

A regular meeting of the Malone Town Board was held Wednesday April 22, 2009, at the Malone Town Offices, 27 Airport Road, Malone, New York, at 6:00pm.

PRESENT: Supervisor Howard Maneely
Deputy Supervisor Paul Walbridge
Councilor Louise Taylor
Councilor John Sullivan

ABSENT: Councilor Irving Caplan

ALSO PRESENT: Susan Hafter, Town Clerk
Andrea Stewart, Budget Officer/Bookkeeper
Lillian-Anderson Duffy, Town Attorney

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

MINUTES & REPORTS:

* On the motion of Councilor Taylor with a second thereto by Councilor Sullivan to accept the minutes of the special meeting of 4/8/2009 and the regular meeting of 4/16/ 2009 as presented and place on file.

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

* On the motion of Councilor Sullivan with a second thereto by Deputy Supervisor Walbridge to accept the following reports as presented and place on file:
Justice Court – March, 2009 Receiver of Taxes – 2009 final collection report

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

OLD BUSINESS:

Robinson easement – Attorney Anderson-Duffy is working with Mr. Robinson on the details of the conveyance made with the Town. They have reported that in the process, the mining area has been modified, requiring modification of their licensing through the State in relation to the required 25’ set back. The Attorney advised that she will draft an agreement containing a hold harmless clause Town Board review.

Trooper Station - Attorney Anderson-Duffy has researched the necessity of a permit from NYS Troopers Barracks, as per Section 4-7 of Chapter 4 of the Town of Malone Code entitled Airport Approach Protection. She presented the Board with a copy of a 1947 Airport Approach map, superimposed with a real property tax map, so that all parcels are easily distinguishable. From this map, she has determined that the Trooper Station is in the “yellow zone”, and according to the Town of Malone Code, meets the criteria for building in that location.

* On the motion of Supervisor Maneely with a second thereto by Deputy Supervisor Walbridge: **Resolution #8-2009**

Whereas, Section 4-7 of Chapter 4 of the Malone Town Code entitled “Airport Approach Protection”, defines a permitting process for construction

on land within the Town-defined Airport Hazard Area; and

Whereas, the New York State Troopers' Station under construction on Rt. 11 in the Town of Malone lies within this Hazard Area, specifically within the Yellow Zone; and

Whereas, Town of Malone officials have determined that, according to Malone Town Code, the plans for the New York State Troopers' Station meet the requirements for a structure within the Yellow Zone of the Hazard Area;

Now, therefore be it

Resolved: that the Town Board of the Town of Malone does hereby permit the proposed construction of a New York State Troopers' Station, within the Airport Approach Protection Zone.

CARRIED WITH ALL MEMBERS PRESENT VOTING On Roll Call as follows:
Supervisor Maneely – Aye; Deputy Supervisor Walbridge – Aye; Councilor Taylor – Aye; Councilor Sullivan – Aye (4-0).

04/22/2009

Attorney Anderson Duffy reported that both the New York State Troopers' Station, under construction, and the Dollar General store, already built, are within FAA guidelines as to Airport Approach Protection.

Tabled items:

- SEQR Holiday Inn Express – Nothing further will be done on the SEQR until the FAA has made a determination regarding the project.

SUPERVISOR REPORTS:

Water Service request -

* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Sullivan to authorize the New York State Police Station to tap into the Town of Malone West Side Water District.

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

Farmers Market -

* On the motion of Councilor Sullivan with a second thereto by Deputy Supervisor Walbridge to allow the Adirondack Farmers' Market, with appropriate insurance in place, to use the Town Pavilion for sales, Wednesdays, June 10 – Oct. 21, 2009, as requested.

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

Great American Property – Supervisor Maneely has met with David Ray, in regard to the pending demolition of the old Great American/K-Mart building. Mr. Ray asked for a couple months more to deal with asbestos abatement.

CORRESPONDENCE:

- from **John Parent** – letter sent to Assemblywoman Duprey re- Restore NY Round 3

- from **Business Development Corp for a Greater Massena** –a sample resolution, for board consideration, regarding the support of a four lane highway through St. Lawrence and Franklin Counties

* On the motion of Councilor Taylor with a second thereto by Deputy Supervisor Walbridge:

Resolution #9-2009

Whereas, the Town of Malone and surrounding area have historically suffered economic difficulties due to remote location and infrastructure inadequacies; and

Whereas, economic studies have determined that comprehensive transportation improvements would considerably enhance the economic as well as social development opportunities in the North Country; specifically by reducing travel times, operating costs and accidents and increasing employment opportunities, access to labor pools, customer base and tourism opportunities; and

Whereas, the construction of a four-lane divided highway through St. Lawrence and Franklin Counties, connecting Interstate 81 and Interstate 87, would serve to alleviate transportation deficiencies in the North Country, bring new visitors and business our way and serve as an alternate travel choice for recreational and commercial motorists from all points north, south east and west of this region;

Now, therefore, be it

Resolved: that the Town Board of the Town of Malone does hereby express full agreement and support for local and state efforts that will result in the construction of a four-lane highway through St. Lawrence and Franklin Counties; and ultimately connect Interstate 81 and Interstate 87, and

Be it further

04/22/2009

Resolved: that copies of this resolution be forwarded to the St. Lawrence County and Citizens Coalition for Economic Infrastructure Development; the Franklin County Board of Legislators; New York State Governor David A. Paterson; New York State Senator – 45th District, Elizabeth Little; New York State Assemblywoman – 114th District, Janet Duprey; and United States Congressman – 23rd District, John McHugh.

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

- from the **Malone Chamber of Commerce** – request for annual stipend from the Town as budgeted for 2009.

* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Sullivan to submit payment of \$5,500.00 to Malone Chamber of Commerce as requested

and as budgeted.

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

Sewer Agreement -

Chris LaBarge asked about the status of a Sewer Agreement between the Village and Town for the West-Side Sewer District. Supervisor Maneely answered that he, Councilor Sullivan and Attorney Anderson–Duffy will meet at 9:00am, Friday morning to discuss that topic.

EXECUTIVE SESSION:

*6:17pm, on the motion of Supervisor Maneely with a second thereto by Deputy Supervisor Walbridge that the Board enter into Executive Session to discuss, with all Board Members, to be in attendance.

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

At 6:30pm, the Executive Session ended and the Regular Meeting resumed with no action taken.

BILLS FOR AUDIT & PAYMENT:

* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Taylor that the following bills, vouchers # 340-362, having been audited, be paid:

General Fund	\$11,746.72
Part Town General	3,396.00
Trust & Agency	27,476.87
Highway DB	<u>2,604.48</u>

Grand Total: \$ 45,224.07

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

ADJOURN:

* At 6:32pm, on the motion of Deputy Supervisor Walbridge 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, May 13, 2009, commencing at 6:00pm.

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

RESPECTFULLY SUBMITTED,

SUSAN M. HAFTER, TOWN CLERK
April 28, 2009

9. **EXECUTIVE SESSION** – if needed

10. **BILLS FOR AUDIT & PAYMENT: Vouchers # 340-362**

General Fund	\$11,746.72
Part Town General	\$ 3,396.00
Trust & Agency	\$27,476.87
Highway DB	<u>\$ 2,604.48</u>
Grand Total	\$ 45,224.07

11. **ADJOURN:**

The next regular meeting has been scheduled for May 13, 2009 @
6:00 PM