

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

2022-1

A meeting of the Board of Trustees of the Incorporated Village of Freeport was held on Monday, December 12, 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 Trustee Martinez led in the Pledge of Allegiance.

No residents were present.

At 6:37 P.M., it was moved by Trustee Sanchez, seconded by Trustee Martinez and carried to adjourn this portion of the Legislative Meeting and return to the Mayor’s Conference Room to continue in Executive Session to consult with Counsel.

The Clerk polled the Board as follows:

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

At 6:37 P.M. Deputy Mayor Ellerbe and Trustee Squeri entered Executive Session.

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

The Clerk polled the Board as follows:

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

Approximately two (2) residents were present.

Deputy Mayor Ellerbe led in the Pledge of Allegiance.

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2022-2

2022-2

It was moved by Trustee Squeri, seconded by Trustee Martinez, and unanimously carried to approve the Board of Trustees Minutes of November 28, 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	No vote cast

It was moved by Trustee Squeri, seconded by Trustee Martinez, and unanimously carried to approve the Board of Trustees Minutes of November 29, 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 Squeri, seconded by Trustee Martinez, and unanimously carried to approve the Board of Trustees Minutes of November 30, 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 Squeri, seconded by Trustee Martinez, and unanimously carried to approve the Board of Trustees Minutes of December 1, 2022.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Martinez, seconded by Deputy Mayor Ellerbe and unanimously carried to approve the request to hang a banner promoting the “Christmas Village Fair and Market” on S. Main Street between Raynor Street and Archer Street from December 12, 2022 through December 18, 2022; and that the Freeport Electric Department assist in hanging and removing the banner.

December 12, 2022

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2022-3

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

WHEREAS, pursuant to §1410 of the Real Property Tax Law of the State of New York, the 2023-2024 Final Assessment Roll of the Incorporated Village of Freeport will be filed on January 3, 2023; and

WHEREAS, the roll will be open for inspection during normal business hours and remain on file for fifteen days in the Village Clerk’s office and Assessor’s office after publication of said notice; and

NOW THEREFORE BE IT RESOLVED, that the Board authorize the Village Clerk to post and publish the required legal notice in the Freeport Herald edition dated January 5, 2023.

The Clerk polled the Board as follows:

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

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

WHEREAS, the assessed value in the 2021/2022 and 2022/2023 Final Assessment Rolls, and the 2023/2024 Tentative Assessment Roll for the property located at 33 W 2nd Street, Section 62, Block 062, and Lot 112 resulted in a higher assessed value for the veteran property owner once the exemption was removed; and

WHEREAS, the clerical error was due to the son and father having the same name whereby the son is deceased and father, the veteran is alive; the veteran exemption was removed on February 7, 2022 Directive and it was listed as deceased in error on 1/13/2022; and

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

WHEREAS, this error was brought to the Assessor’s attention after the adoption of the

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2022-4

2022-4

Final Assessment Roll for 2022/2023; and

S / B / L	Address	Assessed Value 2022/2023	Exemption Code	2022 2023 Exemption Amount	2022/2023 Exemption Refund
62/062/112	33 W 2 nd St	7,880	41121	544	\$338.89

WHEREAS, in 2021/2022 tax year, no action is required, the taxes had been paid, and no adjustment is necessary; the Assessor will correct the 2023/2024 Tentative Assessment Roll and prepare the refund claim form in the amount of \$338.89 for the 2022/2023 tax year for the property owner to sign for his refund; and

NOW THEREFORE BE IT RESOLVED, that the Board of Assessment Review, comprised of members of the Board of Trustees be authorized to retroactively approve the changes recommended by the Assessor to be made to the 2021/2022 and 2022/2023 Final Assessment Rolls, and the 2023/2024 Tentative Assessment Roll and that the Village Treasurer issue a corrected tax bill; and

FURTHER, BE IT RESOLVED, the Assessor will correct the 2023/2024 Tentative Assessment Roll and prepare the refund claim form in the amount of \$338.89 for the 2022/2023 tax year for the property owner to sign for his refund.

The Clerk polled the Board as follows:

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

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

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

WHEREAS, the below list consists of changes to assessed tax value after the adoption of the 2022/2023 Final Assessment Roll and 2023/2024 Tentative Roll; and

S / B / L	Address	Exemption Code	Exemption Amount	Reason

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2022-5

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55-056-2	70 California Ave	41131 Veteran War Time/ Combat	906	Property Sold 11/09/2022
62-154-337	345 Roosevelt Ave	41800 Senior	1,553	Property Sold 11/28/2022

WHEREAS, the Assessor reviewed the application and made a recommendation that the exemption be removed from the 2022/2023 Final Assessment Roll and 2023/2024 Tentative 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 changes recommended by the Assessor to be made to the 2022/2023 Final Assessment Roll and 2023/2024 Tentative Roll that the Treasurer issue restored and corrected tax bills.

The Clerk polled the Board as follows:

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

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

WHEREAS, the assessed value in the 2021/2022 and 2022/2023 Final Assessment Rolls, and the 2023/2024 Tentative Assessment Roll for the property located at 102 Bedell Street, Section 62, Block 056, and Lot 15 was a clerical error due to the 5217 Transfer Form not indicating that it was a Life Estate and the property owner did not advise the Village that a Life Estate was created; as a result, the senior exemption was removed on July 25, 2022 Directive and it was listed as property sold as of 12/16/2021; and

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

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

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S / B / L	Address	Assessed Value	Exemption Assessed Value
62 / 056 / 15	102 Bedell St	2021/2022 - 6,480	3,240
		2022/2023 - 6,480	3,240
		2023/2024 - 6,480	3,240

NOW THEREFORE BE IT RESOLVED, that the Board of Assessment Review, comprised of members of the Board of Trustees be authorized to retroactively approve the changes recommended by the Assessor to be made to the 2021/2022 and 2022/2023 Final Assessment Rolls, and the 2023/2024 Tentative Assessment Roll and that the Village Treasurer issue a corrected tax bill.

The Clerk polled the Board as follows:

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

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

WHEREAS, permission is requested for the Assessor to retro-actively correct the assessed value in the 2021/2022 and 2022/2023 Final Assessment Rolls due to a clerical error that resulted in the removal of the senior exemption value; and

WHEREAS, the clerical error was due to the property owner being declared deceased on February 7, 2021 and it was reflected on the Directive of December 13, 2021; and

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

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

S / B / L	Address	Assessed Tax Value 2021 and 2022	Exemption Assessed Value 2021 and 2022	Taxable Value 2021 and 2022 Incorrect Tax Assessed Value	Tax Paid 2021 and 2022	Property Owner Should Have Paid 2021 & 2022
55 / 242 / 14	203 E Dean St	2021 - 5,925	2021 - 2,963	2,962	\$2,363.21	\$2,363.21
		2022 - 5,925	2022 - 0	5,925	\$4,209.04	\$2,363.21

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2022-7

2022-7

NOW THEREFORE BE IT RESOLVED, that the Board of Assessment Review, comprised of members of the Board of Trustees be authorized to retroactively approve the changes recommended by the Assessor to be made to the 2021/2022 and 2022/2023 Final Assessment Rolls, and the 2023/2024 Tentative Assessment Roll and that the Village Treasurer issue a corrected tax bill; and

FURTHER, BE IT RESOLVED, the Assessor will correct the 2023/2024 Tentative Assessment Roll and prepare the refund claim form for the 2022/2023 tax year for the property owner to sign.

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 Martinez that the following resolution be adopted:

WHEREAS, retroactive permission is requested to correct the 2023/2024 Tentative Amended Assessment Roll to reflect the changes of the assessed value for the PILOT properties in which the IDA forwarded the new dollar allocation for each PILOT agreement amounts for the 2023/2024 Village year; and

WHEREAS, the allocated dollar amount had to be re-calculated to obtain the assessed value for each PILOT as stated below for the 2023/2024 tax year and entered into PAS to be uploaded to the ENQUESTA tax system; and

S / B / L	Property Address	PILOT Owners	PILOT Assessed Value 2023/2024	New PILOT Assessed Value Dollar Amount 2023/2024
55-491-332	30 Commercial St	Emergency Ambulance Services	65,815	41,011.00
62-035-5,25	27 Saint John's Pl	Dover Gourmet	78,773	49,072.49
62-230-63	129 Hanse Ave	North Shore Linen	93,318	58,133.35
62-D-147,148,149,150,163,164,165 166,167,168,174	72 Albany Ave	Columbia Equipment Co 72 Albany Realty LLC	62,703	39,061.23

December 12, 2022

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2022-8

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62-233-2,3 62-177-339,526,541,542,548	444,417,447,477, 435 Woodcleft Ave	NBD Holding/Hilton Garden Inn	38,473	23,967.24
62-114-18-20	206 Smith St	206 Smith St	20,986	13,073.20
TOTAL			360,068	\$224,318.51

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees be authorized to retroactively approve the corrections to 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

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

WHEREAS, the Village of Freeport has solicited bids for the Furnishing of Station Service Transformer Replacements, Padmounted 13.8 KV/4160V – 5000/6250, Bid #22-11-ELEC-619; and

WHEREAS, at the bid opening on Tuesday, November 1, 2022, the Electric Department received four (4) bids for the LM 6000 unit at Power Plant 2; and

WHEREAS, the lowest responsible and responsive bidder meeting specifications was submitted by Haugland Energy Group, LLC, 336 South Service Road, Melville, NY 11747, for a cost of \$897,000.00; and

WHEREAS, the cost of the transformers and installation will be charged to E 110000, WO #2492, and there are sufficient funds available for this expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to award the contract for the Furnishing of Station Service Transformer Replacements, Padmounted 13.8 KV/4160V – 5000/6250, Bid #22-11-ELEC-619 to Haugland Energy Group, LLC, 336 South Service Road, Melville, NY 11747, for a cost of \$897,000.00.

The Clerk polled the Board as follows:

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

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2022-9

2022-9

Trustee Sanchez
Mayor Kennedy

In Favor
In Favor

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

WHEREAS, the Village of Freeport Electric Department requires the purchase of 15 KV Underground Cable, EPR Insulated, Copper Tape Shielded, Chlorinated, Polyethylene Jacketed (3-1/C Paralleled), to be used to replenish supplies to a safe stock level in preparation for general work; and

WHEREAS, procurement of said underground cable requires the use of competitive bidding as necessitated by General Municipal Law §103 and the Village’s Procurement Policy; and

WHEREAS, the cost of this cable will be charged to E 123000 (Inventory) and there are sufficient funds available for this expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utility, the Village Clerk be and hereby is authorized to publish a Notice to the Bidders for the “Furnishing of 15 KV Underground Cable, EPR Insulated, Copper Tape Shielded, Chlorinated, Polyethylene Jacketed (3-1/C Paralleled),” Bid #22-12-ELEC 636, in the Freeport Herald and other relevant publications of general circulation on December 15, 2022, with specifications available from December 16, 2022 to December 23, 2022, with a return date of December 27, 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 Squeri, seconded by Deputy Mayor Ellerbe that the following resolution be adopted:

WHEREAS, AECOM Technical Services, Inc. has provided environmental consulting to Freeport’s Electric Utility for over fifteen years on an as needed basis for various environmental management issues; and

WHEREAS, AECOM assists the Utility with the submittal of certain reports and certifications required by the New York State Department of Environmental Conservation (NYSDEC) and the Environmental Protection Agency (EPA); and

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2022-10

2022-10

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

WHEREAS, AECOM serves as an agent for Freeport Electric in emissions markets such as EPA’s Clean Air Market Program and the Regional Greenhouse Gas Initiative; and

WHEREAS, the cost of AECOM Technical Services Inc., 250 Apollo Drive, Chelmsford, Massachusetts 01824, on an as needed basis for the performance of general environmental services pertaining to Freeport’s Plants 1 and 2 for a cap of \$45,000 retroactively from March 1, 2022 to February 28, 2023; and

WHEREAS, to date, AECOM has rendered \$31,073.12 in services that will be allocated against this \$45,000 contract; and

WHEREAS, these services will be charged to E7143151 510000 – Power Plant 1; E7143152 510000 – Power Plant 2; and E7143156 510000 – LM6000 and there are sufficient funds in the referenced accounts to cover these costs; and

NOW THEREFORE BE IT RESOLVED, that the Mayor be and hereby is authorized to execute the renewal agreement between the Village of Freeport and AECOM Technical Services Inc., 250 Apollo Drive, Chelmsford, Massachusetts 01824, on an as needed basis for the performance of general environmental services pertaining to Freeport’s Plants 1 and 2 for a cap of \$45,000 retroactively from March 1, 2022 to February 28, 2023.

The Clerk polled the Board as follows:

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

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

WHEREAS, on February 7, 2022, the Board awarded Bid #21-12-ELEC-583 for the furnishing of 15 KV EPR Insulated, Copper Tape Shielded, Chlorinated, Polyethylene Jacketed (3-1/c Paralleled) to DBE Electric Corp., 980 Little East Neck Road, West Babylon, New York, 11704, for a not to exceed amount of \$70,812.00 per year for a three-year period from March 1, 2022 through February 28, 2025, with an option to extend the contract for up to one year; and

WHEREAS, since the bid award, the vendor has been contacted on several occasions to supply the specified cable; and

WHEREAS, to date, the Village has not been able to purchase the cable; and

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2022-11

2022-11

WHEREAS, based upon the Village’s inability to obtain the required cable from DBE Electric Corp., the Superintendent of Electric is requesting for the Board to revoke the award of the 15 KV Underground Cable, EPR Insulated, Copper Tape Shielded, Chlorinated, Polyethylene Jacketed (3-1/C Paralleled) with DBE Electric Corp. located at 980 Little East Neck Rd., West Babylon, NY 11704; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, the Mayor and the Board hereby revoke the award of the 15 KV Underground Cable, EPR Insulated, Copper Tape Shielded, Chlorinated, Polyethylene Jacketed (3-1/C Paralleled), Bid #21-12-ELEC-583, with DBE Electric Corp. located at 980 Little East Neck Rd., West Babylon, NY 11704.

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:

WHEREAS, on July 11, 2022, the Board approved a Personal Services Agreement with Joseph Madigan, 82 Norton Street, Freeport, NY 11520, retroactive to June 22, 2022 through October 31, 2022, at the hourly rate of \$50.00 per hour, capped at a not-to-exceed cost of \$25,000; and

WHEREAS, the Executive Director of Human Resources is requesting Board approval to extend the personal services agreement term with Joseph Madigan, 82 Norton Street, Freeport, NY 11520, retroactive to November 1, 2022 through February 28, 2023, there is no increase to the previously authorized \$25,000 from the July 11, 2022 Directive; and

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

WHEREAS, the cost of this contract will be charged to A362004 545700, there is sufficient funding to cover this expense, and the cost is offset entirely by fees collected for permitting / plan review; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Executive Director of Human Resources, the Board approve and the Mayor be authorized to execute any documentation necessary to extend a personal services agreement term with Joseph Madigan, 82 Norton Street, Freeport, NY 11520, retroactive to November 1, 2022 through

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2022-12

2022-12

February 28, 2023, with no increase to the previously authorized \$25,000 from the July 11, 2022 Directive.

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 Freeport Police Department maintains network servers which require periodic maintenance; and

WHEREAS, the Freeport Police Department has annually contracted with Total Technology Solutions for the maintenance of said servers and related equipment; and

WHEREAS, the current agreement allows for the Freeport Police to purchase support hour time blocks in seventy-five (75) hour increments that do not expire at a cost of \$195.00 per hour for a total of \$14,675.00; and

WHEREAS, the last time the Police Department purchased the support hours was in September of 2021; and

WHEREAS, this expenditure will be charged to A312004 542800 Police-Service Contracts Repairs and there are sufficient funds available; and

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the Chief of Police, the Mayor be and hereby is authorized to sign any documentation necessary to effectuate the purchase of support hour time block of 75 hours for a not-to-exceed cost of \$14,675.00 from Total Technology Solutions now known as “Sourcepass Inc.” with offices at 1895 Walt Whitman Road, Melville, New York, 11747.

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:

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2022-13

2022-13

WHEREAS, the Village’s Annual Catch Basin and Road Panel Contract expires on February 28, 2023; and

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

WHEREAS, this program provides the contractual unit prices for the repair of catch basins and road panels and the current contract has an approximate annual cost of \$180,000 and funding for the repairs will be included in the 2023-2024 Fiscal Budget; and

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

WHEREAS, this Contract can be utilized by any Department within the Village and therefore work done under this contract will be paid for under the appropriate account or budget line from the requesting Department; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Village Clerk be and hereby is authorized to publish a Notice to Bidders, for the “2023 Annual Catch Basin and Road Panel Contract” in the Freeport Herald and other relevant publications of general circulation on December 15, 2022, with bid documents available from December 19, 2022 through January 6, 2023, with a return date of January 10, 2023, with bids scheduled to be opened at 11:00 am.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Village’s Annual Curb and Sidewalk Contract expires on February 28, 2023; and

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

WHEREAS, this program provides the contractual unit prices for the repair of concrete curb and concrete sidewalk and the current contract has an approximate annual cost of \$130,000 and funding for the repairs will be included in the 2023-2024 Fiscal Budget; and

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2022-14

2022-14

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

WHEREAS, this Contract can be utilized by any Department within the Village and therefore work done under this contract will be paid for under the appropriate account or budget line from the requesting Department; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Village Clerk be and hereby is authorized to publish a Notice to Bidders, for the “2023 Annual Curb and Sidewalk Contract” in the Freeport Herald and other relevant publications of general circulation on December 15, 2022, with bid documents available from December 19, 2022 through January 6, 2023, with a return date of January 10, 2023, with bids scheduled to be opened at 11:00 am.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Village’s Annual Fence Contract expires on February 28, 2023; and

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

WHEREAS, this program provides the contractual prices for the removal, replacement, installation, and repair of fencing and the current contract has an approximate annual cost of \$60,000 and funding for the repairs will be included in the 2023-2024 Fiscal Budget; and

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

WHEREAS, this Contract can be utilized by any Department within the Village and therefore work done under this contract will be paid for under the appropriate account or budget line from the requesting Department; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Village Clerk be and hereby is authorized to publish a Notice to Bidders, for the “2023 Annual Fence Contract” in the Freeport Herald and other relevant publications of general circulation on December 15, 2022, with bid documents available

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2022-15

2022-15

from December 19, 2022 through January 6, 2023, with a return date of January 10, 2023, with bids scheduled to be opened at 11:00 am.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Village Garage needs to purchase new tires for Village vehicles; and

WHEREAS, it is necessary to bid these items since the estimated contract will be approximately \$22,000.00 and funding will come out of the annual fiscal budget for the Village Garage (A164004 541000); and

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

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Village Clerk be and hereby is authorized to publish a Notice to Bidders, for the "2023 Supply of Car Tires" in the Freeport Herald and other relevant publications of general circulation on December 15, 2022, with bid documents available from December 19, 2022 through January 6, 2023, with a return date of January 10, 2023, with bids scheduled to be opened at 11:00 am.

The Clerk polled the Board as follows:

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

It was moved by 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

December 12, 2022

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2022-16

2022-16

WHEREAS, the proposed action is a license agreement between the Incorporated Village of Freeport and the Town of Hempstead to enable to Village of Freeport to run the Town of Hempstead Marina on Guy Lombardo Avenue; and

WHEREAS, this Board determines that the proposed action is an unlisted action, as that term is defined in the New York State Environmental Quality Review Act, herein after referred to as SEQRA. After careful consideration, the Board has concluded that the proposed action will not have a significant effect on the environment for the following reasons:

1. The proposed action will not result in a substantial adverse change in the existing air quality, ground or surface water quality, traffic or noise level, will not affect solid waste production, and will not affect erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna nor interfere with the movement or any resident or migratory fish or wildlife species, nor impact on a significant habitat area, nor result in any other significant adverse effect to natural resources.
3. The proposed action will not encourage or attract a large number of people.
4. The proposed action is consistent with the community's current plans and goals for enforcement of Village laws.
5. The proposed action would not impair the character or quality of important historical, archeological, architectural or aesthetic resources of the Village.
6. The proposed action will not bring about a major change in the use of either the quantity or type of energy.
7. The proposed action will not create a hazard to human health.
8. The proposed action will not produce a substantial change in the use or intensity of land, including cultural or recreational resources, or its capacity to support existing uses.
9. The proposed action will not create a material demand for other actions that would result in any of the above consequences.
10. The proposed action will not change two or more elements in the environment, which when considered together could result in a substantial adverse impact on the environment.
11. When considered cumulatively with other actions, the proposed action will not have a significant effect on the environment or meet one of the above criteria.

December 12, 2022

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2022-17

2022-17

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	Abstain
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

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

WHEREAS, with the development of the Hilton Hotel on the Nautical Mile, the developer, NBD Holdings and its related corporate entity RUBY’s Landing requests to utilize that portion of the Nautical Mile known as and by “the Promenade,” for the operation of said hotel; and,

WHEREAS, RUBYs Landing will develop, renovate, and maintain the Promenade, with no cost to the Village of Freeport, as delineated on the Site and Zoning Plans approved by the Village’s Site Plan Review Board and Zoning Board of Appeals; and,

WHEREAS, the term of the license is for an initial twenty-five (25) years with the option for an additional three (3) twenty-five (25) year increments with provisions for cancellation within the license; and,

WHEREAS, the Promenade will be open to all residents to utilize and enjoy, and this use will not serve to alienate any land,

NOW THEREFORE BE IT RESOLVED, that the Mayor be and is hereby authorized to enter into those agreements that are necessary and proper to create a Licensee Agreement between the Village of Freeport and RUBY’s Landing upon the terms and conditions as set forth in the attached License Agreement and upon the terms as stated above.

The Clerk polled the Board as follows:

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

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

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2022-18

2022-18

WHEREAS, with the development of the Hilton Hotel on the Nautical Mile, the developer, NBD Holdings requests to utilize that portion of the Nautical Mile known as and by “the Richmond Avenue Parking Area,” for the operation of said hotel; and,

WHEREAS, NBD will utilize up to forty-one (41) parking spots as delineated on the Site and Zoning Plans approved by the Village’s Site Plan Review Board and Zoning Board of Appeals for a cost of \$600.00 per month for as long as any portion of the spots are utilized and,

WHEREAS, the term of the license is for an initial twenty-five (25) years with the option for an additional three (3) twenty-five (25) year increments with provisions for cancellation within the license; and,

NOW THEREFORE BE IT RESOLVED, that the Mayor be and is hereby authorized to enter into those agreements that are necessary and proper to create a Licensee Agreement between the Village of Freeport and NBD Holdings upon the terms and conditions as set forth in the attached License Agreement and upon the terms as stated above.

The Clerk polled the Board as follows:

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

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

WHEREAS, NBD Holding has approached the Village of Freeport to design and build a Hilton Garden Inn at the end of Woodcleft Avenue; and

WHEREAS, NBD Holding and Ruby’s Landing (a corporate entity of NBD) will require Village services to maintain and run its operation at the Hotel; and

WHEREAS, NBD Holding and Ruby’s Landing have approached the Village of Freeport to negotiate a Village Services Agreement; and

WHEREAS, the Village, NBD and Ruby’s Landing have arrived at terms and conditions of a Village Services Agreement that will last for twenty (20) years for a total amount as delineated within the attached Village Services Agreement as listed under Exhibit I to such document; and

WHEREAS, the parties wish to memorialize its agreement and request that said agreement be ratified by the Board of Trustees to the Village of Freeport and will supersede any and all prior agreements; and

December 12, 2022

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2022-19

2022-19

NOW THEREFORE BE IT RESOLVED, that the Village Services Agreement between the Village of Freeport and NBD holding and Ruby’s Landing is hereby adopted as attached and for a time and duration contained with said agreement; and

BE IT FURTHER RESOLVED, that the Mayor and or his duly authorized representative be and is hereby authorized to sign any and all documents to effectuate said agreement.

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 Village of Freeport has been negotiating with the Town of Hempstead to license the Town of Hempstead of Marina at the end of Guy Lombardo Avenue; and,

WHEREAS, the parties have agreed, in sum, to the following:

- A. The Village would license the marina, and thus operate the marina, for a term of one hundred (100) years. Broken into increments of twenty-five (25) years; and,
- B. The Village, with the assistance of the Town, would work toward obtaining enabling legislation for the permanent transfer of the marina to the Village of Freeport; and,
- C. While the parties pursue State enabling legislation, the Village would operate the Marina on behalf of the Town; and,
- D. The Village would be responsible for all capital improvements (other than those proposed and built by the Town); and,
- E. By operation of law, the Town can cancel the license at will; and,
- F. While all Village capital improvements have to be completed within the first five (5) years of the license, the Town must pay a pro-rata share of the capital costs for the first ten (10) years of the agreement if the agreement were to be cancelled; and,
- G. Until transferred to the Village, the Town would have to approve proposed signage and other improvements.
- H. No fee would be paid to the Town to operate the marina;
- I. Town of Hempstead residents must be permitted to use the facility, and,

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2022-20

2022-20

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village of Freeport to enter into a license agreement with the Town of Hempstead, substantially in the same form as listed herein for a term of one hundred (100) years, renewable in twenty-five (25) year increments; and,

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

The Clerk polled the Board as follows:

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

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

Re:	Miscellaneous Sidewalk Resolution	
Location:	Various	
Contractor:	Armond Cement Construction, Co. Inc.	Total: \$10,328.16

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

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

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

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

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

Sidewalk Survey # MSW 31- 2022
Owner: **Dennis Mahoney**
 2 Gold Circle
 Freeport NY, 11520

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2022-21

2022-21

Sec, Blk., Lot (s): 36-526-2
Location: **2 Gold Circle**
Contractor: Armond Cement Construction Co., Inc.
Charges: \$856.98

Sidewalk Survey # MSW 390-2020
Owner: **Selene Finnace LP**
27720 Jefferson Ave STE 210
Temecula, CA 92590
Sec, Blk., Lot (s): 62-127-18
Location: **198 S. Long Beach Avenue**
Contractor: Armond Cement Construction Co., Inc.
Charges: \$512.80

Sidewalk Survey # MSW 378-2020
Owner: **Shirley Rembert**
181 S. Long Beach Avenue
Freeport NY, 11520
Sec, Blk., Lot (s): 62-120-1
Location: **181 S. Long Beach Avenue**
Contractor: Armond Cement Construction Co., Inc.
Charges: \$678.40

Sidewalk Survey # MSW 49-2022
Owner: **Leroy Ginaldo**
In Car of Leroy Rachelle
269 Moore Avenue
Freeport NY, 11520
Sec, Blk., Lot (s): 36-521-26
Location: **269 Moore Avenue**
Contractor: Armond Cement Construction Co., Inc.
Charges: \$355.20

Sidewalk Survey # MSW 117-2022
Owner: **Morin Sunta & Belizaire**
In care of Vilgo
209 Smith Street
Freeport NY, 11520

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2022-22

2022-22

Sec, Blk., Lot (s): 62-120-17
Location: 209 Smith Street
Contractor: Armond Cement Construction Co., Inc.
Charges: \$3,297.76

Sidewalk Survey # MSW 136-2022
Owner: Israel Aguilar
211 Smith Street
Freeport NY, 11520
Sec, Blk., Lot (s): 62-120-14
Location: 211 Smith Street
Contractor: Armond Cement Construction Co., Inc.
Charges: \$1,843.16

Sidewalk Survey # MSW 118-2022
Owner: JB & JN Acosta Vanegas
227 Smith Street
Freeport NY, 11520
Sec, Blk., Lot (s): 62-120-16
Location: 227 Smith Street
Contractor: Armond Cement Construction Co., Inc.
Charges: \$1,818.94

Sidewalk Survey # MSW 137-2022
Owner: Clifford & S Francois
263 Smith Street
Freeport NY, 11520
Sec, Blk., Lot (s): 62-127-19
Location: 263 Smith Street
Contractor: Armond Cement Construction Co., Inc.
Charges: \$964.92

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:

December 12, 2022

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2022-23

2022-23

WHEREAS, on May 10, 2021, the Board approved a personal services agreement with Aaron Klein, 761 Daniel Street, Valley Stream, New York, 11581 retroactive from May 1, 2021 through February 28, 2022 at an hourly rate of \$125.00; and

WHEREAS, the Village of Freeport requires the processing of applications and other paperwork for the reimbursement of funds related to the COVID-19 pandemic; and

WHEREAS, Aaron Klein, 761 Daniel Street, Valley Stream, New York, 11581 possesses those certain skills, knowledge, and expertise of a specialized nature in the field of governmental finance; and

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

WHEREAS, funding for this service comes out of account A364004 545700 (Non-Employee Salaries); and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Village Comptroller, Board approve and the Mayor be and is hereby authorized to approve a personal services agreement with Aaron Klein, 761 Daniel Street, Valley Stream, New York, 11581 retroactive to March 1, 2022 through February 28, 2024, with no increase in the rate per hour of service.

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:

WHEREAS, Pursuant to §5-520 of the New York State Village Law, authorization is requested for the Village Comptroller to execute the following transfer to the fiscal year 2022 - 2023 operating budget:

FROM:

A131501 510100 COMPTROLLER –REGULAR SALARIES \$50,000.00

TO:

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2022-24

2022-24

A131504 545700 COMPTROLLER–NONEMPLOYEE SALARIES \$50,000.00

WHEREAS, the purpose of the above transfer is to appropriate the necessary funding to cover non employee salaries for the Village; and

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

The Clerk polled the Board as follows:

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

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

WHEREAS, pursuant to the provisions of Section 1452 of the NEW YORK REAL PROPERTY TAX LAW, on December 9, 2022, the Village of Freeport (Village) conducted a public auction of all delinquent property taxes for the tax year 2022-2023; and

WHEREAS, at said public auction, the Village held all 2022 delinquent property taxes and became the sole lienholder of all 2022 Village of Freeport municipal property tax liens; and

WHEREAS, at this point in time, the Village is requesting proposals from interested parties for the purchase of the unredeemed 2022 Village of Freeport municipal property tax liens; and

WHEREAS, the sale will be conducted as a bulk sale transaction with one aggregate bid; and

WHEREAS, the amount due by the return date of 01/06/2023 to the Village of Freeport is \$1,834,644.08; and

WHEREAS, the Board reserves the right to reject any or all proposals received and subject to these reservations, shall award the contract to the highest responsible bidder; and proposals, which in the opinion of the Board are unbalanced, shall be rejected; and

NOW THEREFORE BE IT RESOLVED, that base upon the recommendation of the Village Treasurer, the Village Clerk be and hereby is authorized to publish a “Request for Proposals for the 2022 Delinquent Municipal Property Tax Liens Bulk Sale” in the Freeport Herald and other relevant publications on December 15, 2022, with the specifications available from December 16, 2022 through January 6, 2023, with a return date of January 6, 2023.

December 12, 2022

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2022-25

2022-25

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, 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 7:25 P.M.

Pamela Walsh Boening
Village Clerk