

**TOWN OF MALONE
REGULAR MEETING**

March 13, 2024

A regular meeting of the Town Board of the Town of Malone, County of Franklin and State of New York was held at the Town Offices, 27 Airport Road, Malone, NY on the 13th day of March 2024 at 6:00 p.m.

PRESENT:

Andrea Stewart, Supervisor
Jody Johnston, Councilor
Paul Walbridge, Councilor

Terrence Maguire, Deputy Supervisor
Brian Taylor, Councilor

ALSO PRESENT:

Abby Monica, Town Clerk
Michael Andrews, Highway Superintendent
Alex Viola, Malone Telegram
John Remillard, AHMC
Brendan Owens, AHMC Attorney

Denice Hudson, Budget Officer
John Manley, Deputy Highway Superintendent
Laura Pasco, Hudson Headwaters
Bruce Burditt, Airport Manager

CALL TO ORDER: Supervisor Stewart called the Regular Meeting to order at 6:00 PM with the Pledge of Allegiance.

AHMC Discussion:

John Remillard from Alice Hyde Medical Center spoke on the subdivision plan that is in progress with Hudson Headwaters to improve Alice Hyde Medical Center Campus and improve financial positions. Remillard stated in September of 2023 Alice Hyde and Hudson Headwaters went into a plan to sell 2.4-acre lot to Hudson Headwaters to make this Medical Campus better and build a health center. There are two buildings currently on the lot Hudson will be buying. Our plan is to demolish them buildings in June of 2024, and get the site ready in the summer, so they can start building in the fall. Remillard stated the building process should take approximately one year to finish weather permitting. Laura Pasco the chief financial officer from Hudson Headwaters stated currently they have 23 health centers that are in partnerships with multiple health care centers. They opened one practice so far, with six exams rooms for now in December 2023 on the Alice Hyde campus. Pasco stated they serve about 162,000 patients in the region and have multiple different projects going on currently such as in Salem, NY. The facility they are planning to open is one-story, 15 exam rooms, for care management and behavioral health. There is potential of a future pharmacy within the space, it is currently being evaluated and will serve about 10,000 patients. Pasco stated the plan is in the design phase right now and like Remillard stated the construction should start the end of 2024.

Councilor Johnston asked how many job openings this new building should bring to the community, as people are struggling to be able to stay in this area as jobs are slim. Johnston asked if this would bring in permanent providers and more as the ones that are in Malone currently come and go. Pasco responded this will have 27-33 job openings and will bring in 5-7 providers, currently there has been interviews with providers for permanent jobs and so far there is one. Johnston asked Remillard if there were any signs of opening the maternity floor again in the future. Remillard responded saying unfortunately there is no sign that will ever happen again, it is unfortunate, but Alice Hyde does offer prenatal care and other women's health care. Remillard and Pasco thank the board for listening to the update about the ongoing project.

MINUTES: For review and approval

RESOLUTION 70 -2024 – Minutes

Upon motion by Deputy Maguire, second by Councilor Taylor the following resolution was ADOPTED Ayes 4 Johnston, Stewart, Taylor, Maguire

Nays 0
Abstain 1 Walbridge

Approval of February 28, 2024 regular meeting minutes

RESOLUTION 71 -2024 – Minutes

Upon motion by Councilor Johnston, second by Councilor Taylor the following resolution was ADOPTED Ayes 4 Johnston, Stewart, Taylor, Maguire

Nays 0
Abstain 1 Walbridge

Approval of March 7, 2024 special meeting minutes

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Reports:

RESOLUTION 72 -2024- Reports

Upon motion by Councilor Walbridge, second by Deputy Maguire the following resolution was ADOPTED Ayes 5 Stewart, Taylor, Johnston, Walbridge, Maguire

Nays 0

Resolved to approve the following reports

Office of Comptroller, Justice Court Fund- January 2024

Airport Manager- February 2024

Justice Main- February 2024

Receiver of Taxes- February 2024

Supervisor's Report- February 2024

Town Clerk- February 2024

Justice Fisher- February 2024

Budget to Actual Report- February 2024

Code Office- February 2024

OLD BUSINESS:

Fee for Adopting Dogs

RESOLUTION 73 -2024- Code Office Vehicle Purchase

Upon motion by Deputy Maguire, second by Councilor Walbridge the following resolution was ADOPTED Ayes 5 Stewart, Taylor, Johnston, Walbridge, Maguire

Nays 0

BOND RESOLUTION DATED MARCH 13th, 2024 AUTHORIZING THE ISSUANCE OF SERIAL BONDS AND NOTES IN ANTICIPATION OF THE ISSUANCE THEREOF AND/OR STATUTORY INSTALLMENT BONDS AND NOTES IN ANTICIPATION OF THE ISSUANCE THEREOF, OF THE TOWN OF MALONE, NEW YORK, IN THE COUNTY OF FRANKLIN, PURSUANT TO THE PROVISIONS OF THE LOCAL FINANCE LAW OF THE STATE OF NEW YORK AND PURSUANT TO APPLICABLE PROVISIONS OF THE TOWN LAW OF THE STATE OF NEW YORK IN AN AMOUNT NOT TO EXCEED \$45,000 FOR THE PURPOSE OF PAYING THE COSTS OF THE PURCHASE OF A NEW PICK UP TRUCK FOR THE TOWN THE TOTAL COST OF WHICH IS NOT TO EXCEED THE SUM OF \$45,000.

WHEREAS, the Town Board of the Town of Malone, County of Franklin,

New York, desires to adopt a resolution authorizing the issuance of obligations of the Town of Malone, New York, in the County of Franklin, in the sum of \$45,000.00 for the purpose of paying the costs of the purchase of a new pickup truck for the Town of Malone, the total cost of which is not to exceed the sum of \$45,000.00.

WHEREAS, no other outstanding obligations of the Town of Malone, New York have been previously issued by the Township for or with respect to such purpose; and

WHEREAS, the Town Board of the Town of Malone, New York, now desires to provide for the issuance of obligations of the Town of Malone, New York, and it now desires to provide for other matters with respect to such improvement;

BE IT, THIS 13th day of March, 2024,

RESOLVED, by the Town Board of the Town of Malone, County of Franklin, New York, as follows:

Section #1. The Town of Malone, in the County of Franklin, New York, shall issue its serial bonds or statutory installment bonds in the aggregate principal amount not to exceed the sum of \$45,000.00, and notes in the anticipation of the issuance thereof, pursuant to the Local Finance Law of the State of New York including but not limited to Section 169.00 of such Local Finance Law, in order to finance the specific purpose hereinafter described.

Section #2. The specific purpose to be financed pursuant to this resolution is to pay the costs of the Town of Malone's purchase of a new pickup truck for the Town, the total cost of which is not to exceed the sum of \$45,000.00.

Section #3. The maximum estimated cost of such purpose as estimated by the Town Board is \$45,000.00 and the plan of financing thereof is by the issuance of a maximum of

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\$45,000.00 in serial bonds, statutory installments bonds, and/or bond anticipation notes issued in anticipation of such serial bonds and statutory installments bonds, the proceeds from any grants or other financial assistance obtained from the Northern Border Regional Commission, the United States Department of Agriculture, Rural Development, the New York Dormitory Authority, New York State Empire State Development, The Development Authority of the State of New York, the New York Department of State, and/or the New York State Environmental Facilities Corporation and/or from any municipal contributions from the Town of Malone including current funds of the Town and such other and further grants and/or financing opportunities as the Town of Malone may be eligible. Pursuant to Section 107.00(d)(3) of the Local Finance Law of the State of New York, current funds are not required to be provided prior to the issuance of any serial bonds, statutory installment bonds or bond anticipation notes issued in anticipation of such bonds. The temporary use of available funds of the Town not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purposes described in this resolution. The Town of Malone shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized by this resolution with the proceeds of the bonds and bond anticipation notes authorized herein.

Section #4. It is hereby determined that said purpose is an object or purpose described in Section 11.00 of the Local Finance Law of the State of New York and that the probable useful life of said purpose is five (5) years. The final redemption date of said bond to be issued will not extend beyond five (5) years from the date of their initial issuance. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section #5. Subject to the terms and conditions of this resolution, and the Local Finance Law of the State of New York, the power to authorize Bond Anticipation Notes in anticipation of the issuance of the Serial Bonds or Statutory Installment Bonds authorized by this resolution and the renewal of said notes and the power to prescribe the terms, form and contents of such Serial Bonds or Statutory Installment Bonds and of such Bond Anticipation Notes and the power to sell and to deliver such Serial Bonds or Statutory Installment Bonds and Bond Anticipation Notes issued in anticipation of the issuance of such Serial bonds or Statutory Installment Bonds and the power to sell and deliver bonds providing for substantially level or declining annual debt service is hereby delegated to the Town Supervisor as the Chief Fiscal Officer of the Town of Malone, County of Franklin and State of New York. The Chief Fiscal officer of the Town of Malone is hereby authorized to sign any and all documentation to effectuate the intention of this resolution including but not limited to any Serial Bonds or Statutory Installment Bonds issued pursuant to this resolution and any Bond Anticipation Notes and renewals' thereof including but not limited to those set forth in Section 169.00 of the Local Finance Law issued in anticipation of the issuance of said Serial Bonds or Statutory Installment Bonds, and the Town Clerk is hereby authorized to affix the corporate seal of the Town of Malone, New York, to any Serial Bonds or Statutory Installment Bonds and any Bond Anticipation Note and to attest such seal.

Section #6. The Town Supervisor is hereby further authorized, at his/her sole discretion, to execute a project finance agreement and any other agreements with the United States Department of Agriculture, Rural Development, the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific purpose described in Section 2 hereof, or a portion thereof, by a serial bond, a statutory installment bond and/or a bond anticipation note issue.

Section #7. The full faith and credit of the Town of Malone, New York, is hereby irrevocably pledged for the payment of the principal of and interest on such Serial Bonds or Statutory Installment Bonds and any Bond Anticipation Notes and renewals thereof issued in anticipation of the issuance of such bonds as the same shall respectively become due and payable. There shall be annually apportioned and assessed upon real property located within the Town of Malone an amount sufficient to pay the principal and interest on such obligations as the same may be due and all of the taxable real property in said Town of Malone shall be subject to the levy of ad valorem taxes without limitation as to rate or amounts sufficient to pay the principal and interest on such obligations as the same shall become due.

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Section #8. This resolution or a summary hereof shall be published by the Town Clerk of the Town of Malone, County of Franklin, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York. The validity of the Serial Bonds or Statutory Installment Bonds and of any Bond Anticipation Notes and renewals thereof issued in anticipation of the issuance of such Serial Bonds or such Statutory Installment Bonds issued hereunder may be contested only if:

- A. Such obligation is authorized for an object or purpose for which said Town is not authorized to expend money, or
- B. If the provisions of law which should have been complied with as of the date of publication of such resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- C. Such obligation is authorized in violation of the provisions of the Constitution.

Section #9 This resolution is not subject to referendum pursuant to Section 35.00 of the Local Finance Law of the State of New York and Article 7 of the Town Law of the State of New York.

SUPERVISORS REPORTS:

RESOLUTION 74-2024- MCF Physicals

Upon motion made by Councilor Walbridge seconded by Deputy Maguire the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Permission for Supervisor Stewart to sign MCF Physicals for Richard Bolster and Patrick Lyng and add them to the Franklin County Self Insurance Plan.

RESOLUTION 75-2024- Papas Dairy

Upon motion made by Councilor Taylor seconded by Deputy Maguire the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Permission for Supervisor Stewart to sign the Lease Agreement with Papas Dairy.

RESOLUTION 76-2024- Franklin County Public Health

Upon motion made by Councilor Walbridge seconded by Deputy Maguire the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Permission for Christina Fredrick, RN, Franklin County Public Health to use the Farmers Market Pavilion for Rabies Vaccination clinic on October 2, 2024.

BOARD MEMBER/COMMITTEE ITEMS:

Justice Fisher stated the Town Justice Court did receive a grant for over \$14,000 and she plans to use it on getting new security cameras for the court room, office, conference room and holding cell to make it safer for staff and community. States the court is behind on getting cases done, due to something non preventable but the staff is continuing to do their best and get through as many as they can.

SUPERINTENDENT OF HIGHWAY REPORTS:

Superintendent Andrews states after the last meeting the crew has been on the roads putting signs out where they are needed and fixing ones that need to be fixed. The crew has put five new culverts in and started sweeping the roads. Andrews states is amazing for this time of year to be able to get ahead on this. The crew is three-fourths done chipping wood on Bloomer Road. Andrews request from the Town board to put out the 2024 Sand and Gravel Bid .

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RESOLUTION 77-2024- Sand and Gravel Bid

Upon motion made by Deputy Maguire seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Permission for Town Clerk Monica to post the 2024 Sand and Gravel bid on social media, telegram and bulletin board.

CORRESPONDENCE:

From Malone Lodge of Elks- Citizen of the Year

RESOLUTION 78-2024-Adirondacks Farmers Market

Upon motion made by Councilor Walbridge seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Approval of Application and Agreement for Use of Town of Malone Facilities

RESOLUTION 79-2024- Malone Chamber of Commerce

Upon motion made by Councilor Walbridge seconded by Councilor Taylor the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Approval of Application and Agreement for Use of Town of Malone Facilities for Fly-in, August 24-25, 2024, and parking for Eclipse April 8, 2024.

From Quantum DIP Group- Withdrawal of Special Use Permit and Site Plan Review Application for Thomas Hill Solar Farm Project.

From NYS Homes and Community Renewal- Comprehensive Monitoring Report NYS CDBG Project #689HR313-19.

RESOLUTION 80-2024- Finance School 2024

Upon motion made by Supervisor Stewart seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Permission for Budget Officer Hudson to attend Town Finance School in Albany on May 14-15, 2024 with all expenses paid by the Town of Malone.

From Town of Duane- Resolution #6 of 2024, Shared Services.

From NYS Unified Court System- Internal Audit.

From Franklin County Public Health- 2024 Rabies Vaccination Clinic Schedule

NEW BUSINESS:

RESOLUTION 81-2024- Journal Entry

Upon motion made by Councilor Taylor seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Permission for Budget Officer to make the following Journal Entry as Per Comptroller Notice for January 2024 from A690 Clearinghouse \$6,696.00 to A980 Revenues \$6,696.00 (A2610 court fines & fees).

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RESOLUTION 82-2024- Taxiway A Rehabilitation

Upon motion made by Supervisor Stewart seconded by Councilor Walbridge the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Permission to set Bid opening for Tuesday, April 9th at 1:00 p.m. to be published one-time in the Malone-Telegram.

RESOLUTION 83-2024- Perimeter Fence (Phase 1)

Upon motion made by Supervisor Stewart seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Permission to set Bid opening for Tuesday, April 9th at 1:15 p.m. to be published one-time in the Malone-Telegram.

RESOLUTION 84-2024- Malone Cemetery Association

Upon motion made by Deputy Maguire seconded by Councilor Walbridge the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Approval for Supervisor Stewart to write a Letter of Support for Malone Cemetery Association (Morningside Cemetery).

EXECUTIVE SESSION

RESOLUTION 85-2024- Enter Session

Upon motion made by Supervisor Stewart seconded by Councilor Walbridge the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Permission to enter executive session for personal matters at 6:58 p.m.

RESOLUTION 86-2024- Exit Session

Upon motion made by Supervisor Stewart seconded by Deputy Maguire the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Permission to exit executive session for personal matters at 7:10 p.m.

BILLS FOR AUDIT & PAYMENT:

Batch No. 1399

Voucher Nos. 209-243

<i>General Fund (A)</i>	<i>\$35,495.98</i>
<i>Part Town General Fund (B)</i>	<i>1,731.50</i>
<i>Highway Outside (DB)</i>	<i>3,676.58</i>
<i>Highway Townwide (DA)</i>	<i>4,747.75</i>
<i>Airport Capital Projects (H4)</i>	<i>11,186.55</i>
<i>Escrow Capital Project (H2)</i>	<i>8,944.00</i>
<i>East Side Water (FE)</i>	<i>295.25</i>
<i>Trust & Agency (T)</i>	<i>31,618.77</i>

Other

Community Development (CD) *\$77,484.89*

GRAND TOTAL ***\$175,182.27***

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RESOLUTION 87-2024 Bills

Upon Motion by Deputy Maguire, second by Councilor Walbridge the following resolution was
ADOPTED Ayes 5 Stewart, Johnston, Taylor, Walbridge, Maguire
Nays 0
Resolved to pay the bills listed.

RESOLUTION 88-2024 Adjourn

Upon Motion of Deputy Maguire and seconded by Councilor Walbridge the following resolution
was ADOPTED Ayes 5 Stewart, Johnston, Taylor, Walbridge, Maguire
Nays 0

The next Regular Board Meeting will be March 27, 2024 following the Public Hearing at 6:00
p.m. for Yellow 17, LLC at 27 Airport Rd. Malone, NY 12953.
RESPECTFULLY SUBMITTED,


Abby Monica, Town Clerk