

**TOWN OF MALONE
REGULAR MEETING
PUBLIC HEARING
September 25, 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 25th day of September 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
Alex Violo, Malone Telegram

Denice Hudson, Budget Officer
John Manley, Deputy Highway Superintendent
Bruce Burditt, Airport Manager

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

MINUTES: For review and approval

RESOLUTION 232 -2024 – Minutes

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

Nays 0

Abstain 2 Johnston, Maguire

Approval of July 31, 2024 Special Meeting Minutes

RESOLUTION 233 -2024 – Minutes

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

Nays 0

Abstain 2 Johnston, Taylor

Approval of August 29, 2024 Special Meeting Minutes

RESOLUTION 234 -2024 – Minutes

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

Nays 0

Abstain 1 Walbridge

Reports:

RESOLUTION 235-2024- Reports

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

Nays 0

Resolved to approve the following reports

NYS Comptroller, Justice Court Fund- July 2024

OLD BUSINESS:

RESOLUTION 236-2024- Request for Time Off

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

Nays 0

Effective January 1, 2025 any request for time off without pay will not be authorized unless and until all vacation leave, personal leave, sick leave, and accumulated sick leave balances are exhausted.

RESOLUTION 237-2024- Request for Time Off

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

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

Nays 0

Effective January 1, 2025 all Town of Malone Employees will be eligible to accumulate 12 sick days a year, 1 per month.

RESOLUTION 238-2024- SEQRA Resolution

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

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

Nays 0

WHEREAS, on or about June 13, 2024, Hudson Headwaters Health Network (the “Applicant”) by its engineer Mark DeCrescente, P.E. submitted an application for site plan review, to be located at 183 Park St (98.65-2-18; 98.65-2-14; 98.73-4-1; and 98.-2-40.300) the “Proposed Action”); and

WHEREAS, the Proposed Action involves a 1-story medical office building, associated parking, sidewalks, stormwater management, lighting, landscaping, and other associated infrastructure; and

WHEREAS, the Proposed Action is located within the Village of Malone and Town of Malone; and

WHEREAS, the Planning Board recommended approval on July 3, 2024, and

WHEREAS, the Village of Malone adopted a Resolution on July 30, 2024, which classified the Hudson Headwaters Project as an Unlisted Action and under the New York State Environmental Quality Review Act (“SEQRA”), and

WHEREAS, the Applicant has prepared a Short Environmental Assessment Form (“SEAF”) which is attached hereto, and

WHEREAS, the Village of Malone assumed lead agency status pursuant to 6 NYCRR 617.6(b)(1);

WHEREAS, the Lead Agency held a public hearing on the proposed action at the Malone Village Office on August 7, 2024 at 6:00PM; and

WHEREAS, the Village of Malone thoroughly analyzed the relevant concerns discussed in the attached negative declaration of environmental significance, and has determined that no significant adverse environmental impacts will result from the proposed Project, and

NOW, THEREFORE, the Town Board hereby adopts the Village’s negative declaration of environmental significance for the Hudson Headwaters Project.

AND THEREFORE, the Town Board hereby adopts the attached negative declaration of environmental significance and incorporates it herein.

AND THEREFORE, the Town Board hereby grants site plan approval.

SUPERVISORS REPORTS:

RESOLUTION 239-2024- MCF Physical

Upon motion made by Councilor Taylor seconded by Deputy Maguire the following resolution was

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

Nays 0

Permission for Supervisor Stewart to sign MCF Physical for Barry Stickle and add to the Franklin County Self Insurance Plan.

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SUPERVISORS REPORTS:

RESOLUTION 240-2024- Grant Documentation

Upon motion made by Councilor Johnston seconded by Councilor Walbridge the following resolution was

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

Nays 0

Permission for Supervisor Stewart to sign grant documentation for the State and Municipal Facilities Program Improvements at the Veteran's Baseball Field Complex in the amount of \$125,000.00.

PUBLIC HEARING:

Supervisor Stewart called the 2025 Tax Cap Public Hearing open at 6:15 p.m.

At this time there was no public comments or questions.

RESOLUTION 241-2024- Close Public Hearing

Upon motion made by Supervisor Stewart seconded by Councilor Walbridge the following resolution was

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

Nays 0

Permission for Supervisor Stewart to close the public hearing at 6:56 p.m.

BOARD MEMBER/COMMITTEE ITEMS:

Deputy Maguire stated he met with the attorney to make a MOU for the part time Highway Clerk. Maguire stated she deserves this as she has been working for the town for 5 years now and is an amazing worker.

RESOLUTION 242-2024- Memorandum of Understanding

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 for Highway Clerk Gadway and Supervisor Stewart to sign the Memorandum of Understanding.

Maguire discussed how Councilor Walbridge and himself attended a work session with the Village of Malone, Malone Minor Hockey and Malone Recreation Commission. Paul and I made it very clear the town of Malone board are very for all sports and appreciate everything the Malone minor hockey has done with the arena, out intention was to never short the rec commission \$19,000.00. It was clear to me they wanted no part of it, and they were going to meet and decide to do a two-party agreement, the Village and Malone Minor Hockey. Maguire stated it was clear the mayor was trying to make the town look like the bad guys, our main goal was to make it known to just follow the agreement, follow the audit and not short anybody. The two parties that were there for the rec commission did not agree for a two party agree and wanted the four, but it sounds like the village and Malone minor hockey are moving forward with the two-party agreement. Maguire stated he would like to make an unofficial pledge that during budget season we do not short the rec commission \$19,000.00, we do our best to fully fund them and I know the rec commission will find very good use of that money. The mayor referred to this as "the elephant in the room, I will address it, it is the Town and they just wont get off of this audit thing.." I also made it very clear we could negotiate the reporting requirement a little later in the year, so they would have more time to get the audit done.

Councilor Walbridge states he has to applaud Deputy Maguire for that meeting, I was speechless because I would have said the wrong things, she berated us, Terry, myself and treated us like second class citizens, I was embarrassed, I have never been speechless. Walbridge states Terry represented us very well. Thanks, the budget officer and supervisor Stewart for getting this all

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done for the field. I know how hard it is to get quotes and it is time consuming. Walbridge states he is so proud and grateful for the employees, thanks the highway crew for always going beyond for the town and getting the little things fixed when the taxpayers ask.

Councilor Johnston states I wonder why transparency is an issue. We are asking for transparency we are not accusing anyone of anything we are just asking that they comply with not only our direction but the laws of the Comptroller of the State of New York, to ask of that is not accusing anyone of anything, it is just being fiscally responsible as a taxing entity to make sure our tax money is accounted for. Councilor Johnston speaks on the baseball field, this money we are getting is going to help us do great things for the field. We were responsible with this money. Thanks, the budget officer for getting everything put together that was needed for this grant and moving this right along.

SUPERINTENDENT OF HIGHWAY REPORTS:

Superintendent Andrews thanks Deputy Maguire and Councilor Johnston for the quick response in regard to the MOU for the highway clerk and thanks the board for accepting it as well. Andrews states all the sand is in, the crew has been hauling our own salt and is saving \$111.65 a ton, that is why we purchased the flow boy. The crew will get a couple more loads, once the salt shed is done the crew will continue getting loads of salt. We will be trying salt more this year rather than sand, the salt will be used on roads with the most traffic. The salt shed will be ready for black top on Monday morning. Andrews states his mechanics are getting for another auction and will have a list ready by the second week of October to be declared surplus. Supervisor Stewart and I attended a traffic safety meeting. I have had a lot of complaints, and concerns on why the county bridge was still closed on 25. I did find out from County Highway Superintendent Ed Adams that it could take two years to even start fixing the bridge, so in the meantime that bridge will be staying at 10ton limit. This has caused traffic to become heavy on River Road, Low Road, and Webster Street and it will not slow down for a while. Due to this I have gotten many phone calls on residents being concerned about safety. The current speed on them roads are 55 but there is an increase in logging trucks, Tractor trailers, dump trucks. I feel the town and the board should put in a traffic study to reduce the speed limit legally on the Webster Street Road and River Road. I have talked to the state police, and they see the concern of the speed limit being 55, a lot of residents walk them roads and there are many curves, but unfortunately there is not anything they can do due to the cars not speeding. Andrews states if we do the report to see if we can get the speed limit dropped and it gets denied, than we can ask the state if we can put a legal suggested speed limit sign, which is the yellow and black ones.

RESOLUTION 243-2024- Road Study

Upon motion made by Supervisor Stewart seconded by Councilor Johnston the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Permission for Town Clerk Monica to submit paperwork to NYS requesting them to do a study to consider lowering the speed from 55 miles an hour on River Road and Webster Street Road due to extenuating circumstances.

CORRESPONDENCE:

RESOLUTION 244-2024- Town of Malone Website

Upon motion made by Supervisor Stewart seconded by Councilor Walbridge the following resolution was

ADOPTED Ayes 5 Stewart, Maguire, Johnston, Walbridge, Taylor
Nays 0

Permission to accept Deputy McCaffrey's recommendation to use Revize as the Town of Malone new website.

From NYS DEC: Modified DEC mining permit.

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RESOLUTION 245-2024- Josh Brown Resignation

Upon motion made by Supervisor Stewart seconded by Deputy Maguire the following resolution was

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

Nays 0

Approval to accept Josh Brown's resignation from MEO position effective September 26, 2024.

From Michael Dufort: Letter of interest for Town of Malone Planning Board.

From Malcolm Miner: Letter of interest for Town of Malone Planning Board.

Councilor Walbridge and Councilor Taylor will meet with both candidates and discuss the planning board.

RESOLUTION 246-2024- 2024-2025 JCAP

Upon motion made by Deputy Maguire seconded by Councilor Taylor the following resolution was

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

Nays 0

WHEREAS, the State of New York Unified Court System is soliciting applications from local governments under the Justice Court Assistance Program to assist local Justice Departments with needed equipment, automation, furniture, supplies and training.

WHEREAS, the funding available under the State of New York Unified Court System would facilitate local efforts in upgrading the Town's Justice Departments.

RESOLVED, that the Town of Malone authorizes the Malone Town Court to apply for a Justice Court Assistance Program (JCAP) in the 2024-2025 grant cycle in the amount of \$5,661.77.

NEW BUSINESS:

RESOLUTION 247-2024- Journal Entry

Upon motion made by Councilor Walbridge seconded by Councilor Johnston the following resolution was

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

Nays 0

Permission for Budget Officer to make the following Journal Entry as Per Comptroller for July 2024 from A690 Clearinghouse \$5,323.00 to A980 Revenues \$5,323.00 (A2610 court fines & fees).

RESOLUTION 248-2024- Board of Assessment Review

Upon motion made by Supervisor Stewart seconded by Councilor Johnston the following resolution was

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

Nays 0

Approval of Douglas Beane serving another 5-year term on the Board of Assessment Review, term ending September 30, 2029.

2025 Dog Control/Shehering

BILLS FOR AUDIT & PAYMENT:

*Batch No. 1537
Voucher Nos. 749-786*

General Fund (A)

\$52,801.54

Part Town General Fund (B)

2,991.64

Highway Outside (DB)

5,830.66

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<i>Highway Townwide (DA)</i>	28,385.47
<i>Trust & Agency (T)</i>	35,324.12
<i>Consolidated Highway Capital Improvement Project (H3)</i>	1,914.95
<i>East Side Water (FE)</i>	306.07
<i>West Water (FW)</i>	252.30

GRAND TOTAL \$157,804.75

RESOLUTION 249-2024 Bills

Upon Motion by Deputy Maguire, second by Councilor Walbridge the following resolution was.

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

Nays 0

Resolved to pay the bills listed.

RESOLUTION 250-2024 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

Approval to adjourn the regular meeting at 7:09 p.m. The next Regular Board Meeting will be on October 9, 2024 at 6:00 p.m. at 27 Airport Rd. Malone, NY 12953.

RESPECTFULLY SUBMITTED,



Abby Monica, Town Clerk