

Town of Malone
Regular Board Meeting
July 22, 2015

A regular meeting of the Malone Town Board was held Wednesday, July 22, 2015 at the Malone Town Offices, 27 Airport Rd., Malone, NY, commencing at 6:00 p.m. and preceded by a Public Hearing at 5:30 p.m.

5:30 P.M. Public Hearing – Abandonment of Limekiln Road

PRESENT: Supervisor Howard Maneely
Councilor Mary Scharf
Councilor Louise Taylor
Councilor John Sullivan
Deputy Supervisor Paul Walbridge

RECORDING SECRETARY: Denice Hudson, Town Clerk

ALSO PRESENT: Andrea Stewart, Budget Officer
Bruce Mallette, Highway Superintendent
Lillian Anderson-Duffy, Attorney
Jon Hutchins, Franklin County Highway Superintendent

Despo Baltoumes, <u>Malone Telegram</u>	Harold Hooker, Bangor
Gary Mallette, Malone	Jerry Mallette, Malone
Tom Sherwin, Malone	Joe Garso, Malone
Nancy Legacy, Malone	Robert Haynes, Malone
Pat Maguire, Malone	Michael Lamitie, Malone
Louise LeBarge, Malone	Wayne Miller, Malone
Tonya Robinson, Malone	Michelle McDonald, Malone
Clyde LaChance, Brushton	Bruce Burditt, Malone
Joe Riccio, Malone	Matthew Saumier, Malone
Blake Gilman, Malone	Grace Robinson, Malone
Alyssa Eddy, Malone	Natalia Valentino, Malone

At 5:30 Supervisor Maneely opened a public hearing on the Proposed Abandonment of a section of Limekiln Road. Clerk Hudson read the Public Notice.

Superintendent Hutchins has no objection. It is a Town Road, not a County, but it does have to go through the channels through the County back to the Town.

Attorney Anderson-Duffy asked if there was anyone here that has an objection to the abandonment.

Superintendent Hutchins doesn't believe the Town has maintained for 50 years. Highway Superintendent Mallette stated it has been about 80 years.

Residents Harold Hooker, Tom Sherwin and Gary Mallette expressed concern about the right-of-way and easements. Attorney Anderson-Duffy stated the right-of-way and easements would be the owners, just as they are now. Superintendent Hutchins stated he believes they do as well.

Resident Tom Sherwin asked if the landowners had the right to improve and maintain.

Attorney Anderson-Duffy stated that the Town will no longer have the obligation to maintain it. It shall not cease to be a highway for purposes of an easement and no one can impair its use as a highway or obstruct it, except the statute does provide some exceptions to that. It states no person shall be required to keep any part of it in repair which means that someone could if they wanted to but not required. Wherever an owner or lessee of adjoining lands has right to possession wholly or partly on the directly opposite side of the highway may construct and maintain a fence that adjoins both pieces of land provided that each cross fence must have a gate in the middle and the gate must be kept unlocked. Any traveler or person who by neglect or willful neglect or intentionally leaves the gate unlatched is guilty of a misdemeanor. No one can obstruct that unpaved portion of the Limekiln road for purposes of public thoroughfare. If

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someone owns property on both sides you can put up a gate, but the gate needs to be open to allow a car to pass through. That is how the statute addresses the issue. To answer your question, the Statute does not require any owner to maintain part of this qualified abandonment abandoned portion of the highway, but I would say that if you wanted to you could. Our obligation will cease.

Superintendent Mallette stated that we were talking with DEC (Tom Sherwin) and they are trying to make any way possible to go around the old existing road. It is all about beaver dams and it costs a fortune to go up through. Seaway Timber has offered to go through their property but may not be able to get right-of-way through land.

Superintendent Hutchins again stated the right-of-way still stands on the existing the road. They (DEC) cannot take that away. DEC has nothing to do with Town. You will still have an easement and right-of-way to property.

Councilor Scharf asked if there was a possibility landowners could get together to apply to the DEC. Resident Tom Sherwin stated that the DEC, Army Corps of Engineers and Wetlands were not going to allow them to go up the Limekiln Road. They could get to property through Pitt Road, but do not have permission as the State owns that Road. They could also go up through Kerns; there is too many rock ledges and cliffs. The Limekiln Road is the only way, and the DEC will not allow them to touch the beaver dam, in fact, are doing everything possible to keep owners from doing anything.

Superintendent Hutchins stated Municipalities receive forgiveness with the beavers. The County receives a blanket permit. The Town could go back and open up and repair, but as individuals they do not allow it. Resident Tom Sherwin stated the Town could open and repair. Superintendent Hutchins stated he has a general permit regarding if the beavers presence becomes a public safety hazard they can be taken care of. But, you cannot afford to go up and do that. We cannot maintain the roads that we are driving, let along a road that is not used. I am not aware of any other solution.

Councilor Scharf asked if until which time we officially abandon the road, we still own it and we can get a permit to clean-up the beavers and abandon the road? They probably would not let you do that. They would set restriction. Supervisor Maneely stated the worst thing we could do is put a piece of Town equipment on the property. Councilor Scharf was asking the question as she wanted information, and if there was a way we could help, we would prefer to do that, but if it is not possible, I want to know. Superintendent Hutchins stated it was all about dollars and cents. I do not believe in our lifetime the Town could afford it. She further asked if the logging company builds a logging road would that help. It could help Mr. Hooker, but not Mr. Sherwin due to the location of his property.

Attorney Anderson-Duffy stated there is a standard to meet on the abandonment, i.e. that it does not cause injustice or hardship to property owners or occupants. It does not seem so far that anyone has raised issues that would rise to an injustice or hardship, other than the issue with beavers. Superintendent Hutchins stated that most people thought the road had already been abandoned. If in the future we had a windfall in Franklin County we could reverse and open it back up.

Councilor Scharf asked where that leaves us with Mr. Sherwin, never being able to use his land. That will most likely be the case, not because of the abandonment, but due to the beaver dam. The road that has been used for 80 years is still being used, but at any time the State can put a gate up and that is it. If you put a gate up, the only we can get into our 92 acres is by walking. There would be no logging. Attorney Anderson-Duffy stated people cannot obstruct someone else's right to cross. Does that count for the State? Mr. Sherwin stated our road went across the land before the State bought it. The State bought it in 1950. The road was built in 1935. The road was there and no one ever said anything until 3 years ago and the State told us they could not use it anymore.

Attorney Anderson-Duffy stated there is an animal made obstruction and the State is protecting it. Requiring that if you are going to remove it at a private person you have to donate a similar amount of land as wetland to the State.

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Supervisor Maneely asked resident Tom Sherwin if he wants us to abandon road. Mr. Sherwin reiterated his thought that it was already done and that it does not make a difference one way or the other. The easiest thing is to abandon.

Resident Harold Hooker stated he wants something in writing that the right-of-way would be intact when the road is abandoned and what the owners would have to do to maintain and use it.

Attorney Anderson-Duffy stated the Certificate will recite what happened at public hearing tonight, it will recite the legal description that is to be qualifiedly abandoned, state law on qualified abandonment does not impact the public easement that this road provides and that no one can obstruct it. It will always remain a public thoroughfare. It is just the Town will not have an obligation to maintain.

Superintendent Hutchins stated the abandonment would take the liability off the Town and it does not block easements or rights-of-way to property.

Attorney Anderson-Duffy answered Mr. Hooker's question stating the Certificate that will be filed with the Town Clerk and made a part of public record will absolutely state it remains a public thoroughfare and cannot be obstructed.

Superintendent Hutchins stated it is best for the Town and it will not cause a hardship or injustice to any occupant of the land. It can be reversed.

Councilor Scharf wanted to go on record that she is frustrated with state agencies that prohibit citizens from using their rights and using their land, and extremely frustrated with the problems we have had in the last few years with the agencies. It is like they have their city rules they think apply to all areas of New York State when they do not.

At 5:55 p.m. with no further questions or comments from the public, Supervisor Maneely declared the Public Hearing closed and stated action will be taken at our regular Town Board meeting.

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

Planning Board Address Board on Zoning Regulations for Solar Power Projects

Rob Haynes spoke on behalf of the Planning Board regarding the Solar Power Micro Grid proposed at the Malone Town Landfill came to Board with proposal. He stated as a Planning Board we all supported the concept, but there is nothing in zoning regulations to regulate solar power. Concerns are where the micro grids could pop up in the future and the best's interests of the Town. The proposal did not show any fencing. The Planning Board wanted to address Board to let them know these things are popping up and want guidance as a Board moving towards regulations, or approve based on what we are seeing. We support the project, it is a great use of the land for the landfill, but we have no regulations directing where they can go and what can be done.

Joe Garso spoke on behalf of the solar developer North Woods Engineering. Green Power Developers is company installing solar. They were awarded contract by the Village. They would like to get some resolution so we can move forward with installation during summer months.

Councilor Scharf stated this is not cut and dry. She can see on the Village areas where you would probably want a fence as we have in the past have had to fix damage. But not all situations are the same. Regulations can be generalized for everybody, and it becomes a financial expense where there is a situation at times you do not need regulations. Not all regulations fit. She is concerned about this. There should not be a blanket policy. We want to encourage clean energy, we want to make it available, we do not want to put road blocks in the way, and need to tread on it lightly. We have to use common sense.

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Attorney Anderson-Duffy stated the Town of Malone is subject to consent orders regarding monitoring of landfill closures, and has had a lengthy conversation with DEC. The Town has approval authority in this matter, but nothing was officially presented to Town Board.

Mr. Garso indicated he submitted plans to the Town Code Officer and Planning Board and permit issued by DEC for review and comment.

Attorney Anderson-Duffy stated there was concern about local law or guideline to assist at this time. The Town of Malone has no local law. In research I have done so far, I have been able to obtain local laws, but for the most part they deal with residential use. In this case, I know SEQRA is triggered. My concern today was what kind of action it would be. I do not yet know because I do not have anything in front of me. Mr. Garso indicated this was all submitted to the Town and the determination is done by the reviewing agency. He believes it would be an unlisted action.

Attorney Anderson-Duffy was discussing issues with Mark Gonyea of the Planning Board was whether there would need to be a SPDES permit, a cumulative one acre of disturbed ground for footers. The area of disturbance does exceed an acre. The SWIPP has been prepared and is with Green Power Development for submission to DEC once we have local approval. For purposes of this project, a SEQRA review is our protection, and I think in the end, it might be that setting up a local law for large solar panel forms would not be productive, and a local law addressing a residential and small commercial installation will be minimally regulated. I have proposed model laws for Town Board and Planning Board. When it comes to large scale solar farms, it would be subject to approval on a per case basis.

Councilor Scharf does not want this project to be held up. Would like to see it not go through a bunch of red tape.

Mr. Garso indicated disturbed area would be 16 areas and concrete footings and anchoring devices would cover is .27 acres, and there would be no excavation. Project site at end when installed is 8-10 acres.

Attorney Anderson-Duffy stated this would be an unlisted project. The DEC, the Village, the County, and the County Solid Waste Authority as the involved agencies. To move things along, the Town has approval authority, SEQRA has been triggered, and the Town will request we assume lead agency status, and at this point believe it is an unlisted action and will list the involved agencies. We will notify involved agencies and ask if they agree that we assume lead agency status, and we can go forward with concerted review based on documents presented.

Motion – Deputy Supervisor Walbridge

Second – Councilor Mary Scharf

Resolved (#185 – 2015) to accept resolution as prepared by Attorney Anderson-Duffy.

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

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**INTENT TO CLAIM LEAD AGENCY STATUS PURUSANT
TO THE STATE ENVIRONMENTAL QUALITY REVIEW
ACT FOR THE PROPOSED SOLAR FARM AT THE MALONE LANDFILL**

W I T N E S S E T H:

WHEREAS, Green Power Developers, LLC, (hereinafter referred to as “Developer”) of 1869 Lanes Mills Road, Lakewood, New Jersey 08701, on behalf of the Village of Malone, has submitted a proposal to the Malone Planning Board and the Malone Code Officer requesting site plan approval for an approximate 1.6 MW above-grade ballast-mounted photovoltaic system with raised racking system (hereinafter referred to as a “solar farm”) to be installed at the former Malone Landfill, a 62.4 acre site; and

WHEREAS, applications were submitted and other supporting documentation, including a Short Environmental Assessment Form (hereby referred to as “Application Materials”) by the aforesaid Developer; and

WHEREAS, the former Malone Landfill is on property owned by the Village of Malone and located within the Town of Malone. The Landfill was subject to closure by the State of New York and said closure was addressed in a written Agreement between the Town and Village of Malone on November 22, 1991; and

WHEREAS, the Town of Malone has certain continuing duties to monitor and safeguard the former landfill, the cap thereon and its subject groundwater, as well as to pay for all post-closure monitoring costs from a Landfill Closure Account held by the Town of Malone; and

WHEREAS, the Town of Malone is subject to an ongoing New York State Department of Environmental Conservation January 2, 1987 Consent Order Case # R5-0395-86-2 as later modified on December 30, 1994, which addresses the Town’s obligations and duties regarding the Landfill closure; and

WHEREAS, based on the above, the Town of Malone has jurisdictional authority and standing to determine its approval of said Solar Farm; and

WHEREAS, at a meeting of the Malone Town Board held on July 22, 2015, the engineer for said Developer stated that although it is set forth in said Environmental Form that 16 acres of the site are to be physically disturbed by this proposed Solar Farm, only .27 acres will be covered by the actual concrete pads supporting the free standing solar panels, a static use.

NOW THEREFORE, BE IT RESOLVED that:

1. The Town Board has determined that the Town has jurisdiction to regulate the proposed action; and
2. The Town Board has determined in accordance with the New York State Environmental Quality Review Act (“SEQRA”) 6 NYCRR 617(ak), that the proposed action appears to be an Unlisted Action; and
3. The Town Board has determined that the following are the involved agencies, pursuant to 6 NYCRR Section 617.2(s): the Village of Malone, County of Franklin, the Franklin County Solid Waste Authority and the New York State Department of Environmental Conservation; and
4. A coordinated SEQRA review shall be undertaken and the Town of Malone is willing to act as SEQRA Lead Agency for purposes of that coordinated review; and
5. The Town of Malone Town Board hereby declares its intention that the Town of Malone assume SEQRA Lead Agency status, and directs the Town Clerk to

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transmit to each of the aforesaid involved agencies, the Short Environmental Assessment Form, the remaining Application Materials submitted by the Applicant, together with a copy of this Resolution, with the request that each involved agency notify the Town, within thirty (30) calendar days of its consent to the Town of Malone serving as Lead Agency in the environmental review of this project, in accordance with 6 NYCRR Section 617.6(b)(3) and that any involved agency which objects to the Town of Malone acting as Lead Agency shall so notify the Town Supervisor, in writing, within thirty (30) days of its receipt of all of the above referenced documents.

Deputy Supervisor Walbridge thanked the Planning Board for their forethought to protect the Town.

Pat Maguire Addressed Board regarding Town's Insurance

Mr. Maguire reported an overall increase of \$1,224.24 for changes made to policy. Total premium \$40,351.54. This includes airport liability. Mr. Maguire spoke about cyber liability covering breach of computer system and liability of claims that may ensue. He touched on the highlights of the policy.

Motion – Deputy Supervisor Walbridge

Second – Councilor Taylor

Resolved (#186 – 2015) to renew current policy with NYMIR

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

Dr. Dean Chapman and Students Address the Board regarding Trees

Dr. Dean Chapman spoke to the Board and attendees regarding the tree planting program at the rec park. He works with 5th grade students at the local elementary schools and over the course of four years they have planted about 600 trees. They have expanded the types of trees to include Spruce, Hemlock and Balsam Fir. The students receive an introduction to the kinds of plants and trees that occupy the land in our area. Matthew Saumier, Blake Gilman, Grace Robinson, Alyssa Eddy, and Natalia Valentino from Mrs. Bethany Perry's class made power point presentations.

EXECUTIVE SESSION:

At 6:53 p.m. Motion – Supervisor Maneely

Second – Deputy Supervisor Walbridge

Resolved (#187 - 2015) that the Town Board enters into Executive Session pertaining to the employment history of, and matters leading to, the employment, discipline, suspension, dismissal or removal of a particular person, with Board Members, Attorney, Louise LeBarge and Justice Lamitie, to be present.

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

At 7:15 p.m. the executive session ended with no action taken.

Motion – Deputy Supervisor Walbridge

Second – Councilor Scharf

Resolved (#188 – 2015) to return to regular session.

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

MINUTES:

Approval of June 24, 2015 regular meetings.

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#189 – 2015) to accept the Minutes of June 24, 2015 and to place in file.

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

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REPORTS:

Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (#190 – 2015) to accept the following reports for review and filing as written and placed in the file: Town Clerk/Registrar – 6/2015, Airport Manager – 6/2015 Log, Supt. Of Highways Report – 6/2015, Supervisor Report – 6/2015, Budget to Actual Report – through 6/30/2015, Code Officer Report – 6/2015, Justices Lamitie & Gardner – 6/2015.

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

OLD BUSINESS:

Standard Work Day

Budget Officer Stewart passed out resolution that State requires for various positions. Need to address Superintendent of Highways, Deputy Superintendent, Airport Lease Manager, Town Attorney Six hours. This will be posted and submitted to State as required.

Motion – Councilor Scharf

Second – Deputy Supervisor Walbridge

Resolved (#191 – 2015) to accept standard Work Day Hours report as written.

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

Bid for AWOS

Clerk Hudson reported on the Bid opening for the Installation of AWOS. We received bids from Baseline King Corporation in the base amount of \$124,000.00, and from Kobo Utility Construction Corp. in the base amount of \$315,895.00. Based on the bids received and upon review, Passero recommends to the Board they accept the bid of Baseline King Corporation. They have done work for the electrical vault and work on the runways.

Motion – Councilor Scharf

Second – Deputy Supervisor Walbridge

Resolved (#192 – 2015) to accept Bid of Baseline King Corporation of \$124,000.00 for the installation of an AWOS system and will forward to FAA.

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

SUPERVISOR REPORTS:

Abandonment of a portion of Limekiln Road

The law does not become effective until 30 days after the filing with the Town Clerk. Anyone who is aggrieved can file an objection with the New York State Commission of Transportation.

Motion – Deputy Supervisor Walbridge

Second – Councilor Taylor

Resolved (#193 - 2015) to accept resolution as read by Lillian Anderson-Duffy to the qualified abandonment of the Limekiln Road as listed.

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

**EFFECTING THE QUALIFIED ABANDONMENT OF THE
UNPAVED PORTION OF THE LIMEKILN ROAD, PURSUANT TO
SECTION 205(2) OF THE NEW YORK STATE HIGHWAY LAW**

W I T N E S S E T H:

WHEREAS, it appeared to the Malone Town Highway Supervisor and the Malone Town Board that the unpaved portion of the Limekiln Road, more particularly described below, has not become wholly disused, but that it has not for two years next previous thereto, been usually traveled along the greater part thereof, by more than two vehicles daily, in addition to pedestrians and persons on horseback; and

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WHEREAS, based on the above, the Malone Town Board determined to seek a qualified abandonment of the unpaved portion of the Limekiln Road, pursuant to Section 205(2) of the Highway Law; and

WHEREAS, a public hearing on July 22, 2015 was held at the Malone Town Offices, 27 Airport Road, at 5:30 p.m., after at least twenty days' written notice of such hearing having been given to all owners and occupants of any lands adjoining the above described highway, and the requisite notice having been published in the Malone Telegram, and certain aforesaid owners and occupants having appeared and participated at the hearing and no objections to the proposed qualified abandonment of the unpaved portion of said highway having been presented thereat; and

WHEREAS, the Franklin County Highway Superintendent, who presided over the hearing, specifically found that a qualified abandonment of said highway, pursuant to Section 205(2) of the Highway Law would be proper and would not cause injustice or hardship to any owner and occupant of any lands adjoining such highway.

NOW THEREFORE, BE IT

RESOLVED, that the Qualified Abandonment of the unpaved portion of the Limekiln Road is proper and will not cause injustice or hardship to the owner or occupant of any lands adjoining such highway.

THE UNPAVED PORTION OF THE LIMEKILN ROAD AS HEREAFTER MORE PARTICULARLY DESCRIBED IS HEREBY DECLARED AND CERTIFIED TO BE QUALIFIEDLY ABANDONED PURSUANT TO SECTION 205(2) OF THE HIGHWAY LAW.

All that tract or parcel of land situate in the North and Middle Thirds of Township 9, Great Tract One Macomb's Purchase, Town of Malone, County of Franklin, State of New York, the center line of which is described as follows:

Beginning at a point being the south end of the pavement of Limekiln Road, said point being about 5.09 miles south of the centerline intersection of New York State Route 11B and the centerline of the Limekiln Road as measured along the centerline of the Limekiln Road, said point also being 411.4 feet south of the centerline intersection of the Willette Road and the centerline of the Limekiln Road as measured along the centerline of the Limekiln Road;

thence southerly along the centerline of Limekiln Road as it winds and turns to the end of Limekiln Road, that being the point of ending of this description.

The intent being "to describe a 49.5 foot (3 rod) strip of land, 24.75 feet (1.5 rod) wide east and west of the unimproved portion of Limekiln Road to the terminus of the unimproved portion of Limekiln Road".

Together with and subject to any easements, exceptions, rights, privileges, obligations and conditions of record.

The Town Supervisor shall sign the Certificate of Qualified Abandonment.

The Certificate of Qualified Abandonment shall be filed with the Malone Town Clerk.

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The Qualified Abandonment shall not be effective until thirty (30) days after the filing, unless within the thirty (30) days an aggrieved person serves a written notice of appeal with the County Highway Superintendent, appealing to the Commissioner of Transportation, who shall direct a rehearing to be held before him or his Deputy.

Supervisor Maneely reported we received a \$2,500.00 sidewalk grant from Wal-Mart.

Supervisor Maneely further reported on the final inspection for the Vault construction. He was unhappy with the restoration of the ground surrounding the building.

Motion – Deputy Supervisor Walbridge

Second – Councilor Taylor

Resolved (#194 - 2015) to grant Supervisor Maneely permission to sign Malone Call firemen medical evaluation sheet for Kevin Spinner and add to the County Self Insurance Plan.

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

BOARD MEMBER/COMMITTEE ITEMS

Councilor Scharf reported that Stan Dobert called regarding clerical issues on the installation of the solar and all equipment is here ready to install. He is further looking for warehouse space, and thanked the Board for getting this started.

Councilor Sullivan spoke on the dredging of the lake at the recreation park and a desire to help out. He stated the rec park is a jewel for the community and anything that we can do he is all for it.

Councilor Scharf stated we should be pro-active and request that the school district should have the lifesaving program. It was something that was cut due to budget constraints and kids cannot take swim lessons. She further stated that she went to the hearing on the rec park master plan and spoke her opposition to the removal of the tennis courts. They did adjust the plan to keep the tennis courts and are adding pickle ball as well. She wanted everyone to know that they did listen and it is worth attending a hearing. She complimented the Village and was glad they were able to address the issue.

Training Request

Motion – Deputy Supervisor Walbridge

Second – Councilor Scharf

Resolved (#195 – 2015) to allow Justice Gardner and Court Clerks Hyde and Hammond to attend annual court training in Potsdam on July 21st and 22nd, with all necessary expenses paid by the Town.

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

Budget Officer Stewart asked the Board to clarify the Highway Seasonal Employee Hourly rate.

Motion – Deputy Supervisor Walbridge

Second – Councilor Scharf

Resolved (#196 – 2015) to pay Highway Seasonal Employee at the rate of \$12.00 per Hour for season work for the Town of Malone.

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

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#197 – 2015) to accept Wal-Mart grant monies to be put towards proposed sidewalk along Route 11.

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

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Councilor Scharf stated that Supervisor Maneely asked if Complete Streets could place the grant monies in their funds and Councilor Scharf indicated Complete Streets does not have an operating account.

Supervisor Maneely read letter from Jon Van Doo regarding consent CFA Award for Sewer in the amount of \$72,000.00.

Motion – Deputy Supervisor Walbridge

Second – Councilor Scharf

Resolved (#198 – 2015) to allow Supervisor Maneely and Budget Officer Stewart to respond to ESD Grant in the amount of \$72,000.00 by Friday, July 24, 2015.

CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye

Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf – Aye

BILLS FOR AUDIT & PAYMENT:

Motion – Deputy Supervisor Walbridge

Second – Councilor Taylor

Resolved (#199 - 2015): that the following bills, having been audited,

Vouchers #578 – 644 to be paid:

General Fund (A) – Abstract #13	\$12,939.25
Part Town General (B) – Abstract #12	1,882.93
Highway Townwide (DA) – Abstract #12	3,332.54
Highway Outside (DB) – Abstract #13	8,998.59
Chips (H3) – Abstract #2	607.07
Airport Capital Project (H4) – Abstract #8	57,521.92
East Water (FE) – Abstract #7	2,120.23
West Water (FW) – Abstract #2	2,317.58
Trust & Agency (T) – Abstract #27	<u>34,557.03</u>
Grand Total:	\$124,277.14

CARRIED (5- 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye

Councilor Sullivan – Aye Councilor Taylor - Aye Councilor Scharf - Aye

Motion – Deputy Supervisor Walbridge

Second – Councilor Sullivan

Resolved (#200 – 2015) to alter August meeting schedule for regular meeting on August 5th at 6:00 p.m., preceded by IDA meeting at 5:45 p.m.

CARRIED (5- 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye

Councilor Sullivan – Aye Councilor Taylor - Aye Councilor Scharf - Aye

ADJOURN:

At 7:41 p.m.

Motion – Deputy Supervisor Walbridge

Second – Councilor Taylor

Resolved (#201 – 2015) there being no further business to come before the Board that it adjourn, with the next meeting to be August 5, 2015 at 6:00 p.m., with the IDA meeting at 5:45.

CARRIED (5- 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye

Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

RESPECTFULLY SUBMITTED,

DENICE A. HUDSON, TOWN CLERK