

THESE ARE NOT THE OFFICIAL MINUTES OF THE BOARD OF TRUSTEES UNTIL SAME HAS BEEN APPROVED BY THE MAYOR AND THE BOARD OF TRUSTEES.

2022-1

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A meeting of the Board of Trustees of the Incorporated Village of Freeport was held on Thursday, December 1, 2022 at 11:00 A.M. in the Municipal Building, 46 North Ocean Avenue, Freeport, New York, with the following present:

Robert T. Kennedy	Mayor	
Ronald Ellerbe	Deputy Mayor	Excused
Jorge A. Martinez	Trustee	
Christopher L. Squeri	Trustee	Excused
Evette B. Sanchez	Trustee	
Howard E. Colton	Village Attorney	
Pamela Walsh Boening	Village Clerk	

At 11:12 A.M., Mayor Kennedy and the Board of Trustees convened in the Board of Trustees conference room adjacent to the Mayor’s office.

Motion was made by Trustee Sanchez, seconded by Trustee Martinez to open the meeting.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

No residents were present.

Mayor Kennedy called the hearings to order for which a full stenographic record was taken and indicated that the purpose of the hearing was to discuss the nuisance and dangerous buildings.

Robert McLaughlin, Deputy Village Attorney called for 60 Meister Blvd. Avenue, whereupon there was no response and announced there would be a second call.

Robert McLaughlin, Deputy Village Attorney conducted the hearing for 82 President St and announced the property owner was unable to attend.

Motion was made by Trustee Martinez, seconded by Trustee Sanchez and carried to adjourn the hearing for 82 President Street to January 12, 2023 at 11:00 A.M.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused

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Trustee Sanchez  
Mayor Kennedy

In Favor  
In Favor

Robert McLaughlin, Deputy Village Attorney conducted the hearing for 109 Atlantic Avenue. The Superintendent of Buildings, Sergio Mauras entered an exhibit into the record.

It was moved by Trustee Sanchez, seconded by Trustee Martinez to accept Exhibit A and that the following decision be adopted:

**INCORPORATED VILLAGE OF FREEPORT  
BOARD OF TRUSTEES DECISION**

**DATE:** December 1, 2022

Hearings were held on July 21, 2022, August 11, 2022 and September 1, 2022 in the Board of Trustees Conference Room for a determination pursuant to Freeport Village Ordinance §128-58 (Property Maintenance Requirements), §128-59 (Maintenance Standards), and §128-62 (Nuisances and Abatement) as to the condition of the building located at 109 Atlantic Avenue, Freeport, New York. The owner of the property, Anthony Napolitano, had been notified of the hearing dates by regular and certified mail at the address on file with the Village. The certified and regular mail came back with a notation that the house was vacant. The law firm Knuckles, Komosinski & Manfro, LLP, representing the bank was also notified of the hearing. Christopher McKniff, Greg Savran, and Cheryl Filkowski appeared on behalf of the bank on the various hearing dates.

The Board makes the following findings of fact based on the testimony of Sergio Mauras, Superintendent of Buildings. The property at 109 Atlantic Avenue has been in a state of disrepair for many years. The front porch of the house is in extreme disrepair and is dangerous. There is also an issue with the roof of the house. Presently there are tarps falling off. Shingles are loose. Siding is loose. Additionally, after Superstorm Sandy, the property had been determined to be substantially damaged. In a property that is substantially damaged, the property must either be elevated or demolished. Mr. Mauras's professional opinion is that it would be best to demolish the property, given that there are numerous items in need of major repair, even if the house were to be elevated.

December 1, 2022

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Based on the evidence and testimony about the house on 109 Atlantic Avenue, the Board finds pursuant to §128-59(C)(4) of the Freeport Village Code that the house has not been maintained under the requirements of the code. Further, the house is deemed to be a nuisance under §128-62 and §128-63. Based on the determination of substantial damage from Superstorm Sandy, combined with the other items of disrepair, the Board orders that the house be demolished. The Board authorizes the Superintendent of Buildings to order that the house be demolished no later than 1/15/2023. Should the house fail to be demolished by that date, the Board authorizes the Village to procure services to demolish the house. Any expenditure by the Village for these repairs will be applied to the homeowner’s taxes, and if unpaid, will become a lien on the property.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

Robert McLaughlin, Deputy Village Attorney conducted for 115 N. Bergen Place.

Motion was made by Trustee Martinez, seconded by Trustee Sanchez and carried for the Village of Freeport to hire a contractor to paint the exterior of 115 N. Bergen Place.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

Robert McLaughlin, Deputy Village Attorney conducted the hearing for 160 Cedar Street. Sean Howland, Esq., joined via video conference.

Motion was made by Trustee Sanchez, seconded by Trustee Martinez and carried to adjourn the hearing for 160 Cedar Street to January 12, 2023 at 11:00 A.M.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor

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Mayor Kennedy

In Favor

Robert McLaughlin, Deputy Village Attorney, called 170 Whaley Street and announced the owner was unable to attend the hearing.

Motion was made by Trustee Sanchez, seconded by Mayor Kennedy and carried to adjourn the hearing for 170 Whaley Street to January 12, 2023 at 11:00 A.M.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

Robert McLaughlin, Deputy Village Attorney, second called 208 Lena Avenue. The property owner Debra Jones was experiencing difficulty joining the hearing.

Robert McLaughlin, Deputy Village Attorney conducted the hearing for 295 Arthur Street. Hiba Touma, Esq joined via video conference.

Motion was made by Trustee Sanchez, seconded by Trustee Martinez to adjourn the hearing for 295 Arthur Street and set the date at a later time.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

Robert McLaughlin, Deputy Village Attorney called 700 South Long Beach Avenue and announced the owner was unable to attend.

Motion was made by Trustee Sanchez, seconded by Trustee Martinez and carried to adjourn the hearing for 700 South Long Beach Avenue to a later date, set by the Board.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

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Robert McLaughlin, Deputy Village Attorney called 823 South Long Beach Avenue and announced the owner was unable to attend.

Motion was made by Trustee Sanchez, seconded by Trustee Martinez and carried to adjourn the hearing for 823 South Long Beach Avenue to January 12, 2023 at 11:00 A.M.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

Robert McLaughlin, Deputy Village Attorney called 60 Meister Blvd. Tonya Mitchell was present as a representative of Joysetta Pierce.

Motion was made by Trustee Sanchez, seconded by Trustee Martinez and carried to adjourn the hearing for 60 Meister Blvd. to January 12, 2023 at 11:00 A.M.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

Robert McLaughlin, Deputy Village Attorney, Second call for 208 Lena Avenue, whereupon there was no response.

Robert McLaughlin, Deputy Village Attorney conducted the hearing for 313 Nassau Avenue. Jennifer Abenheim Esq, from Wells Fargo Bank joined via video conference.

Motion was made by Trustee Martinez, seconded by Trustee Sanchez and carried to adjourn the hearing for 313 Nassau Avenue to January 12, 2023 at 11:00 A.M.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

Robert McLaughlin, Deputy Village Attorney, conducted the hearing for 208 Lena Avenue. Mrs. Jones joined via video conference.

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Motion was made by Trustee Sanchez, seconded by Trustee Martinez and carried to adjourn the hearing for 208 Lena Avenue to January 12, 2023 at 11:00 A.M.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

Motion was made by Trustee Martinez, seconded by Trustee Sanchez to adjourn the hearing.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Excused
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

The meeting was adjourned at 11:45 A.M.

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Pamela Walsh Boening  
Village Clerk