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INCORPORATED VILLAGE OF FREEPORT  
BOARD OF TRUSTEES MEETING

MUNICIPAL BUILDING  
46 North Ocean Avenue  
Freeport, NY 11520

May 6, 2024  
5:45 p.m.

M E M B E R S:

- |                   |              |
|-------------------|--------------|
| ROBERT T. KENNEDY | MAYOR        |
| RONALD J. ELLERBE | DEPUTY MAYOR |
| EVETTE B. SANCHEZ | TRUSTEE      |
| JORGE A. MARTINEZ | TRUSTEE      |

\* \* \*

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

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\* \* \* \* \*

1  
2 MR. McLAUGHLIN: Everyone, we're  
3 starting with the nuisance hearing at this  
4 time. The first matter on is 70 Guy Lombardo  
5 Avenue.

6 Sir, state your name for the record.

7 MR. ISTRIN: Aryeh Istrin.

8 MR. McLAUGHLIN: Superintendent, can  
9 you please advise us, update us on 70 Guy  
10 Lombardo Avenue.

11 MR. MAURAS: 70 Guy Lombardo is a  
12 mixed use structure which had sustained a  
13 fire back in 2021. The structure has been  
14 vacant since. The front facade of that  
15 property is missing windows, it is missing  
16 sections of lintel in the front of that  
17 structure as well, the side windows are all  
18 boarded.

19 There was an application that was  
20 filed and a permit issued for the repair of  
21 that structure, but no work has commenced.  
22 We're here to verify as to when this work  
23 will begin.

24 A R Y E H I S T R I N,  
25 having been first duly sworn by a Notary

1  
2 Public of the State of New York, was  
3 examined and testified as follows:

4 COURT REPORTER: Please state your  
5 name and address for the record.

6 MR. ISTRIN: Aryeh Istrin. 147-24  
7 Hillside Avenue, Jamaica, New York 11435.

8 MR. McLAUGHLIN: You heard the  
9 superintendent on this.

10 MR. ISTRIN: So, the way we  
11 understood was we were going to get the stuff  
12 done, and then they said our architect filed  
13 one plan, and then we needed, basically, to  
14 put a brand new sprinkler system. So, only  
15 about a month ago we got the final approval  
16 for the plumbing to do the sprinkler plan.  
17 Now all of that together makes sense to start  
18 the project.

19 MR. McLAUGHLIN: What time frame will  
20 that project be started?

21 MR. ISTRIN: The plumbing company is  
22 supposed to start in the next two or three  
23 weeks, and the rest of the work will follow.

24 MAYOR KENNEDY: Can I make a  
25 suggestion that you start on the exterior of

1  
2 the building. If you can replace those  
3 windows somehow with the Plexiglass inside,  
4 so it doesn't look so aesthetically --

5 MR. ISTRIN: It has been.

6 MAYOR KENNEDY: It's painted. It  
7 looks horrible. Something has to be done  
8 with the outside of the building, the  
9 aesthetics.

10 R O B E R T H A K I M I A N,  
11 having been first duly sworn by a Notary  
12 Public of the State of New York, was  
13 examined and testified as follows:

14 COURT REPORTER: Please state your  
15 name and address for the record.

16 MR. HAKIMIAN: Robert Hakimian.  
17 147-24 Hillside Avenue, Jamaica, New York  
18 11435.

19 In regards to the exterior, it has --  
20 where the windows are, there is Plexiglass  
21 protection. As I said, as soon as -- we've  
22 been waiting for the sprinkler company. It  
23 just took them a long time. They were  
24 looking for permits to start, and they just  
25 said they're going to start the actual job

1  
2 next week. That's the last thing I heard.

3 MR. McLAUGHLIN: If I may, sir. I  
4 think the concern is -- I understand the  
5 sprinklers will be done and dealing with the  
6 issues on the inside. The exterior issues  
7 that the superintendent just described needs  
8 to be corrected, so the neighbors don't have  
9 to be looking at issues with the exterior of  
10 the property.

11 Sergio, can you repeat what you want  
12 him to do on the exterior.

13 MR. MAURAS: Basically, the front  
14 facade should be reconstructed to match what  
15 was originally approved on the permit, which  
16 is putting in the bricks that are missing,  
17 the windows in the lower level, the windows  
18 on the upper per level. That alone will help  
19 with the aesthetics, to replace all the  
20 doors, windows and bricks that are missing.

21 MR. McLAUGHLIN: That's items that  
22 can be done without the sprinkler system  
23 being done.

24 MR. ISTRIN: You mentioned that our  
25 plans didn't have the windows.

1  
2 MR. MAURAS: They do. The verbiage,  
3 to be specific, "Repairs to building to fix  
4 conditions damaged by fire and water." The  
5 plans that were approved does include the  
6 exterior of that building. So, it's a matter  
7 of following through with what was approved  
8 on those plans.

9 MR. ISTRIN: Okay. If that's the  
10 case then, it's a matter of, you know,  
11 getting the material and crew.

12 MAYOR KENNEDY: Exactly. If you  
13 could do it together, we would appreciate it.  
14 It's been a long time, three years, with the  
15 building like that.

16 MR. ISTRIN: A lot of it was waiting  
17 on getting insurance money, which takes  
18 forever.

19 MR. HAKIMIAN: Is our permits valid,  
20 Mr. Sergio.

21 MR. MAURAS: Technically speaking,  
22 the permits should have been expired because  
23 it's over two years. But in the sake of  
24 getting this done properly, we do not mind  
25 reopening your permit so you can move forward

1  
2 with getting it done as quickly as possible.

3 MR. ISTRIN: We can do the interior  
4 and exterior work, regardless of the  
5 sprinkler? I was under the impression --

6 MR. MAURAS: Right. Now the purpose  
7 of this hearing is to address the exterior.  
8 When it comes to the interior, yes, you are  
9 supposed to have the other associated  
10 permits; your electrical permit, the plumbing  
11 permit, any HVAC permits requires a sprinkler  
12 system. We want to focus on the exterior  
13 first. Yes, we can work in conjunction to  
14 try to make sure that everything flows  
15 smoothly to get that building back into  
16 habitable condition.

17 MR. McLAUGHLIN: The only thing we'll  
18 need you to do it to stop by Sergio's office  
19 tomorrow bearing a letter requiring him to  
20 extend the permits.

21 MR. HAKIMIAN: Yeah, sure.

22 MR. COLTON: Sir, part of that  
23 letter -- I'm the Village Attorney. Part of  
24 that letter will be that you will comply with  
25 the permit that was initially issued.

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MR. ISTRIN: He's saying that's what we're trying to do.

MR. COLTON: Under our code, the superintendent has the right to go ahead and waive certain provisions of our code. Expiration is part of our code. So, you will be making a request to the superintendent, and you'll be saying why you want it to be waived, which will be because you are trying to come into compliance with the permits and you will be coming in compliance with the permit. Based upon that, the superintendent will make a determination as to whether or not he wishes to waive that section, which he indicated he is willing to do. We still need to have that in writing from you.

MR. HAKIMIAN: Thank you.

TRUSTEE MARTINEZ: What is your purpose for that building? What are you going to do with it?

MR. ISTRIN: We're going to do stores on the bottom and apartments on top. That's our plan.

MAYOR KENNEDY: Anything we can do to

May 6, 2024

10

1 help expedite this, feel free to call here.

2 MR. ISTRIN: I have three numbers:  
3 Sergio, Margaret and Robert.

4 MR. MAURAS: Please call me directly.

5 MAYOR KENNEDY: Sergio is  
6 Superintendent of Buildings. Get in touch  
7 with him.

8 MR. ISTRIN: 2241.

9 MR. MAURAS: Take down this number,  
10 if you don't mind: (516) 351-3316. That is  
11 my cell phone.

12 MR. ISTRIN: Thank you.

13 MR. MAURAS: You're welcome.

14 MR. ISTRIN: We'll work on that  
15 letter and we'll take it from there.

16 MAYOR KENNEDY: Our priority is the  
17 exterior of the building. If you already  
18 have plans for the windows, specifications  
19 and such. You can move on the sprinkler  
20 system, but let's move on the exterior  
21 windows and doors first as soon as possible.

22 MR. McLAUGHLIN: Mr. Mayor, I'd ask,  
23 at this time, that we adjourn this matter to  
24 June 17th. If we get progress on it, we can  
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obviously adjourn it prior to that date.

MAYOR KENNEDY: Yes. Do we have a motion to adjourn it to June 17th?

TRUSTEE MARTINEZ: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madam Clerk.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

DEPUTY MAYOR ELLERBE: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Thank you for coming in, I appreciate it. Like I said, please move on that exterior of the building. Let's get that done as soon as possible.

MR. ISTRIN: We need to come with a letter tomorrow?

MR. MAURAS: Correct. Thank you.

MAYOR KENNEDY: Thank. You have a good day.

MR. McLAUGHLIN: Mr. Mayor, the next matter is 188 Independence Avenue. I believe

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counsel is on Zoom.

MR. REICHEL: Good evening. Sam Reichel with Frenkel and Lambert, attorneys for the bank, the mortgage holder.

MAYOR KENNEDY: Good afternoon, sir.

MR. REICHEL: Good afternoon.

MR. McLAUGHLIN: Counsel, did you get a structural report yet, because we have not received a copy of it.

MR. REICHEL: This was on last time and the paralegal in my office Emailed it to Mr. McLaughlin before the meeting. At the meeting last time, Mr. McLaughlin said he didn't receive it. I personally Emailed it that same evening. According to the conversation, you guys were supposed to get back to me to set up a conference call. I've been waiting for you to reach out to me. The Email was placed to rmclaughlin@freeportny-gov. Neither one has come back or bounced back as the wrong Email address.

MR. McLAUGHLIN: I'm Rob McLaughlin.

MR. REICHEL: You're not on the screen.

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MAYOR KENNEDY: We have a very good firewall here. Over zealous.

MR. REICHEL: Is it possible it went into your spam?

MR. McLAUGHLIN: It's possible. I can't check on my phone. It's possible it went into spam.

MR. REICHEL: I can get an Email again, as soon as I get off the call. Is there another Email address we can also send it to?

MR. McLAUGHLIN: Yes. Ready?

MR. REICHEL: Yeah.

MR. McLAUGHLIN: First is Rob at rmclaughlin -- R-M-C-L-A-U-G-H-L-I-N -- law dot-com. Mine's not as good as the Village.

MR. REICHEL: Rob at rmclaughlinlaw dot-gov.

MR. McLAUGHLIN: Yes.

MR. REICHEL: As soon as I get off the meeting I'll Email both of those addresses.

MR. McLAUGHLIN: Do you have a date for a conference between us and the

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superintendent next week?

MR. REICHEL: Whatever works for you. Somebody from my offices will be there. Somebody else will be available.

MR. McLAUGHLIN: Monday at 11:00 a.m.

MR. REICHEL: I don't know my schedule for next week. If not me, somebody else from my office.

MR. McLAUGHLIN: I'll send you a Zoom link. Mr. Mayor, we'd ask that being we are going to have a conference call with his office on Monday at 11:00 a.m. that we adjourn the matter to June 17th for hopefully final disposition.

MR. REICHEL: Let me clarify. Is this a conference call or a Zoom meeting?

MR. McLAUGHLIN: Zoom meeting.

MR. REICHEL: 11:00 a.m. Monday, Zoom meeting.

MAYOR KENNEDY: Do we have a motion.

TRUSTEE SANCHEZ: So moved.

DEPUTY MAYOR ELLERBE: Second.

MAYOR KENNEDY: Madam Clerk, poll the Board please.

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THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

DEPUTY MAYOR ELLERBE: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Thank you, sir.

Sorry for the inconvenience on this.

MR. REICHEL: That's okay. Stuff happens.

MR. McLAUGHLIN: Mr. Mayor, the next one is 360 Atlantic Avenue. Mr. Snead is on the line.

Mr. Mayor, we did receive photos today from Mr. Snead showing some corrections on the property.

Sergio, can you give us a follow up, update?

MR. MAURAS: That is correct. There was work performed on the exterior of the property. All of the old Tyvek wrapping was removed from the existing structure and brand new wrapping has been installed throughout

1  
2 the building itself. We also have the  
3 applications that were filed not only for the  
4 exterior but also for the interior for the  
5 conversion of that structure to a Popeye's  
6 restaurant.

7 MR. McLAUGHLIN: I believe it's  
8 pending soon to go to the Site Plan Review  
9 Board.

10 MAYOR KENNEDY: Is that required to  
11 go to Nassau County also?

12 MR. McLAUGHLIN: Yes. Counsel, I  
13 believe you mentioned before you submitted  
14 everything to Nassau County?

15 MR. SNEAD: Is it up to us to submit  
16 everything or are you going to do that after  
17 the full application in front of you?

18 MR. SERGIO: I thought they were  
19 already in conversations with the county. If  
20 they need a referral, we'll send a referral.

21 MR. SNEAD: Yes. We sent what we had  
22 to the county already, but subsequent to that  
23 your office indicated that a 293 referral had  
24 to be made. In my experience, normally it's  
25 the municipality that sends the packet

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forward, but if you ask us to do it, we will do it. I just need to know how you normally handle that.

MR. MAURAS: We'll get in contact with the county tomorrow and I will send in the referral.

MR. SNEAD: As an aside, all of the Tyvek has been done on it at this point. Pictures have been sent forward showing complete encapsulation of the building that way. With regard to the landscaping, the landscaper was there Saturday and is going to be all this week squaring the place up. So, at this point I -- and we're going to be getting the other documentation you requested for the Building Department this week.

MAYOR KENNEDY: I just want to say thank you, because I have been down there a few times. Substantial improvement of both the site and the building itself. Thank you very much for following up on it.

MR. SNEAD: Thank you.

MR. McLAUGHLIN: Mr. Mayor, I'd recommend we take it off the calendar at this

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point. Should we have any further issues,  
we'll contact Mr. Snead to come back on the  
calendar.

MAYOR KENNEDY: I'm in favor of that.  
Do we have a motion?

DEPUTY MAYOR ELLERBE: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madam Clerk, please  
poll the Board.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

DEPUTY MAYOR ELLERBE: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MR. SNEAD: Pleasure working with  
you.

MAYOR KENNEDY: Thank you for  
following up on that.

MR. SNEAD: Take care.

MR. McLAUGHLIN: Mr. Mayor, going to  
our dangerous building calendar now we have  
122 Sportsman Avenue. At this point we have

1 no appearance. We'd ask it be second called.

2 MR. PARK: I'm here. Ronald Park. I  
3 represent the owner on the trust.

4 MR. McLAUGHLIN: Can you give us your  
5 full appearance, counsel?

6 MR. PARK: Yes. My name is Ronald  
7 Park with the Law Firm of Hinshaw and  
8 Culbertson LLP on behalf of the owner trust,  
9 US Bank.

10 MR. MAURAS: So, 122 Sportsman Avenue  
11 is presently a vacant house which had a  
12 dilapidated deck in the rear, it has a  
13 dilapidated bulkhead, it has a dilapidated  
14 front overhang over the front of the  
15 structure. It also has an issue where on the  
16 northern side of the structure there was an  
17 extension which tied in to a neighboring  
18 property. There was an engineer that was on  
19 site last week who went to verify what can be  
20 done to separate the two structures and to  
21 try to shore up the house which is occupied  
22 on the northern side which is a neighboring  
23 property. They do have intentions of going  
24 to the property this Wednesday to remove that  
25

1  
2 dangerous front overhang. Now the question  
3 remains as to what is going to be done with  
4 the bulkhead, which is in great disrepair and  
5 may actually cause collapse of that  
6 structure. It is highly recommended that the  
7 structure be demolished.

8 MR. PARK: We're waiting on the  
9 engineer. Everything that the gentleman said  
10 is correct. We're waiting on the engineer's  
11 report to determine how the two structures  
12 are going to be separated, as well as dealing  
13 with the bulkhead. The engineer's report,  
14 according to my vendor, will be provided  
15 around next week. The front porch demolition  
16 is scheduled for Wednesday.

17 MAYOR KENNEDY: May I make a  
18 suggestion that the attorneys meet with each  
19 other next week to discuss the engineering  
20 report.

21 MR. PARK: Sure.

22 MAYOR KENNEDY: Superintendent,  
23 follow up to see that the structure is  
24 addressed.

25 MR. MAURAS: Absolutely.

May 6, 2024

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MR. McLAUGHLIN: Mr. Park, can you meet with me on Monday by zoom at 10:00 a.m.?

MR. PARK: 10:00 a.m. Wednesday next week?

MR. McLAUGHLIN: Monday.

MR. PARK: Monday. I apologize. One moment.

MAYOR KENNEDY: He's not going to have the engineer's report.

You're not going to have the --

MR. McLAUGHLIN: He said he'll have it this week.

MR. PARK: Not by Wednesday. They said next week. Midweek next week.

MR. McLAUGHLIN: Wednesday is good. Are you good Wednesday?

MR. PARK: I'll make myself available. What time, 11:00 a.m.?

MR. McLAUGHLIN: That's good.

MR. PARK: May I get an Email address so I can get the Zoom information?

MR. McLAUGHLIN: Where you got this Zoom address, we'll send you a Zoom link tomorrow morning.

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MR. PARK: Thank you very much.

MAYOR KENNEDY: I would ask that you please follow up with our attorney, in the event that the engineering report is not available prior to the meeting.

MR. PARK: What's the attorney's name so I can reference their name.

MR. McLAUGHLIN: Robert McLaughlin.

MR. PARK: Mr. McLaughlin. Thank you very much.

MR. McLAUGHLIN: Mr. Mayor, I'd ask that this matter be adjourned to June 17th for follow up.

MAYOR KENNEDY: Do we have a motion?

TRUSTEE MARTINEZ: So moved.

DEPUTY MAYOR ELLERBE: Second.

MAYOR KENNEDY: Madam Clerk.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

DEPUTY MAYOR ELLERBE: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

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MAYOR KENNEDY: Thank you for following up on this, sir, I appreciate it.

MR. PARK: Thank you very much.

MR. McLAUGHLIN: Mr. Mayor, the final matter is 700 South Long Beach Avenue.

MAYOR KENNEDY: Why does that sound familiar?

TRUSTEE MARTINEZ: Is this is the first time on.

MAYOR KENNEDY: Is this the first time we met?

TRUSTEE MARTINEZ: First time today.

MR. CLARKE: Good afternoon.

MAYOR KENNEDY: Mr. McLaughlin.

MR. McLAUGHLIN: Counsel, give your appearance please.

MR. LEVI: Alina Levi from Polsinielli on behalf of the lender, Wilmington Savings Fund Society.

MR. McLAUGHLIN: Thank you. Could you give your address for the record.

MS. LEVI: 600 Third Avenue, New York, New York 10012.

MR. McLAUGHLIN: Thank you. Sergio.

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MR. MAURAS: In regard to 700 South Long Beach, we still have an issue in which the bulkhead remains in major disrepair, which causes damage to the neighboring properties and causes flooding into the streets. It's getting into our MS4 system. The bulkhead is in major disrepair and needs to be replaced.

The structure itself, which was a dangerous condition, has been demolished. We are seeking a resolution to repair that bulkhead for now.

MR. McLAUGHLIN: Mr. Mayor, you're aware, I'll make the Board aware, we have had conversations with Mr. Clarke, and he has hired a person to do the bulkhead. We do need changes in the contract, which we have not received yet, that's one of the reasons why we're here today.

Mr. Clarke, do you want to say anything?

A L Y E R U            C L A R K E,  
having been first duly sworn by a Notary Public of the State of New York, was

1  
2 examined and testified as follows:

3 S T E V E N K I T Z E N,

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

7 COURT REPORTER: Please state your  
8 name and address for the record.

9 MR. CLARKE: Al-Yeru Clarke. 700  
10 South Long Beach Avenue.

11 MR. KITZEN: Steven Kitzen from --

12 MS. LEVI: I'm sorry, I can't hear.

13 MR. KITZEN: Steven Kitzen from  
14 Kitzen Construction. 150 Cary Place in  
15 Freeport, New York.

16 TRUSTEE MARTINEZ: Would you mind  
17 reading that back for the counsel?

18 (WHEREUPON, the requested portion of  
19 the record was read back by the Reporter.)

20 MR. McLAUGHLIN: Mr. Clarke.

21 MR. CLARKE: As discussed at the last  
22 meeting, I had the main building demolished,  
23 as agreed. I plan on submitting the plans  
24 for the new home construction. I'm also  
25 working on -- I'm also in contract to have

1  
2 the bulkhead redone. I have the contractor  
3 here. I understand there is a thing, as far  
4 as the timing. As was explained to me, the  
5 work would take approximately 30 to 60 days  
6 to complete, at which time the work would  
7 probably begin in a few weeks to begin  
8 construction for it.

9           MAYOR KENNEDY: What we need is a  
10 completion date. I need to know a completion  
11 date, not 30 days after. When is the  
12 contract being paid, when is it executed,  
13 when is a deposit given. I don't want to  
14 hear 30 days from now it wasn't paid on time,  
15 we don't have the money. When is the  
16 bulkhead going to be replaced? If it's not  
17 going to be replaced by a certain date, we're  
18 going to replace it. That's the issue.

19           MR. CLARKE: The payment is broken  
20 down according to stages. As the stages come  
21 up, that's when the payments are due.

22           MR. McLAUGHLIN: We need those stages  
23 in the contract.

24           I'm sorry, counsel did you have  
25 something? I thought she said something.

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Sorry.

Mr. Kitzen, if you could give us some more.

MR. KITZEN: Yes. A few weeks ago Al and I entered into a contract to replace the bulkhead. Since then, materials have been ordered. A portion of the materials have been delivered to my yard in Freeport. They are scheduled to be delivered. I had spoke with Sergio earlier, last week I believe it was, in regards to the property, and there was temporary mitigation. We still have the town to approve the permit with my license and insurance, which is due to be submitted through the expediter who prepared the bulkhead permit.

In the meantime, what we had proposed to do was bring some fill to the yard. As you mentioned, the storm water and the high tide and flood tides we have been having flooding the property and the adjacent street. So, we proposed immediate action to create a berm, as you have done in other properties in the town that have been in

1  
2 disrepair. And subsequent 30 days start  
3 date, depending on all the permits being  
4 approved by the town, and then within 90 days  
5 thereafter having a completed bulkhead.

6 MR. CLARKE: The property currently  
7 has a dirt berm in around the property.  
8 There's also -- I have also paid for the  
9 permit. I believe all the information has  
10 been submitted, it's just for the permit to  
11 be approved at this point for the bulkhead  
12 repair.

13 MR. MAURAS: Basically, it's just a  
14 matter of getting the licenses and insurances  
15 and a completed executed contract in order  
16 for that permit to be issued.

17 MAYOR KENNEDY: The permit has not  
18 been issued, not by the town, by the Village.  
19 The Village has not issued a permit. What  
20 are you waiting for to issue a permit?

21 MR. MAURAS: The executed contract  
22 with the amendments and, of course, we have  
23 the licenses and insurances. Besides that,  
24 that's all I need. The DEC approvals have  
25 already been given. The Army Corps falls

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under a nationwide permit.

MAYOR KENNEDY: Do you have an executed contract with you today, and do you have insurance certificates?

MR. KITZEN: I didn't have them prepared for today, but I can send them over to Sergio in the morning.

MR. McLAUGHLIN: We need, as part of your contract, also some specific dates. You're speaking here, I understand generally 30 days here, 30 days there. The contract that Mr. Clarke has showed us didn't have specific dates of start, finish. We need that, because we're still running into this major problem with the residents down there being flooded because of this property.

MR. KITZEN: So what I'll do is, tomorrow I'll send over a package to Sergio with my insurances and the contract, and I'll put some hard dates in the contract. Obviously, I'll ensure that this will be moving right along and the town has all the information for the permit approval. We'll have some hard start dates, and I'll also

1  
2 proposed temporary mitigation that we have in  
3 the meantime, that way if we do have any  
4 storms in the next 30 days there's some added  
5 mitigation to the property to show some good  
6 faith on Al's part as the home owner. The  
7 house has been demoed, so there is a hole in  
8 the foundation which could be filled in.  
9 Again, there's things that could be done to  
10 help alleviate some of the issues on the  
11 property, being the bulkhead is in disrepair.

12 MAYOR KENNEDY: If you bring that  
13 information in, the insurance, tomorrow, and  
14 whatever it is the Buildings Department is  
15 requiring, 90 days from now will be  
16 August 6th. The job will be completed by  
17 August 6th, 90 days?

18 MR. KITZEN: It will be major  
19 completion.

20 MAYOR KENNEDY: Could you put that in  
21 the contract it will be completed in 90 days,  
22 August 6th. That's all we need. Let's move  
23 forward with that. I'll be glad to work with  
24 you, help expedite it and along for you.

25 MR. McLAUGHLIN: Just so you're

1  
2 aware, these are hard dates that we have to  
3 get this information, because we already have  
4 approval from the Board to repair the  
5 bulkhead. We have been holding off, trying  
6 to help Mr. Clarke get this done himself. If  
7 tomorrow we don't hear from you and this week  
8 we don't hear from you, we're going to move  
9 forward.

10 MR. KITZEN: Understood. No problem.  
11 I have everything you need.

12 MR. CLARKE: The Village has been  
13 excellent in working with me.

14 MAYOR KENNEDY: Work with Sergio  
15 tomorrow, provide him the information he  
16 needs to see in the contract, an executed  
17 contract to be completed by August 6th, and  
18 the permit will be issued right away. We'll  
19 exchange permit and contracts at the same  
20 time.

21 MR. McLAUGHLIN: Counsel, do you have  
22 anything to add?

23 MS. LEVI: Not on the foreclosure  
24 action. My predecessor is no longer working  
25 on it, I took over from the same firm. The

1  
2 Court granted a default judgment foreclosure  
3 on April 8th, Notice of Entry was filed on  
4 April 26, 2024. At this point, the next step  
5 is to move to confirm the referee's report.  
6 Once there is a referee's report executed --  
7 there was a referee appointed by the Court in  
8 the Hold Judgment Order. Specifically,  
9 Mr. Ian Burchum was appointed and he accepted  
10 the appointment of the Court. He scheduled a  
11 hearing for May 17th.

12 Those are the next steps. We need  
13 the referee's report for final judgment of  
14 the foreclosure and sale.

15 MR. CLARKE: I have someone. I'm  
16 working on getting that paid off to another  
17 lender.

18 MR. McLAUGHLIN: Mr. Mayor, I  
19 recommend we put this matter on for June 17th  
20 with the understanding that if work is not  
21 done in an in between time we are going to be  
22 seeking to execute the order of this Board to  
23 repair the bulkhead.

24 MAYOR KENNEDY: I would put it on for  
25 June 17th, but I would also like to have a

1  
2 meeting within four or five days from today  
3 to give me an executed contract and the  
4 permit exchange with the completion date on  
5 it. If not, we will move forward.

6 MR. McLAUGHLIN: By Friday, if we  
7 don't have anything, we'll move forward.

8 MAYOR KENNEDY: Okay.

9 MR. McLAUGHLIN: Counsel, anything  
10 else?

11 MS. LEVI: No.

12 MAYOR KENNEDY: Do we have a motion  
13 to reconvene this on the 17th, pending the  
14 documentation exchange tomorrow.

15 TRUSTEE MARTINEZ: So moved.

16 TRUSTEE SANCHEZ: Second.

17 MAYOR KENNEDY: Madam Clerk.

18 THE CLERK: All in favor.

19 TRUSTEE SANCHEZ: Aye.

20 TRUSTEE MARTINEZ: Aye.

21 DEPUTY MAYOR ELLERBE: Aye.

22 MAYOR KENNEDY: Aye.

23 THE CLERK: Any opposed?

24 (No response was heard.)

25 MAYOR KENNEDY: Thank you, counsel.

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Have a good day.

MS. LEVI: Thank you.

MR. McLAUGHLIN: Mr. Mayor, at this point I'd ask for a motion to adjourn.

TRUSTEE MARTINEZ: So moved.

DEPUTY MAYOR ELLERBE: Second.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

DEPUTY MAYOR ELLERBE: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

(Time Ended: 6:25 p.m.)

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May 6, 2024

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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 19th day of May, 2024.

  
BETHANNE MENNONNA