

**Town of Malone  
Organizational Board Meeting  
Regular Board Meeting  
January 3, 2018**

The 2018 Organizational Meeting of the Town of Malone was held Wednesday, January 3, 2018 at the Town Offices, 27 Airport Road, Malone, New York, commencing at 6:00 p.m., and preceded at 5:45 p.m. by the Town of Malone IDA Meeting.

PRESENT: Supervisor Andrea Stewart  
Councilor Terry Maguire  
Councilor Candy Gadway

ABSENT: Councilor Louise Taylor  
Councilor Ed Lockwood

ALSO PRESENT: Deborah Hutchins, Town Clerk  
Denice Hudson, Budget Officer  
Bruce Mallette, Superintendent of Highways  
Bruce Burditt, Airport Service Worker  
Bob Crossman, Code Enforcement Officer  
Josh Davis, The Malone Telegram  
Denise Raymo, The Press Republican  
Mike Maneely, Malone  
Calvin Martin, Malone  
Joe Marshall, Malone  
Jill Marshall, Malone

**ORGANIZATIONAL**

At 6:00 p.m., Supervisor Stewart opened the 2018 Organizational Meeting with a Pledge to the Flag.

**Oaths of Office:** Justice Charles Gardner administered the Oath of Office to Andrea Stewart as the new Town Supervisor, Terry Maguire and Candace Gadway as new Town Councilors and to Bruce Mallette as the returning Highway Superintendent.

**Supervisor Opening Remarks:**

Supervisor Stewart stated that this Board has been entrusted by the community to conduct business on their behalf. She stated that although this is an honor, it is also an awesome responsibility with many glooming issues which will potentially shape and define Malone for years to come. She stated that she is confident that their very backgrounds and individual expertise will bring a new perspective and a new direction to this Board. Supervisor paraphrased an old saying that “There is no I in Town Board”. In closing, Supervisor Stewart stated there is much work to do and she feels this Board will work well together for the betterment of Malone.

**RESOLUTION 1-2018 – Letters of Interest for Town Attorney**

On a motion of Councilor Gadway, seconded by Councilor Maguire, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve advertising in the Malone Telegram and the Press Republican to seek letters of interest for the position of Town Attorney as read by Supervisor Stewart with a deadline date of January 23, 2018.

**Supervisor Appointments:** Supervisor Stewart then made the following appointments:  
Deputy Supervisor – Terry Maguire  
Budget Officer, Secretary/Bookkeeper (4 year term) – Denice Hudson  
Justice Charles Gardner administered the Oath of Office to Deputy Supervisor Maguire and Budget Officer Hudson.

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**RESOLUTION 2-2018 – Town Clerk/Receiver of Taxes Appointment**

On a motion of Councilor Gadway, seconded by Councilor Maguire, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve appointment of the Town Clerk, Receiver of Taxes, Registrar of Vital Statistics, Fixed Assets Clerk and Records Management Officer for a two year term to Deborah Hutchins. Justice Charles Gardner then administered the Oath of Office to Town Clerk Hutchins.

**RESOLUTION 3-2018 – Building/Zoning and Fire Code Officer Appointment**

On a motion of Councilor Maguire, seconded by Councilor Gadway, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve appointment of the Building/Zoning and Fire Code Officer for a two year term to Robert Crossman. Justice Charles Gardner then administered the Oath of Office to Code Officer Crossman.

**RESOLUTION 4-2018 – Town Constable/Bingo Inspector Appointment**

On a motion of Councilor Gadway, seconded by Councilor Maguire, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve appointment of the Town Constable and Bingo Inspector to Jean (Darol) Fisher for a two year term. (Mr. Fisher was not present at this time for an Oath of Office.)

**RESOLUTION 5-2018 – Airport Service Worker**

On a motion of Councilor Maguire, seconded by Councilor Gadway, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve appointment of Airport Service Worker for a two year term to Bruce Burditt. Justice Charles Gardner then administered the Oath of Office to Mr. Burditt.

**Appointments:**

**Deputy Clerk/Receiver of Taxes:** Town Clerk Hutchins appointed Jean Marlow as the Deputy Clerk/Receiver of Taxes. (Ms. Marlow was not present at this time for an Oath of Office.)

**Deputy Highway Superintendent:** Highway Superintendent Mallette appointed Ricky (Joe) Marshall as the Deputy Highway Superintendent for a one year term. Justice Charles Gardner then administered the Oath of Office to Mr. Marshall.

**RESOLUTION 6-2018- Designation of Official Newspaper**

On a motion of Supervisor Stewart, seconded by Councilor Maguire, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to designate the office newspaper for the Town of Malone as The Malone Telegram.

**RESOLUTION 7-2018 – Designation of Official Depositories**

On a motion of Councilor Maguire, seconded by Councilor Gadway, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to designate the official depositories for the Town of Malone as Community Bank, Key Bank and NBT Bank.

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**RESOLUTON 8-2018 – Holiday Schedule for 2018**

On a motion of Councilor Gadway, seconded by Councilor Maguire, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve the 2018 holiday schedule for the Town as follows:

|                                   |   |                    |                    |
|-----------------------------------|---|--------------------|--------------------|
| <b>New Year’s Day</b>             | - | <b>January 1</b>   | <b>(Monday)</b>    |
| <b>Martin Luther King Jr. Day</b> | - | <b>January 15</b>  | <b>(Monday)</b>    |
| <b>President’s Day</b>            | - | <b>February 19</b> | <b>(Monday)</b>    |
| <b>Good Friday</b>                | - | <b>March 30</b>    | <b>(Friday)</b>    |
| <b>Memorial Day</b>               | - | <b>May 28</b>      | <b>(Monday)</b>    |
| <b>Independence Day</b>           | - | <b>July 4</b>      | <b>(Wednesday)</b> |
| <b>Labor Day</b>                  | - | <b>September 3</b> | <b>(Monday)</b>    |
| <b>Columbus Day</b>               | - | <b>October 8</b>   | <b>(Monday)</b>    |
| <b>Election Day</b>               | - | <b>November 6</b>  | <b>(Tuesday)</b>   |
| <b>Veterans Day</b>               | - | <b>November 12</b> | <b>(Monday)</b>    |
| <b>Thanksgiving Day</b>           | - | <b>November 22</b> | <b>(Thursday)</b>  |
|                                   | - | <b>November 23</b> | <b>(Friday)</b>    |
| <b>Christmas Day</b>              | - | <b>December 25</b> | <b>(Tuesday)</b>   |

**RESOLUTION 9-2018 – Official Town Meeting Day/Time**

On a motion of Councilor Maguire, seconded by Councilor Gadway, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve the official meeting day and time to be the second and fourth Wednesday of each month at 6:00 PM.

**RESOLUTION 10-2018 – 2018 Salary Schedule**

On a motion of Councilor Gadway, seconded by Councilor Maguire, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve the 2018 salary schedule as budgeted and as follows (with correction noted for Councilors at \$6,000 each from \$5,500 as presented):

|                                    |                    |
|------------------------------------|--------------------|
| <b>Supervisor</b>                  | <b>\$14,250.00</b> |
| <b>Councilor (4 @)</b>             | <b>6,000.00</b>    |
| <b>Town Justice (2@)</b>           | <b>32,750.00</b>   |
| <b>Supt. of Highways</b>           | <b>48,250.00</b>   |
| <b>Landfill Overseer</b>           | <b>6,000.00</b>    |
| <b>Deputy Supt. of Hwys.</b>       | <b>5,750.00</b>    |
| <b>Secretary/Bookkeeper</b>        | <b>39,750.00</b>   |
| <b>Budget Officer</b>              | <b>5,000.00</b>    |
| <b>Assessor</b>                    | <b>43,786.00</b>   |
| <b>Town Clerk</b>                  | <b>18,600.00</b>   |
| <b>Receiver of Taxes</b>           | <b>11,800.00</b>   |
| <b>Records Management Officer</b>  | <b>1,100.00</b>    |
| <b>Registrar</b>                   | <b>1,500.00</b>    |
| <b>Deputy/Floater Clerk</b>        | <b>26,250.00</b>   |
| <b>Code Secretary</b>              | <b>3,800.00</b>    |
| <b>Highway Clerk</b>               | <b>22,000.00</b>   |
| <b>Airport Lease Manager</b>       | <b>1,250.00</b>    |
| <b>Airport Manager</b>             | <b>4,000.00</b>    |
| <b>Justice Court Clerk #1</b>      | <b>22,750.00</b>   |
| <b>Justice Court Clerk #2</b>      | <b>24,750.00</b>   |
| <b>Justice Court Clerk #3</b>      | <b>25,750.00</b>   |
| <b>Zoning/Code Officer (35 hr)</b> | <b>38,350.00</b>   |
| <b>Bingo Inspector</b>             | <b>950.00</b>      |

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|                |           |
|----------------|-----------|
| Town Constable | 250.00    |
| Town Attorney  | 22,000.00 |
| Health Officer | 750.00    |

**\$2,000 stipends to cover all water district work for the East Side and West Side Water Districts, distributed to the Assessor, Town Clerk/Tax Receiver, and the Bookkeeper/Budget Officer.**

**Highway rates, in accordance with CSEA Contract:**

|             |         |
|-------------|---------|
| MEO         | \$20.70 |
| HEO         | 21.00   |
| Mechanic    | 21.40   |
| Laborer One | 17.10   |
| Laborer Two | 20.70   |

**RESOLUTION 11-2018 – Town Mileage Rate**

On a motion of Councilor Maguire, seconded by Councilor Gadway, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to designate the Town mileage rate at \$.50 per mile.

**RESOLUTION 12-2018 – Small Tools Expenditures**

On a motion of Councilor Gadway, seconded by Councilor Maguire, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to authorize the Superintendent of Highways to expend up to \$1,500 for the purchase of small tools.

**RESOLUTION 13-2018 – Malone Town Historian**

On a motion of Councilor Maguire, seconded by Councilor Gadway, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to designate the Franklin County Historical Society as the Town of Malone Historian.

**RESOLUTION 14-2018 – Landfill Overseer Appointment**

On a motion of Councilor Gadway, seconded by Councilor Maguire, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve appointment of Bruce Mallette as the Landfill Overseer at a salary of \$6,000 for 2018.

**Supervisor's Announcement** - Annual Statements, books and records are available from all departments which handle cash, for Town Board review, as required by NYS Town Law.

**Supervisor's Committee Appointments for 2018**

(The name listed first designates the chair person; the Supervisor is an ex-officio member of all committees.)

**Transportation and Infrastructure: Lockwood/Maguire**

(Airport, Highways, Landfill, Buildings & Grounds, Union Negotiation)

**Recreation/Tourism: Gadway/Taylor**

(Golf Club, Malone Recreation Park, Recreation for the Elderly, Parks, Chamber of Commerce)

**Public Safety: Maguire/Lockwood**

(Fire Protection, Disaster Planning, Town Court, Taxi Licenses, Salmon River flooding)

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**Policy, Grants & Records: Taylor/Gadway**

(Records Management Advisory, Cable Franchise, EE Handbook, Dog Control, Grants)

**Assessment/Zoning & Code: Lockwood/Taylor**

**Town Clerk, Receiver of Taxes and Historian: Maguire/Gadway**

**RESOLUTION 15-2018 – Voting Delegate for NYC Town Meeting**

On a motion of Supervisor Stewart, seconded by Councilor Maguire, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to designate Councilor Gadway as the voting delegate and alternate for the NYC Town Meeting.

**REGULAR AGENDA**

**MINUTES:**

**RESOLUTION 16-2018**

On a motion of Councilor Maguire, seconded by Councilor Gadway, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve the minutes of the December 27, 2017 Regular Meeting.

**REPORTS:**

**RESOLUTION 17-2018**

On a motion of Councilor Gadway, seconded by Supervisor Stewart, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve the Airport Service Worker and Town Clerk reports for December 2017.

**OLD BUSINESS:**

**RESOLUTION 18-2018 – Contract Extension – Valley Ridge Manor Roof**

On a motion of Councilor Maguire, seconded by Councilor Gadway, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve contract extension of time to May 25, 2018 to complete the Valley Ridge Manor Roof project by Northern Tier Contracting, Inc.

**SUPERVISOR REPORTS:**

**RESOLUTION 19-2018 – Councilor Maguire Waive of Salary**

On a motion of Supervisor Stewart, seconded by Councilor Gadway, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve as presented by Supervisor Stewart and as follows:

Whereas, the Town Board of the Town of Malone has set the salary schedule for 2018, in accordance with the 2018 Budget which was adopted in November 2017, and

Whereas, Terry Maguire has requested that he serve in the position of Town Councilor for the Town of Malone with pay for 2018, and

Whereas, pursuant to 1991 Opinions of the State Comptroller No. 91-21, p 67 and State Comptroller opinions 77-1005 and 78-716 which relate to this matter, Mr. Maguire is allowed by law to waive his salary;

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No therefore be it

Resolved: that for 2018, Councilor Terry Maguire will serve without pay, and with no alternations to the adopted town budget for 2018.

**RESOLUTION 20-2018 – Labor Standards Compliance Officer**

On a motion of Councilor Maguire, seconded by Councilor Gadway, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Cadway  
Nays 0

Resolved to approve the authorization of the Town Supervisor to act as the Chief Financial Officer, Fair Housing Officer, Section 3 Coordinator, and Labor Standards Compliance Officer for the Town's Office for Community Renewal Community Development Block Grant project #689HR331-16 Housing Rehabilitation Program.

Supervisor Stewart then reported that she spoke with Attorney Gary Abraham today regarding Commercial Solar Projects. Attorney Abraham has expressed interest in assisting the Town with any issues related to this subject. He has offered to come and speak at a Board meeting and will be sending a proposal to assist with drafting a Solar Law. He will be at our next regular Board meeting on January 24, 2018. Surrounding communities are welcome to send representatives to listen to Attorney Abraham speak at this time.

**SUPERINTENDENT OF HIGHWAYS REPORTS:**

Superintendent Mallette reported on equipment bids received and copies were provided to all Board members for review. Further action was tabled until the next meeting to allow time for review.

**BOARD MEMBER/COMMITTEE ITEMS:**

Councilor Gadway – stated she feels the Town's website needs to be updated and she would also like to see about the feasibility of upstreaming the Board meetings live to allow elderly and home bound residents to view meetings from home.

Budget Hudson stated that a local resident had also suggested the Town have a Facebook page. Councilor Gadway agreed and stated that Facebook may be the way to live stream meetings.

Councilor Gadway will pursue this with Computer Designs (who currently administers the Town's website) and follow up at the next meeting.

**CORRESPONDENCE:**

- From Franklin County Legislature: 2018 State of Taxes and 2018 Equalization Table.
- From Franklin County Agriculture & Farmland Protection Board: Using prime farm land for renewal energy can have a major impact on the farming industry in this region.
- From NYS Unified Court System – 2017 Justice Court Audit.

**RESOLUTION 21-2018 – Code Enforcement Officer Training Request**

On a motion of Councilor Maguire, seconded by Councilor Gadway, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve Code Officer Crossman's request to attend the Annual Conference for Code Officials from March 4<sup>th</sup> through 8<sup>th</sup>, 2018, with all expended paid by the Town.

**NEW BUSINESS:**

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**EXECUTIVE SESSION:**

**RESOLUTION 22-2018**

On a motion of Councilor Gadway, seconded by Councilor Maguire, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to enter in to executive session at 6:40 p.m. to discuss the employment history of, and matters leading to, the employment, discipline, suspension, dismissal or removal of a particular person.

**RESOLUTION 23-2018**

On a motion of Councilor Gadway, seconded by Supervisor Stewart, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to enter back in to regular session at 7:09 p.m.

Information to report from executive session:

**RESOLUTION 24-2018**

On a motion of Councilor Gadway, seconded by Councilor Maguire, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

Resolved to approve permission for the Highway Superintendent to explore hiring a seasonal worker to plow and who meets civil service requirements.

**ADJOURN:**

**RESOLUTION 25-2018**

On a motion of Councilor Maguire, seconded by Councilor Gadway, the following resolution was

ADOPTED Ayes 3 Stewart, Maguire, Gadway  
Nays 0

With no further business to be brought before the Board and on a motion of Councilor Maguire, seconded by Councilor Gadway, the meeting was adjourned at 7:11 p.m. The next Regular Meeting is scheduled for January 24, 2018 at 6:00 p.m.

**RESPECTFULLY SUBMITTED,**

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**DEBORAH A. HUTCHINS, TOWN CLERK**