

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

2024-1

2024-1

A meeting of the Board of Trustees of the Incorporated Village of Freeport was held on Monday, May 6, 2024 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	Excused
Evette B. Sanchez	Trustee	
Howard E. Colton	Village Attorney	
Pamela Walsh Boening	Village Clerk	

At 5:02 P.M., Mayor Kennedy convened in the main conference room and Trustee Martinez led in the Pledge of Allegiance.

No residents were present.

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

At 5:30 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	In Favor
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

Approximately three (3) residents were present.

Deputy Mayor Ellerbe led in the Pledge of Allegiance.

It was moved by Trustee Martinez, seconded by Trustee Sanchez, and carried to approve the Board of Trustees Minutes of April 29, 2024.

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The Clerk polled the Board as follows:

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

It was moved by Trustee Martinez, seconded by Trustee Sanchez, and carried to approve the Board of Trustees Special Meeting Minutes of April 29, 2024.

The Clerk polled the Board as follows:

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

Motion was made by Deputy Mayor Ellerbe, seconded by Trustee Sanchez and carried to approve the request to hang one banner on S. Main Street between Raynor Street and Archer Street from June 3, 2024 through June 17, 2024, promoting “Catchers Threshers Shark Tournament” 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	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

Motion was made by Trustee Sanchez, seconded by Trustee Martinez to approve the Parade and Public Assembly Permit application submitted on behalf of the William Clinton Story Post 342 and the Village of Freeport to hold a Memorial Day Parade on Monday, May 27, 2024 from 10:00 A.M. to 11:45 A.M., beginning at the Freeport High School and ending at the Freeport Memorial Library.

The Clerk polled the Board as follows:

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

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2024-3

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Motion was made by Trustee Sanchez, seconded by Deputy Mayor Ellerbe and carried to approve the Carnival, Festival, Bazaar Public Assembly application submitted on behalf of the Nassau County Office of Youth Services to hold a public assembly in Cow Meadow Park on Friday, May 31, 2024 from 9:00 A.M. to 3:00 P.M.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor
Trustee Squeri	Excused
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 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 and 2024/2025 Final Assessment Rolls; and

S / B / L	Address	Exemption Code	Exemption Amount	Reason
54 / 308 / 161	73 Elliot Pl	41121 Veterans Wartime/ Non-Combat	2023-41121-540 2024-41121-468	Property Sold 08/30/2023

**WHEREAS**, the Assessor reviewed the application and made the recommendation that the exemptions be removed from the 2023/2024 and 2024/2025 Final Assessment Rolls 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 and 2024/2025 Final Assessment Rolls and that the Treasurer issue a corrected tax bill.

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The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor
Trustee Squeri	Excused
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**, the Village of Freeport’s Electric Utility requires the performance of specialized legal services related to electric business with the New York Association of Public Power (NYAPP), the New York Independent System Operator (NYISO) and matters that may arise from time to time such as various issues associated with the LM6000 at Freeport’s Power Plant 2; and

**WHEREAS**, the Village of Freeport has been represented by the law firm of Duncan, Weinberg, Genzer, & Pembroke, P.C. since approximately 1990; and

**WHEREAS**, on January 23, 2023, the Board approved the renewal of the agreement between the Electric Utility and Duncan, Weinberg, Genzer & Pembroke, P.C., for a term of one year from March 1, 2023 to February 29, 2024, at a not-to-exceed cost of \$100,00.00, payable at the rates contained in the letter of agreement; and

**WHEREAS**, on January 22, 2024, the Board approved the amended agreement between the Village of Freeport and Duncan, Weinberg, Genzer, & Pembroke, P.C., 1667 K Street, N.W., Suite 700, Washington, D.C. 20006, for a retroactive term from March 1, 2023 to February 29, 2024, for an additional \$22,000.00, with a total cap of \$122,000.00; and

**WHEREAS**, there is currently \$1,304.09 available on the contract, with open invoices amount to \$25,651.58; and

**WHEREAS**, the Acting Superintendent of Electric is requesting Board approval to close out the January and February 2024 legal services invoices from Duncan, Weinberg, Genzer & Pembroke, P.C., 1667 K Street, N.W., Suite 700, Washington, D.C. 20006, for a retroactive term from March 1, 2023 to February 29, 2024, for an additional \$24,347.49 with a total cap of \$146,347.49; and

**WHEREAS**, this service shall be funded through various accounts, including E7222160 512200 (Purchase Power Legal Expense); and

**NOW THEREFORE BE IT RESOLVED**, that based upon the recommendation of the Acting Superintendent of Electric Utilities, the Board approve and the Mayor be and hereby is authorized to execute any documentation necessary to amend the agreement between the Village

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of Freeport and Duncan, Weinberg, Genzer, & Pembroke, P.C., 1667 K Street, N.W., Suite 700, Washington, D.C. 20006, for a retroactive term from March 1, 2023 to February 29, 2024, for an additional \$24,347.49 with a total cap of \$146,347.49.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor
Trustee Squeri	Excused
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 Superintendent of Public Works is requesting the Board to authorize the Village Clerk to advertise a Notice to Bidders for the “Fire Detection and Alarm System Installation at the Freeport Armory”; and

**WHEREAS**, the installation of the new system is required by the Nassau County Fire Marshall; and

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

**WHEREAS**, the estimated cost for this project is \$320,000.00; and

**WHEREAS**, funding for this project will come from a bond resolution authorized by the Village Board of Trustees on September 12, 2023 (Capital account H619702 522400); 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 “Fire Detection and Alarm System Installation at the Freeport Armory” in the Freeport Herald and other relevant publications of general circulation on May 9, 2024, with bid documents available from May 13, 2024 through May 24, 2024, with a return date of May 29, 2024.

The Clerk polled the Board as follows:

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

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2024-6

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**WHEREAS**, the Superintendent of Public Works is requesting the Board to authorize the Village Clerk to advertise a Notice to Bidders for the “Woodcleft Canal Drainage Improvement Project”; and

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

**WHEREAS**, the estimated cost for this project is \$2,500,000; and

**WHEREAS**, funding for this project will come from a bond resolution authorized by the Village Board of Trustees on February 26, 2024; 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 “Woodcleft Canal Drainage Improvement Project” in the Freeport Herald and other relevant publications of general circulation on May 9, 2024, with bid documents available from May 13, 2024 through May 24, 2024, with a return date of May 29, 2024.

The Clerk polled the Board as follows:

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

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

The Clerk polled the Board as follows:

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

The meeting was closed at 5.40 P.M.

At 5:41 P.M., it was moved by Deputy Mayor Ellerbe, seconded by Trustee Sanchez and carried to return to the Mayor’s Conference Room to reconvene in Executive Session to consult with Counsel.

The Clerk polled the Board as follows:

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

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

The Clerk polled the Board as follows:

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

The meeting was closed at 5.50 P.M.

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Pamela Walsh Boening  
Village Clerk

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