

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

2022-1

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A meeting of the Board of Trustees of the Incorporated Village of Freeport was held on Monday, October 3, 2022 at 6:30 P.M. in the Municipal Building, 46 North Ocean Avenue, Freeport, New York, with the following present:

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

At 6:30 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 6:31 P.M., it was moved by Trustee Sanchez, seconded by Deputy Mayor Ellerbe and carried to adjourn this portion of the Legislative Meeting and return to the Mayor’s Conference Room to continue in Executive Session to consult with Counsel.

The Clerk polled the Board as follows:

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

At 6:40 P.M. Trustee Squeri entered Executive Session.

At 7:00 P.M., motion was made by Trustee Sanchez, seconded by Deputy Mayor Ellerbe and unanimously carried to reconvene in Legislative Session.

The Clerk polled the Board as follows:

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

Approximately two (2) residents were present.

Deputy Mayor Ellerbe led in the Pledge of Allegiance.

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It was moved by Deputy Mayor Ellerbe, seconded by Trustee Martinez, and unanimously carried to approve the Board of Trustees Minutes of September 19, 2022.

The Clerk polled the Board as follows:

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

It was moved by Trustee Sanchez, seconded by Deputy Mayor Ellerbe, and carried to approve the Board of Trustees Minutes of September 22, 2022.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Martinez, seconded by Trustee Sanchez to schedule a meeting of the Board of Trustees acting as the Board of Review for Tuesday, November 15, 2022, from 4:00 P.M. to 8:00 P.M. to hear objections in relation to assessments.

The Clerk polled the Board as follows:

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

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

WHEREAS, pursuant to §1406 of the Real Property Tax Law of the State of New York, the Village Assessor is required to notify the public that the 2023/2024 Tentative Assessment Roll will be prepared and filed with the Village Clerk on November 1, 2022 and will be available for inspection beginning on November 1, 2022; and

WHEREAS, the roll will be open for inspection during the business hours of 8:30am to 4:30pm in the Village Clerk’s Office and the Assessor’s Office from November 1, 2022 to November 15, 2022; and

WHEREAS, on Tuesday, November 15, 2022, between the hours of 4pm and 8pm, the Board of Trustees, acting as a Board of Review, will meet to hear complaints in relation to

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assessments; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Village Assessor, the Board approve and direct the Village Clerk to post and publish the required legal notices for the viewing of the Tentative Assessment Roll and for the Board of Review hearing in the edition of the Freeport Herald dated November 3, 2022 and November 10, 2022.

The Clerk polled the Board as follows:

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

It was moved by Trustee Martinez and Trustee Sanchez that the following resolution be adopted:

WHEREAS, pursuant to Article 5, §501 of the Real Property Tax Law of the State of New York, the Assessor is required to publish a notice advertising the availability for review by property taxpayers of the assessment inventory and valuation data that is maintained in the Assessor’s Office; and

WHEREAS, the review will be available during normal business hours of 8:30 a.m. to 4:30 p.m. by appointment between November 1, 2022 and November 15, 2022; and

WHEREAS, the notice must be published for two successive weeks; and

NOW THEREFORE BE IT RESOLVED, the Clerk by authorized to publish a notice in the Freeport Herald and other relevant publications of general circulation on November 3, 2022 and November 10, 2022 regarding the availability for review by property taxpayers of the assessment inventory and valuation data that is maintained in the Assessor’s Office.

The Clerk polled the Board as follows:

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

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

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

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

S / B / L	Address	Exemption Code	Exemption Amount	Reason
62-196-17	87 East Second St	41131 Veteran War Time/ Combat	906	Property Sold 09/15/2022
		41141 Veteran War Time / Disable	1,550	

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

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

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

The Clerk polled the Board as follows:

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

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

WHEREAS, the Electric Department is requesting the Board to retroactively approve the emergency authorization for the purchase of a new air compressor located in Power Plant #1; and

WHEREAS, Power Plant #1 utilizes high-pressure air tanks (450psi) to start two diesel engines used to generate electricity; and

WHEREAS, typically, the Utility runs one compressor as the primary and one as a backup; the compressors are Ingersoll Rand Model #15T2X15, 230/480volts, 500 PSI, 900

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RPM; and

WHEREAS, recently, the primary compressor pump had catastrophically failed, and the backup compressor is in service and is well beyond its expected life; additionally, it has proven to be very unreliable; and

WHEREAS, an inquiry was made to the regional Ingersoll Rand supply center and a new replacement pump was \$32,440.00 while an entire new air compressor was \$28,418.13 with a 5-week lead time; and

WHEREAS, this repair was an extreme emergency and will ensure Power Plant #1 has station service air to start the two diesel generators; and

WHEREAS, the emergency purchase of a new air compressor from Ingersoll-Rand Industrial U.S., Inc., 800-A Beaty Street, Davidson, NC 28036, for the total cost of \$28,418.13 (the most competitive price) if a purchase order is issued before October 1st to avoid a 6% increase; and

WHEREAS, the cost of this purchase will be charged to E 110000 WO #2454 Capital; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric, the Mayor be and hereby is authorized to sign any documentation necessary to retroactively approve the emergency purchase of a new air compressor from Ingersoll-Rand Industrial U.S., Inc., 800-A Beaty Street, Davidson, NC 28036, for the total cost of \$28,418.13 if a purchase order is issued before October 1st to avoid a 6% increase.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Sanchez, seconded by Trustee Martinez and carried to approve the request of the Freeport Fire Council and that membership be granted to Kevin Koestner, Hose Co. #1.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Village of Freeport has solicited bids for the Fire Department Incident Command Vehicle to replace two (2) incident command vehicles, a 2008 and 2011 Tahoe vehicles; and

WHEREAS, nine (9) bids were distributed and one (1) bid was received on September 16, 2021 for the referenced contract; and

WHEREAS, the bid was received from Commander Fleet, 1385 Akron Street, Copaigue, NY 11726 for the amount of \$69,988.00 per vehicle, for a total bid price of \$139,976.00; and

WHEREAS, this bid is less than the mini bid of \$ 75,850.00 which was put out prior to this bid process, and the vehicles that were proposed on the mini bid did not meet the specifications as put forth; and

WHEREAS, the lowest responsible bidder that has met the specifications is Commander Fleet, 1385 Akron Street, Copaigue, NY 11726, for the amount of \$69,988.00 per vehicle, for a total bid price of \$139,976.00; and

WHEREAS, funding for these vehicles will be through a Capital Project; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Executive Director of the Fire Department, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to award the bid for the “Fire Department Incident Command Vehicle” to Commander Fleet, 1385 Akron Street, Copaigue, NY 11726, in the amount of \$69,988.00 per vehicle, for a total price of \$139,976.00.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Executive Director of the Fire Department is requesting the Board to retroactively approve the emergency authorization for roof repairs at the Department Headquarters that suffered from severe wind damage; and

WHEREAS, after a prolonged negotiation with the Insurance Company, the Department was able to come to an agreement on the scope and cost with them and their roofing contractor as

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well as a company to remove the steel for the solar panels; and

WHEREAS, the Department feels that the agreement as set forth satisfies all of the required repairs; the Insurance Company has issued payment to the Village for this project; and

WHEREAS, the following contractors to commence these repairs as agreed and paid by our insurance company:

Roof Replacement - \$120,000.00
Pyramid Contracting Service Group, Inc.
184 Hickory Street, Port Jefferson Station, NY 11776

Steel Removal - \$12,800.00
Soltech Ambient Control Ltd
56 North 3rd Street, Brooklyn, NY 11249

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Executive Director of the Fire Department, Board approve and the Mayor be and hereby is authorized to sign any documentation necessary to retroactively approve the emergency repairs of Roof Replacement with Pyramid Contracting Service Group, Inc., 184 Hickory Street, Port Jefferson Station, NY 11776, in the amount of \$120,000.00; and the Steel Removal with Soltech Ambient Control Ltd., 56 North 3rd Street, Brooklyn, NY 11249, in the amount of \$12,800.00.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Incorporated Village of Freeport requires bids for the “2022 Road Resurfacing Project” which provides for the cold-milling and asphalt overlaying of existing roadways where the road bed is in good condition, but the upper layer of asphalt is deteriorating and this will help extend the life of these roadways in a cost-effective manner; and

WHEREAS, the proposed roadways are as follows:

Road	From	To
Oakfield Avenue	Wilson Place	Milburn Court
Miller Avenue	Manhattan Street	Hamilton Street
President Street	Gordon Place	South Main Street

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West 4th Street	South Main Street	Westerly Terminus
Guy Lombardo Avenue	Front Street	Southerly Terminus
Facility	Location	
Parking Field #11	Church Street between Sunrise Highway and Merrick Road	
Parking Field #29	North of the Train Station	

WHEREAS, the estimated cost of this project is \$1,100,000.00; and

WHEREAS, partial funding for the road resurfacing will come from a \$750,000 bond resolution approved by the Board of Trustees on July 12, 2021 and the balance from an anticipated bond resolution to be approved by the Board; and

WHEREAS, the project is reimbursable with a Freeport Community Development Agency grant and the New York State Consolidated Local Street and Highway Improvement Program (CHIPS) funding; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and the Board hereby grant authorization to advertise a Notice to Bidders for the “2022 Road Resurfacing Project” in the Freeport Herald and other relevant publications on October 6, 2022 with specifications available from October 11, 2022 through October 21, 2022 with a return date of October 25, 2022, with bids scheduled to be opened at 11:00 AM.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Village of Freeport has solicited bids for the Cow Meadow Park Fence Replacement Rebid; and

WHEREAS, twenty-one (21) bids were picked up and seven (7) bids were received on September 13 for the referenced project; and

WHEREAS, the bids ranged from a high of \$356,500.00 to the low bid of \$152,000.00; and

WHEREAS, the lowest responsible bid was submitted by GTX Construction Associates Corp., 80 Henry Street, Freeport, NY 10520 in the amount of \$152,000.00; and the Village has checked their references and all appear to be in good order; and

WHEREAS, funding for this project will come from a bond resolution that was

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authorized by the Village Board of Trustees on February 28, 2022 in the amount of \$2,500,000.00, (H719702-523001); and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to award the Cow Meadow Park Fence Replacement Rebid to GTX Construction Associates Corp., 80 Henry Street, Freeport, NY 10520 in the amount of \$152,000.00.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Department of Public Works for the Village of Freeport has solicited a Notice to Bidders for “Purchase of Vacuum Compressor Assembly”;

WHEREAS, seven (7) bids were distributed and one (1) bid was received on September 13, 2022 for the referenced purchase contract; and

WHEREAS, the sole and responsible bid was submitted by Trius Inc., 458 Johnson Avenue, P.O. Box 158, Bohemia, N.Y. 11716, in the amount of \$34,887.00; and the Village has checked their references and all appear to be in good order; and

WHEREAS, funding for purchase will come from the annual fiscal budget for the Department of Public Works, budget lines:

\$4,000.00 - A816004 541200 – MAINTENANCE OF EQUIPMENT
 \$15,000.00 - A511004 542800 – SERVICE CONTRACTS AND REPAIRS
 \$15,887.00 - A164004 540400 - MAINTENANCE OF VEHICLES; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to award the Purchase of Vacuum Compressor Assembly to Trius Inc., 458 Johnson Avenue, P.O. Box 158, Bohemia, N.Y. 11716, in the amount of \$34,887.00.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor

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Trustee Squeri	Not Present
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

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

WHEREAS, the Village of Freeport wishes to hold a Freeport Fall Festival on Woodcleft Avenue on Sunday October 30, 2022 with events running from 12PM to 4PM, jointly organized by the Freeport Recreation Center, the Freeport Fire Department, and the Freeport Chamber of Commerce; and

WHEREAS, the Freeport Fire Department will hold their annual Fire Expo with trucks and displays in the parking lot adjacent to the Splash building and across from the Village Esplanade between 12 noon and 4PM; and

WHEREAS, the Chamber of Commerce will host a chowder contest from 1PM to 4PM; and

WHEREAS, limited vendors and activities, including a Farmer’s Market will be set up in the municipal lot, as well as at the Village Esplanade, directly across the street; and

WHEREAS, the Village will host a Fire Department and Children’s Parade at 12 noon (with line-up beginning at approximately 11:30) from Sea Breeze Park on Richmond Street and proceed north on Woodcleft Avenue to the municipal parking lot, south of Hamilton Street, with an estimated parade time of 1.5 hours; and

WHEREAS, the Recreation Center, Department of Public Works, and Fire Department will work together to ensure the safety and order throughout the day; and

NOW THEREFORE BE IT RESOLVED, that the Board approve the Freeport Fall Festival on Woodcleft Avenue on Sunday October 30, 2022 with events running from 12PM to 4PM, jointly organized by the Freeport Recreation Center, the Freeport Fire Department, and the Freeport Chamber of Commerce.

The Clerk polled the Board as follows:

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

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

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BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF FREEPORT, NEW YORK, that the VEHICLE AND TRAFFIC REGULATIONS Article III Parking Restrictions be amended as follows:

Sec. 46. No stopping or standing at any time unless otherwise indicated.

REMOVE

Long Beach Avenue, South, east side, from the southerly curblineline of Pine Street south for a distance of 60 feet.

Sec. 41. Parking prohibited at all times unless otherwise designated.

ADD

Long Beach Avenue, South, east side, from the southerly curblineline of Pine Street south for a distance of 260 feet.

The Clerk polled the Board as follows:

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

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

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF FREEPORT, NEW YORK, that the VEHICLE AND TRAFFIC REGULATIONS Article III Parking Restrictions be amended as follows:

Sec. 41. Parking prohibited at all times unless otherwise designated.

ADD

Morris Street, south side, from the westerly curblineline of South Bay Avenue west for a distance of 80 feet.

The Clerk polled the Board as follows:

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

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Mayor Kennedy

In Favor

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

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

WHEREAS, the proposed action is the issuance of bonds for the purpose of authorizing the construction of road improvements to Nassau Avenue, specifically the appropriation of \$1,000,000.00 in bonds and authorizing the issuance of bonds in the principal amount of \$1,000,000.00 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.

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- 8. The proposed action will not produce a substantial change in the use or intensity of land, including cultural or recreational resources, or its capacity to support existing uses.
- 9. The proposed action will not create a material demand for other actions that would result in any of the above consequences.
- 10. The proposed action will not change two or more elements in the environment, which when considered together could result in a substantial adverse impact on the environment.
- 11. When considered cumulatively with other actions, the proposed action will not have a significant effect on the environment or meet one of the above criteria.

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

The Clerk polled the Board as follows:

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

It was moved by 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 various road improvements, specifically the appropriation of \$1,200,000.00 in bonds and authorizing the issuance of bonds in the principal amount of \$1,200,000.00 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

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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	In Favor
Mayor Kennedy	In Favor

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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 authorizing the replacement of the sewer pump at Buffalo Avenue, specifically the appropriation of \$293,000.00 (amended from the previously approved amount of \$62,000.00) in bonds and authorizing the issuance of bonds in the principal amount of \$293,000.00 (amended from the previously approved amount of \$62,000.00) 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.

October 3, 2022

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- 8. The proposed action will not produce a substantial change in the use or intensity of land, including cultural or recreational resources, or its capacity to support existing uses.
- 9. The proposed action will not create a material demand for other actions that would result in any of the above consequences.
- 10. The proposed action will not change two or more elements in the environment, which when considered together could result in a substantial adverse impact on the environment.
- 11. When considered cumulatively with other actions, the proposed action will not have a significant effect on the environment or meet one of the above criteria.

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

The Clerk polled the Board as follows:

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

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

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

WHEREAS, the proposed action is the issuance of bonds for the purpose of authorizing the construction of sewer improvements along Merrick Road, specifically the appropriation of \$219,000.00 in bonds and authorizing the issuance of bonds in the principal amount of \$219,000.00 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

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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	In Favor
Mayor Kennedy	In Favor

October 3, 2022

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2022-18

Trustee Martinez offered the following resolution and moved its adoption:

RESOLUTION OF THE VILLAGE OF FREEPORT, NEW YORK, ADOPTED OCTOBER 3, 2022, AMENDING THE BOND RESOLUTION ADOPTED ON MARCH 28, 2022 RELATING TO THE CONSTRUCTION OF ROAD IMPROVEMENTS TO NASSAU AVENUE, INCLUDING RELATED DRAINAGE AND GRADING

Recitals

WHEREAS, the Board of Trustees of the Village of Freeport, in the County of Nassau, New York, has heretofore duly authorized the construction of road improvements to Nassau Avenue, including related drainage and grading, at the estimated maximum cost of \$500,000 pursuant to the bond resolution adopted by the Board of Trustees on March 28, 2022; and

WHEREAS, it has now been determined that the estimated cost of such project shall be \$1,000,000, and it is in the public interest to increase said appropriation by \$500,000 and to authorize the issuance of bonds in the maximum amount of \$1,000,000 for said project;

Now, therefore, be it

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

Section A. The bond resolution of the Village of Freeport duly adopted by the Board of Trustees on March 28, 2022, entitled:

“Bond Resolution of the Village of Freeport, New York, adopted March 28, 2022, authorizing the construction of road improvements to Nassau Avenue, including related drainage and grading, stating the estimated maximum cost thereof is \$500,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$500,000 to finance said appropriation,”

is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF FREEPORT, NEW YORK, ADOPTED MARCH 28, 2022 AND AMENDED OCTOBER 3, 2022, AUTHORIZING THE CONSTRUCTION OF ROAD IMPROVEMENTS TO NASSAU AVENUE, INCLUDING RELATED DRAINAGE AND GRADING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND

October 3, 2022

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2022-19

2022-19

AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$1,000,000 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 road improvements to Nassau Avenue, including related drainage and grading (the "Project"). The estimated maximum cost of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds or notes of the Village in the principal amount of not to exceed \$1,000,000 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 or notes and the interest thereon as the same shall become due and payable. Grant funds received or expected to be received by the Village and any other funds available for such purpose are authorized to be applied toward the cost of said Project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the Village in the principal amount of not to exceed \$1,000,000 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, within the limitations of Section 11.00 a. 20(c) of the Law, is fifteen (15) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will 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

October 3, 2022

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2022-20

2022-20

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 of the Law 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 Section 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 the execution of 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 is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*Freeport Herald Leader*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

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2022-21

2022-21

VILLAGE OF FREEPORT, NEW YORK

PLEASE TAKE NOTICE that on October 3, 2022 the Board of Trustees of the Village of Freeport, in the County of Nassau, New York, adopted a resolution amending the bond resolution adopted by said Board of Trustees on March 28, 2022, which bond resolution, as amended, is entitled:

“Bond Resolution of the Village of Freeport, New York, adopted March 28, 2022 and amended October 3, 2022, authorizing the construction of road improvements to Nassau Avenue, including related drainage and grading, stating the estimated maximum cost thereof is \$1,000,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$1,000,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct road improvements to Nassau Avenue, including related drainage and grading; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds or notes of the Village in the principal amount of not to exceed \$1,000,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; and STATING that grant funds received or expected to be received by the Village and any other funds available for such purpose are authorized to be applied toward the cost of said project or redemption of the Village’s bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes;

SECOND: AUTHORIZING the issuance of not to exceed \$1,000,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; 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 and the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be

October 3, 2022

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general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: October 3, 2022

Pamela Walsh Boening
Village Clerk

October 3, 2022

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

2022-23

2022-23

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

Section (B) The amendment of the bond resolution as set forth in Section (A) of this resolution shall in no way affect the validity of any liabilities incurred, obligations issued, or action taken pursuant to said bond resolution prior to amendment, and all such liabilities incurred, obligations issued, or actions taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as amended.

Section (C) Said bond resolution, as amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution and requesting that it be submitted to the electors of said Village for their approval or disapproval is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted March 28, 2022 shall not be in any way affected and shall remain in full force and effect.

The adoption of the foregoing resolution was seconded by Deputy Mayor Ellerbe and duly put to a vote on roll call, which resulted as follows:

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

The resolution was declared adopted.

Trustee Squeri offered the following resolution and moved its adoption:

RESOLUTION OF THE VILLAGE OF FREEPORT, NEW YORK, ADOPTED OCTOBER 3, 2022, AMENDING THE BOND RESOLUTION ADOPTED ON MARCH 28, 2022 RELATING TO THE CONSTRUCTION OF VARIOUS ROAD IMPROVEMENTS

Recitals

WHEREAS, the Board of Trustees of the Village of Freeport, in the County of Nassau, New York, has heretofore duly authorized the construction of various road improvements, at the estimated maximum cost of \$750,000 pursuant to the bond resolution adopted by the Board of Trustees on March 28, 2022; and

October 3, 2022

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2022-24

2022-24

WHEREAS, it has now been determined that the estimated cost of such project shall be \$1,200,000, and it is in the public interest to increase said appropriation by \$450,000 and to authorize the issuance of bonds in the maximum amount of \$1,200,000 for said project;

Now, therefore, be it

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

Section A. The bond resolution of the Village of Freeport duly adopted by the Board of Trustees on March 28, 2022, entitled:

“Bond Resolution of the Village of Freeport, New York, adopted March 28, 2022, authorizing the construction of various road improvements, stating the estimated maximum cost thereof is \$750,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$750,000 to finance said appropriation,”

is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF FREEPORT, NEW YORK, ADOPTED MARCH 28, 2022 AND AMENDED OCTOBER 3, 2022, AUTHORIZING THE CONSTRUCTION OF VARIOUS ROAD IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,200,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$1,200,000 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 various road improvements (the “Project”). The estimated maximum cost of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,200,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds or notes of the Village in the principal amount of not to exceed \$1,200,000 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 or notes and the interest thereon as the same shall become due and payable. Grant funds received or expected to be received by the Village and any other funds available for such purpose are authorized to be applied toward the cost of said Project or redemption of the Village’s bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

October 3, 2022

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2022-25

2022-25

Section 2. Bonds of the Village in the principal amount of not to exceed \$1,200,000 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, within the limitations of Section 11.00 a. 20(c) of the Law, is fifteen (15) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will 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 of the Law 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 Section 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 the execution of 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:

October 3, 2022

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- (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 is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*Freeport Herald Leader*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

October 3, 2022

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VILLAGE OF FREEPORT, NEW YORK

PLEASE TAKE NOTICE that on October 3, 2022 the Board of Trustees of the Village of Freeport, in the County of Nassau, New York, adopted a resolution amending the bond resolution adopted by said Board of Trustees on March 28, 2022, which bond resolution, as amended, is entitled:

“Bond Resolution of the Village of Freeport, New York, adopted March 28, 2022 and amended October 3, 2022, authorizing the construction of various road improvements, stating the estimated maximum cost thereof is \$1,200,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$1,200,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct various road improvements; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,200,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds or notes of the Village in the principal amount of not to exceed \$1,200,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; and STATING that grant funds received or expected to be received by the Village and any other funds available for such purpose are authorized to be applied toward the cost of said project or redemption of the Village’s bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes;

SECOND: AUTHORIZING the issuance of not to exceed \$1,200,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; 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 and the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be

October 3, 2022

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

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general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: October 3, 2022

Pamela Walsh Boening
Village Clerk

October 3, 2022

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

2022-29

2022-29

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

Section (B) The amendment of the bond resolution as set forth in Section (A) of this resolution shall in no way affect the validity of any liabilities incurred, obligations issued, or action taken pursuant to said bond resolution prior to amendment, and all such liabilities incurred, obligations issued, or actions taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as amended.

Section (C) Said bond resolution, as amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution and requesting that it be submitted to the electors of said Village for their approval or disapproval is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted March 28, 2022 shall not be in any way affected and shall remain in full force and effect.

The adoption of the foregoing resolution was seconded by Deputy Mayor Ellerbe and duly put to a vote on roll call, which resulted as follows:

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

The resolution was declared adopted.

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

RESOLUTION OF THE VILLAGE OF FREEPORT, NEW YORK, ADOPTED OCTOBER 3, 2022, AMENDING THE BOND RESOLUTION ADOPTED ON FEBRUARY 3, 2020 RELATING TO THE REPLACEMENT OF THE SEWER PUMP AT BUFFALO AVENUE

Recitals

WHEREAS, the Board of Trustees of the Village of Freeport, in the County of Nassau, New York, has heretofore duly authorized the replacement of the sewer pump at Buffalo Avenue, at the estimated maximum cost of \$62,000 pursuant to the bond resolution adopted by the Board of Trustees on February 3, 2020; and

October 3, 2022

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WHEREAS, it has now been determined that the estimated cost of such project shall be \$293,000, and it is in the public interest to increase said appropriation by \$231,000 and to authorize the issuance of bonds in the maximum amount of \$293,000 for said project;

Now, therefore, be it

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

Section A. The bond resolution of the Village of Freeport duly adopted by the Board of Trustees on February 3, 2020, entitled:

“Bond Resolution of the Village of Freeport, New York, adopted February 3, 2020, authorizing the replacement of the sewer pump at Buffalo Avenue, stating the estimated maximum cost thereof is \$62,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$62,000 to finance said appropriation,”

is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF FREEPORT, NEW YORK, ADOPTED FEBRUARY 3, 2020 AND AMENDED OCTOBER 3, 2022, AUTHORIZING THE REPLACEMENT OF THE SEWER PUMP AT BUFFALO AVENUE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$293,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$293,000 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 replace the sewer pump at Buffalo Avenue. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$293,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds or notes of the Village in the principal amount of not to exceed \$293,000 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 or notes and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of not to exceed \$293,000 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.

October 3, 2022

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, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will 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 of the Law 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 Section 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 the execution of 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,

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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 is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*Freeport Herald Leader*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

October 3, 2022

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VILLAGE OF FREEPORT, NEW YORK

PLEASE TAKE NOTICE that on October 3, 2022 the Board of Trustees of the Village of Freeport, in the County of Nassau, New York, adopted a resolution amending the bond resolution adopted by said Board of Trustees on February 3, 2020, which bond resolution, as amended, is entitled:

“Bond Resolution of the Village of Freeport, New York, adopted February 3, 2020 and amended October 3, 2022, authorizing the replacement of the sewer pump at Buffalo Avenue, stating the estimated maximum cost thereof is \$293,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$293,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to replace the sewer pump at Buffalo Avenue; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$293,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds or notes of the Village in the principal amount of not to exceed \$293,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of not to exceed \$293,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; 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 and the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

October 3, 2022

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FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: October 3, 2022

Pamela Walsh Boening
Village Clerk

October 3, 2022

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Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

Section (B) The amendment of the bond resolution as set forth in Section (A) of this resolution shall in no way affect the validity of any liabilities incurred, obligations issued, or action taken pursuant to said bond resolution prior to amendment, and all such liabilities incurred, obligations issued, or actions taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as amended.

Section (C) Said bond resolution, as amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution and requesting that it be submitted to the electors of said Village for their approval or disapproval is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted February 3, 2020 shall not be in any way affected and shall remain in full force and effect.

The adoption of the foregoing resolution was seconded by Trustee Squeri and duly put to a vote on roll call, which resulted as follows:

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

The resolution was declared adopted.

Trustee Martinez offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF FREEPORT, NEW YORK, ADOPTED OCTOBER 3, 2022, AUTHORIZING THE CONSTRUCTION OF SEWER IMPROVEMENTS ALONG MERRICK ROAD IN THE VILLAGE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$219,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$219,000 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:

October 3, 2022

Section 1. The Village of Freeport, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to construct sewer improvements along Merrick Road in the Village. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$219,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds or notes of the Village in the principal amount of not to exceed \$219,000 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 or notes and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of not to exceed \$219,000 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, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will 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 of the Law 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 Section 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

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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 the execution of 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 is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*Freeport Herald Leader*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

October 3, 2022

VILLAGE OF FREEPORT, NEW YORK

PLEASE TAKE NOTICE that on October 3, 2022, the Board of Trustees of the Village of Freeport, in the County of Nassau, New York, adopted a bond resolution entitled:

“Bond Resolution of the Village of Freeport, New York, adopted October 3, 2022, authorizing the construction of sewer improvements along Merrick Road in the Village, stating the estimated maximum cost thereof is \$219,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$219,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct sewer improvements along Merrick Road in the Village; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$219,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds or notes of the Village in the principal amount of not to exceed \$219,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of not to exceed \$219,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; 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 and the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

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SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: October 3, 2022

Pamela Walsh Boening
Village Clerk

October 3, 2022

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Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

The adoption of the foregoing resolution was seconded by Trustee Squeri and duly put to a vote on roll call, which resulted as follows:

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

The resolution was declared adopted.

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

WHEREAS, at the Village Board of Trustees meeting on February 7, 2022, the Board awarded the 2022 Furnishing of Sodium Hexametaphosphate contract to Chemrite, Inc., 5202 Belle Wood Ct., Suite 104, Buford, Georgia 30518, in the amount of \$52,632.00, for a term of one year beginning March 1, 2022, with an option for two one-year extensions if mutually accepted; and

WHEREAS, to date, we have spent \$52,632.00 under this contract and the Village anticipates spending an additional \$5,000.00 above the original contract amount; and

WHEREAS, the increase in spending above the contract amount is due to high water demand during the past summer; and

WHEREAS, funding will come from the Water Department operating budget WE96004 541110 for the purchase of chemicals; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Board approve and the Mayor be authorized to execute any and all documents necessary to retroactively approve an increase in the contract for the “2022 Furnishing of Sodium Hexametaphosphate” with Chemrite, Inc., 5202 Belle Wood Ct., Suite 104, Buford, Georgia 30518, for a total amount of \$57,632.00 for a retroactive term from March 1, 2022 to February 28, 2023.

The Clerk polled the Board as follows:

October 3, 2022

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

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

The Clerk polled the Board as follows:

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

The meeting was closed at 7:16 P.M.

Pamela Walsh Boening
Village Clerk

October 3, 2022