

**TOWN OF MALONE  
PUBLIC HEARING  
October 11, 2017**

A Public Hearing was held on October 11, 2017 at 5:30 PM for public comment relative to the Town of Malone Real Property Tax Law Section 487 Exemption Opt-Out Law.

**PRESENT:**            Howard Maneely    -----    Supervisor  
                         Ed Lockwood        -----    Councilor  
                         Mary Scharf         -----    Councilor  
                         Jack Sullivan        -----    Deputy Supervisor

**ABSENT:**            Louise Taylor        -----    Councilor

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

**ALSO PRESENT:**

Lillian Anderson-Duffy, Town Attorney	Andrew Catania, Geronimo Energy
Wayne Miller, Malone	Pat Duffy, Malone
Mike Fournier, Malone	Tyler Legault, Malone
Bob Gleason, Malone	Mary Fredenburg, Malone
Andrea Stewart, Malone	Judith Gonyea, Malone
Henry Gonyea, Malone	Samuel Holmes, Malone
Brittany Taylor, Malone	Calvin Cardin, Malone
Luke Martin, Potsdam	Gerald Duffy, Malone
Kevin Seller, Malone	Josh Davis, Malone Telegram
Anne Britton, North Bangor	Carol Langdon, Malone
Bruce Burditt, Airport Service Worker	Martha Weaver, Malone
Terry Maguire, Malone	Leonard Casey, Ellenburg
Sean Curin, Rainbow Lake	Carl Sherwin, Franklin County
Russ Kinyon, Franklin County	Boyce Sherwin, Malone
Kristie Holmes, Malone	Gabriel Frigerio, Malone
Dolores Rice, Dickinson Center	Bruce Mallette, Highway Supt.
Lars Tennyson, Malone	Candace Gadway, Malone

**PUBLIC HEARING CALL TO ORDER:** Supervisor Maneely declared the Public Hearing to session open at 5:30 PM. The Town Clerk then read the public notice as follows:

*The Town Board of the Town of Malone will conduct a Public Hearing at 5:30 PM on Wednesday, October 11, 2017, at the Malone Town Offices, 27 Airport Road, Malone, for the purpose of gathering public input on Town of Malone proposed Local Law#2-2017 entitled "Town of Malone Real Property Tax Law Section 487 Exemption Opt-Out Law". The proposed law may be seen in its entirety at the office of the Malone Town Clerk during regular business hours. Any persons wishing to comment on the proposed law may be heard at the time and place noted.*

Supervisor Maneely then read the proposed law as follows:

***TOWN OF MALONE REAL PROPERTY TAX LAW SECTION 487 EXEMPTION OPT-OUT LAW Section 1. PURPOSE:*** Real Property Tax Law Section 487 provides for an exemption from taxation for certain solar energy systems, wind energy systems or farm waste energy systems, and further provides in sub-section 8 of such section that a town may by local law provide that no exemption under this section shall be applicable within its jurisdiction with respect to any solar energy systems, wind energy systems or farm waste energy system constructed subsequent to the effective date of the local law.

***Section 2. OPT OUT OF EXEMPTION:*** Pursuant to the authority of Real Property Tax Law Section 487, sub-section 8, the Town of Malone hereby opts out of the exemption from real property taxes granted by Real Property Tax Law Section 487, sub-section 2, and related sub-sections, so that no exemptions under the provisions of said Real Property Tax Law shall be applicable to town taxes with respect to solar energy systems, wind energy systems or farm waste energy systems in the Town of Malone.

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**Section 3. SEPARABILITY:** *Each separate provision of this Local Law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.*

**Section 4. REPEALER:** *This local law shall supersede all prior local laws, ordinances, rules and regulations of the Town of Malone that may be inconsistent with this local law and any such prior local laws, ordinances, rules and regulations shall be, upon the effective date of this Local Law, null and void.*

**Section 5. EFFECTIVE DATE:** *This Local Law shall take effect immediately upon filing with the Secretary of State.*

**Section 6. NUMERICAL/LETTERING DESIGNATIONS:** *The chapter designations and numerical/lettering designations of the section and article(s) included in the Local Law shall be delegated to the discretion of General Code Publishers, which may renumber the chapter, sections and Article(s) included in this Local Law as necessary to accommodate incorporation of this Local Law in the Code of the Town of Malone.*

Supervisor Maneely then asked for any questions or concerns from the public present. The following residents identified themselves and expressed their opinions or concerns.

Wayne Miller- stated that he believes climate change is real and that human activity is a prime cause. He further discussed the effect of solar production on global warming and the fact that large scale projects do not reduce carbon footprint. He stated that locating projects hundreds of miles from where the energy is consumed is only advantageous and profitable to the developers and their investors resulting in waste, fraud, abuse and, most notably, disappointment and broken promises. Mr. Miller then urged the Town Board to deeply study every aspect of any such project and any action regarding such development. There is a great deal of money at stake and those who would profit most are also those who would use every legal and other maneuver possible to expedite a project to maximum profits no matter the cost to the host community and its residents. Mr. Miller suggested that the Board seek expert advice and do whatever is the best for our community as a whole.

Andrea Stewart- stated that she is in favor of the opt-out law and feels it is appropriate. She indicated that she wished the Town could opt out of some of the other tax exempt real property issues; any time there is an exemption, the remainder of the tax payers have to pick up the slack.

Mike Fournier- stated he is here on behalf of himself and also Friends Against Rural Mismanagement (FARM). He stated that he is also in support of the proposed opt-out law. Mr. Fournier stated that he would also personally be affected as the project would border his property and reduce the value. He stated that many would become millionaires off the taxpayers back and does not understand why they should be entitled to another handout. The local electric bill will probably rise and not go down so there is no benefit. He discussed the wildlife around his land and the effect on the many species if this project was done. Mr. Fournier then reiterated there is no benefit to locals, with only six jobs being created, a threat to the wildlife and prime farm land being destroyed. He also discussed the many environmental issues the project would create and, again, stated the project would destroy our community.

Dr. Calvin Martin- expressed his agreement with Mr. Fournier stating “ditto” and well said.

Brittany Taylor- stated that she keeps hearing “no benefit”. Obviously the taxes and wildlife management are important factors. She further stated that she does not believe there is no benefit to this. Ms. Taylor stated she does not know if any benefits outweigh the negative but that is for the Board to determine and she agreed with Mr. Miller that every avenue needs to be checked. She discussed the Amazon HQ2 Project where many cities are asking for Amazon to come to their area even though given large tax breaks. These cities know they are not going to get much for taxes from Amazon but they are looking at the job growth and other benefits. She asked about what type employees (local) would hired for this project. There could be some job growth and economic value (donations given back to the community) to the project. She further stated she feels that the benefits need to be expressed as well as all the negatives being heard – both sides of the story being reported.

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Bob Gleason- stated that he disagrees with Ms. Taylor further stating that there is nothing on paper so far to demonstrate this is a benefit to Malone. There is no sales tax and no break on power rates to benefit the Town. He stated this is the best farm land in northern NY being Class 1 and Class 2 soil which is actively being used. He also discussed that there are several wells around this area that have hit water at less than 30 feet and the potential for chemicals being washed in to these water sources. Mr. Gleason stated he urges the Town Board to pass this local law.

Anne Britton- stated that she does not see where there is any benefit for the County or the Town **not** to opt-out of 487. She further expressed that if this company would not have to pay taxes, then why should she have to pay taxes. She stated that she has lived in the area for 29+ years and had to pay taxes. She also stated she would rather see the land owner(s) lease their property to sell the feed than to lease to an industrial complex coming in. They need to pay the taxes that everyone else is paying.

Martha Weaver- stated that NYS Section 487 takes the ability of the local people to make decisions about how development is going to be taxed. Opting out of this gives the local Board the ability to tax this project but this does not mean that this company cannot build the project here. She agrees that opting out of this law is the only choice at this time for the community but did note the downside that it will make all “green energy” projects taxable although some other future projects could be eligible for PILOT agreements.

Jerry Duffy- stated that he is concerned about the people living in this area and feels their property assessments should drop if the project happens. Mr. Duffy also expressed concern about all the geese (thousands) that migrate to these fields and what would happen to them. Many people come to watch the snow and Canadian geese that are here.

Carol Langdon- stated she agrees with Mr. Duffy and the fact that the geese draw many people here from out of the area to include hunters and the revenue from the licenses.

Henry Gonyea- stated he has lived here all his life and expressed his concern about money coming from the taxpayers. He feels this would be quite an eye sore here.

Supervisor Maneely asked for further comments and then closed the Public Hearing at 5:58 PM.

**REGULAR MEETING CALL TO ORDER:** Supervisor Maneely called the regular meeting to order at 6:03 PM, with a pledge of allegiance to the flag. At this time Supervisor Maneely introduced Andy Catania from Geronimo Energy who has asked to address the Board and public to clear up any misconceptions and has agreed to hold a question and answer period.

Mr. Catania handed out some presentations. He stated that he was here to provide more information on solar energy in general, solar equipment and what is involved with solar construction. He stated that his firm wants to be honest and transparent and is here to answer questions about the project. Mr. Catania stated there are three main components to any solar project: solar modules, racking and inverter. The different stages of the solar construction include site preparation, pier installation, building of racking, attaching the modules and complete interconnection of the structure. There are two main types of racking used for solar equipment which are **fixed tilt** (facing 180 degrees south) and **tracker** (rows run north south and panels moving very slowly with the sun throughout the day). Mr. Catania stated that this system includes a driven post and no concrete is used for the posts. The racking is built out on the posts. When the project is decommissioned, the equipment can be easily removed. He referred to the handout on pictures of vegetation after system built. Racking can vary in height from 10-15 feet.

Certain other areas addressed were:

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Sound: He discussed sound and stated that this system is virtually noiseless – at 150’ is considered a background level (like a dishwasher).

Water Usage: He indicated that in northern latitudes they do not need water for the project as far as washing off due to dust accumulation as natural rain will clean the panels.

Wildlife Impacts: He stated that extensive studies will be done to understand the wildlife impacts to be considered. They will use a pollinator friendly seed mix for planting.

Heat Island Affect: The modules will warm up and are a dark service - won’t be changing the climate of Malone.

Glare- The panels are designed to absorb light – not reflecting light out of the system.

Mr. Catania then opened the session up for questions:

Supervisor Maneely- discussed the amount of wind that is in this area throughout the year and expressed concern that there will be noise. Mr. Catania stated he will look in to this and get some better information.

Councilor Scharf: discussed the fact that the FAA requires a glare test be done because the project is within 5 miles of the airport. Mr. Catania did agree that a glare test does need to be done but indicated glare at ground level has not been an issue. Councilor Scharf then stated that the FAA is also concerned about the proximity to the airport as far as and concerns with planes landing, etc. Supervisor Maneely also stated that he has spoken to the FAA engineer who is very concerned about the project.

Bruce Burditt: asked if the solar farm would be completely fenced in and the height. Mr. Catania stated that it would be all fenced in with a 6’ high fence.

Mike Fournier (also representing FARM): asked about more explanation on the virtually “no noise” comment as he lives within 100-200’ to the project and would like to know his remedy if wrong about the noise level. He also asked Mr. Catania to state for the record what happens to the wildlife in this 900 acres. Mr. Catania stated with noise they could do some further study. Mr. Fournier asked specifically what his remedy would be. Mr. Catania stated that is a tough question to answer and they could try to address his concerns upfront and if it is something that could be studied. Mr. Fournier asked if there could be an answer to his questions by the next meeting. Mr. Catania stated probably not. Mr. Fournier stated again that he represents over a thousand people (FARM – Friends Against Rural Mismanagement). Mr. Fournier then asked about his neighbors and their remedy also if they cannot sleep at night due to noise. Mr. Catania had no response. Mr. Fournier thanked him for his answer and expressed that the silence was golden.

Anne Britton – also expressed concern about the noise and the fact that there have been no answers given. She also stated that she had read that the ground gets destroyed and is not usable for anything after. She also stated that each panel kills 6,000 birds per year not counting a migration path which this area is. Mr. Catania stated that he can get specific information about the DBAs that come from the inverters and get back to her. Ms. Britton stated that many people have change their plans to come to this meeting to get more information about this project and it hasn’t happened. Mr. Catania stated that he came her tonight to provide general information about the solar project. Ms. Britton stated that Mr. Catania came to satisfy the PIP for the public showing. Mr. Catania stated that is not their intent and they will be providing additional public meetings.

Councilor Scharf- discussed being open and transparent. She stated that Geronimo called the County in February about this project but did not approach the Town Board until September. Dr. Calvin Martin stated that he had the same question. Councilor Scharf stated that there have also been leases filed at the courthouse and this was not stated at the September meeting.

Russ Kinyon- spoke representing Franklin County IDA. Mr. Kinyon stated there seems to be confusion about which side the misinformation is coming from. He further stated that when

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he met with Geronimo in February he was told this would be a 90 acre project at which time he expressed his concerns about that size. There have been several contacts over the last several months and not once was it mentioned that this project had grown to 900 acres. He stated that he provided a letter on behalf of Geronimo for their NYSERDA application but this letter simply stated support for solar in general, not a specific project since we did not have all the information. Mr. Kinyon also expressed his strong concerns that Geronimo has been making efforts to speak to officials individually and manipulate them. The concern has been expressed that we want meetings to be done to address all officials at the same time, not individually. This is important to protect the integrity of all government officials. There seems to be a lot of lack of genuine concern expressed for these farmers. This is designated as prime farm land and the state does have concerns about these project taking up prime farm land. There are many other areas of the County that would be less impactful for solar development and not along a scenic bi-way. This project would be only 7 miles from the Adirondack Park and this view would be blocked. We have chosen to live in this community because there is a wonderful balance of nature and development that we value. Geronimo is based in Minnesota and the land owner is in New Hampshire and there is not much consideration being given to the local community. Geronimo continues to file and move forward with the process behind the scenes and this is not demonstrating transparency.

Councilor Scharf- stated she has had over 100 responses on her Facebook page on this subject. She further stated that she is pro-solar having solar at her own residence. The question from most who responded is “what are they giving to Malone?” Councilor Scharf stated the answer to this question is lacking. There is no break for our electricity and likely a higher cost associated with the project. We are giving up 900 acres of crop producing land. The Town could use the tax money so not to burden the taxpayers.

Russ Kinyon- stated that during individual meetings with him he was told by Geronimo that in order to get the award from the state it has to be done at the most minimal cost, there would be minimal screenings and that a few trees would be planted if someone complained about it. Mr. Kinyon stated that he was also told that the Article 10 process was good because it would stop a vocal minority from preventing this project. Mr. Kinyon stated that this project is clearly profit driven which is understood but we need to keep a balance with our community needs. The tax dollars would be great but protecting our community and balancing it with quality of life is of what good government is about.

Lars Tennyson- stated he has some specific questions and solar concerns. He discussed the sound factor at 150’ but indicated he would like to know at what distance is the sound at 0. He further discussed the water usage with the project and expressed concern on the dust in those fields and questions if water usage would be needed. Mr. Tennyson then stated he has interest in seeing what extensive studies have been done previously. Also on the topic of heat island affect, he would like information on what size the facility was that was measured. All the pictures that have been provided in the printout are of an 80 acre facility so this does not show impact on a 900 acre facility in these areas. Mr. Tennyson would also like information from other areas where similar developments have been completed and feedback from the residents in those areas. There has been nothing provided that shows any commitment to the farmers or on the actual impact to the area.

Leonard Casey- stated that he lives in Ellenburg and has a wind project that was done a few years ago in his area. The wind company came to the area two years before the public even knew about it. He also stressed there needs to be a benefit to the Town as it involves a large amount of money. He complained about the area where he lives as he used to have a nice view of Montreal and now he has a view of hundreds of windmills. He stated there have been no tax cuts and broken promises.

Brittany Taylor- explained she spoke in favor to the company when she came this evening hoping to hear about the good things that would come from the project. She agreed with Mr. Kinyon that good government is not just about taxes. She also stated she was hoping to hear something good about the project and this was not provided. Ms. Taylor stated she also would like to get answers by being provided information on employment details, grants for public, and outside aesthetically pleasing barriers, etc. Ms. Taylor also stated that that if this has been in the process since February, then there should be exact number for jobs, etc. Mr. Catania

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responded that there would be approximately 275 construction jobs which they would be working with a large contractor and would try to pull as much as possible from the local labor force. He stated there would be 4-6 long term jobs. In terms of public good the project will pay a substantial portion of taxes and they set up community funds to be allocated as the Town sees fit. Mr. Catania stated they are still early in the process as the project would not get built out until 2020.

Jerry Duffy- explained that he was in the Watertown area recently and he heard ads from UAW Laborer's Union to stop bringing in foreign workers to build the wind turbines in the Tug Hill area. He further discussed the number of VT workers that were here for the Chateaugay wind project. He expressed his concern for local residents working on these projects. Mr. Catania stated that when they speak to the contractor for the project, they will encourage them to hire locally as much as they can.

Terry McGuire- discussed the fact that it has been stated that the decommission process will be very easy. He further asked for information about Geronimo's experience with decommissioning solar projects and especially one with 900 acres. Mr. Catania stated that they have not decommissioned any but since there is limited concrete, the expectation is that it will be easy. There are not any solar projects at the point of decommission yet.

Mike Fournier- requested additional information on the process to restore the farmland after decommission. Mr. Catania stated they will grow grasses and there will not be a detriment to the soil. Mr. Fournier asked for any remedy if this is not the case as he has read studies that soil will be sterile. Mr. Tennyson added that these fields are getting naturally fertilized by the geese every Fall and they will no longer be landing there when they are solar fields; the soil quality will diminish regardless.

Robert Gleason- stated that the soil value will be decreased and will be taken out of agriculture. He further stated that this is an agriculture district and local agriculture officials have also been contacted about this project.

Andrea Stewart- requested details from Mr. Catania on how many projects he has built with his company and the size of the largest. Mr. Catania stated the largest is in Minnesota which is a 100 megawatt project and broken out over 16 different sites. He further stated he has worked on about 30 smaller projects in Minnesota (2 to 5 megawatt range).

At this time Supervisor Maneely stated that the power is going to be sold to NYC and suggested that the panels be put on roofs at that location given this fact. Mr. Catania stated it would be more expensive to put on roof tops in a city.

Robert Gleason- asked again for an answer on how many acres per megawatt. Mr. Catania responded generally about 5 acres per megawatt. Mr. Tennyson then requested information on the largest single site acreage that Geronimo manages. Mr. Catania stated it would be 5 Megawatt. Mr. Tennyson stated it appears this project would be a pilot or test program with little technical information being provided. This is an economically depressed region and this will ruin the whole community. This makes no sense or has no benefit to anyone in this community as presented.

Boyce Sherwin- stated he has reviewed the map and 900 acres is industrial scale. He further stated it will have a negative impact given the visual aspect of the project and will affect the tourism to this area. He also discussed the 900 acres and the "pond" affect to the geese on this migration pathway. He then requested answers to these issues.

Mary Goodfellow- discussed the scale of this project and the fact there are more dispersed smaller projects in other areas. Mr. Catania stated that the State energy goals that are set to encourage development of projects that can offer the cheapest price of electricity to the market and this means large scale projects.

Candace Gadway- expressed concern about the transparency that has been discussed and requested information on what to expect if the community states they do not want this project. Others present then voiced their concern that Geronimo has already moved forward without

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community input. Mr. Catania stated that he will take the feedback from tonight back to the company.

Questions were posed from the audience on the time it would take to clean up after a large snow storm and how much electricity could still be produced at this time.

Delores Rice questioned if the developer is intending to partner with NYSERDA for an RPS contract. Mr. Catania stated it could be NYSERDA or another party; it has been bid to the NYSERDA and NIPA auctions. He also stated the State purchases the REC certificates and the electricity is sold wholesale on the open market. The audience voiced concern that the State would be using taxpayer money to purchase the certificates.

Carl Sherwin- requested details of the number of inverters needed for a 150 Megawatt system. Mr. Catania stated about 50 inverters throughout the facility. He further explained the process of construction of the inverters and connection.

Russ Kinyon- further discussed the questions he has posed to the company. He then stated the taxes Geronimo proposes to pay taxes which equate to about .02% or \$300,000 of the total taxable value of the project. Mr. Kinyon expressed concern that discussion was held about this being a full taxable project and Geronimo stated they could not afford this, yet still filed the Article 10 application which means there needs to be clarification on the intent. Mr. Catania stated he met with the Assessor today to get an understanding on how this will be taxed. He further stated that a standardized method of taxation has yet to be established but that they look forward to working with the Town to get the assessed value accurately and provide a substantial portion of taxes to the Town but cannot tell what it is at this time. Mr. Kinyon stated there are people in this room who have businesses and pay the full assessed portion of taxes. He further stated that is the company cannot afford to pay the full tax rate that all other businesses pay in this community, then it is a business model problem, not this community's problem.

At this time Supervisor Maneely stated the need for a Public Form in a larger setting. Legislator Carl Sherwin stated there is a need for a Town Hall meeting to further address this issue with the public. Supervisor requested that Geronimo be a part of this Town Hall meeting and Mr. Catania stated that they would be in attendance with additional officials from the company to answer questions. Mr. Sherwin also stated that State Representatives should also be invited.

At this time Dr. Calvin Martin presented the Board with a handout on several scientific studies regarding the heat island affect. He has been corresponding with a Professor of Crop Science at NCU. This study indicates that these solar panels kill the soil. He further discussed the background to these studies and the silencing being done to this research. He explained that the solar panels become toxic waste and 20 years from now when the decommissioning is to happen, this company has been bought out and no longer in existence, etc. Further discussion was held in general with the decommissioning planning and liability for this stage.

Supervisor then thanked all for participating this evening and closed the Public Hearing at 7:07 PM.

**REGULAR MEETING CALL TO ORDER:**

Supervisor Maneely called the regular meeting to order at 7:08 PM with a pledge of allegiance to the flag.

**APPROVAL OF MINUTES**

**RESOLUTION 263-2017**

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

ADOPTED Ayes 4 Maneely, Scharf, Lockwood, Sullivan  
Nays 0

Resolved to approve the minutes of the September 27, 2017 Regular Meeting and the October 2, 2017 Special Meeting.

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**REPORTS**

**RESOLUTION 264-2017**

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

ADOPTED Ayes 4 Maneely, Sullivan, Lockwood, Scharf  
Nays 0

Resolved to accept the following reports for review as written and placed in file:

Code Office – 08/2017, Airport Service Worker – 09/2017, Town Clerk – 09/2017, Airport Lease Manager – 08/2017 and 09/2017, Supervisor’s Report – 09/2017, Budget to Actual – through 09/30/2017, and Office of the Comptroller-Justice Court Fund – 08/2017.

**OLD BUSINESS**

Supervisor Maneely read the proposed tax law as follows:

***TOWN OF MALONE REAL PROPERTY TAX LAW SECTION 487 EXEMPTION OPT-OUT LAW***

***Section 1. PURPOSE:*** Real Property Tax Law Section 487 provides for an exemption from taxation for certain solar energy systems, wind energy systems or farm waste energy systems, and further provides in sub-section 8 of such section that a town may by local law provide that no exemption under this section shall be applicable within its jurisdiction with respect to any solar energy systems, wind energy systems or farm waste energy system constructed subsequent to the effective date of the local law.

***Section 2. OPT OUT OF EXEMPTION:*** Pursuant to the authority of Real Property Tax Law Section 487, sub-section 8, the Town of Malone hereby opts out of the exemption from real property taxes granted by Real Property Tax Law Section 487, sub-section 2, and related sub-sections, so that no exemptions under the provisions of said Real Property Tax Law shall be applicable to town taxes with respect to solar energy systems, wind energy systems or farm waste energy systems in the Town of Malone.

***Section 3. SEPARABILITY:*** Each separate provision of this Local Law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

***Section 4. REPEALER:*** This local law shall supersede all prior local laws, ordinances, rules and regulations of the Town of Malone that may be inconsistent with this local law and any such prior local laws, ordinances, rules and regulations shall be, upon the effective date of this Local Law, null and void.

***Section 5. EFFECTIVE DATE:*** This Local Law shall take effect immediately upon filing with the Secretary of State.

***Section 6. NUMERICAL/LETTERING DESIGNATIONS:*** The chapter designations and numerical/lettering designations of the section and article(s) included in the Local Law shall be delegated to the discretion of General Code Publishers, which may renumber the chapter, sections and Article(s) included in this Local Law as necessary to accommodate incorporation of this Local Law in the Code of the Town of Malone.

**RESOLUTION 265-2017**

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

ADOPTED Ayes 4 Maneely, Sullivan, Lockwood, Scharf  
Nays 0

Resolved to approve adoption of the Real Property Tax Law Section 487 Exemption Opt-Out Law as read. Supervisor stated this law is to be filed with the Secretary of State tomorrow.

**RESOLUTION 266-2017 – Airport Lighting Project Change Order**

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

ADOPTED Ayes 4 Maneely, Sullivan, Lockwood, Scharf  
Nays 0

Resolved to approve the addition of seven handholes, at an additional cost of \$273.00 (Town share) to the Town.

**RESOLUTION 267-2017 – Airport Apron Project Change Order**

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

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ADOPTED Ayes 4 Maneely, Sullivan, Lockwood, Scharf  
Nays 0

Resolved to approve repair of handholes damaged by snow plow trucks at a cost of \$100.000 (Town share) to the Town.

**BOARD MEMBER/COMMITTEE ITEMS:**

*Councilor Scharf*- discussed the Pinnacle Trail Project and the request of support from Thomas Ventiquattro. Councilor Scharf explained that since the Town does not own any of this land it does not need our approval, however, she suggested a resolution of support for this project.

**RESOLUTION 268-2017 – Pinnacle Trail Project Support**

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

ADOPTED Ayes 4 Maneely, Sullivan, Lockwood, Scharf

Resolved to approve support and good luck wishes to Mr. Ventiquattro for the Pinnacle Trail Project.

*Councilor Lockwood*- stated there was a Rec Park work bee this past weekend and it was a great success with many volunteers helping including donation of equipment. He stated there will be another one on October 22, 2017 for anyone who would like to help. Council Lockwood also requested that the Town and Village Highway Departments assist in removing some of the debris left. Superintendent Mallette stated he will get with the Village to do this.

**SUPERINTENDENT OF HIGHWAYS:**

Superintendent Mallette stated he is scheduled to do blacktopping on Monday as the State is finishing up. Councilor Lockwood commended Superintendent Mallette for a great job being done on the Whitten Road. Superintendent then requested approval to put a plow on one of the pick-up trucks. He stated he would like to put a mount on one truck and a mount and plow on another truck to provide for a spare. The estimated cost is about \$7,000.00. Supervisor Maneely requested that Superintendent bring this to his Committee for approval. Discussion was then held on status of getting ready for the auction and Superintendent Mallette stated he is about half way done.

**CORRESPONDENCE:**

From Bruce Trim – effective date of retirement will be May 15, 2018 with his last day of work September 26, 2017. Supervisor Maneely requested a letter be given to Bruce thanking him for his service with the Town of Malone. Councilor Lockwood then asked Superintendent about his winter coverage plan due to this retirement. Superintendent Mallette stated they will just have to do the coverage. Councilor Lockwood stated it may be less expensive to hire another person than to pay a lot of overtime, if this becomes the case.

**NEW BUSINESS:**

**RESOLUTION 269-2017**

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

ADOPTED Ayes 4 Maneely, Sullivan, Lockwood, Scharf  
Nays 0

Resolved to approve permission for the Budget Officer to make the following Journal Entries, as per Comptroller notice for August 2017 From A690 Clearinghouse \$9,777.00 to A980 Revenues \$9,777.00 (A2610 court fines and fees).

**RESOLUTION 270-2017 – Standard Work Day Reporting**

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

ADOPTED Ayes 4 Maneely, Sullivan, Scharf, Lockwood  
Nays 0

Resolved to approve the Standard Work Day and Reporting Resolution for Elected and Appointed Officials for posting as required by New York State and as presented.

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PUBLIC HEARING  
October 11, 2017**

**EXECUTIVE SESSION** (if warranted):

**RESOLUTION 271-2017**

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

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Lockwood  
Nays 0

Resolved to enter in to executive session at 7:25 p.m. with the Town Supervisor, Town Board Members, Budget Officer and Town Attorney to discuss the employment history of, and matters leading to, the employment, discipline, suspension, dismissal or removal of a particular person.

**RESOLUTION 272-2017**

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

ADOPTED Ayes 4 Maneely, Sullivan, Scharf, Lockwood  
Nays 0

Resolved to enter back in to regular session at 7:40 p.m. No business to report from executive session.

**BILLS FOR AUDIT & PAYMENT:**

**RESOLUTION 273-2017**

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

ADOPTED Ayes 4 Maneely, Sullivan, Lockwood, Scharf  
Nays 0

Resolved that the following bills, having been audited and approved for payment, Vouchers #886-944:

General Fund (A) – Abstract #25	\$ 27,915.94
Highway Outside (DB) – Abstract #19	36,633.35
Trust & Agency (T) – Abstract #39	1,851.02
East Side Water (FE) – Abstract #6	10,500.00
Airport Capital Project (H4) – Abstract #4	58,890.24
West Side Sewer (G) – Abstract #2	11,820.00
<b>GRAND TOTAL:</b>	<b>\$ 147,610.55</b>

**RESOLUTION 274-2017 – Airport Apron Project Change Order**

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

ADOPTED Ayes 4 Maneely, Sullivan, Scharf, Lockwood  
Nays 0

Resolved to approve sidewalk extension at fuel tank at a cost of \$346.20 (Town portion) and fire extinguisher cover at a cost of \$10.00 (Town portion).

**ADJOURN:**

**RESOLUTION 275-2017**

With no further business to be brought before the Board and on a motion of Deputy Supervisor Sullivan, seconded by Councilor Scharf, the meeting was adjourned at 7:52 p.m. The next regular meeting is scheduled for October 25, 2017 at 6:00 p.m.

**RESPECTFULLY SUBMITTED,**

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**DEBORAH A. HUTCHINS, TOWN CLERK**