

**TOWN OF MALONE  
REGULAR MEETING  
March 22, 2017**

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 22nd day of March, 2017.

**PRESENT:**

|                |       |                   |
|----------------|-------|-------------------|
| Howard Maneely | ----- | Supervisor        |
| John Sullivan  | ----- | Deputy Supervisor |
| Louise Taylor  | ----- | Councilor         |
| Ed Lockwood    | ----- | Councilor         |
| Mary Scharf    | ----- | Councilor         |

**RECORDING SECRETARY:** Deborah Hutchins, Town Clerk

**ALSO PRESENT:**

- Denice Hudson, Budget Officer
- Lillian Anderson-Duffy, Town Attorney
- Bruce Burditt, Airport Service Worker
- Bruce Mallette, Highway Superintendent
- Frank DiFiore, Malone Telegram
- Donna Bailey – St. Regis Falls
- Cindy Bailey – Hopkinton
- Allie Demers – Constable
- Marilyn Gadway, Malone
- Linda Yelich, Malone
- Fred Gagnier, Malone
- Tracy Paige, Malone
- Terry Paige, Malone
- Becky Vaincourt, Malone
- Winnie McQuinn, Malone
- Michael Guthrie, Malone
- Marge Perry, Malone
- Debra LaVare, Malone
- Barry Mulverhill, Malone
- Audrey Mulverhill, Malone

**CALL TO ORDER:** Supervisor Maneely called the regular meeting to order at 6:02 PM, with a pledge of allegiance to the flag.

**Residents of Lane and Park Streets to present petition to the Board:**

Mr. Fred Gagnier of 100 Lower Park Street presented a petition signed by many residents to the Board and read the following letter as presented to the Board:

*From many years of approved actions, that allowed sediments (sand, salt, soil, limbs etc.) to be dumped in to the Salmon River by Village work crews, on West Street & Main Street locations with the Town & Village limits of Malone, plus the release of sediments from the Chasm Falls water facility. Has caused much buildup of sediments in the Salmon River, this has caused massive ice build-up and flooding to the residents of Lane Street & Lower Park Street areas! For too many years, the negligence of refusing to dredge the Salmon River and remove the build-up of sediment, have resulted in many residents being removed from their homes and potentially more leaving in the near future. The remaining residents have been subjected to physical anguish & mental anxiety for too many years, due to lack of action.*

*The people of Lower Park Street & Land Street of Malone, New York are committed to using all political avenues Federal & State, to resolve this dangerous situation. We have entrusted our safety and homes to local representatives for too many years, without resolve. The Army Corps of Engineers are more concerned with the financial cost, than the lives of the residents. This can no longer be tolerated, and the residents demand that the State & Federal Political Representatives, take appropriate action, to keep the residents from present & future danger to their lives and houses. The following signatures are from residents on Lower Park Street & Lane Street, Malone, New York. We ask for immediate action and final resolution to the man-made damages caused to our Salmon River and environment that we call home.*

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*This petition presented on behalf of the residents of Lower Park Street, Lane Street, Town & Village of Malone and Franklin County. That has been affected by the flooding, from the Salmon River, caused by sediment build up over many years!*

The signed petition was stamped in as received by the Town Clerk.

Mr. Gagnier stated that the Water Treatment Facility is now being affected and hopes that joint services can be used to dredge Lamica Lake. He further pointed out his concerns with the continued problem for the residents in this area.

Supervisor Maneely stated that he has been in contact with Congresswoman Stefanik's office who is taking this problem up with the Army Corps of Engineers and he has also been in contact with Senator Gillibrand's office. Supervisor Maneely stated he also has been in contact with the Army Corps of Engineers and was on a conference with them for an hour today. They have stated that within two weeks they will set up a meeting with all local municipalities (Town, Village and County). Supervisor Maneely further stated that he has been writing letters to Stefanik's and Gillibrand's offices as well as Governor Cuomo's office. He further stated that the Town Board is fully behind getting this issue resolved.

**Members of Focus on Ferals to present request for financial assistance to the Board:**

Donna Bailey from the Focus on Ferals Group then addressed the Board. Ms. Bailey passed out literature and explained that Focus on Ferals has been in existence since 2011 and is a non-profit group. She stated that they have been dealing with abandoned cats from evictions, calls from Social Services, Office of the Aging, Sheriff's Dept., etc. They operate solely on private donations and on donations connected from people who adopt the animals.

Becky Vaincourt then addressed the Board on the group's finances. Ms. Vaincourt stated that last year in 2016 their expenses were nearly \$69,000 and \$64,000 were for direct care (medical, spay/neuter and food expenses, etc.) of the cats. She stated that since 2011 their expenses have totaled \$212,000 with \$202,000 going for direct care of the cats and very little goes for administrative costs. She further explained their goals and intentions to help the cats. Ms. Vaincourt that they have about \$1,000 in their bank account at this time and calls are continuing to come in; it costs about \$125 per cat for medical services to become available for adoption. She explained that all their workers are volunteers and nobody is paid for their services or help.

Supervisor Maneely stated that the Town's budget process starts in September and has been adopted for 2017 already. He stated that the Group should address the Board again for financial assistance requests in the fall of 2017 when the budget process is starting for next year. Councilor Scharf asked about feral cats being spayed and released back out where it came from. Ms. Vaincourt responded that this is the normal process as it is hard to domesticate a feral cat. Deputy Supervisor Sullivan commended the group on the stray cat program but stated he is at odds with the TNR program and discussed studies on the number of birds taken by these cats. Winnie McQuinn then stated that the main goal is to stop the reproduction of cats. Budget Officer Hudson informed the group to send her a letter in July of this year to be considered for the next budget.

**APPROVAL OF MINUTES**

**RESOLUTION 86-2017**

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

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

Nays 0

Resolved to approve the minutes of the March 8, 2017 Regular Meeting.

**REPORTS**

**RESOLUTION 87-2017**

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

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

Resolved to accept the following reports for review as written and placed in file: Airport Lease Manager – 03/2017 and Justices Gardner and Robert – 03/2017.

The topic of Lower Park Street was again brought up and discussed with residents still present. Supervisor Maneely reiterated that the Army Corps of Engineers is supposed to have a meeting in a couple of weeks and anyone who would like to learn of the outcome can provide their name and address to receive information on the results of this meeting.

**OLD BUSINESS:**

**Vehicle Lease/Purchase Bids** – bids were received at 10:00 AM today by the Town Clerk and a general tabulation of the results as well as copy of the actual detailed bid documents from each supplier was given to all Board members. Councilor Scharf stated she worked on the details of the bids (financing options, interest rates included, etc.) this afternoon and presented a breakdown of her calculations to all Board members. Supervisor Maneely then requested that Councilor Lockwood and Deputy Supervisor Sullivan, Highway Committee members, review the details of the submitted bids and report at the next meeting.

**SUPERVISOR REPORT:**

Supervisor Maneely reported on the NYS HOME Local Program Rental Development Initiative Grant opportunities as distributed to all.

**BOARD MEMBER/COMMITTEE ITEMS:**

Councilor Scharf stated that she is working on an RFP to be sent out relative to grant opportunities. Councilor Scharf did also present a sample RFP to Budget Officer Hudson. Councilor Scharf also stated that she has spoken to Rob Camoin who has been very successful with micro-enterprise grants and asked if he would be willing to apply for one for Malone and he stated that he would.

**RESOLUTION 88-2017 – Microenterprise Grant Writing**

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

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

Resolved for approval to advertise and send out RFP's for microenterprise grant writing services.

Deputy Supervisor Sullivan stated he would like to see the Town moving forward on the clean energy community. Discussion was held on the required benchmarking resolution which needs to be completed with new format and will be tabled until the next meeting.

Councilor Lockwood reported on the Rec Park Commission meeting held the previous day. He stated they are working on a new website to be tied in to the Town and Village to report on all activities happening. Councilor Scharf stated she would like the link to join to the Chamber's website also.

**SUPERINTENDENT OF HIGHWAYS:**

Superintendent Mallette provided an update on the new furnace installation at the highway garage as well as current road conditions and work. Supervisor Maneely thanked Superintendent Mallette and his department for the extra work during the flooding and the recent blizzard.

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**CORRESPONDENCE:**

From TNT Fireworks – letter requesting sale of NY legal sparklers and devices at Walmart. They state they are exempt from the Transient Business Permit requirement. Lillian Anderson-Duffy, Town Attorney, reviewed the request as it relates to the law and determined that they are an independent contractor of Walmart’s and are, therefore, subject to the transient business law requirements.

From Budget Officer Hudson regarding renewal of the copier lease. She provided the Board with an update on the lease renewal with added options (faxing- incoming and outgoing) but with no increase in price.

**RESOLUTION 89 -2017 – Copier Lease Renewal**

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

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

Resolved for permission for Budget Officer Hudson to renew the copier lease with Option #1 as provided by SymQuest.

From Budget Officer Hudson – request to attend the NYS Retirement System Employer Seminar in Plattsburgh on April 27<sup>th</sup> or April 28<sup>th</sup>, based on availability, with mileage reimbursement by the Town.

**RESOLUTION 90-2017 – NYS Retirement System Employer Seminar**

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

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

Resolved for approval for Budget Officer Hudson to attend the NYS Retirement System Employer Seminar in Plattsburgh on April 27<sup>th</sup> or April 28<sup>th</sup> with mileage reimbursement by the Town.

From Budget Officer Hudson – request to attend 17<sup>th</sup> annual Town Finance Schools from May 11 to May 12 in Saratoga Springs with all expenses paid by the Town.

**RESOLUTION 91-2017 – Town Finance Schools**

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

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

Resolved for approval for Budget Officer Hudson to attend the 17<sup>th</sup> annual Town Finance Schools from May 11 to May 12 in Saratoga Springs with all expenses paid by the Town.

**RESOLUTION 92-2017 – Consent for Solar Landfill Agreement**

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

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

Resolved for permission for Town Supervisor to sign the consent form as amended to the Solar Landfill Agreement.

**NEW BUSINESS:**

**EXECUTIVE SESSION (if warranted):**

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**BILLS FOR AUDIT & PAYMENT:**

**RESOLUTION 93-2017**

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

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

Resolved that the following bills, having been audited and approved for payment, Vouchers #262-290.

|                                     | 2016       | 2017                |
|-------------------------------------|------------|---------------------|
| General Fund (A) – Abstracts #6     | \$2,861.18 | \$14,042.35         |
| Part Town General (B) – Abstract #5 |            | 240.39              |
| Highway Townwide (DA) – Abstract #6 |            | 158.65              |
| Highway Outside (DB) – Abstract #6  |            | 70,084.59           |
| Trust & Agency (T) – Abstract #13   |            | 35,546.81           |
| Sub-Totals                          | 2,861.18   | 120,072.79          |
| <b>GRAND TOTAL:</b>                 |            | <b>\$122,933.97</b> |

**ADJOURN:**

**RESOLUTION 94-2017**

With no further business to be brought before the Board and on a motion of Councilor Lockwood, seconded by Councilor Taylor, the meeting was adjourned at 6:55 p.m. The next regular meeting is scheduled for April 12, 2017 at 6:00 p.m with the IDA Meeting at 5:45 p.m.

**RESPECTFULLY SUBMITTED,**

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**DEBORAH A. HUTCHINS, TOWN CLERK**