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INCORPORATED VILLAGE OF FREEPORT
BOARD OF TRUSTEES MEETING

MUNICIPAL BUILDING
46 North Ocean Avenue
Freeport, NY 11520

September 1, 2022
11:17 a.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
ROBERT McLAUGHLIN	DEPUTY VILLAGE COUNSEL
JENNIFER UNGAR	DEPUTY VILLAGE COUNSEL
SERGIO MAURAS	BUILDING SUPERINTENDENT

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CLERK'S OFFICE
VILLAGE OF FREEPORT, NY

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MAYOR KENNEDY: Rob.

MR. McLAUGHLIN: Good morning, everyone. We'll call the first case on the calendar is 109 Atlantic Avenue.

Counsel, your appearance, please.

MS. FILKOWSKI: Cheryl Filkowski from Knuckles Komosinski and Manfro for plaintiff.

MR. McLAUGHLIN: Superintendent, can you give an update on the property?

MR. MAURAS: 109 Atlantic Avenue has been a vacant, dilapidated home with a dangerous front porch, missing sections of roofing, siding, and also has been determined to be substantially damaged; therefore, the property is mandated to be demolished or elevated. We do highly recommend demolition of that property.

MR. McLAUGHLIN: Mr. Mayor, I had spoken to Mr. Banks, who I believe is from Ms. Filkowski's office.

MS. FILKOWSKI: Yes.

MR. McLAUGHLIN: He had indicated that the bank would be taking steps forward to demolish the property. He had just

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1 requested an order from this Board to do so,
2 as I believe it might assist him in the
3 process he has to his client.
4

5 Am I correct, Ms. Filkowski?

6 MS. FILKOWSKI: Yes.

7 MAYOR KENNEDY: Will somebody make a
8 motion?

9 TRUSTEE SQUERI: So moved.

10 TRUSTEE SANCHEZ: Second.

11 MAYOR KENNEDY: Madame Clerk.

12 THE CLERK: All in favor.

13 TRUSTEE SANCHEZ: Aye.

14 TRUSTEE SQUERI: Aye.

15 MAYOR KENNEDY: Aye.

16 THE WITNESS: Any opposed?

17 (No response was heard.)

18 MR. McLAUGHLIN: We'll have a written
19 order an Email it to Mr. Banks and to
20 yourself, ma'am.

21 MS. FILKOWSKI: Thank you.

22 MAYOR KENNEDY: Thank you. You'll
23 write the order as the Building Department?

24 MR. McLAUGHLIN: Jen.

25 MR. MAURAS: Jen will.

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2 MS. FILKOWSKI: You have all the
3 Email addresses, correct?

4 MR. McLAUGHLIN: I do.

5 MS. FILKOWSKI: So I'm done here?

6 MR. McLAUGHLIN: You are done.

7 MS. FILKOWSKI: Thank you.

8 MAYOR KENNEDY: Have a good day.

9 MS. FILKOWSKI: You too. Good
10 holiday.

11 MR. McLAUGHLIN: 295 Arthur Avenue.

12 MR. ROZARIO: Good morning. Rovin
13 Rozario of Rozario and Touma, attorneys for
14 the New York State Housing Trust Fund
15 Corporation.

16 MR. McLAUGHLIN: My understanding,
17 counsel, is that you were going to be
18 requesting an adjournment just because you
19 are waiting for Judge Sullivan to sign the
20 final order for ownership of the property.

21 MR. ROZARIO: That is correct. We
22 are requesting the adjournment. It's going
23 to be from the Nassau County Clerk's Office.
24 Mr. Olin, the property owner, has until
25 September 2nd, which is tomorrow, to execute

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2 the deed to the Housing Trust Fund
3 Corporation. If he doesn't do so, which we
4 know he won't, then on Tuesday it will be
5 presented to the County Clerk's Office for
6 signature, thereby transferring
7 title/ownership to the corporation. At that,
8 point we can then show the property and take
9 the necessary steps to make sure that the
10 property is taken care of.

11 MR. McLAUGHLIN: Mr. Mayor, we do
12 have a date of the 22nd of September that's
13 available, as long as it's available for the
14 Board members.

15 MAYOR KENNEDY: It's okay by me. The
16 22nd.

17 MR. McLAUGHLIN: 22nd. So, we would
18 just need a motion to adjourn the matter to
19 the 22nd of September.

20 TRUSTEE SANCHEZ: So moved.

21 TRUSTEE SQUERI: Second.

22 MAYOR KENNEDY: Madame Clerk.

23 THE CLERK: All in favor.

24 TRUSTEE SANCHEZ: Aye.

25 TRUSTEE SQUERI: Aye.

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MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

TRUSTEE SANCHEZ: At 11:00, right?

MR. McLAUGHLIN: At 11:00 a.m. Thank
you, counsel.

Just so you're aware, Mr. Mayor,
counsel did send all the documentation that
has been provided to the Court.

MAYOR KENNEDY: Okay. Perfect.
Thank you.

MR. ROZARIO: Thank you.

MAYOR KENNEDY: Have a good day.

MR. ROZARIO: You too. Thank you.

MR. McLAUGHLIN: 303 North Columbus
Avenue.

MR. KAZIN: Andy Kazin with Bronster
for the lien holder.

As you may recall, we've got a
Judgment of Foreclosure on the lien. There
was supposed to be a sale. The property
owner then filed an Order to Show Cause to
stay that sale. So, that's now pending. I
believe he also requested a pay off amount.

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2 So, he may attempt to work out some kind of
3 redemption. So, we would respectfully
4 request an adjournment.

5 MR. McLAUGHLIN: Do you have any
6 contact information on the owner, because we
7 sent him letters and he has not responded.

8 MR. KAZIN: I probably do. I can
9 provide that to you today, if we have it. I
10 mean, we must have it, if he filed an Order
11 to Show Cause.

12 MR. McLAUGHLIN: Correct. Maybe he
13 might have moved and we don't have a new
14 address.

15 The only thing I would recommend,
16 Mr. Mayor, is that either way we'll send a
17 new notification to the owner, once counsel
18 provides me with the address he has, and we
19 can adjourn the matter to the 22nd. This
20 will be the final adjournment that we end up
21 doing, one way or the other, having an action
22 on this property. With the present owner, we
23 have not had any contact information. With
24 the flux of the case for the lien, we still
25 need to get this matter resolved.

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MAYOR KENNEDY: That's fine.

Postpone to September 22nd again?

MR. McLAUGHLIN: Yes.

MAYOR KENNEDY: 11:00 a.m.

TRUSTEE SANCHEZ: So moved.

TRUSTEE SQUERI: Second.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Thank you, sir.

MR. KAZIN: Thank you all. Have a
good day.

MR. McLAUGHLIN: 313 Nassau Avenue.
We'll second call that before the end of the
calendar.

360 Atlantic Avenue. Mr. Mayor, we
did have a Zoom conference with the
superintendent and myself on Monday with the
attorneys, not only for the owner but the
respective purchaser. They have also sent us
a copy of the contract for sale which

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2 indicates that the purchaser is also
3 responsible for maintaining of the property.
4 Both attorneys did request an adjournment
5 because they are previously scheduled in
6 court. We've agreed to the 22nd at
7 11:00 a.m.

8 The superintendent has advised -- you
9 tell us -- that the present condition of the
10 property is being maintained.

11 MAYOR KENNEDY: Okay. So, we're
12 going to adjourn until the 22nd. Is the
13 closing going to be held before that?

14 MR. McLAUGHLIN: We don't know if the
15 closing is going to be held prior to that. I
16 do want the parties here so that way the
17 purchaser can state on the record with us as
18 well that he is going to be maintaining the
19 property, so we have that on the record.
20 That's my main focus, to make sure everyone
21 is here for that.

22 MAYOR KENNEDY: That's fine. Do we
23 have a motion to adjournment for to 22nd?

24 TRUSTEE SQUERI: So moved.

25 TRUSTEE SANCHEZ: Second.

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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: Just return back to 160 Cedar Street. We have Mr. Howland on Zoom. I had spoken to the owner, but he has not signed on yet. He indicated to me that the property is up for sale at this point. He had indicated to me he is going to get me the contract with the real estate company. He has not done so, as of yet.

Mr. Howland, has he had any conversations with you about that? I know he requested a payoff amount from you, right?

MR. HOWLAND: Right. We provided that to him prior to the last conference. Actually, we haven't received any further correspondence from him. I'm not sure if we're going to be able to do a conventional sale or a short sale. A lot of times when the property in a distress condition, it

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2 doesn't sell for what we would ordinarily
3 bring in. A lot of times we agree to a
4 situation where the borrower has to do a
5 short sale.

6 So, we haven't had any further
7 correspondence with him about who is listing
8 the property.

9 MR. McLAUGHLIN: Like I said, I had a
10 conversation with him on Monday by phone. He
11 indicated that he is selling the property. I
12 can try to reach out to him today and see if
13 he is signing on.

14 MAYOR KENNEDY: We don't have a copy
15 of a contract that he signed with a real
16 estate company?

17 MR. McLAUGHLIN: Not yet. He has not
18 provided that.

19 MAYOR KENNEDY: Did he tell you the
20 company he signed up with?

21 MR. McLAUGHLIN: No, he didn't. He
22 didn't have the information with him.

23 My recommendation, at this point, is
24 we can always put it on for the 22nd, but
25 request an order at this point.

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TRUSTEE SQUERI: This has been at least six times.

MAYOR KENNEDY: Put it on for the 22nd. If there's a no show, we'll move forward with our engineers to move forward on the repairs.

MR. McLAUGHLIN: Do you have anything else, Mr. Howland?

MR. HOWLAND: No, that's it.

MAYOR KENNEDY: Okay. 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.

THE CLERK: Any opposed?

(No response was heard.)

MR. McLAUGHLIN: Thank you, Mr. Howland.

MR. HOWLAND: Thank you.

MR. McLAUGHLIN: Finally, we have to

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recall 313 Nassau Avenue.

Can you give us a report?

MR. MAURAS: 313 Nassau Avenue is an abandoned New York Rising elevation project in which the exterior and the interior of the property are quite in disrepair; it is missing siding, it is missing sections of soffit, sections of roofing, there are windows that are in disrepair. There has been no contact with the owner. The owner is completely unresponsive.

MR. McLAUGHLIN: Mr. Mayor, at this point we would be requesting a motion from the Board to instruct the Department of Public Works to move forward and make the necessary repairs.

MAYOR KENNEDY: That's fine. 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.

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MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: I will hire a consulting engineer first to draw a set of specs, and then turn it over to DPW.

MR. McLAUGHLIN: Thank you.

700 South Long Beach Avenue. Sergio.

MR. MAURAS: 700 South Long Beach Avenue is a property in which had a bulkhead which was in disrepair. We attempted to contact the owner as of yesterday and this morning and have been unsuccessful for today. I am aware that he did retain the services of Joe Enrico to work on the bulkhead, but we do not have confirmation yet that applications have been filed with DEC and Army Corp of Engineers.

MR. McLAUGHLIN: At this point, we're just waiting for confirmation.

MR. MAURAS: That is correct.

TRUSTEE SQUERI: Call Joe Enrico and ask him. You have a relationship. I have used him in the past.

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MR. MAURAS: I can contact him.

MAYOR KENNEDY: The problem that we have there is the continued flooding. Although, they did put those temporary sandbags up. If we have another one of those extremely high tides coming up in October, that's going to flood the street. I think somebody has to reach out to him.

MR. MAURAS: I'll reach out to Mr. Enrico.

TRUSTEE SQUERI: Another one at least six times he's been here.

MR. McLAUGHLIN: He's been here six times. Unlike the other one, we have gotten incremental improvements.

TRUSTEE SQUERI: At first he was going to sign up Blue Ocean Consulting. When that didn't happen, he signed a contract with this bulkhead guy, and that didn't happen. Now he's talking to Enrico and we don't have an answer, and he supposedly has a contract with another bulkhead guy.

MR. McLAUGHLIN: You do have a copy of the contract, Sergio?

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MR. MAURAS: We do.

MAYOR KENNEDY: He has an executed contract?

MR. MAURAS: It is a signed contract between a contractor to do the bulkhead, yes.

TRUSTEE SQUERI: One I never heard of. Have you heard have them?

MR. MAURAS: It would be news to us as well. We'll confirm with Joe Enrico.

TRUSTEE SQUERI: Dragging along here.

MAYOR KENNEDY: Sergio, you'll call the consultant?

MR. MAURAS: Yes, mayor.

MAYOR KENNEDY: We'll reschedule for the 22nd. At that point, we'll make a determination if we're going to do it or he's going to do it. Is that all right?

MR. McLAUGHLIN: Yep.

TRUSTEE SQUERI: I think he's had more than ample time to get this done. It's been months.

MR. McLAUGHLIN: Just so the Board is aware, there is another section in the Village. He's on notice. There is another

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section in the Village Code, beyond the nuisance section, that does allow -- specifically for bulkhead -- that does allow the Village to repair.

MAYOR KENNEDY: We have a motion to adjourn to the 22nd. In the interim, Sergio, the Building Department will contact the consultant.

TRUSTEE SANCHEZ: So moved.

TRUSTEE SQUERI: 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.)

MR. McLAUGHLIN: At this time we're done with the calendar for today. I'll ask for a motion to adjourn this meeting.

TRUSTEE SANCHEZ: So moved.

TRUSTEE SQUERI: Second.

MAYOR KENNEDY: Madame Clerk.

THE CLERK: All in favor.

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TRUSTEE SANCHEZ: Aye.

TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(WHEREUPON, this hearing was
concluded at 11:32 a.m.)

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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 1st day of September, 2022.


BETHANNE MENNONNA