

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

2023-1

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A meeting of the Board of Trustees of the Incorporated Village of Freeport was held on Monday, February 27, 2023 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 6:38 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 6:39 P.M., it was moved by Trustee Squeri, seconded by Deputy Mayor Ellerbe 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 discuss one (1) Personnel Matter and consult with Counsel.

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 |

At 7:06 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 five (5) residents were present.

Deputy Mayor Ellerbe led in the Pledge of Allegiance.

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It was moved by Trustee, Sanchez seconded by Trustee Squeri, and unanimously carried to approve the Board of Trustees Minutes of February 6, 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 Trustee, Sanchez seconded by Trustee Martinez, and carried to approve the Board of Trustees Special Meeting Minutes of February 2, 2023.

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, Sanchez seconded by Trustee Martinez, and unanimously carried to approve the Board of Trustees Special Meeting Minutes of February 13, 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

Notification of the appointment of Oneil Willocks as a member of the Electricians License Board, to fill the unexpired term of Steven Krupka, said term to expire April 3, 2023.

It was moved by Trustee Squeri, seconded by Deputy Mayor Ellerbe 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 and 2023/2024 Final Assessment Rolls; and

S/L/B	ADDRESS	EXEMPTION CODE	EXPEMPTION AMOUNT	REASON
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54/311/41	413 Southside Ave	41661 Vol Firefighter/Ambulance Worker	\$437	Property Sold 01/30/2023
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WHEREAS, the Assessor reviewed the application and made a recommendation that the exemption be removed from the 2022/2023 and/or 2023/2024 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 changes recommended by the Assessor to be made to the 2022/2023 and 2023/2024 Final Assessment Rolls and that the Treasurer issue 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:

WHEREAS, every year the Village of Freeport requires a review of numerous Small Claim Assessment Review (SCAR) petitions and Tax Certiorari Petitions; and

WHEREAS, the work to be done by the Assessment Office includes the preparation of those petitions for negotiations and presentation to the Court for a decision and/or in the case of the Tax Certiorari petitions, review and sending to mediation for settlement purposes; and

WHEREAS, beginning in the 2014 Assessment Year, the Village brought these functions in-house and has reduced refunds and associated costs by 42% and will continue to execute these functions in house going forward; and

WHEREAS, the Village requires the services of someone with a background in commercial and residential appraisals with extensive knowledge of Village properties as well as the SCAR procedure to keep these functions in-house; and

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WHEREAS, the services to be performed are professional services of a specialized nature and are therefore exempt from the competitive bidding requirements of General Municipal Law; and

WHEREAS, Real Estate Assessment Group, Inc. (REAG), 11 Buchanan Street, Freeport, New York 11520, has the tools and expertise to adequately perform such services; and

WHEREAS, these services will be performed pursuant to an agreement beginning on March 1, 2023 and ending on February 29, 2024 for a fee not to exceed \$115,056 (\$57,528.00 per six month period), to be billed at the rate of \$92.19 per hour with a cap of 1,248 hours (624 hours per six month period), an increase of 2% (\$2,256) from the previous year; and

WHEREAS, if REAG has any conflict of interest, as determined by the Office of the Village Attorney, in which REAG or any of its officers, agents or employees are unable to perform its duties under this contract, and the Village of Freeport is required to hire or otherwise obtain the services of an outside or another vendor or the use of a Village employee, such cost shall be reduced from REAG’s contract with the Village of Freeport; and

WHEREAS, for use of the office space in Village Hall, REAG agrees to pay a monthly rent of \$400; use of this office space shall only be for work related to this contract; and

WHEREAS, the expense of this service will be paid from account A193004 545500 – Judgments & Claims; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Village Assessor, Vilma Lancaster, the Board approve and the Mayor be authorized to execute a personal services agreement with Real Estate Assessment Group, Inc., 11 Buchanan Street, Freeport, New York 11520 beginning March 1, 2023 and ending on February 29, 2024 for a not to exceed cost of \$115,056.00 subject to the following restriction:

1. If REAG has any conflict of interest, as determined by the Office of the Village Attorney, in which REAG or any of its officers, agents or employees are unable to perform its duties under this contract, and the Village of Freeport is required to hire or otherwise obtain the services of an outside or another vendor or the use of a Village of Freeport employee, such cost shall be reduced from REAG’s contract with the Village of Freeport.
2. For use of the office space in Village Hall, REAG agrees to pay a monthly rent of \$400. Use of this office space shall only be for work related to this contract.

The Clerk polled the Board as follows:

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

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Mayor Kennedy

In Favor

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

WHEREAS, on December 19, 2022, the Board authorized the Village Clerk to publish a “Request for Proposals for the Acquisition of Software for Permit Licensing and Code Enforcement”, RFP - #23-01-BULD-644; and

WHEREAS, thirty-three (33) proposals were picked up and four (4) proposals were received on January 13, 2023 for the above-referenced proposal; and

WHEREAS, proposals range from a low of \$92,665.00 from Open Gov. to a high of \$648,784.00 from Tyler Technologies; and

WHEREAS, the Superintendent of Buildings is requesting the Board to award the RFP to Open Gov., 6525 Crown Blvd., Unit 41340, San Jose, CA 95160, in the amount of \$92,665.00; and

WHEREAS, the funds for this request will be from a \$150,000.00 bond which was approved by the Board of Trustees on March 28, 2022; and

NOW THEREFORE BE IT RESOLVED, that base upon the recommendation of the Superintendent of Buildings, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to award for the “Request for Proposals for the Acquisition of Software for Permit Licensing and Code Enforcement”, RFP - #23-01-BULD-644, to Open Gov., 6525 Crown Blvd., Unit 41340, San Jose, CA 95160, in the amount of \$92,665.00.

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 Squeri, seconded by Deputy Mayor Ellerbe that the following resolution be adopted:

WHEREAS, on January 10, 2022, the Board awarded the Request for Proposals for RFP #21-12-ELEC-579 – Oil Testing Services to Tribilogik Corp., 1212 172nd Street, Hammond, Indiana 46324, for the not to exceed cost of \$6,764.00 per year for a three year term beginning March 1, 2022 and ending February 28, 2025 with an option to renew for two additional years; and

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WHEREAS, during the course of the contract, it was found that there were additional tests needed to satisfy the requirements of the Department Environmental Conservation (DEC) for both Power Plants; as a result, the contract was significantly underfunded; and

WHEREAS, the Superintendent of Electric Utilities is requesting the Board to cancel the oil testing contract associated with Tribologik Corp., 1212 172nd Street, Hammond, IN 46324, effective March 1, 2023 and to re-bid this contract to ensure sufficient funds in future years; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, that the contract for RFP #21-12-ELEC-579 – Oil Testing Services with Tribologik Corp., 1212 172nd Street, Hammond, Indiana 46324, be cancelled effective March 1, 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 Trustee Sanchez, seconded by Deputy Mayor Ellerbe that the following resolution be adopted:

WHEREAS, on January 9, 2023, the Board authorized the Village Clerk to advertise a Request for Proposals for the “Oil Testing”, RFP #23-01-ELEC-645; and

WHEREAS, by the due date, January 27, 2023, the Electric Department received one (1) response to its advertisement for oil testing services; and

WHEREAS, the only responsive and responsible proposer was submitted by Tribologik Corporation, 1212 172nd Street, Hammond, IN 46324, for the not to exceed sum of \$16,156.00 per year for three years commencing March 1, 2023 and ending on February 28, 2026, with an option to renew for up to two (2) additional years; and

WHEREAS, Tribologik Corp. is the Village’s current service provider; the unit pricing in the submitted proposal was reduced to match the current contract pricing; and

WHEREAS, the cost includes services as follows:

Item No.	Items of Work	Estimated Annual Quantity	Unit Price	Total Annual Amount
1.	PP1- Fuel Oil Tanks Quarterly sampling	20 each	\$219.00	\$4,380.00

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2.	PP2- Fuel Oil Tanks Quarterly Sampling	4 each	\$545.00	\$2,180.00
3.	PP1- Fuel Oil Delivery Sampling	4 each (estimated)	\$219.00	\$876.00
4.	PP2- Fuel Oil Delivery Sampling	16 each (estimated)	\$545.00	\$8720.00

WHEREAS, the Freeport Electric Department requires the services of a New York certified laboratory in order to comply with the regulations of the New York Department of Environmental Conservation and the Environmental Protection Agency, to provide testing services for oil analysis for Power Plants 1 and 2; and

WHEREAS, the cost of the service will be charged to #E 7143151 510000 (Regulatory Agency PP1), #E 7143152 510000 (Regulatory Agency PP2) and #E 7143156 510000 (Regulatory Agency CT2), and there are sufficient funds available for this expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to award the Oil Testing, RFP #23-01-ELEC-645, to Tribologik Corporation, 1212 172nd Street, Hammond, IN 46324, for the not to exceed sum of \$16,156.00 per year for three years commencing March 1, 2023 and ending February 28, 2026, with an option to renew for up to two (2) additional years.

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 Sanchez that the following resolution be adopted:

WHEREAS, on January 9, 2023, the Board authorized the Village Clerk to advertise a Notice of Request for Proposals for the “Furnishing of Electrical Engineering Services to Freeport Electric” RFP #23-01-ELEC-646 at Power Plant #1; and

WHEREAS, by the due date, January 27, 2023, the Electric Department received two (2)

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responses to its advertisement; and

WHEREAS, David A. Yigdal, P.E., Consulting Engineer, 158 Shady Lane, Westbury, NY 11590 submitted the lowest responsive and responsible proposal for the cost of \$100.00/hr., not to exceed \$108,000.00; and

WHEREAS, Mr. Yigdal was awarded the engineering service contract for the March 1, 2021 to February 28, 2022 period at a rate of \$94.90/hr., and at the same rate for March 1, 2022 to February 28, 2023; and

WHEREAS, the cost of these services shall be charged to various accounts including E 110000 and various work orders including WO #2408 (Redundant Energy) and WO #2409 (Microgrid) (E110000 – Construction Work in Progress), and there are sufficient funds available to cover these costs; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to award the proposal for the “Furnishing of Electrical Engineering Services to Freeport Electric” RFP #23-01-ELEC-646 at Power Plant 1 to David A. Yigdal, P.E., Consulting Engineer, 158 Shady Lane, Westbury, NY 11590, for the cost of \$100.00/hr., not to exceed \$108,000.00 for a term from March 1, 2023 to February 29, 2024.

The Clerk polled the Board as follows:

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

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

WHEREAS, on January 23, 2023, the Board authorized the Village Clerk to publish a Request for Proposals for “Manual Contact/Stray Voltage Testing”, RFP #23-02-ELEC-647, annual testing required by the New York State Public Service Commission; and

WHEREAS, on February 10, 2023, the Village of Freeport received two responses to the Request for Proposals; and,

WHEREAS, the lowest responsible and responsive proposal was submitted by Recon Holdings, LLC, (formerly USIC Locating Services, LLC), 1500 Ocean Avenue, Suite A, Bohemia, New York 11716 for a cost of \$60,792.45 annually for the first two-year contract term and the option for two one-year extensions (with minor increases in price) if mutually acceptable; and

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WHEREAS, this cost represents an increase of approximately 3.5% from the previous year's price of \$58,691.00; and

WHEREAS, the expense would be charged to E7414600 574000 (Stray Voltage) and there are sufficient funds for this expense; and

NOW THEREFORE BE IT RESOLVED, that the Board approve and the Mayor be authorized to sign any documentation necessary to award the contract for "Manual Contact/Stray Voltage Testing", RFP #23-02-ELEC-647 to Reconn Holdings, LLC, 1500 Ocean Avenue, Suite A, Bohemia, New York 11716 f for a cost of \$60,792.45 annually for the first two-year contract running from March 1, 2023 through February 28, 2025, with an option for an additional two one-year extensions.

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 Deputy Mayor Ellerbe that the following resolution be adopted:

WHEREAS, on February 26, 2018, the Board of Trustees awarded the contract for Natural Gas Supply Services to Sequent Energy Management, L.P., 1200 Smith Street, Suite 900, Houston, Texas 77002 for a three year term running from March 1, 2018 to February 28, 2021.

WHEREAS, on February 8, 2021, the Board of Trustees extended the contract for a term from March 1, 2021 to February 28, 2022 (the Fifth Amendment to the contract since 2011); and on January 10, 2022, the Board of Trustees extended the contract for a term from March 1, 2022 to February 28, 2023 (the Sixth Amendment); and

WHEREAS, per the terms of the agreement with Sequent, the parties may mutually agree to extend the Delivery Period of the Transaction in incremental one (1) year terms; and

WHEREAS, the parties have agreed to extend the Delivery Period for an additional one year term ending February 29, 2024 (the Seventh Amendment to Base Contract for the Sale and Purchase of Natural Gas); and

WHEREAS, this purchase will be charged to E 7161006 510000 (Fuel Gas LM6000) and there are sufficient funds to cover this expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, the Board of Trustees approve the Seventh Amendment to

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Base Contract for Sale and Purchase of Natural Gas with Sequent Energy. L.P., 1200 Smith Street, Suite 900, Houston, Texas 77002 for a term running from March 1, 2023 to February 29, 2024.

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

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

WHEREAS, on January 23, 2023, the Board authorized the Village Clerk to publish a Notice to Bidders for the “Uniformed Guard Services for Power Plant”, Bid #23-02-ELEC-649; and

WHEREAS, at the bid opening on February 14, 2023, the Electric Department received one (1) bid in response to the above-referenced notice; and

WHEREAS, the Superintendent of Electric Utilities is requesting the Board to reject the bid due to exceptions unacceptable to the utility, and re-bid this specification at a later date; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, the bid received on February 14, 2023 for the “Uniformed Guard Services for Power Plant”, Bid #23-02-ELEC-649, be rejected.

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 Deputy Mayor Ellerbe that the following resolution be adopted:

WHEREAS, the Electric Department is requesting Board authorization to advertise a Notice to Bidders, 75,000 Gallons, More or Less, Ultra Low Sulfur Diesel (ULSD) – Power Plant 1, #23-03-ELEC-654; and

WHEREAS, the specifications cover a two-year term with the right to extend the contract up to one additional year; and

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WHEREAS, the termination of the contract may be further extended up to two months beyond the termination date; and

WHEREAS, the cost of the oil will be charged to Account #E7141001 510000 (Oil) and there are sufficient funds available for this expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, the Village Clerk be and hereby is authorized to advertise a Notice to Bidders, “75,000 Gallons, More or Less, Ultra Low Sulfur Diesel (ULSD) – Power Plant 1”, Bid #23-03-ELEC-654, in the Freeport Herald and other relevant publications on March 2, 2023, with specifications available from March 6, 2023, to March 24, 2023, with a return date of March 28, 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 Trustee Sanchez, seconded by Deputy Mayor Ellerbe that the following resolution be adopted:

WHEREAS, the Village of Freeport Electric Department requires the purchase of 300,000 Gallons, More or Less, Fungible Aviation Kerosene Grade 55, which is used to run the LM6000 located at Power Plant #2; and

WHEREAS, the purchase of the kerosene requires the use of competitive bidding as necessitated by General Municipal Law §103 and the Village’s Procurement Policy; and

WHEREAS, the cost for this expense will be charged to Account #E 7141006 510000 – Production Expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric, the Village Clerk be and hereby is authorized to publish a Notice to Bidders, for “300,000 Gallons, More or Less, Fungible Aviation Kerosene Grade 55”, Bid #23-03-ELEC-655, in the Freeport Herald and other relevant publications of general circulation on March 2, 2023, with bid documents will be available from March 6, 2023, to March 24, 2023, with a return date of March 28, 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

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Mayor Kennedy

In Favor

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

WHEREAS, on January 25, 2021, the Board awarded the Bid # 20-11-ELEC-538 for the Furnishing of 500,000 Gallons, More or Less, Fungible Aviation Kerosene Grade 55 to Sprague Operating Resources LLC, of 185 International Drive, Portsmouth, New Hampshire 03801 for the Average “Buckeye” Daily Posted Price published in the Argus Index plus \$0.7046/gallon for a term of two (2) years beginning March 1, 2021 and ending February 28, 2023; and

WHEREAS, in accordance with the contract terms, the Village reserved the right to extend the contract; the Superintendent of Electric Utilities is requesting Board approval to exercise the extension option for a two-month term beginning March 1, 2023 and ending April 30, 2023, for the same rate as the original proposal; and

WHEREAS, this item will be advertised for bid with revised specifications; the kerosene is needed to run the engine at Power Plant 2; and

WHEREAS, the cost for the fuel oil will be charged to Account #E123000 – Inventory and there are sufficient funds to cover this expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to extend the contract of Bid # 20-11-ELEC-538 for the Furnishing of 500,000 Gallons, More or Less, Fungible Aviation Kerosene Grade 55 with Sprague Operating Resources LLC, of 185 International Drive, Portsmouth, New Hampshire 03801 for a term of two-months from March 1, 2023 to April 30, 2023, for the same rate as the original proposal.

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 Sanchez that the following resolution be adopted:

WHEREAS, the Electric Department is requesting retroactive permission to renew its subscription to Thomson Reuters West, 610 Opperman Drive, Eagan, Minnesota 55123-1396 which updates the New York Law Books owned by the Utility, which include McKinney’s Consolidated Laws of New York (Annotated); and

WHEREAS, this subscription service is for a cost of \$2,268.00; and

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WHEREAS, the cost of this service will be charged to E7811000 578100 (General & Administrative) and there are sufficient funds available for this expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, the Board approve and the Mayor be and hereby is authorized to execute any and all documentation necessary to retroactively approve the renewal subscription of McKinney’s Consolidated Laws of New York (Annotated) provided by Thomson Reuters West, 610 Opperman Drive, Eagan, Minnesota 55123-1396 for a cost of \$2,268.00.

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 Squeri, seconded by Deputy Mayor Ellerbe that the following resolution be adopted:

WHEREAS, as per the Rules and Regulations of the Public Service Commission, 16 NYCRR, the Freeport Electric Utility has requested permission to write-off various uncollectible electric accounts for the Fiscal Year 2020 – 2021 in the amount of \$80,054.32 effective February 28, 2023 (see attached list); and

WHEREAS, every effort has been made by the Electric Billing Department and Legal Staff to recover the unpaid bills, including processing through a collections agency; and

WHEREAS, the delinquent accounts are mainly from consumers leaving the Village with no forwarding address or the result of bankruptcy; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities that the uncollectible electric accounts for the Fiscal Year 2020 – 2021 be written-off for the amount of \$80,054.32 effective February 28, 2023.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	Abstain
Trustee Squeri	Abstain
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 Freeport Fire Department suffered damage to the 2nd floor of Fire Headquarters due to a windstorm; and

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2023-14

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WHEREAS, the insurance claim was settled in the amount of \$235,087.34, and the restoration process has begun; and

WHEREAS, replacement of the flooring on the 2nd floor of fire headquarters is one item part of the restoration process; and

WHEREAS, Milburn Flooring, 20 35th Street, Copiague, New York 11726, a company on the New York OGS Contract #PC69409, has submitted a proposal in the amount of \$59,352.00; and

WHEREAS, this floor replacement will be funded by Account A341004 545305 Unexpected Expenses, with funding coming from insurance proceeds; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Executive Director of the Freeport Fire Department, the Board approve and the Mayor be authorized to sign any documentation to approve a contract with and execute a purchase order with Milburn Flooring, 20 35th Street, Copiague, New York 11726 in the amount of \$59,352.00 for replacement of 2nd floor flooring at Fire Headquarters.

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, on October 19, 2022, the Board approved a State Assistance Contract for the purchase and installation of a perimeter comprehensive surveillance system at Cow Meadow Park; and

WHEREAS, the Village of Freeport has been awarded a \$49,148.00 FY2020 Critical Infrastructure Grant administered by the New York State Department of Homeland Security and Emergency Services (DHSES) for the purchase and installation of a perimeter comprehensive surveillance system at Cow Meadow Park; and

WHEREAS, funding for this initiative is provided by the U.S. Department of Homeland Security's (OHS) State Homeland Security Grant Program (SHSP) and is administered by the New York State Division of Homeland Security and Emergency Services (DHSES); and

WHEREAS, the total project cost is \$49,148.00 with no local match; and

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

2023-15

2023-15

WHEREAS, the grant agreement will currently expire on August 31, 2023; and

WHEREAS, the DHSES has approved an extension of the grant agreement until August 31, 2024; and

WHEREAS, the Grants Administration is requesting that the Board of Trustees for the Incorporated Village of Freeport determine that Mayor Robert T. Kennedy is the representative authorized to act on behalf of the Board of Trustees for the Incorporated Village of Freeport in all matters related to assistance under the Critical Infrastructure Grant Program; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign any and all documentation necessary to execute the State Assistance Contract extension, submit documentation, and otherwise act for the Board of Trustees for the Incorporated Village of Freeport in all matters related to the project.

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 Village of Freeport requires a consultant for services, performed in relation to the operation of the Village’s Strategic Operations Command room; and

WHEREAS, the Village is requesting a personal services agreement with Brian Jockers, 521 Syracuse Ave., Massapequa, NY 11758 effective retroactive to January 9, 2023 through January 31, 2023; and

WHEREAS, the services to be performed are professional services of a specialized nature and are therefore exempt from the competitive bidding requirements of General Municipal Law; and

WHEREAS, the services will be billed at the hourly rate of \$19.50 per hour, with a not-to-exceed cost of \$5,000; and

WHEREAS, the cost of this contract will be charged to A312001 510300 and there is sufficient funding to cover this expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Executive Director of Human Resources, the Board approve and the Mayor be authorized to execute any documentation necessary to effectuate a Personal Services Agreement with Brian Jockers, 521 Syracuse Ave., Massapequa, NY 11758 effective retroactive to January 9, 2023

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

2023-16

2023-16

through January 31, 2023 at the hourly rate of \$19.50 per hour, with a not-to-exceed cost of \$5,000.

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, on December 12, 2022, the Board authorized the Village Clerk to publish a Notice to Bidders, for the “2023 Supply of Car Tires”; and

WHEREAS, no bids were received on January 10, 2023 for the above-mentioned purchase Contract and therefore it will be necessary to rebid the Contract; and

WHEREAS, it is necessary to bid these items since the estimated contract will be approximately \$24,000.00 and funding will come out of the annual fiscal budget for the Village Garage (A164004 541000); and

WHEREAS, the contract will be for a term of one year beginning March 1, 2023 and ending February 29, 2024, with an option for two one-year extensions if mutually accepted; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Village Clerk be and hereby is authorized to publish a Notice to Bidders, for the “2023 Supply of Car Tires - Rebid” in the Freeport Herald and other relevant publications of general circulation on March 2, 2023, with bid documents available from March 6, 2023 through March 17, 2023, with a return date of March 21, 2023, with bids scheduled to be opened at 11:00 am.

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, on January 10, 2022, the Board awarded the bid for 2022 Furnishing of Calcium Hypochlorite (Tablet) for Freeport Village Pools to Commercial Clearwater of P.O. Box

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

2023-17

2023-17

909, Plandome, New York, 11030, in an amount of \$99,000.00, for the period beginning March 1, 2022 and ending February 28, 2023, with an option for two (2) one-year extensions if mutually agreeable; and

WHEREAS, the fiscal year to date, the Village has spent approximately \$44,639.06 under this contract; and

WHEREAS, the Superintendent of Public Works is requesting Board approval for the first one-year extension of the Contract and the Contractor has agreed on this extension; and

WHEREAS, the contract extension with Commercial Clearwater, P.O. Box 909, Plandome, New York, 11030, will be for a term beginning March 1, 2023 and ending February 29, 2024, with no increase in the unit prices; and

WHEREAS, funding for this purchase is from the Recreation Center Operating Budget (A714004 541100); 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 extend the contract for the 2022 Furnishing of Calcium Hypochlorite (Tablet) for Freeport Village Pools with Commercial Clearwater, P.O. Box 909, Plandome, New York, 11030, for a term beginning March 1, 2023 and ending February 29, 2024, with no increase in the unit prices.

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, on February 7, 2022, the Board awarded the bid for the “2022 Electrical Work Requirements Contract” to Palace Electrical, 3558 Park Avenue, Wantagh, New York 11793, in the amount of \$53,020.00, for a term beginning March 1, 2022 and ending February 28, 2023, with an option for two (2) one-year extensions if mutually accepted; and

WHEREAS, the fiscal year to date, the Village has spent \$33,106.00 under this contract; and

WHEREAS, the Superintendent of Public Works is requesting Board approval for the first one-year extension of the Contract and the Contractor has agreed on this extension; and

February 27, 2023

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

2023-18

2023-18

WHEREAS, the contract extension with Palace Electrical, 3558 Park Avenue, Wantagh, New York 11793, will be for a term beginning March 1, 2023 and ending February 29, 2024, with no increase in the unit prices; and

WHEREAS, the cost for these services will be charged to various Village accounts depending on where the work is performed; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Board approve and the Mayor be hereby authorized to sign any paperwork necessary to extend the contract for the 2022 Electrical Work Requirements Contract with Palace Electrical, 3558 Park Avenue, Wantagh, New York 11793, for a term beginning March 1, 2023 and ending February 29, 2024, with no increase in the unit prices.

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 Sanchez that the following resolution be adopted:

WHEREAS, on January 25, 2021, the Board awarded the bid for the 2021 Disposal Services of Municipal Solid Waste (Recyclables) to Omni Recycling of Westbury Inc., 7 Portland Avenue, Westbury, N.Y. 11590 at a total cost of \$289,168.75 to commence March 1, 2021 through February 28, 2025, with an option for two two-year extensions; and

WHEREAS, the Village pays for the disposal of recyclables based on the tonnage and due to unanticipated additional disposal, the total cost for municipal solid waste disposal for FYE 2023 will exceed the contract amount by approximately \$30,000.00; and

WHEREAS, the Superintendent of Public works is requesting Board approval to increase the contract annually with Omni Recycling of Westbury Inc., 7 Portland Avenue, Westbury, N.Y. 11590 from \$289,168.75 to \$320,000.00 for the remaining terms of the contract; and

WHEREAS, funding for the disposal is included in the Refuse Account A816004 546400 and there are sufficient funds in this this account; 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 increase the contract annually for the 2021 Disposal Services of Municipal Solid Waste (Recyclables) with Omni Recycling of Westbury Inc., 7 Portland

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

2023-19

2023-19

Avenue, Westbury, N.Y. 11590 from \$289,168.75 to \$320,000.00 for the remaining terms of the contract.

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, on January 23, 2023, the Board authorized the Village Clerk to publish a Notice to Bidders for the “2023 Contract for Printing Services”, Re-Bid #23-02-PURC-648; and

WHEREAS, twenty-five (25) bids were distributed for the above-referenced requirements contract and three (3) bids were received at the time of bid opening on February 14, 2023; and

WHEREAS, the three bids were received at the specified time, however, only one included all items requested; and

WHEREAS, the lowest complete bid was submitted by Minute Man Press, 255 Sunrise Highway, Merrick, New York 11556, for a total amount of \$39,940.00; and

WHEREAS, Minute Man Press has held other contracts for the Village in the past and has proven to be a responsible, reliable vendor; and

WHEREAS, the contract terms will begin on March 1, 2023 through February 29, 2024, with an option to renew for two (2), one-year extensions if mutually accepted; and

WHEREAS, all items ordered under this contract will be charged to the ordering departments’ printing and stationary budget line as needed (i.e. Purchasing budget line A134504 540200); and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Purchasing Agent, the Board approve and the Mayor be hereby authorized to sign any paperwork necessary to award the Re-Bid #23-02-PURC-648, “2023 Contract for Printing Services”, to Minute Man Press, 255 Sunrise Highway, Merrick, New York 11556, for a total amount of \$39,940.00 for a term beginning on March 1, 2023 through February 29, 2024, with an option to renew for two (2), one-year extensions if mutually accepted.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
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February 27, 2023

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2023-20

2023-20

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 desires to provide the operation of a concessionaire at the Freeport Recreation Center and of various vending machines located on Village property for the benefit of its patrons; and

WHEREAS, Dover Gourmet Corporation (Dover), 11 Skyline Drive, Plainview, New York 11803, is a company with the ability to meet the needs of the Village and provide these services; and

WHEREAS, it is proposed that the Village enter into a five year license agreement with Dover effective February 27, 2023 and terminating on February 28, 2029 with an option of one five year extension; and

WHEREAS, under the terms of this agreement, the Village will provide space for Dover to operate a concession business for events Dover brings to the Freeport Recreation Center; and

WHEREAS, Dover will have the exclusive right to provide concessions only for events that it brings into the Recreation Center, with the Village retaining to right to bring in outside food for events that it holds.; and

WHEREAS, Dover will pay the Village 10% of net concession sales, net catering and special event sales, as well as \$7,500 per year for vending services, which will increase by \$500 per year; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Village Attorney, the Board of Trustees approve the Concessionaire License Agreement with Dover Gourmet Corporation (Dover), 11 Skyline Drive, Plainview, New York 11803, with the terms outlined above, for a term beginning February 27, 2023 and ending February 28, 2029 with an option for one five year renewal.

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

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

2023-21

2023-21

It was moved by Trustee Squeri, seconded by Trustee Martinez 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 the issuance of bonds for the purpose of authorizing the acquisition of turnout gear, specifically the appropriation of \$150,000.00 in bonds and authorizing the issuance of bonds in the principal amount of \$150,000.00 to finance said appropriation; 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.

February 27, 2023

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2023-22

2023-22

- 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.

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, 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 the issuance of bonds for the purpose of financing of the payment of tax certiorari judgments, compromised claims, and settled claims in the amount of \$1,000,000; 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

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2023-23

2023-23

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.

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 Deputy Mayor Ellerbe that the following resolution be adopted:

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

2023-24

2023-24

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 the sale of property, to wit: the sale of Section 55, Block 190, Lot 63, also known as and by 33 Buffalo Avenue and Section 55, Block190, Lot 51-55, also known as and by 80-84 Albany Avenue, for residential purposes, to wit: workforce, golden age and veteran housing; and,

WHEREAS, and based upon the Full Environmental Assessment Form filed with this Board, 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.

February 27, 2023

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

2023-25

2023-25

- 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.

WHEREAS, this Board makes note that this project follows the recommendation of Governor Kathy Hochul and the State Legislature to provide additional workforce, senior and veteran housing throughout the State of New York; and,

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.

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

RESOLUTION OF BOARD OF TRUSTEES AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT OF SALE FOR THE PARCELS IDENTIFIED AS AND BY SECTION 55, BLOCK 190, LOT 63, ALSO KNOWN AS AND BY 33 BUFFALO AVENUE, ALSO KNOWN AS AND BY “OLD MOXEY RIGBY”, FREEPORT, NEW YORK, AND SECTION 55, BLOCK 190, LOTS 51-55, ALSO KNOWN AS 80-84 ALBANY AVENUE, FREEPORT, NEW YORK TO BOFSA

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

WHEREAS, the Village of Freeport owns the properties known as and by Section 55, Block 190, Lot 63 also known as and by 33 Buffalo Avenue, also known as and by “Old Moxey Rigby,” Freeport, New York, and Section 55, Block 190, Lots 51-55, also known as 80-84 Albany Avenue, Freeport, New York (hereinafter “the properties”); and,

WHEREAS, during the fall and winter of 2022-23 the Board of Trustees began the process to develop the subject parcels to provide for residential housing; and,

WHEREAS, currently the properties are not being sufficiently being utilized for Incorporated Village of Freeport municipal purposes, thus, for Incorporated Village of Freeport purposes, surplus; and,

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

2023-26

2023-26

WHEREAS, on February 13, 2023, the Board of Trustees held a duly noticed public meeting, with publication of all relevant materials on the Village website to discuss and hear presentations from BOFSA and Bartone/Twileger; and,

WHEREAS, both proposed multi-generational development of the premises, which would allow for workforce, senior and veteran housing, which by law would require ten percent of the project to be devoted to affordable housing; and

WHEREAS, the proposal from Bartone/Twileger was ultimately deemed to be too dense for the area and could create traffic issues; and

WHEREAS, the Village of Freeport received a proposal to purchase and develop the properties from BOFSA, 301A Central Avenue, Lawrence, New York for development of a 200 unit complex and a purchase price of \$17,500,000; and,

WHEREAS, multiple condition precedents must be met before the properties could be transferred or otherwise developed, to wit:

1. A Phase 1 and 2 be completed upon the site and any environmental issues remediated; and,
2. Approvals be obtained from the Freeport Zoning Board, including, but not limited to parking plans and/or traffic studies (to the extent required under the Code); and,
3. A full due diligence be successfully completed; and,
4. A clear and marketable title is obtained; and,
5. Premise rezoning is completed; and,
6. Other State, County and Town requirements not herein mentioned are not a condition precedent to close.
7. Site Plan to be conducted, but not a precondition to close.
8. BOFSA would hold-harmless and has agreed to pay all Village Taxes in full if a PILOT were obtained.

WHEREAS, a contract was drafted February 23, 2023 and is subject to approval by the Board of Trustees of the Incorporated Village of Freeport,

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the Village Attorney and Special Counsel Christian Browne from McLaughlin Stern, the Board makes the following findings of fact:

1. The properties are not being sufficiently utilized for Incorporated Village of Freeport municipal purposes; and,
2. The Incorporated Village of Freeport has no plans to utilize the premises for further municipal purposes and therefore is deemed surplus; and,
3. An offer of \$17,500,000.00 has been submitted by BOFSA; and,
4. The offer for the premises is just and fair; and,

February 27, 2023

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2023-27

2023-27

5. All conditions within the Contract of Sale must be met prior to the closing upon the properties; and,

BE IT FURTHER RESOLVED that the sale and transfer of the properties known as and by Section 55, Block 190, Lot 63, also known as and by 33 Buffalo Avenue, also known as and by “Old Moxey Rigby,” Freeport, New York, and Section 55, Block 190, Lots 51-55, also known as 80-84 Albany Avenue, Freeport, New York shall be governed by the contract and this resolution; and,

BE IT FURTHER RESOLVED that the Mayor and/or his authorized representative be and is hereby authorized to sign any and all agreements with BOFSA 301A Central Avenue, Lawrence, New York, to effectuate this sale and transfer upon the terms and conditions as stated within the contract and stated within this resolution.

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 Deputy Mayor Ellerbe that the following resolution be adopted:

WHEREAS, the Village of Freeport has contracted with Icon Enterprises, Inc. d/b/a CivicPlus to host the Village’s website; and

WHEREAS, the current contract will expire on February 28, 2023; and

WHEREAS, CivicPlus has agreed to a new contract for a term of one year effective March 1, 2023 to February 29, 2024, with an increase in the investment and benefit fee of two percent (2%) of the annual services costs; and

WHEREAS, the 2023 Total Fee is \$6,782.99, an increase of \$133 (2%) from the current contract, which includes the 2023 Main Site Support, Maintenance and Hosting Fee of \$6,072.40 and the 2023 Intranet Department Header Maintenance and Hosting Fee of \$710.59; and

WHEREAS, the cost for the 2023 Intranet Department Header Maintenance and Hosting Fee of \$710.59 will be charged to allocation code 5003 (A168004 542800, E7815630 578100, WE93004 542800) for the IT portion;

WHEREAS, and the cost for the 2023 Main Site Support, Maintenance and Hosting Fee of \$6,072.40 will be charged to allocation code 1006 (A641004 542800, E7820000 578100, WE93004 542800) for publicity; and there are sufficient funds available to cover the costs; and

February 27, 2023

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2023-28

2023-28

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Village Attorney, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to effectuate an agreement between the Village of Freeport and Icon Enterprises d/b/a CivicPlus, 302 South 4th Street, Suite 500, Manhattan, Kansas 66502 for a term of one year effective March 1, 2023 to February 29, 2024 for the 2023 Total Fee of \$6,782.99.

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 Village of Freeport requires a professional for clerical services relating to Counsel’s Office; and

WHEREAS, the Village is requesting to enter into a Personal Services Agreement with Justin Budhu, 531 So Ocean Avenue, Freeport, New York 11520, effective retroactive to November 9, 2022 through February 1, 2023; and

WHEREAS, Budhu, has certain unique skills, abilities, expertise, and experience that may be useful to the Incorporated Village of Freeport at its Counsel’s Office from time to time, in particular clerical; and

WHEREAS, the services to be performed are professional services of a specialized nature and are therefore exempt from the competitive bidding requirements of General Municipal Law; and

WHEREAS, the services will be billed at the hourly rate of \$15.00 per hour with a not to exceed cost of \$570.00; and

WHEREAS, the cost of this contract will be charged to A142004 / 545700 and there is sufficient funding to cover this expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Village Attorney, the Board approve and the Mayor be authorized to execute any documentation necessary to effectuate a Personal Services Agreement with Justin Budhu, 531 So Ocean Avenue, Freeport, New York 11520, effective retroactive to November 9, 2022 through February 1, 2023 at the hourly rate of \$15.00 per hour with a not to exceed cost of \$570.00.

The Clerk polled the Board as follows:

February 27, 2023

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2023-29

2023-29

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 sidewalk resolution be adopted:

Re:	Miscellaneous Sidewalk Resolution	
Location:	Various	
Contractor:	Armond Cement Construction, Co. Inc.	Total \$16,497.52

WHEREAS, official notice was served in conformity with the law, upon the property owners to install sidewalks, curbs and/or aprons and

WHEREAS, said installation work not having been made within the time specified in official notice, namely, 30 days from the date of service thereof, and

WHEREAS, under authority conferred by law, the Board of Trustees thereupon caused the same to be installed at the expenditure as noted above, and as shown below.

NOW THEREFORE, BE IT RESOLVED, that there shall be assessed upon the lands affected or improved, the amount as noted above which is found to be just and reasonable and not exceeding the amount stated in the notice, and be it,

FURTHER RESOLVED that the Board of Trustees hereby authorizes that the amount thus assessed, if not paid within thirty (30) days hereafter, will be included in the next annual tax levies of the aforesaid premises unless the property owner selects the option of payment with interest over a five (5) year period.

Sidewalk Survey # MSW 103-2022

Owner: **Bajan Corp**
 PO Box 239
 Oyster Bay, NY 11771
 Sec, Blk., Lot (s): 62-126-10

Location: **171 S. Bayview Avenue AKA 295 W. Merrick Road**

Contractor: Armond Cement Construction Co., Inc.

Charges: \$3,230.16

Sidewalk Survey: #MSW 145-2022

Owner: **Family & Children's Association**
 377 Oak St 5th Floor

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2023-30

2023-30

Garden City, NY 11530
Sec, Blk, Lot(s): 62-076-19

Location: 155 Guy Lombardo Avenue
Contractor: Armond Cement Construction Co, Inc.
Charges: \$1,032.00

Sidewalk Survey: #MSW 386-2020

Owner: Beverly Cason
187 S. Ocean Avenue
Freeport, NY 11520
Sec, Blk, Lot(s): 62-109-2

Location: 187 S. Ocean Avenue
Contractor: Armond Cement Construction Co, Inc.
Charges: \$524.40

Sidewalk Survey: #MSW 271-2021

Owner: Robert Ortiz
217 S Ocean Avenue
Freeport, NY 11520
Sec, Blk, Lot(s): 62-110-11

Location: 217 S. Ocean Avenue
Contractor: Armond Cement Construction Co, Inc.
Charges: \$752.50

Sidewalk Survey: #MSW 110-2022

Owner: Hawthorne Gardens Owners
In care of Einsidler MGMT Inc
535 Broadhollow Road Ste A15
Melville, NY 11747
Sec, Blk, Lot(s): 62-109-1

Location: 153 Smith Street AKA 133-159 Smith Street
Contractor: Armond Cement Construction Co, Inc.
Charges: \$7,353.02

Sidewalk Survey: #MSW 130-2022

Owner: Melanie and Mesfin Savage
305 Smith Street
Freeport, NY 11520
Sec, Blk, Lot(s): 62-132-7

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2023-31

2023-31

Location: 305 Smith Street
Contractor: Armond Cement Construction Co, Inc.
Charges: \$839.52

Sidewalk Survey: #MSW 111-2022
Owner: A. Ruiz and R. Hernandez
315 Smith Street
Freeport, NY 11520
Sec, Blk, Lot(s): 62-132-4
Location: 315 Smith Street
Contractor: Armond Cement Construction Co, Inc.
Charges: \$652.96

Sidewalk Survey: #MSW 109-2022
Owner: Lillian Wittingham
334 Smith Street
Freeport, NY 11520
Sec, Blk, Lot(s): 62-126-202
Location: 334 Smith Street
Contractor: Armond Cement Construction Co, Inc.
Charges: \$2,112.96

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, on February 3, 2020, the Village of Freeport Board of Trustees approved a \$57,750 bond resolution to finance the acquisition of vehicles and playground equipment; and

WHEREAS, initial funding for the capital project, H199702 528800 – 2020 Vehicle-Clerk’s Office, was obtained on December 15, 2020 through the issuance of the 2020 Series F Bond Anticipation Notes (BAN); and

WHEREAS, this BAN was rolled to the 2021 Series A BOND on April 28, 2021; and

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2023-32

2023-32

WHEREAS, there is \$2,880.18 remaining in the project from debt proceeds and the interest earned as of January 31, 2023 is \$83.71; and

WHEREAS, the NYLFN §165.00 and the New York State Comptroller mandates that the Village Board give authorization to close out a bond authorization and reserve any excess BOND proceeds and earned interest to pay down current debt, if due, or transfer to a Debt Service Reserve to pay down future debt; and

WHEREAS, the remaining cash available will be transferred to the General Fund Reserve for Debt Service cash account A200 120171; and

NOW THEREFORE BE IT RESOLVED, that the Board authorize the closing of the above referenced bond authorization and associated Capital Project and the remaining debt proceeds and interest, a sum of Two Thousand Nine Hundred Sixty-Three Dollars and Eighty-Nine Cents (\$2,963.89) as of January 31, 2022 be moved to the General Fund Reserve for Debt Service cash account A200 120171.

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, on February 3, 2020, the Village of Freeport Board of Trustees approved a \$57,750 bond resolution to finance the acquisition of vehicles and playground equipment; and

WHEREAS, initial funding for the capital project, H719702 522140 – 2020 Liberty Park Playground Equipment, was obtained on December 15, 2020 through the issuance of the 2020 Series F Bond Anticipation Notes (BAN); and

WHEREAS, this BAN was rolled to the 2021 Series A BOND on April 28, 2021; and

WHEREAS, there is \$667.87 remaining in the project from debt proceeds and the interest earned as of January 31, 2023 is \$16.14; and

WHEREAS, the NYLFN §165.00 and the New York State Comptroller mandates that the Village Board give authorization to close out a bond authorization and reserve any excess BOND proceeds and earned interest to pay down current debt, if due, or transfer to a Debt Service Reserve to pay down future debt; and

WHEREAS, the remaining cash available will be transferred to the General Fund

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2023-33

2023-33

Reserve for Debt Service cash account A200 120171; and

NOW THEREFORE BE IT RESOLVED, that the Board authorize the closing of the above referenced bond authorization and associated Capital Project and the remaining debt proceeds and interest, a sum of Six Hundred Eighty-Four Dollars and One Cent (\$684.01) as of January 31, 2022 be moved to the General Fund Reserve for Debt Service cash account A200 120171.

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

Trustee Squeri offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF FREEPORT, NEW YORK, ADOPTED FEBRUARY 27, 2023, AUTHORIZING THE ACQUISITION OF TURNOUT GEAR, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS OF SAID VILLAGE IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$150,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF FREEPORT, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Freeport, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to acquire turnout gear. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Village in the principal amount of not to exceed \$150,000

February 27, 2023

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2023-34

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to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$150,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to object(s) or purpose(s) for which \$150,000 of said bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 of the Law, is five (5) years.

(b) The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing credit enhancement agreements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

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Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "*Freeport Herald Leader*," a newspaper having general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

* * *

The adoption of the foregoing resolution was seconded by Deputy Mayor Ellerbe.

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 resolution was declared adopted.

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2023-37

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Trustee Martinez offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF FREEPORT, NASSAU COUNTY, NEW YORK, ADOPTED FEBRUARY 27, 2023, AUTHORIZING THE PAYMENT OF TAX CERTIORARI JUDGMENTS, COMPROMISED CLAIMS AND SETTLED CLAIMS PAYABLE IN THE FISCAL YEAR ENDING FEBRUARY 29, 2024, RESULTING FROM COURT ORDERS PURSUANT TO TAX CERTIORARI PROCEEDINGS BROUGHT UNDER ARTICLE SEVEN OF THE REAL PROPERTY TAX LAW, STATING THE ESTIMATED TOTAL COST THEREOF IS \$1,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,000,000 BONDS OF SAID VILLAGE TO FINANCE SAID APPROPRIATION

Recitals

WHEREAS, the Board of Trustees (the “Board”) the Village of Freeport, Nassau County, New York (the “Village”) proposes to authorize the issuance of \$1,000,000 in serial bonds of the Village to finance amounts due with respect to the judgments, compromised claims or settled claims resulting from court orders on proceedings brought pursuant to Article Seven of the Real Property Tax Law (the “Tax Certiorari Refund Payments”) with respect to the fiscal year ending February 29, 2024; and

WHEREAS, the Board now wishes to appropriate funds and to authorize the issuance of the Village’s serial bonds and bond anticipation notes to be issued to finance the Tax Certiorari Refund Payments.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Freeport, Nassau County, New York (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

Section 1. The Board of Trustees (the “Board”) the Village of Freeport, Nassau County, New York (the “Village”) is hereby authorized to finance amounts due with respect to the judgments, compromised claims or settled claims resulting from court orders on proceedings brought pursuant to Article Seven of the Real Property Tax Law (the “Tax Certiorari Refund Payments”) with respect to the fiscal year ending February 29, 2024. The estimated total cost of said Tax Certiorari Refund Payments, including legal and professional fees and preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$1,000,000 serial

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bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property of the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. No amount has previously been authorized by the Village to be applied to the payment of such Tax Certiorari Refund Payments.

Section 2. Serial bonds of the Village in the principal amount of \$1,000,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance said appropriation, provided, however the Village Treasurer must file with the Village Clerk and Bond Counsel, a copy of a final court order for any judgments, compromised claims or settled claims to be financed by this bond resolution prior to the sale of bonds or any bond anticipation notes issued in anticipation of said bonds to finance such judgments, compromised claims or settled claims.

Section 3. The period of probable usefulness applicable to the purpose for which said \$1,000,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 33-a. of the Law, is five (5) years; provided, however, that if the total amount of tax refunds to be paid pursuant to court orders during the fiscal year in which any of said refunds are paid is (i) more than one per centum but less than three per centum of the Village's tax levy for such fiscal year, then the period of probable usefulness applicable to the bonds issued in connection with any such refund shall be ten (10) years, and (ii) more than three per centum but less than five per centum of the Village's tax levy for such fiscal year, then the period of probable usefulness applicable to the bonds issued in connection with any such refund shall be fifteen (15) years, and (iii) more than five per centum of the Village's tax levy for such fiscal year, then the period of probable usefulness applicable to the bonds issued in connection with any such refund shall be twenty (20) years.

Section 4. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the purposes described in this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds

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2023-39

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or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

Section 5. The final maturity of the bonds herein authorized to be issued may be in excess of five (5) years provided the conditions set forth in section 3 hereof are met.

Section 6. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, and of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 8. The Board of Trustees hereby determines that this resolution and the actions authorized herein constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of

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2023-40

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Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Board of Trustees as a condition precedent to the adoption of this resolution.

Section 9. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 10. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "Freeport Herald Leader," a newspaper having a general circulation in the Village and hereby designated the official newspaper of said Village for such publication..

* * *

The adoption of the foregoing resolution was seconded by Trustee Sanchez.

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

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2023-41

2023-41

The resolution was declared adopted.

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

WHEREAS, on December 19, 2022, the Board authorized the Village Clerk to publish a Notice to Bidders for the “Furnishing of Fire Hydrants, Gate Valves, Repair Couplings, Repair Fittings & Incidentals – 2023” (Contracts# 1, 2, 3, & 4); and

WHEREAS, Contract #1 is for gate valves and valve boxes, Contract #2 is for fire hydrants, Contract #3 is for repair couplings, and Contract #4 is for repair materials for water services; and

WHEREAS, seventeen (17) bids were distributed and three (3) bids were received on January 10, 2023 for the referenced purchase contracts as follows:

Three (3) bids were received for Contract #1, and T. Mina Supply Inc., 17 Expressway Drive, North, Medford, NY 11763, was the low bidder in the amount of \$ 113,715.00;

One (1) bid was received for Contract #2, and T. Mina Supply Inc., 17 Expressway Drive North, Medford, NY 11763, was the low bidder in the amount of \$ 128,601.00;

Three (3) bids were received for Contract #3, and Ferguson Waterworks, 200 Atlantic Avenue, New Hyde Park, NY 11040, was the low bidder in the amount of \$ 60,863.05;

Three (3) bids were received for Contract #4, and Ferguson Waterworks, 200 Atlantic Avenue, New Hyde Park, NY 11040, was the low bidder in the amount of \$ 30,553.34; and

WHEREAS, T. Mina Supply, Inc, 168 Long Island Avenue, Holtsville, NY 11742, was the lowest responsible bidder for Contracts #1 and #2, for a total bid of \$242,316.00; and

WHEREAS, this contract will be effective March 1, 2023 through February 29, 2024, with an option for two (2) one-year extensions if mutually accepted; and

WHEREAS, purchases from this contract will be utilized by several subdivisions of the Water Department, and therefore any purchase under this contract will be paid for under the appropriate account in the Water Department; 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 for the Furnishing of Fire Hydrants, Gate Valves, Repair Couplings, Repair Fittings & Incidentals – 2023 (Contracts #1 & #2) to T. Mina Supply Inc., 17 Expressway Drive North, Medford, NY 11763, for a total of \$242,316.00 for a contract

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2023-42

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term effective March 1, 2023 through February 29, 2024, with an option for two (2) one-year extensions if mutually accepted.

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, on November 14, 2022, the Board authorized the Village Clerk to advertise a Notice to Bidders for the “Installation of Automatic Blow Off for Wells #5 and #6 and Replacement of Motor Control Center for Well #6”; and

WHEREAS, nine (9) bids were picked up and three bids were received on December 6, 2022 for the referenced contract; and

WHEREAS, on February 6, 2023, the contract was awarded to Philip Ross Industries Inc., 88 Duryea Road, Suite 204, Melville, NY 11747, the lowest responsible bidder, in the amount of \$732,000.00; and

WHEREAS, at that time, funding was anticipated to come from two existing bond issues, however, it was later determined that it would be beneficial to modify one of the bond resolutions in lieu of funding the project from two bond resolutions; and

WHEREAS, funding for this project will come from a bond that was authorized by the Mayor and the Board of Trustees on July 12, 2021 as well as anticipated modifications to this borrowing; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the previous approval of the award of the contract to Philip Ross Industries Inc., 88 Duryea Road, Suite 204, Melville, NY 11747 for the Installation of Automatic Blow Off for Wells #5 and #6 and Replacement of Motor Control Center for Well #6, in the amount of \$732,000.00 be modified to reflect the change in funding source.

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

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Mayor Kennedy opened the meeting to questions and comments from those present; whereupon there were no comments.

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 7:30 P.M.

Pamela Walsh Boening
Village Clerk

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