

TOWN OF MALONE
REGULAR MEETING
November 20, 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 20th day of November 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
Bruce Burditt, Airport Manager
Michael Quinn, Cipriani Energy

Denice Hudson, Budget Officer
John Manley, Deputy Highway Superintendent
Alex Viola, Malone Telegram
Greg Lawrence, Cipriani Energy

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

Moment of Silence for Carolyn McNamara

MINUTES: For review and approval

RESOLUTION 285-2024 – Minutes

Upon motion by Councilor Walbridge, second by Deputy Maguire the following resolution was ADOPTED Ayes 3 Stewart, Walbridge, Maguire

Nays 0

Abstain 2 Johnston, Taylor

Approval of October 18, 2024 Budget Work Session #3 Minutes.

RESOLUTION 286-2024 – Minutes

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

Nays 0

Approval of October 23, 2024 Regular Meeting Minutes.

RESOLUTION 287-2024 – Minutes

Upon motion by Councilor Walbridge, second by Councilor Johnston the following resolution was

was

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

Nays 0

Approval of November 4, 2024 Public Hearing Minutes.

Reports:

RESOLUTION 288-2024- Reports

Upon motion by Deputy Maguire, second by Councilor Taylor 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- October 2024

Justice Fisher- October 2024

Airport Manager- October 2024

Town Clerk- October 2024

Code Office- October 2024

Supervisor's Report- October 2024

Budget to Actual- October 2024

Justice Main- October 2024

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OLD BUSINESS:

Budget Officer Hudson made a statement in regard to the 2025 Preliminary Budget. On September 30, 2024, the Tentative Budget was filed with the Town Clerk with a tax levy of \$3,551,640.00 and the tax rate for Town Taxpayers at \$9.82 and Village Taxpayers at \$5.38. The Tentative Budget was presented to the Board on October 4th at which time I gave an overview of each fund and budget work sessions were scheduled. There were three budget work sessions where the Board worked diligently in conjunction with me and department heads going over each fund line by line. Public Hearings were held on November 4th with no oral or written comments received. The budget presented for adoption today has a tax levy of \$3,505,509.00 with the Town rate at \$9.77 (\$.07 over the 2024 rate) and the Village rate at \$5.29 (\$.05 over the 2024 rate) with the appropriate information reported and submitted to New York State Tax Cap Compliance. Overall appropriations were increased from 2024 by 2.85% with the tax levy increased by less than one (1%) percent.

Supervisor Stewart thanks Budget Officer Hudson for all the hard work she has done for the budget season.

RESOLUTION 289-2024- 2025 Town of Malone Preliminary Budget

Upon motion by Councilor Johnston, second by Deputy Maguire the following resolution was

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

Nays 0

Approval to adopt 2025 Town of Malone Preliminary Budget.

RESOLUTION 290-2024- Dog Control and Animal Shelter

Upon motion by Supervisor Stewart, second by Deputy Maguire the following resolution was

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

Nays 0

Approval to accept the BID from Penny Landry for the 2025 Dog Control and Animal Shelter.

SUPERVISORS REPORTS:

RESOLUTION 291-2024- CSEA Agreement

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 to sign Tentative Agreement from CSEA for Bargaining Unit Contract January 1, 2025 to December 31, 2027.

RESOLUTION 292-2024- Final Environmental Impact Statement

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

Nays 0

WHEREAS, on or about September 3, 2021, Yellow 17, LLC filed an application for a Zoning Permit for the “Malone Solar Project” to be located at 176 Bare Hill Road in the Town of Malone (the “Proposed Action”), and

WHEREAS, as part of its application for a Zoning Permit, the Applicant submitted a Full Environmental Assessment Form dated August 26, 2021, and

WHEREAS, on or about February 11, 2022, Yellow 17, LLC filed a response to a deficiency letter for the Proposed Action with supplemental materials in support of its application, and

WHEREAS, on or about October 12, 2022, Yellow 17, LLC filed supplemental materials in support of its application, and

WHEREAS, the Town Board adopted a Resolution on May 11, 2022, which classified the project as a Type I Action under the New York State Environmental Quality Review Act (“SEQRA”), and

WHEREAS, the Town Board assumed lead agency status pursuant to 6 NYCRR 617.6(b)(1), and

WHEREAS, the Town Board conducted public hearings on the proposed project on June 22, 2022, and July 13, 2022, and

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WHEREAS, on November 16, 2022, the Town Board made a Positive Declaration of Environmental Significance, requiring preparation of a DEIS, and

WHEREAS, on or about June 26, 2023, the Applicant filed a draft Environmental Impact Statement Scoping Document for the Malone Solar Project and held a public hearing on the scoping document on September 13, 2023, and

WHEREAS, the Final Scoping Document was accepted by the Town Board on September 27, 2023, and

WHEREAS, the Applicant submitted a Draft Environmental Impact Statement (“DEIS”) in November 2023 and submitted a revised DEIS on or about February 6, 2024. The DEIS was deemed adequate for public review on March 6, 2024 and a public hearing was held on March 27, 2024 with the public comment period ending April 12, 2024.

WHEREAS, the Applicant submitted updated studies since the DEIS, and
WHEREAS, the Town Board has prepared the Full Environmental Impact Statement (“FEIS”), and

NOW THEREFORE, the Town Board resolves to issue the FEIS and make it public. The Board will accept comments on the FEIS until December 13, 2024.

AND THEREFORE, the Town Clerk is hereby directed to enter this resolution in the minutes of this meeting. The FEIS attachment is available in the clerk’s office for viewing.

AND THEREFORE, the Town Clerk is hereby directed to distribute a copy of the FEIS to the project sponsor, involved agencies, interested agencies, and members of the public who commented on the DEIS.

AND THEREFORE, the Town Clerk is hereby directed to notice the FEIS in the environmental notice bulletin.

RESOLUTION 293-2024- Sale of Sewer Pump

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

Nays 0

WHEREAS, the Town of Malone (hereinafter the “Town”) has utilized, and is currently in possession of, a sewer pump; and

WHEREAS, the Town Board of the Town of Malone (hereinafter the “Town Board) has determined that said sewer pump is no longer useful to the Town and is surplus for sale; and

WHEREAS, the Town of Gouverneur has offered to purchase said sewer pump from the Town at a private sale for the principal sum of \$25,000.00; and

WHEREAS, the Town desires to sell said sewer pump to the Town of Gouverneur by private sale, in accordance with state and local law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the sale of the Town’s surplus sewer pump to the Town of Gouverneur by private sale for the sum of \$25,000.00, and be it further

RESOLVED, that the Town Board hereby authorizes and directs Andrea M. Stewart, Town Supervisor, to execute any and all contracts and documents necessary to consummate the sale contemplated herein, and be it further

RESOLVED, that this resolution shall have immediate effect.

RESOLUTION 294-2024- MCF Physicals

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

Nays 0

Permission for Supervisor Stewart to sign MCF Physicals for Thomas Higman, Connor Fefee, Faith Lewyne, Kaylene Dannon, and Connor Tisdell and add them to the Franklin County Self Insurance Plan.

BOARD MEMBER/COMMITTEE ITEMS:

Supervisor Stewart congratulated Airport Manager Bruce Burditt for being elected for Citizen of the Year award at the Chamber of Commerce, the whole board congratulates him. Deputy Maguire stated concerns he had with the borders closing early. Maguire stated Malone and surrounding towns and villages get a lot of business from Canda and vice versa. Closing the borders early is going to hurt community businesses, individuals who work over here but live in Canada, hurt students who travel back and forth. All board members agreed with Maguire and

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stated they should send a letter expressing their concerns. Supervisor Stewart is sending a letter addressing concerns.

SUPERINTENDENT OF HIGHWAY REPORTS:

Superintendent Andrews states the auction was closed, one major item did not end up selling and that was the pavor. The plan is to put it back up for auction in March once it is closer to the time it will be used. Andrews states proceeds were \$11,209.00 and \$127.00 of it is going to the court. Andrews is dedicating an old mower and weedwhacker directly to the cemeteries. Andrews and the board discuss the purchase of a new paver.

RESOLUTION 295-2024- AP500 Paver

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

Nays 0

Permission to purchase the new AP500 Paver for Highway.

CORRESPONDENCE:

RESOLUTION 296-2024- Northern Adirondack Code Enforcement Training

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

Nays 0

Permission for Code Officer McMahon to attend Northern Adirondack Code Enforcement Officials training March 23-27, 2025.

Application for Small Claims: Craig Tatro v. Town of Malone; Letter from insurance company assigned counsel.

From Department of State: Filing of Local Law No. 1-2024 on October 15, 2024.

From Stavisky & Associates: Notice of Entry of Stipulation of Settlement Wal-Mart v. Town of Malone

From Village of Malone: FOIL Request.

From Flink Maswick: 74 Hemlock Drive FOIL Request.

Town of Malone Board of Variance and Appeals: Minutes from October 21, 2024 Meeting.

NEW BUSINESS:

RESOLUTION 297-2024- Journal Entry

Upon motion by Councilor Walbridge second by Councilor Johnston the following resolution was

Nays 0

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

Permission for Budget Officer to make the following Journal Entry as Per Comptroller Notice for September 2024 from A690 Clearinghouse \$5,428.00 to A980 Revenues \$5,428.00 (A2610 court fines & fees).

RESOLUTION 298-2024- Journal Entry

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

Nays 0

Permission for Budget Officer to make the following Journal Entry as to Payroll from DB9060.8 (Hospital & Medical Insurance) to DB5110.1 (General Repairs-Personal Services) \$1,652.72.

BILLS FOR AUDIT & PAYMENT: *Batch No. 1570, 1576*

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Voucher Nos. 866-871, 877-925, 927-937

<i>General Fund (A)</i>	<i>\$84,822.96</i>
<i>Part Town General Fund (B)</i>	<i>2,471.46</i>
<i>Highway Townwide (DA)</i>	<i>13,164.79</i>
<i>Highway Outside (DB)</i>	<i>29,787.65</i>
<i>East Side Water (FE)</i>	<i>252.77</i>
<i>Trust & Agency (T)</i>	<i>36,881.26</i>
<i>Escrow Capital Project (H2)</i>	<i>2,727.04</i>
<i>Airport Capital Project (H4)</i>	<i>59,886.19</i>

GRAND TOTAL \$229,994.12

RESOLUTION 299 -2024 Bills

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

Nays 0

Resolved to pay the bills listed.

RESOLUTION 300-2024 Adjourn

Upon Motion of Councilor Walbridge and seconded by Councilor Taylor the following resolution

Was ADOPTED Ayes 5 Stewart, Johnston, Taylor, Walbridge, Maguire

Nays 0

Resolved to adjourn the regular meeting at 6:50 p.m. The next Regular Board Meeting will be on December 18, 2024 at 6:00 p.m. at 27 Airport Rd. Malone, NY 12953.
RESPECTFULLY SUBMITTED,


Abby Monica, Town Clerk