Regular Meeting
September 14, 2011

A regular meeting of the Malone Town Board was held Wednesday, September 14th 2011, at the Malone Town Offices, 27 Airport Rd., Malone, NY, commencing at 6:00pm.

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
Dan Honahan, Malone Dylan Menke, Brushton John Miletich, Malone
Angel Yanulavich, Ft. Covington Hannah Karleskent, Malone
Samanatha Boissey, Malone Trisha Livernois, Malone Telegram

CALL TO ORDER: Supervisor Maneely called the meeting to order at 6:00pm, with a pledge to the flag.

MINUTES:
* **Motion –** Councilor Taylor **Second –** Councilor Scharf
Resolved (# 169 - 2011): to accept the minutes of the 8/17/11 regular meeting as presented and place on file.
CARRIED (4 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Abstain Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

REPORTS:
Supervisor Maneely asked that the Airport Manager Report be removed from the list for approval, as the Airport Manager inappropriately requested a salary raise within the body of the report.
* **Motion –** Deputy Supervisor Walbridge **Second –** Councilor Sullivan
Resolved (# 170 - 2011): to accept the following reports as presented and place on file:
Supt. of Highways – 8/11 Code Officer – 8/11
Town Clerk/Registrar – 8/11 Justice Court – 8/11
Supervisor – 8/11
CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor – Aye Councilor Scharf - Aye

OLD BUSINESS:
Draft Sewer Law – Attorney Anderson-Duffy was not present to report. Water Master

Meter Installation – J. T. Erectors are waiting for a part they ordered, that is necessary to the installation.

SUPERVISOR REPORTS:
Minor Hockey Agreement, Amendment –
* **Motion –** Deputy Supervisor Walbridge **Second –** Councilor Sullivan
Resolved (# 171 - 2011): to approve and authorize the Supervisor to sign into agreement with the Village of Malone, the Joint Rec Commission and the Minor Hockey Association to add an Amendment, as written by Village Attorney Race, to the Malone Minor Hockey Agreement, allowing for additional funding.
CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

West Side Water District – Supervisor Maneely reported another leak has occurred in the water line, near Creighton Rd., as a result of rusted bolts again. The bolts from this and other recent leaks are being saved as evidence toward seeking reparation.

FAA Grant Award – Supervisor Maneely reported that the apparent low bidder for the Partial Paralell Taxiwway B, Phase II Construction project has agreed to hold the bid price until the 2012 spring construction season. He added that the Town share of the project will be about $40,000.00.

* **Motion –** Deputy Supervisor Walbridge **Second –** Councilor Sullivan
Resolved (# 172 - 2011): to accept and authorize the Supervisor to sign into agreement for a grant award from the FAA, in the approximate amount of $1.8million, for the Partial Parallel Taxiway B, Phase II Construction project at the Malone-Dufort Airport.
CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

NYS Road Test Site – Notification was received from County Clerk Murtagh, that the NYS Road Test Site has been moved to moved to Raymond Street; a move supported by the Town and Village of Malone.

Local Government Conference Day –
Motion – Deputy Supervisor Walbridge **Second –** Councilor Sullivan
Resolved (# 173 - 2011): to authorize Supervisor Maneely, Town Councilors Walbridge, Taylor, Sullivan and Scharf, Code Officer Crossman, Budget Officer Stewart, Town Clerk Hafter, Deputy Clerk Smith and Assessment Assistant Hewitt to attend the 2012 Local Government Conference in Potsdam, October 11, 2012, with all necessary expense to be paid for by the Town.
CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye
Motion – Deputy Supervisor Walbridge **Second –** Councilor Sullivan
Resolved (# 174 - 2011): to authorize the closure of the offices of Supervisor, Town Clerk, Assessor and Code Officer for the day of October 11, 2011, to allow officials to attend the Annual Local Government Conference in Potsdam.
CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

SUPERINTENDENT OF HIGHWAYS REPORT:
Superintendent of Highways Shanty was not present. Supervisor Maneely reported that the Highway Department has been busy dealing with wash-outs. Also, they have been working on Travers Road and have assisted with the development of a football field at the Rec Park, including the donation of some soil.

BOARD MEMBER/COMMITTEE REPORTS:
Councilor Sullivan commended the Highway Superintendent for completion of a small tools inventory.

Deputy Supervisor Walbridge praised the efforts of those North Country volunteers who assisted those hard hit by recent weather-related disasters. He also called for a moment of silence to commemorate the 10th anniversary of 9/11 events.

CORRESPONDENCE:
From NYS Unified Court System – annual notice for the Town Board audit and record examination of the court

From Dragon, Benware & Crowley - a proposal for risk assessment and audit
Motion – Deputy Supervisor Walbridge **Second –** Councilor Taylor
Resolved (# 175- 2011) that the Town enter into agreement with Dragon, Benware and Crowley for risk assessment and audit services related to the Town Justice Court, at a cost of $3,500.
CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

From Franklin County Treasurer Varin: Property foreclosure list

From Malone Moose Lodge 1479: Liquor license renewal notice

From NYSDOT & Passero Associates – Aviation Transportation Infrastructure Bond

monies available

From Franklin County Traffic Safety Board – traffic signs in compliance w/ Federal Law

From NYSDOT – Malone Dufort Airport Certificate of Registration & Security Plan

From NYS Attorney General – price gouging info

NEW BUSINESS:
Training request –
Motion – Councilor Taylor **Second –**Deputy Supervisor Walbridge
Resolved (# 176- 2011) – to authorize Clerk Hafter and Deputy Clerk Smith to attend the regional NYS Town Clerk Association meeting in Lake Placid, on September 19, 2011 with all necessary expenses to be paid by the town.
CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor – Aye Councilor Scharf - Aye

Budget transfers -
Motion – Deputy Supervisor Walbridge **Second –** Councilor Taylor
Resolved (# 177- 2011) – to authorize Budget Officer Stewart to make the following budgetary transfers:
From: A1930.4 Judgment & Claims - $4,000.00
From: A1990.4 Contingency - $10,000.00
To: A1320.4 Auditing $14,000.00
-AND-
From: A690 Clearinghouse - $10,869.00
To: A980 Revenues (A2610 court fees) - $10,869.00
as outlined in the NYS Comptroller's Court report for August, 2011
CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

EXECUTIVE SESSION:
At 6:25pm * Motion – Councilor **Second –** Councilor
Resolved (#178 - 2011): that the Town Board enter into Executive Session
1. Relating to matters which will imperil the public safety if disclosed;
2. for a personnel matter and/or litigation (if needed)
with all Board Members to be present.
CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor – Aye Councilor Scharf - Aye
At 6:47pm, the executive session ended and the meeting resumed with no action taken.

More NEW BUSINESS:
2% Cap on Tax Levy Increase – Budget Officer Stewart addressed the issue of the new state mandated 2% cap on tax levy increase. State approval is now required prior to passing a town budget. In preparing the 2012 tentative budget, budget Officer Stewart used 45% (more than ever before) of the fund balance in order to move toward the target. Her initial calculations indicate that there will be about $20,000.00 to "play" with in the budget. The town has a scheduled payment of $82,463.00 for the new Grade-All in 2012, airport project related expenses in the neighborhood of $40,000.00 and unknown increases in health insurance, retirement, fuel, and utilities costs. State approved exclusions to the tax cap are minimal. The town can choose to pass a local law overriding the 2% cap. This is an option that can be used annually, but not permanently.

LWRP -
Catch and Release – John Miletich of the Malone Revitalization Commission asked the Town Board to support a "Catch and Release" section on the Salmon River in Malone.

* **Motion –** Deputy Supervisor Walbridge **Second –** Councilor Sullivan
Resolved (#179 - 2011): that the Town Board approve in concept and theory, The designation of a section of the Salmon River in the Town of Malone as a "Catch and Release" area as requested by Mr. Miletich and as allowed for

within the Town and Village of Malone LWRP program.

CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor – Aye Councilor Scharf - Aye

Public Hearings –

* **Motion –** Deputy Supervisor Walbridge **Second –** Councilor Taylor

Resolved (#180- 2011): That the Town Board will conduct three public hearings, in concurrence with the Village of Malone, on September 27th 2011, at 6:30 p.m., 6:45 PM and 7:00 at the Village Board Meeting Room, 12 Elm Street, for the purpose of enacting three local laws each for the Local Waterfront Revitalization Program as follows:

1. At 6:30 PM - Waterfront Consistency Review Law – The purpose of this local law is to provide a framework for agencies of the Village of Malone and the Town of Malone to incorporate the policies and purposes contained in the Town and Village of Malone Local Waterfront Revitalization Program (LWRP) when reviewing applications for actions or direct agency actions within the waterfront area; and to assure that such actions and direct actions by Village agencies are consistent with the LWRP policies and purposes.
2. At 6:45 PM - Waterfront Overlay District Law – The purpose of this local law is to establish standards for protecting the natural, scenic, and historic values of the Salmon River while encouraging compatible land uses along the waterfront.
3. At 7:00 PM - Stormwater Management, Erosion and Sediment Control Law – The purpose of this local law to establish regulations regarding requirements for storm water management, erosion and sediment control in the Village and Town of Malone.

CARRIED (5 - 0) – Supervisor Maneely – Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor – Aye Councilor Scharf - Aye

BILLS FOR AUDIT & PAYMENT:

Motion – Deputy Supervisor Walbridge **Second –** Councilor Taylor

Resolved (#181 - 2011): that the following bills, having been audited, vouchers # 765 - 826 , be paid:

General Fund- Abstract #16	$ 23,621.82
Part Town General – Abstract #13	66.34
West Side Water- Abstract #3	29,214.78
East Side Water – Abstract #12	329.67
Airport Capital Project – Abstract #10	5,306.92
Chips – Abstract #7	37,115.73
Trust & Agency- Abstract #37	427.80
CDBG – Abstract #10	4,565.55
Highway DA- Abstract #11	184.62
Highway DB- Abstract #14	13,007.51
Grand Total:	**$113,840.74**

CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor – Aye Councilor Scharf - Aye

ADJOURN:

* At 7:13pm **Motion –** Deputy Supervisor Walbridge **Second –** Councilor Taylor

Resolved (#182 -2011): there being no further business to come before the Board that it adjourn, with the next regular meeting to be held September 28, 2011, at 6:00pm.

CARRIED (5 - 0) – Supervisor Maneely - Aye Deputy Supervisor Walbridge – Aye Councilor Sullivan - Aye Councilor Taylor - Aye Councilor Scharf - Aye

RESPECTFULLY SUBMITTED,

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SUSAN M. HAFTER, TOWN CLERK
September 21, 2011