

A regular meeting of the Malone Town Board was held at 6:00pm Wednesday, July 14<sup>th</sup> 2010, at the Malone Town Offices, 27 Airport Road, Malone, New York..

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

**ALSO PRESENT:** Susan Hafter, Town Clerk  
Andrea Stewart, Budget Officer/Bookkeeper  
Lillian-Anderson Duffy, Town Attorney  
Tom Shanty, Highway Superintendent  
Mark Gonyea, Planning Board Chairman  
Bruce Burditt, Malone  
Scott Smith, Malone  
Darcy Fargo, Malone Telegram

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

**ADDRESS TO BOARD:**

Scott Smith, a Malone businessman, addressed the Board with an overview of a project proposed for construction at the former William Thomas property on Rt. 37, in the Town of Malone. Because the property is zoned “Planned Development”, Mr. Smith wants assurance that the type of business he is planning will be acceptable to the Town Board before he buys the property. Beardsley Design has prepared preliminary plans for a convenience store with gasoline pumps and a deli. Later development at the site may include a movie theater. Councilor Scharf expressed concern about water and sewer service, since the property is not in a district. Mr. Smith said that if he is unable to tap onto village services, he will build his own well and septic. Supervisor Maneely said the Town Board does not want to “undermine” the Planning Board; however, the consensus of the Board is to offer no objections to a Planning Board recommendation of the project, as proposed. Mr. Smith thanked the Board and assured them that his project will employ local citizens and services whenever possible.

**MINUTES & REPORTS:**

\* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Sullivan to accept the minutes of the regular meeting of June 23, 2010 as presented and place on file.  
**CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

\* 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 – 06/10; Town Clerk & Registrar - 6/10;  
Supt. of Highways – 6/10; Airport Manager – 6/10; Code Officer – 6/10  
**CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

**SUPERVISOR REPORTS:**

**Gas Line Project –**

\*On the motion of Councilor Scharf with a second thereto by Councilor Taylor that the Town

Board approve the New York State Public Service Commission as Lead Agency for the purposes of SEQR in regard to the St. Lawrence Gas expansion project.

**CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

**Malone Civic Center (Arena) –**

\* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Scharf that, pending estimates, the Town Board agrees to pay half the cost of repair to the Civic Center roof, with the Village to pay the other half and to not use Joint Recreation funds for the purpose.

**CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

**Runway 32 Threshold Relocation/Displacement –**

\* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Scharf that the Town Board advertise, through C & S Companies, for proposals for the construction of Runway 32 Threshold Relocation/Displacement at Malone-Dufort

Airport. Sealed bids will be accepted at the Office of the Malone Town Clerk during normal business hours, until 12:00noon, August 4, 2010, at which time they will be opened and read aloud. Each bid must be accompanied by a deposit of \$50.00 (check only), and a bid bond or certified check for 5% of the total maximum proposal price.

**CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

**Sewer District #2** – The Supervisor has received from Burley-Guminiak Engineers pre-qualification and pre-application request for Sanitary Sewer Replacement/ Improvements for Sewer District #2 to determine whether the Town is eligible for “hardship” status and a low interest loan. Depending on which of the three options Burley-Guminiak have proposed the project, the estimated costs are between \$267,000.00 and \$338,000.00. Supervisor Maneely emphasized that only district properties are subject to costs related to the project.

**SUPERINTENDENT OF HIGHWAYS REPORT:**

Superintendent Shanty reported the following work is in progress: Riley Rd. - culverts and blacktop; Stone Rd. - ongoing rebuild; roadside mowing, hot patching and grading of the dirt roads. He said also that there is need for some culvert replacement on Webster Street, and there are road signs in need of replacement or repair. He said the dozer is up and running and the new sanders have been ordered. Deputy Supervisor Walbridge expressed thanks, on behalf of Malone Central Schools, to the Superintendent and Board for providing dirt for the new soccer fields. The fields will be in use beginning next year.

**CORRESPONDENCE:**

- from Mo’s Pub – Liquor license alteration application notice

\* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Taylor to waive the 30-day waiting period for alteration of a liquor license for Mo’s Pub & Grill.

**CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

- from Pizza Hut – Liquor license renewal notice

- from S&W Development – Town of Malone Landfill residential water sample analytical results for May 2010

- from Town Clerk Hafter – training request for Deputy Smith

\* On the motion of Councilor Taylor with a second thereto by Deputy Supervisor Walbridge to authorize Deputy Clerk/Receiver to attend a B.A.S. Clerk licensing system client user group meeting in Massena on 7/27/10 with all necessary expenses to be paid by the Town.

**CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

**NEW BUSINESS:**

**Standard Work Day –**

\*On the motion of Councilor Taylor with a second thereto by Councilor Sullivan:

**Resolution #35-2010**

**Be It Resolved:** that the Town of Malone, hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees Retirement system based on the record of activities maintained and submitted by these officials to the to the clerk of this body:

**Councilor/Deputy Supervisor Paul Walbridge**

SSN last 4 digits - **3702**

Standard Work Day - **6hrs.**

Term Ends - **12/31/2011**

Clocks In? - **No**

Average days per month - **6.73**

**CARRIED WITH ALL MEMBERS VOTING AS FOLLOWS:** *SUPERVISOR MANEELY – AYE; COUNCILOR TAYLOR – AYE; COUNCILOR SULLIVAN – AYE; COUNCILOR SCHARF – AYE; DEPUTY SUPERVISOR WALBRIDGE – ABSTAIN (4-0-1)*

**U.S. Border Patrol** – Attorney Anderson-Duffy reported that the SEQR for the new Border Patrol building has been submitted to code Officer Crossman. She said that because this project is being developed on behalf of the federal government, they are exempt from local zoning and land use regulations. The Town is responsible for the building permit only. Supervisor Maneely noted that though this is a federal project, the facility is privately owned and therefore is not tax exempt.

\* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Taylor to accept and acknowledge the SEQR form and findings as submitted by the developers for the U.S. Border Patrol building project in the Town of Malone; that the project is a Type II action under SEQR; that as a federal project it is exempt from Town zoning or land use regulations; and that the Town of Malone is responsible only for the building permit, a ministerial action, in regard to this project.

**CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

**EXECUTIVE SESSION:**

\* At 6:34pm, on the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Taylor that the Board enter into Executive Session to discuss a possible certiorari case, with all Board Members and Town Attorney to be in attendance.

**CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

At 6:50pm, the Executive Session ended and the Regular Meeting resumed.

**BILLS FOR AUDIT & PAYMENT:**

\* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Sullivan that the following bills, vouchers # 547 - 601, having been audited, be paid:

General Fund	\$15,863.68
Part Town General Fund	147.91
Trust & Agency	28,120.78
East Side Water	179.86
Chips	4,572.10
Highway DA	355.02
Highway DB	<u>12,394.16</u>
Grand Total	\$61,633.51

**CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

**ADJOURN:**

\* At 6:50pm, 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, August 18, 2010, commencing at 6:00pm

**CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

**RESPECTFULLY SUBMITTED,**

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**SUSAN M. HAFTER, TOWN CLERK**

July 28, 2010