	1,761.08	216.27
Trust & Agency (T) #4		212,707.14
Airport Cap. Project (H4) #1	28,632.87	
Subtotals:	34,719.38	248,900.93

GRAND TOTAL: \$283,620.31

CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood – Aye

ADJOURN:

At 6:30 p.m.

Motion – County Scharf

Second – Councilor Taylor

Resolved (#48-2016) there being no further business to come before the Board that it adjourn, with the next meeting to be February 10, 2016 at 6:00 p.m. , preceded by the IDA at 5:45 p.m.

CARRIED (4- 0) – Supervisor Maneely – Absent Deputy Supervisor Sullivan – Aye
Councilor Taylor - Aye Councilor Scharf – Aye Councilor Lockwood – Aye

RESPECTFULLY SUBMITTED,

DENICE A. HUDSON, TOWN CLERK