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INCORPORATED VILLAGE OF FREEPORT
BOARD OF TRUSTEES MEETING

MUNICIPAL BUILDING
46 North Ocean Avenue
Freeport, NY 11520

January 11, 2022
4:30 p.m.

M E M B E R S:

ROBERT T. KENNEDY	MAYOR
CHRISTOPHER L. SQUERI	TRUSTEE
EVETTE B. SANCHEZ	TRUSTEE
JORGE A. MARTINEZ	TRUSTEE

* * *

PAMELA A. WALSH-BOENING	VILLAGE CLERK
HOWARD COLTON	VILLAGE COUNSEL

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-----EXHIBITS-----

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2 MAYOR KENNEDY: Village Attorney.

3 MR. McLAUGHLIN: Good evening

4 Mr. Mayor, Members of the Board. This public
5 hearing is to amend Section 128 of the
6 Village Code entitled Housing Standards.
7 Before I get started, I would like to address
8 a few housekeeping matters. With your
9 permission, Mr. Mayor, I'd like to enter the
10 following documents into evidence:

11 Exhibit A - the directive setting the
12 public hearing;

13 Exhibit B - the Notice of Public
14 Hearing;

15 Exhibit C - the Affidavit of
16 Publication;

17 Exhibit D - the Affidavit of Posting;

18 Exhibit E - the Building
19 Superintendent's Negative Declaration
20 Recommendation under SEQRA; and

21 Exhibit F - the Draft Resolution
22 adopting the recommendation of the Building
23 Department's superintendent.

24 HEARING OFFICER: The Board will
25 accept Exhibits A, B, C, D, E and F.

January 11, 2022

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2 (WHEREUPON, the above-referred to
3 documents were marked as Board's Exhibits A
4 through F, for identification, as of this
5 date.)

6 MR. McLAUGHLIN: Mr. Mayor, I would
7 ask at this time that you entertain a motion
8 for the Board to adopt the SEQRA Resolution.

9 TRUSTEE MARTINEZ: So moved.

10 TRUSTEE SQUERI: Second.

11 MAYOR KENNEDY: Madame Clerk, please
12 poll the Board.

13 THE CLERK: All in favor.

14 TRUSTEE MARTINEZ: Aye.

15 TRUSTEE SQUERI: Aye.

16 TRUSTEE SANCHEZ: Aye.

17 MAYOR KENNEDY: Aye.

18 THE CLERK: Any opposed?

19 (No response was heard.)

20 MR. McLAUGHLIN: We would ask that
21 the adopted resolution be placed into as
22 Exhibit G, and Exhibit H would be the
23 proposed local law.

24 HEARING OFFICER: Exhibits G and H
25 are accepted by the Board.

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2 (WHEREUPON, the above-referred to
3 documents were marked as Board's Exhibits G
4 and H, for identification, as of this date.)

5 MR. McLAUGHLIN: Mr. Mayor, Members
6 of the Board, this proposed local law is
7 aimed at correcting an issue that we have all
8 throughout the Village. It's a quality of
9 life issue, more than anything else. We have
10 a lot of properties where we go by the
11 property. It's a safe property; however,
12 there are some issues with the exterior of
13 the property, including things such as siding
14 totally dilapidated, the yard is dilapidated.
15 It's really affecting the quality of life of
16 both the residents who live near them and
17 frankly the residents all throughout the
18 Village of Freeport.

19 This proposed local law change would
20 deem any of those issues that come up on a
21 property where a nuisance and it would allow
22 the Village Board to conduct a hearing to
23 determine whether the property is a nuisance
24 and make a determination on remediating the
25 property. The determination of remediating

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2 the property can go from an agreement with
3 the parties to repair the property, set
4 certain time periods to repair the property,
5 or have the Village repair the property and
6 attach the bill that onto the tax rolls.

7 The Village Attorney's Office, along
8 with the Building Department believe this is
9 a necessary amendment that required the code
10 to be able to clear these issues for the
11 residence of the Village.

12 MAYOR KENNEDY: So, basically, you're
13 saying that each one of these violations that
14 were issued will then be reviewed by the
15 Board for a final determination?

16 MR. McLAUGHLIN: Correct. There
17 would be a hearing before the Board of
18 Trustees where the individual will be
19 noticed. Like we do with the dangerous
20 building proceedings, we also notice any
21 mortgage holder, so that they're aware of the
22 hearing that's going to take place. The
23 person will come in, meet with the Board of
24 Trustees in order for them to resolve the
25 matter, whether it be fixing the concern or

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the Village fixing the concern and attach it to the taxes.

TRUSTEE MARTINEZ: Counsel, this will be similar to what occurs with the Zoning, the person comes in?

MR. McLAUGHLIN: No, it would be similar to what we do presently with the dangerous buildings.

TRUSTEE MARTINEZ: Sorry, that is what I meant to say.

MR. McLAUGHLIN: Actually, the hearing is the same process as the process with the dangerous building proceedings.

TRUSTEE MARTINEZ: If the person would like, they can bring legal counsel with them?

MR. McLAUGHLIN: Absolutely. Any individual who would come before an administrative hearing before this Board would be able to bring counsel.

TRUSTEE MARTINEZ: Once again, by the time they get there, there will be a process in place that the home owner or the owner of the property will have the opportunity to fix

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the issues, discuss with the Building Department? It's a multistep process?

MR. McLAUGHLIN: Correct. Generally what happens with these issues, when it goes to this point, even presently with the dangerous building proceedings and what we're proposing now with Section 128 of the Housing Standards, is that the Building Department has had communication with them and we've gotten to the point where we don't have a resolution; therefore, we need an intervention from the Board of Trustees to either have them set a time period to fix them on their own or the Village fixing it and assessing it to their taxes.

TRUSTEE MARTINEZ: That's a great point. My whole point here is to make sure this is not -- a lot of things happen before we get to that hearing.

MR. McLAUGHLIN: Correct.

TRUSTEE SQUERI: Exhausted all of our possibilities and venues.

MR. McLAUGHLIN: We have the Superintendent of Buildings here right now,

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2 Sergio Mauras. He can tell you, before we
3 even get under the present dangerous building
4 proceedings, we do have communication with
5 both the owner and the mortgage company, if
6 there is one present to be able to correct
7 those situations, and that same type of
8 process would be under this.

9 TRUSTEE MARTINEZ: I think it's
10 important for the residents to understand
11 that it's not only the safety of the property
12 but also safety of the other neighbors to.

13 MR. McLAUGHLIN: The quality of life.
14 Realistically, some of the properties that we
15 have now that are in the these conditions,
16 while we're not concerned that they're going
17 to fall down, any neighbor living in that
18 area would not want to live next to a place
19 where there are missing windows or missing
20 siding; it brings down the value of property,
21 and you don't want to live next to a property
22 like that.

23 TRUSTEE MARTINEZ: Right. And you're
24 talking about the possibility, depending if
25 you are down south and issues of the water

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2 and animals can get into that property and it
3 becomes a real quality of life and affects
4 the whole neighborhood.

5 MR. McLAUGHLIN: Correct. The type
6 of situation you brought up, while it may not
7 be a dangerous building today, us correcting
8 these nuisance issues will prevent it being a
9 dangerous building in the future. Also, in
10 the long run it will cost the individual less
11 because it won't get the point where it's a
12 dangerous building and having to come.

13 TRUSTEE SQUERI: We have also seen
14 where homes have roofs that are in dangerous
15 shape with shingles falling off or siding is
16 coming off and it could harm one of our other
17 residents.

18 MR. McLAUGHLIN: Right.

19 TRUSTEE SANCHEZ: The procedure that
20 the residents would have to complain about a
21 neighbor, it starts in the Building
22 Department.

23 MR. McLAUGHLIN: I'm sorry?

24 TRUSTEE SANCHEZ: The procedure where
25 resident to complain about a neighbor or a

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2 house that they see, will they start making
3 their complaints in the Building Department?

4 MR. McLAUGHLIN: Yes. That's
5 actually the present condition with any
6 problem. Right now, as you know, Trustee,
7 normally it goes to the Court. While the
8 Court is a good process, it can only do so
9 much. The Village Code, along with the New
10 York State Penal Law only allows certain
11 types of penalties, and sometimes it's not
12 correcting the problem, it's really more
13 fines.

14 We're looking for correction. That's
15 our main issue. We're not looking to kill
16 people with fines, we want to make sure the
17 issue is corrected. That way their house is
18 corrected, but also the neighbors don't have
19 to deal with the quality of life issues.

20 TRUSTEE MARTINEZ: Bottom line, it is
21 a quality of life issue. It affects the
22 whole Village.

23 MR. McLAUGHLIN: Right. There's
24 absolutely no part of this Village that we
25 would not have issues that we would need to

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correct.

TRUSTEE SQUERI: I believe there area a number of avenues for a resident to come forward with a complaint, whether it's they mayor's office, especially on Tuesdays, or one of the trustees or the Building Department. I think there are several different ways where the avenues come through where we get complaints. So, we want to try to make this as convenient for the neighbors and the residents of the Village to correct the wrong maybe on their block, around the block, in their neighborhood that causes them unfairly duress on their property.

MR. McLAUGHLIN: It's think in the last eight and a half years under this administration, it's been a proactive administration with dealing with these issues. I think the change in this code is another step at being proactive in trying to resolve these issues.

TRUSTEE MARTINEZ: I agree.

MAYOR KENNEDY: Does anybody have any questions?

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(No response was heard.)

MAYOR KENNEDY: Any comments from the general public?

(No response was heard.)

MAYOR KENNEDY: Proceed.

MR. McLAUGHLIN: At this time, Mr. Mayor, I'd ask that you entertain a motion to close this hearing to further evidence and testimony.

TRUSTEE MARTINEZ: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madame Clerk, please poll the Board.

THE CLERK: All in favor.

TRUSTEE MARTINEZ: Aye.

TRUSTEE SQUERI: Aye.

TRUSTEE SANCHEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MR. McLAUGHLIN: At this time, Mr. Mayor, I'd ask that you entertain a motion to adopt Exhibit H, the proposed law as an adopted law.

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2 TRUSTEE MARTINEZ: Mr. Mayor, I'll
3 make a motion but with a simple comment. I
4 want to thank both the Building Department
5 and the Legal Department for all the time and
6 effort put into this. We really appreciate
7 it. We understand that sometimes it's not
8 easy, but it's the right thing to do. On my
9 behalf, I want to thank you. Also, I want to
10 thank the residents thank you.

11 I'll make a motion.

12 MAYOR KENNEDY: Do we have a second?

13 TRUSTEE SQUERI: So moved -- second.

14 MAYOR KENNEDY: Madam Clerk, please
15 poll the Board.

16 THE CLERK: All in favor.

17 TRUSTEE MARTINEZ: Aye.

18 TRUSTEE SQUERI: Aye.

19 TRUSTEE SANCHEZ: Aye.

20 THE CLERK: Any opposed?

21 (No response was heard.)

22 MR. McLAUGHLIN: One final thing,
23 before we close. Mr. Mayor, we'd ask that
24 the adopted law be marked as Exhibit I.

25 MAYOR KENNEDY: Exhibit I is accepted

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by the Board.

(WHEREUPON, the above-referred to document was marked as Board's Exhibit I, for identification, as of this date.)

MR. McLAUGHLIN: Thank you. We are done with this hearing. We can entertain a motion, at this point, to close the meeting.

MAYOR KENNEDY: Do we have a motion to close the meeting.

TRUSTEE MARTINEZ: So moved.

TRUSTEE SQUERI: Second.

MAYOR KENNEDY: Madame clerk, please poll the Board.

THE CLERK: All in favor.

TRUSTEE MARTINEZ: Aye.

TRUSTEE SQUERI: Aye.

TRUSTEE SANCHEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

(WHEREUPON, this witness was concluded at 4:42 p.m.)

* * *

C E R T I F I C A T E

I, BETHANNE MENNONNA, a Notary Public within and for the State of New York do hereby certify that the foregoing is a true and accurate transcript of the proceedings, as taken stenographically by myself to the best of my ability, at the time and place aforementioned.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of January, 2022.


BETHANNE MENNONNA