

A regular meeting of the Malone Town Board was held Wednesday March 11th 2009, at the Malone Town Offices, 27 Airport Rd. Malone, New York, commencing at 6:00pm.

PRESENT: Deputy Supervisor Paul Walbridge
Councilor Louise Taylor
Councilor John Sullivan
Councilor Irving Caplan
ABSENT: Supervisor Howard Maneely
ALSO PRESENT: Susan Hafter, Town Clerk
Andrea Stewart, Budget Officer/Bookkeeper
Lillian-Anderson Duffy, Town Attorney
Tom Shanty, Deputy Superintendent Hwys.
Mark Besio, Highway Clerk/Airport Mngr.
Mark Gonyea, Planning Board Chairman
Ronnie Benware, Malone Andrea Dumas, Malone
Hugh Hill, Malone

At 6:00pm Deputy Supervisor Walbridge called the meeting to order with a Pledge to the Flag.

MINUTES & REPORTS:

* On the motion of Councilor Sullivan with a second thereto by Councilor Caplan to accept the minutes of the regular meeting of 2/02/2009 as presented and place on file.
CARRIED WITH THE MEMBERS PRESENT VOTING AS FOLLOWS: Deputy Supervisor Walbridge – Aye; Councilor Sullivan – Aye; Councilor Caplan – Aye; Councilor Taylor – Abstain (3 -0-1).

* On the motion of Councilor Sullivan with a second thereto by Councilor Caplan to accept the following reports as presented and place on file:
Town Clerk/Registrar report for 2/2009
Receiver of Taxes – 2/2009 Deputy Supt. of Highways – 2/2009
Airport Manager – 2/2009 Supervisor report 2/2009
CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR (4-0).

(DEPUTY)SUPERVISOR REPORTS:

Restore New York, Round 3 -

* On the motion of Councilor Taylor with a second thereto by Councilor Caplan to conduct a Public Hearing for the Town of Malone Restore NY Round 3 application for Holiday Inn Express, as follows:

Resolution #3-2009

WHEREAS, the Town Board, after due consideration, has determined that it is desirable and in the public interest to submit an application to Empire State Development Corporation for a Round 3 Restore NY Communities Initiative Municipal Grant Program; and

WHEREAS, the proposed project is in accordance with Town and Regional Planning objectives; and

WHEREAS, the proposed financing is appropriate for the specific project; and

WHEREAS, the proposed project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and

WHEREAS, and where applicable, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities; and

WHEREAS, the Town Board hereby authorizes and directs the Supervisor to submit an application for financial assistance under Round 3 Restore NY Communities Initiative Municipal Grant Program; and

WHEREAS, it is desirable to conduct and hold a public hearing pursuant to the project;

NOW, THEREFORE, BE IT

RESOLVED, that Members of the Town Board of the Town of Malone do find that the proposed project is consistent with the Town's Master Plan, that the proposed financing is appropriate for
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the project; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and other facilities in a manner that will attract, create and sustain employment opportunities; and

THEREFORE, BE IT FURTHER

RESOLVED That the Town Clerk is hereby authorized to publish a Notice of a Public Hearing to be held on March 25th, 2009 at 6:15PM at the Town Hall to provide an opportunity for the Town of Malone to provide comment on the properties listed on the Property Assessment List that are in need of demolition, deconstruction, rehabilitation or reconstruction.

CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR (4-0).

The above noted Property Assessment List is as follows:

The Town of Malone will be submitting an application to the Empire State Development Corporation Round 3 Restore NY Communities Initiative Municipal Grant Program. In accordance with the requirements of this program, public notice is given that a 1,600 SF residential building at 3343 State Route 11 and a 5,200 SF commercial space at 3357 State Route 11 (both in the Town of Malone) are proposed for demolition. A 49,000 SF Holiday Inn Express is proposed to be reconstructed on the developable space at 3351 State Route 11.

Town Road Posting issue –

* On the motion of Councilor Taylor with a second thereto by Councilor Sullivan, regarding the periodic need for exemptions from Road Postings:

Resolution # 4-2009

THE TOWN BOARD OF THE TOWN OF MALONE HEREBY RESOLVES:

WHEREAS, the Town of Malone intends to post certain Town roads, pursuant to Article 41, Section 1660 of the Vehicle and Traffic Law, prohibiting travel during the Spring time by vehicles weighing in excess of 6 tons per axle, to prevent damage to said roads; and

WHEREAS, Vehicle and Traffic Law Article 41, Section 1660 (11) allows the Town of Malone to exempt certain vehicle operators from the aforesaid travel/vehicle prohibition "if it is deemed that said vehicle is performing essential local pickup or delivery service and that a failure to grant such permit would create hardship"; and

WHEREAS, H & C Robinson Contractors, Inc. has applied by correspondence dated March 5, 2009, for a permit exempting certain of their vehicles from such prohibition, in that said Corporation with certain vehicles weighing in excess of 6 tons per axle, hauls bedding sand for cows to certain local dairy farms which have an ongoing vital need for said cow bedding, over certain Town roads which will be subject to the above referenced travel/vehicle prohibition.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF MALONE hereby, pursuant to Article 41, Section 1660 (11) of the Vehicle and Traffic Law,

FINDS: that the H & C Robinson Contractors, Inc. is performing an essential local pickup and/or delivery service and that a failure to grant a permit exempting its overweight vehicles from the travel/vehicle prohibition would create a hardship for certain local dairy farmers; and

GRANTS a PERMIT: for the year 2009, to **H & C Robinson Contractors, Inc.** pursuant to Article 41, Section 1660 (11) of the New York State Vehicle and Traffic Law, to be excluded from the vehicle/travel restrictions which are imposed by the Town of Malone, to allow said corporation's dump trucks, to wit: **1998 Ford Sterling, 2005 Ford Sterling and 1999 Volvo dump trucks** to haul bedding sand for cows to farms operated by: Vincent Bilow, Keith Brior, David Moore, Eric Craig and Steve Gokey; and said **PERMIT covers the following routes of travel:**

-for Vincent Bilow's farm, the route is from Bare Hill Road to State Route 37, State Route 11 to County Route 24.

-for Keith Brior's farm, the route is Bare Hill Road to State Route 37 and to State Route 11.

-for David Moore's farm, the route is Bare Hill Road to Brand Road, then to State Route 37 to County Route 51 and to State Route 11.

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-for Eric Craig's farm, the route is Bare Hill Road to Brand Road, then to County Route 8 to County Route 11.

-for Steve Gokey's farm, the route is Bare Hill Road to State Route 37, State Route 11 to County Route 24, then to Perham Road to the Stacy Road.

CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR (4-0).

Joint Town/Village Meeting – A meeting to review the draft Town and Village Economic Plan as prepared by the EP committee and Camoin Associates will be held at 5:00pm on Wednesday, arch 25th 2009 at the Malone Town Offices.

Cooperative Grant proposals, requiring concurrence and/or approvals:

* On the motion of Councilor Sullivan with a second thereto by Councilor Caplan, that the Town issue a letter of support to the **Village application for Restore NY Round 3**, intended to assist in the renovation of the Flanagan Hotel.

CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR (4-0).

* On the motion of Councilor Caplan with a second thereto by Councilor Sullivan to provide a letter of support to the **Village's application for CDBG** funding for infrastructure improvements, to replace a water line on Duane Street.

CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR (4-0).

*On the motion Councilor Sullivan with a second thereto by Councilor Taylor to support MEDCO's application for a New York Main Street Facade grant (an enhanced re-submittal of an unsuccessful application by the Village- in this cycle only not-for-profits can apply) to improve main street buildings and streetscape..

CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR (4-0).

* On the motion of Councilor Taylor with a second thereto by Councilor Sullivan that the Town of Malone sponsor an open-round application to CDBG Economic Development Fund, with award monies to be managed by MEDCO, as a small- business revolving fund for the entire Town, with focus mainly within the village.

CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR (4-0).

*On the motion of Councilor Taylor with a second thereto by Councilor Sullivan that the Town of Malone support and potentially co-sponsor an application by the Village for CDBG Housing Rehabilitation funding, to be administered by MEDCO and to be focused on downtown housing, above the commercial areas.

CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR (4-0).

Phone System Maintenance -

* On the motion of Councilor Sullivan with a second thereto by Councilor Caplan to authorize Deputy Supervisor Walbridge to sign the annual maintenance agreement with Westelcom, for the Town's phone system.

CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR (4-0).

SUPERINTENDENT OF HIGHWAYS REPORT:

- Deputy Superintendent Shanty is serving as Chief during Superintendent Livernois' extended absence.

- He said the crew has been busy patching roads, readying summer equipment, and taking care of a few water problems.

- He has contracted for road salt, through a consortium with Clinton and Franklin Counties, at a locked-in price of \$71.00 per ton. The price may go down, but it cannot go up during the contract period.

Airport Beacon – Airport Manager Besio said the beacon should be fixed within a few days, as he has chosen a different electrician.

CORRESPONDENCE:

- from NYS Office of Real Property Services – Residential Assessment Ratio at 77.16
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and Tentative Special Franchise full value list.

- from Jeff Reville, Malone resident – a road repair request for Travers Road, for Board consideration.

- from Town Clerk Hafter – for Board information, an item hidden within the Governor’s Budget, which would make the procedure to change elected Town Clerks to appointed Clerks subject to a permissive referendum, rather than the current process (mandatory referendum); while this particular issue does not affect Malone, it begs the question- what else is proposed that municipal governments ought to know about prior to NYS adoption.

NEW BUSINESS:

Training request -

* On the motion of Councilor Taylor with a second thereto by Councilor Caplan to allow Assessment Assistant Hewitt permission to attend training , for RPS Version 4 Release 2009, on 4/14/09 in Ray Brook.

CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR (4-0).

BILLS FOR AUDIT & PAYMENT:

* On the motion of Councilor Caplan with a second thereto by Councilor Sullivan that the following bills, vouchers # 215 -256, having been audited, be paid:

General Fund	\$ 4,364.62
Part Town General	186.82
Highway DA	1 ,876.04
Highway DB	12,233.64
East Side Water Fund	<u>363.38</u>

Grand Total \$ 19,024.50

CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR (4-0).

ADJOURN:

* At 6:28pm, on the motion of Councilor Sullivan with a second thereto by Councilor Taylor, there being no further business to come before the Board, that it duly adjourn, with the next regular meeting to be held on Wednesday, March 25, 2009, commencing at 6:00pm, preceded by the Economic Plan review by Village & Town Boards at 5:00pm and Town IDA meeting at 5:45pm.

CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR (4-0).

RESPECTFULLY SUBMITTED,

SUSAN M. HAFTER, TOWN CLERK
March 18, 2009

