

A regular meeting of the Malone Town Board was held Wednesday, 11/19/ 2008 at the Malone Town Offices, 27 Airport Road, Malone, New York, commencing at 6:00pm.

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
Rita Gonyea, Deputy/Floater Clerk
Mark Besio, Highway Clerk

Tim Whipple, Malone	Wayne Walbridge, Malone	John McCarthy, Malone
Mike Ryan, Malone	Dan Wills, Westville	Merrill McKee, Malone
Chris LaBarge, Malone	Hugh Hill, Malone	Mary Fredenburgh, Malone
	Darcy Fargo, <u>Malone-Telegram</u>	

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

ADDRESS TO THE BOARD:

Malone Central School Board - representatives requested time to address the Board regarding their proposed \$38.4 million capital project. Wayne Walbridge, Superintendent of Schools and Tim Whipple, Business Administrator for MCS presented a slide show and explanation of the proposed Phase I portion of the project, which includes renovation to the existing elementary schools in Malone and purchase of 110 acres of land, within the Village of Malone annex, upon which a state of the art bus garage with washing and maintenance bays is to be built. The old bus garage would be demolished and varsity sports playing fields developed in place. They called the project an investment in the community and a boost to the economy. The project is fundable at 94.7 percent, which they say will not be cut from the NYS budget. The expected local cost is between \$4 and \$5 million, which would be paid over 30 years. Mr. Walbridge said that funding for operational costs may be cut, however. He said the elementary schools have had unfavorable ratings, and renovations are therefore necessary. He explained, school by school what is planned to be done. He said the purchase of the 110 acres of land is to provide “future options” for the building of a new elementary school (Phase II). He added that 4 parcels from the Village Annexation/Guzy property are left for development. Mr. Walbridge did not want to talk about Phase II at this time because he said it will not go forward unless, in the future, appropriate funding is available and the voters approve. He added that other sites for future development have been studied and found to be too small or otherwise unacceptable.

Councilor Sullivan asked what the tax impact of commercial development of the four remaining parcels would be. **Mr. Whipple** said he would have to calculate based on assessment of the properties when and if developed.

John McCarthy of Malone asked how much tax revenue would be lost if the Guzy property comes off the tax rolls. **Mr. Whipple** said the property is currently bringing in about \$9,000.00 per year. **Mr. McCarthy** also asked why the school district would pay \$525,000.00 for land that is assessed at less than \$120,000.00. In response Mr. Whipple and Mr. Walbridge gave examples of recent local sales for commercial property at higher per acre cost.

Merrill McKee, a Malone resident, asked what would happen to the Guzy land if the Phase II portion of the project is not funded or approved. **Mr. Walbridge** replied “Mark my words, before I die, there will be a school on that property.” He said that it would be better to buy the property now, instead of waiting until we are “under the gun” and the State demands the district to build. **Deputy Supervisor Walbridge** asked Mr. McKee whether he wanted his children to go to school in Chateaugay or at Salmon River, as that is what we would be faced with.

11/19/2008

Supervisor Maneely said that the Houndsville and Elm St. Roads are not up to the heavy traffic the school would bring. **Mr. Whipple** answered that for Phase I the traffic will be primarily on Rt. 11, as that is where the primary entrance is planned. He added that there is funding available for infrastructure (water and sewer), but not for roads. He said the engineers think the infrastructure would be best placed on the Elm Street side, although there is access from the rt. 11 side.

Hugh Hill, President of the Malone Chamber of Commerce, referred to the assertion by MCS that no other property could be found that was large enough. He asked what ratio of student to acre was required. **Mr. Whipple** replied that the State requires 6 acres for the first 300 kids and for each 100 additional kids, more acres. He did not specify how many. **Mr. Hill** asked how it would be possible, then for new building of schools to occur in cities – that they must renovate the old buildings. He said, that as a builder himself, he believes in restoration of older buildings, especially if they have architectural value. He mentioned in particular the old Harison complex, adjacent to Franklin Academy and the current bus garage. He said that complex should not be ruled out as either too old or too expensive. It was noted that in Saranac Lake and Lake Clear, the schools have been renovated rather than building anew. **Mr. Walbridge** said that those school districts have declining enrollments, while MCS's is increasing.

Supervisor Maneely asked how water pressure might be affected by major new development on the East Side, as there had been a problem, prior to adding a pump station and tower to the existing district. **Mr. Walbridge** said that there should be enough "extra" aid money to cover any problems.

Mark Gonyea, Town Planning Board Chairman, asked how it was determined that our district is in the "high needs" category, and therefore eligible for more aid. **Mr. Whipple** said the designation is based on property wealth and income. He said that half of Malone students are on free lunch. **Mr. Gonyea** asked about some remarks at last night's Public Hearing, regarding the percentage of aid for new building vs. renovations. **Mr. Whipple** explained that renovations are aid eligible at a higher percentage than new building, but for some reason, the bus garage is not considered as new building for the purpose of aid. **Mr. Gonyea** also asked whether the school had considered taking over part of Webster Street, so as to join the school and track properties. **Mr. Walbridge** said it had been considered, but they settled on a parent drop-off on the Webster Street side. **Mr. Gonyea** asked whether the renovations and bus garage would be Union jobs. When told that they would, he said that would exclude much local labor. **Mr. Walbridge** said there will be non-Union jobs as well.

Merrill McKee said that he is convinced of the need for elementary school renovations, and that the bus garage needs to be addressed, but he thinks the purchase of land with the intention of a Phase II down the road, constitutes "pork-barrel spending." He said a lot of questions have gone unanswered, and said also that the school district has not been completely open and honest about this process from the beginning. He said the proposal should have been split with the renovations on one line and the purchase of property and bus garage on another. He questioned the \$26,000.00 expenditure by MCS for a public relations firm to sell the project. He asked how many entities were sharing the bus garage, which was presented as a shared service project. **Mr. Walbridge** answered that it is routine for school districts to hire P.R. firms to get the word out on proposed projects. He said that as for sharing the garage and fuel, JCEO and BOCES, who already share services with MCD, will continue to do so. He also said it would be a good opportunity for the State Police to lower their fuel costs. He said that people went to MCS asking to consider shared services and that the school district was just trying to do what Betty Little has advised. **Mr. Walbridge** conceded that we could probably make do with the bus garage for another 10 – 15 years, but that the district is trying to be pro-oactive. He said they considered splitting the proposal, but decided against it because the state is getting more serious. He concluded by saying that MCSD has "taken it on the chin" and could have backed away, but did not want to be short sighted.

11/19/2008

Supervisor Maneely thanked Mr. Walbridge and Mr. Whipple for the presentation and all who participated for their comments.

MINUTES & REPORTS:

* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Taylor to accept the minutes of the November 5, 2008 regular meeting 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:

Justice Court for Sept. 2008 Supervisor report for Oct 2008

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

OLD BUSINESS:

Legal Review – Supervisor Maneely asked Attorney Anderson-Duffy to do a legal review of Windmill Estates PILOT Agreement, as there are no provisions within it for manner and timing of payments. The Attorney said she will do the review, which will probably result in an amendment to the document.

SUPERVISOR REPORTS:

Subdivision Concern –

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

**Resolution 18-2008
Relating to amendment
of Scott Farm Subdivision Plat**

Whereas, local developer Chris LaBarge has requested the consideration of the Town Board, in regard to a well which was unwittingly drilled on a neighboring and incorrect parcel within the Scott Farm Subdivision, in the Town of Malone; and

Whereas, in order to correct the problem, short of drilling a new well, and to facilitate the pending sale of one of the properties, the lots' common boundary line must be amended; and

Whereas, in order to amend the lot line between the two involved properties, both of which are owned by Mr. LaBarge, a modification must be made to the Town Board's original approval of the subdivision plat,

Now, therefore, be it

Resolved: that the Malone Town Board does hereby amend the July 12, 1995 approval of the final plat proposal for the Scott Farm Subdivision, to allow for a particular change in lot boundary lines.

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

Mr. LaBarge thanked the Board and assured them that he will take care of all filing requirements, and notation on the survey map.

Security Committee – Supervisor Maneely asked the Security committee (Deputy supervisor Walbridge and Councilor Sullivan) whether they have had a chance to look at options for perimeter security around the Town Office building. The Deputy Supervisor said they have not yet, but will be meeting regarding the Fire Protection contract, and will address the security issue at that time.

County-wide Assessment - Franklin County is hosting a meeting at 2:00pm, November 20th 2008 regarding the possible adoption of county-wide assessing. Assessor Cashman and Supervisor Maneely plan to attend. Anyone else is also welcome to attend.

11/19/2008

Gordon Development – owner of the old Great American complex, Gordon Development, is to submit plans for demolition of the building, but have not yet done so. They have begun evaluating the property. Supervisor Maneely recommends that, if plans for demolition are presented to the Town soon, they should be given an extension to spring of 2009 to complete the project. The Board concurred.

SUPERINTENDENT OF HIGHWAYS REPORTS: Superintendent Livernois reported that speed signs for Thomas Hill Rd. are up, snow poles have been put up on roads and at the airport, and the work being done on Webster Road is done for the season.

BOARD MEMBER /COMMITTEE ITEMS: There were no Board Member or Committee reports.

CORRESPONDENCE: There was no correspondence.

NEW BUSINESS: There was no new business.

EXECUTIVE SESSION –

* At 7:21pm, on the motion of Supervisor Maneely with a second thereto by Deputy Supervisor Walbridge that the Board enter into Executive Session to discuss contract negotiations and personnel items regarding a particular person or persons, with all Board Members to be in attendance, and with Attorney Anderson-Duffy, Superintendent Livernois, and Budget Officer Stewart to be invited into portions of the session.

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

At 8:20pm, the Executive Session ended and the Regular Meeting resumed, with no action taken.

2009 Preliminary Budget for the Town of Malone –

Supervisor Maneely reported that the Board has made some changes to the 2009 Preliminary Budget since the public hearing:

- hours for the position of Deputy/Floater Clerk will be 24 per week rather than 20, as previously determined.
- the 2009 allotment for the Webster Street Road project will be \$185,000.00 rather than \$234,184.00.

* On the motion of Councilor Caplan with a second thereto by Councilor Sullivan to approve and adopt the preliminary budget for 2009, with the changes agreed upon subsequent to the Public Hearing, and as noted above; and with the rates being \$2.56 per thousand of assessment for inside the Village, an increase of \$.12 per thousand over 2008; and \$7.33 per thousand of assessment for properties outside the Village, down \$.12 per thousand from 2008.

Discussion – Malone resident, **John McCarthy** noted that funding had been reduced for several items, such as Life Flight, Chamber of Commerce, Programs for the Aging, and Highway. At the same time \$6,800.00 has been put into the budget for replacement of a boiler at the Armory building, used by the YMCA. He said this is in direct violation of the lease with YMCA, which states that all maintenance is to be taken care of by the YMCA. **Supervisor Maneely** said that the lease is due for renewal at the end of the year, and will be revised to allow for the Town expenditure for the building. He also noted that the Armory building is owned by the town, and therefore the town has some responsibility to its upkeep. **Mr. McCarthy** said the current lease is still in effect and asked whether passing the budget tonight would conflict with it. **Town Attorney Anderson-Duffy** said she didn't think so, since the budget and the new contract will become effective in 2009. **Mr. McCarthy** said the point is that the Town is taking monies away from entities such as Malone Adult Center and yet supplying funding to the YMCA who gets membership monies, whereas Malone Adult Center and others do not charge for services. He said taxpayers who can't afford a membership themselves to the YMCA shouldn't be asked to support it. He said if the Town can afford to give money to the YMCA, fine, but don't take it away from other worthy causes.

11/24/2008

Bill Towne, representing the Malone Adult Center submitted a petition signed by approximately 150 people, requesting the Town not reduce funding for the MAC for 2009. **Supervisor Maneely** asked Mr. Towne, what the town provided to MAC in 2008 as compared to other governmental entities. **Mr. Towne** replied that the Town of Malone had given \$10,000., the Village \$7,500.00 and the County \$0. He said “the rest is all donations and fund raisers.” **The Supervisor** said even with the reduction to \$8,400. the Town is giving more than the others, and on two separate occasions, gave an additional \$5,000. in emergency funding. He said the Town has been more than fair. **Mr. Towne** said the MAC used to get by with proceeds from Bingo, but gave it up when it started losing money; congregate meals are not bringing in as much money as they did; expenses haven’t gone down, but income has. **The Supervisor** asked “but the County does help you?” **Mr. Towne** said “No” then added “the County, well - through the transportation department upstairs... he’s paying the gas”. **Deputy Supervisor Walbridge** explained that the Board had cut everyone 20%.

* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Taylor to restore the funding of \$10,000.00 to the Malone Adult Center as it was in 2008. **CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

* On the motion of Councilor Sullivan with a second thereto by Councilor Taylor to adopt the preliminary 2009 Budget for the Town of Malone, with the changes agreed upon subsequent to the Public Hearing and tonight; with tax rates to reflect the changes. **CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

Supervisor Maneely thanked Budget Officer Stewart, the Councilors and Clerk for all their work on the 2009 budget. He said that with the uncertain economy it is a difficult year to plan for, and the Board has done it’s best to cut costs as fairly as possible.

BILLS FOR AUDIT & PAYMENT:

* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Taylor that the following bills, vouchers # 856 - 914, having been audited, be paid:

General Fund	\$11,432.74
Part Town General	234.03
Highway DA Fund	34,270.56
Highway DB	17,313.95
Chips	697.45
Landfill Capital Project Fund	75.98
Trust & Agency	<u>1,076.09</u>
Grand Total	\$ 65,100.80

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

Request for Buy-back – Two requests for vacation buy-back were received after the November 1st deadline; one from a highway employee and one from a clerical employee.

* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Taylor to waiver the request deadline for vacation “buy-back”, and authorize one-week buy-back to a particular Highway employee and to a particular Clerical employee. **CARRIED WITH ALL MEMBERS VOTING IN FAVOR (5-0).**

ADJOURN:

* At 8:45pm, on the motion of Councilor Taylor with a second thereto by Deputy Supervisor Walbridge, there being no further business to come before the Board, that it duly adjourn, with the next regular meeting to be held on Wednesday, December 10th 2008, commencing at 6:00pm.

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

RESPECTFULLY SUBMITTED,

SUSAN M. HAFTER, TOWN CLERK November 24, 2009

