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CLERK'S OFFICE
VILLAGE OF FREEPORT, NY

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INCORPORATED VILLAGE OF FREEPORT
BOARD OF TRUSTEES MEETING

MUNICIPAL BUILDING
46 North Ocean Avenue
Freeport, NY 11520

March 11, 2024
5:45 p.m.

M E M B E R S :

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

* * *

- | | |
|-------------------------|---------------------|
| PAMELA A. WALSH-BOENING | VILLAGE CLERK |
| ROBERT McLAUGHLIN | DEPUTY COUNSEL |
| SERGIO MAURAS | BUILDING DEPARTMENT |

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2 MR. McLAUGHLIN: Mr. Mayor, the first
3 matter we have on the calendar is 177
4 Atlantic Avenue. We have Ms. Angeliades on
5 the screen.

6 MS. ANGELIADES: Hello.

7 MAYOR KENNEDY: How are you?

8 MR. McLAUGHLIN: Superintendent, can
9 you give us an update?

10 MR. MAURAS: 177 Atlantic Avenue has
11 filed an application for the exterior. We
12 already sent a site plan letter. So, it's a
13 matter of just waiting for them to file to
14 the Site Plan Board.

15 MS. ANGELIADES: So, we got the site
16 plan letter. It was dated -- I don't know
17 what. We just got it. It was dated
18 February 21st. We got it last week. The
19 architect and expediter have it, so they are
20 gathering the list of things required. I
21 asked him to try to get it done. He just got
22 it last Tuesday. I asked him to try to get
23 it in by this meeting, so I could tell you it
24 was done. I just saw the first page, but
25 then I didn't realize that there was a list

1
2 of other items he has to submit. He's
3 definitely working on it.

4 MR. MAURAS: Perfect.

5 MR. McLAUGHLIN: Mr. Mayor, I would
6 request that we put it on for next date,
7 April 15th. If it's not heard by site plan
8 on that day, as long as the application is
9 filed, then we can adjourn it without their
10 appearance. So, we can put it on for
11 April 15th to confirm that the site plan
12 application is done and going through.

13 MAYOR KENNEDY: Can you just refresh
14 my memory as to what this was?

15 MR. McLAUGHLIN: This is the old
16 Dairy Barn location and the exterior has been
17 in disarray. The applicant actually has a
18 contract with another entity who is going to
19 be taking over the location. So, it's
20 actually a chain coffee provider. They have
21 actually accelerated the Freeport
22 application, given the circumstances of this
23 hearing.

24 MAYOR KENNEDY: Do they anticipate
25 taking down the structures that are there?

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2 MR. McLAUGHLIN: No, the structure is
3 not in need to be taken down, but they are
4 going to redo the whole exterior for
5 purposes -- it's going to be like a
6 drive-thru coffee to pick up coffee and stuff
7 like that. Like a Dairy Barn coffee.

8 MAYOR KENNEDY: Yep.

9 MS. ANGELIADES: Just whoever asked
10 me about the Baldwin store, because that's
11 the first one they closed on. They started
12 demolition on that last week. It was
13 renovated for a different concept, so they
14 had to redo it for their purposes.

15 TRUSTEE MARTINEZ: Thank you.

16 MS. ANGELIADES: Thank you too.
17 Hopefully we'll move it along.

18 MAYOR KENNEDY: Do we need a motion.

19 MR. McLAUGHLIN: We need a motion to
20 adjourn to April 15th at 5:45 p.m.

21 TRUSTEE MARTINEZ: So moved.

22 TRUSTEE SANCHEZ: Second.

23 MAYOR KENNEDY: Madam Clerk, please
24 poll the Board.

25 THE CLERK: All in favor.

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1 TRUSTEE SANCHEZ: Aye.

2 TRUSTEE MARTINEZ: Aye.

3 TRUSTEE SQUERI: Aye.

4 MAYOR KENNEDY: Aye.

5 THE CLERK: Any opposed?

6 (No response was heard.)

7 MR. McLAUGHLIN: The next matter is
8 188 Independence Avenue.

9 MAYOR KENNEDY: Thank you very much,
10 ma'am.

11 MS. ANGELIADES: Thank you.

12 MR. REICHEL: Samuel Reichel,
13 attorney with Frenkel and Lambert. We're the
14 attorneys for the bank that has the mortgage
15 on the property.

16 MR. McLAUGHLIN: Superintendent, can
17 you give us an update?

18 MR. MAURAS: So, 188 Independence
19 Avenue is a vacant property that is also in
20 disarray. There are holes in the roof,
21 gutters were basically dangling off the
22 property. There were boarded windows,
23 property definitely needed maintenance.
24 There has been some cleanup on the exterior,
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1
2 and now we're waiting to see what the actual
3 status will be for the structure itself,
4 whether it will be rehabilitated or whether
5 the decision will be made to demolish.

6 MR. McLAUGHLIN: Counsel, we were
7 speaking beforehand. Can you give the Board
8 an update on your end?

9 MR. REICHEL: Sure. The bank
10 recently informed me that there had been
11 cleanup outside of the house. They removed
12 bushes, they removed trees and did other
13 cleanup, as the gentleman indicated.
14 Regarding the actual physical work on the
15 house, they indicated to me that they ordered
16 a structural report to determine exactly what
17 the status and condition of the house is to
18 see whether it's salvageable or not, because
19 they are going to have to, obviously, trash
20 out the inside, etcetera, and determine if it
21 can be salvaged. If it can't, obviously,
22 there is no need to fix the roof or do things
23 like that, because the property will have to
24 be demolished.

25 At this point, as I said, they did

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2 the external clean up, at the same time we're
3 waiting for the structural report as well as
4 the trash bid to come in, so that they can
5 see what the physical condition of the
6 property is.

7 MR. McLAUGHLIN: When do you
8 anticipate the structural report coming in?

9 MR. REICHEL: Truthfully, they didn't
10 give me a time frame. So, I do not have a
11 definitive answer for you.

12 MAYOR KENNEDY: I would suggest that
13 they get that within the next 30 days,
14 because after 30 days I think the Board is
15 going to make a motion to do the repairs on
16 the house ourselves or to remove it,
17 depending upon the condition. The structural
18 report shouldn't take more than three or four
19 weeks.

20 MR. REICHEL: I will let them know to
21 get it done within the next 30 days.

22 MR. McLAUGHLIN: I'd also ask that
23 you forward a copy to the Village of the
24 report.

25 MR. REICHEL: Not a problem. How

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should it be sent; Email or hardcopy?

MR. McLAUGHLIN: Email is fine. I'll give you the Email right now. It's rmclaughlin -- that's R-M-C-L-A-U-G-H-L-I-N at Freeport NY dot-gov.

MR. REICHEL: R-M-C-L-A-U-G-H-L-I-N at Freeport NY dot-gov.

MR. McLAUGHLIN: Yes.

MAYOR KENNEDY: Thank you, sir. If you have any issues, you need the Buildings Department for any reason, please feel free to get in touch with Mr. McLaughlin and we'll assist you also with that.

MR. REICHEL: Not a problem.

MR. McLAUGHLIN: Mr. Mayor, I would ask that we entertain a motion to adjourn this matter to April 15th for status and possible decision.

MAYOR KENNEDY: Do we have a motion?

TRUSTEE MARTINEZ: So moved.

MR. McLAUGHLIN: That will be at 5:45 p.m.

TRUSTEE SANCHEZ: Second.

THE CLERK: All in favor.

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TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Thank you, sir. I appreciate it and look forward to speaking with you.

MR. REICHEL: Thank you.

MR. McLAUGHLIN: Next is the matter of 360 Atlantic Avenue. Counsel. Mr. Snead, you are muted.

MR. SNEAD: Lee Snead. 144 South Country Road, Bellport representing the owner.

The status, as far as I understand it, is we have applied to both the Village and the County regarding their potential review of anything regarding this property. My understanding of the nature of the property is that it's an existing drive-thru restaurant. My client purchased it last year from the owners and they're going to be

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2 putting in a new fast food entity there.
3 We're going to need to change the outside
4 appointments to the place, as well as any
5 signage. My further understanding is there
6 is no construction that's required in doing
7 any of this, other than cosmetic so-to-speak.
8 There will be some inside cosmetic
9 appointment work done as well.

10 My understanding is the application
11 was made for Site Plan review. Like I said
12 last time we spoke, there was a suggestion
13 that we make a -- send a letter to the County
14 asking them if they had any questions or
15 requirements on this matter. We have done
16 that and have not heard back from the County.

17 MR. McLAUGHLIN: Superintendent, do
18 you have any report?

19 MR. MAURAS: We are in receipt of an
20 application for the exterior changes to the
21 structure, but we are waiting for an
22 application to be filed for the interior,
23 because we do need to reconfirm any seating
24 arrangements and possible items referencing
25 zoning. Once we review that, then we'll be

1
2 able to advise as to the site plan
3 application, send a site plan letter. And
4 then, of course, we're still be awaiting to
5 see if the County has any say in the matter
6 as well.

7 MR. SNEAD: If you could clarify,
8 what zoning issues you are concerned about?

9 MR. MAURAS: Basically, it comes down
10 to off-street parking spaces, how much
11 parking spaces would be required. That's
12 dependent upon how many seats are inside the
13 location.

14 MR. SNEAD: Okay. I will speak with
15 our expediter and have him make an
16 application in that regard. He should be
17 able to get it there within the week, I would
18 hope.

19 MR. MAURAS: Thank you.

20 MR. SNEAD: Like I said, we have not
21 heard back from the County. As soon as we
22 do, we will certainly forward a copy of that
23 to the Village if, in fact, they don't do it
24 themselves.

25 MAYOR KENNEDY: I know the County

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2 takes a long period of time to make these
3 decisions. My concern is in the interim that
4 building has to be maintained. Every time we
5 drive by the building, there is a storm, the
6 paper is hanging off, it looks like a
7 building in distress. I get 50 complaints
8 from residents in the neighborhood. The
9 building has to maintained by somebody down
10 there.

11 MR. SNEAD: I'm aware. We are
12 certainly aware that the building needs to be
13 maintained. To that end, as I mentioned
14 earlier, we have a contractor who is
15 routinely looking at it. We have put a
16 security fence around it to make sure people
17 aren't in there doing anything that can cause
18 a problem. In the event that there is
19 anything such as siding that gets separated
20 or comes off the house, we're there to repair
21 it, as soon as we're made aware or as soon as
22 our contractor sees it. I don't know what we
23 can do beyond that. We're happy to work with
24 the Village in whatever way it desires in
25 regard to that, but at this point --

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2 MAYOR KENNEDY: Can I suggest that
3 your contractor is not doing the job, because
4 I personally have been down there on numerous
5 occasions and the building has been torn
6 apart and stays like that for weeks on end
7 until I call the Buildings Department and
8 make a formal complaint.

9 In fact, I have pictures of the
10 building with debris piled up in that place,
11 hundreds of beer cans, boxes, bags and
12 everything else. Your contractor can't be
13 looking at the building. He must be looking
14 at another building.

15 MR. SNEAD: I will certainly make my
16 expediter aware of that, as he is in charge
17 of the building. Would you please send me a
18 copy of what you have; I'd like to be able to
19 get that to him so he can see it.

20 MAYOR KENNEDY: Do you have those
21 photographs I sent you?

22 MR. MAURAS: I do have the
23 photographs.

24 MAYOR KENNEDY: We'll send you
25 photographs.

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2 MR. SNEAD: Certainly, Your Honor,
3 Mr. Mayor, if there is a problem, we're happy
4 to be -- if Mr. McLaughlin wants to give me a
5 call, I'll jump right on it. I'm not trying
6 to divert how things get done with your
7 Village. If that makes it quicker for a
8 resolution, I'm happy to make myself
9 available.

10 MR. McLAUGHLIN: Counsel, I have no
11 problem giving you a call, but what we also
12 don't want to be doing is spending the
13 Village's time and resources keeping an eye
14 on your property because your maintenance
15 company is not doing that. I think that's
16 the main point.

17 MR. SNEAD: I completely understand
18 that. If, in fact, there is a problem --

19 MR. McLAUGHLIN: I will notify you,
20 definitely.

21 MR. SNEAD: I'm happy to make myself
22 available.

23 MR. McLAUGHLIN: I would also suggest
24 that they go look immediately at it, because
25 we had a massive storm this weekend. I don't

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know if anyone has been there.

MR. SNEAD: I'll speak with my folks and have them get down there and take a look at it.

MAYOR KENNEDY: Do you have his Email address?

MR. McLAUGHLIN: I do.

MAYOR KENNEDY: We make a motion to postpone this until April 15th.

MR. McLAUGHLIN: April 15th at 5:45 p.m.

MR. SNEAD: April 15th?

MR. McLAUGHLIN: Yes.

MAYOR KENNEDY: Thank you, sir. We'll keep in touch with you, if we see any conditions down there of interest.

MR. SNEAD: Thank you, sir. Pleasure to appear tonight.

MAYOR KENNEDY: Do we have a motion?

THE CLERK: Motion was made by Trustee Sanchez, seconded by Trustee Squeri. All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

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TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Thank you, sir, have a great evening.

MR. McLAUGHLIN: Next is on the Dangerous Buildings calendar, 313 Nassau Avenue.

Counselor, state your appearance, please.

MS. ABENHAIM: Good evening. Jennifer Abenhaim with Woods, Oviatt and Gilman, attorney for the mortgagee, Wells Fargo Bank.

MR. McLAUGHLIN: Mr. Mayor, just an update on this property. This property is a property that the superintendent had believed that it was substantially damaged was in need of demolition.

We have had numerous meetings with counsel and her team. Over the past month, we have been meeting every Friday on Zoom with counsel. They are working through their

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2 process. Eventually, what they would like to
3 do, they're going through their client right
4 now to demo the property themselves rather
5 than have the Village do it. And like I
6 said, they have been working with the Village
7 as far as keeping it secure at this point and
8 working towards the demolition of the
9 property.

10 Counsel, do you have any comment on
11 what I just said?

12 MS. ABENHAIM: We are extremely
13 appreciative of the Village and their
14 partnership with this. You helped us arrange
15 for the in-person review of the site plans,
16 you helped with the design professional and
17 their report. Our client is still waiting
18 for their report. I apologize, it was
19 supposed to be due to us on Friday, because
20 we were cognizant of this return date. We
21 are extremely appreciative of the Village's
22 partnership and time and sharing their
23 expertise with us.

24 I do believe that is correct, it's
25 demonstrative that we are all diligently

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2 working towards a real solution herewith. We
3 do have an investor, Fannie May, so we do
4 need that report to get authorization, which
5 is why I don't have a firm timeline tonight.
6 So, we are going to ask, and I am happy to
7 appear or provide whatever written or
8 otherwise updates for the village. We do
9 request that there be a consideration and to
10 allow us more time to, as you say, follow the
11 recommendations that we anticipate being
12 provided in the report. That anticipated
13 recommendation was relayed to our client at
14 our March 1st call with the Village attorney
15 and supervisor. So, again, we are continuing
16 to request more time and showing our
17 diligence here.

18 MAYOR KENNEDY: I would ask that --
19 we could extend it by 30 days, but you should
20 have a contract in hand and a date for the
21 demolition prior to that. Just for the
22 record also, I have also had somebody go in
23 an look at the demolition of the property and
24 it was \$27,000, just for your information,
25 should you need that individual.

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Either way, if it is not done in 30 days, I would ask the Board to make a decision that we take it under ourselves and make that decision to do it.

MS. ABENHAIM: Is it possible I could have another copy of the bid? That may have gone directly to my client. I know for Fannie May they need at least one competitive bid. So, while I'll press upon my client the party you already had review this and make a determination of cost for the demolition, that might be the easiest route to go. Because of our investor restrictions, we'll still need to get a competitive bid. If that bid could be Emailed to me, I'll follow up.

MR. McLAUGHLIN: I'll forwarded it to you a week ago, but I'll forward you another copy.

MAYOR KENNEDY: I believe we have two bids, by the way. We'll forward both to you.

MS. ABENHAIM: That would be amazing. Thank you so much for the courtesy. Thank you.

MAYOR KENNEDY: I'll ask the Board to

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make a motion that we give 30 day extension to April 15th and at that time we make a decision whether the Board should take it upon themselves to do it.

TRUSTEE SANCHEZ: So moved.

TRUSTEE SQUERI: Second.

MAYOR KENNEDY: Madam clerk, please poll the Board.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Thank you so much for working with us, we appreciate it.

MS. ABENHAIM: Thank you so much. I appreciate it as well.

MAYOR KENNEDY: Again, if you need the Buildings Department or any additional information, please get in touch with Rob. We'll be glad to work with you so we can get this done.

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MS. ABENHAIM: You are so kind.

Thank you so much for your time. Thank you,
gentlemen.

MR. McLAUGHLIN: Have a good one.

MS. ABENHAIM: Thank you.

MR. McLAUGHLIN: Mr. Mayor, at this
time I'll entertain a motion to adjourn this
meeting.

TRUSTEE MARTINEZ: So moved.

TRUSTEE SQUERI: Second.

MAYOR KENNEDY: Madam clerk, please
poll the Board.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

TRUSTEE SQUERI: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

(Time Ended 6:02 p.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 15th day of March, 2024.


BETHANNE MENNONNA