

At an emergency Special Meeting of the Malone Village Board, held on August 1, 2017 at 5:00 PM at 343 West Main Street the following were present:

Joseph Riccio	Mayor
Andrea Dumas	Trustee
Brian Langdon	Trustee
Archie McKee	Trustee
Norm Bonner	Trustee

Also in attendance:

Cheryl Douglas, Village Clerk  
Angela Sirianni-Lucey, Code Officer

Josh Davis, Telegram  
Kevin Nichols, Attorney

### **FLANAGAN HOTEL AND 411-415 EAST MAIN STREET – ORDER TO SHOW CAUSE**

Mayor Riccio started the meeting by stating that we talked about these properties back in May and the Board voted to proceed to start this course of action and we are going to ask Kevin Nichols and Angela Sirianni Lucey to walk us through the process on holding the property owner of Stone Mountain Prime, Barry Steinberg, CEO accountable for this property.

Kevin Nichols stated that he went through the file. There have been architect's reports on this property. Angela has also reviewed the file. We have gone through the list of exhibits. The Board needs to decide whether to serve this order to show cause to Stone Mountain Prime, Barry Steinberg and Bryan Hughes the Attorney for this property. If you do determine that we should have a hearing, it gives them the opportunity to come to us and let us know what plans they have, if any, what the deadlines are and when they plan to get certain things done or they could just not show. Then the facts just remain. The engineering report shows a horizontal crack, which would render a failure of that wall. Mr. Steinberg's own engineer noticed and noted it as well. If he shows up to the hearing you have to listen to his case, then the Board would note findings of fact and then decide how the situation is going to get remedied. The Board would have to decide if it is safe or unsafe. There are remedies that need to be addressed immediately. The Board would decide to repair or demolish within "x" number of days. We would also file a petition in Supreme Court which would seek an order to enforce our law, which would be binding on Stone Mountain Prime and Barry Steinberg to obey the order of the Village Board of Trustees. This is a true court order. If he doesn't abide by the order you could then seek a contempt violation in court. Then that would say repair or demolish within "x" number of days and if nothing happens and the days pass then you can go back to court and say Stone Mountain Prime and Barry Steinberg ignored our order and we would like him to be punished for this. Then you make personal service with the violation petition on Mr. Steinberg, if he shows up in court and found in contempt he could be taken to jail. We are trying to make him do something, not take his property because we don't want it. The conditions inside that building have not improved, if anything they have worsened.

Upon the motion of Trustee Bonner with a second by Trustee Dumas and unanimously carried to authorize the Mayor and the Board of Trustees sign the Order to Show Cause and to set the hearing for Monday, August 21, 2017 at 5:30 PM.

**Fire at the Gorman Building – 384-386 West Main Street** – Kevin Nichols has been in touch with the insurance claim representative. They had an engineer come in and look at the building. They will share it with us. The Village needs to hire an architect to review that building.

Upon the motion of Trustee Dumas with a second by Trustee Langdon and unanimously carried to hire Tim McCarthy, Architect to proceed with Chapter 57.

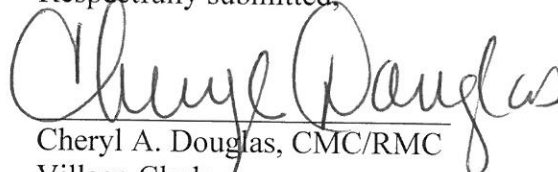
**American Village** – This situation is going to be remedied soon for demolition. Angela Sirianni-Lucey has been in touch with the property owner.

**AT & T Tower Rent** – The contract is up for renewal. The gentleman has been calling Kevin for a while now. They are agreeing to \$100 a month increase. Do we know what we get a month now? Trustee Dumas proposes \$500 a month increase.

**ADJOURNMENT:**

Upon the motion of Trustee Dumas to adjourn the meeting at 5:30 PM.

Respectfully submitted,

  
Cheryl A. Douglas, CMC/RMC  
Village Clerk