

A regular meeting of the Malone Town Board was held at 6:00 pm, Wednesday September 9, 2009, 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 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 to accept the minutes of the regular meeting of August 19, 2009 as presented and place on file.

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

* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Sullivan to accept the following reports as presented and place on file:

Supervisor's report for August, 2009

Town Clerk/Registrar – 8/2009 Supt. of Highways – 8/2009

Airport Manager – 8/2009 Code Officer – 8/2009

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

OLD BUSINESS:

Great American Plaza – Supervisor Maneely reported that he has spoken with David Ray of Gordon Associates, who said they are waiting for a variance from the Department of Labor in regard to asbestos abatement at the old Great American Plaza. The Supervisor also mentioned that Code Officer Crossman needs to officially condemn the property.

Parallel Taxiway “B” – Supervisor Maneely said the first construction meeting for the Parallel Taxiway “B” project will be held at 10:00 am tomorrow morning (9/10/2009).

Town/Village Sewer Agreement for Town IDA Park – Attorney Anderson Duffy presented an updated agreement, to the original, signed in 1997, between the Town of Malone and the Village of Malone for sewer service to the Town I.D.A. Park.

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

Resolution #22-2009

Whereas, the Town Board of the Town of Malone is in receipt of a Short Environmental form in regard to a proposed renewal to the Town and Village IDA Sewer Agreement; and

Whereas, the Malone Town Board and Malone Town Attorney have reviewed the EAF and find the renewal of contract does not involve any federal agency, but does involve one or more state or local agencies; these being identified as the Town of Malone, the Village of Malone, the Town of Malone IDA, the New York State Department of Environmental Conservation and the New York State Department of Health,

Now, therefore be it

Resolved: that the Town Board of the Town of Malone does hereby find the above named action to be subject to New York State Environmental Quality Review (SEQR) process, and has given it a preliminary classification as “Unlisted”; and

Be it further

Resolved: That the Town Board of the Town of Malone does hereby claim, upon the approval of other identified agencies, Lead Agency Status in regard to the SEQR process for this project.

CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).
09/09/2009

SUPERVISOR REPORTS:

Restore NY Round 3 – Supervisor Maneely reported on the Restore New York grant award announcements made on 9/2/09, noting that the Town of Malone was unsuccessful with its submission for the proposed Holiday Inn Express. He congratulated the Village of Malone for their award of \$2.1 million toward restoration of the Flanagan Hotel.

Franklin County Empire Zone –

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

RESOLUTION#23-2009

*OF SUPPORT AND CONCURRENCE WITH THE FRANKLIN COUNTY EMPIRE ZONE
BOUNDARY REVISION APPLICATION*

WHEREAS, New York State has created the Empire Zones program to encourage industrial and commercial development in selected municipalities across the State, and

WHEREAS, Franklin County, as an eligible municipality, received designation of an Empire Zone made up of sub-zones which include a portion of the Town of Malone, and

WHEREAS, New York State has amended the Empire Zones program to increase benefits and allow additional sub-zones, and

WHEREAS, Franklin County intends to revise the Franklin County Empire Zone boundaries to encourage industrial and commercial development in the Town of Malone, and

WHEREAS, the Town of Malone is committed to the development of new business within the proposed boundary revision acreage, and

WHEREAS, the Town of Malone wishes to support and concur with the Empire Zone boundary revision application,

NOW, THEREFORE, be it resolved that the Town of Malone Town Board, in its capacity as governing body of the Town of Malone, does hereby support and concur with Local Law 2 of

2009 passed by the Franklin County Board of Legislators authorizing Franklin County to make application to the State to amend the boundaries of the Franklin County Empire Zone by adding the acreage described in the attached Schedule A.

Schedule "A"

The following parcels are proposed to be added to Zone 5 (Malone Area) of the Franklin County Empire Zone:

No.	Parcel ID number
1	112.30-1-2.100
2	112.30-1-2.200
3	112.30-1-1.200
4	112.30-1-1.100
5	112.30-1-3
6	112.-1-3.400
7	112.-1-3.100
8	112.-1-3.200
9	112.-1-3.300
10	112.-1-4
11	112.-1-5
12	112.-1-6
13	112.-1-1.300
14	112.-1-7
15	112.-1-8
16	112.-1-9
17	111.-2-3

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

Training requests:

Assessment -

* On the motion of Councilor Taylor with a second thereto by Councilor Sullivan to allow Assessor Cashman and Assistant Hewitt to attend the necessary training required to prepare for a revaluation in the Town of Malone, to be in held in Ray Brook on September 9th and 10th 2009, with expenses to be paid by the Town.

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

09/09/2009

Local Government Conference -

* On the motion of Councilor Deputy Supervisor Walbridge to authorize Supervisor Maneely, Assessor Cashman, Assessment Assistant Hewitt, Code Officer Crossman, Budget Officer Stewart, Town Clerk Hafter, Deputy Clerk Gonyea and Councilor Sullivan to attend the Local Government Conference in Potsdam on October 13th 2009, as budgeted.

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

BOARD MEMBER/COMMITTEE ITEMS:

Deputy Supervisor Walbridge- reported that Malone Mustangs Youth Football is hosting a tournament on September 18th through the 20th. He said that some families may be traveling by RV.

*On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Taylor that the Town Board allow for RVs associated with the Mustang Football tournament be allowed to camp on Town property, near the Farmers Market pavilion from September 18th to 20th 2009, provided no gray water or sewage is dumped on the ground and the grounds are cleaned up before they leave.

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

Councilor Taylor – thanked the Highway Superintendent for paving the Henry Road, as she has been requesting for the past few years. Supervisor Maneely noted that the Town was fortunate to have CHIPs money left over from scheduled projects this year, allowing for work on Valco Drive, Sugar Bush Road, Thomas Hill Road and Henry Road.

Councilor Caplan – reported that things are going “reasonably well” at North Country Animal Shelter, saying that they are handling a record number of animals and have a good adoption program going. He added that they have only one veterinarian working with them at this time.

Supervisor Maneely – presented an application for water service to the site of the proposed Holiday Inn Express, submitted by Chris LaBarge of Branch Development.

* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Taylor to approve the application from Branch Development for water service to the site of the proposed Holiday Inn Express (112.-1-1.300) within the West Side Water District, as requested, providing the Village of Malone also approves.

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

NEW BUSINESS:

West Side Sewer District- Supervisor Maneely reported that a meeting has been scheduled for September 23rd in regard to West Side Sewer District issues. Participants will include Dominic Fontana of the NYSDEC, Supervisor Maneely, Mayor Stewart, Town Attorney Anderson-Duffy and Village Attorney Race. The Supervisor said the DEC won’t allow for any district hook-ups until these issues have been resolved.

Office Closure –

* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Sullivan that the Town Offices of Supervisor, Clerk, Assessor and Code will be closed for the Local Government Conference on October 13th 2009, to allow the staff to attend.

EXECUTIVE SESSION:

* At 6:20pm, on the motion of Supervisor Maneely with a second thereto by Deputy Supervisor Walbridge that the Board enter into Executive Session to discuss a personnel issue, with all Board Members and Town Attorney to be in attendance.

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

At 6:37pm, the Executive Session ended and the Regular Meeting resumed, with no action taken.

09/09/2009

BILLS FOR AUDIT & PAYMENT:

* On the motion of Deputy Supervisor Maneely with a second thereto by Councilor Taylor that the following bills, vouchers #657 – 703, having been audited, be paid:

General Fund	\$ 46,773.93
Part Town General	42.18
East Side Water	154.73
West Side Water	10,000.00
Airport Capital Project	17,976.40
Landfill Capital Project	4,000.00
Chips Fund	132,082.17
Trust & Agency	1,767.16
Highway DB	<u>8,092.34</u>
Grand Total	\$ 220,888.91

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

ADJOURN:

* At 6:00pm, 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 at 6:00pm Wednesday, 2009.

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

RESPECTFULLY SUBMITTED,

SUSAN M. HAFTER, TOWN CLERK
September 15th 2009