

At a Special Work Session of the Malone Village Board, held on February 23, 2021 at 11:00 AM via in person at 343 West Main St. and Zoom meeting the following were present:

Andrea Dumas	Mayor
Matt Boyea	Trustee
Norman Bonner	Trustee
Archie McKee	Trustee
Brian Langdon	Trustee

Via Zoom:

Kristine Lashway, Treasurer
Dr. Calvin Martin, Resident
Ryne Martin, Liberty Utilities

Also in attendance:

Rebaha Scaccia, Village Clerk
Ryan Hayes, Liberty Utilities
Mark Saltsman, Liberty Utilities
Adam Soulia, Liberty Utilities

Mayor Dumas call the meeting to order at 1:00 PM.

Liberty Utilities

Mark Saltsman, Vice President and General Manager of Liberties Utilities began the meeting noting that there may have been some misunderstanding following the last meeting. The documents filed with the PSC had been requested by the PSC; this was not Liberty Utilities' attempting to supersede the Village of Malone. We do not want to force our way into the Village.

Our understanding was that the Village wanted gas available to the Main Street buildings to relieve the propane tank problem. That is the reason Liberty Utilities chose to go down Clay Street. When Liberty Utilities puts a plan together, they determine the need first based on the number of inquiries from residents, then work to loop the presiding municipality in to review the plans and go over any issues, working together to meet the needs of the Village, the residents, and Liberty Utilities.

Liberty Utilities has already tasked a team with attempting to determine an alternate route around Clay Street, but it is very difficult to go straight down Main Street.

Dr. Martin noted that there is no one on Clay Street that wants Liberty Utilities.

Mr. Saltsman noted that they in fact have several customers that have filed inquiries with Liberty Utilities. He is happy to confidentially share that information with the Mayor.

Mayor Dumas noted the Village's concern with current infrastructure, including the Water and Sewer lines and the Trees.

Mr. Saltsman noted that Liberty Utilities makes it their job to mitigate these issues and implement a plan to protect both existing infrastructures, as well as the trees. Ryan Hayes noted that Liberty Utilities uses DANC, 811, and Dig Safe design tickets to show their plans so individuals can respond. Mr. Hayes noted that Liberty Utilities had an easement with the First Congregational Church to go partially down clay and cross over to the Dr. Office on Main Street. Liberty Utilities went from the existing main under Main Street, down Clay and made a 90-degree angle to the office building, staying six feet away from the tree on the backside of sidewalk. Liberty Utilities ran a 1" line under Clay with DPW on site to guide them away from the Water and Sewer lines.

Dr. Martin claimed that Liberty Utilities damaged a major root to the mature Maple in the Village Right-of-way near the church.

Ryan Hayes noted that Liberty Utilities has a permit with the NYS DOT to cross under Main Street. Adam Soulia further noted that Liberty Utilities ran the line to Dr. Baggett's office at the request of the Hospital, in advance of their impending renovations.

Mr. Saltsman noted that Liberty Utilities, would under no circumstances, do anything without the PSC's approval, knowing that the Commission would fine them greatly if they did. Ryan Hayes noted that Liberty Utilities' sole purpose is to provide the residents and businesses within the Village of Malone with the choice to use Natural Gas. If they do not run the line, the people will not have the choice to get gas if they want it.

Mr. Saltsman noted that Liberty Utilities has not filed for a new CPCN. In the Town of Malone Liberty Utilities modified the CPCN with the Town. The Franchise agreement was amended to give permission to cross certain Town properties.

Mayor Dumas asked if Liberty Utilities is willing to sit with the Village Board to amend and modify the current franchise agreement. Mr. Saltsman stated that yes, they would be willing to work with the Village to determine what, if anything, needs to be changed or amended.

Dr. Martin agreed this was a good idea.

Trustee Archie McKee asked if Liberty Utilities was going to provide the Village with documentation of their permission to cross Main Street and go down Clay Street and across to Dr. Baggett's. Also, he asked what is the plan for the Surcharge Schedule?

Mr. Saltsman stated that Liberty Utilities would provide the proof that the current CPCN and current Franchise Agreement have not expired. These are the documents allowing them to go through the Village Right-of-Ways and provide the service line.

Mr. Saltsman further noted that Liberty Utilities' acquisition of St. Lawrence Gas has been approved and all documentation has been transferred to Liberty Utilities in November of 2019.

Dr. Martin stated this was not true.

Trustee Langdon wished to reserve comment at this time until all documentation could be reviewed.

Trustee Boyea noted that the Village is eager to see the documentation offered from Liberty Utilities and would be equally eager to set a date to sit with Liberty Utilities to discuss the Franchise Agreement.

Mayor Dumas noted that the Village Board would review the documents and Franchise Agreement, to be submitted by Liberty Utilities, on March 3rd and hopes to sit again with Liberty Utilities on March 17, 2021.

Adjournment

Motion to adjourn by Trustee Bonner at 11:59AM.

Respectfully submitted,

Rebahka Scaccia, Village Clerk