

**Town of Malone
Regular Board Meeting
March 14th 2012**

A regular meeting of the Malone Town Board was held Wednesday March 14th 2012, at the Malone Town Offices, 27 Airport Rd., Malone, NY, commencing at 6:00pm.

PRESENT: Supervisor Howard Maneely
Councilor Louise Taylor
Councilor John Sullivan
Councilor Mary Scharf

ABSENT: Deputy Supervisor Paul Walbridge

ALSO PRESENT: Susan Hafter, Town Clerk
Andrea Stewart, Budget Officer
Lillian-Anderson Duffy, Town Attorney
Tom Shanty, Superintendent of Highways
Mark Besio, Highway Clerk

Troy McDonough, Constable	Katrina Strahl, Moira	Emily Barber, Malone
Kelsie Guerin, Malone	Erin Scott, Constable	Bridget Gravel, Malone
Greg Pecore, Malone	Taylor Fleury, Malone	
Trisha Livernois, <u>Malone Telegram</u>	Denise Raymo, <u>Press-Republican</u>	

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

MINUTES & REPORTS:

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (# 44 - 2012): to accept the minutes of the regular meeting of 2/15/12 as presented and place on file.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

Motion – Councilor Sullivan

Second – Councilor Scharf

Resolved (#45 -2012): to accept the following reports as presented and place on file: Justice Court – 2/2012 Town Clerk/Registrar – 2/2012
Code Officer – 2/2012 Supt of Highways – 2/2012
Airport Manager – 2/12 Supervisor 1/2012 & 2/2012

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

OLD BUSINESS:

Fire Protection –

Motion – Councilor Sullivan

Second – Councilor Scharf

Resolved (#46 -2012): that the Town Board accepts and approves for signature the agreement, as revised and presented by Town Attorney Anderson-Duffy, for fire protection and emergency services with the Malone Call Firemen, Inc. for 2012, in the amount of \$427,000.00.

**CARRIED (3 - 0 -1) –Councilor Sullivan – Aye Deputy Supervisor Walbridge – Absent
Councilor Taylor – Aye Councilor Scharf – Aye Supervisor Maneely – Abstain**

Town/Village Joint Recreation Commission – Supervisor Maneely reported that there is a vacancy on the Recreation Committee. He asked for letters of interest.

Request for Review – Attorney Anderson-Duffy responded to a request from Town Clerk/Tax Receiver Hafter (for review of an agreement which would allow for the acceptance of credit and debit card payments in person and on line) by asking for contact information. The issue was **TABLED** to the next meeting.

Consultant Agreement – Attorney Anderson-Duffy has been reviewing a draft contract between the Town of Malone and Boyce Sherwin for administration of the 2011 Micro-Enterprise Grant Program. She said she doesn't understand the rate of pay. Supervisor

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Maneely told her to compare the agreement to a previous one with MEDCO, and noted that Mr. Sherwin needs to provide proof of insurance and an environmental review must be completed. The issue was **TABLED** to the next meeting.

SUPERVISOR REPORTS:

Passero Associates –

Motion – Councilor Sullivan

Second – Councilor Scharf

Resolved (#47 -2012): that the Town Board approves the FAA Programming package and application for federal assistance to design Runway 14-32 Rehabilitation; and authorizes an Independent Fee Estimate be done relating to the cost of the design project.

CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

Franklin County Emergency Services –

Motion – Councilor Sullivan

Second – Councilor Taylor

Resolution #48 -2012

*Relating to the Town of Malone's support of the Franklin County
Emergency Services Department's application to the
2011-2012 New York State Department of State Local Government Efficiency Program,
for the county's proposed study of EMS in Franklin County*

Whereas, Franklin County, like many agencies across the state, is struggling to meet the increasing demands put upon our volunteer EMS agencies; and

Whereas, These struggles include an increased demand for services, decrease in volunteers, skyrocketing equipment costs, and expensive training requirements for volunteers; and

Whereas, the costs associated with operating EMS delivery are quickly becoming unsustainable for local volunteer agencies and the taxpayers who support them, and

Whereas, Franklin County is eligible to apply as lead applicant to the New York Department of State Local Government Efficiency Program, along with local municipalities and fire districts with the county; and

Whereas, the grant award will be used to fund a study that will examine the current structure of EMS delivery and study whether a functional consolidation, shared or cooperative service, or regionalized delivery of service is the best option to improve and provide services in the most cost-effective manner; now therefore, be it

Resolved: That the Town of Malone supports the Emergency Services Department in its application to the Local Government Efficiency Program, in the amount of \$50,000.00.

Resolved: That the Town of Malone acknowledges \$25,000.00 of the total grant award will be shared among the co-applicants; and commits a 10% match for their share of the total grant award.

Further Resolved: That the Town of Malone will enter into a Memorandum of Agreement with Franklin County, the towns of Bangor, Bellmont, Burke, Constable, Fort Covington, and Westville; and the Chateaugay and Moira fires Districts; for the purpose of this study.

Further Resolved: That the Town of Malone authorizes the county Emergency Services Director Ricky Provost as lead applicant contact person and to submit an application for a grant in the total amount of \$50,000.00 from the 2011-2012 Local Government Efficiency Program; and be it

Further Resolved: that Mr. Provost is authorized to execute all financial and/or administrative processes relating to the implementation of this project.

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**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

Malone Adult Center/Malone Golden Age Club -

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#49 -2012): that the Town Board approves the 2012 agreement with the Malone Adult center I the amount of \$10,000.00 and the 2012 agreement with the Malone Golden Age Club in the amount of \$2,800.00, as budgeted.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

Flooding Problem – Supervisor Maneely received a letter regarding the Salmon River flooding problems on Lower Park Street from Congressman Owens, who has contacted the USACE for assistance.

Time Warner Cable – a franchise fee work sheet is on file for Board review.

Airport Project – A pre-construction meeting will be held at 1:00pm, March 28th 2012 with C & S Engineers and KETCO Inc. for the Taxiway B-Phase 2 project.

SUPERINTENDENT OF HIGHWAYS REPORT:

Superintendent of Highways Shanty reported that the men are patching pot holes and repairing road signs and equipment, in preparation for spring and summer jobs.

Sand & Gravel -

Motion – Councilor Taylor

Second – Councilor Sullivan

Resolved (#50 -2012): that the Town of Malone is accepting sealed bids from qualified suppliers currently permitted by the NYS DEC (preference will be given to bidders within the Town of Malone) for the on-site purchase of sand and gravel as follows:

10,000 Yards, more or less, of Bank-run Gravel as per established NYS standards and regulations, and bids must be presented as Price per Yard. All materials must be easily accessible to the Town Highway Department. All bidders may bid on one or both (separately) of the following options:

1) The Town of Malone Highway Department will extract and screen materials on-site. The successful bidder will be responsible for by-products from the screening. Pick-up and delivery of materials will be the responsibility of the Town of Malone.

-OR-

2) Materials will be processed and ready for pick-up by the Town of Malone Highway Department.

Sealed bids, marked “Gravel-Option #1 or “Gravel-Option #2” will be accepted at the office of the Malone Town Clerk, 27 Airport Rd., Malone, NY 12953, during normal business hours, until 1:00 pm, Wednesday, April 11th 2012, at which time they will be opened and read aloud. A Certificate of Non-Collusion must accompany each bid. The Town Board reserves the right to waive any informalities and/or to reject any and all bids.

AND

6,000 – 8,000 Yards, more or less, of Road Sand in Bank as per established NYS standards and regulations, and bids must be presented as Price per Yard. All materials must be easily accessible to the Town Highway Department. All bidders may bid on one or both (separately) of the following options:

1) The Town of Malone Highway Department will extract and screen materials on-site. The successful bidder will be responsible for by-products from the screening. Pick-up and delivery of materials will be the responsibility of the Town of Malone.

-OR-

2) Materials will be processed and ready for pick-up by the town of Malone Highway Department.

Sealed bids, marked “Sand-Option #1 or “Sand-Option #2” will be accepted at the office of the Malone Town Clerk, 27 Airport Rd., Malone, NY 12953, during normal business hours, until 1:00 pm, Wednesday, April 11th 2012, at which time they will be opened and read aloud. A

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Certificate of Non-Collusion must accompany each bid. The Town Board reserves the right to waive any informalities and/or to reject any and all bids.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

BOARD MEMBER/COMMITTEE REPORTS:

Councilor Scharf reported on the NYSAT conference at which she attended 10 workshops. She learned that the Town of Malone has a much lesser chance of receiving grant funding because we have no county planner or planning department. She asked that a letter be sent to the Franklin County Legislature and the other Towns in Franklin County asking for a planner. Supervisor Maneely noted that this has been done before, but can be again, and now that there are new legislators and a different County Manager perhaps the result will be different.

Motion – Councilor Scharf

Second – Councilor Taylor

Resolved (#51-2012): that the Town Board of the Town of Malone will direct a letter of support to the Franklin County Legislature and to all other towns within Franklin County, for the development of a Franklin County Planning Department.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

Councilor Scharf also spoke about moving forward with the joint Town/Village BOA grant program, and will speak to the Village Board about it at their next meeting.

Councilor Sullivan is working to formulate a committee for review of the Micro Enterprise grant applications.

CORRESPONDENCE:

From NYS DOH – A complaint has been received about smoking at the Town Highway garage. An outside smoking area will be established.

From Senator Little – notification of the Senator’s appointment to a mandate relief council; website and public forum information

From NYS DOT – regarding the bridge rehabilitation project on Route 458 in Waverly

From NYS DOT – an Official Order for a reduced speed zone for part of Route 30 south, Village and Town of Malone

From Michael Moore, attorney-representing a property owner near the NYSDOT facility on Route 30 north, a request for tap to a water line running near his property

From Erie Niagara Insurance – fire policy cancellation notice for Victor Fellion

From Joint Recreation Commission- meeting minutes, for board information

From Adirondack Tobacco Free Network – Quarterly Newsletter, for board information

From North Country Healthy Heart Network – Pedestrian facilities workshop

NEW BUSINESS:

Training Request –

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (#52-2012): that the Town Board authorizes Town Clerk Hafter and Deputy Clerk Smith to attend the NYS Town Clerk Association training conference in Saratoga Springs from 4/22-25/2012, with all necessary expenses to be paid by the town.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

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Auditing Services –

Motion – Councilor Scharf

Second – Councilor Sullivan

Resolved (#53-2012): that the Town Board authorizes the Supervisor to sign an agreement with Dragon Benware CPAs, for 2011 auditing services as required by GASB, in the amount of \$14,175.00, as budgeted.

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

BILLS FOR AUDIT & PAYMENT:

Motion – Councilor Taylor

Second – Councilor Scharf

Resolved (# 54 - 2012): that the following bills, having been audited, vouchers #202-271, be paid:

General Fund- Abstract #4	\$ 31,098.36
Part Town General – Abstract #4	80.36
East Side Water – Abs. #4	230.44
Trust & Agency- Abstract #8	405.50
Fire Protection – Abstract #1	427,000.00
Airport Capital Proj. – Abs.# 4	7,939.78
Highway DA- Abstract #3	11,923.02
Highway DB- Abstract #4	<u>4,256.02</u>
Grand Total -	\$482,933.48

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

Attorney Item: Attorney Anderson-Duffy said she has received a letter from Attorney Piasecki, asking the Town Board to waive charges for Fire Protection for the Village of Malone Housing Authority. The Supervisor TABLED the issue until the councilors have all received a copy of the letter for review.

ADJOURN:

At 6:58pm Motion - Councilor Sullivan

Second – Councilor Taylor

Resolved (# 55-2012): there being no further business to come before the Board that it adjourn, with the next regular meeting to be March 28, 2012, at 6:00pm

**CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Absent
Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye**

RESPECTFULLY SUBMITTED,

SUSAN M. HAFTER, TOWN CLERK
March 20, 2012

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