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INCORPORATED VILLAGE OF FREEPORT
BOARD OF TRUSTEES MEETING

MUNICIPAL BUILDING
46 North Ocean Avenue
Freeport, NY 11520

January 10, 2022
2:26 p.m.

M E M B E R S :

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

* * *

PAMELA A. WALSH-BOENING	VILLAGE CLERK
JENNIFER UNGAR	DEPUTY COUNSEL
SERGIO MAURAS	BUILDING DEPARTMENT

VILLAGE OF FREEPORT, NY
JAN 10 2022 - 1 P 10:35

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-----E X H I B I T S-----

BOARD'S FOR I.D.

68 ANN DRIVE PAGE

F Notice of Special Meeting 4

* * *

176 GORDON PLACE

F Notice of Special Meeting 12

G Demolition proposal 12

H Copy of down payment check 12

* * *

160 CEDAR STREET

F Notice of Special Meeting 16

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-----I N D E X-----

<u>ADDRESS</u>	<u>PAGE</u>
68 Ann Drive	4 - 10
176 Gordon Place	10 - 14
160 Cedar Street	14 - 18

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MS. UNGAR: Good afternoon. We are here for the continuation of three different dangerous building proceedings for an update on what the status is on what's going on.

MAYOR KENNEDY: Okay.

MS. UNGAR: So, the first one I'll call will be 68 Ann Drive. Before we get going, I'd like to enter one exhibit, Exhibit F, the Notice of Special Meeting.

I think Sergio has a bit of an update for us.

MR. MAURAS: That is correct.

MAYOR KENNEDY: Exhibit F we'll accept.

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

MR. MAURAS: 68 Ann Drive has made significant progress. Their contractor has already poured the footings, they have already done the piles, they have already set up the forms for the pouring of the foundation walls. The forms have been inspected, the rebar has been inspected.

1
2 Their intent was to pour concrete today, but
3 it was a bit too cold to do. Unfortunately,
4 it's going to be cold tomorrow also, but that
5 is the stage where it is now, where the
6 concrete is ready to be poured.

7 MAYOR KENNEDY: Okay. When are they
8 saying it will be done by?

9 MR. MAURAS: It depends on the
10 weather. Hopefully they'll be able to either
11 make arrangements to enclose the foundation
12 area, as that would be permitted to pour in
13 the cold. But that's something that is in
14 the process. He was expecting to do it
15 today; unfortunately, the weather did
16 prohibit him.

17 I have been in constant contact with
18 the contract, Anthony Pagano. I call him
19 two, three times a week to make sure that I
20 keep track of exactly what he is doing. He
21 does owe me some documentation. He owes me
22 the concrete batch tickets for the footings,
23 he owes me the additional pile log, which he
24 needed to have signed by the engineer; that
25 has also been discussed with him. I will be

1 speaking to him again to see what other
2 alternative methods he will use to pour that
3 foundation.
4

5 MAYOR KENNEDY: Okay.

6 TRUSTEE SQUERI: Wednesday will be 40
7 degrees, but I don't know what it is at
8 night. You have lower 30's on Wednesday and
9 40 the high, which should be okay. Thursday
10 you have 41 and 30, same thing, and Friday it
11 gets cold again.

12 MAYOR KENNEDY: Aren't there some
13 additives put in there?

14 MS. MAURAS: It's not only a matter
15 of the additives; that's mainly for the cure
16 time of the concrete. But when it's poured
17 due to the colder temperatures, it has to be
18 poured within a specific temperature degree
19 which is generally, approximately, 40
20 degrees, and it has to be maintained at 40
21 degrees. So, as per Trustee Squeri,
22 Wednesday would probably the best date for
23 him to proceed to with the pouring of that
24 concrete. I will confirm with him today.

25 TRUSTEE SQUERI: He should blanket

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that at night.

MR. MAURAS: Correct.

MS. UNGAR: We also have the home owner here, Ms. Mitchell.

Do you have anything you'd like to add to that?

MS. MITCHELL: He pretty much covered everything of where we are.

TRUSTEE SQUERI: It's important, the temperature. I lifted my house as well, and what happened was the guy poured it and that night we dipped to 20, 22 degrees. Sergio, I believe you were --

MR. MAURAS: I was involved there.

TRUSTEE SQUERI: The contractor had to remove all the concrete footings because they were poured -- when we tested them, 28 days later, the PSI -- first of all, there were a couple of issues. Number one, they are supposed to pour it, that State requirement is a minimum of 4,000 that they have to pour -- this called for 5,000 PSI. They only poured 4,000 and it was too cold. It tested out at 2,300 to 2,500 PSI, when we

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had it tested, and that's not even at the State minimum. So, it's very important.

MS. MITCHELL: They are supposed to be pouring 5,000 PSI.

TRUSTEE SQUERI: Perfect. Even if it's a little cold, it will still test out at over 4,000 minimum. That's important.

MAYOR KENNEDY: Okay.

TRUSTEE SQUERI: I know firsthand.

MS. MITCHELL: I understand it's the foundation. If that doesn't work, nothing else does.

MAYOR KENNEDY: So, we have to postpone the hearing again?

MR. MAURAS: Yes.

MS. UNGAR: It would be our recommendation to postpone it for another month, until February 7th, to continue to see that progress is being made, as there has been substantial progress, as Sergio has said.

I apologize. I neglected to ask that Sergio and Ms. Mitchell could be sworn in. We could do a little bit of a retroactive

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swearing in.

M S. M I T C H E L L:

having been first duly sworn by a Notary
Public of the State of New York, was
examined and testified as follows:

S E R G I O M A U R A S,

having been first duly sworn by a Notary
Public of the State of New York, was
examined and testified as follows:

THE CLERK: At what time?

MS. UNGAR: Let's go with 2:00; it
seems to be a time that works reasonably.

MS. MITCHELL: What is the date?

MS. UNGAR: Monday, February 7th.

MAYOR KENNEDY: Do we need a motion
to accept that?

MS. UNGAR: Yes please.

TRUSTEE SANCHEZ: So moved.

TRUSTEE SQUERI: Second.

MAYOR KENNEDY: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

January 10, 2022

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(No response was heard.)

MAYOR KENNEDY: Okay, we'll put it off until February.

Sergio, you'll keep me in the loop on this every couple of days?

MR. MAURAS: Yes, sir.

MAYOR KENNEDY: Thank you.

TRUSTEE SQUERI: Thank you. Have a great day.

MAYOR KENNEDY: How are you Mr. Murphy?

MR. MURPHY: Good afternoon. I hope everyone has been relatively well in these difficult times, these challenging times.

MS. UNGAR: Next is 176 Gordon Place.

Sergio, you are still under oath. Do you want to give us an update?

Actually, perhaps it will be more appropriate for the attorney to give us an update, if you want to note your appearance for the record.

MR. MURPHY: James Murphy with the Law Office of Murphy and Lynch in East Norwich, New York representing the property

1
2 owner at 176.

3 Since we met last, I contacted a
4 number of respective demolition companies and
5 selected one. I received a proposal from
6 them and I reviewed that with Village counsel
7 and with Sergio. That form seems to be
8 acceptable, and as a consequence, Sergio was
9 kind enough to give me today permits for
10 demolition, which I'm going to forward to
11 construction company, ABR Development,
12 located in Garden City.

13 MAYOR KENNEDY: Okay.

14 MR. MURPHY: I'll have them contact
15 Sergio directly with regard to completion of
16 the application and have them do it as soon
17 as possible. That's where I am at the
18 moment.

19 MAYOR KENNEDY: No later then?

20 MR. MURPHY: I think we talked about
21 30 days, yes? I have to really check with
22 them. I told them I needed first to have the
23 contract reviewed by the Village to make sure
24 that it met with compliance requirements of
25 the Village.

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MAYOR KENNEDY: Okay.

MR. MURPHY: I didn't speak to them specifically, "Can you start tomorrow?" They said, "Let us know if the Village approves. We'd like to get on this as soon as possible."

I suggest 30 days.

MAYOR KENNEDY: We'll do a 30 day again extension on this. We'll come back in 30 days, and hopefully we'll be finished at that time.

MS. UNGAR: Before we adjourn, I have Exhibit F, the Notice of Special meeting. And then Exhibit G is the proposal for the demolition, which has been signed, and Exhibit H, a copy of the down payment check to the contractor.

MAYOR KENNEDY: Okay. We'll accept Exhibit F, G and H.

(WHEREUPON, the above-referred to documents were marked as Board's Exhibits, for identification, as of this date.)

MS. UNGAR: Just as a note, when we spoke in Rob's office earlier today, it was

1
2 discussed that the demolition permit was
3 something that has a very fast turnaround, in
4 terms of the Building Department issuing,
5 because there is no need for the rodent
6 letter or the electric shutoff or any of the
7 other things that are normally part of the
8 process. So, it should be a pretty quick
9 turnaround and the Village will be able to
10 act quickly as needed.

11 MAYOR KENNEDY: Okay.

12 MS. UNGAR: Again, I would request
13 then that this be adjourned until
14 February 7th, with the expectation that it
15 will be demolished by that point.

16 MAYOR KENNEDY: Do we have a motion
17 to accept?

18 TRUSTEE SANCHEZ: So moved.

19 MAYOR KENNEDY: Do we have a second?

20 TRUSTEE SQUERI: Second.

21 MAYOR KENNEDY: Madame Clerk.

22 THE CLERK: All in favor.

23 TRUSTEE SANCHEZ: Aye.

24 TRUSTEE SQUERI: Aye.

25 MAYOR KENNEDY: Aye.

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THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Thank you,
Mr. Murphy. Happy New Year.

MR. MURPHY: Happy New Year as well.
I'll be in touch with you.

MR. MAURAS: Please.

MS. UNGAR: We talked about the time
before you were in the room. Same time on
February 7th: 2:00.

So, this is a continuation of the
hearing for 160 Cedar.

MR. HOWLAND: Good afternoon. Sean
Howland from McCalla, Raymer, Leibert and
Pierce on behalf of Deutsche Bank. They are
the servicer for the first mortgage on the
property. They previously had contact with
the borrower heir. The owner of the property
is deceased. Her estate has gone through the
Surrogate's Court in Suffolk County. The
administrative of her estate reached out to
the bank saying he wanted access to the
property so he could improve the property
with the hopes of doing a short sale.

1
2 Looking through the notes that were
3 provided for me today, it looks like the
4 construction stalled out in July of 2019,
5 which was shortly before the owner's death.
6 So, what I'd like to do is try to get in
7 touch with the administrator of the estate
8 and see what his intensions are, see if he is
9 intending to fix the property and eventually
10 sell it. Obviously, I think that would be my
11 client's preference. I think that would
12 satisfy the Village' concern as well.

13 So, speaking with Sergio and counsel,
14 I think the plan is to adjourn for 30 days,
15 and hopefully in that time we'll get in touch
16 with the heir.

17 TRUSTEE SQUERI: Is this the one in
18 Randall Park?

19 MR. MAURAS: This is the one located
20 at 160 Cedar Street and Ray Street, which is
21 further west.

22 TRUSTEE SQUERI: On Ray Street?

23 MR. MAURAS: Cedar and Ray, correct.
24 It's on the northwest corner.

25 MS. UNGAR: Obviously, as counsel

1
2 referred to, the goal would have the executor
3 and heir here at the next hearing.

4 MR. HOWLAND: We haven't been able to
5 get in touch with him. I haven't had a lot
6 of time to do that either, with the holidays,
7 and this recently reached our office. I
8 think we're going to hopefully reach out to
9 the Surrogate's Court in Suffolk to see if
10 they can provide us with an address and phone
11 number, with the hopes that he could be here
12 at the next hearing.

13 TRUSTEE SQUERI: Cedar and Bay? I
14 thought you said Ray.

15 MR. MAURAS: I did say Ray.

16 TRUSTEE SQUERI: Now I get it. Now I
17 know where it is.

18 MS. UNGAR: For housekeeping
19 purposes, I have Exhibit F, the Notice of
20 Special Meeting.

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

24 MAYOR KENNEDY: Do we really need 30
25 days to reach out to Surrogate's Court or

1
2 whoever? It is dragging on for a long time.

3 MR. HOWLAND: Hopefully I -- I
4 wouldn't say 30 days just to reach out to the
5 Surrogate's Court, but 30 days to try to get
6 in touch with him. First we have to find out
7 where he lives, get the contact information.
8 Hopefully we'll make progress between today
9 and 30 days from now. If he tells me that he
10 has no intention in fixing the property, I'll
11 convey to my client that they need to send a
12 crew out there, take a look and get estimates
13 and quotes and things like that. I wouldn't
14 say it's 30 days just to get in touch with
15 the Surrogate's Court.

16 MS. UNGAR: Hopefully get a bit more
17 of a form planned of what's going on forward.
18 Not just contact. Hopefully taking the
19 initial steps to that there will be something
20 reported back of substance.

21 MR. HOWLAND: Exactly.

22 MAYOR KENNEDY: Okay. Since we will
23 have a plan of how this is going to be
24 approached and resolved 30 days from now, do
25 we have a motion to postpone this?

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MS. UNGAR: I'd request again that
this be adjourned to February 7th at 2:00 p.m.

TRUSTEE SQUERI: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madam Clerk.

THE CLERK: All in favor.

TRUSTEE SQUERI: Aye.

TRUSTEE SANCHEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Okay. Motion to
close the meeting.

TRUSTEE SQUERI: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madam Clerk.

THE CLERK: All in favor.

TRUSTEE SQUERI: Aye.

TRUSTEE SANCHEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed.

(WHEREUPON, the examination of this
witness was concluded at 2:42 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