

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

2023-1

2023-1

A meeting of the Board of Trustees of the Incorporated Village of Freeport was held on Monday, August 28, 2023 at 5:00 P.M. in the Municipal Building, 46 North Ocean Avenue, Freeport, New York, with the following present:

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

At 5:00 P.M., Mayor Kennedy convened in the main conference room and led in the Pledge of Allegiance.

No residents were present.

At 5:03 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 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 | In Favor |
| Trustee Sanchez | In Favor |
| Mayor Kennedy | In Favor |

At 5:30 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 |

Approximately four (4) residents were present.

Deputy Mayor Ellerbe led in the Pledge of Allegiance.

It was moved by Trustee Squeri, seconded by Trustee Martinez, and unanimously carried to approve the Board of Trustees Minutes of August 14, 2023.

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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 Martinez, seconded by Deputy Mayor Ellerbe, and unanimously carried to approve the Board of Trustees Special Meeting Minutes of August 8, 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

Motion was made by Trustee Sanchez, seconded by Deputy Mayor Ellerbe and unanimously carried to approve the request to hang one banner promoting the “Back 2 School” event at the Recreation Center on S. Main Street between Raynor Street and Archer Street from August 31, 2023 through September 18, 2023, and that the Freeport Electric Department assist in hanging and removing the banner.

The Clerk polled the Board as follows:

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

Motion was made by Deputy Mayor Ellerbe, seconded by Trustee Sanchez and unanimously carried to approve the block party permit application submitted by Keith Ferri, to hold a block party on Whaley Street, between S. Bayview Avenue and Locust Avenue, on September 2, 2023 (rain date: September 9) from 4:00 P.M. to 10:00 P.M.; with a reminder to those in attendance that the Village has an “Open Container” law among its ordinances which stipulates that no alcoholic beverages may be served or carried on the streets and the Police, Fire and Highway Departments be so notified.

The Clerk polled the Board as follows:

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

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Motion was made by Trustee Martinez, seconded by Trustee Squeri and unanimously carried to approve the block party permit application submitted on behalf of Our Holy Redeemer Church to hold a block party on Pine Street, between S. Ocean Avenue and Guy Lombardo Avenue, on September 17, 2023 (no rain date), from 10:00 A.M. to 4:00 P.M.; with a reminder to those in attendance that the Village has an “Open Container” law among its ordinances which stipulates that no alcoholic beverages may be served or carried on the streets and the Police, Fire and Highway Departments be so notified.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Sanchez, seconded by Deputy Mayor Ellerbe and unanimously carried to approve the public assembly permit application submitted by Rev. Philip Prestamo, on behalf of the Freeport Christian Clergy Council, to hold a public assembly in a portion of Municipal lot #4 (behind 50 N. Main Street) on Saturday, September 16, 2023 (rain date: September 23), from 4:00 P.M. to 6:00 P.M.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Village Assessor 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 2023/2024 Final Assessment Roll; and

S / B / L	Address	Exemption Code	Exemption Amount	Reason

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54 / 305 / 72	243 Whaley St	41121 Veteran War Time/Non- Combat	533	Deceased 03/19/2023
62 / 096 / 151	97 Martha St	41800 Senior	2,200	Deceased 06/21/2023
62 / 106 / 376	58 Howard Ave	41131 Veteran / Wartime Combat	900	Deceased 05/30/2023
36 / 330 / 132	105 Maryland Ave	41121 Veteran War Time/Non- Combat	540	Property Sold 08/14/2023
		41800 Senior	2,490	
55 / N / 271	244 Wallace St	41131 Veteran / Wartime Combat	900	Property Sold 07/27/2023
		41141 Veteran Wartime Disable	937	

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

The Clerk polled the Board as follows:

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

Motion was made by Trustee Sanchez, seconded by Trustee Martinez and unanimously carried to approve the request of the Freeport Fire Council and that membership be granted to Roy Guerra Mendoza, Hose Co. # 5.

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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

Motion was made by Deputy Mayor Ellerbe, seconded by Trustee Squeri and unanimously carried to approve the request of the Freeport Fire Council and that membership be granted to Christian Caraballo, Emergency Co. # 9.

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, the New York State Governor’s Traffic Safety Committee has offered a contract for the Pedestrian Safety and Education Grant (HS) between the Village of Freeport and the State of New York; and

WHEREAS, the program consists of funding for overtime patrols to reduce the crashes, injuries, and deaths on New York’s roads; and

WHEREAS, the contract provides \$16,389.00 with no matching funds requirement from the Village for a term from October 1, 2023 to September 30, 2024; and

NOW THEREFORE BE IT RESOLVED, that the Mayor be authorized to execute any and all documentation necessary to effectuate a grant agreement between the New York State Governor’s Traffic Safety Committee, 6 Empire State Plaza Room 410B, Albany, NY 12228 and the Incorporated Village of Freeport in the amount of \$16,389.00 for a term from October 1, 2023 to September 30, 2024.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Freeport Chief of Police is requesting Board approval for the purchase of the PowerTime Subscription, a scheduling software for law enforcement agencies; and

WHEREAS, this software will replace FoxPro, the Department’s current scheduling database, which is outdated and no longer supported by current operating systems; and

WHEREAS, the PowerTime Subscription of PowerDMS by NEOGOV, 2120 Park Place, Suite 100, El Segundo, CA 90245, will be for a term from September 1, 2023 to February 28, 2027, for a total cost of \$18,840.50; for the 3.5 year term; and

WHEREAS, two (2) additional quotes were also obtained and these quotes ranged from a cost of \$7,950 to \$26,220 per year; and

WHEREAS, the PowerTime Subscription will be budgeted in account A312004 542800 - Service Contracts; and

THEREFORE BE IT RESOLVED, that based upon the recommendation of the Freeport Chief of Police, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to approve the purchase of the PowerTime Subscription of PowerDMS by NEOGOV, 2120 Park Place, Suite 100, El Segundo, CA 90245, for a term from September 1, 2023 to February 28, 2027 for a total cost of \$18,840.50.

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 Superintendent of Public Works is requesting Board approval to authorize the Village Comptroller to create an account in the Village budget line, Garage Contractual (A164004), for unanticipated expenses; and

WHEREAS, on August 10th, 2021, Freeport Fire Department Unit 216 was rear ended in an accident with a civilian vehicle; and

WHEREAS, Unit 216 is a 2002 American LaFrance pumper utilized by Freeport Engine Company; and

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WHEREAS, the damage was extensive enough to make the unit inoperable; Unit 216 is a first-line piece of equipment utilized by the Fire Department and it’s use and operation is considered critical to the operations of the Fire Department; and

WHEREAS, the needed repairs would be considered a safety issue for residents and therefore the need to make the repair was considered an emergency; and

WHEREAS, Hendrickson Fire Rescue, 140 Hoffman Lane, Islandia, NY 11749, an authorized insurance repair facility for emergency response equipment, made the repair for a total cost of \$38,513.16; and

WHEREAS, the Village received \$20,479.88 from the driver’s insurance company and the Village is pursuing the owner of the vehicle for the remaining balance of \$18,033.28; and

NOW THEREFORE BE IT RESOLVED, that based upon a recommendation of the Superintendent of Public Works, the Village Comptroller be and hereby is authorized to create an account in the Village budget line, Garage Contractual (A164004), for unanticipated expenses.

The Clerk polled the Board as follows:

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

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

WHEREAS, on August 10th, 2021, Freeport Fire Department Unit 216 was rear ended in an accident with a civilian vehicle; and

WHEREAS, Unit 216 is a 2002 American LaFrance pumper utilized by Freeport Engine Company; and

WHEREAS, the damage was extensive enough to make the unit inoperable; Unit 216 is a first-line piece of equipment utilized by the Fire Department and its use and operation is considered critical to the operations of the Fire Department; and

WHEREAS, the needed repairs would be considered a safety issue for residents and therefore the need to make the repair was considered an emergency; and

WHEREAS, Hendrickson Fire Rescue, 140 Hoffman Lane, Islandia, NY 11749, an authorized insurance repair facility for emergency response equipment, made the repair for a

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total cost of \$38,513.16; and

WHEREAS, the Village received \$20,479.88 from the driver’s insurance company and the Village is pursuing the owner of the vehicle for the remaining balance of \$18,033.28; and

WHEREAS, the cost of repair will be charged to the Village budget line, Garage Contractual (A164004), for unanticipated expenses; and

NOW THEREFORE BE IT RESOLVED, that based upon a recommendation of the Superintendent of Public Works, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to retroactively approve the emergency repair with Hendrickson Fire Rescue, 140 Hoffman Lane, Islandia, NY 11749, for a total cost of \$38,513.16.

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:

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. 76. Parking meter zones.

The following named and described areas, streets or portions of streets and such other areas, streets or portions of streets as may hereafter be included by resolution of the Board of Trustees shall constitute a parking meter zone:

ADD

Broadway, south side, between Commercial Street and Mount Avenue.

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

REMOVE

Main Street, South, east side, beginning at the southerly curblineline of Mill Road for a distance of 280 feet south.

ADD

Main Street, South, east side, beginning at the southerly curblineline of Mill Road for a distance of 500 feet south.

The Clerk polled the Board as follows:

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

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

WHEREAS, on or around July 5, 2023, the Village experienced a sewer backup on Arthur Street; and

WHEREAS, the Sewer Department responded to the backup, but was unable to clear the blockage as they were encountering sand and soil in the pipe indicating that the pipe was collapsed; sewage was backing up in the adjacent manholes and it was determined that there was likelihood for raw sewage to back up into the streets; and

WHEREAS, this would be considered a health and safety issue for residents, and therefore, the need to make the repair was considered an emergency; and

WHEREAS, Bancker Construction Corporation, 171 Freeman Avenue, Islip, New York 11751, was called in on an emergency basis to make the repairs; and

WHEREAS, the cost for the repair was \$210,942.35; and

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WHEREAS, this repair will be charged to the Sewer Department's Budget FYE 2024 (A812004-542800 – Service Contracts and Repairs) of which funds are not available and will need to be transferred from contingency; 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 retroactively approve the emergency repair with Bancker Construction Corporation, 171 Freeman Avenue, Islip, New York 11751, for the cost of \$210,942.35.

The Clerk polled the Board as follows:

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

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

WHEREAS, on or around April 18, 2023, the Village experienced a sewer backup on Hanse Avenue; and

WHEREAS, the Sewer Department responded to the backup, but was unable to clear the blockage as they were encountering sand and soil in the pipe indicating that the pipe was collapsed; sewage was backing up in the adjacent manholes and it was determined that there was likelihood for raw sewage to back up into the streets; and

WHEREAS, this would be considered a health and safety issue for residents, and therefore, the need to make the repair was considered an emergency; and

WHEREAS, Bancker Construction Corporation, 171 Freeman Avenue, Islip, New York 11751, was called in on an emergency basis to make the repairs; and

WHEREAS, the cost for the repair was \$21,409.12; and

WHEREAS, this repair will be charged to the Sewer Department's Budget FYE 2024 (A812004-542800 – Service Contracts and Repairs) of which funds are not available and will need to be transferred from contingency; 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 retroactively approve the emergency repair with Bancker Construction Corporation, 171 Freeman Avenue, Islip, New York 11751, for the cost of \$21,409.12.

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

WHEREAS, on December 19, 2022, the Board approved a Professional Services Agreement for the Maintenance of Freeport Water Department Supervisory Control and Data Acquisition (SCADA) system with Wire to Water Inc., 136 Gazza Boulevard, Farmingdale, New York 11735, for a term from March 1, 2023 to February 29, 2024 at a total cost not-to-exceed \$35,000; and

WHEREAS, the SCADA system enables water plant operators to monitor and control water production and treatment for the Village’s water supply; and

WHEREAS, the current system was initially installed in 2002 and it is frequently in need of maintenance and repairs; and

WHEREAS, to date, the Village has spent \$34,621.15 under this contract; and

WHEREAS, the Superintendent of Public Works is requesting Board approval for a contract increase with Wire to Water Inc., 136 Gazza Blvd, Farmingdale, NY 11735, retroactive to March 1, 2023 to February 29, 2024 from a total cost not-to-exceed \$35,000 to a total cost not-to-exceed \$70,000; and

WHEREAS, funding for these services will come from the Water Department operating budget (WE94004 543210); 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 authorize to sign any documentation necessary to effectuate a contract increase with Wire to Water Inc., 136 Gazza Boulevard, Farmingdale, New York 11735, retroactive to March 1, 2023 to February 29, 2024, for a total cost not-to-exceed \$70,000.

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

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Mayor Kennedy opened the meeting to questions and comments from those present. Residents voiced the following concerns:

- Airbnb in neighborhoods

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

The Clerk polled the Board as follows:

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

The meeting was closed at 5:49 P.M.

Pamela Walsh Boening
Village Clerk

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