

**TOWN OF MALONE  
REGULAR MEETING  
September 28, 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 28<sup>th</sup> day of September, 2016.

**PRESENT:**

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

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

**ALSO PRESENT:** Denice Hudson, Budget Officer  
Lillian Anderson-Duffy, Town Attorney  
Bruce Mallette, Highway Superintendent  
Bruce Burditt, Airport Manager  
Despo Baltoumous, Malone Telegram  
Mary Fredenburg, Malone  
Kimberly King, Malone

**CALL TO ORDER:** Supervisor Maneely called the regular meeting to order at 6:03 p.m., with a pledge to the flag. Supervisor Maneely welcomed the many students present for this meeting.

**APPROVAL OF MINUTES**

RESOLUTION 235-2016

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

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

Resolved that the minutes of the September 14, 2016 Regular Meeting be approved.

**REPORTS**

RESOLUTION 236-2016

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

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

Resolved to accept the following reports for review and filing as written and placed in file: Airport Lease Manager – 09/2016 and Code Officer – 08/2016.

**OLD BUSINESS:**

**SUPERVISOR REPORT:**

RESOLUTION 237-2016

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

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

Resolved for permission to sign the following Malone EMS Physicals – Wylie Clark, Margarita Mills, Joshua Arnold, Melissa Billhardt and to add to the Franklin County Self Insurance Plan.

RESOLUTION 238-2016

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

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

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Resolved for permission to sign the following MCF Physicals – Malcolm Jones, Barry Stickles and Brian Gokey and to add to the Franklin County Self Insurance Plan.

Supervisor Maneely then read email from Passero regarding the Airport Apron Project. The paving is scheduled for next week with binder on Wednesday, Oct. 5<sup>th</sup> and topcoat on Thursday, Oct. 6<sup>th</sup>. The next project meeting was tentatively scheduled for next Wednesday which will be a conflict with the paving work. The next meeting will now be scheduled for Wednesday, October 12<sup>th</sup> at 2:30 PM.

Supervisor Maneely then discussed an email from Passero regarding the installed grades around the concrete fuel tank. The apron pavement was installed too low adjacent to the concrete pad and is not flush with the concrete. Three options are given to correct as follows:

Option 1: Leave it as is, if the Town does not have a problem with the “step up”.

Option 2: Have Friend repair this area in accordance with plan at no cost to the Town.

Option 1A: Option 1 plus potentially Friend could at least cut a tape into the pad edge between the bollard and asphalt to ease the sharp corner/step a bit for plows.

Discussion was held on the options. Bruce Burditt stated that Option 2 would to make it easier on the Town employees for plowing.

**RESOLUTION 239-2016**

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

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

Nays 0

Resolved to accept Option 2 as stated above.

Supervisor Maneely then reviewed three proposals for Airport Runway Light Repair:

Aspelund’s - \$65.00/Hr. - \$85.00 (two people)

Jack Brown - \$55.00/Hr.

Keating’s - \$90.00/Hr. (two people)

Supervisor Maneely asked Bruce Burditt if he felt the job can be done with one electrician working along and he stated that he felt it could be. Discussion was held on the proposals.

**RESOLUTION 240-2106**

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

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

Nays 0

Resolved to accept the bid of Jack Brown at the rate of \$55.00/Hour to perform the needed airport runway light repair work. Bruce Burditt stated he will notify this contractor.

**BOARD MEMBER/COMMITTEE ITEMS**

Councilor Scharf stated that Wayne Miller and Boyce Sherwin have been working to get the preliminary sidewalk grant(s) written by Friday of this week. She further explained that the grant process and transferring of paperwork to the County has been difficult due to the type of computer program the state uses.

Supervisor Maneely stated he really appreciates the work being done and they had a good meeting today with the County and Complete Streets representatives.

Councilor Lockwood stated that the Rec Committee met last week and they are still working on the one football field and the soccer field. They plan to have seeded and done this year. Councilor Lockwood stated that he appreciates all the work that the Town did to assist in getting the Civic Center contract done. He stated that it has been a long process but the new boards and glass will begin to be installed next week.

Supervisor Maneely stated that the check came in this week to pay the sewer grant note.

Lillian Anderson-Duffy then reviewed the new Sidewalks and Streets Code. She addressed all new changes from the existing code. Discussion was held on maintaining the sidewalks and responsibility for snow removal as well as any potential liability issues (prior notice of defect).

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RESOLUTION 241-2016

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

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

Resolved to hold a public hearing on October 12, 2016 at 5:30 PM for local code law on Sidewalks and Streets.

Lillian Anderson-Duffy then addressed the project to build a sidewalk from Aldi running parallel on the south side of Route 11 to intersection of Walmart and Airport Road and then down Airport Road to the Farmer's Market. The involved agencies would be the DEC, the DOT, the Village of Malone and the County of Franklin with the Town to assume lead agency status.

Supervisor Maneely then read the SEQR as follows:

**TOWN OF MALONE RESOLUTION OF INTENT TO CLAIM LEAD AGENCY STATUS FOR THE PROPOSED MALONE COMPLETE STREETS PROGRAM WEST SIDE SIDEWALK**

**WITNESSETH:**

**WHEREAS**, the Town of Malone, hereinafter referred to as the "Town", is proposing to cause to be constructed a 5 feet (5'-0") wide new sidewalk:

Segment A - along the south side of State Route 11, running parallel to State Route 11, in the State right of way, from the Aldi Parking Lot to the traffic light at the intersection with Airport Road, the entrance to the Malone-Dufort Airport, comprising 1,760 lineal feet of sidewalk; and

Segment B - running south from Route 11 at said intersection, to the Walmart Parking Lot, in the State right of way, comprising 200 lineal feet of sidewalk; and

Segment C - running north from Route 11 at the north side of said intersection along Airport Road to the Malone Farmer's Market, portions of which to be located in the State right of way, and comprising 205 lineal feet of sidewalk; and

**WHEREAS**, John T. Carr, P.E. of Blue Mountain Engineering, PLLC. Has submitted a project description and sketch of the proposed sidewalk construction; and

**WHEREAS**, the Town of Malone Town Board must evaluate all proposed actions submitted for its consideration that may affect the environment in light of the State Environmental Quality Review Act (SEQRA) and the regulations promulgated thereunder; and

**WHEREAS**, the involved agencies, for the subject project, as that term is defined in 6 NYCRR 617.2(s), are the New York State Department of Transportation "NYSDOT", New York State Department of Environmental Conservation "NYSDEC", Village of Malone, and County of Franklin; and

**WHEREAS**, the Town of Malone Town Board desires to serve and act as the lead agency for the purposes of SEQR; and

**WHEREAS**, to aid the Town of Malone Town Board in determining whether the Action may have a significant impact on the environment, a Short Form Environmental Assessment Form will be prepared by the Town and a copy will be filed with the Town Clerk..

**NOW THEREFORE, BE IT RESOLVED** that:

1. The Town Board has determined in accordance with the New York State Environmental Quality Review Act ("SEQRA") 6 NYCRR § 617.2 (ak) that: the proposed action appears to be an Unlisted action; and
2. The Town Board has determined that the following are the involved agencies pursuant to 6NYCRR § 617.2(s): the Village of Malone, Franklin County, NYS Department of Transportation, and NYS Department of Environmental Conservation and; that pursuant to 6 NYCRR § 617.6(b2) (3) N; coordinated SEQRA review shall be undertaken; and
3. The Town of Malone Town Board hereby declares its intention to assume SEQRA Lead Agency status, and directs the Town Clerk to transmit to each of the aforesaid involved agencies, the Short Form Environmental Assessment Form, together with a copy of this Resolution, the Project Description and Sketch Materials, 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

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accordance with 6 NYCRR 617.6(b)(3), and that any involved agency which objects to the Town Board acting as Lead Agency shall so notify the Town Supervisor, in writing, within 30 days of its receipt of all of the above referenced documents.

Dated: September 28, 2016

**RESOLUTION 242-2016**

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

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

Resolved to approve the proposed resolution of intent for the Town to claim lead agency status for the Malone Complete Streets Program West Side Sidewalk.

**RESOLUTION 243-2016**

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

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

Resolved to approve permission for Supervisor Maneely to sign the Short Environmental Assessment Form.

**SUPERINTENDENT OF HIGHWAYS**

Superintendent Mallette provided an update on his department. They have been working on the Shova Road which should be wrapped up by the next meeting. They will be busy doing some blacktopping, ditching and hauling of sand.

**CORRESPONDENCE:**

Supervisor Maneely then read a letter from the Malone Callfiremen, Inc. announcing a community Open House event at the Malone Callfiremen Station on Sunday, October 9<sup>th</sup> from 11 AM to 3 PM.

From NYS Homes and Community Renewal – CDBG Grant met all contractual obligations and approved for closeout.

**NEW BUSINESS:**

**RESOLUTION 244-2016**

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

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

Resolved that permission be granted for Budget Officer to make the following journal entries: From A5132.4 to A5132.1 in the amount of \$194.50; from A1220.4 to A1110.4 in the amount of \$2,722.83; from DB5130.2 to DB5130.4 in the amount of \$3,329.50.

**RESOLUTION 245-2016**

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

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

Resolved that permission be granted for Budget Officer to make the following journal entry, as per the Comptroller notice for August: From A690 Clearinghouse \$7,920.00 to A980 Revenues \$7,920.00 (A2610 court fines & fees).

Supervisor Maneely then addressed the flex schedule request from the Town Clerk and Deputy Town Clerk for a compressed 4 day work week. Supervisor Maneely stated he was personally against it as we are going in to budget and tax collection time. Further discussion was held and it was agreed to wait until the Spring to review again.

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RESOLUTION 246-2016

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

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

Resolved to table further discussion on the flex time request until after tax collection time.

**BILLS FOR AUDIT & PAYMENT:**

RESOLUTION 247-2016

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

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

Resolved that the following bills, having been audited and approved for payment, Vouchers #811-853

General Fund (A) – Abstract #16 & 17	\$ 5,868.42
Part Town General (B) – Abstract #15	423.06
Highway Townwide (DB) – Abstract #18	13,652.71
East Side Water (FE) – Abstract #3	10,000.00
Trust & Agency (T) – Abstract #34	30,578.52
Airport Capital Project (H4) – Abstract #5	92,318.39
GRAND TOTAL:	\$ 152,841.10

**EXECUTIVE SESSION:**

**ADJOURN:**

RESOLUTION 248-2016

With no further business, on a motion by Councilor Lockwood, seconded by Deputy Supervisor Sullivan, the meeting was adjourned at 7:00 PM. The next regular meeting is scheduled for October 12, 2016 at 6:00 PM with an IDA meeting at 5:45 and a public hearing on the new Sidewalks and Streets Law at 5:30 PM.

**RESPECTFULLY SUBMITTED,**

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**DEBORAH A. HUTCHINS, TOWN CLERK**