

A meeting of the Board of Trustees of the Incorporated Village of Freeport was held on Monday, June 27, 2022 at 6:30 P.M. in the Municipal Building, 46 North Ocean Avenue, Freeport, New York, with the following present:

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

At 6:34 P.M., Mayor Kennedy convened in the main conference room and Deputy Mayor Ellerbe led in the Pledge of Allegiance.

No residents were present.

At 6:35 P.M., it was moved by Deputy Mayor Ellerbe, seconded by Trustee Sanchez and unanimously carried to adjourn this portion of the Legislative Meeting and return to the Mayor's Conference Room to continue in Executive Session to consult with counsel.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor
Trustee Squeri	Not Present
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

At 7:01 P.M., motion was made by Trustee Sanchez, seconded by Trustee Squeri and unanimously carried to reconvene in Legislative Session.

The Clerk polled the Board as follows:

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

Approximately forty (40) residents were present.

Deputy Mayor Ellerbe led in the Pledge of Allegiance.

It was moved by Trustee Martinez, seconded by Trustee Squeri, and unanimously carried to approve the Board of Trustees Minutes of June 13, 2022.

The Clerk polled the Board as follows:

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

It was moved by Trustee Squeri, seconded by Trustee Sanchez, and carried to approve the Board of Trustees Special Meeting Minutes of June 23, 2022.

The Clerk polled the Board as follows:

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

The following resolution was duly adopted on June 27, 2022:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF FREEPORT DENYING THE RE-ZONING OF THE PROPERTY KNOWN AS AND BY SECTION 62, BLOCK 069, LOTS 208, 209, AND 210 a/k/a 104 E. BEDELL STREET FROM RESIDENCE A AND BUSINESS A TO MARINE APARTMENT-BOATEL, CONDOMINIUM AND COOPERATIVE.

WHEREAS, the Petitioner, Freeport Waterfront LLC, has filed a petition with this Board seeking the re-zoning of the property known as and by Section 62, Block 069, Lots 208, 209, and 210 a/k/a 104 E. Bedell Street from “Residence A” and “Business A” to “Marine Apartment-Boatel, Condominium and Cooperative”;

WHEREAS, upon due published notice, this Board conducted a public hearing at or about 7:15 p.m., on June 13, 2022, upon the aforementioned petition to re-zone the subject premises duly filed by Freeport Waterfront LLC;

NOW THEREFORE BE IT RESOLVED THAT, upon the petition of Freeport Waterfront LLC, duly filed in the office of the Clerk of the Incorporated Village of Freeport, the exhibits submitted into evidence during the course of the hearing by Deputy Village Attorney Robert McLaughlin, and Petitioner’s Attorney Maurice Fedida, counsel to the office of Michael Solomon.

This Board makes the following findings of fact concerning the aforementioned petition to re-zone the premises known as and by Section 62, Block 069, Lots 208, 209 and 210, a/k/a 104 E. Bedell Street from “Residence A” and “Business A” to “Marine Apartment-Boatel, Condominium and Cooperative”;

1. The Village Clerk duly caused to be published a Notice of Public Hearing

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relative to the subject petition in The Leader, pursuant to and in accordance with applicable provisions of the Village Law for the State of New York.

2. The Village Clerk duly posted a Notice of Public Hearing for this hearing at the following locations pursuant to applicable provisions of the Village Law for the State of New York:

1. Municipal Hall - 46 North Ocean Avenue, Freeport
2. Freeport Memorial Library - 144 West Merrick Road, Freeport
3. Freeport Fire Department Hose #1 - 30 Southside Avenue, Freeport
4. Freeport Fire Department Hose #2 - 15 Broadway, Freeport
5. Freeport Fire Department Hose #3 - 365 S. Bayview Avenue, Freeport
6. Freeport Recreation Center

3. Pursuant to the provisions of §239 of the General Municipal Law for the State of New York, the Village Clerk did duly notify the Nassau County Planning Commission of the subject re-zoning petition and, upon said notice, the Nassau County Planning Commission did adopt a “Local Jurisdiction Resolution” relative to the proposed re-zoning.

4. Pursuant to §7-725-a of the Village Law for the State of New York, the Planning Board for the Incorporated Village of Freeport did review the instant petition to re-zone the subject property and did, by resolution, duly recommend that this Board re-zone the subject property from “Residence A” and “Business A” to “Marine Apartment-Boatel, Condominium and Cooperative”.

5. Pursuant to and in accordance with the provisions of Article 8 of the Environmental Conservation Law for the State of New York, 6 NYCRR, Part 617-7 et. seq., this Board does hereby adopt the following resolution for State Environmental Quality Review Act purposes rendering a Negative Declaration:

WHEREAS, the Board of Trustees of the Incorporated Village of Freeport, as lead agency, has determined that the proposed action described below, will not have a significant effect on the environment and neither a draft environmental impact statement nor a final environmental impact statement will be prepared; and,

WHEREAS, the proposed action is a rezoning of 104 E. Bedell Street a/k/a Section 62, Block 69, Lots 208, 209, and 210 from Residence A District and Business A District to Marine-Apartment-Boatel, Condominium and Cooperative District; and

WHEREAS, this Board determines that the proposed action is an unlisted action, as that term is defined in the New York State Environmental Quality Review Act, herein after referred to as SEQRA. After careful consideration, the Board has concluded that the proposed action will not have a significant effect on the environment for the following reasons:

1. The proposed action will not result in a substantial adverse change in the existing air quality, ground or surface water quality, traffic or noise level, will not affect solid waste production, and will not affect erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna nor interfere with the movement or any resident or migratory fish or wildlife species, nor impact on a significant habitat area, nor result in any other significant adverse effect to natural resources.
4. The proposed action will not bring about a major change in the use of either the quantity or type of energy.
5. The proposed action will not create a hazard to human health.
6. The proposed action will not produce a substantial change in the use or intensity of land, including cultural or recreational resources, or its capacity to support existing uses.
7. The proposed action will not create a material demand for other actions that would result in any of the above consequences.
8. The proposed action will not change two or more elements in the environment, which when considered together could result in a substantial adverse impact on the environment.
9. When considered cumulatively with other actions, the proposed action will not have a significant effect on the environment or meet one of the above criteria.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Freeport, after reviewing the above criteria has determined that the proposed action is not environmentally significant.

6. That this re-zoning petition involves multiple parcels at the easternmost end of East Bedell Street in the Village of Freeport.
7. The subject parcel is currently in a zoning district entitled “Residence A” and “Business A” according to the official zoning map for the Incorporated Village of Freeport.

8. The petitioner proposes re-zoning of the premises from “Residence A” and “Business A” to “Marine Apartment-Boatel, Condominium and Cooperative” in order to build a 24 unit townhouse complex, consisting of 7 buildings, 2 ½ stories each.

9. The Record establishes that there is industrial use to the north, across the canal, 3 business uses (marinas) on East Bedell Street, approximately 30 residential homes west of the subject property, and residential homes to the south across the canal.

10. Applicant offered testimony that over 50 units would be permitted in the Marine Apartment-Boatel, Condominium and Cooperative zoning district by right, but applicant was proposing only 24. Applicant offered testimony that the traffic and parking generated by this proposed project would be less than that generated by other uses permitted in the current zoning district.

11. Neighbors offered testimony that the block is currently very congested and crowded. There are no multi-family dwellings on the block similar to what is being proposed. There are 3 active marina businesses on the block with deliveries arriving on a regular basis. There is limited availability of parking on the block for current residents. They expressed concerns that 2 parking spaces per unit will not be sufficient parking for 3 bedroom cooperative units.

12. When balancing the potential harm to the neighbors against the benefits to the applicant, it is clear that the balance tips in favor of the neighbors. As the Court of Appeals held in Rodgers v. Village of Tarrytown, 302 N.Y. 115 (1951), “[d]efined as the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners, ‘spot zoning’ is the very antithesis of planned zoning.”

13. The Board finds that this proposed use is different than that of the surrounding area, given that there are no other multi-family developments located in the immediate surrounding area of the subject property. Were the Board to rezone the property, the benefit would flow entirely to the owner of the property, with a detriment to surrounding property owners. This proposed rezoning is not part of a comprehensive zoning plan.

BE IT FURTHER RESOLVED that, based on the foregoing findings of fact, the application for the rezoning of the subject premises is hereby DENIED.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Squeri, seconded by Trustee Martinez and unanimously carried to approve request to hang one banner promoting the Freeport Canoe Races on S. Main Street between Raynor Street and Archer Street, from July 7, 2022 through August 8, 2022; and that the Freeport Electric Department assist in hanging and removing the banner.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Squeri, seconded by Trustee Sanchez and unanimously carried to approve of the public assembly permit application submitted on behalf of the Freeport Chamber of Commerce to hold the Freeport Canoe Race on August 7, 2022 (no rain date), at Cow Meadow Park, from 10:00A.M. to 2:00 P.M., pending the submission of the proper insurance.

The Clerk polled the Board as follows:

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

It was moved by Trustee Sanchez, seconded by Trustee Squeri that the following resolution be adopted:

WHEREAS, the Village of Freeport requires the use of the Town of Hempstead Marina on Guy Lombardo Avenue for the staging area for the Fourth of July Fireworks, sponsored by the Village; and

WHEREAS, the Town of Hempstead requires that a Hold Harmless Agreement be signed on behalf of the Village in order to facilitate such usage; and

NOW THEREFORE BE IT RESOLVED, be it resolved that the Mayor be and hereby is authorized to sign a Hold Harmless Agreement to the benefit of the Town of Hempstead for the Village’s use of the Town of Hempstead Marina on Guy Lombardo Avenue for the staging area for the Fourth of July Fireworks on July 5, 2022.

The Clerk polled the Board as follows:

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

It was moved by Trustee Squeri, seconded by Trustee Martinez that the following resolution be adopted:

WHEREAS, the Village Assessor periodically reviews the exemption status of properties in the Village of Freeport to ensure continuing eligibility under the criteria of particular exemptions; and

WHEREAS, the below list consists of changes to assessed tax value after the adoption of the 2022/2023 Final Assessment Roll; and

S / B / L	Address	Exemption Code	Exemption Amount	Reason
54 / 202 / 631	146 Stokes Ave	41131 Veteran War Time/ Combat And 41141 Veteran Disable	2022--906 2022--291	Sale 06/15/2022
55 / 389 / 1	4 Claurome Pl	26300 Interdenominational Center	2022 -6,250	Sale 06/16 /2022
62 / 127 / 4	25 Roosevelt Ave	41661 Vol Firefighter	2022—635	Sale 06/13 /2022

WHEREAS, the Assessor reviewed the application and made recommendation that the exemptions be removed from the 2022/2023 Final Assessment Rolls as listed above; and

WHEREAS, where a partial exemption is entered on an assessment roll for an ineligible parcel, it is an error in essential fact, which may be corrected by the Board in accordance with the provisions of the Real Property Tax Law; and

NOW THEREFORE BE IT RESOLVED, that the Board of Assessment Review comprised of members of the Board of Trustees, be authorized to retroactively approve the change recommended by the Assessor to be made to the 2022/2023 Final Assessment Roll and that the Treasurer issue restored and corrected tax bills.

The Clerk polled the Board as follows:

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

It was moved by Trustee Sanchez, seconded by Deputy Mayor Ellerbe that the following resolution be adopted:

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WHEREAS, the Village of Freeport’s Electric Utility wishes to renew its subscription to New York Codes, Rules and Regulations V 16A, published by Thomson Reuters West, PO Box 64833, St. Paul, Minnesota 55164-0833 which updates the New York Law Books owned by the Utility; and

WHEREAS, Thompson Reuters West offers the renewal subscription service for a fee of \$68.10 retroactive from April 1, 2022 to March 31, 2023; and

WHEREAS, the funds will come from budget line E7811000 578100 (General & Administrative) and there are sufficient funds available for this service; and

NOW THEREFORE BE IT RESOLVED, that the Mayor be and hereby is authorized to execute any and all documentation necessary to subscribe to New York Codes, Rules and Regulations V 16A provided by Thompson Reuters West, PO Box 64833, St. Paul, Minnesota 55164-0833 for a renewal subscription service fee of \$68.10 retroactive from April 1, 2022 to March 31, 2023.

The Clerk polled the Board as follows:

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

It was moved by Deputy Mayor Ellerbe, seconded by Trustee Squeri that the following resolution be adopted:

WHEREAS, the Village Fire Department have been utilizing the Knox Box Rapid Entry System for many years; and

WHEREAS, this system involves a secure key that is exclusive to the Freeport Fire Department; and

WHEREAS, upon arrival at a building, with a “Knox Box, the Fire Department can have the key activated and use the buildings keys for immediate access, and this eliminates the need to force the door which expedites our entry and greatly reduces damage; and

WHEREAS, the Fire Department is requesting Board approval for permission to make the Knox Company 1601 W. Deer Valley Rd. Phoenix, AZ 85027 a sole source vendor; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Executive Director of the Fire Department, Board approve and that the Mayor be and hereby is authorized to contract for the procurement of the Knox Box Rapid Entry System from the Knox Company 1601 W. Deer Valley Rd. Phoenix, AZ 85027 as a sole source vendor.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor

Trustee Squeri	In Favor
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

It was moved by Trustee Martinez, seconded by Deputy Mayor Ellerbe that the following resolution be adopted:

WHEREAS, the Fire Department is requesting Board approval for the purchase of seven (7) Knox Box Units from the Knox Company 1601 W. Deer Valley Rd. Phoenix, AZ 85027, a sole source vendor with the Village for many years; and

WHEREAS, this system involves a secure key that is exclusive to the Freeport Fire Department; and

WHEREAS, upon arrival at a building with a “Knox Box,” the Fire Department can have the key activated and use the buildings keys for immediate access; and this eliminates the need to force the door, which expedites entry and greatly reduces damage; and

WHEREAS, these seven (7) Knox Box Units are for the following Fire Apparatus: 211, 212, 213, 214, 215, 216, and the Spare Incident Command Vehicle; and the cost of the units is \$1,361.00 with shipping (quote attached) for a total cost of \$9,527.00; and

WHEREAS, funding will be from line A341002 520100 – Fire Department - Equipment; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Executive Director of the Fire Department, that the Board approve and the Mayor be and hereby is authorize to execute any documentation for the purchase of the seven (7) Knox Box Units from the Knox Company 1601 W. Deer Valley Rd. Phoenix, AZ 85027 for a total cost of \$9,527.00.

The Clerk polled the Board as follows:

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

It was moved by Trustee Sanchez, seconded by Deputy Mayor Ellerbe that the following resolution be adopted:

WHEREAS, the Department of Public Works for the Village of Freeport has solicited a rebid for the “Freeport Armory Window Replacement”; and

WHEREAS, seventeen (17) bids were picked up and four (4) bids were received on June 14, 2022 for the referenced project; and

WHEREAS, the bids ranged from a high of \$117,119.00 to the low bid of \$64,800.00; and

WHEREAS, the lowest responsible bidder was submitted by Michael's Mirror and Glass, 212 Walsall Street, Seaford, N.Y. 11783, in the amount of \$64,800.00; and

WHEREAS, funding for this project will come from a \$500,000 bond resolution that was authorized by the Village Board of Trustees on July 26, 2021; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to award the rebid of the Freeport Armory Window Replacement to Michael's Mirror and Glass, 212 Walsall Street, Seaford, N.Y. 11783, in the amount of \$64,800.00.

The Clerk polled the Board as follows:

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

It was moved by Trustee Martinez, seconded by Deputy Mayor Ellerbe that the following resolution be adopted:

WHEREAS, the Incorporated Village of Freeport seeks to provide its residents with a community movie night entitled "Movies by the Meadow" at Cow Meadow Park on various Friday evenings; and

WHEREAS, these events will be facilitated by a full service outdoor/indoor movie event company called The Long Island Motion Pictures Arts Center & Museum, P.O. Box 513, Oceanside, New York 11572, who will provide outdoor movie equipment and film licensing; and

WHEREAS, The Long Island Motion Pictures Arts Center & Museum will provide:

- 1- Four (4) Friday evening movie events; 7/1, 7/15, 7/29, 8/12 (rain date weather guarantee included). The VOF will choose four (4) family-friendly movies;
- 2- The contracted vendor will provide movie broadcasting equipment that includes; 30 ft. inflatable screen, HD projector, audio sound system, projectionist, crew for set-up & breakdown, and silent Honda generators;
- 3- The Long Island Motion Picture Arts Center & Museum will provide a Certificate of Insurance for \$2,000,000, listing the Incorporated Village of Freeport as additionally insured; and

WHEREAS, the cost to the Village will be \$1,595.00 per evening, and the total cost for the four (4) events will be \$6,380.00; and

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WHEREAS, funds will be dispersed from the Village, account A641004 546600, Publicity – Promotion Expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Manager of the Freeport Recreation Center, that the Board approve, Mayor be and hereby is authorized to execute any and all documents to effectuate the agreement of the contract for the “Movies by the Meadow” Friday night movies in Cow Meadow Park, from July 1, 2022 through August 12, 2022 to The Long Island Motion Pictures Arts Center & Museum, P.O. Box 513, Oceanside, New York 11572 for a total cost of \$6,380.00.

The Clerk polled the Board as follows:

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

It was moved by Trustee Sanchez, seconded by Trustee Squeri that the following resolution be adopted:

WHEREAS, the Village Attorney’s office has subscribed to CoStar, 1331 L Street, Washington D.C. 20005, which provides real estate data and tools which helps in the defense of tax certiorari claims, and has subscribed since April of 2018; and

WHEREAS, the cost of this subscription has increased retroactive to June 1, 2022 to the amount of \$812.59 per month, an increase of \$60.20 per month; and

WHEREAS, this expense will be charged to Budget line A193004 545500 and is totally reimbursable from tax certiorari bond proceeds; and

THEREFORE BE IT RESOLVED, that the Mayor be and hereby is authorized to sign any documentation necessary to approve the subscription increase with CoStar, 1331 L Street, Washington D.C., 20005 retroactively to June 1, 2022 in the amount of \$812.59 per month.

The Clerk polled the Board as follows:

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

It was moved by Deputy Mayor Ellerbe, seconded by Trustee Squeri that the following resolution be adopted:

WHEREAS, the Village is hosting a fireworks display on July 5, 2022 to commemorate Independence Day; and

WHEREAS, in order to facilitate said fireworks display, the Village Comptroller is seeking approval to enter into a contract with the Celebration Fireworks Incorporated; and

WHEREAS, the Freeport Chamber of Commerce and the Nautical Mile Merchants Association (NMMA) are assisting the Village in procuring a display site, expediting all necessary permits and insurance, providing adequate Fire and Police protection, a secure overnight location to store the fireworks, and providing a secure safety zone for the fireworks company to operate; and

WHEREAS, the Chamber and the NMMA have also agreed to contribute \$3,034.00 towards the total cost of the display; and

WHEREAS, the Town of Hempstead has agreed to allow their Guy Lombardo Marina grounds to be used for this event, at no additional cost to the Village, with the understanding that all proper permits will be obtained and security will be provided at the main gate of the marina; and a Hold Harmless agreement provided by the Village; and

WHEREAS, the Display Agreement is for \$10,500.00 plus any additional permit fees, which will be paid by the Village; and

WHEREAS, there is sufficient funding in budget line A641004 544000 to cover the cost of this agreement; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Village Comptroller, that the Mayor be and hereby is authorized to sign any documentation necessary documentation to effectuate the agreement with the Celebration Fireworks Inc., 7911 Seventh Street, Slatington, Pennsylvania 18080, in the amount of \$10,500.00 plus any additional permit fees.

The Clerk polled the Board as follows:

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

It was moved by Trustee Squeri, seconded by Trustee Sanchez that the following resolution be adopted:

WHEREAS, legal notice of a public hearing was duly authorized, published and posted for a public hearing to be duly held on May 26, 2022 at 7:15 pm, to hear testimony on a proposed cable television franchise renewal agreement between the Village of Freeport and Cablevision Systems Long Island Corporation for a term of ten years, commencing upon confirmation of the agreement by the New York State Public Service Commission., and

WHEREAS, at the public meeting on May 26, 2022, the public hearing was duly

adjourned to June 27, 2022 at 7:15 pm, and

WHEREAS, in order to permit additional time for the Village and Cablevision Systems finalize the terms and conditions of the proposed franchise agreement, and to facilitate public discussion of the final agreement, , it is

RESOLVED, that the said public hearing, having been duly opened on May 26, 2022, and duly adjourned to June 27, 2022, is hereby further adjourned for all purposes to August 22, 2022 at 7:15 pm.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Squeri, seconded by Trustee Sanchez and carried to reopen the public hearing to consider the rezoning application for Section 55, Block H, Lot 372 from Residence AA District to Industrial B District; Section 55, Block 190, Lot 63 from Business AA District to Industrial B District; and Section 55, Block 190, Lots 51-55 from Manufacturing District to Industrial B District to further evidence and testimony.

The Clerk polled the Board as follows:

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

It was moved by Trustee Squeri, seconded by Trustee Sanchez that the following resolution be adopted:

WHEREAS, the Board of Trustees of the Incorporated Village of Freeport, as lead agency, has determined that the proposed action described below, will not have a significant effect on the environment and neither a draft environmental impact statement nor a final environmental impact statement will be prepared; and

WHEREAS, the proposed action is a rezoning of Section 55 Block H Lot 372 a/k/a 150 Cleveland Avenue from Residence AA to Industrial B, Section 55 Block 190 Lots 51-55 a/k/a 80-84 Albany Avenue from Manufacturing District to Industrial B, and Section 55 Block 190 Lot 63 a/k/a 3 Buffalo Avenue from Business AA to Industrial B district; and

WHEREAS, said properties are located within the Incorporated Village of Freeport and within that portion of the Incorporated Village of Freeport of which the Freeport Union Free School District a/k/a Freeport Public Schools is a part; and

WHEREAS, this Board determines that the proposed action is an unlisted action, as that term is defined in the New York State Environmental Quality Review Act, herein after referred to as SEQRA. After careful consideration, the Board has concluded that the proposed action will not have a significant effect on the environment for the following reasons:

1. The proposed action will not result in a substantial adverse change in the existing air quality, ground or surface water quality, traffic or noise level, will not affect solid waste production, and will not affect erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna nor interfere with the movement or any resident or migratory fish or wildlife species, nor impact on a significant habitat area, nor result in any other significant adverse effect to natural resources.
3. The proposed action will not encourage or attract a large number of people.
4. The proposed action is consistent with the community's current plans and goals for enforcement of Village laws.
5. The proposed action would not impair the character or quality of important historical, archeological, architectural or aesthetic resources of the Village.
6. The proposed action will not bring about a major change in the use of either the quantity or type of energy.
7. The proposed action will not create a hazard to human health.
8. The proposed action will not produce a substantial change in the use or intensity of land, including cultural or recreational resources, or its capacity to support existing uses.
9. The proposed action will not create a material demand for other actions that would result in any of the above consequences.
10. The proposed action will not change two or more elements in the environment, which when considered together could result in a substantial adverse impact on the environment.
11. When considered cumulatively with other actions, the proposed action will not have a significant effect on the environment or meet one of the above criteria.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Freeport, after reviewing the above criteria has determined that the proposed action is not environmentally significant.

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The Clerk polled the Board as follows:

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

Motion was made by Trustee Martinez, seconded by Trustee Squeri and carried to close the hearing to further evidence and testimony.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	No Vote Cast
Trustee Martinez	In Favor
Trustee Squeri	In Favor
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

Motion was made by Trustee Sanchez, seconded by Trustee Squeri and carried to reserve decision.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	No Vote Cast
Trustee Martinez	In Favor
Trustee Squeri	In Favor
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

Mayor Kennedy opened the meeting to questions and comments from those present. Residents voiced the following concerns:

- Minutes
- Housing Market

It was moved by Deputy Mayor Ellerbe, seconded by Trustee Sanchez, and unanimously carried that the meeting be closed.

The Clerk polled the Board as follows:

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

The meeting was closed at 8:15 P.M.

Pamela Walsh Boening
Village Clerk

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