

A regular meeting of the Malone Town Board was held Wednesday November 5<sup>th</sup> 2008 at the Malone Town Offices, 27 Airport Road, Malone, New York, commencing at 6:00pm, and preceded by four Public Hearings at 5:00, 5:10, 5:20, 5:30; and an I.D.A. Board meeting at 5:45pm.

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  
Rita Gonyea, Deputy/Floater Clerk

John H. McCarthy, Malone	Dan Wills, Malone
Dick Murphy, Malone	John Marinelli, Malone
Thomas McClain, Malone	Royal Forgues, Malone
Mark LaMondie, Malone	Hugh Schickel, Malone
Bruce J. Burditt, Malone	Mary Fredenburgh, Malone
Denise Raymo, Press-Republican	
Darcy Fargo, Malone Telegram	

### Public Hearings

#### 5:00 pm – East Side Water District:

Supervisor Maneely opened the Public Hearing in regard to the proposed EDU rate for East Side Water District for 2009, set at **\$126.67307**; down from last year's rate of \$143.30158. **The Supervisor** said the district was established in 2001 with a 20-year, no interest bond. **Denise Raymo**, of the Press-Republican, asked where the district began end ended. **The Supervisor** responded by showing a map of the district, which includes Rt. 11 East from the Village line to the Burke County Road, portions of Goodman and Porter Roads and Co. Rt. 24. **Mary Fredenburgh** asked who would be responsible for providing sewer and water to a school, if it were to be built in the village annex as has been proposed. **Supervisor Maneely** said if service was extended to village property it would be the village that would do it. He noted that water and sewer services are currently available on Rt. 11 up to Malone Raceway.

**At 5:10 pm**, with no further comments from the Public or Board Members on this issue, the Supervisor closed the Public Hearing.

#### 5:10 pm – West Side Water District –

Supervisor Maneely opened the Public Hearing in regard to the proposed EDU rate for West Side Water District for 2009 set at **\$73.2064** per EDU, down from last year's rate of \$77.58772.

**At 5:20 pm**, with no comments from the Public or Board Members on this issue, the Supervisor closed the Public Hearing.

#### 5:20 pm – Airport hangar and land rental increases proposed

Supervisor Maneely opened the Public Hearing in regard to the proposed increase in hangar and land rental at the Malone-Dufort Airport.

**Bruce Burditt**, an airport lessee, asked what the reason was for the rate increase. **Supervisor Maneely** said everything is going up in price, including airport maintenance (plowing, mowing, repairs). He noted that the leases are for a three-year term, so there have been no increases in that period of time. **Budget Officer Stewart** explained that operational costs include maintenance, insurance, salary, taxes, capital fund and local share of grant project costs. **Dan Wills**, flight instructor/pilot lessee, said the percentage of the increases is too much - between 25% to 50%. **Deputy Supervisor Walbridge** said that the rates were determined after a survey of rates at other area airports. **Bruce Burditt** said that other airports offer more services for the money. **John Marinelli**, a lessee in the T-hangar, was concerned about the reports that only one runway would be kept open through the winter, and said the rate increase might be ok if it covered the cost of plowing the second runway. He added that the AOPA wants to "get lawyers involved". **Budget Officer Stewart** said that airport related costs are projected at \$37,900.00, and that even with the proposed increase in rates, they fees are still shy of off-setting the cost. She said

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that while the airport is public, the majority of the use is by private users, and the general public should not have the burden of supporting it by taxes. **Dick Murphy**, long-time pilot lessee, said that keeping Runway 14-32 open this winter is important for safety reasons. He noted that wind and ice can affect a pilot's options at landing. He also said the airport has more public activity than most people realize, and that the airport is a great asset to the community. **Hugh Schickel** said that a few local pilots should not have to pay for a "national" airport. **John McCarthy** said that the Malone-Dufort is a great airport, and asked about the newest building (for snow removal equipment storage). He said that until such time as the airport has equipment to store there, it should be leased out.

**Supervisor Maneely** answered that he has tried, without success as yet, to lease it to Franklin County for voting machine equipment storage. He added that a portion of the building is used as a new and improved pilots' lounge. **Bruce Burditt** wanted to know how the money from Homeland Security (for use of the old pilots' lounge) is being used. **Supervisor Maneely** replied that no money was paid for that use of the building. **Mr. Burditt** added that he would appreciate it if the Board rejected the proposed rental increases.

**At 5:37 pm**, with no further comments from the Public or Board Members on this issue, the supervisor closed the Public Hearing.

#### **5:30 pm –2009 Preliminary Budget for the Town of Malone**

At 5:37, the Supervisor opened the Public Hearing regarding the 2009 Town Budget, with the proposed rates currently standing at **\$2.56 per thousand** of assessment within the **village** (an increase of \$.12 per thousand over 2008); and **\$7.52 per thousand** of assessment **outside the village** (an increase of \$.07 over 2008).

**Thomas McClain** complained that the proposed budget includes money to replace a furnace at the old Armory building, while the Town had promised the taxpayers would not have to pay a penny; that the YMCA would be responsible for all maintenance costs. He noted that the allotment for Office of the Aging was cut. **Deputy Supervisor Walbridge** said that the Town is landlord, and as such responsible for the building. **Mr. McClain** asked why the town is not then responsible for the Malone Golf Course, since it is owner of a portion of that as well. He added that people who use the YMCA pay dues; people who use the Adult Center do not. He said that if the money for the YMCA furnace is left in the final budget, he will ask a lawyer to "look into it".

**John McCarthy** noted that the allotment for Life Flight has been cut also. **Budget Officer Stewart** said that all contractual amounts had been cut by 20 per cent.

**Rita Gonyea, Deputy/Floater Clerk** addressed the Board objecting to the proposal to cut her 30 hour per week position to 20 hours. She said her last appointment (January 2008) was for two years, and that the appointment was made by Town Clerk Hafter. She said she is a dependable worker for whom the Town does not have to pay insurance or retirement; and that while her hours are being cut, others are getting raises. She expressed concern that the Clerk's office is very busy and would be understaffed. **Supervisor Maneely** said it is possible that the Clerk's office would have to be closed from time to time when schedules conflict. **Deputy Gonyea** also noted that the \$2,000.00 stipend she has received annually for water district related work, is no longer budgeted for her. She said that the stipend does not affect the tax rate. **Mary Fredenburgh** asked about the impact of the town's tax collection period being cut, and also the impact of State Aid cuts. **Budget Officer Stewart** replied that the shorter collection period means less penalty money collected at the Town level resulting in a loss of approximately \$10K annually. She said she attended a conference in October where the discussion centered around further expected cuts to the State budget. She said she is trying to be pro-active in this budget, and anticipate those cuts yet to be made. The Town budget must be adopted by November 20<sup>th</sup>

**At 5:51pm**, with no further comments from the public or Board, the Supervisor closed the Public Hearing. (A brief meeting of the Town of Malone I.D.A. followed)

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**Regular Meeting**

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 regular meeting of October 22, 2008 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 Caplan to accept the following reports as presented and place on file:  
Code Officer – 9/2008 & 10/2008 Highway Supt. for 10/2008

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

**SUPERVISOR REPORTS:**

**Malone Dufort Airport Master Grant Updates –**

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

**Resolution # 18-2008**

**Whereas**, the Aviation Bureau of the New York State Department of Transportation has Prepared a Master Grant Agreement with the Town of Malone which matches the FFY-08 federal grant; and

**Whereas**, the Agreement establishes a contract number that will be in effect for five (5) years, but with unique Personal Identification Number(s) ( PIN), and the previously issued Master Grant Agreement(s) will remain in effect until all grants assigned under it are closed out; and

**Whereas**, the Agreement allows for a State matching grant amount of 15%, higher than the corresponding AIP grant amount, to provide for possible future AIP amendments in the event ,only, that the FFA increases their grant;

**Now, therefore it**

**Resolved:** That the Town Board of the Town of Malone does hereby accept and endorse the Aviation Capital Project Agreement relating to Malone-Dufort Airport Project #7901.30, Contract #K, as presented by the State Department of Transportation:, and

**Be It Further Resolved:** that the Malone Town Board does hereby authorizes Supervisor Maneely to sign into said Agreement, on behalf of the Town of Malone

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

**SEQR Compliance -**

\* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Caplan that the Town Board re-endorses the Malone-Dufort Airport project Parallel Taxiway “B” (Design Only) as #7901.20 and authorizes Superintendent Maneely to sign the related State Environmental Quality review (SEQR) Compliance form and classify this project as “Ministerial Only”.

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

**KUDOS -**

– Supervisor Maneely offered official **congratulations** to Deputy Supervisor Paul Walbridge upon his induction to the Franklin Academy/St. Joseph’s High School Sports Hall of Fame.

- Supervisor Maneely offered official **thanks** to Highway Superintendent Livernois for his work in removing a deer carcass from the Salmon River in Whippleville, at the edge of a resident’s back yard. The NYS DEC had been contacted, but would not remove it.

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- A **thank-you** to the Supervisor and Town Board from a resident of the Teboville Rd., for action on an earlier complaint. She had called with concern about the speed of trucks on the dirt road, creating dust and danger. Since the Town asked for action, the State Police have increased patrol and enforcement, lessening the problem by “90 per cent”.

- The Town Board offered **congratulations** to Ruth Alden Jones Ryan on the occasion of her 100<sup>th</sup> birthday. Supervisor Maneely said there will be a reception in her honor at the Malone Lodge of Elks from 4:00 to 6:00pm, Saturday, November 8, 2008.

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

**Resolution # 19-2008**  
**Relating to the 100<sup>th</sup> Birthday Celebration for Ruth Ryan**

**Whereas**, on November 10, 1908, Ruth Alden Jones was born in Malone, New York and

**Whereas**, Ruth’s lineage goes back eleven generations to the country’s founders, notably her ancestors John and Pricilla Alden, who crossed on the Mayflower, and

Whereas, nine of her relatives fought in the Revolutionary War, and her great-grandfather Dr. Calvin Skinner was a celebrated Civil War surgeon, and

**Whereas**, Ruth Jones Ryan has been a trailblazer and a trend setter throughout her life, as a fashion design illustrator, photographer, artist, businesswoman, columnist, poet, animal advocate, ballroom dancer, author and most notably as a community activist, who single-handedly galvanized the entire Malone community to complete the restoration of Memorial Park, and

**Whereas**, her leadership and conviction have served to remind all of us in Malone that pride in our rich history is an important link and an integral part of our bright future, and Ruth continues to be a role model to our community to that end, and

**Whereas**, Ruth Jones Ryan’s life story is as remarkable as her art, and her personality and character serve as an inspiration to young and old alike;

**Now, therefore, be it**

**Resolved:** that the Town Board of the Town of Malone hereby extends its heartfelt good wishes to Ruth on the occasion of her 100<sup>th</sup> Birthday celebration, and joins the greater Malone community in appreciation and thanks for the privilege of knowing Ruth Alden Jones Ryan, a true Malone treasure.

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

**Security** – Supervisor Maneely asked if Deputy Supervisor Walbridge and Councilor Sullivan (Security Committee) have checked into securing the perimeter of the Town Office property since the incident of vandalism a few weeks ago. They have not, yet.

**Complaint** – The Board has received a complaint regarding drainage diverted from the Malone Golf Course land, under Co. Rt. 25, which is affecting residential properties on Miner Road and Co. Rt. 25. Councilor Taylor, who lives on Co. Rt. 25, said the problem is a recurring one, but seems to have improved since the County crews cleared a blockage. Superintendent Livernois said the problem could be permanently fixed by tiling the drainage ditch, if the tile was purchased by the residents. (The original portion of Miner Road is a Town Rd.; the lower is private)

**SUPERINTENDENT OF HIGHWAYS REPORTS:**

The Highway Superintendent reported that the crew has been busy with shop work. They are also working on culverts and ditching on Webster Road. They have encountered a beaver problem, but the Superintendent said that is an every day thing.

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**BOARD MEMBER /COMMITTEE ITEMS:**

**Councilor Taylor** reported on the Brownfield Opportunity Area (BOA) required grant training, which she attended in Albany, along with committee members Mark Gonyea, Andrea Stewart, Susan Hafter and Tammy LaValley. She said the information presented will help with upcoming BOA projects.

**CORRESPONDENCE:**

- from **Malone Town Planning Board**, minutes from the 9/08/2008 meeting (received on 10/29/2008)
- from **Senator Little** and **Assemblywoman Duprey**, Resolution acknowledgements
- from **Receiver of Taxes Hafter**, request for Town Board & Attorney legal clarifications to the Windmill Estates PILOT (Payment In Lieu of Tax) agreement
- from **NYS DOT**, reduced speed zone request for Thomas Hill Road has been granted
- from **Franklin County Real Property**, corrected assessment and exemption report

**NEW BUSINESS:**

**Transfer request -**

\* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Sullivan to approve a recommendation from Budget Officer Stewart to transfer \$2500.00 from East Side Water Fund FE1990.4 Contingency, to FE8310.4 Administration Contractual, to cover the water re-levy payment.

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

**Water request –**

\* On the motion of Councilor Taylor with a second thereto by Councilor Sullivan to approve a water service application for the West Side Water District, as submitted by Mark Henderson of 128 Meehan Road, pending approval from the Malone Village Board.

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

**EXECUTIVE SESSION:**

\* At 6:25pm, 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, relating to a specific person or persons, with all Board Members, Budget Officer and Town Clerk to be in attendance.

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

At 6:57pm, 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 Sullivan, that the following bills, vouchers # 834-853, having been audited, be paid:

General Fund	\$ 7,854.19
Part Town General	787.93
East Side Water Fund	29.33
Trust & Agency	<u>706.60</u>
Grand Total	\$ 9,378.10

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

**ADJOURN:**

\* At 7:00pm, 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 held on Wednesday, November 19<sup>th</sup> 2008, commencing at 6:00pm.

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

RESPECTFULLY SUBMITTED,

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SUSAN M. HAFTER, TOWN CLERK  
November 17, 2008

