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INCORPORATED VILLAGE OF FREEPORT
BOARD OF TRUSTEES MEETING

MUNICIPAL BUILDING
46 North Ocean Avenue
Freeport, NY 11520

January 8, 2024
6:10 p.m.

M E M B E R S:

- | | |
|-----------------------|--------------|
| ROBERT T. KENNEDY | MAYOR |
| RONALD J. ELLERBE | DEPUTY MAYOR |
| CHRISTOPHER L. SQUERI | TRUSTEE |
| EVETTE B. SANCHEZ | TRUSTEE |
| JORGE A. MARTINEZ | TRUSTEE |

* * *

- | | |
|-------------------------|-----------------|
| PAMELA A. WALSH-BOENING | VILLAGE CLERK |
| HOWARD COLTON | VILLAGE COUNSEL |
| RAYMOND MAGUIRE | FIRE DEPARTMENT |

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-----EXHIBITS-----

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BOARD'S FOR I.D.

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2 MAYOR KENNEDY: I'd like to move into
3 our public hearings, please. Village
4 attorney.

5 MR. COLTON: Thank you, mayor. Our
6 first public hearing is to consider the
7 proposed 2024/2025 Tentative Village Budget.

8 Mayor, before I go through the
9 housekeeping matters, just some dates I'd
10 like to keep everyone aware of. We have
11 already started conducting the public
12 hearing. Legally we had do it by
13 January 15th; that's the Village Law Section
14 55-083. The public hearing, once commenced,
15 which is tonight, must be finished by
16 January 20, 2024; that's Village Law 55-083.
17 It has to be adjourned, and they say
18 day-by-day, which does not mean you have to
19 come in every day and adjourn it. It has to
20 be adjourned to a date certain, but it cannot
21 go past January 20th, otherwise the tentative
22 budget becomes the budget of the Village.

23 Under 55-084 the Village Law by
24 February 1st the budget has to be passed, or
25 if it's not passed by that date, the

1
2 tentative budget becomes the budget. It can
3 be voted down that date, the tentative budget
4 becomes the budget. As long as -- if there
5 are any amendments, it has to be done prior
6 to February 1st as well.

7 Now turning to housekeeping matters,
8 mayor, before I turn this over to David
9 Tanner from Liberty Capital Services. I have
10 a few exhibits that I'd like to have entered
11 for purposes of this public hearing:

12 Exhibit A - Directive setting the
13 public hearing date.

14 Exhibit B - Notice of the public
15 hearing.

16 Exhibit C - Affidavit of publication.

17 Exhibit D - Affidavit of posting.

18 Exhibit E - Building Department's
19 negative declaration recommended under the
20 State Environmental Quality Review Act.

21 Exhibit F - is a Draft SEQRA
22 resolution of the Board adopting the findings
23 of the Building Department. I would ask the
24 Board to take look at it. This is purely an
25 administrative act and has no impact on the

1 environment. If that is okay with the Board,
2 I would request that the Board adopt the
3 draft SEQRA Resolution as the official
4 resolution of the Board. If that's okay,
5 we'll just need a motion to do that.
6

7 MAYOR KENNEDY: Exhibit A, B, C, D, E
8 and F. Do we have a motion to accept?

9 DEPUTY MAYOR ELLERBE: So moved.

10 THE CLERK: This is for the Building?

11 MR. COLTON: This is for the SEQRA
12 Resolution only.

13 TRUSTEE SQUERI: Second.

14 MAYOR KENNEDY: Madam Clerk, please
15 poll the Board.

16 THE CLERK: All in favor.

17 TRUSTEE MARTINEZ: Aye.

18 DEPUTY MAYOR ELLERBE: Aye.

19 TRUSTEE SQUERI: Aye.

20 TRUSTEE SANCHEZ: Aye.

21 MAYOR KENNEDY: Aye.

22 THE CLERK: Any opposed?

23 (No response was heard.)

24 (WHEREUPON, the above-referred to
25 documents were marked as Board's Exhibits A

1 through F, in evidence, as of this date.)

2
3 MR. COLTON: Mayor I would ask that
4 be marked as Exhibit G, and Exhibit H, the
5 tentative budget.

6 MAYOR KENNEDY: Exhibit G and H are
7 accepted by the Board.

8 (WHEREUPON, the above-referred to
9 documents were was marked as Board's Exhibits
10 G and H, in evidence, as of this date.)

11 MR. COLTON: Mayor, at this time,
12 I'll turn the hearing over to David Tanner
13 from Liberty Capital Services who will run
14 through the presentation, a brief
15 presentation, about the budget.

16 MR. TANNER: Good evening, Mayor,
17 Board of Trustees. Again, Happy New Year to
18 you all, healthy new year, prosperous new
19 year as well to all the residents. I'm happy
20 to be here this evening.

21 MAYOR KENNEDY: Can you just bring
22 those microphones a little closer so we have
23 a clearer transmission.

24 MR. TANNER: I didn't want to block
25 my face from the camera.

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MAYOR KENNEDY: We can move the cameras.

MR. TANNER: It's a pleasure to be here. Mayor, as the village attorney just mentioned, we have an abbreviated presentation for you this evening for the 24-25 - Tentative Budget.

As in prior years, the budget under consideration this evening is a zero tax increase budget, zero tax levy, zero tax rate. This is the 11th year that we managed to achieve that in the mayor's administration. There's a small growth in the overall budget. However, those initial costs may not find increased revenue from nontax revenue.

The expenditure drivers as in prior years are all nondiscretionary increases; that is contractual increases from public safety salary, additional new hires in the police department. Medical benefits up a million and a half dollars. Retirement up \$600,000. Debt services up slightly; that's predominately due to interest rate increases.

1
2 It should be noted that the Village debt is
3 projected to be down another \$7 million at
4 the end of this fiscal year; almost half what
5 it was in about 2011.

6 I mentioned before the increase in
7 cost as compensated by increasing the nontax
8 revenue. Sources from the Departmental
9 income, licenses and permits, use of money,
10 and some federal aid. Put another way, there
11 are essentially three conceptual drivers, if
12 you will, for the budget. The first one,
13 overwhelmingly, is Economic Development,
14 which this year specifically provides an
15 initial \$547,000 in recurring nontax revenue.
16 The source from rental making increase use of
17 Village assets, one of which is rental of
18 existing Village owned property resulting in
19 a \$5,000 increase in revenue. Also
20 negotiating service agreements for incoming
21 businesses over and above what the pilot
22 agreements allow; that is providing an
23 additional \$178,000 in recurring revenue,
24 nontax revenue. Last, the Freeport Armory
25 community asset, another \$234,000 increase in

1 nontax revenue.

2
3 The other thing I wanted to mention
4 is community development. We're meeting the
5 needs of the community. For example,
6 providing additional services or allowing
7 additional services for the Armory, daycare
8 for children of the Village, meet the needs
9 of associated fire department, Merrick Fire
10 Department. New housing supported by the new
11 Moxey Rigby, 101 new housing units, and also
12 the development of Cow Meadow Park, a new
13 dock facility, lock facilities and ball
14 fields.

15 The third indicator is that the
16 Village is really starting to increase the
17 use of its adjacency to being a waterfront
18 community. There's a term out there now that
19 talks about Blue Economy. That's the economy
20 that makes use of a community being by the
21 water, be it either a fishing oriented
22 community, a boating community, hospitality
23 that is, again, oriented by the water. And,
24 obviously, the Village is making good use of
25 this location.

1
2 Take a look at the Guy Lombardo
3 Marina. The Village is going to be starting
4 to manage that with 84 boat slips, \$250,000
5 budget revenue. Sea Breeze Marina, 24 boat
6 slip marina. Cow Meadow Park Marina, 23 boat
7 slip marina. Those, again, are the three
8 conceptual underpinnings.

9 Lastly, really quick, capital
10 expenditures. The program is in place. As
11 you just heard this evening, the Board just
12 adopted \$1.4 million bond resolution in
13 keeping with the program that is in place
14 here, of which 29 percent of all the costs
15 have been funded by outside sources, nontax
16 revenue, nontax revenue, and through grants
17 and aid, of which 25 percent expenditures for
18 roads, 30 percent were expended for electric
19 support, water support, sewer, utilities, and
20 the remaining is spread out to the fire
21 department, police department, recreation and
22 bulkheads.

23 As promised, that's the expedited
24 presentation this evening. I'll entertain
25 any questions.

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January 8, 2024

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TRUSTEE MARTINEZ: Mr. Tanner, going back again to a few slides before, you said the use of money. Can you go further into that as to exactly what you mean by that?

MR. TANNER: Sure. This here?

TRUSTEE MARTINEZ: Yes, sir.

MR. TANNER: This is the County codes, right, has a way of classifying certain types of revenue; this is dictated by the Comptroller's Office. For example, Departmental Income behind that \$640,000 was \$400,000 from dock rentals that I pointed out later on. And there's an additional \$234,000, for example, in the Freeport Armory.

As far as license and permits, that includes a permit for the new Moxey Rigby estimated to be about \$800,000, and the Hilton estimated to be about \$600,000. The use of money includes \$600,000 for interest income.

TRUSTEE MARTINEZ: Okay. That's money we're generating income on our own money?

1
2 MR. TANNER: Absolutely. Especially
3 with the property sale that occurred this
4 past year.

5 There's additional rental income of
6 \$140,000 of that. Like I said, federal aid,
7 FEMA money. There was also a federal aid
8 grant for a couple of police officers as well
9 for about \$105,000.

10 MAYOR KENNEDY: I just want to make a
11 correction. The Moxey Rigby new units has
12 101. That's going to be 200 units. So you
13 know that. Cow Meadow is not 23 slips, that
14 will be 43 slips.

15 MR. TANNER: I got that from the DPW.

16 MAYOR KENNEDY: I'm just correcting
17 that.

18 Do you have idea what the fund
19 balance is today?

20 MR. TANNER: I can tell you what the
21 fund balance is in the 2023 audit. How is
22 that?

23 MAYOR KENNEDY: That's fine. Fund
24 balance is the funds that are available and
25 saved by the Village in the event of an

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emergency.

MR. TANNER: Total fund balance is, for the general fund, \$20 million 406 thousand.

MR. COLTON: That doesn't add in the sale from the old Moxey?

MR. TANNER: Right, that did not hit. That will be an additional 12.

MR. COLTON: \$14 million.

MAYOR KENNEDY: It will be approximately \$35 million with the sale of that building. \$35 million fund balance.

MR. TANNER: I assume most of that will go to the other side, which is really the most important component of it. The other side \$13 million, so I would expect that to be about 26.

MAYOR KENNEDY: Okay.

MR. TANNER: Ultimately, that's going to be about maybe 30 percent of revenue, which is a nice place to be.

MAYOR KENNEDY: Yep. It's good for our ratings.

TRUSTEE MARTINEZ: I think it's an

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excellent place to be. I think -- don't cut yourself short. From where we started several years ago to now, it's amazing.

MAYOR KENNEDY: Before the fund balance was \$1.2 million, now it's \$35 million.

MR. TANNER: The other aspect is that we managed to balance the budget without an appropriating fund balance. For example, the Town of Hempstead appropriated \$56 million to the balance their budget this year. The Town Babylon appropriated \$3.5 million to balance their budget, and the Town of Riverhead \$2 million, just to give you some comps out there.

TRUSTEE MARTINEZ: Mr. Mayor, if you don't mind, off the record.

(WHEREUPON, a discussion was held off the record.)

MAYOR KENNEDY: Anybody have any other questions for Mr. Tanner?

TRUSTEE MARTINEZ: Forget about being a trustee. As a resident, the one thing that scared the heck out of me was the medical.

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That just seems there's no limit on that, is there?

MR. TANNER: My own went up 25 percent this year.

TRUSTEE MARTINEZ: That's for you.

MR. TANNER: No flowers for me.

TRUSTEE MARTINEZ: That's something that I don't think people realize, we have really no control over that, it kind of catches us by surprise. The last thing we want to do is impact any of the employees here.

Is there a way -- how do we highlight the fact that this is really a big chunk of this budget.

MAYOR KENNEDY: Every one of the aspects has mandatory increases. Workmen's Comp went up, liability, disability, medical and retirement have gone up significantly. Medical went up over \$1.3 million alone.

TRUSTEE MARTINEZ: That is my point. Percentage-wise, how do you do that?

MAYOR KENNEDY: What we're trying to do is bring in more additional nontax

revenue, which we have been fortunate to do
 for the past couple of years. By bringing in
 nontax revenue, we offset these mandatory
 increase that we had. I'm looking at a
 mandatory increase of over \$4 million this
 year.

TRUSTEE MARTINEZ: That's my point.

I think the residents need to understand that
 this is something we have no control over.
 My worry is it's going to dictate to us that
 you must assume this debt, or this cost.

MR. COLTON: Trustee, if I may.

NYSHIP, which about 90 percent of our

employees have NYSHIP. That's the state

civil services. That's up to the governor.

The governor has been steadily increasing

that by nine percent, ten percent, now we're

at 14 percent. We also have other, older

plans that are still in service in those

plans. Those plans are going up higher, 16,

17 percent. But that's permitted within DFS,

Department of Financial Services in the

State. We're absolutely helpless, when it

comes to that. It's whatever the state

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decides.

MAYOR KENNEDY: Something else that we should consider is we reduced our debt over 50 percent over the past eight years. We reduced our debt and increased our reserves from \$1.2 to \$34 million.

MR. TANNER: There was \$140 million in 2011. It's coming down to about \$75, something like that now. I also wanted to mentioned, in 2015, when the budget began, nontax revenue was paying 34 percent of the budget, now it's paying almost half of it, 49 percent. It's reduction from the tax levy. Back then it was paying 66 percent of the budget, now it's paying for 51 percent. That's a huge shift. Huge shift.

MAYOR KENNEDY: I think we all worked very hard on this budget. It took a lot of time and a lot of effort between the Electrical Department, Fire Department, Police Department, General Fund, Water Department, DPW, Insurance Department, attorney have been quite involved. I want to thank everybody for all the work you put in

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on this.

Do we have any other questions?

(No response was heard.)

MAYOR KENNEDY: Village attorney.

MR. COLTON: At this time, mayor, the question becomes does the Board wish to close this hearing to further evidence and testimony?

TRUSTEE SQUERI: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madam Clerk, please poll the Board.

THE CLERK: All in favor.

TRUSTEE MARTINEZ: Aye.

DEPUTY MAYOR ELLERBE: Aye.

TRUSTEE SQUERI: Aye.

TRUSTEE SANCHEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Thank you very much.

MR. COLTON: Mayor, at this time, since the hearing is closed to further evidence and testimony, that means if we

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don't have any issues going past January 20th, if the Board wishes to do so, I'll entertain a motion to pass the tentative budget as presented.

MAYOR KENNEDY: Could you say that again, please?

MR. COLTON: Yes. At this time the hearing has been closed to further evidence and testimony. The Board can do one or two things: Between now and February 1st the Board can amend the budget if they wish, once the hearing is closed, or the Board can move forward to approve the tentative budget as the budget of the Village. It's the Board's choice.

MAYOR KENNEDY: I'd like to make a resolution that we hold off and make that decision after we decide if there's any amendments.

MR. COLTON: Mayor, you need a motion to adjourn the hearing; it has to be to a date certain.

TRUSTEE MARTINEZ: Our next scheduled meeting is 22nd, which is too late.

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MR. COLTON: Which is too late.

TRUSTEE MARTINEZ: It would have to be either at any time the 17th, 18th, 19th. Whatever the Wednesday, Thursday, Friday is. The 15th is a holiday, so we are closed, right?

TRUSTEE SANCHEZ: Can we do the 16th? I'm not available the 17th.

MAYOR KENNEDY: How about this coming Friday?

TRUSTEE MARTINEZ: What time?

MAYOR KENNEDY: If not, it would be in February.

TRUSTEE SQUERI: You don't have to set a time, set a date.

MR. COLTON: Set date and time.

TRUSTEE SANCHEZ: 1:00? Is that good?

MAYOR KENNEDY: 1:00 Friday. Friday, the 12th at 1:00 p.m.

TRUSTEE SQUERI: So moved.

MAYOR KENNEDY: Make a motion to reconvene this Friday the 12th at 1:00 p.m.

DEPUTY MAYOR ELLERBE: Second.

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MAYOR KENNEDY: Madam Clerk, please poll the Board.

THE CLERK: All in favor.

TRUSTEE MARTINEZ: Aye.

DEPUTY MAYOR ELLERBE: Aye.

TRUSTEE SQUERI: Aye.

TRUSTEE SANCHEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

TRUSTEE MARTINEZ: Madam Clerk, does that give enough time to post it, as far as requirements?

MR. COLTON: The structure you don't have to. You closed the hearing itself. Now the Board has the time from when the Board is permitted to go ahead.

TRUSTEE MARTINEZ: Plus it's being recorded and televised.

MR. COLTON: There is no requirement, at this time, to go ahead. You can, as a courtesy.

MAYOR KENNEDY: Village attorney, please continue with your public hearings.

1
2 MR. COLTON: Our next hearing is to
3 review the contract with the fire protection
4 service and supplemental ambulance service
5 between the Incorporated Village of Freeport
6 and the Freeport Volunteer Fire Department.

7 Mayor, before we begin, under Article
8 18 of the General Municipal Law, I have to do
9 what's called an Article 18 statement
10 notifying the Board that I am Chaplin to the
11 Freeport Fire Department. I have no
12 financial interest in this contract and any
13 other matters that are contained in the
14 contract. That is my statement to the Board.
15 If the Board has issues, I understand, and
16 I'll recuse myself. Other than that, I am
17 ready to proceed, if the Board will have me
18 do so.

19 MAYOR KENNEDY: Okay. Do you want to
20 proceed then, village attorney?

21 MR. COLTON: Pursuant to Section 4412
22 of the Village Law and Section 209-b of the
23 General Municipal Law, this hearing is called
24 to review the proposed contract between the
25 Freeport Volunteer Fire Department and the

1
2 Village of Freeport to provide fire
3 protection and supplemental ambulance service
4 to the Village. The amount of the contract
5 is \$151,000 and hasn't changed in a number of
6 years.

7 I'll entertain any questions the
8 Board might have.

9 TRUSTEE MARTINEZ: Mr. Maguire, do
10 you have anything you want to add?

11 MR. MAGUIRE: No. We really
12 appreciate the support that the Board has.
13 Our volunteers are Freeport residents are
14 very cognizant of the fact it's important to
15 hold the line on taxes. We appreciate your
16 financial support so that our fire fighters
17 are able to conduct the great job that they
18 do day in and day out 365 days a years 24
19 hours a day.

20 TRUSTEE MARTINEZ: As a resident of
21 the Village, I cannot be more grateful to the
22 men and women of the Freeport Fire
23 Department. I think what they do is
24 absolutely amazing. So, I can't thank you
25 and your men and women for what you do for

1 us. Are we still largest in New York State?

2 MR. MAGUIRE: Yes.

3 TRUSTEE MARTINEZ: Good for us.

4 MR. COLTON: I actually forgot the
5 exhibits. I apologize. I got caught up.

6 MAYOR KENNEDY: Exhibits.

7 MR. COLTON: Exhibit A is the
8 directive setting the public hearing notice.

9 Exhibit B - Notice of public hearing.

10 Exhibit C - Affidavit of publication.

11 Exhibit D - Affidavit of Posting.

12 Exhibit E - Building Department's
13 negative declaration recommendation under the
14 State Environmental Quality Review Act.

15 Mr. Mayor, as I stated before, this purely
16 administrative and has no environmental
17 impact upon the Village.

18 Exhibit F - Draft State Environmental
19 Quality Review Act resolution of the Board
20 adopting the findings of the Building
21 Department. If that's okay with the Board,
22 I'll request a motion to adopt the draft
23 SEQRA resolution as the SEQRA resolution for
24 the Village for this hearing.
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MAYOR KENNEDY: Do we have a motion to accept?

DEPUTY MAYOR ELLERBE: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madam Clerk, please poll the Board.

THE CLERK: All in favor.

TRUSTEE MARTINEZ: Aye.

DEPUTY MAYOR ELLERBE: Aye.

TRUSTEE SQUERI: Aye.

TRUSTEE SANCHEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: The village Board accepts A, B, C, D, E and F exhibits.

(WHEREUPON, the above-referred to documents were marked as Board's Exhibits, for identification, as of this date.)

MR. COLTON: Mayor, I'd ask that the adopted resolution be Exhibit G, Exhibit H the proposed contract, Exhibit I is the draft resolution adopting the contract between the Freeport Fire Department and the Village of

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Freeport.

And we haven't gotten to closing the hearing yet, but we'll do that in a minute. So, mayor, I'll request that A through I be marked into evidence at this time.

MAYOR KENNEDY: Exhibits G, H and I are accepted.

(WHEREUPON, the above-referred to documents were marked as Board's Exhibits, in evidence, as of this date.)

MR. COLTON: Mayor, at this time I'll entertain a motion to close the hearing to further evidence and testimony.

MAYOR KENNEDY: Before we close, I just want to say thank to the volunteer fire Department of the Village of Freeport performing over 2,250 calls every year, whether it's a fire, gas leak, injuries to bodies, car accidents, emergency responses, they have done a tremendous job 24 hours a day, seven days a week. Just a great job by our volunteer firefighters to perform. Thank you very much.

MR. MAGUIRE: Thank you.

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MAYOR KENNEDY: Do we have a motion for the conclusion of this meeting?

DEPUTY MAYOR ELLERBE: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madam Clerk, please poll the Board.

THE CLERK: All in favor.

TRUSTEE MARTINEZ: Aye.

DEPUTY MAYOR ELLERBE: Aye.

TRUSTEE SQUERI: Aye.

TRUSTEE SANCHEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MR. COLTON: Mayor, also at this time I'll request a motion to adopt the draft resolution which approves the contract between the Incorporated Village of Freeport and the Incorporated Village of Freeport Volunteer Fire Department for fire protection services and supplemental ambulance services.

MAYOR KENNEDY: Do we have a motion?

TRUSTEE SANCHEZ: So moved.

TRUSTEE SQUERI: Second.

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2 MAYOR KENNEDY: Madam Clerk, please
3 poll the Board.

4 THE CLERK: All in favor.

5 TRUSTEE MARTINEZ: Aye.

6 DEPUTY MAYOR ELLERBE: Aye.

7 TRUSTEE SQUERI: Aye.

8 TRUSTEE SANCHEZ: Aye.

9 MAYOR KENNEDY: Aye.

10 THE CLERK: Any opposed?

11 (No response was heard.)

12 MR. COLTON: That's it for this
13 public hearing.

14 (Time Ended: 6:34 p.m.)

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C E R T I F I C A T E

I, BETHANNE MENNONNA, a Notary Public within and for the State of New York do hereby certify that the foregoing is a true and accurate transcript of the proceedings, as taken stenographically by myself to the best of my ability, at the time and place aforementioned.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of January, 2024.


BETHANNE MENNONNA