

A meeting of the Board of Trustees of the Incorporated Village of Freeport was held on Monday, March 14, 2022 at 6:30 P.M. in the Municipal Building, 46 North Ocean Avenue, Freeport, New York, with the following present:

| | |
|-----------------------|------------------|
| Robert T. Kennedy | Mayor |
| Ronald Ellerbe | Deputy Mayor |
| Jorge A. Martinez | Trustee |
| Christopher L. Squeri | Trustee |
| Evette B. Sanchez | Excused |
| Howard E. Colton | Village Attorney |
| Michael J. Smith | Chief of Police |
| Pamela Walsh Boening | Village Clerk |

At 6:35 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 6:30 P.M., it was moved by Trustee Ellerbe, seconded by Trustee Martinez 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 | Excused |
| Mayor Kennedy | In Favor |

At 7:00 P.M., motion was made by Deputy Mayor Ellerbe, seconded by Trustee Squeri and 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 sixteen (16) residents were present.

Trustee led in the Pledge of Allegiance.

It was moved by Trustee Martinez, seconded by Deputy Mayor Ellerbe, and carried to approve the Board of Trustees Minutes of February 28, 2022.

The Clerk polled the Board as follows:

March 14, 2022

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

It was moved by Trustee Martinez, seconded by Deputy Mayor Ellerbe, and carried to approve the Board of Trustees Special Meeting Minutes of March 7, 2022.

The Clerk polled the Board as follows:

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

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

WHEREAS, Lester A. Endo, a United States navy veteran, was a pillar of the Freeport community for over 50 years, from his proprietorship of Endo Electric, to his involvement with the Freeport Chamber of Commerce, to his strong commitment to the American Legion William Clinton Story Post 342; and

WHEREAS, the Board of Trustees wishes to recognize and honor Lester A. Endo's history of service to the Freeport community through the honorary renaming of Dock Drive as "Les Endo, Sr. Way," a symbolic gesture which will preserve the memory of all he has done for his country and this community; and

NOW THEREFORE BE IT RESOLVED, Dock Drive, be granted the honorary name, "Les Endo, Sr. Way".

The Clerk polled the Board as follows:

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

Motion was made by Trustee Martinez, seconded by Trustee Squeri and carried to approve the Moving of a Building Permit Application submitted by Craig Still, on behalf of Myers Controlled Power LLC, to move a structure to 121 Merrick Road, Rockville Centre, New York (LIRR) on April 8 through April 12, 2022 (alternate dates: 4/15 through 4/19; or 4/22 through 4/26) from 3:00 A.M to 12:00 P.M., with a portion of the Recreation Center Parking Lot used as a staging area, with payment to the Village in the amount of \$960 per day.

The Clerk polled the Board as follows:

March 14, 2022

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

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

WHEREAS, the Assessor has negotiated tax certiorari settlements for the Assessment Years listed below; and

WHEREAS, the firm Schroder & Strom LLP represented the tax certiorari petitioner in the below settlement negotiation:

Petitioner: 42-44 Guy Lombardo LLC
 40-48 Guy Lombardo Avenue
 55/219/26

Total Refund: 2016/2017 to 2022/2023 – Refund: **\$6,500** – AV: **48,320** going forward 2023/2024, 2024/2025, and 2025/2026

| Year | EQ | Current AV | Proposed AV | Tax Rate | Reduction | Refund |
|---------|------------|-------------|-------------|-------------|----------------|------------|
| 2016/17 | 0.0191 | 51305 | \$51,305 | 0.62296 | \$0 | \$0.00 |
| 2017/18 | 0.0181 | 51305 | \$51,305 | 0.62296 | \$0 | \$0.00 |
| 2018/19 | 0.018 | 51305 | \$51,305 | 0.62296 | \$0 | \$0.00 |
| 2019/20 | 0.0172 | 51305 | \$51,305 | 0.62296 | \$0 | \$0.00 |
| 2020/21 | 0.0162 | 51305 | \$48,357 | 0.62296 | \$2,948 | \$1,836.49 |
| 2021/22 | 0.0151 | 51305 | \$46,810 | 0.62296 | \$4,495 | \$2,800.21 |
| 2022/23 | 0.0151 | 51305 | \$48,320 | 0.62296 | \$2,985 | \$1,859.54 |
| | Current MV | \$3,397,682 | Settled MV | \$3,200,000 | Rounded Refund | \$6,500 |

WHEREAS, the Stipulation of Settlement will be prepared for the above referenced matter; and

WHEREAS, permission is requested giving the Village Attorney authorization to sign the stipulation of settlement; and

NOW THEREFORE BE IT RESOLVED, that the above listed tax certiorari settlement be approved and that the Assessor is hereby authorized to adjust the 2022/2023 Final Assessment Roll and that the Treasurer be approved to issue said refund for the amounts cited hereinabove, for a total of \$6,500.

The Clerk polled the Board as follows:
 Deputy Mayor Ellerbe In Favor

| | |
|------------------|----------|
| Trustee Martinez | In Favor |
| Trustee Squeri | In Favor |
| Trustee Sanchez | Excused |
| Mayor Kennedy | In Favor |

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

WHEREAS, the Assessor has negotiated tax certiorari settlements for the Assessment Years listed below; and

WHEREAS, the firm Cronin, Harris & Associates, P.C. represented the tax certiorari petitioner in the below settlement negotiation:

Petitioner: 17 West Merrick Road Realty Assoc
 17 West Merrick Road
 62/53/331

Total Refund: 2015/2016 to 2022/2023 – Refund: **\$17,069** – AV: **48,320** going forward 2023/2024, 2024/2025, and 2025/2026

| Year | EQ | Current AV | Proposed AV | Tax Rate | Reduction | Refund |
|---------|-------------------|--------------------|-------------------|--------------------|-----------------------|-----------------|
| 2015/16 | 0.0201 | 57704 | \$64,320 | 0.62296 | \$0 | \$0 |
| 2016/17 | 0.0191 | 57704 | \$61,120 | 0.62296 | \$0 | \$0 |
| 2017/18 | 0.0181 | 57704 | \$57,920 | 0.62296 | \$0 | \$0 |
| 2018/19 | 0.018 | 57704 | \$57,600 | 0.62296 | \$104 | \$65 |
| 2019/20 | 0.0172 | 57704 | \$55,040 | 0.62296 | \$2,664 | \$1,660 |
| 2020/21 | 0.0162 | 57704 | \$51,840 | 0.62296 | \$5,864 | \$3,653 |
| 2021/22 | 0.0151 | 57704 | \$48,320 | 0.62296 | \$9,384 | \$5,846 |
| 2022/23 | 0.0150 | 57704 | \$48,320 | 0.62296 | \$9,384 | \$5,846 |
| | Current MV | \$3,821,457 | Settled MV | \$3,221,333 | Rounded Refund | \$17,069 |

WHEREAS, the Stipulation of Settlement will be prepared for the above referenced matter; and

WHEREAS, permission is requested giving the Village Attorney authorization to sign the stipulation of settlement; and

NOW THEREFORE BE IT RESOLVED, that the above listed tax certiorari settlement be approved and that the Assessor is hereby authorized to adjust the 2022/2023 Final Assessment Roll and that the Treasurer be approved to issue said refund for the amounts cited hereinabove, for a total of \$17,069.

The Clerk polled the Board as follows:

March 14, 2022

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

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

WHEREAS, in June 2021, the Village had a virtual court hearing for all of LI Tax Reduction 2020 SCAR cases and were ordered reduced by small claims assessment review for the 2020/2021 assessment year; and

| SCAR Petitioner | Current AV | SCAR AV | Reduction Amount | Refund (.62296) | Fee (30.00) | Total Refund |
|------------------------------------|-------------------|----------------|-------------------------|----------------------------|------------------------|---------------------|
| L I Tax Reduction Inc. 2020 | 120,749 | 100,319 | 20,430 | \$12,727.07 | \$630 | \$13,357.07 |

NOW THEREFORE BE IT RESOLVED, that Treasurer be authorized to issue the above refunds totaling Thirteen Thousand, Three Hundred, Fifty-Seven Dollars and Seven Cents (\$13,357.07) related to these court-ordered decisions.

The Clerk polled the Board as follows:

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

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

WHEREAS, due to a clerical error, the assessed value in the 2021/2022 and 2022/2023 Final Assessment Rolls for the property located at 90 Sagamore Street, Section 55, Block 355, and Lot 1009, resulted in a lower exemption value and a higher assessed tax value for the property owner; and

WHEREAS, this clerical error may be corrected by the Board in accordance with the provisions of the Real Property Tax Law; and

WHEREAS, this error was brought to the Assessor’s attention after the adoption of the Final Assessment Roll for 2022/2023; and

| | | | | | |
|-----------|---------|--------------|-----------|---------|---------|
| S / B / L | Address | Assessed Tax | Exemption | Revised | Revised |
|-----------|---------|--------------|-----------|---------|---------|

| | | Value Error 2021 and 2022 | Assessed Value Error 2021 and 2022 | Assessed Tax Value 2021 and 2022 | Exemption Assessed Value 2021 and 2022 |
|-----------------|----------------|------------------------------|--|--|--|
| 55 / 355 / 1009 | 90 Sagamore St | 2021 - 4,517 | 2021 - 583 | 2021 - 4,194 | 2021 - 906 |
| | | 2022 - 4,556 | 2022 - 544 | 2022 - 4,194 | 2022 - 906 |

NOW THEREFORE BE IT RESOLVED, that the Board of Assessment Review, comprised of members of the Board of Trustees be authorized to retroactively approve the change recommended by the Assessor to be made to the 2021/2022 and 2022/2023 Final Assessment Rolls and that the Village 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 | Excused |
| Mayor Kennedy | In Favor |

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

WHEREAS, due to a clerical error, the assessed value in the 2021/2022 and 2022/2023 Final Assessment Rolls for the properties listed below resulted in a higher assessed value for the property owners; and

WHEREAS, this clerical error may be corrected by the Board in accordance with the provisions of the Real Property Tax Law; and

WHEREAS, this error was brought to the Assessor's attention after the adoption of the Final Assessment Roll for 2022/2023; and

| S / B / L | Address | Assessed Value Error 2021 | Revised Assessed Value 2021 and 2022 |
|----------------|-------------------|------------------------------|---|
| 36 / 329 / 452 | 134 Maryland Ave | 6,919 | 6,172 |
| 54 / B / 63 | 15 Meadowbrook CT | 5,800 | 5,394 |
| 55 / 350 / 164 | 179 Mount Joy Ave | 5,611 | 4,339 |
| 62 / 157 / 552 | 271 Atlantic Ave | 5,797 | 5,297 |

NOW THEREFORE BE IT RESOLVED, that the Board of Assessment Review, comprised of members of the Board of Trustees be authorized to retroactively approve the change recommended by the Assessor to be made to the 2021/2022 and 2022/2023 Final Assessment Rolls and that the Village 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 | Excused |
| Mayor Kennedy | In Favor |

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

WHEREAS, due to a clerical error, the assessed value in the 2022/2023 Final Assessment Roll for the property located at Section 98, Block BLI, Lots 2C, 3C, 8C, and 9C, Tentative Telecommunication Ceilings from the State that resulted in a removal of the assessed values and tax bill not being printed; and

WHEREAS, this clerical error may be corrected by the Board in accordance with the provisions of the Real Property Tax Law; and

WHEREAS, this error was brought to the Assessor’s attention after the adoption of the Final Assessment Roll for 2022/2023; and

| S / B / L | Accounts | Assessed Value Error 2022 | Assessed Value 2022 |
|---------------|----------|------------------------------|------------------------|
| 98 / BLI / 2C | PSE&G | 0 | 41,400 |
| 98 / BLI / 3C | PSE&G | 0 | 19,290 |
| 98 / BLI / 8C | Verizon | 0 | 6,170 |
| 98 / BLI / 9C | Verizon | 0 | 800 |

NOW THEREFORE BE IT RESOLVED, that the Board of Assessment Review, comprised of members of the Board of Trustees be authorized to retroactively approve the change recommended by the Assessor to be made to the 2022/2023 Final Assessment Roll and that the Village 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 | Excused |
| Mayor Kennedy | In Favor |

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

WHEREAS, the Village previously entered into an agreement with Next G, a corporation that provides infrastructure for broadcasting, mobile telephone, and wireless broadband services within the Village of Freeport, which subsequently changed its name to Crown Castle NG East LLC now known as Crown Castle Fiber LLC; and

WHEREAS, the Village has an active agreement to provide 500mbs of internet at a cost

of \$1399.00 per month; and

WHEREAS, the Village has migrated to off-site storage and is supplying internet for the Police department, which is the need for increased bandwidth; and

WHEREAS, after negotiations with Crown Castle, the Village was able to increase the internet from 500mbs to 1gbs keeping the fee at \$1399.00; and

WHEREAS, as of November 1, 2022 there will be a \$449.00 fee reduction (from \$1,399.00 to \$950.00 MRC) for a 60-month term, for a new monthly fee of \$950 from November 1, 2022 to October 31, 2027; and

WHEREAS, this service shall be charged to Allocation Code 5003 (Budget lines A168004 542800 (33%), E7815630 578100 (34%), and WE93004 542800 (33%) Service Contract/Repairs Network) and there are sufficient funds available to cover this cost; and

NOW THEREFORE BE IT RESOLVED, that base on the recommendation of the Superintendent of Electric Utilities, Board approve and the Mayor be and hereby is authorized to execute any and all documentation necessary to approve the order renewal for increased bandwidth with Crown Castle Fiber LLC, 196 Van Buren St., Suite #250, Herndon, VA 20170, for a 60-month term, a monthly fee of \$950 from November 1, 2022 to October 31, 2027.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Governor's office of Storm Recovery (GOSR) granted Freeport Electric approximately \$2,018,000.00 for upgrades to the LM6000's emission reduction system; and

WHEREAS, on May 24, 2021, the Board awarded RFP #21-04-ELEC-556 - Emission Reduction Hardware Upgrade on Turner Selective Catalytic Reduction System to Groome Industrial Services Group, LLC ("Groome"), 22 Audrey Place, Fairfield, New Jersey 07004 for a total cost of \$1,400,000.00 and the work began on November 8, 2021; and

WHEREAS, the Village procured the SCR catalysts from Cormetech, Inc. at a cost of \$210,000.00 separately from the Groome Contract; and

WHEREAS, in order to safely move the catalysts, custom-made lifting devices were manufactured by Cormetech, Inc. and purchased by Groome who performed the installation; and

WHEREAS, the lifting devices cost was not included in the installation contract and GOSR will not pay for tools; and

WHEREAS, the cost for the lifting devices is \$7,250.00; and

WHEREAS, the cost of this equipment will be funded by Account #E110000 and there are sufficient funds in this account for this purchase; 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 retroactively approve a change order for the RFP #21-04-ELEC-556 - Emission Reduction Hardware Upgrade on Turner Selective Catalytic Reduction System with Groome Industrial Services Group, LLC, 22 Audrey Place, Fairfield, New Jersey 07004 in the amount of \$7,250.00.

The Clerk polled the Board as follows:

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

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

WHEREAS, on August 7, 2017, the Board awarded RFP #17-6-ELEC-417 Outage Management System to mPower Technologies, Inc., d/b/a mPower Innovations, 126 Woodward Avenue, Iron Mountain, Minnesota, 49801 for a cost of \$225,637.00; and,

WHEREAS, the cost of the system was offset by funds awarded by the New York State Governor's Office of Storm Recovery (GOSR) – Funded Disaster Recovery in the amount of \$300,000.00; and

WHEREAS, this system requires annual operating system database administrative support, and support and update licensing for the various modules, and additional Disaster Recovery Support Services; and

WHEREAS, this is proprietary software and cannot be bid to outside companies; and

WHEREAS, the Superintendent of Electric Utilities recommends that the Board approve the software maintenance and support services provided; and

WHEREAS, the cost for the services for the 2022/2023 year is for the amount of \$11,000.00 (no increase in price from the prior year); and

WHEREAS, the services will be charged to Budget lines A168004 542800 (33%); E7815630 578100 (34%), and WE93004 542800 (33%) Service Contract/Repairs Network and there are sufficient funds available to cover the costs; and

NOW THEREFORE BE IT RESOLVED, based upon the recommendation of the Superintendent of Electric Utilities, that the Board approve and the Mayor be authorized to sign any documentation necessary to effectuate the agreement for the software maintenance and support services provided by mPower Technologies, Inc., d/b/a mPower Innovations, 126 Woodward Avenue, Iron Mountain, Minnesota, 49801 for a cost of \$11,000.00 for a retroactive term from March 1, 2022 through February 28, 2023.

The Clerk polled the Board as follows:

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

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

WHEREAS, on February 28, 2022, the Board of Trustees gave approval to write-off various uncollectible electric accounts for the Fiscal Year 2019-20 in the tentative amount of \$125,367.26, effective February 28, 2022, as per the Rules and Regulations of the Public Service Commission, 16 NYCRR (see attached list); and

WHEREAS, on February 28, 2022 the amount of \$125,367.26 was double checked and there was a decrease to \$123,069.90 from the preliminary amount calculated;

WHEREAS, the new total, as of close of year on February 28, 2022, is \$123,069.90; and

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the Superintendent of Electric Utilities that the Board amend the approved amount to reflect the change in the 2017-2018 write-off for the final amount of \$123,069.90 effective February 28, 2022.

The Clerk polled the Board as follows:

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

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

WHEREAS, at the December Fire Council meeting held on December 21, 2021, the Wardens and Chiefs voted in favor of creating a position of EMS Director; and

WHEREAS, furthermore, established that the position would be an elected position with a term of 3 years; and

WHEREAS, the Fire Council is requesting for Board permission to establish the elected position of EMS Director with same being placed on the ballot at this year's Freeport Fire Department elections to be held on April 7, 2022, with a term of 3 years and that same will appear on subsequent Department election every 3 years; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Freeport Fire Council, Board approve and Mayor be and hereby to establish the elected position of EMS Director with same being placed on the ballot at this year's Freeport Fire Department elections to be held on April 7, 2022, with a term of 3 years and that same will appear on subsequent Department election every 3 years.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Freeport Fire Department typically has an annual Inspection/Installation Dinner; and

WHEREAS, on April 29, 2019, the Board of Trustees approved an agreement between the Village of Freeport and the Huntington Hilton Long Island, 598 Broad Hollow Rd, Melville, NY 11747 to host the 2020 and 2021 Fire Department Annual Inspection/Installation dinners; and

WHEREAS, due to the impact of the Covid-19 pandemic, the Fire Department was unable to have these dinners in 2020 or 2021; and

WHEREAS, under the circumstances, the Huntington Hilton Long Island has agreed to hold the 2020 price of \$131.00 per person for the 2022 dinner and the 2021 price of \$133.00 per person for the 2023 dinner; both years with a 600-person guarantee, which is consistent with the past contracts; and

WHEREAS, funds for this have been budgeted in A341004 547000 – Annual Inspection Dinner; and

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the Freeport Fire Department Executive Director Raymond F. Maguire, the Mayor be and is hereby authorized to sign any and all documents which are necessary to approve the Freeport Fire Department's 2022 and 2023 Annual Inspection/Installation Dinners agreement between the Village of Freeport and the Huntington Hilton Long Island, 598 Broad Hollow Rd, Melville, NY 11747 in the amounts of \$78,600.00 for the April 23, 2022 event and \$79,800.00 for the April 22, 2023 event.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Village of Freeport offers a Fire Length of Service Award Program (LOSAP) to the members of its Volunteer Fire Department;

WHEREAS, on December 16, 2013 the Village Board approved an agreement with Penflex, Inc., 50 Century Hill Dr., Suite 3, Latham, NY 12110 for the provision of its LOSAP administrative services for a term running from November 1, 2013 through October 31, 2014; and subsequently renewed through February 28, 2022; and

WHEREAS, the Executive Director of Human Resources has recommended a retroactive renewal agreement running from March 1, 2022 to February 28, 2023 for a not to exceed cost of \$12,000.00 per year; and

WHEREAS, the agreement includes the purchase of the GASB 73 package; and

WHEREAS, the cost of this agreement is paid for as a program expense through the fund; and

NOW THEREFORE BE IT RESOLVED, based upon the recommendation of the Director of Human Resources, the Board approve and the Mayor be authorized to execute any and all documentation with Penflex, Inc., 50 Century Hill Dr., Suite 3, Latham, NY 12110 for the provision of its LOSAP administrative services at a not to exceed cost of \$12,000.00 per year for a retroactive period beginning on March 1, 2022 through February 28, 2023.

The Clerk polled the Board as follows:

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

March 14, 2022

Mayor Kennedy

In Favor

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

WHEREAS, the Village of Freeport requires a consultant to help with interdepartmental coordination of a more robust quality of life enforcement program; and

WHEREAS, the Village is requesting a personal services agreement with Justin Lora-Pejuero, 19 Lincoln Place, Freeport, NY 11520, retroactively effective from February 25, 2022 through May 31, 2022; 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 \$19.00 per hour, capped at a not to exceed cost of \$4,000; and

WHEREAS, the cost of this contract will be charged to A362004 545700 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 Justin Lora-Pejuero, 19 Lincoln Place, Freeport, NY 11520, retroactively effective from February 25, 2022 through May 31, 2022 at the hourly rate of \$19.00 per hour, capped at a not to exceed cost of \$4,000.

The Clerk polled the Board as follows:

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|----------------------|----------|
| Deputy Mayor Ellerbe | In Favor |
| Trustee Martinez | In Favor |
| Trustee Squeri | In Favor |
| Trustee Sanchez | Excused |
| 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 requires a consultant to help with interdepartmental coordination of a more robust quality of life enforcement program; and

WHEREAS, the Village is requesting a personal services agreement with Douglas Mayers, 78 Woodside Ave, Freeport, NY 11520, retroactively effective from March 1, 2022 through May 31, 2022; 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 \$20.00 per hour, capped at a not to exceed cost of \$4,000; and

WHEREAS, the cost of this contract will be charged to A362004 545700 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 Douglas Mayers, 78 Woodside Ave, Freeport, NY 11520, retroactively effective from March 1, 2022 through May 31, 2022 at the hourly rate of \$20.00 per hour, capped at a not to exceed cost of \$4,000.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Village of Freeport typically sponsors an annual Nautical Festival on Woodcleft Avenue; and

WHEREAS, this year, the festival is scheduled to take place on Saturday, June 4, 2022 with events running from 10am to 6pm; and

WHEREAS, the children's amusement rides will be in operation on June 4, 2022 from 10am until approximately 9pm; and

WHEREAS, Woodcleft Avenue will be closed at 10am on the day of the festival and business owners and vendors will be permitted to set up their booths from 7-10am, the event will end at 6pm, road blocks will be removed for traffic at 8pm and street clean-up will begin at that time; and

NOW THEREFORE BE IT RESOLVED, that the Board approve the date of Saturday, June 4, 2022 for the Annual Freeport Nautical Mile Festival on Woodcleft Avenue.

The Clerk polled the Board as follows:

| | |
|----------------------|----------|
| Deputy Mayor Ellerbe | In Favor |
| Trustee Martinez | In Favor |

March 14, 2022

| | |
|-----------------|----------|
| Trustee Squeri | In Favor |
| Trustee Sanchez | Excused |
| Mayor Kennedy | In Favor |

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

WHEREAS, the Annual Nautical Festival on Woodcleft Avenue is scheduled for Saturday June 4, 2022; and

WHEREAS, the Village wishes to provide children's amusement park rides for the Nautical Festival in the parking lot adjacent to the museum on Woodcleft Avenue; and

WHEREAS, All Star Midway of 2 Charm City Drive, Port Jefferson Station, New York, 11776 is a company that is qualified to provide amusement rides for the Nautical Mile Festival; and

WHEREAS, All Star Midway will pay the Village the sum of twenty-five percent (25%) of the gross ride receipts revenue; and

WHEREAS, All Star Midway will provide a current Certificate of Insurance, and the policy will be for \$2,000,000; and will list the Village as additionally insured; and

WHEREAS, the rides will be in operation on Saturday, June 4, 2022 from 10am until 8pm; and

WHEREAS, All Star Midway will begin the breakdown process with all rides and events at 9pm, on Saturday, June 4, 2022, and all rides/equipment will be removed by Monday, June 6, 2022; and

NOW THEREFORE BE IT RESOLVED, that the Board approve and the Mayor be permitted to execute any documentation to enter into an agreement between the Village of Freeport and All Star Midway, 2 Charm City Drive, Port Jefferson Station, New York, 11776 for the 2022 Nautical Mile Festival from June 4, 2022 until June 6, 2022.

The Clerk polled the Board as follows:

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

It was moved by Deputy Mayor Ellerbe, 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 the issuance of bonds for the purpose of authorizing the construction of electric system improvements – reconstruction and/or replacement of transformers, specifically the appropriation of \$600,000.00 in bonds and authorizing the issuance of bonds in the principal amount of \$600,000.00 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.
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 | Excused |
| Mayor Kennedy | In Favor |

It was moved by Trustee Martinez, 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 the issuance of bonds for the purpose of financing of construction of water system improvements, specifically the appropriation of \$1,055,000.00 in bonds and authorizing the issuance of bonds in the principal amount of \$1,055,000.00 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.
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 | Excused |
| Mayor Kennedy | In Favor |

It was moved by Trustee Squeri, seconded by Deputy Mayor Ellerbe 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 court ordered settlements in the amount of \$150,000; 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 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 | Excused |
| Mayor Kennedy | In Favor |

It was moved by Trustee Squeri, seconded by Deputy Mayor Ellerbe 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 court ordered settlements in the amount of \$850,000; 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 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 | Excused |
| Mayor Kennedy | In Favor |

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

RESOLVED, that the Board of Trustees of the Incorporated Village of Freeport, by virtue of the authority invested by law, shall conduct a public hearing to be duly held on the 18th day of April 2022, at 7:15 P.M., to consider the re-zoning application for Section 55, Block H, Lot 372 from Residence AA District to Industrial B District; Section 55, Block 190, Lot 63 from Business AA District to Industrial B District; and Section 55, Block 190, Lots 51-55 from Manufacturing District to Industrial B District.

FURTHER RESOLVED, that the foregoing notice of public hearing shall be entered in the minutes of the Board of Trustees of the Incorporated Village of Freeport, and published in the Freeport Leader and a printed copy thereof posted conspicuously in at least three (3) public places in the Incorporated Village of Freeport, Nassau County, New York.

STATE OF NEW YORK, COUNTY OF NASSAU, VILLAGE OF FREEPORT, ss: I,

March 14, 2022

PAMELA WALSH BOENING, Clerk of the Village of Freeport, Nassau County, New York, do hereby certify that the foregoing is a true and correct copy of said notice duly authorized by the Board of Trustees of the said Village at a meeting of the Said Board of Trustees, calling for a public hearing to be duly held in the Main Conference Room of the Municipal Building of the Village of Freeport, 46 N. Ocean Avenue, Freeport, New York on the 18th day of April 2022 at 7:15 P.M., and of the whole thereof, as entered upon the minutes of the proceedings of the said Board kept by me as Village Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said Village this 14th day of March 2022.

Lisa DeBourg
Deputy Village Clerk

The Clerk polled the Board as follows:

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

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

WHEREAS, on May 24, 2021, the Board approved an agreement with Liberty Capital Services (“Liberty”), LLC, 1205 Franklin Avenue, Suite 335, Garden City, New York, 11530, for financial consulting services relating to the fiscal year ending February 28, 2022; and

WHEREAS, during the fiscal year, the Village received a \$4.4 million American Rescue Plan Act of 2021 (ARPA) award; and

WHEREAS, in order to obtain this award and stay in compliance with all recordkeeping and reporting requirements, Liberty has assisted the Village in performing various analysis and reporting functions; and

WHEREAS, this amendment will increase the not to exceed amount \$3,475.00 from \$45,000.00 to \$48,475.00; and

WHEREAS, there are sufficient funds in budget lines A131504 545700 Comptroller Non-Employee Salaries; and

NOW THEREFORE, be it resolved that the increase for the agreement between the Village of Freeport and Liberty Capital Services, LLC, 1205 Franklin Avenue, Suite 335, Garden City, New York, 11530, be and hereby is approved for an additional amount of \$3,475.00, increasing the cap to \$48,475.00, payable at the rates contained in the previously approved agreement under the same terms and conditions; and

BE IT FURTHER RESOLVED, that the Mayor be and hereby is authorized to execute any and all documentation necessary to effectuate this agreement.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Incorporated Village of Freeport is in need of the services of a consultant to analyze budget information and identify areas that may be improved upon; and

WHEREAS, Liberty Capital Services (Liberty), LLC, 1205 Franklin Avenue, Suite 335, Garden City, New York, 11530 possesses certain unique skills, knowledge and expertise of a specialized nature in the field of accounting and financial analysis; and

WHEREAS, since GML §103 does not require a bid for these professional services, the Village may opt to extend the contract without re-bidding the services; and

WHEREAS, there are sufficient funds in budget lines A131504 545700 Comptroller – Non-Employee Salaries, E7820000 578100 Electric – Management Services, and WE90104 554560 Water – Non-Employee Salaries; and

NOW THEREFORE BE IT RESOLVED, as follows:

1. Freeport retains the services of Liberty Capital Services, LLC, 1205 Franklin Avenue, Suite 335, Garden City, New York 11530 to analyze the budget on behalf of Freeport, pursuant to the terms and conditions of a written contract;
2. That the base compensation for such services be and hereby is set as follows: \$140.00 per hour for a not to exceed cost of \$55,000.00 per year;
3. That the term for this Agreement be one year, retroactive to March 1, 2022 through February 28, 2023;
4. That the Mayor be and hereby is authorized to execute on behalf of the Incorporated Village of Freeport a contract for professional services, together with such other documents necessary to implement the terms and conditions of this

March 14, 2022

Resolution.

The Clerk polled the Board as follows:

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

Trustee Squeri offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF FREEPORT, NEW YORK, ADOPTED MARCH 14, 2022, AUTHORIZING THE RECONSTRUCTION AND/OR REPLACEMENT OF CERTAIN TRANSFORMERS IN THE VILLAGE'S ELECTRIC SYSTEM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$600,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS OF SAID VILLAGE IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$600,000 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 reconstruct and/or replace certain transformers in the Village's Electric System. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$600,000 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 \$600,000 to finance said appropriation, and the

March 14, 2022

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 \$600,000 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 the object or purpose for which said bonds are authorized to be issued, pursuant to Section 11.00 a. 5 of the Law, is thirty (30) years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(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.

March 14, 2022

(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.

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 Deputy 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 Trustee Martinez.

The Clerk polled the Board as follows:

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

The resolution was declared adopted.

Trustee Squeri offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF FREEPORT,
NEW YORK, ADOPTED MARCH 14, 2022, AUTHORIZING
THE CONSTRUCTION OF WATER SYSTEM
IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM
COST THEREOF IS \$1,055,000, APPROPRIATING SAID
AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE
ISSUANCE OF BONDS OF SAID VILLAGE IN THE
PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,055,000 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 construct water system improvements. The
estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the
financing thereof, is \$1,055,000 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 \$1,055,000 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.

March 14, 2022

Section 2. Bonds of the Village in the principal amount of \$1,055,000 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 the object or purpose for which said bonds are authorized to be issued, pursuant to Section 11.00 a. 1 of the Law, is forty (40) years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(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.

(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.

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 | Excused |
| Mayor Kennedy | In Favor |

The resolution was declared adopted.

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 (THE “VILLAGE”), AUTHORIZING THE ISSUANCE OF \$150,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE THE PAYMENT OF CERTAIN TAX CERTIORARI JUDGMENTS, COMPROMISED CLAIMS AND SETTLED CLAIMS RESULTING FROM COURT ORDERS, STATING

**THAT THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, AND
APPROPRIATING SAID AMOUNT THEREFOR**

Recitals

WHEREAS, by a bond resolution dated April 5, 2021 (the “2021 Tax Certiorari Bond Resolution”) the Board of Trustees (the “Board of Trustees”) of the Village of Freeport, Nassau County, New York (the “Village”) previously authorized the issuance of serial bonds and bond anticipation notes of the Village in the aggregate principal amount not to exceed \$850,000 to finance the estimated cost of the class of objects or purposes of paying amounts due with respect to judgments, compromised claims or settled claims resulting from court orders on proceedings brought pursuant to Article 7 of the Real Property Tax Law (the “Tax Certiorari Refund Payments”) that were payable in the Village’s fiscal year ending February 28, 2022; and

WHEREAS, due to unforeseen delays in obtaining court orders to approve settlements with respect to certain outstanding proceedings brought pursuant to Article 7 of the Real Property Tax Law, the Village has made and will make only \$335,000 in Tax Certiorari Refund Payments, including payments of related legal and professional fees related thereto, in the fiscal year ended February 28, 2022, which payments were funded with bonds or bond anticipation notes issued under the authority of the 2021 Tax Certiorari Bond Resolution; and

WHEREAS, the Village now expects to enter into court ordered settlements with respect to proceedings brought pursuant to Article 7 of the Real Property Tax Law that will obligate the Village to make \$150,000 in Tax Certiorari Refund Payments in the fiscal year ending February 28, 2023 that were originally expected to be paid in the fiscal year ended February 28, 2022 and that were intended to be funded with obligations issued under authority of the 2021 Tax Certiorari Bond Resolution; and

WHEREAS, by resolution adopted immediately prior to the adoption of this resolution, the Board amended the 2021 Tax Certiorari Bond Resolution for the purpose of rescinding the authority to issue any further bonds or bond anticipation notes thereunder beyond the \$335,000 in indebtedness heretofore issued thereunder; and

WHEREAS, the Village Board now intends to authorize the issuance of serial bonds, and bond anticipation notes in anticipation thereof, in the amount of \$150,000 to fund the Tax Certiorari Refund Payments to be paid in the fiscal year ending February 28, 2023, that were originally expected to be paid in the fiscal year ended February 28, 2022.

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

SECTION 1. The Village is hereby authorized to finance the class of objects or purposes of paying amounts due with respect to the judgments, compromised claims or settled

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claims resulting from court orders on proceedings brought pursuant to Article 7 of the Real Property Tax Law that are payable in the fiscal year ending February 28, 2023. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto, including legal and professional fees, and the financing thereof, is \$150,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$150,000 serial bonds of the Village to finance a portion of 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 class of objects or purposes.

SECTION 2. Serial bonds of the Village in the principal amount of \$150,000 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 the aforementioned specific object or purpose.

SECTION 3. The period of probable usefulness applicable to the purpose for which said \$150,000 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 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 will be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution, only if the amount of tax refunds to be paid pursuant to court orders during the fiscal year in which any of said refunds are paid is more than one per centum of the Village's tax levy for such fiscal year.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village subject to applicable statutory limits, if any. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes 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, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10, 63.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, 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, as the chief fiscal officer of the Village (the “Village Treasurer”). Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for any of the other objects or purposes authorized by this resolution and/or with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the “weighted average period of probable usefulness” (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village.

SECTION 8. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Board of Trustees hereby determines that the 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 Environmental Conservation thereunder (collectively, “SEQRA”) and that no further action under SEQRA with respect to the Project need be taken by the Board of Trustees as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 12. 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 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 13. The Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full in the official newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

SECTION 14. This resolution shall take effect immediately.

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 | Excused |
| Mayor Kennedy | In Favor |

The resolution was declared adopted.

Deputy Mayor Ellerbe 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 MARCH 14, 2022, AUTHORIZING THE PAYMENT OF TAX CERTIORARI JUDGMENTS, COMPROMISED CLAIMS AND SETTLED CLAIMS PAYABLE IN THE FISCAL YEAR ENDING FEBRUARY 28, 2023, 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 \$850,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$850,000 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 \$850,000 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 28, 2023; 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 28, 2023. 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 \$850,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$850,000 serial bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the

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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 \$850,000 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 \$850,000 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 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 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.

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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 Squeri.

The Clerk polled the Board as follows:

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

The resolution was declared adopted.

Trustee Martinez offered the following resolution and moved its adoption:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF FREEPORT, NASSAU COUNTY, NEW YORK (THE “VILLAGE”) AMENDING THE BOND RESOLUTION DATED APRIL 5, 2021

RELATING TO THE AUTHORIZATION OF SERIAL BONDS OF THE VILLAGE TO FINANCE THE PAYMENT OF CERTAIN TAX CERTIORARI JUDGMENTS, COMPROMISED CLAIMS AND SETTLED CLAIMS RESULTING FROM COURT ORDERS

Recitals

WHEREAS, by a bond resolution dated April 5, 2021 (the “April 2021 Bond Resolution”) the Board of Trustees of the Village (the “Board of Trustees”) previously authorized the issuance of serial bonds and bond anticipation notes of the Village in the aggregate principal amount not to exceed \$350,000 to finance the estimated cost of the class of objects or purposes of satisfying certain judgments, compromised claims or settled claims resulting from court orders on proceedings brought pursuant to Article 7 of the Real Property Tax Law (the “Tax Certiorari Refund Payments”) that were payable in the fiscal year ended February 28, 2022; and

WHEREAS, under the authority of the April 2021 Bond Resolution, the Village has heretofore issued bond anticipation notes in the principal amount of \$265,000 (the “Prior Notes”); and

WHEREAS, the Board of Trustees now intends to amend the April 2021 Bond Resolution in order to (i) limit the Tax Certiorari Refund Payments to be financed by the bonds or bond anticipation notes authorized thereunder to the principal amount of the Prior Notes; (ii) reduce the estimated maximum cost set forth in the April 2021 Bond Resolution from \$350,000 to \$265,000 and amend the plan of finance as a result of such reduced maximum cost; and (iii) reduce the maximum amount of bonds and bond anticipation notes authorized thereunder to the principal amount of the Prior Notes heretofore issued (\$265,000);

NOW THEREFORE, THE BOARD OF TRUSTEES THE VILLAGE OF FREEPORT, NASSAU COUNTY, NEW YORK (THE “VILLAGE”) HEREBY RESOLVES (by the affirmative vote of not less than a majority of the members of such body), TO AMEND THE BOND RESOLUTION DATED APRIL 5, 2021 AS FOLLOWS:

SECTION 1. Section 1 of said Bond Resolution is hereby amended to read as follows:

“SECTION 1. The Village is hereby authorized to finance the class of objects or purposes of paying amounts due with respect to the judgments, compromised claims or settled claims resulting from court orders on proceedings brought pursuant to Article 7 of the Real Property Tax Law that are payable in the fiscal year ended February 28, 2022. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto, including legal and professional fees, and the financing thereof, is \$265,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$265,000 serial bonds of the Village to finance a portion of 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

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same shall become due and payable. No amount has previously been authorized by the Village to be applied to the payment of such class of objects or purposes.”

SECTION 2. Section 2 of the Bond Resolution is hereby amended to read as follows:

“SECTION 2. Serial bonds of the Village in the principal amount of \$265,000 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 (the “Law”) to finance said appropriation.”

SECTION 3. Except as specifically amended herein, all the terms and provisions of the Bond Resolution shall remain in full force and effect.

SECTION 4. This resolution shall take effect immediately.

* * *

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 | Excused |
| Mayor Kennedy | In Favor |

The resolution was declared adopted.

Trustee Squeri offered the following resolution and moved its adoption:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF FREEPORT, NASSAU COUNTY, NEW YORK (THE “VILLAGE”) AMENDING THE BOND RESOLUTION DATED APRIL 5, 2021 RELATING TO THE AUTHORIZATION OF SERIAL BONDS OF THE VILLAGE TO FINANCE THE PAYMENT OF CERTAIN TAX CERTIORARI JUDGMENTS, COMPROMISED CLAIMS AND SETTLED CLAIMS RESULTING FROM COURT ORDERS

Recitals

WHEREAS, by a bond resolution dated April 5, 2021 (the “April 2021 Bond Resolution”) the Board of Trustees of the Village (the “Board of Trustees”) previously authorized the issuance of serial bonds and bond anticipation notes of the Village in the aggregate principal amount not to exceed \$850,000 to finance the estimated cost of the class of objects or purposes of satisfying certain judgments, compromised claims or settled

claims resulting from court orders on proceedings brought pursuant to Article 7 of the Real Property Tax Law (the “Tax Certiorari Refund Payments”) that were payable in the fiscal year ended February 28, 2022; and

WHEREAS, under the authority of the April 2021 Bond Resolution, the Village heretofore issued bond anticipation notes in the principal amount of \$335,000 (the “Prior Notes”); and

WHEREAS, the Board of Trustees now intends to amend the April 2021 Bond Resolution in order to (i) limit the Tax Certiorari Refund Payments to be financed by the bonds or bond anticipation notes authorized thereunder to the principal amount of the Prior Notes; (ii) reduce the estimated maximum cost set forth in the April 2021 Bond Resolution from \$850,000 to \$335,000 and amend the plan of finance as a result of such reduced maximum cost; and (iii) reduce the maximum amount of bonds and bond anticipation notes authorized thereunder to the principal amount of the Prior Notes heretofore issued (\$335,000);

NOW THEREFORE, THE BOARD OF TRUSTEES THE VILLAGE OF FREEPORT, NASSAU COUNTY, NEW YORK (THE “VILLAGE”) HEREBY RESOLVES (by the affirmative vote of not less than a majority of the members of such body), TO AMEND THE BOND RESOLUTION DATED APRIL 5, 2021 AS FOLLOWS:

SECTION 1. Section 1 of said Bond Resolution is hereby amended to read as follows:

“SECTION 1. The Village is hereby authorized to finance the class of objects or purposes of paying amounts due with respect to the judgments, compromised claims or settled claims resulting from court orders on proceedings brought pursuant to Article 7 of the Real Property Tax Law that are payable in the fiscal year ended February 28, 2022. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto, including legal and professional fees, and the financing thereof, is \$335,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$335,000 serial bonds of the Village to finance a portion of 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 class of objects or purposes.”

SECTION 2. Section 2 of the Bond Resolution is hereby amended to read as follows:

“SECTION 2. Serial bonds of the Village in the principal amount of \$335,000 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 (the “Law”) to finance said appropriation.”

SECTION 3. Except as specifically amended herein, all the terms and provisions of the Bond Resolution shall remain in full force and effect.

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SECTION 4. This resolution shall take effect immediately.

* * *

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 | Excused |
| Mayor Kennedy | In Favor |

The resolution was declared adopted.

Deputy Mayor Ellerbe offered the following resolution and moved its adoption:

RESOLUTION OF THE VILLAGE OF FREEPORT, NEW YORK,
ADOPTED MARCH 14, 2022 RESCINDING CERTAIN PRIOR
BOND RESOLUTIONS OF THE VILLAGE

THE BOARD OF TRUSTEES OF THE VILLAGE OF FREEPORT, IN THE
COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The resolution heretofore duly adopted by the Board of Trustees of the
Village of Freeport, in the County of Nassau, New York (the "Village"), entitled:

"Bond Resolution of the Village of Freeport, New York, adopted February 3, 2020, authorizing the construction of a kayak launch at Waterfront Park, stating the estimated maximum cost thereof is \$84,500, appropriating said amount for such purpose, authorizing the issuance of bonds in the principal amount of not to exceed \$84,500 to finance said appropriation, and authorizing the use of grant funds in the amount of \$66,000 received or expected to be received on account of said project,"

is hereby rescinded, no bonds or notes having been heretofore issued pursuant thereto.

Section 2. The resolution heretofore duly adopted by the Board of Trustees of the
Village, entitled:

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“Bond Resolution of the Village of Freeport, New York, adopted February 3, 2020, authorizing the construction of streetscape improvements, stating the estimated maximum cost thereof is \$2,370,000, appropriating said amount for such purpose, authorizing the issuance of bonds in the principal amount of \$2,370,000 to finance said appropriation, and authorizing the use of grant funds in the amount of \$1,655,871 received or expected to be received on account of said project,”

is hereby rescinded, no bonds or notes having been heretofore issued pursuant thereto.

Section 3. This resolution shall take effect immediately.

* * *

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

The Clerk polled the Board as follows:

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

The resolution was declared adopted.

It was moved by Deputy Mayor Ellerbe, seconded by Trustee Squeri, and 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 | Excused |
| Mayor Kennedy | In Favor |

The meeting was closed at 7:25 P.M.

Lisa DeBourg
Deputy Village Clerk