

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

2023-1

A meeting of the Board of Trustees of the Incorporated Village of Freeport was held on Monday, August 14, 2023 at 5:00 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 5:01 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 5:02 P.M., it was moved by Trustee Sanchez, seconded by Deputy Mayor Ellerbe and 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 5:06 P.M. Trustee Squeri entered Executive Session.

At 5:30 P.M., motion was made by Trustee Squeri, seconded by Trustee Sanchez 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 fifteen (15) residents were present.

Deputy Mayor Ellerbe led in the Pledge of Allegiance.

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

2023-2

2023-2

It was moved by Trustee Sanchez, seconded by Deputy Mayor Ellerbe, and unanimously carried to approve the Board of Trustees Minutes of July 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 Trustee Sanchez, seconded by Deputy Mayor Ellerbe, and carried to approve the Board of Trustees Dangerous/Nuisance Building Hearing Minutes of August 3, 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 |

Motion was moved by Trustee Sanchez, seconded by Deputy Mayor Ellerbe and unanimously carried to approve the block party permit application submitted by Steven Mayo, 42 Forest Avenue, to hold a Block Party on September 2, 2023 (rain date: September 9, 2023), on Forest Avenue between N. Main Street and Ellison Avenue, from 1:00 P.M. to 7:00 P.M.; with a reminder to those in attendance that the Village has an “Open Container” law among its ordinances which stipulates that no alcoholic beverages may be served or carried on the streets and the Police, Fire and Highway Departments be so notified.

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 Assessor is requesting Board approval of the court-ordered Small Claims Assessment Review (SCAR) reductions for the 2022/23 tax year for:

| SCARS Petitioner / Island | Property Address | Current 2022 AV TOTAL | SCARS 2022 AV | Reduction Amount | Refund (.62296) | Fee (\$30) | Total Refund |
|---------------------------|------------------|-----------------------|---------------|------------------|-----------------|------------|--------------|
| | | | | | | | |

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

2023-3

2023-3

| | | | | | | | |
|---|-----------------|--------|--------|-------|------------|-------|-------------------|
| Property Tax Reduction | | | | | | | |
| 55-496-7 | 4 Oxford Drive | 7,040 | 6,660 | 380 | \$236.72 | \$0.0 | \$236.72 |
| 62-112-13 | 299 S Ocean Ave | 8,900 | 7,152 | 1,748 | \$1,088.93 | \$0.0 | \$1,088.93 |
| Island Property Tax Reduction TOTAL | | 15,940 | 13,812 | 2,128 | \$1,325.66 | 0.0 | \$1,325.65 |

NOW THEREFORE BE IT RESOLVED, that the Board of Assessment Review comprised of members of the Board of Trustees, be authorized to approve the court-ordered Small Claims Assessment Review (SCAR) reductions, and authorize the Village Treasurer to issue a refund to Island Property Tax Reduction for the amount of \$1,325.65.

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 Assessor is requesting Board approval of the court-ordered Small Claims Assessment Review (SCAR) reductions for the 2022/23 tax year for:

| SCARS Petitioner / LITT LAW GROUP | Property Address | Current 2022 AV TOTAL | SCARS 2022 AV | Reduction Amount | Refund (.62296) | Fee (\$30) | Total Refund |
|-----------------------------------|------------------|-----------------------|---------------|------------------|-----------------|------------|--------------|
| 54-052-1 | 84 Delaware Ave | 10,450 | 8,976 | 1,474 | \$918.24 | \$0.0 | \$918.24 |
| 54-312-4 | 1 Forbes Pl | 7,046 | 6,336 | 710 | \$442.30 | \$0.0 | \$442.30 |
| 54-316-143 | 489 Ray Street | 8,600 | 7,524 | 1,076 | \$670.30 | \$0.0 | \$670.30 |
| 55-246-83 | 118 Washburn Ave | 6,708 | 6,270 | 438 | \$272.86 | \$0.0 | \$272.86 |
| 55-371-67 | 224 Jay Street | 6,020 | 5,808 | 212 | \$132.07 | \$0.0 | \$132.07 |

August 14, 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.

2023-4

2023-4

| | | | | | | | |
|----------------|---------------|--------|--------|-------|-----------|-------|-------------------|
| 62-069-200 | 575 S Main St | 7,050 | 6,600 | 450 | \$280.33 | \$0.0 | \$280.33 |
| LITT LAW GROUP | TOTAL | 45,874 | 41,514 | 4,360 | \$2716.10 | \$0.0 | \$2,716.10 |

NOW THEREFORE BE IT RESOLVED, that the Board of Assessment Review comprised of members of the Board of Trustees, be authorized to approve the court-ordered Small Claims Assessment Review (SCAR) reductions, and authorize the Village Treasurer to issue a refund to Litt Law Group for the amount of \$2,716.10.

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 Assessor is requesting Board approval of the court-ordered Small Claims Assessment Review (SCAR) reductions for:

| SCARS Petitioner | Current AV TOTAL | SCARS AV | Reduction Amount | Refund (.62296) | Fee (\$30) | Total Refund |
|--------------------------------|------------------|----------|------------------|-----------------|------------|--------------|
| Maidenbaum Sternberg 2022/2023 | 68,209 | 64,321 | 3,888 | \$2,422.07 | \$270 | \$2,692.08 |

WHEREAS, these refunds are from grievances to the 2022/2023 Final Assessment Roll and apply to the following properties in the following amounts; and

| | | |
|-------------|---------------------------|--------|
| 54--067-11 | 273 RANDALL AVE | 115.97 |
| 54--088-3 | 377 PINE ST | 347.71 |
| 54--306-23 | 23 ONSLOW PL | 212.53 |
| 55--241-304 | 158 RUTLAND RD | 213.15 |
| 55--384-4 | 208 N LONG BEACH AVE | 869.75 |
| 62--062-109 | 55 W 2nd ST | 296.63 |
| 62--112-12 | 297 S OCEAN AVE | 117.21 |
| 62--112-19 | 287 S OCEAN AVE | 138.40 |
| 62--234-64 | 253 WESTSIDE AVE - UNIT E | 380.73 |

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

2023-5

2023-5

TOTAL 2,692.08

NOW THEREFORE BE IT RESOLVED, that the Board of Assessment Review comprised of members of the Board of Trustees, be authorized to approve the court-ordered Small Claims Assessment Review (SCAR) reductions, and authorize the Village Treasurer to issue a refund to Maidenbaum Sternberg for the amount of \$2,692.08.

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 Assessor is requesting Board approval of the court-ordered Small Claims Assessment Review (SCAR) reductions for:

| SCARS Petitioner 2022/2023 | Current AV TOTAL | SCARS AV | Reduction Amount | Refund (.62296) | Fee (\$30) | Total Refund |
|-------------------------------|------------------|----------|------------------|-----------------|------------|--------------|
| Property Tax Reduction (PTRC) | 85,218 | 78,054 | 7,164 | \$4,462.88 | \$0 | \$4,462.88 |

WHEREAS, these refunds are from grievances to the 2022/2023 Final Assessment Roll and apply to the following properties in the following amounts; and

| | | |
|-------------|---------------------|-----------------|
| 36--537-4 | 37 WILLOWBROOK LN | 1,055.29 |
| 36--K-1-55 | 548 N BROOKSIDE AVE | 124.59 |
| 54--204-645 | 191 MADISON AVE | 257.28 |
| 55--228-80 | 4 MIDWOOD PL | 984.28 |
| 55--372-127 | 117 LILLIAN AVE | 338.89 |
| 55--386-362 | 237 WALLACE ST | 250.43 |
| 62--034-173 | 275 WESTSIDE AVE | 177.54 |
| 62--091-392 | 87 RAY ST | 189.38 |
| 62--159-499 | 116 NASSAU AVE | 180.04 |
| 62--160-453 | 111 FRONT ST | 421.74 |
| 62--196-13 | 67 E 2nd ST | 483.42 |
| | TOTAL | 4,462.88 |

August 14, 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.

2023-6

2023-6

NOW THEREFORE BE IT RESOLVED, that the Board of Assessment Review comprised of members of the Board of Trustees, be authorized to approve the court-ordered Small Claims Assessment Review (SCAR) reductions, and authorize the Village Treasurer to issue a refund to Property Tax Reduction (PTRC) for the amount of \$4,462.88.

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 the Board to approve an emergency repair of the Substation 2PT (located at Power Plant #2) substation transformer; and

WHEREAS, at Substation 2PT the Utility has a Delta Star Transformer #2 (69KV 60MVA) substation transformer that is used to step up the voltage of the LM6000 generator from 13,800 volts to 69,000 volts and is vital for the continued use of the LM6000; and

WHEREAS, the transformer oil reservoir is 4600 gallons and has an oil leak that has rapidly increased in volume requiring an emergency repair; and

WHEREAS, three (3) vendors listed below have been contacted; and

WHEREAS, the repair quotes we received were as follows:

- Delta Star Inc - \$68,916.00
- RESA Service - \$81,345.00
- MR – Reinhausen Manufacturing - \$122,037.08

WHEREAS, Delta Star, Inc., 3550 Mayflower Dr., Lynchburg, Virginia 24501, is the most qualified vendor and the lowest quote to perform the work for a cost of \$68,916.00 plus consumables; and

WHEREAS, this repair is an extreme emergency for the operation of the LM6000; and

WHEREAS, the cost of this service will be charged to Account E7312220 573000 (Substation Supply) 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, the Mayor be and hereby is authorized to sign any documentation

August 14, 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.

2023-7

2023-7

necessary to approve an emergency repair of the Substation 2PT (located at Power Plant #2) substation transformer with Delta Star, Inc., 3550 Mayflower Dr., Lynchburg, Virginia 24501, for a cost of \$68,916.00 plus consumables.

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 April 30, 2018, the Village of Freeport awarded the bid for the Uniformed Guard Services for Power Plant 1 (Bid #18-03-ELEC-443) to Arrow Security (Arrow), 300 West Main Street, Smithtown, NY 11787 for a term from May 1, 2018 through February 28, 2021, at a cost of \$546,840.00 with an option to extend the contract for up to two (2) years; and

WHEREAS, the Board subsequently renewed the contract for the first and second renewal terms from March 1, 2021 through February 28, 2023, at annual costs of \$203,112.00; on April 3, 2023, while in the process of re-bidding the contract, the Board approved to extend the contract (Amendment 3) for the period retroactive to March 1, 2023 until April 30, 2023, in the amount of \$33,852; on May 15, 2023, the Board approved to extend the contract (Amendment 4) for the period retroactive to May 1, 2023 until June 30, 2023, in the amount of \$33,852; and on July 17, 2023, the Board approved to extend the contract (Amendment 5) for the period retroactive to July 1, 2023 until July 31, 2023, in the amount of \$16,926.00; and

WHEREAS, the Superintendent of Electric Utilities is requesting Board approval that the guard services contract (Amendment 6) be retroactively extended for two months with the rate remaining fixed, for the period from August 1, 2023 until September 30, 2023, in the amount of \$16,926.00 per month; and

WHEREAS, the cost for these services shall be charged to E 7191001 511100 (Security Contract – PP1) and there are sufficient funds available to cover this expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric, the Board approve and the Mayor be and hereby extend the contract (Amendment 6) with Arrow Security, 300 West Main Street, Smithtown, NY 11787, for Guard Services at Power Plant 1 with the rate remaining fixed (Second Renewal Term Rate) for the period retroactive to August 1, 2023 until September 30, 2023, in the amount of \$16,926.00 per month.

The Clerk polled the Board as follows:

August 14, 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.

2023-8

2023-8

| | |
|----------------------|----------|
| 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 Utility is in need of a Borescope and Various Inspections of LM6000 Package, which is required to maintain the optimal functioning of the LM6000 unit located at Power Plant 2; and

WHEREAS, Reed Services of Wyoming, Inc., (RSI) 3909 West 5th Street, Cheyenne, Wyoming 82007 has been the vendor for this service since fiscal year 2020/21, and the rate for the 2022/23 year was \$11,525.00, and the 2023/24 optional extension is \$11,700.00; and

WHEREAS, RSI is willing to enter into a professional services agreement to continue providing said service for three years with an optional fourth year and has proposed a flat rate cost of \$10,750.00 for year 2023/24, \$11,250.00 for year 2024/25, \$11,850.00 for year 2025/26, and 12,450.00 for the optional year of 2026/27 (representing a decrease of over 8% for the first year from optional extension rate, with an increase of approximately 5% for each additional year); and

WHEREAS, emergency services outside the scope of the contract will be billed at the following hourly rates:

| | |
|---|----------|
| 2022/23 Contract Rate | \$180.00 |
| 2023/24 Extension Rate | \$185.00 |
| 2023/24 Proposed 1 st year Contract Rate | \$190.00 |
| 2024/25 Proposed 2 nd year Contract Rate | \$200.00 |
| 2025/26 Proposed 3 rd year Contract Rate | \$210.00 |
| 2026/27 Proposed Optional Extension Contract Rate | \$220.00 |

WHEREAS, the cost of this service will be charged to Account E7131006 510000 (Supervision and Engineering – LM6000) and there are sufficient funds in this account to cover this expense; and

NOW THEREFORE BE IT RESOLVED, that the Board approve and the Mayor be and hereby is authorized to sign any documentation necessary to enter into a contract for the the Borescope and Package Inspection for the LM6000 PC Package with Reed Services of Wyoming, Inc., (RSI) 3909 West 5th Street, Cheyenne, Wyoming 82007, for a three year period running retroactively from March 1, 2023 through February 28, 2026 with an optional one year extension at a cost of \$10,750.00 for year 2023/24, \$11,250.00 for year 2024/25, \$11,850.00 for

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

2023-9

2023-9

year 2025/26, and 12,450.00 for the optional year of 2026/27, with emergency rates as listed above.

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 Utility is in need of a company able to provide a Calibration Function Test of the LM6000 PC Package; and

WHEREAS, this calibration service is specialized, requires specialty tooling, calibrates controls that provide feedback for fuel control along with safety protection of the engine, and is required to maintain the optimal functioning of the LM6000 unit located at Power Plant 2.; and

WHEREAS, Reed Services of Wyoming, Inc., (RSI) 3909 West 5th Street, Cheyenne, Wyoming 82007 has been the vendor for this service since fiscal year 2020/21, and the rate for the 2022/23 contract was \$9,445.00; and

WHEREAS, RSI is willing to enter into a professional services agreement to continue providing said service for three years with an optional fourth year and has proposed a not to exceed amount of \$10,750.00 for year 2023/24, \$11,250.00 for year 2024/25, \$11,850.00 for year 2025/26, and 12,450.00 for the optional year of 2026/27 (representing an increase of approximately 13% for the first year, and approximately 5% for each additional year); and

WHEREAS, this expense will be charged to Account E7131006 510000 and there are sufficient funds in those accounts to cover the cost of this service; and

THEREFOR BE IT RESOLVED that the Board approve and the Mayor be authorized to sign any documentation necessary to enter into a contract for the Calibration Function Test of LM6000 Package with Reed Services of Wyoming, Inc., (RSI) 3909 West 5th Street, Cheyenne, Wyoming 82007, for a three year period running retroactively from March 1, 2023 through February 28, 2026 with an optional one year extension at a cost of \$10,750.00 for year 2023/24, \$11,250.00 for year 2024/25, \$11,850.00 for year 2025/26, and 12,450.00 for the optional year of 2026/27.

The Clerk polled the Board as follows:

| | |
|----------------------|----------|
| Deputy Mayor Ellerbe | In Favor |
| Trustee Martinez | In Favor |
| Trustee Squeri | In Favor |
| Trustee Sanchez | 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.

2023-10

2023-10

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 interested in discussing energy storage opportunities with Convergent Energy Solutions, LLC, 7 Times Square, Suite 3504, New York, New York 10036; and

WHEREAS, participation in this discussion could be extremely beneficial to the Village; and

WHEREAS, according to Convergent Energy, the information the Department will be discussing has been classified as confidential; 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 effectuate a Mutual Confidential Disclosure Agreement between the Village of Freeport and Convergent Energy Solutions, LLC, 7 Times Square, Suite 3504, New York, New York 10036.

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 Incorporated Village of Freeport through the Freeport Fire Department provides members with firefighting accessories including but not limited to: boots, gloves, helmets and hoods; and

WHEREAS, on February 6, 2023, the Board approved a contract with Emergency Responder Products | 911ERP, 175 Bethpage Sweet Hollow Road, Old Bethpage, New York 11804 for a not to exceed amount of \$19,500.00 for a term running from March 1, 2023 through February 29, 2024; and

WHEREAS, due to a significant influx of new members, the Executive Director of the Fire Department is requesting approval from the Board to increase the contract by \$15,000 for a total amount not to exceed \$34,500.00; and

WHEREAS, the funding will be available in Budget Line A341002 520600 Uniforms to

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

2023-11

2023-11

satisfy this request; and

NOW THEREFORE BE IT RESOLVED, that the Mayor be and hereby is authorized to sign any paperwork necessary to effectuate an increase in the contract for the provision of required Fire Department dress uniforms with Emergency Responder Products | 911ERP, 175 Bethpage Sweet Hollow Road, Old Bethpage, New York 11804 for an amount not to exceed \$34,500.00 for a term beginning on March 1, 2023 through February 29, 2024.

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 Landmarks Preservation Commission for the Village of Freeport applied for a grant from the William G. Pomeroy Foundation for the installation of four Historic Markers at historic locations; and

WHEREAS, the William G. Pomeroy Foundation awarded grants in the amount of \$6,200 in the form of two checks in the amounts of \$1,550.00 and \$4,650.00 made out to the Landmarks Preservation Commission; and

WHEREAS, the roadside markers will read:

CHRIST LUTHERAN
 ESTABLISHED 1909. CHURCH
 DESIGNED BY E. G. W. DIETRICH
 NOTED ARCHITECT, FREEPORT
 RESIDENT AND CONGREGANT.
 DEDICATED APRIL 25, 1926
 WILLIAM G. POMEROY FOUNDATION 2023

FREEPORT RIVER
 BY 1873 UNTIL CA. 1923,
 CENTER OF FREEPORT'S OYSTER
 INDUSTRY. SHELLS USED TO PAVE
 LOCAL ROADS. WATERWAY MADE
 DEEPER AND WIDER IN 1934.
 WILLIAM G. POMEROY FOUNDATION 2023

MERRICK ROAD
 FROM 1852 UNTIL CA. 1883,
 PART OF MERRICK & JAMAICA
 PLANK ROAD. PAVED IN 1894,
 BECAME FAVORITE OF BICYCLE A&
 AUTOMOBILE ENTHUSIASTS.
 WILLIAM G. POMEROY FOUNDATION 2023

FREEPORT POLICE
 JOHN DUNBAR APPOINTED AS
 FIRST VILLAGE OFFICER IN 1983,
 DEPARTMENT ORGANIZED 1921
 FIRST LONG ISLAND POLICE FORCE
 TO USE TRAINED CANINES 1962.
 WILLIAM G. POMEROY FOUNDATION 2023

NOW THEREFORE BE IT RESOLVED, that the Chairperson for the Landmarks Preservation Commission be and hereby is retroactively authorized to sign the grant awards from

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

2023-12

2023-12

the Pomeroy Foundation to the Village of Freeport and that the Landmarks Preservation Commission be able to draw upon said funds and implement the conditions of the grant awards.

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 |

August 14, 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.

2023-13

2023-13

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

WHEREAS, the Grants Administrator is requesting Board permission to submit a grant proposal to the New York State Office of Parks, Recreation, and Historic Places for their Boating Infrastructure Grant program, supporting transient boating in Freeport; and

WHEREAS, the Village has a license for the Town of Hempstead Guy Lombardo Marina, with a subsequent sub-license issues to Guy Lombardo Marina, Incorporated; and

WHEREAS, the marina currently rents 67% of slips on a seasonal basis, and there is a need for transient slips; and

WHEREAS, 8.5% or 24 of the 284 slips will be dedicated to transient use; and

WHEREAS, the marina’s bulkhead is in need of replacement and the Village is seeking grant support to replace the bulkhead that will be dedicated to the transient slips (580 feet of bulkhead) and to replace the floating docks the visitors use to reach their boats; and:

WHEREAS, the project will cost \$800,400 and the Village will provide a match by investing \$95,700 in cash and \$104,400 in soft costs, with a proposed grant of \$600,300; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Grants Administrator, the Mayor (or his designee) be and hereby is authorized to sign any documentation necessary to submit a grant proposal to New York State Office of Parks, Recreation, and Historic Places for their Boating Infrastructure Grant program, supporting transient boating in Freeport with a proposed grant of \$600,300 and a Village match of \$200,100.

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 Executive Director of Human Resources is requesting retroactive Board approval for a contract renewal with All City Management, 10440 Pioneer Boulevard, Suite 5, Santa Fe Springs, California, 90670 for the provision of crossing guards at the hourly rate of \$35.36 per hour (an increase of \$.87 per hour from the previous contract) for a not to exceed cost of \$300,000 for a retroactive term from March 1, 2023 through February 29, 2024; and

August 14, 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.

2023-14

2023-14

WHEREAS, the contract covers all insurance expenses, including the provision of Workers Compensation and Unemployment Insurance; and

WHEREAS, this service shall be charged to A143004 545700 (Non Employee Salaries); and

NOW THEREFORE BE IT RESOLVED, that 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 an agreement between the Village of Freeport and All City Management, 10440 Pioneer Boulevard, Suite 5, Santa Fe Springs, California, 90670 for a retroactive term from March 1, 2023 through February 29, 2024 at an hourly rate of \$35.36 per crossing guard for a not to exceed cost of \$300,000.

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 Sanchez that the following resolution be adopted:

WHEREAS, on February 3, 2020, the Board awarded 2020 Annual Curb and Sidewalk Contract (which provides unit prices for the repair of concrete curb and concrete sidewalk) to Armond Cement Contracting Co. Inc., 1808 Alice Street, Merrick, New York 11566 in the amount of \$251,300 for a one year term expiring February 28, 2021 with an option for two (2) additional one (1) year extensions at no increase in unit prices; and

WHEREAS, on February 8, 2021, the Board approved the contract extension for the first one-year term from March 1, 2021 until February 28, 2022; and on February 7, 2022, the Board approved the contract extension for the second and final one-year term from March 1, 2022 to February 28, 2023; and

WHEREAS, fiscal year ending 2023; \$288,851.96 has been spent under this contract; and

WHEREAS, the Village is requesting to retroactively increase the contract to cover the overage with Armond Cement Contracting Co. Inc., 1808 Alice Street, Merrick, New York 11566 from \$251,300.00 to \$288,851.96, with no increase in the unit prices, for a retroactive term to March 1, 2022 through February 28, 2023; and

WHEREAS, this overage is primarily due to an increase in repairs to residential sidewalk defects; the Village will bill the homeowners for the repairs to the residential sidewalks; and

August 14, 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.

2023-15

2023-15

WHEREAS, the services provided under this contract can be utilized by any department within the Village and therefore, work performed under this contract will be paid for under the appropriate account or budget line from the requesting department and the department head will determine which appropriate account or budget line to charge the work performed under this contract; and

NOW THEREFORE BE IT RESOLVED, that the Mayor be and hereby is authorized to execute any and all documentation necessary to increase the “2020 Annual Curb and Sidewalk Contract” with Armond Cement Contracting Co. Inc., 1808 Alice Street, Merrick, New York 11566, for a retroactive term to March 1, 2022 through February 28, 2023 from \$251,300.00 to \$288,851.96.

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

WHEREAS, on July 3, 2023, the Board approved a publication of a notice to bidders for Exterior Repairs to Residential Houses Re-Bid which calls for repairs to the following residences that are in a state of disrepair; and

- CONTRACT “A” 60 Meister Blvd, Freeport, N.Y.
- CONTRACT “B” 68 Ann Drive South, Freeport, N.Y.
- CONTRACT “C” 82 President Street, Freeport, N.Y.
- CONTRACT “D” 115 North Bergen Place, Freeport, N.Y.
- CONTRACT “E” 213 Maxon Avenue, Freeport, N.Y.
- CONTRACT “F” 216 Sportsman Avenue, Freeport, N.Y.
- CONTRACT “G” 332 South Brookside Avenue, Freeport, N.Y.

WHEREAS, thirty-one (31) bids were picked up and four (4) bids were received at the bid opening on July 25, 2023 and all bids were in good order; and

WHEREAS, the lowest responsible bid for the following contracts was submitted by D.F. Eastwood Construction Corp. d/b/a All Island Fence and Railings, 1320 Motor Parkway, Islandia, New York 11749 in the following amounts; and

| | |
|---|-------------|
| CONTRACT “A” 60 Meister Blvd, Freeport, N.Y. | \$72,800.00 |
| CONTRACT “B” 68 Ann Drive South, Freeport, N.Y. | \$61,800.00 |
| CONTRACT “E” 213 Maxon Avenue, Freeport, N.Y. | \$91,000.00 |

August 14, 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

CONTRACT “G” 332 South Brookside Avenue, Freeport, N.Y. \$70,000.00

WHEREAS, funding for this work will come from the Village General Fund, with the account number to be determined at a later date; and

NOW THEREFORE BE IT RESOLVED, based on the recommendation of the Superintendent of Public Works, that the Mayor be and hereby is authorized to sign any paperwork necessary to enter into a contract with D.F. Eastwood Construction Corp. d/b/a All Island Fence and Railings, 1320 Motor Parkway, Islandia, New York 11749 for the Exterior Repairs to Residential Houses – Re-Bid (A, B, E, and G) in the total amount of \$295,600.

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 July 3, 2023, the Board approved a publication of a notice to bidders for Exterior Repairs to Residential Houses Re-Bid which calls for repairs to the following residences that are in a state of disrepair; and

CONTRACT “A” 60 Meister Blvd, Freeport, N.Y.
 CONTRACT “B” 68 Ann Drive South, Freeport, N.Y.
 CONTRACT “C” 82 President Street, Freeport, N.Y.
 CONTRACT “D” 115 North Bergen Place, Freeport, N.Y.
 CONTRACT “E” 213 Maxon Avenue, Freeport, N.Y.
 CONTRACT “F” 216 Sportsman Avenue, Freeport, N.Y.
 CONTRACT “G” 332 South Brookside Avenue, Freeport, N.Y.

WHEREAS, thirty-one (31) bids were picked up and four (4) bids were received at the bid opening on July 25, 2023 and all bids were in good order; and

WHEREAS, the lowest responsible bid for the following contracts was submitted by G&D Restoration, 215 Andrews Road, Mineola, New York 11501 in the following amounts; and

| | |
|---|-------------|
| CONTRACT “C” 82 President Street, Freeport, N.Y. | \$13,422.00 |
| CONTRACT “F” 216 Sportsman Avenue, Freeport, N.Y. | \$33,244.00 |

WHEREAS, funding for this work will come from the Village General Fund, with the account number to be determined at a later date; and

August 14, 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.

2023-17

2023-17

NOW THEREFORE BE IT RESOLVED, based on the recommendation of the Superintendent of Public Works, that the Mayor be and hereby is authorized to sign any paperwork necessary to enter into a contract with G&D Restoration, 215 Andrews Road, Mineola, New York 11501 for the Exterior Repairs to Residential Houses – Re-Bid (C and F) in the total amount of \$46,666.

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:

RESOLUTION OF THE BOARD OF TRUSTEES FOR THE INCORPORATED VILLAGE OF FREEPORT DETERMINING THAT THE RECONSTRUCTION OF THE BULKHEAD, BOARDWALK AND FLOATING DOCK AT GUY LOMBARDO MARINA CONSTITUTES A TYPE II ACTION WITH NO FURTHER REVIEW REQUIRED FOR S.E.Q.R.A. PURPOSES

WHEREAS, The Village of Freeport is seeking \$800,400 for the reconstruction of bulkhead, boardwalk and floating dock at Guy Lombardo Marina from the New York State Office of Parks, Recreation and Historic Places’ Boating Infrastructure Grants Program; and

WHEREAS, the Board of Trustees of the Incorporated Village of Freeport, as lead agency, has determined that the proposed action described above, 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 replacement and reconstruction of a facility, in kind, for the same function and size on the same site.

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Incorporated Village of Freeport determines that the proposed action is a Type II action under CRR Title 6 Chapter VI Part 617.5 of the State Environmental Quality Review, and no further review is required.

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 |

August 14, 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

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

WHEREAS, Pursuant to §5-520 of the New York State Village Law, authorization is requested for the Village Comptroller to execute the following transfer to the 2023/2024 operating budget:

FROM:

A341004 541400 SAFETY GEAR \$ 15,000.00

TO:

A341002 520600 UNIFORMS \$ 15,000.00

Total: \$15,000.00

WHEREAS, the purpose of the above transfer is to appropriate the necessary funding to cover the cost of uniforms for new members of the Fire Department; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Comptroller, the above-referenced transfer is hereby approved.

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, 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 5:45 P.M.

Pamela Walsh Boening

August 14, 2023

Village Clerk

At 5:45 P.M. Mayor Kennedy called the public hearing to order for which a full stenographic record was taken and indicated that the purpose of the hearing was to consider the Rezoning application for Section 55, Block 232, p/o lot 201, a/k/a 106 Broadway, from Residence Apartment District to Residence Apartment District to include Golden Age Floating Zone.

Howard Colton, Village Attorney entered twelve (12) exhibits into evidence and turned the hearing over to Christian Browne, Esq of McLaughlin & Stern.

It was moved by Trustee Sanchez, seconded by Trustee Squeri 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 to consider the re-zoning application for Section 55, Block 232, P/O Lot 201 a/k/a 106 Broadway from Residence Apartment District to Residence Apartment District with a Golden Age Floating Zone; 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.

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

2023-20

2023-20

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 |

Motion was made by Deputy Mayor Ellerbe, seconded by Trustee Squeri and unanimously carried to close the Rezoning Hearing for 106 Broadway to further evidence and testimony.

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 Trustee Squeri 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.

2023-21

2023-21

RESOLUTION OF THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF FREEPORT RE-ZONING THE PROPERTY KNOWN AS AND BY SECTION 55 BLOCK 232 P/O LOT 201 TO GOLDEN AGE FLOATING DISTRICT UPON THE CURRENT RESIDENCE APARTMENT DISTRICT PURSUANT TO SECTION 210-7 OF ARTICLE I OF THE BUILDING AND ZONING CODE OF THE VILLAGE OF FREEPORT

WHEREAS, the Petitioner Refuge Apostolic Church of Christ and The D&F Development Group. Inc has filed a petition with this Board seeking the re-zoning of the property known as and by Section 55, Block 232,P/O Lot 201, Village of Freeport, County of Nassau, State of New York to include the Golden Age Floating Zone (as an overlay district over the Residence Apartment District).

WHEREAS, upon due published notice, this Board conducted a public hearing at or about 5:30 p.m., on August 14, 2023 upon the aforementioned petition to so re-zone the subject premises duly filed by the Petitioner; and

WHEREAS, exhibits were submitted into evidence by Village Attorney Howard Colton and the Law Firm of McLaughlin Stern, by Chris Browne, presented evidence and testimony to the Board of Trustees; and,

WHEREAS, the Board of Trustees found that the act of rezoning is part and parcel of comprehensive land use planning and would have no impact upon the environment, and such an unlisted action.

WHEREAS, the Nassau County Planning Commission issued a local determination resolution recommending no modifications on March 30, 2023; and,

WHEREAS, the Planning Board of the Incorporated Village of Freeport reviewed the Petition and found that the requested rezoning would fit the general characteristics of the surrounding area and that it recommended the change of zones and that the Petition be granted; and,

WHEREAS, the petitioner has presented evidence to the fact that the Golden Age Floating Zone put upon the current Residence Apartment District would be better utilized as a rental property in this instance, and would further allow the greater ability for seniors to occupy and utilize said property.

NOW THEREFORE BE IT RESOLVED THAT, upon the petition of Refuge Apostolic Church of Christ and the D&F Development Group. Inc duly filed in the office of the Clerk of the Incorporated Village of Freeport, the Office of the Nassau County Planning Commission, and the Planning Board of the Village of Freeport, and the exhibits submitted into evidence during the course of the hearing on August 14, 2023 by Christian Browne, Esq.on behalf of the Petitioner,

August 14, 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.

2023-22

2023-22

This Board makes the following findings of fact concerning the aforementioned petition:

1. The Village Clerk duly caused to be published a Notice of Public Hearing relative to the subject petition in the Freeport Long Island Herald on July 7, 2023, 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 on July 7, 2023 pursuant to applicable provisions of the Village Law for the State of New York:
 - a. Municipal Hall - 46 North Ocean Avenue, Freeport
 - b. Freeport Memorial Library - 144 West Merrick Road, Freeport
 - c. Freeport Fire Department Hose #1 - 30 Southside Avenue, Freeport
 - d. Freeport Fire Department Hose #2 - 15 Broadway, Freeport
 - e. Freeport Fire Department Hose #3 - 365 S. Bayview Avenue, Freeport
 - f. Freeport Recreation Center
3. Pursuant to and in accordance with New York State Village Law §7-706(2) written notice of the proposed re-zoning of the property was sent to the following entities located within 500 feet of the subject property on March 15, 2023:
 - a. The Town Clerk of the Town of Hempstead
 - b. The County Clerk of the County of Nassau
 - c. All other owners of property located within 500 feet of the subject property as per GIS
4. On July 23, 2023, the Village of Freeport duly caused to have the posting of the August 14, 2023, Public hearing on the Village's website; and,
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, and the Long Form Environmental Assessment Form Part 1 filed with the Petition for the rezoning, and the completion of Part 2 and 3 (by the Village of Freeport) this Board, as lead agency, did on August 14, 2023, duly adopt a resolution for State Environmental Quality Review Act purposes rendering a negative declaration for the requested change of zones and designating this request as an unlisted action; and,
6. 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 approve and send the application back to the Village for local determination with no modifications by resolution dated March 30, 2023; and,
7. 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

August 14, 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.

2023-23

2023-23

the subject property and did, by resolution, send this matter back to the Village Board for its review and determination without modifications and/or amendments; and,

8. The Record establishes, and this Board takes notice, that the surrounding neighborhood is a mixed use consisting of Residence Apartment Districts, Residential Homes and some businesses.

9. The Board further takes notice that a change from the currently zoning classification will be in conformity with the surrounding neighborhood and the said zoning classification will be in conformity with the Governor and the State Legislature’s desire to increase Residence dwellings in New York State and, more, particularly, Long Island.

10. The Board takes further notice that the Nassau County Planning Commission issued a Local Determination with no modifications resolution, and the Planning Board of the Village of Freeport has approved this application and recommended that the Petitioner, be and is hereby authorized to re-zone the various properties.

BE IT FURTHER RESOLVED that, based on the foregoing findings of fact, the abovementioned properties be and are hereby re-zoned as follows:

- a. That portion of the property will be rezoned to Golden Age District Floating Zone attached to the Residence Apartment District; and,

BE IT FURTHER RESOLVED that the Board adds on the following covenants and restrictions which are provided by the Village Code to be modified and/or waived as follows:

- 1. The Golden Age Floating Zone will allow rental uses, and owner occupied units are not required.

BE IT FURTHER RESOLVED THAT the zoning map for the Incorporated Village of Freeport be amended to reflect the re-zoning of the subject premises.

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 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 |

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

Mayor Kennedy

In Favor

The meeting was closed at 6:18 P.M.

August 14, 2023