

**TOWN OF MALONE  
PUBLIC HEARING  
September 13, 2017**

A Public Hearing was held on September 13, 2017 at 5:00 PM for discussion relative to the 2017 NYS-CDBG Housing Program.

**PRESENT:**           Howard Maneely   ----- Supervisor  
                  Jack Sullivan       ----- Councilor  
                  Mary Scharf       ----- Councilor  
                  Jack Sullivan       ----- Deputy Supervisor

**ABSENT:**           Ed Lockwood       ----- Councilor

**RECORDING SECRETARY:** Deborah Hutchins, Town Clerk

**ALSO PRESENT:**

Lillian Anderson-Duffy, Town Attorney	Andrew Catavia, Geromino Energy
Josh Davis, Malone Telegram	Archie McKee, Village of Malone
Mary Fredenburg, Malone	Eric Will, Geronimo Energy
Dale O., Malone	Bruce Burditt, Malone
Amelia Hellijas, Malone	Terry Maguire, Malone
Melissa Dufrane-Hellijas, Malone	Mr. Mahler, Malone
Trevor Trene, Village of Malone	Carolyn McNamara, Malone
Darrell Lamica, Town of Malone	Chelsea Kasper, Malone
Judy Lamica, Town of Malone	Thomas Ventiquatto, Burke
John Coughlin, Village of Malone	Patty Ventiquatto, Burke
Barry Hart, Village of Malone	Zach White, Malone
Rose Hoseler, Village of Malone	Boyce Sherwin, Malone
Tammy Hyde, Village of Malone	
Rhea Ritchings, Village of Malone	
Terry Maguire, Town of Malone	
Dennis Lewis, Owls Head	
Cortney McMahan, Town of Malone	
Mary Bonesteel, Village of Malone	
Sally Delorm, Town of Malone	
Russ Kinyon, Franklin County	

**CALL TO ORDER:** Supervisor Maneely called the Public Hearing to session open at 5:07 PM. Supervisor Maneely then read the Public Hearing Notice as follows:

*The Town Board of the Town of Malone will conduct a Public Hearing at 5:00 PM on Wednesday, September 13, 2017 at the Town Offices, 27 Airport Road, Malone, NY, to discuss local housing, community, and economic development needs, and to consider application(s) for funding from the 2017 Community Development Block Grant (CDBG) Program administered by the NYS Office of Community Renewal.*

*The Town is considering an application under the 2017 NYS-CDBG Housing Program with respect to financing assistance to help low and moderate income home owners make needed mechanical, structural, and health and safety repairs to their homes, and possible assistance to property owners to make needed repairs to apartments to create and sustain safe affordable housing for residents of the Village and Town of Malone.*

*The public is invited to ask questions or offer suggestions for the proposed funding or other community development needs of the Town and Village of Malone. Individuals with special needs who wish to attend should contact the Town Clerk's Office at (518) 483-4740 so that any necessary arrangements can be made regarding accessibility to the Public Hearing.*

Supervisor Maneely then asked for any questions or concerns from the public present. Councilor Scharf stated that the Town is applying for a housing rehabilitation grant which is co-sponsored by the Village. The potential for funds is \$400,000 with a portion going to administration of the grant. This is an income-level eligibility program designed to assist local residents from the Town and Village to do necessary repairs to their homes. She further explained that there is a confidential survey that interested residents can complete this

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evening. The funds can be used for varying repairs to include roofing, windows, doors, insulation, handicap accessibility, etc. Mary Fredenburg asked who would be administering the grant and it was explained that an RFP will have to go out to solicit for bids for this portion. C.T. Male Associates is doing the grant writing portion. Mary Fredenburg also asked for confirmation that this will include businesses with apartments above as in the downtown area and this was confirmed as correct. Councilor Scharf commented that they are encouraging downtown rehabilitation but it is not limited to that.

A question came up about how long the homeowner needs to stay in the home after receiving grant funds and it was stated that it is a period of 5 years. Another resident asked what would happen if the homeowner became deceased during this period. Supervisor Maneely stated that with previous grants, the Town has signed off in this case. The grant awards are determined based on need. A question was posed about what constitutes household income. Councilor Scharf stated that she will get the correct answer for this.

The grant administration was discussed and it was again stated that an RFP will go out to solicit bids if the grant is awarded.

At this time Supervisor Maneely read support letters received from various local and state officials.

It was discussed that the grant will be awarded this year with funds expected to be released in the Spring of next year.

Councilor Scharf stated that Mr. Thatcher, CT Males Associates, is willing to come here on Friday or Monday next week to tour some homes with need in order to do a case study to include with the grant application.

Melissa Dufrane-Hellijas stated that she has been sharing the grant information with the income guidelines on social media.

Councilor Scharf stated that the income looked at for apartments comes from the residents, not the landlord.

It was questioned about the percentage of the funds that go to administration. Supervisor Maneely stated that the State sets those guidelines. Councilor Scharf also stated that this gives work to local contractors and businesses for purchase of materials.

It was discussed that the homeowner gets to choose from a list of qualified contractors for the work to be done on their home.

Melissa Dufrane-Hellijas also suggested that the Town reach out to the local realtors for their involvement and support.

Councilor Scharf stated that the completed surveys can be turned in to either the Town or the Village Clerk and reiterated that they are confidential. She then asked for any residents who want to be included in the homes tour for the case study to leave their number with her.

A resident asked about land contracts and the fact that if they are not filed with the courthouse, it becomes an ownership issue when qualifying for a JCEO grant. She then asked for clarification that apartment tenants are the people who apply for the grant and not the landlords to which this was positively confirmed. Discussion was held on assistance also being needed for the landlords who own these buildings and try to keep up with the maintenance on limited incomes. Discussion was also held on the need to file land contracts in order to be a legal ownership.

The Public Hearing Session was closed at 5:45 PM with no further comments being taken.

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**REGULAR MEETING CALL TO ORDER:** Supervisor Maneely called the regular meeting to order at 6:00 PM, with a pledge of allegiance to the flag.

Geronimo Energy - Supervisor Maneely then introduced Eric Will and Andy Catania from Geronimo Energy to speak regarding a proposed Solar Farm to be built in the Town of Malone. Mr. Will addressed the Board and explained that he works for Geronimo Energy based out of Minneapolis, MN. He explained that NYS is a leader in renewable energy policy. He further stated that generally the public likes the visual looks of panels as they are low profile. He stated that they look for open flat land when citing these projects and interconnection to the electrical grid. He also stated that this is a very large project of 150 megawatts which is probably larger than any project East of the Mississippi River and anything over 25 megawatts in NYS is subject to Article 10 Citing Board in Albany. Mr. Will explained that their company believes in becoming actively engaged in the local communities. This project is estimated to cost about \$165M. There must be landowner commitment which is the case in this project and they will lease the land from the current owner. Andy Catania also from Geronimo Energy then addressed the Board. Mr. Catania explained that this project will be constructed on approximately 900 acres of land. He further explained that there are three main components to a solar project that needs to come together for success. First, is an interconnection that is capable of handling the power. Second, is the ability to sell electricity from the project. Third, is having a permit allowing to build the project. Mr. Catania then reviewed the permitting process required for NYS. The goal for this project would be to begin construction in the Spring of 2020 with completion and selling of power by the end of that year. Supervisor Maneely then recapped some of information contained from an earlier meeting in the day. Mr. Catania stated that there would be a peak workforce of about 300 jobs with this size project. Supervisor requested that local people would have preference in this workforce. Mr. Catania stated that they would be partnering with a large construction company and will oversee the construction process and it would be that company's job to procure labor for the project but they always encourage hiring of a local workforce. Supervisor Maneely then stated that he would like to do a 3-month moratorium for solar project law. Mr. Catania stated that they would like to be a part of the solar ordinance process as they have done this in many jurisdictions. Councilor Scharf asked what benefit would this project be to the local people and their utility bills. Mr. Catania stated they will be selling power wholesale. The benefits will be local spending during the construction process and increased tax revenue on the land. Further discussion was held on the economic benefits of the project to the local residents, the taxation benefits and the project size and amount of leased land required. Mr. Catania then explained the permitting process for Article 10 to include the Town of Malone and resident involvement. Both Mr. Will and Mr. Catania explained why their company was better than others in this field highlighting their strengths.

Renee Hotte-USDA- Supervisor Maneely then introduced Ms. Hotte from the USDA-Rural Development Canton Office who came to discuss possible grant monies for the sidewalk on Route 11. She stated she can help the Town with housing or community essential needs with loans and grants. Ms. Hotte reviewed what Rural Development does. She works in the Communities Program which is Water and Waste and Community Facilities. The new sidewalks would fall under Community Facilities. Ms. Hotte stated she reviewed the current grant program and it does not appear that a match from her program would be allowed as she is federal funds. This particular Sidewalk Grant from DOT is federal funds so the match cannot come from another federal funding source. She did state that she will further review the whole regulation to be certain this is the situation. Discussion was then held on the Salmon River flooding issue with close proximity to the WWTP and any funding potential for this. Ms. Hotte stated she will do some research on this as well to determine if there is an eligible program to help out with grant.

Thomas Ventiquattro- Thomas explained that he is the President of the Franklin Academy Outdoor Club. Thomas provided a poster board with photos of current trails at Franklin Academy. He further explained that he is pursuing building a new trail at the Pinnacle for possible competitive team use in the future. He discussed the poor condition of the current trail at this location. Thomas stated that he needs permission from the three entities that own the Pinnacle before any work can be started. The work would be done with the help of volunteers, the BOCES heavy equipment class, and the Barkeaters and Trails Alliance Organization (who has expressed interest in helping with the project). Councilor Scharf

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questioned the availability of insurance. Discussion was then held on the project details and how the work would be completed. Any motion on this was tabled pending further investigation in to the insurances issue.

Zach White- Zach White then addressed the Board regarding the road condition of the Teboville and Brick Church Roads and the work that needs to be done. Superintendent Mallette stated he is planning to do work at these locations but also stated that every dirt road in the Town needs gravel and attention. Supervisor Maneely stated that completing the blacktop work is priority at this time. Mr. White then asked the Board to come up and look at the roads after the next rain storm. Superintendent Mallette stated he tries to squeeze in whatever he can do on roads throughout the year and this year has been especially poor weather conditions. Mr. White then stated he is here to be sure these roads are on the priority list.

**EXECUTIVE SESSION (if warranted):**

**RESOLUTION 226-2017**

On a motion of Supervisor Maneely, seconded by Councilor Taylor, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Sullivan, Taylor  
Nays 0

Resolved to enter in to executive session at 7:05 p.m. with the Town Supervisor, Town Board Members and Town Attorney to discuss the employment history of, and matters leading to, the employment, discipline, suspension, dismissal or removal of a particular person.

**RESOLUTION 227-2017**

On a motion of Deputy Supervisor Sullivan, seconded by Councilor Scharf, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Lockwood, Taylor  
Nays 0

Resolved to enter back in to regular session at 7:12 p.m. No business to report from executive session.

**APPROVAL OF MINUTES**

**RESOLUTION 228-2017**

On a motion of Deputy Supervisor Sullivan, seconded by Councilor Scharf, the following resolution was

ADOPTED Ayes 4 Maneely, Scharf, Taylor, Sullivan  
Nays 0

Resolved to approve the minutes of the August 16, 2017 Regular Meeting. The August 28, 2017 Special Meeting minutes were tabled until the next meeting due to quorum.

**REPORTS**

**RESOLUTION 229-2017**

On a motion of Councilor Scharf, seconded by Deputy Supervisor Sullivan, the following resolution was

ADOPTED Ayes 4 Maneely, Sullivan, Taylor, Scharf  
Nays 0

Resolved to accept the following reports for review as written and placed in file:

Supervisor's Report – 08/2017, Budget to Actual – through 08/31/2017, Town Clerk Report – 08/2017, Airport Service Worker – 08/2017, Justices Gardner and Robert – 07/2017 and 08/2017 and Justice Court Fund, NYS Comptroller – 08/2017.

At this time Councilor Scharf asked the Budget Officer how the airport fuels sales are doing. She reported that there have been \$4,464 in sales to date or 927 gallons which is for approximately two months.

**OLD BUSINESS**

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**SUPERVISOR REPORTS:**

**RESOLUTION 230-2017**

On a motion of Deputy Supervisor Sullivan, seconded by Councilor Taylor, the following resolution was

ADOPTED Ayes 4 Maneely, Sullivan, Taylor Scharf  
Nays 0

Resolved to approve permission for Supervisor Maneely to sign the following EMS Physicals (Marci Marshall, Eerla Avery, Bethany Berkman), and add to the Franklin County Self Insurance Plan.

**RESOLUTION 231-2017**

On a motion of Councilor Taylor, seconded by Councilor Scharf, the resolution was

ADOPTED Ayes 4 Maneely, Sullivan, Taylor, Scharf  
Nays 0

Resolved to approve permission for Supervisor Maneely to sign the following Malone Call Firemen Physicals (Zachary LaBombard, Brian Gokey, Michael Maneely, and Jayme Dennis), and add to the Franklin County Self Insurance Plan.

**RESOLUTION 232-2017**

On a motion of Councilor Scharf, seconded by Deputy Supervisor Sullivan, the following resolution was

ADOPTED Ayes 4 Maneely, Sullivan, Taylor, Scharf  
Nays 0

Resolved to approve permission for Supervisor Maneely to sign the CDBG Housing Rehabilitation application.

**RESOLUTION 233-2017**

On a motion of Councilor Scharf, seconded by Deputy Supervisor Sullivan, the following resolution was

ADOPTED Ayes 4 Maneely, Sullivan, Taylor, Scharf  
Nays 0

Resolved to approve a 3-month Moratorium to study Solar Farm Law with a Public Hearing to be held on September 27, 2017 at 5:45 pm.

**BOARD MEMBER/COMMITTEE ITEMS:**

*Councilor Scharf*- stated she has been working on grants and letters of support for the housing grant and also working with Chastity Miller and the Village on the Salmon River flooding issue. Supervisor Maneely also spoke up on the subject and stated that they are setting up a meeting with the State Prison Superintendents, the hospital, and the schools to be prepared for an emergency with a plan of action in case the water backed up and flooded the WWTP. Councilor Scharf then stated that the DEC is asking for this as well as part of the short-term plan.

*Deputy Supervisor Sullivan*- stated that he and Councilor Lockwood went to the Fire Department and informed them that the Town could not provide any additional funds above the tax cap and they approved a 3- year contract with 1% increase per year. Deputy Supervisor Sullivan also stated that he felt the decision to install a charging station is a sound one.

*Councilor Taylor*- everything is moving along.

**CORRESPONDENCE:**

From North Country Chamber of Commerce – 2017-2018 Safety Training.

**SUPERINTENDENT OF HIGHWAYS:**

Superintendent Mallette stated they are changing the big tile on the Whitten Road and will let Vincent Bilow get in for a couple of days to get his hay and then will start on the arch pipe. They have been paving in Chateaugay and will continue to work on getting the remaining blacktopping done. Mary Fredenburg asked Superintendent about pressuring the County to

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get the line stripping done on the County Route 27. Superintendent Mallette stated he believes the County does line stripping of all roads at the same time which will probably be in this Fall.

**NEW BUSINESS:**

**RESOLUTION 234-2017**

On a motion of Councilor Taylor, seconded by Councilor Scharf, the following resolution was ADOPTED Ayes 4 Maneely, Sullivan, Taylor, Scharf

Nays 0

Resolved to approve permission for the Budget Officer to make the following Journal Entries, as per Comptroller notice for July 2017 From A690 Clearinghouse \$5,530.00 to A980 Revenues \$5,530.00 (A2610 court fines and fees).

**RESOLUTION 235-2017**

On a motion of Councilor Scharf, seconded by Deputy Supervisor Sullivan, the following resolution was

ADOPTED Ayes 4 Maneely, Sullivan, Taylor, Scharf

Nays 0

Resolved to approve permission for Highway Superintendent Mallette to attend the 2017 NYSAOTSOH Annual Conference from September 19-22 in Ellicottville, NY, with all expenses paid by the Town.

**RESOLUTION 236-2017**

On a motion of Deputy Supervisor Sullivan, seconded by Councilor Taylor, the following resolution was

ADOPTED Ayes 4 Maneely, Sullivan, Taylor, Scharf

Nays 0

Resolved to approve permission for Justices Gardner and Robert to submit a grant application not to exceed \$30,000 for office furniture.

**BILLS FOR AUDIT & PAYMENT:**

**RESOLUTION 237-2017**

On a motion by Councilor Scharf, seconded by Deputy Supervisor Sullivan, the following resolution was

ADOPTED Ayes 4 Maneely, Sullivan, Taylor, Scharf

Nays 0

Resolved that the following bills, having been audited and approved for payment, Vouchers #780-847:

General Fund (A) – Abstract #220	\$ 70,855.04
Part Town General (B)- Abstract #13	5,808.50
Highway Outside (DB) – Abstract #17	34,123.21
Trust & Agency (T) – Abstract #36	1,948.77
West Side Water (FW) – Abstract #4	10,000.00
<b>GRAND TOTAL:</b>	<b>\$ 122,735.52</b>

**ADJOURN:**

**RESOLUTION 238-2017**

With no further business to be brought before the Board and on a motion of Deputy Supervisor Sullivan, seconded by Councilor Taylor, the meeting was adjourned at 7:42 p.m. The next regular meeting is scheduled for September 27, 2017 at 6:00 p.m. with a Public Hearing for a Moratorium on Solar Farms to be held at 5:45 p.m.

**RESPECTFULLY SUBMITTED,**

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**DEBORAH A. HUTCHINS, TOWN CLERK**