

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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A meeting of the Board of Trustees of the Incorporated Village of Freeport was held on Monday, September 26, 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	Absent
Jorge A. Martinez	Trustee	
Christopher L. Squeri	Trustee	
Evette B. Sanchez	Trustee	
Robert McLaughlin	Deputy Village Attorney	
Pamela Walsh Boening	Village Clerk	

At 5:07 P.M., Mayor Kennedy convened in the main conference room and Trustee Martinez led in the Pledge of Allegiance.

No residents were present.

At 5:08 P.M., it was moved by Trustee Squeri, seconded by Trustee Sanchez 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	Absent
Trustee Martinez	In Favor
Trustee Squeri	Not Present
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

At 5:31 P.M., motion was made by Trustee Sanchez, seconded by Trustee Martinez and carried to reconvene in Legislative Session.

The Clerk polled the Board as follows:

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

Approximately four (4) residents were present.

Trustee Martinez led in the Pledge of Allegiance.

It was moved by Trustee Martinez, seconded by Trustee Squeri and carried to approve the Board of Trustees Minutes of September 12, 2023.

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The Clerk polled the Board as follows:

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

It was moved by Trustee Squeri, seconded by Mayor Kennedy and carried to approve the Board of Trustees Dangerous/Nuisance Building Special Meeting Minutes of September 7, 2023.

The Clerk polled the Board as follows:

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

**CLERK’S NOTE:** Motion failed.

Motion was made by Trustee Squeri, seconded by Trustee Martinez, and carried to approve the request to hang one street banner on S. Main Street between Raynor Street and Archer Street, from October 5, 2023 through October 29, 2023, promoting the “Freeport Fall Festival & Fire Prevention Expo” and further request that the Freeport Electric Department assist in hanging and removing the banner.

The Clerk polled the Board as follows:

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

Motion was made by Sanchez, seconded by Squeri and carried for the Board of Trustees, acting as the Board of Review schedule a special meeting for Tuesday, November 21, 2023 to hear objections in relation to assessments.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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

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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, 2023 and will be available for inspection beginning on November 1, 2023; and

**WHEREAS**, the roll will be open for inspection during the business hours of 8:30 a.m. to 4:30 p.m. in the Village Clerk’s Office and the Assessor’s Office from November 1, 2023 to November 21, 2023; and

**WHEREAS**, on Tuesday, November 21, 2023, 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 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 2, 2023 and November 9, 2023.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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**, 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, 2023 and November 21, 2023; and

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

**NOW THEREFORE BE IT RESOLVED**, that the Clerk be authorized to publish a notice in the Freeport Herald and other relevant publications of general circulation on November 2, 2023 and November 9, 2023 regarding the availability for review by property taxpayers of the assessment inventory and valuation data that is maintained in the Assessor’s Office.

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The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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 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 2020/2021, 2021/2022, 2022/2023, and 2023/2024 Final Assessment Rolls; and

S / B / L	Address	Exemption Code	Exemption Amount	Reason
62 / 114 / 21 Unit 3J	222 Smith St, Unit 3J	41121 Veteran/ Wartime Non - Combat	237	Property Sold 09 /15/2020
54 / 300 / 165	517 Archer St	41131 Vet Wartime Combat  41800 Senior	41131 – 900  41800 – 1,925	Property Sold 08/29/2023
62 / 081 / 206	152 East Ave	41121 Veteran/ Wartime Non - Combat 41661 Vol Firefighter/ Ambulance	41121 – 540  41661 - 507	Property Owner Deceased 07/31/2023
62 / 187 / 782	264 Branch Ave	41121 Veteran/ Wartime Non - Combat	540	Property Owner Deceased 09/01/2023
62 / 132 / 9	295 Smith St	41800 Senior	3,140	Property Owner Deceased 09/05/2023

**WHEREAS**, the Assessor reviewed the application and made the recommendation that the exemptions be removed from the 2020/2021, 2021/2022, 2022/2023, and 2023/2024 Final

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Assessment Rolls as listed above, as appropriate; 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 2020/2021, 2021/2022, 2022/2023, and 2023/2024 Final Assessment Rolls as appropriate and that the Treasurer issue corrected tax bills.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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 Assessor has negotiated tax certiorari settlements for the Assessment Years listed below; and

**WHEREAS**, the firm Certilman, Balin, Adler & Hyman, LLP represented the tax certiorari petitioner in the below settlement negotiation:

Petitioner: Ray Street Commons LLC  
531 Ray Street  
54/315/446-Units 1 to 24

Total Refund: 2019/2020 to 2023/2024 – Refund: **\$35,732.59** –going forward apply **Settled AV of 88,000** to 2024/2025, 2025/2026, and 2026/2027.

**TOTAL REFUND 2019 to 2023**

Year	EQ	Current AV	Proposed AV	Proposed MV	Reduction	Tax Rate	Refund
2019/20	0.0172	49,752	49,752	\$2,892,558	0	0.62296	\$0
2020/21	0.0162	110,930	102,060	\$6,300,000	8,870	0.62296	\$5,525.66
2021/22	0.0151	110,930	95,130	\$6,300,000	15,800	0.62296	\$9,842.77
2022/23	0.0150	110,930	94,500	\$6,300,000	16,430	0.62296	\$10,235.23
2023/24	0.0130	110,930	94,500	\$7,269,231	16,430	0.61649	\$10,128.93

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**Refund                    \$35,732.59**

<b>2023/2024</b>		<b>Current MV</b>		<b>Current MV</b>	
<b>Current AV</b>	<b>110,930</b>	<b>EQ</b>		<b>EQ</b>	
		<b>@ 1.50</b>	<b>\$7,395,333</b>	<b>@ 1.30</b>	<b>\$8,533,077</b>
<b>2023/2024</b>		<b>Proposed</b>		<b>Proposed EQ</b>	
<b>Proposed AV</b>	<b>94,500</b>	<b>EQ</b>		<b>@ 1.30</b>	
		<b>@ 1.50</b>	<b>\$6,300,000</b>		<b>\$7,269,231</b>

**Settled AV Years Going Forward 2024/2025, 2025/2026 and 2026/2027**

<b>2024 / 2026</b>	<b>Settled AV</b>
<b>MV EQ @ 1.30</b>	<b>88,000</b>
	<b>\$6,769,231</b>

**Settled AV Allocated to Units**

Unit #	Assessed Value	Market Value EQ @ 1.50	Market Value EQ @ 1.30
1	3,717	247,769	285,888
2	3,717	247,769	285,888
3	3,717	247,769	285,888
4	3,717	247,769	285,888
5	3,717	247,769	285,888
6	3,717	247,769	285,888
7	3,717	247,769	285,888
8	3,717	247,769	285,888
9	3,717	247,769	285,888
10	3,717	247,769	285,888
11	3,717	247,769	285,888
12	3,717	247,769	285,888
13	3,717	247,769	285,888
14	3,717	247,769	285,888
15	3,717	247,769	285,888
16	3,717	247,769	285,888
17	3,567	237,794	274,378
18	3,567	237,794	274,378
19	3,567	237,794	274,378
20	3,567	237,794	274,378
21	3,567	237,794	274,378

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22	3,567	237,794	274,378
23	3,567	237,794	274,378
24	3,567	237,794	274,378
<b>TOTAL</b>	<b>88,000</b>	<b>\$5,866,667</b>	<b>\$6,769,231</b>

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

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

**NOW THEREFORE BE IT RESOLVED**, that the above-listed tax certiorari settlement be approved and that the Assessor is hereby authorized to adjust the 2019/2020 to 2023/2024 Final Assessment Rolls and that the Treasurer be approved to issue said refund for the amounts cited hereinabove, for a total of \$35,732.59.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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 Superintendent of Electric Utilities is requesting the Board to authorize the Village Clerk to advertise a Notice to Bidders for the Furnishing of Overhead, Pole Mounted, Single Phase, Dual Voltage, Distribution Transformers, Bid #23-10-ELEC-673; and

**WHEREAS**, these transformers are used to maintain the Village’s distribution system; and

**WHEREAS**, the specifications cover a period of three (3) years with an option for a fourth year; the estimated quantity over a three or four year period will allow the Utility to order only the necessary units needed; and

**WHEREAS**, the cost of the transformers and installation will be charged to Account #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 Utilities, the Village Clerk be and hereby is authorized to advertise a Notice to Bidders for the “Furnishing of Overhead, Pole Mounted, Single Phase, Dual Voltage, Distribution Transformers, Bid #23-10-ELEC-673”, in the Freeport Herald and other relevant

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publications of general circulation on September 28, 2023, with specifications available from October 2, 2023 through October 27, 2023, with a return date of October 31, 2023.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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**, the Superintendent of Electric Utilities is requesting the Board to authorize the Village Clerk to advertise a Notice to Bidders, for the Furnishing of Overhead, Pole Mounted, Single Phase, Single Voltage, Distribution Transformers, Bid #23-10-ELEC-674; and

**WHEREAS**, these transformers are used to maintain the Village’s distribution system; and

**WHEREAS**, the specifications cover a period of three (3) years with an option for a fourth year; the estimated quantity over a three or four year period will allow the Utility to order only the necessary units needed; and

**WHEREAS**, the cost of the transformers and installation will be charged to Account #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 Utilities, the Village Clerk be and hereby is authorized to advertise a Notice to Bidders for the “Furnishing of Overhead, Pole Mounted, Single Phase, Single Voltage, Distribution Transformers, Bid #23-10-ELEC-674”, in the Freeport Herald and other relevant publications of general circulation on September 28, 2023, with specifications available from October 2, 2023 to October 27, 2023, with a return date of October 31, 2023.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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 Superintendent of Electric Utilities is requesting Board approval to

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authorize the Village Clerk to advertise a Notice to Bidders for the Furnishing of 15 KV 397,500 CM Tree Proof Aerial Spacer Cable, Bid #23-10-ELEC-675; and

**WHEREAS**, General Municipal Law §103 and the Village’s procurement policy require that the procurement of this equipment be done through competitive bidding; and

**WHEREAS**, the cost of the cable will be charged to Account #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 Utilities, the Village Clerk be and hereby is authorized to publish a Notice to Bidders for the “Furnishing of 15 KV 397,500 CM Tree Proof Aerial Spacer Cable, Bid #23-10-ELEC-675”, in the Freeport Herald and other relevant publications on September 28, 2023, with the specifications available from October 2, 2023 to October 27, 2023, with a return date of October 31, 2023.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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**, on April 26, 2021, the Board awarded Bid #21-04-ELEC-552, for the “Furnishing of a Supervisory Control and Data Acquisition (SCADA) System Upgrade with Operator Monitor System” be awarded to Advanced Control Systems, (ACS) Inc., 2755 Northwoods Parkway, Peachtree Corners, Georgia 30071 for a total cost of \$469,495.00; and

**WHEREAS**, this project is being funded by the Governor’s Office of Storm Recovery (GOSR); the Activu system with LCD Display Wall was part of this upgrade; and

**WHEREAS**, the display wall requires a maintenance and support contract provided by Activu, 301 Round Hill Drive, Rockaway, New Jersey 07866; and

**WHEREAS**, the support contract will run retroactively from June 24, 2023 to February 28, 2025 for a cost of \$18,967.51; and

**WHEREAS**, the cost for these services will be charged to Account E7573525 575700 – SCADA Expense, and there are sufficient funds available to cover this cost; and

**NOW THEREFORE BE IT RESOLVED**, that based upon the recommendation of the Superintendent of Electric Utilities, the Board approve and the Mayor be and hereby is

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authorized to sign any paperwork necessary to retroactively approve the maintenance and support services for the SCADA system LCD display wall provided by Activu, 301 Round Hill Drive, Rockaway, New Jersey 07866, from June 24, 2023 to February 28, 2025 for a cost of \$18,967.51.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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**, on September 12, 2023, the Board approved the contract with Parsons Commercial LLC, 665 Commercial Avenue, Garden City, NY 11530, for a total cost of \$254,876.16 with the cost charged to the Armory’s Budget FYE 2024 (A698904-540300 – Maintenance of Buildings and Grounds); and

**WHEREAS**, it was later determined that it would be more appropriate to charge the project to Account # (A632602 522005 - FREEPORT ARMORY PHASE 2 CONST); and

**NOW THEREFORE BE IT RESOLVED**, that based upon the recommendation of the Superintendent of Public Works, the Village Comptroller be and hereby is authorized to change the funding account with Parsons Commercial LLC, 665 Commercial Avenue, Garden City, NY 11530, for a total cost of \$254,876.16 to Account # (A632602 522005 - FREEPORT ARMORY PHASE 2 CONST).

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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**, the Superintendent of Public Works is requesting Board approval for engineering services for drainage improvements to the existing drainage systems in the vicinity of Suffolk Street, South Ocean Avenue, Woodcleft Avenue, Hamilton Avenue, and Adams Street; and

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**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**, Hayduk Engineering, LLC, 1010 Route 112, Suite 200, Port Jefferson Station, New York 11776, possesses those certain skills, knowledge, and expertise of a specialized nature; and

**WHEREAS**, Hayduk Engineering will complete the survey and basemapping, create a detailed design and construction plans, and prepare bid specifications; and

**WHEREAS**, the total estimated cost for this contract would be \$47,000.00; and

**WHEREAS**, funding will be provided in the capital account (H599702 526120) 2021 Stormwater Improvements-Woodcleft Ave Pumps, Pits; 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 documentation necessary to accept the proposal for engineering services with Hayduk Engineering, LLC, 1010 Route 112, Suite 200, Port Jefferson Station, New York 11776, for a total of \$47,000.00.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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 of Freeport wishes to hold a Freeport Fall Festival on Woodcleft Avenue on Sunday, October 29, 2023 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 its 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 the “Annual Chowder Contest” from 1PM to 4PM; and

**WHEREAS**, limited vendors and activities, including a Farmer’s Market will be set up

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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, Police Department, 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 29, 2023 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	Absent
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**, the Recreation Center Manager is requesting Board approval for the proposal for the renovation of the Ladies’/Men’s locker rooms located in the main lobby of the Freeport Recreation Center; and

**WHEREAS**, Enecon North East, 150 Schmitt Blvd., Farmingdale, NY 11735, a Nassau County Contractor, (contract #BPNC19000047), completed a proposal for the installation of seamless epoxy flooring and wall system to the men’s and ladies’ bathroom and shower areas; and

**WHEREAS**, the total cost for this contract is \$130,000; and

**WHEREAS**, Enecon North is an existing Nassau County contractor; and

**WHEREAS**, this expense will be charged to capital project account# H719702 522075; and

**NOW THEREFORE BE IT RESOLVED**, that based upon the recommendation of the Recreation Center Manager, the Board approve and the Mayor be and hereby is authorized to sign any documentation necessary to accept the proposal for the renovation of the Ladies’/Men’s

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locker rooms of the Freeport Recreation Center with Enecon North East, 150 Schmitt Blvd., Farmingdale, NY 11735, for a total of \$130,000.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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:

RESOLUTION CONFIRMING AUTHORIZATION FOR THE VILLAGE OF FREEPORT TO RENEW A CABLE TELEVISION FRANCHISE AGREEMENT WITH VERIZON NEW YORK, INC. TO OPERATE A CABLE SYSTEM IN THE VILLAGE OF FREEPORT, NY

WHEREAS, the Village of Freeport, Count of Nassau, State of New York, (the "Village") is a "franchising authority" in accordance with Title VI of the Communications Act of 1934, (the "Communications Act"), and is authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the "Cable Laws");

WHEREAS, the Village duly executed a franchise renewal agreement with Verizon New York, Inc. (the "Franchisee") which was thereafter confirmed and made effective by the New York State Public Service Commission on December 15, 2006 for a term of ten (10) years (PSC Order 06-V-1416); and

WHEREAS, said franchise agreement thereafter expired on December 15, 2016;  
and

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WHEREAS, Franchisee has submitted a proposed franchise renewal agreement (the “Franchise Renewal Agreement”) to continue operating said cable system within the Village for a period of five (5) years; and

WHEREAS, the Village and Franchisee, each acting by their duly authorized representatives, have mutually agreed to the terms of said Franchise Renewal Agreement; and

WHEREAS, the Village, acting by its duly authorized Board of Trustees, has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchises and applicable law; and

WHEREAS, the Village, acting by its duly authorized Board of Trustees, has determined that Franchisee has the requisite legal, technical and financial capabilities to operate cable systems within the Village and that Franchisee’s proposals for renewal of the franchises meet the cable related needs of the Community; and

WHEREAS, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Village to be heard on the proposed Franchise Renewal Agreement, was held before the Village Board of Trustees on June 19, 2023, and

WHEREAS, by resolution duly adopted on June 19, 2023, the Board of Trustees of the Village of Freeport granted the application for renewal of cable franchise, and authorized the execution of the franchise renewal agreement on behalf of the Village, and

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WHEREAS, due to circumstances beyond the control of the Village, no application to the Public Service Commission for confirmation of the franchise renewal agreement was made within the required time limit, by reason of which this resolution is required to confirm and memorialize the Village's approval of the franchise renewal agreement,

NOW, THEREFORE, be it RESOLVED, that the Village Board of Trustees hereby finds and determines that it is in the best interest of the public to award the Franchise Renewal Agreement to the Franchisee for a term of five (5) years; and be it

FURTHER RESOLVED that the Village Board of Trustees hereby authorizes the Mayor to enter into the Franchise Renewal Agreement with VERIZON NEW YORK, INC. and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the VILLAGE OF FREEPORT.

The Clerk polled the Board as follows:

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

September 26, 2023

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

2023-16

2023-16

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

NOTICE OF PUBLIC HEARING

RESOLVED, that the Board of Trustees of the Incorporated Village of Freeport, by virtue of the authority invested by law, shall conduct a public hearing to be duly held on the 30<sup>th</sup> day of October 2023, at 5:45 P.M., to consider amending Chapter 210 entitled Zoning, by amending 210-171 entitled "Fences and enclosures".

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

STATE OF NEW YORK, COUNTY OF NASSAU, VILLAGE OF FREEPORT, ss: I, PAMELA WALSH BOENING, Clerk of the Village of Freeport, Nassau County, New York, do hereby certify that the foregoing is a true and correct copy of said notice duly authorized by the Board of Trustees of the said Village at a meeting of the Said Board of Trustees, calling for a public hearing to be duly held in the Main Conference Room of the Municipal Building of the Village of Freeport, 46 N. Ocean Avenue, Freeport, New York on the 30<sup>th</sup> day of October 2023 at 5:45 P.M., and of the whole thereof, as entered upon the minutes of the proceedings of the said Board kept by me as Village Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said Village this 26<sup>th</sup> day of September 2023.

Pamela Walsh Boening  
Village Clerk

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	Absent
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**, the Village Comptroller is requesting Board approval for software services in order to enhance the recording and maintaining of debt for the Village; and

September 26, 2023

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2023-17

2023-17

**WHEREAS**, the purpose of acquiring technology for debt servicing is due to the enormous amount of recordkeeping involved; and

**WHEREAS**, the Comptroller’s Office solicited three quotes from three entities from the highest of \$40,000/year to the lowest of \$9,000 for year one; and

**WHEREAS**, Emphasys Computer Solutions, Inc. (SymPro Treasury Management Solutions), 1200 SW 145th Street, Suite 301, Pembroke Pines, Florida 33027, for a cost of \$9,000 for year one, and \$9,450 for year two, and \$9,923 for year three, commencing November 1, 2023 and ending February 28, 2026; and

**WHEREAS**, all costs shall be charged to Allocation Code 5003 budget lines A168004 542800 (71%), E7815630 578100 (25%), and WE93004 542800 (4%) – Service Contract/Repairs Network), and there are sufficient funds available to cover these costs; and

**NOW THEREFORE BE IT RESOLVED**, that based upon the recommendation of the Village Comptroller, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to approve the software services of Emphasys Computer Solutions, Inc. (SymPro Treasury Management Solutions), 1200 SW 145th Street, Suite 301, Pembroke Pines, Florida 33027, for a cost of \$9,000 for year one, and \$9,450 for year two, and \$9,923 for year three, commencing November 1, 2023 and ending February 28, 2026.

The Clerk polled the Board as follows:

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

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

- Hudson Avenue Development

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

The Clerk polled the Board as follows:

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

The meeting was closed at 5:54 P.M.

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

2023-18

2023-18

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Pamela Walsh Boening  
Village Clerk

September 26, 2023