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INCORPORATED VILLAGE OF FREEPORT
BOARD OF TRUSTEES MEETING

MUNICIPAL BUILDING
46 North Ocean Avenue
Freeport, NY 11520

June 23, 2022
11:20 a.m.

M E M B E R S :

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

* * *

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| PAMELA A. WALSH-BOENING | VILLAGE CLERK |
| ROBERT McLAUGHLIN | DEPUTY VILLAGE COUNSEL |
| JENNIFER UNGAR | DEPUTY VILLAGE COUNSEL |
| SERGIO MAURAS | BUILDING SUPERINTENDENT |
| HERMAN MANOSYAN | BUILDING INSPECTOR |

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-----INDEX-----

| <u>ADDRESS</u> | <u>PAGE</u> |
|-----------------------------|-------------|
| 36 Cedar Street | 3-5 |
| 160 Cedar Street | 5-8 |
| 213 Maxson Avenue | 8-14 |
| 403 South Bayview | 14-16 |
| 474 Nassau Avenue | 16-17 |
| 700 South Long Beach Avenue | 17-18 |
| 170 Whaley Street | 19-23 |

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MR. McLAUGHLIN: Mr. Mayor, the first matter we have on is 36 Cedar Street.

MAYOR KENNEDY: Okay.

MR. McLAUGHLIN: We have Mr. Howland and Mr. Bunion on Zoom.

MR. HOWLAND: Robert, if I'm not mistaken, Mr. Bunion and I are on 160 Cedar.

MR. McLAUGHLIN: Sorry about that. Attorney's get confused.

MAYOR KENNEDY: Too many attorneys in the room.

MR. McLAUGHLIN: Mr. Mayor, I believe we do have a positive report from the Building Department. Herman, if you can give a report on 36 Cedar Street.

MR. MANOSYAN: 36 Cedar Street has been sided, windowed, the property has been cleaned up. So, it's compliant with all the matters that were at hand.

MAYOR KENNEDY: Doors also?

MR. MANOSYAN: Yeah. Doors and replaced windows.

MR. McLAUGHLIN: I'm sorry, before we continued.

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Counsel, could you, for the record, give your appearance.

MR. SPEREGEN: For the mortgage holder, RMAC Trust, Series 2016, Adam Speregen from the Office of Gross Polowy.

MAYOR KENNEDY: So, we're satisfied? Everything is okay now?

MR. MANOSYAN: Yes.

MAYOR KENNEDY: I'm happy with that.

MR. McLAUGHLIN: So, I would suggest, Mr. Mayor, that we entertain a motion that we close this matter out as satisfied.

MAYOR KENNEDY: Please do.

TRUSTEE SQUERI: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madame, Clerk.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: I'd like to say, thank you very much to the attorney and the

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2 contractors. We appreciate it. It's a
3 pretty tough spot to be in with all those
4 papers. Thank you.

5 MR. SPEREGEN: I'll pass it on.
6 Thank you.

7 MAYOR KENNEDY: Please do. Have a
8 good day.

9 MR. SPEREGEN: Everybody, have a good
10 day.

11 MR. McLAUGHLIN: The next matter is
12 160 Cedar Street. Sean, that one is you.

13 MR. HOWLAND: That one sounds right.
14 Good morning. Sean Howland, on
15 behalf of Specialized Loan Servicing.

16 MR. McLAUGHLIN: I believe we also
17 have Carlton Bunion on, who is the owner of
18 the property.

19 MR. BUNION: Yes, sir.

20 MR. McLAUGHLIN: Mr. Mayor, I have
21 spoken to the owner of the property, prior to
22 this hearing date. It appears that the
23 funding that he was seeking from New York
24 Rising is not going to work out, so he is
25 going to be selling the property. I did

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advise him that we would need a copy of the listing, as well as a copy of any contract that he has with the real estate agent, and ultimately a contract of sale, once he has that.

MAYOR KENNEDY: Okay. That will be fine.

I assume you'll be moving forward with the real estate relatively shortly.

MR. BUNION: Yes, sir.

MAYOR KENNEDY: I'm satisfied with that. If the Village can do anything to assist, don't hesitate to call Rob McLaughlin, he'll get in touch with me, if you need anything, or Building Department assistance or access, we'll be glad to help you out.

MR. BUNION: Thank you very much.

MR. McLAUGHLIN: May I suggest, at this point, that we just put in on for a 30 day control date to ensure we get all the documents. Should we get the documents, we can always adjourn that prior to the hearing date.

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2 MAYOR KENNEDY: Yes. Just to note,
3 many people call the Village or the Buildings
4 Department looking to purchase houses that
5 need to be finished. So, if you give that
6 information to Sergio, I'm sure he'll be glad
7 to pass it along and maybe make it easier for
8 you.

9 MR. BUNION: Absolutely. I
10 appreciate that.

11 MAYOR KENNEDY: Do we have a motion
12 to reconvene in 30 days?

13 MR. McLAUGHLIN: Is July 21st good
14 with everybody?

15 THE CLERK: At 11:00?

16 MR. McLAUGHLIN: Yes. Like I said,
17 if we get the documents, then we can always
18 adjourn it prior to the hearing to a further
19 date, that way we can get the information.

20 MAYOR KENNEDY: Understood. Do we
21 have a motion?

22 TRUSTEE SQUERI: So moved.

23 TRUSTEE SANCHEZ: Second.

24 THE CLERK: All in favor.

25 TRUSTEE SANCHEZ: Aye.

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TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Thank you very much,
we appreciate it.

MR. BUNION: Thank you.

MR. HOWLAND: Thank you.

MAYOR KENNEDY: 170 Whaley?

MR. McLAUGHLIN: 170 Whaley. I just
spoke to the home owner. He is on his way.
So, we'll second call that, with your
permission.

MAYOR KENNEDY: Okay. 213.

MR. McLAUGHLIN: 213 Maxson. We sent
a link. I believe, actually, he's online
now.

213 Maxson, are you on the Zoom,
counsel?

MR. LESTAK: Yes. Mr. Mayor, Village
Board members, Mr. McLaughlin. This is Chris
Lestak with Robertson, Anschutz, Schneid,
Crane and Partners. I represent the bank,
the mortgagee on the property.

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2 Mr. McLaughlin, we had a chance to
3 speak a couple of days ago about the
4 property, and I think that the Board may be
5 aware that there is an owner that took the
6 property after Mr. Silvestain's death. He
7 owns it, subject to our mortgage, but he's
8 not the mortgagor. Even though the property
9 was on fire -- was in a fire, he still keeps
10 going there, although, apparently he doesn't
11 live there. With him occupying it and --
12 he's actually made contact with the bank's
13 vendors, and he told them to leave and he
14 kind of projected a hostile temperament
15 toward them.

16 So, there's really nothing the bank
17 can do to try to remedy the property
18 conditions. I think Mr. McLaughlin said that
19 the police have even been called to the
20 property. So, I guess I can let him take
21 over from there.

22 MR. McLAUGHLIN: Yes, the police have
23 been called to the property, and I think,
24 Sergio, the Building Department has also gone
25 to the property, correct, when that happened?

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MR. MAURAS: That is correct, yes.

MAYOR KENNEDY: Is this person living in the house?

MR. McLAUGHLIN: No, there's no one living in the house, at this point.

MAYOR KENNEDY: Is this individual Ramel, I think his name is, is he the real owner of this location now, or is this one of those issues with a quick claim deed that we have seen with this individual on numerous occasions in the past on different properties with the district attorney being involved?

MR. McLAUGHLIN: We have reached out to the district attorney's office, and they're going to be having their assigned investigator contact myself, along with Sergio, and we're going to be setting up a meeting with the district attorney's office regarding Mr. Smith.

He is legally, under New York State law, given the fact there is a filed deed in the county clerk's office, he is legally the owner. He has not responded to any responses to us to appear. I would recommend, with

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regards to this hearing, an order from the Village Board to authorize the Village Board to make the necessary repairs, to take the property out of nuisance standing.

MAYOR KENNEDY: It's either make the repairs, if it's unsafe.

MR. LESTAK: We don't object to that.

MAYOR KENNEDY: I'm sorry. Continue.

MR. LESTAK: Yeah, I apologize. I didn't mean to interrupt you, sir.

I just wanted to say that we, as the bank's attorneys, we don't object to that, and we are going to continue to inspect the property once a month, but we will do so from public property and we won't be going onto the property. If the periodic inspections show that Mr. Smith, or whoever was occupying it, being there, stops appearing there, then we would consider the property truly vacant, and at that point we would begin efforts to maintain it.

And also, to whatever extent the district attorney's office needs our office to cooperate, we'd be happy to give them any

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2 information, if they need anything from our
3 end. I doubt they would. We don't have any
4 objection to the town trying on its own to
5 fix the problems.

6 MAYOR KENNEDY: The Village will
7 solicit some bids. I just want to bring it
8 to your attention that we're required to do
9 it prevailing wage, so it's probably 30
10 percent higher if an individual or the bank
11 were to bid it out, because it's prevailing
12 wage.

13 But what we will do is, we will bring
14 in an engineer to spec out what needs to be
15 done there on the exterior of the building.
16 We will then bid it out, get the work done,
17 and we will submit a bill to the bank. If
18 it's not paid, then we will put a lien on the
19 property, which will be sold in November or
20 December of this year.

21 MR. LESTAK: Oh, okay. Well, that's
22 good to know. How does that work with the --
23 I guess I can get more information later.
24 But you're saying there will be an auction,
25 if the bill isn't paid for the repairs?

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2 MAYOR KENNEDY: If the bill is not
3 paid, we sell the lien to individuals who may
4 then come in and buy it. They buy with a 12
5 percent interest annually until it's
6 satisfied by the bank or the owner.

7 MR. LESTAK: Oh, I see.

8 MR. McLAUGHLIN: Within three
9 years -- two years they could actually
10 petition to take ownership of the property.

11 MR. LESTAK: Right. I see what
12 you're saying. Okay. Understood.

13 MAYOR KENNEDY: Okay. Thank you very
14 much. I'll get an engineer go out and take a
15 look at it and keep in touch with you. Rob,
16 you have all the information?

17 MR. McLAUGHLIN: I have all his
18 information.

19 MAYOR KENNEDY: You'll notify him
20 when we have the bids, the lowest bid, when
21 the work is getting done, give the specs, the
22 price of it.

23 MR. McLAUGHLIN: I'll forward
24 everything to counsel. On this hearing,
25 right now, we will basically close the

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2 hearing. Ms. Ungar will prepare a decision
3 for the Board to render at our next Village
4 Board meeting.

5 MAYOR KENNEDY: Thank you. Thank
6 you, sir, I appreciate it. Keep in touch
7 with us, if you need update, and we'll do the
8 same.

9 MR. LESTAK: Okay. Very good. Thank
10 you.

11 MR. McLAUGHLIN: We need a motion to
12 close the hearing, at this time.

13 TRUSTEE SQUERI: So moved.

14 TRUSTEE SANCHEZ: Second.

15 MAYOR KENNEDY: Madame Clerk.

16 THE CLERK: All in favor.

17 TRUSTEE SANCHEZ: Aye.

18 TRUSTEE SQUERI: Aye.

19 MAYOR KENNEDY: Aye.

20 THE CLERK: Any opposed?

21 (No response was heard.)

22 MR. McLAUGHLIN: The next hearing is
23 403 South Bayview. We don't have anyone here
24 for 403 South Bayview, but we do have a
25 report.

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MAYOR KENNEDY: Buildings.

MR. MANOSYAN: Carlos, the property owner, I met with him yesterday and he gave me a batch of tickets. Things are moving along there. The house is knocked down, the foundation is poured. I spoke to a concrete engineer yesterday about when they can start building. So, they're slowing doing some sill work and moving forward. It's in progress. Work is in progress.

MAYOR KENNEDY: I would ask that you take it off the list. It's been removed. It's not an eyesore, at this point. We'll leave it back to the Building Department. If, in fact, they don't continue, permits expire, you can bring back to our attention.

MR. McLAUGHLIN: So, we would ask for a motion to close the hearing as sufficient for this hearing having been satisfied.

TRUSTEE SQUERI: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madame Clerk.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

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TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MR. McLAUGHLIN: 474 Nassau Avenue.

MR. MAURAS: 474 Nassau Avenue, the exterior conditions have been rectified, the siding has been reinstalled on the exterior, and there is really nothing else that is pending for exterior work on that parcel.

MAYOR KENNEDY: I drove by, personally thought it looked good also.

MR. McLAUGHLIN: We, again, ask for a motion be entertained to close the matter as conditions have been corrected.

MAYOR KENNEDY: Yes. Do we have a motion?

TRUSTEE SQUERI: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madame Clerk.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

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THE CLERK: Any opposed?

(No response was heard.)

MR. McLAUGHLIN: 700 South Long Beach Avenue.

MR. MANOSYAN: Work is still in progress, permits still exist.

MAYOR KENNEDY: Do we have any contracts yet? They were supposed to provide us contracts from the bulkhead company.

MR. MAURAS: He has been in conversation and meeting with Mr. Joe Enrico, who is very well known for being able to accomplish the actions of filing the actual applications with the Army Corp and DEC. He is in progress with them.

MAYOR KENNEDY: Does he have an executed contract with them?

MR. MAURAS: Not as of now.

TRUSTEE SQUERI: I thought the had signed a contract with Blue Ocean Consulting?

MR. MAURAS: He was signing a contract with them, but he had issues with them and, so, he decided to go in another direction.

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TRUSTEE SQUERI: Okay.

MAYOR KENNEDY: I think we need to bring him back in, because we want to see the executed contract regarding the bulkhead.

MR. McLAUGHLIN: So, have a date of July 21st. We'll put him on for July 21st.

MAYOR KENNEDY: If that's okay. Trustees, you're okay with that?

TRUSTEE SANCHEZ: Yes.

TRUSTEE SQUERI: Yes.

MR. McLAUGHLIN: Mr. Mayor, can we take a quick ten, 15 minute adjournment? Mr. Coyle will be coming in.

THE CLERK: We need a motion to adjourn to the 21st.

TRUSTEE SQUERI: So moved.

TRUSTEE SANCHEZ: Second.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

(WHEREUPON, a brief recess was taken,

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after which the following transpired:)

MR. McLAUGHLIN: We'll call the matter, Mr. Mayor, of 170 Whaley Street. Sir, state your name and address.

MR. COYLE: Joseph F. Coyle. 170 Whaley Street, Freeport, New York 11502.

J O S E P H C O Y L E,
having been first duly sworn by a Notary Public of the State of New York, was examined and testified as follows:

MR. McLAUGHLIN: Just for the record, I have been speaking to Mr. Coyle. He just brought us a copy of a fully executed contract of sale for the property at 170 Whaley Street. We're making copies right now for the file.

He anticipates the end of August, beginning of September he will be closing on the property.

MAYOR KENNEDY: Okay.

MR. McLAUGHLIN: I would suggest -- before I suggest anything, do you want to say anything, explain what you explained to me about the closing?

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2 MR. COYLE: The party buying it is in
3 construction and fully prepared to do all
4 repairs, etcetera, etcetera. He has the
5 professional ability and money, and I believe
6 he's going to flip it. He hasn't said so,
7 but it would appear to me that one and one
8 equals two here.

9 We signed on Tuesday, and I was told
10 by my realtor at the lawyer's office that
11 they were going to instigate a title search.
12 The contract says to close in 45 days, but
13 our lawyer told me it would probably be the
14 end of August, first week of September. I
15 said, "Okay, fine. The quicker the better
16 for everybody."

17 MR. McLAUGHLIN: Just so the Board is
18 aware, while the contract say to close in 45
19 days, each side as a right for one
20 adjournment, which might be an additional 30
21 days. Theoretically, if it's an all cash
22 deal and the title search gets back fairly
23 quickly, it can close soon.

24 MAYOR KENNEDY: Okay.

25 MR. McLAUGHLIN: So, I would suggest

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2 that we adjourn this without a date, at this
3 point, and if there's a need to bring
4 Mr. Coyle back to get any more information,
5 we'll reschedule a new date.

6 MAYOR KENNEDY: Mr. Coyle, if you
7 wouldn't mind just notify the attorney's
8 office.

9 MR. COYLE: Certainly, as soon as we
10 go to close, I'll let him know. If we have
11 to meet together to close this out, no
12 problem.

13 MAYOR KENNEDY: You wouldn't have to
14 come in again. If it's closed, just let the
15 attorney know. You don't have to come in.

16 MR. COYLE: It will be over?

17 MAYOR KENNEDY: Yes.

18 MR. COYLE: Thank you very much.

19 MR. McLAUGHLIN: I would also suggest
20 two other things. 1) That the new owner come
21 and meet with Sergio to go over any questions
22 that he has with Sergio, because we
23 ultimately want this property to be a good
24 property for the Village.

25 MR. COYLE: That's their intent.

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MR. McLAUGHLIN: And we are all open to helping him in that venture.

Also, you may have on this property open tickets in the Village Court. So, I'm going to check that out today and I'll give --

MR. COYLE: I do have open fines that are out, which I will clear up as soon as we close.

MR. McLAUGHLIN: I'm going to check and make sure there are no other open cases. If there is, we'll have you come to court.

MR. COYLE: There three fines that total \$750. I would have paid months ago, but I didn't have the money. Once I have the money, no argument.

MR. McLAUGHLIN: We can satisfy that at closing.

MR. COYLE: Okay.

MR. McLAUGHLIN: We need to close the hearing.

TRUSTEE SQUERI: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madame Clerk.

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THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MR. McLAUGHLIN: Mr. Mayor, I'll ask
for a motion to close the meeting for today.

TRUSTEE SQUERI: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madame Clerk.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(WHEREUPON, this meeting was
concluded at 11:40 a.m.)

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June 23, 2022

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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 5th day of July, 2022.


BETHANNE MENNONNA