

**TOWN OF MALONE
REGULAR MEETING
July 27, 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 27th day of July 2016.

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

RECORDING SECRETARY: Deborah Hutchins, Town Clerk
Denice Hudson, Budget Officer
Lillian Anderson-Duffy, Town Attorney

ALSO PRESENT: Bruce Mallette, Highway Superintendent
Pat Maguire, Malone
Donald Tambini, Malone
Despo Baltoumous, Malone Telegram
Kayla French, Malone
Tyler Tambini, Malone

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

Supervisor Maneely invited Pat Maguire, Sid Spear Agency, to speak. Mr. Maguire distributed and reviewed the NYMIR (New York Municipal Insurance Reciprocal) insurance renewal proposal. Mr. Maguire stated that NYMIR has been the most responsive insurance company he has ever dealt with. He indicated they have availability and stable pricing for the market. They do not do airport liability coverage and this has been placed with Ace Insurance Company. The overall increase amounts to less than 2% for the renewal (increase of \$1,648 reduced to \$462 after endorsements).

RESOLUTION 186-2016

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

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

Resolved to approve renewal of NYMIR insurance policy with Sid G. Spear Insurance Company.

APPROVAL OF MINUTES

RESOLUTION 187-2016

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

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

Resolved that the minutes of the July 5, 2016 Special Meeting be approved.

RESOLUTION 187A-2016

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

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

Resolved that the minutes of the July 13, 2016 Regular Meeting be approved.

REPORTS

RESOLUTION 187B-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 following reports for review and filing as written and placed in file: Airport Rent/Lease Report – 07/2016 and Highway Logs for 02/2016 – 06/2016.

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OLD BUSINESS:

SUPERVISOR REPORT

RESOLUTION 188-2016

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 Supervisor Maneely receive permission to sign a MCF physical (Jayme Dennis) to be added to the Franklin County Self Insurance Plan as presented.

RESOLUTION 189-2016

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

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

Resolved that Supervisor Maneely be granted permission to place advertisement in the Malone Telegram at no cost to the Town for the Friends of the North County Public Hearing to be held on 08/24/2016 at 5:30 PM.

RESOLUTION 190-2016

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 Town Attorney be granted permission to sign a letter in support of the 2016 Local Waterfront Grant Application which includes funding for Malone Revitalization.

RESOLUTION 191-2016

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 of Malone accept NYSDOT Aviation Capital Project Agreement.

WHEREAS: the Town of Malone has received a grant from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following project for Malone-Dufort Airport:

Reconstruct Transient Aircraft Parking Apron, Approx. 5,000 SY (Construction)

FAA AIP Project No. 3-36-0053-33-2016

WHEREAS, the New York State Department of Transportation is offering a matching grant to the federal grant for 50% of the non-federal share of eligible costs.

WHEREAS, the Town of Malone has committed funds for the local share of project costs.

Funding shares for project costs are as follows:

Federal	\$ 463,967
State	\$ 25,776
Local	\$ 25,776
Total Project Cost	\$ 515,519

WHEREAS, if the Town of Malone and/or the FAA notifies the NYSDOT that the Town of Malone has requested and received an increase in federal funding for the project based on increased eligible costs and has authorized the proportionate increase in local funding, the New York State share noted above shall be increased proportionately up to a maximum increase of 15%.

NOW, THEREFORE, BE IT RESOLVED that the Town of Malone enter into an agreement with the State of New York for financial assistance for the project described above for Malone-Dufort Airport;

RESOLVED, that the Supervisor of the Town of Malone be authorized to execute all necessary documents on behalf of the Town of Malone with NYS in connection with the project; and be it further

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RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary documents in connection with the project.

RESOLUTION 192-2016

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 Malone Town Board hereby determines that the Transient Aircraft Parking Apron Project is a Type II Action under the SEQR Act and, therefore, no further action is required and permission be granted to the Town Supervisor to sign all required documents.

WHEREAS, the Town has embarked upon a project through a grant from the FAA to reconstruct the Transient Aircraft Parking Apron at the Malone-Dufort Airport.

WHEREAS, the Town of Malone upon reviewing the application has determined that the project is a Type II Action under the State Environmental Quality Review Act.

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary documents in connection with the project.

RESOLUTION 193-2016

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 Supervisor Maneely be granted permission to sign a letter in support of Franklin County's application to pursue county-wide Microenterprise Program.

BOARD MEMBER/COMMITTEE ITEMS

Councilor Lockwood then addressed the Board with regard to the Village Contract with Malone Minor Hockey. A copy of the agreement was provided to all Board members. Councilor Lockwood stated that he would like to see the Town be more involved in to the recreation. Councilor Lockwood addressed the changes that the Village has already made to the agreement relative to the removal of equipment (paragraph 2 on page 3) and trash removal (eleventh item on page 4). Councilor Lockwood did stress that this contract needs to be in place in order for the "Boards Project" to move forward.

Councilor Scharf then stated that she wanted to make some comments related to this. She stated that the Chamber of Commerce has been working to develop a summary of the economic tourism on the Malone area. Malone and area (excluding the Reservation) is approximately \$1,000,091 per year in sales tax revenue and this is a very conservative number. This is only based on a 40% occupancy rate in the campgrounds and hotels. She learned that the hockey program provides \$37,125 in revenue and, again, a very conservative number with no multipliers used and also does not include the figure skating program. Councilor Scharf reiterated the importance of the hockey arena and the revenue it provides in Malone from the tournaments. Councilor Scharf stated that she agrees with Councilor Lockwood that the Town should take a more active role in the program.

RESOLUTION 194-2016

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 Supervisor Maneely be granted permission to sign the final Malone Minor Hockey agreement.

Deputy Supervisor Sullivan then addressed the Board regarding feral cats relative to the trap/neuter/release program which is illegal under the Agriculture and Markets law. He does not feel the Town should finance any such illegal program.

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Councilor Scharf then discussed the Malone Chamber of Commerce Village/Town wide garage sale and sidewalk sale on Saturday, September 17. This would extend from Walmart all the way to the Market Barn and include all of Main Street. Councilor Scharf stated that the Chamber has contacted the Crane School of Music to see if they can provide some musicians to play on Main Street during the event. They are also looking for a sponsor for a band for arsenal green and have food, etc. This will be a facsimile of an “Old Fashion Sidewalk Sale” that used to be held on Main Street. There will be an admission fee of \$5 to \$10 to go toward the cost of publishing the maps.

RESOLUTION 195-2016

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

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

Resolved to support the Malone Chamber of Commerce – Village/Town wide garage sale and sidewalk sale to be held on Saturday, September 17, 2016.

Councilor Scharf reported that the Chief of Police has asked the Complete Streets Committee to look in to a sidewalk on Jane Street as children walk up Academy Hill and then the sidewalk stops. The Committee approached Malone CSD and they have put money in to their budget to do this sidewalk. They have also applied for a grant to do the other half of Arsenal Green and the school has constructed the sidewalk they requested they do around the soccer field on College Avenue.

SUPERINTENDENT OF HIGHWAYS

Superintendent Mallette reported that they are working on the Whitten Road. He has received the approval from DEC for the culverts and has started on the Shova Road for the bridge replacement. The road will be gravel throughout the winter to allow frost to settle around the culverts and then blacktop in the spring.

Superintendent Mallette then requested approval to hire a seasonal worker for two months. He would like to hire Bruce Degon for this position.

RESOLUTION 196-2016

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 approve the hiring of a highway department seasonal worker for two months at 40 hours per week and a pay rate of \$12.00 per hour with no benefits included.

Supervisor Maneely stated that a preconstruction meeting has been set for Thursday, August 4th at 1:00 PM for the Transient Aircraft Parking Apron Rehabilitation Project.

CORRESPONDENCE

NEW BUSINESS:

RESOLUTION 197-2016

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 to declare the Airport Windsock as Surplus Property pursuant to Section 64 a-2 of Town Law.

RESOLUTION 198-2016

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

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

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Resolved that permission be granted for Budget Officer to make the following journal entries to accommodate Payroll Software:

From: A1330.1 Tax Receiver Personal Services to A1410.1 Town Clerk Personal Services for \$18,450.00; from A1355.1 Assessor Personal Services to A1410.1 Town Clerk Personal Services for \$6,125.00; from A1220.1 Supervisor Personal Services to A1410.1 Town Clerk Personal Services for \$8,750.00; from B3620.1 Safety Inspection Personal Services to B8010.1 Zoning Personal Services for \$18,250.00.

Donald Tambini of Malone then addressed the Board. Mr. Tambini explained that he was there to complain about his property on the River Road and brought in an appraisal to show the current value. Lillian Duffy-Anderson asked Mr. Tambini if he had been through the Grievance Board yet. He explained that he did and stated that they did nothing. Supervisor Maneely informed Mr. Tambini that his next step is to bring legal action against the Town, the Assessor and the Board of Assessment Review. Lillian Duffy-Anderson confirmed this was the correct next step.

EXECUTIVE SESSION:

RESOLUTION 199-2016

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

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

Resolved that the Town Board enter into Executive Session at 6:45 p.m. to discuss proposed, pending or current litigation with the Town Board members and Town Attorney.

RESOLUTION 200-2016

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

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

Resolved that the Town Board return to Regular Session at 7:00 p.m.

BILLS FOR AUDIT & PAYMENT:

RESOLUTION 201-2016

On a motion by Deputy Supervisor Maneely, seconded by Councilor Lockwood, 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 #660-688

General Fund (A) – Abstract #12	\$ 10,954.57
Part Town General (B) – Abstract #12	58.08
Highway Townwide (DA) – Abstract #10	1,976.28
Highway Outside (DB) – Abstract #15	13,393.92
Trust & Agency (T) – Abstract #25	1,348.04
GRAND TOTAL:	\$ 27,730.89

ADJOURN:

RESOLUTION 202-2016

With no further business, on a motion by Councilor Scharf, seconded by Councilor Lockwood, the meeting was adjourned at 7:05 PM. The next regular meeting is scheduled for August 24, 2016 at 6:00 PM with Public Hearing to precede at 5:30 PM and IDA meeting at 5:45 PM.

RESPECTFULLY SUBMITTED,

DEBORAH A. HUTCHINS, TOWN CLERK