

At a Public Hearing of the Malone Village Board, held on August 21, 2017 at 5:30 PM at 343 West Main Street for the Flanagan Hotel and 411-415 East Main Street in an Order to Show Cause the following were present:

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

Also in attendance:

Kristine Lashway, Treasurer	Josh Davis, Telegram
Cheryl Douglas, Village Clerk	Bryan Hughes, Attorney
Kevin Nichols, Attorney	Alex Nichols
Bob Hest	

Absent: Angela Sirianni-Lucey, Code Enforcement Officer

Mayor Riccio started the meeting by stating we are here tonight about the affidavits that were filed previously and are there any appearances on behalf of the individuals named in the affidavit?

Bryan Hughes – I don't represent Stone Mountain or Barry Steinberg. I did have conversations with Glenn Reiner, Stone Mountain's attorney out of NY City. He asked me whether or not I would make a formal notice of appearance for him in response to the Order to Show Cause. I am authorized to say that he acknowledges receiving service, authorizes me to appear on the Order to Show Cause with full knowledge he will be proceeding according to article 57 of the code which is due process requirements of the statute. If necessary he will be here to that. One thing Mr. Reiner did ask me to say, he acknowledges that Stone Mountain could not be hauled in because they are the property owner. Barry Steinberg is named as an individual but he doesn't own the building.

Kevin Nichols – Just to be clear you are acknowledging service to Stone Mountain whether or not Barry Steinberg stays in this case or not?

Bryan Hughes – We are not objecting to process. We are here to make sure all the steps are taken to save the Flanagan.

Kevin Nichols - No written or verbal response otherwise was given to the Order to Show Cause?

Bryan Hughes – I do have in my office Mr. Reiner's email to me which he writes the lack of personal responsibility and that is the only written response I received.

Kevin Nichols - Mr. Steinberg will be here on September 18? I would just ask the Hearing Officer to set the date of the hearing for September 18, 2017 at 5:30 PM.

Mayor – I will schedule another hearing for September 18, 2017 at 5:30 PM and Mr. Steinberg may or may not appear before this Board.

Trustee McKee – what is the difference between that hearing and this hearing?

Bryan Hughes – When you respond to an Order to Show Cause it tells a party to appear either through an attorney or yourself to state their position. Then a hearing is schedule.

Trustee McKee – What would be the topic of discussion at the next hearing?

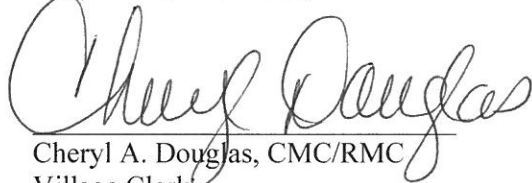
Kevin Nichols – Initially it would be the Code Enforcement Officer who has control of the file, would bring in the reports, business records, own observations and if necessary would have our architect who wrote the report who could answer the questions as well. The next step is the hearing and Angela Sirianni Lucey, Code Officer would give testimony.

Mayor Riccio – Kevin pointed out that the Board is the jury. The Board has the ability to weigh the evidence and make a determination. If this Board isn't satisfied it has the law to be able to enforce the action that it wants.

Discussion was held.

Meeting adjourned at 6:00 PM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cheryl A. Douglas". The signature is written in black ink and is positioned above a horizontal line.

Cheryl A. Douglas, CMC/RMC
Village Clerk