

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, November 7, 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 6:36 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 6:37 P.M., it was moved by Trustee Sanchez, seconded by Trustee Squeri and unanimously carried to adjourn this portion of the Legislative Meeting and return to the Mayor's Conference Room to consult with Counsel.

The Clerk polled the Board as follows:

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

At 7:03 P.M., motion was made by Trustee Sanchez, seconded by Trustee Squeri and unanimously carried to reconvene in Legislative Session.

The Clerk polled the Board as follows:

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

Two (2) residents were present.

Deputy Mayor Ellerbe led in the Pledge of Allegiance.

It was moved by Trustee, seconded by Trustee, and unanimously carried to approve the Board of Trustees Minutes of October 19, 2022.

November 7, 2022

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The Clerk polled the Board as follows:

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

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

WHEREAS, the Assessor is requesting permission to apply a retroactive change in assessment value increase for the 2023/2024 Tentative Assessment Roll; and

WHEREAS, the change resulted from a newly built house on what is currently 62/168/82; and

WHEREAS, the new house triggered a site visit to access the property during the 2022 year; and

WHEREAS, due to a Nassau County lot change, the lot on which the new house is built will be known as 62/168/85 and the address will be 184 Ray Street once it is updated in PAS; and

WHEREAS, listed below is the increase for the 2023/2024 tax year; and

SBL	Address	Vlg AV	Vlg Mkt Value	Sale Date	Sale Amount	Status	Workup Value	Recnded Value	AV EQ
62/168/85	184 Ray St	1,713	115,430	2/11/22	\$799,000	Newly Built House	\$716,990	\$650,000	.0150 9,750

NOW THEREFORE BE IT RESOLVED, that the Assessor is granted permission to apply an assessment value of 9,750 to 62/168/82, now to be known as 62/168/85, retroactively for the 2023/2024 Tentative Assessment Roll.

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

WHEREAS, the Village of Freeport has solicited bids for the Furnishing of Single Conductor - #4/0 – 500 KCMIL, 15 KV Cold Shrink Splice Kits, Bid #22-10-ELEC-618; and

WHEREAS, at the bid opening on October 11, 2022, the Electric Department received one bid proposal in response to its advertisement; and

WHEREAS, the only responsive and responsible bidder meeting specifications was submitted by Irby Utilities, located at 4583 Buckley Road, Liverpool, NY 13088, for the not to exceed cost of \$44,280.00; and

WHEREAS, the splice kits, for use in the Microgrid project, will be funded by grant funds from New York Rising Community Reconstruction Program; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to award the contract for the Furnishing of Single Conductor - #4/0 – 500 KCMIL, 15 KV Cold Shrink Splice Kits, Bid #22-10-ELEC-618 to Irby Utilities, located at 4583 Buckley Road, Liverpool, NY 13088, for the not to exceed cost of \$44,280.00.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Freeport Electric is in need of 2nd stage air filters for the LM6000 combustion turbine; and

WHEREAS, the air filters were originally supplied in 2004 by General Electric and manufactured by Altair Filter Technology out of Kentucky; and

WHEREAS, since then, Altair has been acquired by multiple companies and is now owned by Parker Hannifin Corporation out of Kansas; the Utility could not find an alternate supplier; and

WHEREAS, the Superintendent of Electric Utilities is requesting Board approval for Parker Hannifin Corporation, 11501 Outlook Street, Suite 100, Overland Park, KS 66211, as the

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sole source provider of 2nd stage air filters for the LM6000 combustion turbine; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, Board approve and that the Mayor be and hereby is authorized to contract Parker Hannifin Corporation, 11501 Outlook Street, Suite 100, Overland Park, KS 66211, as the sole source provider of 2nd stage air filters for the LM6000 combustion turbine.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Freeport Electric is in need of 2nd stage air filters for the LM6000 combustion turbine; and

WHEREAS, the Parker Hannifin Corporation has been approved by the Board on November 7, 2022 as the sole source provider; and

WHEREAS, the Superintendent of Electric Utilities is requesting Board approval for the purchase of 2nd stage air filters for the LM6000 combustion turbine from Parker Hannifin Corporation, 11501 Outlook Street, Suite 100, Overland Park, KS 66211, for the not to exceed cost of \$39,629.45; and

WHEREAS, the cost of the filters will be charged to Account #E 7153066 510000 and there are sufficient funds available for this purchase; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, Board approve and that the Mayor be and hereby is authorized to purchase of 2nd stage air filters for the LM6000 combustion turbine from Parker Hannifin Corporation, 11501 Outlook Street, Suite 100, Overland Park, KS 66211, for the not to exceed cost of \$39,629.45.

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

WHEREAS, on May 6, 2013, the Board of Trustees authorized the application for NYS Environmental Facilities Corporation for the Clean Vessel Operation and Maintenance Grant Program for the pump-out boat; and

WHEREAS, the Village of Freeport is eligible to receive reimbursement up to \$5,000.00 for the annual operation and maintenance for 2022; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is directed and authorized as the official representative of the Village of Freeport to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the New York State and that this resolution shall take effect immediately.

The Clerk polled the Board as follows:

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

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

WHEREAS, on November 29, 2021, the Board approved a professional services agreement to update the Village’s Vulnerability Assessment (VA) and Emergency Response Plan (ERP) in order to maintain regulatory compliance with the Nassau County Department of Health (NCDOH) with JRH Consulting Engineers, D.P.C., 3555 Veterans Memorial Highway, Suite A, Ronkonkoma, New York, 11779-7636 for a not to exceed cost of \$42,451.00, which will be billed for actual hours worked; and

WHEREAS, due to additional requirements by New York State and the Nassau County Health Department, additional work was required by JRH Consulting Engineers; and

WHEREAS, the Superintendent of Public Works is requesting Board approval that the professional services agreement for the update of the Vulnerability Assessment and Emergency Response Plan for the Freeport Water Department with JRH Consulting Engineers, D.P.C., 3555 Veterans Memorial Highway, Suite A, Ronkonkoma, New York, 11779-7636 be retroactively increased to a not to exceed cost of \$45,000.00; and

WHEREAS, funding for these services will come the Water Department operating budget (WE90104 554500); and

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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 authorize to sign any documentation necessary to effectuate a professional services agreement with JRH Consulting Engineers, D.P.C., 3555 Veterans Memorial Highway, Suite A, Ronkonkoma, New York, 11779-7636 for a retroactive increase not to exceed cost of \$45,000.00, which will be billed for actual hours worked.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Incorporated Village of Freeport advertised for 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
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, seventeen (17) bids were picked up and seven (7) bids were received on October 25, 2022 for the referenced project, which ranged from a high of \$1,700,741.00 to the low bid of \$1,222,915.64; and

WHEREAS, the lowest bid was submitted by Graci Paving Associates, 267 North Cedar Street, Massapequa, N.Y. 11758 in the amount of \$1,222,915.64 and all references have been checked and found to be in good order; and

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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 partially 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 upon the recommendation of the Superintendent of Public Works, the Board approve and the Mayor be authorized to execute any and all documentation necessary to award the contract for “2022 Road Resurfacing Project” to Graci Paving Associates, 267 North Cedar Street, Massapequa, N.Y. 11758 in the amount of \$1,222,915.64.

The Clerk polled the Board as follows:

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

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

**RESOLUTION TO RESCHEDULE PUBLIC HEARING –
Cablevision Systems Long Island Corporation**

WHEREAS, legal notice of a public hearing was duly authorized, published and posted for a public hearing to be duly held on May 23, 2022 at 7:15 pm, to hear testimony on the proposed cable television franchise renewal agreement between the Village of Freeport and Cablevision Systems Long Island Corporation for a term of ten years, commencing upon confirmation of the agreement by the New York State Public Service Commission., and

WHEREAS, at the public meeting on May 23, 2022, the public hearing was duly adjourned to June 27, 2022 at 7:15 pm, and thereafter was further adjourned from time to time until October 31, 2022, and

WHEREAS, the scheduled October 31, 2022 meeting thereafter was cancelled, thus necessitating new legal notice of for the aforesaid public hearing,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Freeport will hold a public hearing at the Village Hall, 46 North Ocean Avenue, Freeport, New York on November 28, 2022, at 7:15 pm, at which time all interested parties shall be afforded the opportunity to be heard concerning the renewal of the cable television franchise of Cablevision Systems Long Island Corporation (Altice) in the Village of Freeport for a term of ten years.

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Copies of the proposed franchise renewal agreement are available for review in the Village Clerk’s Office, and it is further

RESOLVED, that the Village Clerk is directed to give notice of such public hearing as may be required by law.

The Clerk polled the Board as follows:

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

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

WHEREAS, the upcoming Village Election will be held on Tuesday, March 21, 2023; and

WHEREAS, the Clerk’s office is requesting Board approval for the services of the Village Attorney’s Office, as Election Counsel, as well as Martin Connor, Esq., 61 Pierrepont St., Apt. 71, Brooklyn, NY 11201-2434, for all proceedings and requirements pertaining to the March 21, 2023 Village Election, for a not to exceed cost of \$20,000; and

WHEREAS, funding for this service will come from – (A142004 545700 Attorney Non Employee Salaries); and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Village Clerk, Board approve and that the Mayor be and hereby is authorized for the services of the Village Attorney’s Office, as Election Counsel, as well as Martin Connor, Esq., 61 Pierrepont St., Apt. 71, Brooklyn, NY 11201-2434, for all proceedings and requirements pertaining to the March 21, 2023 Village Election, for a not to exceed cost of \$20,000.

The Clerk polled the Board as follows:

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

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

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WHEREAS, Section 15-104 of the Election Law of the State of New York states that village elections should be held on the third Tuesday of March (unless a holiday dictates otherwise); and

NOW THEREFORE BE IT RESOLVED, that pursuant to §15-104 of the Election Law of New York State, the Village Election shall be held on Tuesday, March 21, 2023; and

BE IT FURTHER RESOLVED, that the Village Clerk be and hereby is authorized to publish a notice in the Freeport Herald and other relevant publications of general circulation, designating the office(s) to be filled and the term(s) at the Village election to be held on March 21, 2023, pursuant to §15-104 of the Election Law, to wit: two (2) Trustees, each for a term of four (4) years.

The Clerk polled the Board as follows:

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

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

The Clerk polled the Board as follows:

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

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

Pamela Walsh Boening
Village Clerk