

A regular meeting of the Malone Town Board was held Wednesday December 10<sup>th</sup> 2008 at the Malone Town Offices, 27 Airport Rd. Malone, New York, 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  
Mark Gonyea, Planning Board Chair

Chris LaBarge, Malone

Dan Wills, Malone

Bruce Burditt, Malone

Mary Fredenburgh, Malone

Todd LePine, Malone

Darcy Fargo, Malone Telegram

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

#### **MINUTES & REPORTS:**

\* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Taylor to accept the minutes of the November 19, 2008 regular meeting 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 Councilor Caplan to accept the following reports as presented and place on file:

Supervisor Report for 11/2008

Supt of Highways – 11/08

Airport Manager – 11/08

Town Clerk/Registrar – 11/08

Justice Court – 10/08

Code Officer – 11/08

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

#### **OLD BUSINESS:**

**Airport Land and Hangar rental rates** – A Public Hearing was held on November 5<sup>th</sup> 2008, in regard to the proposed increase in rental rates at the airport. Several airport users were present to object. The Board has responded by compromising on the increase.

\* On the motion of Councilor Caplan with a second thereto by Deputy Supervisor Walbridge, to set the 2009 monthly rental rates at the Malone-Dufort Airport as follows:

(6) T-Hangar spaces @ \$157.00 each

(2) Double T-hangar spaces @\$177.00 each

(2) spaces @ former MPC Hangar @ \$100.00 each

(1) space @ “Hastings” hangar @ \$100.00

(4) privately owned hangars (for land) @ \$65.00 each

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

**Windmill Estates PILOT –**

Attorney Anderson-Duffy reported that she had not yet done the amendment to the Windmill Estates PILOT agreement. She and Receiver of Taxes Hafter discussed the modifications needed, to include instructions and time line for payment and distribution of the PILOT payments. The Attorney will prepare an amendment to include these items.

\* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Taylor to accept a modification to the Pilot agreement with Windmill Estates as proposed by the Receiver of Taxes and Town Attorney and to authorize the Supervisor to sign the amended agreement on behalf of the Town of Malone.

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

**Empire Zone** – Local developer, Chris LaBarge, reiterated a previous request made on 9/24/08; that the boundary of the Town of Malone Empire Zone be modified to include the area where he plans to build a Holiday Inn Express Hotel on Rt. 11, along with a narrow strip of land along Rt.11 to the current border of the EZ. He said the designation

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is very important the success of his project. Supervisor Maneely said any increase to the Zone would be requested to come from the “bank”, and not from a currently designated EZ area. He added that Assembly woman Janet Duprey said the Empire Zone program may not survive the current economy with sweeping State cuts being made, but that any existing EZ properties may be “grand-fathered”.

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

**Resolution #19-2008**

**Resolved:** that the Town Board of the Town of Malone does hereby request the Empire Zone Coordinator and the New York State Departments of Economic Development to consider an increase in size and a change of boundaries for the existing Empire Zone designated within the Town of Malone, to allow for the inclusion of a building site for a Holiday Inn Express on Rt. 11 West and a contiguous strip of land along Rt. 11, to the current border of the Empire Zone; and that any increase in acreage that may be approved, be taken from the Empire Zone “Land Bank” and not from any existing Empire Zone acreage.

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

**SUPERVISOR REPORTS:**

**Airport Project –**

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

**Resolution #20-2008**

**Be It Resolved:** that the Town Board of the Town of Malone does hereby grant Supervisor Howard Maneely permission to sign a consultant agreement with C & S Engineers for the design of Taxiway “B”, at the Malone-Dufort Airport as previously submitted and reviewed by the Town and by FAA.

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

**YMCA letter** – A letter was received from Director Michele Schumacher outlining the accomplishments of the YMCA to date.

**YMCA Draft Lease-** agreement for Board consideration Attorney Anderson Duffy reported that the lease between the Town of Malone and the YMCA, for use of the Town owned Armory building has been modified for renewal. The original lease was approved when the Town was under State permit, prior to the Town taking actual ownership of the building. The new version has language to reflect this status. The lease was also modified to allow the Town to make capital improvements to the building if the Board so chooses. The YMCA is required to maintain and protect the building, and capital improvements they may make to the building will become the property of the Town of Malone.

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

**Resolution #21 -2008**

**Be It Resolved:** that subject to a thirty (30) day permissive referendum, the Malone Town Board approves the modification and renewal of the contract with the YMCA of Greater Malone Development Group, L.L.C. for a term of five (5) years; and authorizes Supervisor Maneely to sign into the agreement on behalf of the Town of Malone.

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

**Malone Adult Center** -Sue Scott, sent a memo clarifying the commitment and funding regarding Franklin County contributions to the Malone Adult Center.

**Reappointment** – Chris Kelly has not yet advised the Board whether he wants to continue in his position on the Malone Board of Variance and Appeals, the term of which ended on 11/17/2008. The new appointment will be for a 5-year term to 11/18/2013. Action on this issue was **tabled**.

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**Sewer Pump** – The sewer pump for the West Side District has been received. It will be installed when the Town has enough money (\$15-16K) to do so.

**SREB** – Supervisor Maneely commented that the electric bill for the Snow Removal Equipment Building has gone up considerably, and is likely due to electric heat in the pilot's lounge. He asked that they try to find a more cost efficient method to heat the office and bathroom.

**SUPERINTENDENT OF HIGHWAYS REPORTS:**

Superintendent Livernois reported that one of the Town's plow trucks was involved in a collision on the Bull Run Rd. Another vehicle slid into the sander, causing damage. Repair will be covered by insurance, and there were no injuries.

**BOARD MEMBER /COMMITTEE ITEMS:**

**Councilor Caplan** reported that a 30'x40' pole barn has been built at the NCAS property. The enclosure is insulated, heated and intended for puppies and small dogs.

**CORRESPONDENCE:**

From **Franklin County Traffic Safety Board**: new consultant – Ron Reyome

From **Titus Mountain**: Liquor license renewal notice

From **Unified Court System**: Justice Court Assistance grant award \$619.48

**NEW BUSINESS:****Budget transfers –**

\* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Caplan, to authorize the following transfers, as recommended by Budget Officer Stewart:

From: A1990.4 Contingency \$32,608.37

To: A8020.4 Planning contractual - \$29,781.25

A5132.1 Garage Personal Services - \$628.23

A1620.4 Buildings contractual - \$2,198.89

From: B8020.4 Planning contractual - \$2,200.00

To: B9060.8 Health Insurance - \$2,200.00

From: DA5142.1 Snow Removal Personal Services – \$8,006.15

To: DA5142.4 Snow Removal contractual – \$8,006.15

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

**EXECUTIVE SESSION –**

\* At 6:53pm, 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 with all Board Members and Town Attorney to be in attendance.

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

At 7:15pm, the Executive Session ended and the Regular Meeting resumed, with no action taken.

**SUPERVISOR COMMENTS:**

Supervisor Maneely said that there have been demolition companies looking at the Gordon Development property. The property owners said they will meet with the Town within 6 weeks to discuss the demolition, which will be done in the spring.

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**BILLS FOR AUDIT & PAYMENT:**

\* On the motion of Deputy Supervisor Walbridge with a second thereto by Councilor Sullivan that the following bills, vouchers # 922 - 987, having been audited, be paid:

General Fund	\$ 80,066.61
Part Town General	3,322.05
Highway DA	2,313.60
Highway DB	33,981.78
East Side Water	1,029.32
West Side Water	1,000.00
Landfill Capital Project Fund	4,000.00
Trust & Agency	<u>740.80</u>
Grand Total	\$ 126,454.16

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

Supervisor Maneely wished everyone Happy Holidays!

**ADJOURN:**

\* At 7:20 pm, 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, January 14, 2008 to commence at 6:00PM.

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

RESPECTFULLY SUBMITTED,

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SUSAN M. HAFTER, TOWN CLERK  
December 18, 2008