

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, October 21, 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	Excused
Christopher L. Squeri	Trustee	
Evette B. Sanchez	Trustee	Excused
Howard E. Colton	Village Attorney	
Pamela Walsh Boening	Village Clerk	

At 5:03 P.M., Mayor Kennedy convened in the main conference room and Deputy Mayor Ellerbe led in the Pledge of Allegiance.

No residents were present.

At 5:04 P.M., it was moved by Trustee Squeri, seconded by Deputy Mayor Ellerbe 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	In Favor
Trustee Martinez	Excused
Trustee Squeri	In Favor
Trustee Sanchez	Excused
Mayor Kennedy	In Favor

At 5:30 P.M., motion was made by Trustee Squeri, seconded by Deputy Mayor Ellerbe and carried to reconvene in Legislative Session.

The Clerk polled the Board as follows:

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

Approximately three (3) residents were present.

Deputy Mayor Ellerbe led in the Pledge of Allegiance.

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At 5:33 P.M., Mayor Kennedy called the hearing to order for which a full stenographic record was taken and indicated that the purpose of the hearing was to consider the adoption of the Village’s Recodified Codes.

Jennifer Ungar, Deputy Village Attorney entered six (6) exhibits into evidence and conducted the hearing.

Motion was made by Deputy Mayor Ellerbe, seconded by Trustee Squeri to close the hearing to further evidence and testimony.

The Clerk polled the Board as follows:

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

It was moved by Deputy Mayor Ellerbe, seconded by Trustee Squeri to adopt the following resolution:

**VILLAGE OF FREEPORT
RESOLUTION TO ENACT LOCAL LAW NO. 1-2024**

WHEREAS a public hearing was held the 23rd day of September, 2024 and continued on the 21st day of October, 2024 by the Board of Trustees of the Village of Freeport, notice of which was given as required by the Municipal Home Rule Law, the Open Meetings Law and the Village Law of the State of New York;

WHEREAS at said public hearing the Board of Trustees considered the enactment of proposed Local Law No. 1-2024, entitled A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE VILLAGE OF FREEPORT INTO A MUNICIPAL CODE TO BE DESIGNATED THE “CODE OF THE VILLAGE OF FREEPORT”; and

WHEREAS all interested persons were given an opportunity to be heard with respect to the enactment of said local law;

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 1-2024 be enacted as follows:

(copy of local law attached)

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The Clerk polled the Board as follows:

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

ARTICLE I

Adoption of Code

§ 1-1. Code adopted; continuation of existing provisions.

In accordance with Subdivision 3 of § 20 of the Municipal Home Rule Law, the local laws, ordinances and certain resolutions of the Village of Freeport, as codified and consisting of Chapters 1 through 215, are hereby approved, adopted, and enacted as the Code of the Village of Freeport, hereinafter referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of local laws, ordinances and resolutions in force immediately prior to the enactment of the Code by this local law, are intended as a continuation of such local laws, ordinances and resolutions and not as new enactments. This local law and the Code adopted hereby shall supersede and replace the 1979 Code of the Village of Freeport, as amended and supplemented.

§ 1-2. Code on file; additions and amendments.

- A. A copy of the Code has been filed in the office of the Village Clerk and shall remain there for use and examination by the public until final action is taken on this local law. Following adoption of this local law such copy shall be certified to by the Clerk of the Village of Freeport by impressing thereon the Seal of the Village, as provided by law, and such certified copy shall remain on file in the office of the Village Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.
- B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the Board of Trustees to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Village of Freeport" shall be understood and intended to include such additions and amendments. Nothing contained in this local law shall affect the status of any local law, ordinance or resolution contained in the Code, and such local laws, ordinances or resolutions may be amended, deleted or changed from time to time as the Board of Trustees deems desirable.

§ 1-3. Notice; publication.

In the event that notice of enactment of this local law is required due to amendments adopted by way of this local law to zoning or land use provisions, or is otherwise required by law, the Clerk of the Village of Freeport shall cause notice of the enactment of this local law to be given in the manner required by law. The notice of the enactment of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-4. Severability.

Each section of this local law and of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional,

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void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-5. Repealer.

All local laws and ordinances of a general and permanent nature of the Village of Freeport in force on the date of the adoption of this local law and not contained in such Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this local law.

§ 1-6. Enactments saved from repeal; matters not affected.

The repeal of local laws and ordinances provided for in § 1-5 of this local law shall not affect the following classes of local laws, ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any right or liability established, accrued or incurred under any legislative provision of the Village of Freeport prior to the effective date of this local law or any action or proceeding brought for the enforcement of such right or liability.
- B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the Village of Freeport or any penalty, punishment or forfeiture which may result therefrom.
- C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this local law brought pursuant to any legislative provision of the Village of Freeport.
- D. Any agreement entered into or any franchise, license, right, easement or privilege heretofore granted or conferred by the Village of Freeport.
- E. Any local law or ordinance of the Village of Freeport providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the Village of Freeport or any portion thereof.
- F. Any local law or ordinance of the Village of Freeport appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Village of Freeport or other instruments or evidence of the Village's indebtedness.
- G. Local laws or ordinances authorizing the purchase, sale, lease or transfer of property, or any lawful contract, agreement or obligation.
- H. The levy or imposition of special assessments or charges.
- I. The annexation or dedication of property.

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- J. Any local law or ordinance relating to salaries and compensation.
- K. Any local law or ordinance amending the Zoning Map.
- L. Any local law or ordinance relating to or establishing a pension plan or pension fund for Village employees.
- M. Any local law or ordinance or portion of a local law or ordinance establishing a specific fee amount for any license, permit or service obtained from the Village.
- N. Any local law adopted subsequent to November 27, 2023.
- O. Local Law 1-2019, regarding a tax cap override.

§ 1-7. Changes in previously adopted legislation.

- A. In compiling and preparing the local laws, ordinances and resolutions for publication as the Code of the Village of Freeport, certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Board of Trustees that all such changes be adopted as part of the Code as if the local laws, ordinances and resolutions had been previously formally amended to read as such.
- B. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this local law. (Chapter and section number references are to the local laws, ordinances and resolutions as they have been renumbered and appear in the Code.)

§ 1-8. Titles and headings; editor's notes.

- A. Chapter and article titles, headings and titles of sections and other divisions of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.
- B. Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

§ 1-9. Penalties for tampering with Code.

Any person who alters or tampers with the Code of the Village of Freeport in any manner whatsoever which will cause the legislation of the Village of Freeport to be misrepresented thereby, or who violates any other provision of this local law, shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than \$250 or imprisonment for a term of not more than 15 days, or both.

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§ 1-10. When effective.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

**Village of Freeport
Code Adoption 2024 Local Law**

**Schedule A
Specific Revisions at Time of Adoption of Code**

Chapter 1, General Provisions

Article I, Adoption of Code

A. Section 1-10, Penalties for offenses, is relocated to Art. II, General Penalty.

Article II, General Penalty

B. Article II is added.

Chapter 7, Boards and Commissions

Article VI, Planning Board

Section 7-18B is revised to read as follows:

The Mayor shall appoint, subject to the approval by the Board of Trustees, two alternate members of the Planning Board. Said alternates shall serve one-year terms. An alternate member shall serve as a full voting member of the Planning Board where absences or conflicts of interest make it impossible to obtain a quorum.

Chapter 8, Tax Cap Override

Chapter 8 is deleted.

Chapter 16, Code of Ethics

A. Section 16-4 is revised to read as follows:

§ 16-4. Standards of conduct. [Amended 11-25-1971 by L.L. No. 2-1974; at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

Every officer or employee of the Incorporated Village of Freeport shall be subject to and abide by the following standards of conduct:

A. Gifts. They shall not, directly or indirectly, solicit any gift or accept or receive any gift

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having a value in excess of the amount permitted by General Municipal Law § 805-a, Subdivision 1, whether in the form of money, services, loan, travel, entertainment,

hospitality, thing or promise or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence them or could reasonably be expected to influence them in the performance of their official duties or was intended as a reward for any official action on their part.

- B. Confidential information. They shall not disclose confidential information acquired by them in the course of their official duties or use such information to further their personal interest.
- C. Representation before one's agency. They shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which they are an officer, member or employee or of any municipal agency over which they have jurisdiction or to which they have the power to appoint any member, officer or employee.
- D. Representation before any agency for a contingent fee. They shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of their municipality whereby their compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this subsection shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.
- E. Disclosure of interest in legislation. To the extent that they know thereof, a member of the Board of Trustees and any officer or employee of the Incorporated Village of Freeport, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Trustees on any legislation before the Board of Trustees or on any matter being considered by any other official, board, agency, commission or officer of the Incorporated Village of Freeport shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest they have in such legislation.

- B. Section 16-6 is revised to add the following sentence to the end thereof:

Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with such code, nor the enforcement of provisions thereof.

Chapter 27, Liability of Village

Section 27-1 is revised to delete the following from the reference to the General Municipal Law:

(added L. 1945, c. 694, § 1, effective September 1, 1945; amended L. 1950, c. 481, § 1, effective September 1, 1950; amended L. 1976, c. 745, § 2, effective September 1, 1976)

Chapter 42, Personnel Benefits and Regulations.

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Article V, Early Retirement Program

Former Art. V, Early Retirement Program, is repealed.

Chapter 46, Police

Article II, Special Policemen

Former Art. II, Special Policemen, is repealed.

Chapter 70, Access to Records

Article I, Village Access to Criminal History Records

A. Sections 70-1 and 70-2 are revised to delete references to “Special Police.”

B. Section 70-2, definition of "pernicious offender," is repealed.

C. Section 70-3:

(1) Subsection A(2) is revised to read as follows:

A separate permit is required for each premises protected by an alarm system, said permit to have a duration of one or three years, depending on the option selected.

(2) Subsection A(3) is revised to read as follows:

A permit shall expire one or three years from the date of issuance and may be renewed for additional one- or three-year periods, depending on the option selected, by the submission of a renewal application and payment of permit renewal fees as required by this chapter. Subpermits may be issued at any time for up to one or three years, but the duration may not extend beyond the expiration date of the permit.

D. Section 72-4C(2)(c), regarding conviction as a pernicious offender, is repealed.

E. Section 72-6B, Fees, is repealed.

F. Section 72-8A(2) is revised to read as follows:

Failure to return a report of service repair within said fifteen-day period, which is reasonably satisfactory to the commanding officer, is a violation subject to the penalties under §72-16.

G. Section 72-12A(6) is added to read as follows:

Elevators and elevator control rooms.

H. Section 72-15A and B are repealed and replaced with the following:

The Board of Trustees by resolution shall adopt and from time to time may amend a schedule of fees payable by an applicant for an alarm permit or a renewal

thereof.

I. Section 72-16A and B are repealed and replaced with the following:

A violation of any of the provisions of this chapter shall constitute a violation as said term is defined by the Penal Law of the State of New York and be punishable as such by a fine of \$750 for a first offense, \$1,000 for a second offense, and \$2,000 for any additional offenses, imprisonment for a term not to exceed 15 days, or by both such fine and imprisonment. Each day's (twenty-four-hour period) continued violation of this chapter shall constitute a separate and distinct additional violation.

Chapter 73, Security Systems

Article I, Security Gates within Business Districts

Section 73-7 is revised to change "\$250" to "\$1,000."

Chapter 74, Licensing Amusements

A. Section 74-3 is revised to read as follows:

It shall be unlawful to keep any premises licensed hereunder open for business between the hours of 12:00 midnight and 8:00 a.m., but a bowling alley may be kept open for business at any time, provided that in so doing the peace and quiet of the neighborhood is not disturbed.

B. Section 74-6 is revised to read as follows:

Before any license shall be issued for any performance or amusement hereunder, a public liability insurance policy shall be filed with the Village Clerk, executed by the applicant and conditioned that the Village will be saved harmless for any injury to person or property because of fault or default by the licensee, said policy to be issued by a bonding company authorized to do business in New York State and in form approved by the Claims Examiner. The Board of Trustees by resolution shall adopt and from time to time may amend the amount of liability insurance required.

C. Section 74-8 is revised to read as follows:

Under no circumstances shall any of the activities hereunder comprehended be conducted in any portion of the Village zoned for residential purpose or in any other zone within 300 feet of any residence unless the owner thereof grants his consent thereto in writing, which shall be filed with the Village Clerk not less than three days before an exhibition or performance is given.

D. Sections 74-17 through 74-20 are repealed.

E. Section 74-17, Additional license for theater admitting children; Section 74-18, Issuance of license to admit children; Section 74-19, Seating of unaccompanied

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children; and Section 74-20, Licensing of theater matrons; duties; are repealed.

Chapter 78, Animals and Fowl

- A. Section 78-11, Keeping of bees, is repealed.
- B. Section 78-12, Penalties for other offenses, is relocated to the end of the chapter and renumbered as § 78-15. As a consequence of this move, §§ 78-13 through 78-15 were moved up and renumbered as §§ 78-12 to 78-14.
- C. Section 78-14, which was renumbered as Section 78-13:
 - (1) Subsection A is revised to read as follows:

Any dog four months of age or older harbored or otherwise kept within the Village of Freeport shall have a dog license. No license shall be required for any dog which is under the age of four months and which is not at large. The related identification tag shall be suspended from a dog's collar and worn at all times both on and off the dog owner's premises. A license shall be renewed after a period of one year, beginning with the first day of the month following the date of issuance, and shall be renewable annually thereafter prior to the expiration date. All applications for a dog license must be made to the Town of Hempstead.

- (2) Subsection C is repealed.

Chapter 82, Bicycles

Sections 82-1, Applicability and purpose, through 82-2, Reports of transfers of ownership, codified as Article I, Licensing and Regulation, are repealed.

Chapter 86, Building Construction

- A. Section 86-7A(1) is revised to read as follows:

It shall be the duty of the superintendent of buildings (or their designee) to examine applications for permits or amendments thereto within a reasonable time after filing.
- B. Section 86-7.1, Moratorium on telecommunication towers, is repealed.
- C. Section 86-8C is revised to delete “(See § 86-131E.)”
- D. Section 86-10M(1)(a) is revised to change \$1,000 to \$4,000 and/or 15 days in both places.
- E. Section 86-11B:
 - (1) Definition of “commercial building,” is revised to read as follows:

Structures or parts of structures which are not public buildings,

institutional buildings or residence buildings, including, among others, office buildings, mercantile buildings, warehouses, freight depots, car barns, stables, factories, laboratories, smokehouses grain elevators, coal pockets, central station power plants, electric substations, garages, motor vehicle repair shops and gasoline vending stations.

- (2) Definition of “frame” is revised to read as follows:

Those in which the structural parts and materials are of wood or other combustible materials or are dependent upon a wood frame for support, including construction having an incombustible veneer or an incombustible covering such as corrugated iron or corrugated asbestos cement composition sheets, except that all columns, footings or other supports of the first floor framing shall be of incombustible materials.

- (3) Definition of “institutional building” is revised to read as follows:

Structures or parts of structures in which persons are harbored to receive medical, charitable or other care or treatment or in which persons are held or detained by reason of public or civic duty or for correctional purposes, including, among others, hospitals, asylums, sanitoriums, firehouses, police stations and jails.

- (4) Definition of “mercantile building” is revised to read as follows:

A place in which one or more persons are employed, in which goods, wares or merchandise are offered for sale and includes a building, shed or structure or any part thereof occupied in connection with such an establishment. Mercantile buildings include, among others, sales rooms, stores, markets and restaurants.

- (5) Definition of “multiple dwelling” is revised to read as follows:

A dwelling which is either rented, leased, let or hired out to be occupied or is occupied as the abode, residence or home of three or more families living independently of each other. For the purpose of this Code, multiple dwellings are divided into two classes, Class A and Class B.

- (6) Definition of “multiple dwelling, Class A” is revised to read as follows:

A multiple dwelling which is occupied, as a rule, for residence purposes and not transiently. This class shall be deemed to include tenement houses, flat houses, maisonette apartments, apartment hotels, apartment houses, bachelor apartments, studio apartments, duplex apartments, kitchenette apartments and all other multiple dwellings, except Class B multiple dwellings, whether or not such other multiple dwellings are specifically designated by name.

- (7) Definition of “multiple dwelling, Class B” is revised to read as follows:

A multiple dwelling which is occupied, as a rule, transiently as the more

or less temporary abode of individuals or families who are lodged with or without meals. This class shall be deemed to include hotels, lodging houses, rooming houses, boardinghouses, boarding schools, furnished room houses, lodgings, clubhouses, college and school dormitories.

(8) Definition of “public building” is revised to read as follows:

Structures or parts of structures in which persons congregate for civic, political, educational, religious, social or recreational purposes, including, among others, courthouses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, dance halls, theaters, bathhouses, armories and passenger depots.

(9) Definition of “residence building” is revised to read as follows:

Structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including, among others, dwellings, multiple dwellings, hotels, lodging houses, dormitories, convents, studios and clubhouses having sleeping accommodations.

F. Former Article IV, Classification of Structures and Occupancies; Article V, Building Restrictions in General; Article VI, Light, Ventilation and Insulation Standards; Article VII, Means of Egress; Article VIII, Materials, Loads and Stresses; Article IX, Construction; Article X, Safeguards During Construction; Article XI, Fire-Resistive Construction; Article XII, Chimneys and Heating Appliances; Article XIII, Special Occupancies; Article XIV, Elevators and Amusement Devices; Article XV, Fire-Extinguishing and -Detecting Equipment; Article XVI, Plumbing and Gas Piping; Article XVII, Multiple Dwellings; Article XVIII, Air-Supported Structures; Article XIX, Interim Development No. 1; Article XX, Interim Development No. 2; Article XXI, Interim Development Law No. 3; are repealed.

Chapter 87, Flood Damage Prevention

A. Section 87-4:

(1) Definition of “area of special flood hazard” is revised to read as follows:

AREA OF SPECIAL FLOOD HAZARD — The land in the floodplain within a community subject to a one-percent-or-greater chance of flooding in any given year. This area may be designated as Zone A, AE, AH, AO, A1-A30, A99, Coastal A Zone (a.k.a. “limited of moderate wave action” – LIMWA), V, VO, VE, or V1-V30. It is also commonly referred to as the base floodplain or one-hundred-year floodplain. For purposes of this chapter, the term “special flood hazard area (SFHA)” is synonymous in meaning with the phrase “area of special flood hazard.”

(2) Definition of “design flood elevation” is added as follows:

DESIGN FLOOD ELEVATION — The base flood elevation plus the freeboard requirement.

(3) Definition of “freeboard” is added as follows:

FREEBOARD — An additional amount of height above the base flood elevation used as a factor of safety in determining the level at which a structure's lowest floor must be elevated or floodproofed to be in accordance with state or community floodplain management regulations. The freeboard requirement for the Village is four feet or two feet above the State of New York freeboard requirement, whichever is greater.

B. Section 87-4 is revised to read as follows:

For nonsubstantially damaged or nonsubstantially improved structures. New and replacement electrical equipment, wiring and outlets, switches, junction boxes and panels, heating, ventilating, air conditioning, plumbing connections and other service equipment shall be located two feet above the base flood elevation or be designed to prevent water from entering and accumulating within the components during a flood and to resist hydrostatic and hydrodynamic loads and stresses, unless technically unfeasible. NAVD88 Datum required.

Chapter 88, Vacant Buildings

Article I, Registration

Section 88-3B is revised to read as follows:

The Board of Trustees by resolution shall adopt and from time to time may amend a schedule of fees payable by an applicant for the annual registration of a vacant building.

Chapter 90, Moving of Buildings

A. Chapter title is revised to read “Moving of Buildings and/or Structures.”

B. Section 90-2A is revised to read as follows:

Insurance. Each application shall be accompanied by a certificate of insurance, in form approved by the Claims Examiner and issued by an insurance company authorized to do business in this state, running to the Village and guaranteeing that the applicant has provided public liability coverage and property damage insurance in to save the Village harmless from all claims, actions and proceedings brought by any person for injury to person or property resulting from or occasioned by any fault or default by the person to whom the permit is issued or anyone acting thereunder on his behalf. The policy shall also protect the Village, against any damages caused to any street or other public property by reason of such house moving. The Board of Trustees by resolution shall adopt and from

time to time may amend the amount of public liability coverage, property damage insurance, and street damage or other public property damage insurance required.

C. Section 90-5, Penalties, is added to read as follows:

Anyone who shall be deemed in violation of this chapter shall be subject to a penalty not to exceed \$10,000 or imprisonment of not more than 15 days, or both.

Chapter 91, Outdoor Burning

Section 91-2, Penalties for offenses, is revised to change “\$250” to “\$1,000.”

Chapter 92, Business Hours

Section 92-2, Excepted businesses, is revised to read as follows:

This chapter shall not apply to restaurants, ice cream parlors, bars and grills, billiard parlors, gasoline stations, fishing stations, drugstores, and convenience stores.

Chapter 95, Commercial Building Standards

Chapter 95 is added to read as follows:

ARTICLE I

General Regulations

§ 95-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

COMMERCIAL BUILDING — Any building that is nonresidential.

MIXED-USE BUILDING — Any building that is a mix of residential and nonresidential.

NUISANCE — Embraces public nuisances known at common law or in equity jurisprudence and whatever is dangerous to human life or detrimental to health and whatever building is overcrowded or is not provided with adequate means of ingress and egress or is not sufficiently supported, ventilated, sewerred, drained or cleaned and whatever renders the air or human food or drink unwholesome are also severally, in contemplation of this chapter, nuisances. All such nuisances are hereby declared illegal.
OCCUPIED or OCCUPANCY — As applied to any commercial or mixed-use building, shall be construed as though followed by the words "or intended, arranged or designed to be occupied or occupancy."

OWNER — The record owner of the title to any premises and also anyone exercising the rights of ownership therein at the time of the making of any order with regard thereto by the Village Board and shall include a lessee of the entire building or structure, other than a single-family private dwelling, or a mortgagee in possession.

PERSONS INTERESTED — The owner, as herein defined, and all other persons interested in the property to which such words refer.

RENTAL PREMISES — Any premises occupied under or by virtue of a rental or lease agreement, verbal or written, or where any sum or thing is paid for occupancy or charge is made for use and/or occupancy or where occupancy is pursuant to a contract of purchase or installment payment contract or free of payment by the occupant where payment is made by another or any other occupancy or arrangement for charge of any kind.

REPAIR — Any alteration, structural change or the performance of any act necessary or requisite to make any building or structure or any part thereof, found by the Village Board or Superintendent of Buildings to be a dangerous building or a substandard building, within the purview of this chapter.

§ 95-2. *Dangerous commercial or mixed-use buildings.*

All buildings or structures which have any or all of the following defects shall be deemed dangerous buildings:

- A. Those whose interior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle 1/3 of its base.
- B. Those which have been damaged or have deteriorated so as to have become, in the judgment of the Village Board, dangerous to the life, health, morals or general welfare of the occupants thereof or to the people of the Village. Any building or structure which, exclusive of the foundation, shows 33 1/3% or more damage to or deterioration of the supporting members or 50% or more damage to or deterioration of the nonsupporting enclosing or outside walls or coverings shall be deemed a dangerous building.
- C. Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used.
- D. Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose. Those having inadequate facilities for ingress or egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of communication used.
- E. Those which have parts thereof which are so attached that they may fall and injure the occupants thereof or members of the public or property.
- F. Those buildings existing in violation of any provision of the building code of the Village₁ or any provision of the fire prevention laws or regulations of said Village₂ or other ordinances of the Village.

§ 95-3. *Removal or repair of dangerous commercial or mixed-use buildings.* All dangerous buildings, within the terms of § 95-2 of this chapter, are hereby declared to be public nuisances and shall be repaired or removed as herein provided.

§ 95-4. *Inconsistent provisions.*

Whenever the provisions of any local ordinance, resolution or regulation imposes requirements with regard to commercial or mixed-use buildings inconsistent with the terms and provisions of this chapter or any part thereof, the provisions of this chapter shall govern, provided that, should any such ordinance, resolution or regulation impose more stringent requirements with regard to dangerous buildings, as herein defined, than the provisions of this chapter impose, then such more stringent requirements shall be construed to apply.

§ 95-5. Requests for inspections of buildings.

- A. *Right of inspection; certificate to issue. The owner of any building used, in whole or in part, for human occupancy and against whom no proceedings hereunder are pending with regard to such building may request the Superintendent of Buildings to cause an inspection thereof to be made, whereupon the Superintendent of Buildings shall cause an inspection of such building to be made and if, upon such inspection and a report thereon to the Village Board, it shall be disclosed that the same is not a dangerous building, the Village Board will direct the Superintendent of Buildings to issue a certificate to that effect to such applicant. The issuance of such certificate is not to be construed as a finding that such building is not a dangerous building beyond the date of issuance thereof. Should, however, such inspection disclose said building or structure to be a dangerous building, the Village Board will direct the Superintendent of Buildings to give written notice to the applicant to appear before them on a certain date within 15 days from the date of said notice and shall thereupon proceed in the same manner as prescribed in § 95-7B, C, D, E and F of this chapter. Such notice shall contain the same particulars as are required by § 95-6D hereof.*
- B. *Effect of application for inspection. No qualified owner who has applied for inspection, pursuant to Subsection A of this section, shall be prosecuted under § 95-15 hereof with regard to any building of which inspection has been requested unless he fails to comply with the order of the Village Board made pursuant to Subsection A hereof.*

1. *Editor's Note: See Ch. 86, Building Construction, of this Code.*

2. *Editor's Note: See Ch. 115, Fire Prevention, of this Code.*

ARTICLE II

Duties of Officials; Administration

§ 95-6. Superintendent of buildings.

The Superintendent of Buildings shall:

- A. *Inspections, generally. Inspect or cause to be inspected, as often as may be necessary to ensure the enforcement of this chapter, all buildings in the Village for the purpose of determining whether any conditions exist therein which render such places dangerous buildings within the terms of § 95-2 of this chapter and whether any conditions exist therein not in compliance with the standards of this chapter.*
- B. *Inspections upon complaint. Inspect any building, wall or structure about which a complaint is filed by a person to the effect that the same is or may be existing in violation of the terms of this chapter.*
- C. *Issuance of notice to comply. Notify, in writing, the owner of any building found by him to be a dangerous building within the standards set forth in § 95-2 of this chapter and of any building found by him not conforming to the standards set forth in Article III hereof that he must repair or remove said building, in accordance with the terms of the notice and this chapter, or otherwise comply with the standards set forth in this chapter within a reasonable time to be fixed by said notice.*
- D. *Contents of notice. Set forth, in the notice provided for in Subsection C hereof, a description of the building or structure or parts thereof deemed to violate the provisions of this chapter, a statement of the particulars in which the building is dangerous or fails to comply with the standards set forth in Article III hereof and a direction requiring compliance with the standards set forth in this chapter or that the building or structure be put in such condition as to comply with the terms of this chapter or that said building or structure be removed.*
- E. *Report to Village Board. Report to the Village Board any noncompliance with the*

notice provided for in Subsections C and D.

- F. Appearance; testimony at hearings. Appear at all hearings conducted by the Village Board and testify as to the condition of the dangerous building.*
- G. Institution of actions; proceedings. With the assistance of the Village Counsel, do such acts and take such proceedings as may be required to bring about the repair or removal of buildings as ordered by the Village Board and take such steps as may be required by the provisions of the Village Law § 4-412 to cause the removal or repair of any building which is dangerous or unsafe to the public and to cause the assessment of all costs and expenses incidental thereto against the land on which said buildings are located.*
- H. Posting notice. Firmly affix a notice, in a conspicuous place, in front of all dangerous buildings immediately after the issuance of the order provided for in § 95-7D of this chapter as follows: This building has been found to be a dangerous building by the Board of Trustees of the Village of Freeport. This notice is to remain on this building until it is repaired or removed or made to comply with the direction which has been given the owner. It is unlawful to remove this notice until such direction has been complied with. § 95-7. Board of Trustees.*

The Village Board shall:

- A. Issuance of notice to appear. Upon receipt of a report of the Superintendent of Buildings as provided for in § 95-6E hereof, give written notice to the persons interested in said building to appear before them on a certain date, within 15 days of the date of notice, to show cause why compliance with the standards set forth in this chapter should not be made or why the building or structure reported to be a dangerous building should not be repaired or removed in accordance with a statement of particulars set forth in the Superintendent of Buildings' notice provided for by § 95-6C and D of this chapter.*
 - B. Hearing. Hold a hearing and hear testimony as to whatever evidence the persons interested in said building may offer relative to the dangerous building.*
 - C. Written findings. Make a written finding of facts as to whether or not the building in question is a dangerous building within the meaning of § 195-2 hereof.*
 - D. Issuance of orders. Issue an order commanding the persons interested in said building to repair or remove any building found to be a dangerous building within the terms of this chapter or to comply with the standards set forth in this chapter. Such order shall fix the time when compliance therewith shall commence, not more than 10 days after the making thereof, and shall fix a reasonable time within which such compliance shall be so completed. The Village Board may, in its discretion and upon good cause shown, extend the time for full compliance with said order.*
 - E. Effect of noncompliance with order.*
- (1) If the owner fails to comply with the order provided for in Subsection D hereof or any extension thereof, the Village Board may direct the Superintendent of Buildings to cause such dangerous building or structure to be repaired or removed, as the facts may warrant, under the standards hereinbefore set forth, provided that, before proceeding to repair or to remove or cause the repair or removal of any dangerous or unsafe building, the Superintendent of Buildings may, with the advice and assistance of the Village Counsel, proceed in accordance with the provisions of Village Law § 4-412 and institute appropriate proceedings before a court of competent jurisdiction to obtain an order or judgment directing or authorizing such repair or removal. The Superintendent, of Buildings shall, with the assistance of the Village Counsel, take such legal action as may be necessary to cause the costs of such repair or removal, and all costs and expenses incurred by the Village in connection with said proceedings shall be charged against the*

land on which the building stands or did stand as a municipal lien, or such costs shall be added to the tax roll as an assessment or shall be levied as a special tax against the land upon which the building stands or did stand.

- (2) *The lien of the Village or any expense incurred with regard to the repair or removal of any dangerous building shall have priority over all other liens and encumbrances, except taxes, assessments and water rates. Except as to the liens imposed for expenses incurred as a result of the repair or removal of any dangerous building, nothing herein contained shall be construed as placing upon the property a lien which supersedes or is superior to the lien of any mortgage with regard to any building and property executed and recorded prior to the existence of such lien.*
- F. *Report to Village Counsel. Report to the Village Counsel the names of all persons not complying with the order provided for in Subsection D hereof.*
- G. *Authority to initiate proceedings. The Village Board may, in the first instance and without service of any notice by the Superintendent of Buildings, give notice to the persons interested in any building, which they have reason to believe may be a dangerous building, to appear before them on a certain date, within 15 days from the date of such notice, to show cause why the building or structure specified in such notice should not be repaired or removed or otherwise made to comply with the provisions of this chapter. Such notice shall contain the same particulars as are required by § 95-6D of this chapter. Upon the return day of said notice, the Village Board shall thereupon proceed in the same manner as prescribed in Subsections B, C, D, E and F of this section.*
- H. *Vacation; amendment of order. The Village Board may from time to time and upon due notice vacate, modify or amend any order made by them, as herein provided, and may, either on their own motion or upon the motion of any person interested, reopen any proceedings in which they have made an order for the purpose of taking further testimony and, upon such rehearing, render any decision and make any order consistent with the provisions of this chapter that they shall deem just and equitable.*

§ 95-8. Review of order of Board of Trustees.

Any person deeming himself aggrieved by any order or direction of the Village Board may have the determination reviewed by the Supreme Court in the manner prescribed by the Civil Practice Law and Rules.

§ 95-9. Village Counsel.

The Village Counsel shall:

- A. *Prosecute violations of orders. Prosecute all persons failing to comply with the terms of any order granted to be given under § 95-7D.*
- B. *Prosecute violations of chapter. Prosecute all persons who shall in any way violate the terms of this chapter.*
- C. *Appear at hearings. Appear at all hearings before the Village Board with regard to dangerous buildings.*
- D. *Institute actions. In his discretion, bring suit to correct all municipal liens, assessments or costs incurred by the Village for repairing or causing to be removed dangerous buildings.*
- E. *Enforcement, generally. Take such other legal action as is necessary to carry out the terms and provisions of this chapter, including actions to abate nuisances, or for the enforcement of this chapter by injunction or otherwise.*

§ 95-10. Fire and Police Departments.

The employees of the Fire Department and the employees of the Police Department of the Village shall make a report, in writing, to the Superintendent of Buildings of all buildings

and structures which, in the discharge of their respective duties, are found or may be suspected to be dangerous or substandard buildings within the terms of this chapter. Such reports must be delivered to the Superintendent of Buildings within 24 hours of the discovery of such building by an employee of said Fire Department and/or Police Department.

§ 95-11. Service of notices or orders.

All notices or orders required to be given hereunder may be served by delivering to and leaving a copy of the same with the person entitled to such notice. In cases where any such person is absent from the Village, all notices or orders provided for herein shall be sent by registered mail to said person so absent to the last known address of said person or to the last address of said person as shown by the records of the receiver of taxes and/or in the office of the County Clerk of Nassau County. Whenever such service is made by registered mail, a copy of such notice or order shall also be posted in a conspicuous place on the front of the dangerous building or substandard building to which it relates. Such mailing and posting shall be deemed adequate service.

§ 95-12. Nonliability of officials.

No officer, agent or employee of the Village shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this chapter. Any suit brought against any officer, agent or employee of the Village as a result of any act required or permitted in the discharge of his duties under this chapter shall be defended by the Village Counsel until the final determination of the proceedings therein.

§ 95-13. Removal or repair of buildings.

The following remedies shall be applied in substance by the Superintendent of Buildings and the Village Board in ordering removal or repair:

- A. Repair. If the dangerous building can be reasonably repaired so that it will no longer exist in violation of this chapter, it shall be ordered repaired. In all cases where a building cannot be repaired so that it will no longer exist in violation of the terms of this chapter, it shall be ordered removed. All repairs are to be performed in a workmanlike manner to the minimum standards of the respective trade.*
- B. Removal. In all cases where a dangerous building is a fire hazard, existing or erected in violation of any ordinance of this Village or statute of the State of New York, it shall be ordered removed unless such hazard or violation can be cured, in which event the building shall be ordered repaired.*
- C. Unsafe structures. Any structures or part of a structure or premises that from any cause may at any time become dangerous or unsafe structurally or as a fire hazard shall be repaired and secured or taken down and removed. A vacant building that is unguarded or open at door or window shall be deemed dangerous or unsafe as a fire hazard within the meaning of this section.*

§ 95-14. Cumulative nature of remedies.

The several remedies herein provided with respect to the repair or removal of dangerous buildings or of substandard buildings or the assessment and recovery of the cost of repair or removal thereof incurred by the Village and any other remedies, legal or equitable, available shall be deemed cumulative, and any and all thereof may be pursued concurrently or consecutively. The pursuit of any remedy shall not be construed as an election or waiver of the right to pursue any and all of the others.

§ 95-15. Penalties for offenses.

- A. Responsibility of owner. The owner of any dangerous building who knowingly permits*

- such dangerous building to be used for commercial purposes or human occupancy or who shall fail to comply with any order of the Village Board to repair or remove said building or otherwise make it comply with the standards set forth in this chapter shall be guilty of a violation, as said term is defined under the Penal Law of the State of New York, and be subject to a fine of not more than \$5,000, or by imprisonment for not more than 15 days, or both such fine and imprisonment, for each such violation.*
- B. *Effect of a continuing violation. For the purposes of Subsection A of this section, each day during which there is a failure to comply with the provisions of this chapter or of any order issued by the Village Board shall constitute a separate offense.*
- C. *Effect of occupancy. In any prosecution under this section, the fact that any dangerous building or any part of said building was used for commercial purposes or human occupancy shall be presumptive evidence that the same was so used with the knowledge and consent of the owner.*
- D. *Removal of notice. Any person removing the notice provided for in § 95-6H hereof shall be fined a sum not to exceed \$250 for each offense.*
- E. *Disposition of penalties. All penalties collected under this chapter shall be the property of the Village, but no provision of this chapter shall be construed to prohibit the Village from creating and maintaining a separate revolving fund out of such penalties, not to exceed the sum of \$10,000 and out of which payment may be made for repairs or removals made or caused to be made as provided herein.*

ARTICLE III

Stairwells

§ 95-16. Identification of stairwells.

In all buildings containing multiple stairways, such stairway doors must be conspicuously labeled A, B, C, etc., so as to allow differentiation between stairwells in emergency situations.

Chapter 98, Disclosure of Interest

Section 98-4A is revised to read as follows:

It shall be unlawful for any applicant to violate the provisions of this chapter and any violations thereof shall be punishable by a fine not to exceed \$1000.

Chapter 102, Drains and Bulkheads

Section 102-1 is revised to read as follows:

DRAINS AND BULKHEADS

§ 102-1. Statutory provisions amended.

[HISTORY: Adopted by the Board of Trustees of the Village of Freeport 6-26-1967 by L.L. No. 3-1967. Amendments noted where applicable.]

§ 102-1. Statutory provisions amended.

Section 89, Subdivision 15, of the Village Law is hereby amended by renumbering the existing Subdivision 15 as § 102-1A and adding thereto a new Subsection B, Bulkheads in the Incorporated Village of Freeport.

- A. **Drains.** The Board of Trustees may, for the purpose of arresting and preventing

- damage to property within the Village resulting from floods or erosion, construct drains, culverts, dams and bulkheads, and dredge channels, and regulate water courses, ponds and watering places within or without the Village. Power and authority is hereby conferred upon the Board of Trustees of a village, in the name of the Village, to acquire property necessary for such public improvements, whether located within or without such village, by purchase or by condemnation in the manner provided by the Condemnation Law. No property shall be acquired or such a public improvement constructed without the corporate limits of a village except with the consent of the governing board or body of the city, town or village in which such property is situated or such public improvement is proposed to be constructed. Such consent may only be given after a public hearing held within such city, town or village pursuant to notice published at least once and at least ten days prior to the hearing in a newspaper having general circulation in the municipality in which the hearing is to be held. Consent given by the governing board or body by any such municipality shall not impose a liability against the city, town or village and the maintenance and repair of any such improvement shall remain the responsibility of the Village making the improvement. The cost of the work, including the acquisition of property, shall be a charge against the Village, except that, in respect of improvements wholly within the Village, or that part thereof located therein, the work may be done wholly at the expense of the Village or of the owners of the property benefited, or partly at the expense of each as a local improvement. The term "property" as used in this section is defined to include lands, structures, rights in lands, including lands under water, riparian rights and any and all other things and rights usually included within the said town, and shall include also easements, rights of way, uses, leases, licenses and any and all interests in such property less than full title.
- B. Bulkheads in the Incorporated Village of Freeport. Notwithstanding the preceding subsection, the Board of Trustees of the incorporated Village of Freeport may construct, repair, maintain and care for bulkheads on public waterways in the Incorporated Village of Freeport; any direct and order such work to be done by the owner or occupant of any property abutting such a public waterway where the existing bulkhead or the absence of a bulkhead constitutes a dangerous or unsafe condition; may direct and order any such work to be done by the property owner or occupant of the property in accordance with specifications furnished by the Village and on default may have the same done by contract or performed by the Village; may pay for same from Village funds and assess such total cost against the property benefited; and may provide that the cost of any such work or improvements be paid at a specified time or in annual installments.

Chapter 106, Electricity

- A. Section 106-3 is revised to read as follows:

All electrical wiring, apparatus, fittings, appliances and equipment shall conform in all respects to the regulations for controlling electrical installations for service adopted by the Department, together with the applicable rules and regulations of the National Electrical Code and with the NYS Building Codes current at the time of installation.

- B. Section 106-10A(1) is revised to read as follows:

Comprehensive personal liability and property damage liability coverage, including deletion of the U-exclusion (underground property damage hazard). The Board of Trustees by resolution shall adopt and from time to time may amend the amount of per occurrence personal injury liability and property damage liability coverage required, including the alternate option for a combined single limit personal injury and property damage liability policy.

Chapter 110, Environmental Quality Review

Section 110-6 is revised to change “15 days” to “20 days.”

Chapter 115, Fire Prevention

A. Article I is amended to read as follows:

General Regulations

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

§ 115-1. Interference at fires.

No person shall interfere with, obstruct or hinder any firefighter, or member of the Fire Department while performing their duties at the scene of a fire, emergency or during training or drill. There shall be no interference or obstruction that will hinder the operations of the Fire Department in any way at any time.

§ 115-2. Yielding right-of-way to fire apparatus.

Upon the approach of any fire apparatus, while in response to an alarm, the operator of any motor vehicle, motorcycle, bicycle, scooter or any other mobility device shall immediately yield the right of way by moving to the right and placing said vehicle close to and parallel with the nearest curb, bringing said vehicle to a complete stop, and remaining there until the fire apparatus has moved from the vicinity.

§ 115-3. Parking near hydrants during alarms.

During any alarm that a fire apparatus is responding to, or operating at, no person operating any motor vehicle, motorcycle, bicycle, scooter or any other mobility device shall stop said vehicle within fifty (50) feet of any fire hydrant that is situated within a 500-foot radius of the alarm.

§ 115-4. Moving vehicles from vicinity of hydrants.

No person, while operating any motor vehicle, motorcycle, bicycle, scooter or any other mobility device, shall fail to move said vehicle from the vicinity of any fire hydrant upon request to do so from any member of the Fire Department.

§ 115-5. Driving over fire hose.

At no time shall the operator of any motor vehicle, motorcycle, bicycle, scooter or any other mobility device, drive said vehicle over any fire hose lying on any street, driveway, sidewalk or pathway of any type at any time unless instructed to do so, only by a member of the Fire Department.

§ 115-6. Obstructing or damaging hydrants.

At no time shall any fire hydrant be obstructed or damaged by any person in any way. No hydrant shall be obstructed from its full use by snow, ice, garbage cans or any substances or materials that are piled or stored in close proximity to said hydrant. See § 201-21 for other rules regarding fire hydrants.

§ 115-7. False alarms.

At no time shall any person willfully give any false alarm of fire or any other type of an emergency by use of phone, cell phone, radio or any type of social media outlet, or other method or device that would create a response from the Fire Department.

§ 115-8. Fire lines, going or remaining within.

The Incident Commander shall establish fire lines to create an area of operation that shall help provide safety to firefighters and civilians; at no time shall any person go into or remain inside of the fire lines without permission of the Incident Commander. Any person within the fire lines without permission shall be removed at the request of the Incident Commander by the Freeport Police Department.

§ 115-9. False indication of membership.

At no time shall any person indicate or make any reference to being a member of the Freeport Fire Department by placing, displaying or maintaining any insignia, emblem, placard or letters on any privately owned and operated motor vehicle, motorcycle, bicycle, scooter or any other mobility device. No person shall have in their possession, any form of identification, card, badge or other instrument indicating membership in the Freeport Fire Department without being approved by and having permission from the Fire Chief, Fire Council and the Board of Fire Commissioners.

1. Editor's Note: Former §§ 115-11, Accessibility of gas stopcock, and 115-12, Accessibility of safety valve for ammonia tank, of the 1979 Code, were repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 115-10. Fires outside Village limits.

- A. Authorized. The Fire Department of the Village or any or more fire companies thereof are hereby authorized and permitted to go to the aid of another city, village, town, county or fire district outside of the Village limits to provide assistance in the extinguishment of fires or any other emergency or public disaster. The current Nassau County Mutual Aid Agreement (M.O.U.) shall be followed when its policies apply.
- B. Power vested in the Chief. The Chief of the Department is empowered to direct that mutual aid be extended to another city, village, town, county or fire district as herein provided. For the purpose of this section, the Chain of Command, as set forth in the Freeport Fire Department By-Laws shall be followed, and that in the absence or disability of the Fire Chief the next highest-ranking officer shall have the power to direct that such mutual aid be extended. The current Nassau County Mutual Aid Agreement (M.O.U.) shall be followed when its policies apply.
- C. Privileges of firefighters. While extending such mutual aid, the members of the Fire Department shall have the same immunities and privileges as though they were performing the same duties within the Village.

§ 115-11. through § 115-12. (Reserved)1

Article II is amended to read as follows:

Bureau of Fire Prevention; Fire Safety

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

§ 115-13. Fire Prevention/Safety Bureau.

The Board of Fire Commissioners shall hereby authorize the Fire Prevention/Safety Bureau to operate under the supervision of the Superintendent of the Building Department.

§ 115-14. Fire Prevention/Safety Inspector; Inspector's appointment.

The Board of Fire Commissioners shall appoint as many inspectors as it deems necessary for its proper duties. Inspectors shall be appointed from within the Building Department at the Superintendent's request. Said Board shall adopt rules and regulations as may be necessary for its proper administration.

§ 115-15. Duties of Bureau.

It shall be the duty of the Fire Prevention/Safety Bureau, in cooperation with Nassau County Fire Marshal's Office and the Chief of the Freeport Fire Department, to enforce all laws, codes and ordinances of the State of New York, County of Nassau and the Village of Freeport regarding to, but not limited to, the following:

- A. The prevention of fires, education through schools and use of social media outlets to help educate the residents of the Village on fire prevention methods.
- B. Fire alarm systems. Assist the Village and the Fire Chief on keeping records on fire alarm system activations and inspections for proper installation, maintenance and licensing.
- C. Fire escapes, the maintenance and regulations of fire escapes and exits.
- D. Schools, to work with the Freeport school system, as well as preschools, private and parochial schools, and any other educational institute to ensure safe exits that do not cause any interference with, or impede firefighting operations in any way.
- E. Commercial and industrial. To coordinate inspections with the Nassau County Fire Marshal's office, this will enable the Fire Department and the Building Department to have a better knowledge of the hazards within these occupancies and how to deal with them during true emergencies.
- F. Additional powers. The Fire Prevention/Safety Bureau shall have such other powers and perform such other duties as set forth herein or as directed by the Board of Fire Commissioners, the Superintendent of Buildings or the Fire Chief in regard to conditions that are unsafe, unsanitary or dangerous to the health, morals, safety or general welfare of the people of the Village of Freeport.
- G. Fire Safety Inspections. It shall be the duty of the Fire Prevention/Safety Bureau to conduct all fire safety inspections regarding new and renewing business licenses.

§ 115-16. Investigation of fires; reports.

- A. The Fire Prevention/Safety Bureau shall assist the Fire Chief, when requested to do so, perform an investigation and determine the cause, origin and circumstances of every fire within the Village of Freeport by which property has been damaged or destroyed. If the Bureau is unable to assist, the Fire Chief shall be notified immediately.
- B. The Fire Chief shall respond to all fires and emergencies within the Village of Freeport. Immediately upon the occurrence, the Chief shall determine the cause, origin and circumstances of every fire and shall determine whether the fire was the result of carelessness or design. If the Fire Chief has reason to believe that a fire is of suspicious origin, or other reason or factors that the Chief deems necessary, he shall take charge of any physical evidence available and shall immediately notify the authorities designated by law to pursue the investigation, Nassau County Fire Marshal's Office, Nassau County Police Arson/Bomb Squad and Freeport Police. The Fire Chief may also request assistance from the Fire Prevention/Safety Bureau, Superintendent of Buildings and the Village Counsel and, when requested, they shall comply with the full extent of their ability.
- C. Report Required. There shall be a report of every incident, including, but not limited to, all fires and emergencies that the Fire Department responds to. The Fire Chief shall prepare and submit a report and statement to the National Fire Incident Reporting System

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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- (NFIRS) within seven days of incident.
- (1) House fires. Time, date and address/location, any death or injury to civilian or Fire Department member. All damage to house, contents and personal property as well as any other private or public property involved. The cause, origin and circumstances of the fire and whether or not the fire is being investigated by any, and all authorities designated by law.
 - (2) Vehicle fires. Including, but not limited to, cars, trucks, motorcycles, boats and all electric mobility devices. Time, date and location of incident, any death or injury to civilian or Fire Department member. All damage to vehicle as well as any other private or public property involved. All registration information, including, but not limited to, year make and model, registration number and registered owner and user of vehicle.
 - (3) All other fires, including, but not limited to. Fence, garbage can, dumpster, grass, tree, mailbox, electric transformer or pole and any other fire that the Fire Department responds to. Time, date and location of incident, any death or injury to civilian or Fire Department member.
 - (4) Fire Department Units. The Chief shall list all Fire Department units that were notified to respond to and operate at the incident, as well as all mutual aid units operating at or standing by, all police and ambulance service and all other agencies that responded to, and operated at any incident.
 - (5) Cost of loss. The Chief shall estimate the dollar amount of the total loss as a result of a fire.
 - (6) Notification. The Chief shall notify the Freeport Police Department to make notification to property owners or responsible caretakers, such as the postmaster, electric and water departments and for when forcible entry is needed to investigate the nature of an alarm. The Chief shall make notification to Fire Com, regardless of the cause and origin of any fire, when there is a death or serious injury to a civilian or anyone involved with the fire, or any type of incident.
 - § 115-17. False alarms, nuisance alarms.
 - A. It shall be the duty of the Fire Chief to determine if an alarm is a false alarm as set forth in § 72-9 of the Code of the Village, and to document said alarms.
 - B. It shall be the duty of the Fire Chief to determine if an alarm is a nuisance alarm, as set forth in § 72-8 of the Code of the Village, and to document said alarms.
 - § 115-18. Inspection of various premises.

Upon direction of the Fire Chief or the Superintendent of Buildings, the Fire Prevention/Safety Bureau, the Fire Chief, or duly designated inspector shall inspect:

 - A. All manufacturing plants, and or all places where acetylene or other gases, chemicals, oils, solvents, explosives and inflammable materials are used, stored or sold; the interior of all structures equipped with fire alarm or automatic fire sprinkler systems; and such other places as may be designated by the Fire Chief and the Nassau County Fire Marshal's Office as fire hazards.
 - B. All premises and thoroughfares, enclosed or unenclosed, except private dwellings, to determine whether there exists any condition conducive to danger from fire, such as improper accumulations of waste paper, boxes, shavings, trash or other types of inflammable or explosive materials, or whether there are obstructions to property, fire escapes, stairs, passageways, doors, windows which may impede Fire Department operations or block the means of egress in the event of a fire. In addition, any structures which, because of disrepair, structural defects or lack of proper installation, are of such nature as to create a danger to life and property in the event of a fire.

- C. It shall be the duty of the Fire Chief, while in response to a complaint or upon his own initiative, to enter and to inspect boardinghouses, rooming houses, tourist homes, hotels, motels, boatels and any paying guest houses when there is reason to believe there are fire safety hazards and/or conditions that are unsafe, unsanitary or dangerous to the health, morals, safety or general welfare of the guests and the people of the Village of Freeport. § 115-19. Quarterly inspections.

It shall be the duty of the Fire Chief to provide for inspections, as required in § 115-18 of this article, and any other inspection as authorized by the Fire Chief or the Superintendent of the Building Department, to be conducted by the Fire Prevention/Safety Bureau or duly designated inspector, at intervals of no more than three months.

§ 115-20. Violations of safety rules.

Whenever a violation of rules of reasonable safety is found to exist, the Fire Chief shall order the owner or occupant to remove dangerous materials or remedy other hazardous conditions as he may direct within 24 hours.

§ 115-21. Illumination of vestibules in public buildings.

Illumination of vestibules in public buildings to be in accordance with New York State Building Code.

§ 115-22. School fire and lock-down drills.

The principal, teachers or other persons in charge of any public, private, preschool or parochial school or other educational institution shall conduct fire and lock-down drills in accordance with Education Law §§ 807, Subdivisions 1 through 4. The Fire Prevention/Safety Bureau shall work with the schools to ensure that, during these drills, as well as during true emergencies, there is no interference with Fire Department operations as set forth in §§ 115-1 through 115-6 of the Code of the Village of Freeport, as well as provide for the safety of all students, teachers and all occupants of the building.

2. Editor's Note: Former § 115-23, Signs regarding location of fire alarm boxes, of the 1979 Code, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I).
3. Editor's Note: Former § 115-25, Inspection of tank vehicles, of the 1979 Code, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Section 115-58B(11) is added to read as follows:

Outside tanks in a flood zone as shown on a FEMA FIRM map must be properly anchored on a concrete slab.

Chapter 120, Garbage, Rubbish and Refuse

A. Section 120-1 is revised to read as follows:

§ 120-1. Accumulation of rubbish; growth of weeds; abandoned vehicles; vacant properties. [Amended 11-10-1969; 6-13-1972; 7-23-1973; 4-21-1975 by L.L. No. 3-1975; 11-13-1978 by L.L. No. 19-1978; 1-3-2000 by L.L. No. 1-2000; 7-13-2015 by L.L. No. 5-2015; at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

- A. It shall be unlawful for any owner of real property within the Village or agent of such owner, person, occupant, firm or corporation lawfully occupying any real property within the Village to permit:
- (1) Uncut grass, weeds, brush or any portion of said growth to obtain a height in excess of eight inches.

- (2) Rubbish or rubble to accumulate thereon.
- (3) Boats, watercraft or motor vehicles or portions thereof to be stored for unreasonable periods of time or abandoned on the premises.
- B. The Village Clerk or the Superintendent of Buildings is hereby empowered to notify, in writing, the owner of any such property to cut, trim or remove said grass, weeds, brush, rubbish, rubble, abandoned, unregistered, junked, discarded, inoperable, dismantled or partially dismantled or wrecked motor vehicle, cycle or trailer, boat, watercraft or camper. Such notice shall be by ordinary mail properly addressed and posted to the owner of the subject premises as the same appears in the office of the Freeport Village Assessor.
- C. Upon failure to comply with the terms of such notice within five days of the date said notice is postmarked, the Village or its agents may cut, trim or remove said grass, weeds, brush, rubbish, rubble, abandoned, unregistered, junked, discarded, inoperable, dismantled or partially dismantled or wrecked motor vehicle, cycle or trailer, boat, watercraft or camper and assess the cost together with statutory interest thereof upon the real property upon which said grass, weeds, brush, rubble, motor vehicle or boat is found. The Village Treasurer may provide that the cost of any such work be paid at a specified time or shall be assessable against the property as a tax thereon.
- D. Designated vacant properties. For those properties that are deemed vacant wherein due diligence has been performed in ascertaining ownership, and Village records indicate said property is vacant, an initial lot clearance notice will be sent as outlined in § 120- 1C. Thereafter said vacant properties will have lot clearances performed on a two-week rotation or as needed without a five-day notice.
- B. Section 120-2(A) is revised to read as follows:
 - Prohibited. No owner, lessee or occupant of real property shall cause or permit any dried grass, weeds, brush, wastepaper, rags, boxes, barrels or other flammable or combustible waste material to accumulate or remain on the premises under his control or care.
- C. Article IV, Refuse and Disposal District, is repealed.

Chapter 122, Games of Chance

Section 122-3 is revised to update “New York State Racing and Wagering Board” to “New York State Gaming Commission.”

Chapter 124, Health and Sanitation

- A. Sections 124-3 through 124-6, codified as Article II, Restaurants and Eating Places, are relocated as §§ 165-19 through 165-22.
- B. Article IV, Abortions, is repealed.
- C. Section 124-14B is revised to read as follows:
 - Said storage of firewood or woodpile is raised at least six inches off the ground.

Chapter 128, Housing Standards

Article II, Duties of Officials; Administration

- A. Section 128-15A is revised to change \$1,000 to \$4,000.
- B. Section 128-15D is revised to read as follows:

Removal of notice. Any person removing the notice provided for in § 128-6H hereof shall be guilty of a violation and, upon conviction thereof, shall be fined a sum not to exceed \$250 for each offense.

Article III, Standards for Residence Buildings

- C. Section 128-21B is revised to read as follows:

Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units, dormitory or guestrooms on terms, either expressed or implied, is required to furnish heat to the occupants thereof shall supply heat as required by the New York State Property Maintenance Code.

- D. Section 128-24, Painting, screening and insect extermination:

- (1) Subsection A is revised to read as follows:

Painting. Exterior surfaces of buildings and structures that are not inherently resistant to deterioration shall be periodically treated with a protective coating of paint or other suitable preservative.

- (2) Subsection C is revised to read as follows:

Infestation. Grounds, buildings and structures shall be maintained free of insect, raccoon, vermin, and rodent harborage and infestation. Methods used for exterminating insects, raccoon, vermin and rodents shall conform with generally accepted practice. Where the potential for rodent or vermin infestation exists, windows and other openings in basements and cellars shall be appropriately screened with wire mesh or other suitable materials.

Article IV, Rental Premises

- E. Section 128-25, Preservation of existing remedies, is revised to read as follows:

Nothing in this article shall be deemed to abolish, impair, supersede or replace existing remedies of the Village, county or state or existing requirements of any other provision of local laws or ordinances of the Village or county or state laws and regulations. In the case of a conflict between this article and other regulations, that which sets the more stringent requirement will prevail.

- F. Section 128-29A is revised to update the maximum fine from \$1,000 to \$5,000.
- G. Section 128-37B is revised to read as follows:

Owners of premises shall be responsible for proper maintenance, condition and operation of service facilities and for furnishing a hot-water supply, smoke and carbon monoxide detectors and window guards in multiple dwellings or rented premises. Furthermore, owners shall be responsible for making ordinary repairs as ordered by the Superintendent of Buildings, including, but not limited to, the repair or replacement of deteriorated windows and doors, defective plumbing and repair or replacement of outdated electrical systems. No separate charge shall be made for any required safety devices.

H. Section 128-37E is added to read as follows:

Wherever there shall be more than 12 families living in a multiple dwelling in which the owner thereof does not reside, the owner must provide for a janitor, housekeeper or superintendent who shall reside on the premises and have charge of same.

I. Section 128-37F is added to read as follows:

In any multiple dwelling subject to the requirements of § 128-37E, the owner of the property must, by March 1 of each year, provide to the Building Department a list of phone numbers for responsible parties to be contacted in the event that the janitor, housekeeper or superintendent cannot be located on the property.

J. Section 128-38, introductory paragraph, is amended as indicated:

Owners or occupants of dwelling units shall be responsible for compliance with this article in regard to the following:

Article VII, Stairwells

K. Article VII, Stairwells, is added to include new § 128-58, Identification of stairwells, to read as follows:

In all buildings containing multiple stairways, such stairway doors must be conspicuously labeled A, B, C, etc., so as to allow differentiation between stairwells in emergency situations.

Chapter 130, Insurance

Article I, Claims Against Fire Insurance Proceeds

A. Section 130-1, definition of “real property,” is revised to read as follows:

Property upon which there is erected any residential, commercial or industrial building or structure except an owner-occupied single-family residential structure and owner-occupied two-family residential structures.

B. Section 130-2 is revised to change “Superintendent of Insurance” to “Superintendent of Financial Services” and to update the statutory reference “§ 33 of the Insurance Law” to “§ 331 of the Insurance Law.”

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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- C. Section 130-3 is revised to update the statutory reference “§ 33-a of the Insurance Law” to “§ 3410 of the Insurance Law.”

Chapter 134, Landmarks Preservation

Section 134-14A is revised to update the fine amount from \$250 to \$1,000.

Chapter 136, Laundromats

Section 136-5A is revised to update the fine amount from \$250 to \$1,000.

Chapter 138, Licensing of Business

- D. Section 138-13A and B are revised to change “of \$25” to “as set from time to time by resolution of the Board of Trustees.”
- E. Section 138-14 is revised to change “of \$5” to “as set from time to time by resolution of the Board of Trustees.”
- F. Section 138-20 is revised to change “of \$25” to “as set from time to time by resolution of the Board of Trustees.”
- G. Section 138-35A is revised to change “\$250” to “\$1,000.”

Chapter 142, Lost and Abandoned Property

Chapter 142 is reorganized to add a new article (Article I, Lost and Abandoned Property on Public Streets, Sidewalks, Municipal Parking Fields, and Municipal Property); all sections of chapter are added to said article.

Chapter 145, Mail Area Assessment District

Chapter 145 is repealed and its number reserved.

Chapter 146, Memorial and Independence Days

Chapter 146 is repealed and its number reserved.

Chapter 155, Peace and Good Order

- A. Section 155-8B is revised to read as follows:

Any person who, without authority, enters or attempts to enter or who trespasses or attempts to trespass or who damages or attempts to damage any private property or any property owned by or under the control of the Village or who willfully violates, upon Village property, any regulation established by or under the authority of the Board of Trustees of the Village to maintain order and to preserve or safeguard said property shall be punishable by a fine not to exceed \$1,000 for each offense, and such violation shall constitute disorderly conduct.

- B. Section 155-10 is revised to add the following terms and definitions:

INTENT TO CONSUME –

Includes any of the following: drinking from the container; possession with movement of the container to the mouth; and any circumstances evidencing an intent to ultimately consume in any public place.

OPEN BOTTLE, CAN OR OTHER CONTAINER –

Any bottle, can, glass or other receptacle suitable for or used to hold any liquid, which has been uncapped, uncorked, the tab removed or the top sliced, cut or broken, or its original condition altered in such a way that the liquid can flow out of it.

- C. Section 155-11A is revised to add the following to the end thereof:

This section shall be construed in conjunction with Vehicle and Traffic Law § 1227 as to enforcement on public highways or a right-of-way public highway.

- D. Section 155-14 is revised to change “\$250” to “\$1,000.”

- E. Section 155-47.1A is revised to read as follows:

Fines, imprisonment, and enforcement. Any person violating this article shall be punished by a fine of \$500 for the first offense; \$1,000 for the second offense; and \$1,500 for each subsequent offense.

- F. Section 155-47.4B(1) is revised to read as follows:

In the event that the owner, tenant and/or person in control of such a building, property or personal property shall fail or refuse to remove graffiti from his property, then such person or persons may be notified in writing, mailed to the property address, by the Superintendent of Buildings or his designated agent, that such person shall have a period of up to 48 hours from the receipt of such notice to complete removal or coverage of such graffiti. If weather conditions do not allow for the removal of said graffiti, the Superintendent of Buildings and/or their designated agent shall be permitted to extend the forty-eight-hour time frame for a period of time until weather conditions permit the removal of said graffiti.

- G. Section 155-83 is revised to change “\$250” to “\$1,000.”

- H. Section 155-93 is revised as follows:

(1) Subsection E is revised to read as follows:

All temporary storage containers must be placed in a driveway. The storage container shall be set back from any side yard a minimum of three feet, from the front yard by a minimum of three feet, and also be a minimum of three feet away from any structures on the property. In granting the permit, the Superintendent of Buildings, or his duly authorized representative, shall consider the rights of adjacent property owners so that there shall not be any unreasonable deprivation of light, air or reasonable use of adjoining property. In properties without a driveway, a temporary storage container may be placed in the street in front of the property for a period of time not to exceed 72 hours, if, in the sole determination of the Superintendent of Buildings, the placement of the storage container in the street would not cause a dangerous condition.

(2) Subsection H is revised to change "\$250" to "\$1,000."

Chapter 158, Peddling and Soliciting

A. Section 158-7A is revised to read as follows:

Generally. An annual fee shall be paid before a license is issued hereunder. All annual licenses shall expire on May 31 and shall thereafter be renewable as provided in § 138-10. The Board of Trustees by resolution shall adopt and from time to time may amend a schedule of fees payable by applicants for hawkers and peddlers licenses or a renewal thereof.

B. Section 158-9J is revised to read as follows:

Enter upon private property for the purpose of carrying or transporting goods, wares or merchandise and/or offering same for sale, except upon the invitation of the owner or occupant. Any person found in violation of this subsection shall be subject to a fine of not more than \$1,000.

C. Section 158-11B is revised to change "\$250" to "\$1,000."

D. Section 158-17 is revised to change "\$250" to "\$1,000."

Chapter 162, Plumbing

A. Section 162-29(A) is revised to read as follows:

Comprehensive general liability coverage ("CGL"), to include premises operations, contractual liability, completed operations, personal injury, medical payments and fire legal liability. The Board of Trustees by resolution shall adopt and from time to time may amend the amount of coverage required.

B. Section 162-116 is revised to read as follows:

Diameters of branches to any fixtures must not be less than 1/2 inch except when

used to supply water closets, cisterns or lavatories. When the material used is pex, brass or copper pipe, the minimum diameter may be 3/8 inch. Branches for flush valves for water closets must not be less than one inch in diameter, and for urinals, not less than 1/2 inch in diameter.

C. Section 162-178 is revised to read as follows:

Each water closet and urinal must be flushed from a separate cistern, the water from which is used for no other purpose, or may be flushed through separate flushometer valves. The floor flange shall be soldered to a copper bend ready for inspection.

D. Section 162-195 is revised to read as follows:

All water service pipe must be copper to the property line.

Chapter 165, Places of Public Assembly

A. Section 165-5 is revised as follows:

(1) Subsection B is revised as indicated:

Annual fees for public assembly licenses shall be a fee as set from time to time by resolution of the Board of Trustees,~~determined pursuant to the following table:~~

Capacity in Persons	Fee Per Year or Fraction Thereof
1 to 100	\$40.00
101 to 300	125.00
301 to 600	150.00
601 to 1,000	250.00

~~An additional fee of \$25 shall be charged for each 100 persons or fraction thereof in excess of 1,000 persons. The total fee shall not exceed \$500 per year.~~

(2) Subsection D is revised as indicated:

The fee required for filing an application under this chapter shall be \$25 an amount as set from time to time by resolution of the Board of Trustees. If the application is disapproved, the filing fee shall be retained to cover the cost of processing. If the application is approved, the filing fee shall be credited and applied to the total fee.

(3) Subsection E is revised as indicated:

The fee for the extension of a temporary license shall be ~~\$10-an amount as~~ set from time to time by resolution of the Board of Trustees for each 30 days or fraction thereof and shall be payable to the Village Clerk upon application for each extension. Any fees paid for an extension of a temporary license shall be nonreturnable and shall not be applicable to the total fee required.

(4) Subsection F is revised as indicated:

A fee of ~~\$10-an amount as~~ set from time to time by resolution of the Board of Trustees shall be charged for the replacement or substitute copy of a temporary or approved license or occupancy poster.

B. Section 165-13, introductory paragraph, is revised to read as follows:

All places of public assembly, as defined in § 165-1 of this chapter shall be subject to all provisions of this chapter, including obtaining a license, except that the fee may be waived for:

C. Section 165-16 is revised to change “\$250” to “\$1,000.”

Chapter 167, Real Property Transactions

Section 167-4 is revised as indicated:

Any person, individual, corporation, partnership or organization convicted of violating any provision of this article shall be guilty of a misdemeanor and subject to a ~~fine of not more than \$250 and/or imprisonment, or both fine, at a minimum, of \$500, up to a maximum of \$2,500, and/or 150 days’ imprisonment.~~

Chapter 171, Rooming and Lodging Houses

Chapter 171 is repealed in its entirety.

Chapter 173, Secondhand Dealers

A. Section 173-1B(7) is revised to read as follows:

Antiques, which shall mean secondhand articles over 75 years of age, having a value of less than \$1,000 and void of any means of identification. Identification shall mean articles which are serialized, monogrammed, initialed or distinctly marked.

B. Section 173-4 is revised as follows:

(1) Subsection A(1) is revised to read as follows:

The name and description of the applicant. Individuals operating under a trade name must present a certified copy of the trade name certificate filed in the Nassau County Clerk's office. A partnership conducting a business, whether or not under a trade name, must submit a certified copy of the partnership certificate filed in the Nassau County Clerk's office when the partnership was formed. A corporation must furnish a copy of the filing receipt for the certificate of incorporation from the New York State Secretary of State. A corporation from outside New York State must furnish a copy of its certificate of authority to do business in New York State from the New York State Secretary of State.

(2) Subsection A(4) is revised to read as follows:

That the applicant is a citizen of the United States and whether citizenship was obtained by birth or naturalization and, if by naturalization, the date and place where obtained. The naturalization certificate may be used as proof of citizenship.

C. Section 173-6 (title and substance) is revised to read as follows:

Section 173-6. Availability of records.

Every dealer in secondhand articles and all duly licensed dealers in antiques shall maintain all records as required to be kept under this chapter. Said records shall be made available to the Chief of Police or his designee on demand.

Chapter 176, Sewers and Sewage

A. Section 176-2

(1) Subsection B is revised to read as follows:

It shall be unlawful to discharge into any natural outlet within the Village, or in any area under the jurisdiction of the Village, any sewage or other polluted waters.

(2) Subsection C is revised to read as follows:

There being a public sewer physically available to all properties within the boundaries of the Village, it is mandatory that all said properties be connected to said public sewer. No private sewage disposal systems are now allowed, nor shall be allowed, within the sewer district.

B. Section 176-18 is revised to read as follows:

Any person found in violation of this chapter shall be subject to a fine of not more than \$1,000, and such person shall be deemed a disorderly person. Each day in which any such offense shall continue shall be deemed a separate offense.

Chapter 180, Streets and Sidewalks

A. Section 180-2 is revised as follows:

(1) Subsection A is revised to read as follows:

It shall be the duty of every property owner and occupant to keep the sidewalk and curb adjoining his premises in safe, passable condition. For failure, upon notice by the Village Clerk of not less than 24 hours, to make such repairs as are specified as to place and manner, the Village Clerk or Superintendent of Public Works may cause the same to be done and assess the cost together with statutory interest thereof against the adjoining land. The Village Treasurer may provide that the cost of any such work be paid at a specified time, in annual installments or shall be assessable against the property as a tax thereon.

(2) Subsection B is revised to read as follows:

The Department of Public Works or its agents may construct, build, flag, surface, resurface, alter, repair, grade, regrade, maintain, care for and clean sidewalks, curbs and gutters in public streets. The Department of Public Works may regulate and prescribe the grade, width, materials, construction and other specifications of any such work. The Village Clerk or Superintendent of Public Works may direct and order any such work, repair or improvement to be done by the property owner and occupant of the property and on default may cause the same to be done by the Village and assess the cost together with statutory interest thereof against the adjoining land. The Village Treasurer may provide that the cost of any such work be paid at a specified time, in annual installments or shall be assessable against the property as a tax thereon.

(3) Subsection C(1) is revised to read as follows:

The sidewalks and curbs, abutting or in front of every building or lot, and also the gutter and street area adjacent to the curb to a distance of at least 18 inches from the curb, before 10:00 a.m. each day in residential areas of the Incorporated Village of Freeport, shall be kept clean and clear of any litter, leaves, weeds, garbage, trash, refuse or other debris, except in proper containers and at proper times for collection, by the owner, tenant, occupant or person in charge of each such building or lot.

(4) Subsection D(1) is revised to read as follows:

The sidewalks, curbs and gutters adjacent to and abutting upon each and every commercial, mercantile, business or other establishment in the Incorporated Village of Freeport shall be kept clean and clear of any litter, leaves, weeds, garbage, trash, refuse or other debris, by the owner, operator or licensee of each such establishment. Each owner, operator or

licensee of a commercial, mercantile, business or other establishment shall sweep such sidewalk, curb or gutter, and also the gutter and street area adjacent to the curb to a distance of at least 18 inches from the curb, before 10:00 a.m. each day that such business or establishment is open or operated. All sweepings and other debris shall be collected and removed to private containers by such owner, operator or licensee.

(5) Subsection D(2) is revised to read as follows:

Each person, corporation or business entity violating any provision of this section shall be guilty of a violation punishable by a fine of not more than \$250 for a first offense, \$500 for a second offense, and \$1000 for any subsequent offenses or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment for each such violation.

B. Section 180-5.2A is revised to read as follows:

No person shall deposit a roll-off container in a driveway or within a Village street or right-of-way unless a permit has been issued therefor.

C. Section 180-5.2C(9) is added to read as follows:

No roll-off container may be placed on a soft surface, obstruct any portion of a sidewalk or block any portion of a curb cut.

D. Section 180-5.2C(10) is added to read as follows:

All permits to be issued for a duration of a maximum of 30 days with an option to renew the permit for an additional 30 days upon submission of a new permit application.

E. Section 180-6 is revised to read as follows:

Each application under § 180-5 shall be accompanied by a certificate of insurance, in form approved by the Claims Examiner and issued by an insurance company authorized to do business in this state, running to the Village and guaranteeing that the applicant has provided public liability coverage and property damage insurance to save the Village harmless from all claims, actions and proceedings brought by any person for injury to person or property resulting from or occasioned by any fault or default by the person to whom the permit is issued or anyone acting thereunder on his behalf. The Board of Trustees by resolution shall adopt and from time to time may amend the amount of public liability coverage and property damage insurance required.

F. Section 180-14 is revised to read as follows:

Each application for a permit shall be further accompanied by a certificate of insurance, in form approved by the Claims Examiner and issued by an insurance company authorized to do business in this state, running to the Village and guaranteeing that the applicant has provided public liability coverage and property damage insurance to save the Village harmless from all claims, actions and

proceedings brought by any person for injury to person or property resulting from or occasioned by any fault or default of the person to whom the permit is issued or by anyone acting thereunder on his behalf. The Board of Trustees by resolution shall adopt and from time to time may amend the amount of public liability coverage and property damage insurance required.

G. Section 180-28A(1) is revised to read as follows:

Comprehensive personal liability and property damage liability coverage, including deletion of the U-exclusion (underground property damage hazard). The Board of Trustees by resolution shall adopt and from time to time may amend the amount of per occurrence personal injury liability and property damage liability coverage required, including the alternate option for a combined single limit personal injury and property damage liability policy.

H. Section 180-28A(1)(a) and (b) are repealed.

I. Section 180-33.1C is revised to read as follows:

A parking area may be a soft-surface area consisting of bluestone, clamshell or other suitable material, to be reviewed via a Building Permit application to the Freeport Building Department and with final approval by the Site Plan Board. Such soft surface shall provide drainage so that the surface waters do not flow into the public streets, the municipal storm drainage system or upon adjacent properties. The Superintendent of Buildings may, however, permit an overflow from an on-site drainage system to the municipal storm drainage system if he deems it necessary for the proper operation of said parking field.

J. Section 180-39C is revised to read as follows:

Penalties. Any owner who has been notified by the Village Clerk that the trees or shrubs on their premises are in violation of either Subsection A or B hereof and shall fail to correct the condition within five days of the sending of such notice to their last known address by mail shall be in violation of this section, and in addition to the penalties otherwise enforceable, the Village or its agents may thereafter trim offending trees and hedges to correct the prohibited conditions and assess the cost together with statutory interest thereof against the adjoining land. The Village Treasurer may provide that the cost of any such work be paid at a specified time, in annual installments or shall be assessable against the property as a tax thereon.

K. Section 180-42A is revised to read as follows:

The Superintendent of Public Works will maintain a list of approved trees which will be on file in the Village Clerk's Office.

L. Section 180-145B is revised to read as follows:

Insurance. Each application shall be accompanied by a certificate of insurance, in form approved by the Village Clerk and issued by an insurance company authorized to do business in this state, running to the Village providing coverage

for public liability (for personal injury) and property damage. Such certificate of insurance shall contain a provision that coverage will not be reduced, canceled or nonrenewed unless the Village of Freeport Village Clerk is given at least 10 days' written notice thereof. The Board of Trustees by resolution shall adopt and from time to time may amend the amount of per occurrence public liability and property damage liability coverage required, including the alternate option for a combined single limit personal injury and property damage liability policy.

M. Section 180-50B is revised to read as follows:

For failure, upon notice by the Village Clerk of not less than 48 hours, to trim or remove any tree, including its stump, or any branch or limb of a tree as specified as to place and manner, the Village or its agents may cause the same to be done and assess the cost together with statutory interest thereof against the adjoining land. The Village Treasurer may provide that the cost of any such work be paid at a specified time, in annual installments or shall be assessable against the property as a tax thereon.

N. Section 180-51 is revised as indicated:

Any violation of the provisions of this article shall render each offender liable to a ~~fine of not less than \$10 nor more than \$100 or to be prosecuted as and declared a disorderly person, or both,~~ maximum fine of \$1,000 for each offense. In addition, the Village reserves the right to seize, remove or otherwise dispose of any planting in violation thereof.

O. Article VII is repealed.

Chapter 185, Taxation

Article I Tax on Income of Utilities

A. Section 185-1 is revised to update the statutory reference "Village Law Article 6, § 6-640" to "Village Law § 5-530."

B. Section 185-2 is revised to read as follows:

Words and phrases used in this article, unless otherwise noted, shall have the same meanings as ascribed to them in § 186-a of the Tax Law

C. Section 185-9 is revised to change "shall not be added" to "may be added."

Article III Tax Exemption for Property Improvement for Physically Disabled

D. Sections 185-23 and 185-24 are revised to change "State Board of equalization and Assessment" to "Commissioner, State Board of equalization and Assessment."

Article IV Home Improvement Tax Exemption

E. Section 185-31A is revised to change "State Board of equalization and Assessment" to "Commissioner, State Board of equalization and Assessment."

Chapter 188, Taxicabs

A. Section 188-5 is revised to read as follows:

No taxicab shall be operated upon the streets of the Village unless there are displayed in such taxicab the taxicab operator's license, with their picture in an illuminated holder in a manner in which it is clearly visible and can readily be observed by all passengers therein, and the rate card and a copy of the Taxicab Rate Zone Map as set forth in § 188-9 hereof.

B. Section 188-13 is revised to read as follows:

Any person violating any of the provisions of this chapter shall be liable to a fine of not more than \$1,000 or by imprisonment for a period not exceeding 15 days or both.

C. Section 188-18 is revised to read as follows:

No license shall be issued to operate a taxicab or taxicabs unless and until the applicant shall file, with the Village Clerk and have approved by the Claims, an insurance policy or a certificate thereof of standard form, issued by an insurance company for such taxicab or taxicabs and provided minimum coverage for personal injuries or death of any persons and for property damage in any one accident. Such insurance policy or certificate shall provide that the Village will be given 10 days' prior notice of cancellation. The Board of Trustees by resolution shall adopt and from time to time may amend the amount of minimum insurance required.

D. Section 188-22 is revised to read as follows:

The Village Clerk and Police Department shall keep a record of every taxicab owner's license issued under this article. Such registration shall show the date and number of such licenses and all renewals, suspensions and revocations thereof and a record of each taxicab license, stating the make, model, passenger seating capacity, name of manufacturer, New York State registration number, motor number and the name and address of the person or persons owning said taxicab. Such registration shall also show each driver's license issued hereunder, showing the name and address of such driver, their New York State chauffeur's license number, the number of his taxicab license issued hereunder and the date of issue and of renewal of such driver's license.

E. Section 188-23 is revised to read as follows:

Every person driving a taxicab licensed under the provisions of this article must be licensed as a taxicab driver.

F. Section 188-24 is revised to read as follows:

§ 188-24. Application for driver's license. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

Every person desiring to obtain a taxicab driver's license shall comply with the following:

- A. Applicant for a taxicab driver's license must be over the age of 18.
- B. Contents of application. They shall make application for license on a blank furnished by the Village Clerk, which application shall state the full name and residence of the applicant; their place of residence during the five years previous to their present address; their age, height, weight, color of eyes, color of hair, place of birth and whether a citizen of the United States either by birth or naturalization; places of previous employment; whether they are married or single; whether they have been convicted of a felony or misdemeanor; whether they have previously been licensed as a driver or chauffeur and, if so, when, where and whether their license has ever been revoked or suspended and for what cause; and the number of their state driver's license. C. State license. Applicant shall exhibit current New York State Class E license or CDL for inspection.
- D. Character reference. They shall file testimonials of at least two reputable persons as to good character and reliability with their application.
- E. All applicants for a taxicab driver's license must furnish a certificate from a reputable physician certifying that, in their opinion, the applicant is not afflicted with any disease or infirmity which might make applicant an unsafe or unsatisfactory driver.
- F. Photographs. They shall file with their application two photographs, 1 1/2 inches by 1 1/2 inches, taken within 30 days prior to the date of application, and such photo must be a true likeness of the applicant and must show only neck and shoulders and uncovered head. One of the photographs shall be attached to their license and the other shall be filed with their application. Such photographs shall be attached to the license in such a manner that it cannot be removed and another photograph substituted without the probability of detection.
- G. Fingerprinting and examination. Applicant shall submit fingerprints to DCJS. Applicant shall be examined by the Chairman of the Board of Police Commissioners or an officer or officers designated as to applicant's knowledge of and compliance with all the provisions of this article, the traffic regulations and geography of the Village and the laws of the State of New York relative to the operation of motor vehicles, and if the result of such examination is not satisfactory, applicant shall be denied a license.
- G. Section 188-25 is revised to read as follows:

A license to drive a taxicab shall be issued by the Mayor upon the satisfactory fulfillment of the requirements of §§ 188-23 and 188-24. Such license shall be in such form as to contain a brief description, the photograph and the signature of the licensee. Such license shall be clearly displayed at all times in the taxicab operated by the licensee and in such manner as to be readily examined by the police or passengers.
- H. Section 188-27 is revised to read as follows:

Every taxicab driver licensed pursuant to this article shall, within 48 hours, notify the Village Clerk of any change of address or loss of either their taxicab driver's license or their chauffeur's license.

Chapter 197, Abandoned Vehicles

A. Section 197-1 is revised to read as follows:

It shall be unlawful for any person, firm or corporation, either as owner, occupant, lessee, agent, tenant or otherwise, to deposit or cause to be permitted to be deposited an abandoned, unregistered, junked, discarded, inoperable, dismantled or partially dismantled or wrecked motor vehicle, cycle, trailer, boat or camper, on any private land within the corporate limits of the Village of Freeport, except when permitted by resolution of the Village Board on findings that the enforcement of this prohibition would cause any of the aforementioned persons occupying the land undue hardship and is not required in the public interest.

B. Section 197-4 is revised to read as indicated:

Any owner, occupant, lessee, agent, tenant or otherwise who shall neglect and refuse to remove said abandoned, junked, discarded, inoperable, unregistered, dismantled or partially dismantled or wrecked vehicle, cycle or trailer as directed by this section; who shall fail or refuse to comply with the provisions of any notice; or who shall violate any of the provisions of law; or who shall resist or obstruct authorized agents, servants, officers or employees of the Village of Freeport in the removal of any such abandoned, junked, discarded, inoperable, unregistered, dismantled or partially dismantled or wrecked motor vehicle, cycle or trailer shall be deemed in violation of this chapter and shall be subject to a penalty not to exceed ~~\$100~~ \$1,000 for each and every violation. ~~In addition thereto, a violation of this chapter shall constitute disorderly conduct, and a person violating same shall be deemed a disorderly person.~~

Chapter 201, Water

A. Section 201-9G is revised to read as follows:

Size of taps. New and replacement taps shall be one inch or greater. Connections two inches and larger shall have a three-valve cluster. The minimum service line for residential, commercial and industrial use shall be one inch. For residential use, the size of the tap or multiples thereof and the size of the service shall conform. One-inch connections shall be provided to receive a one-inch meter. For business and industrial use, the size of the tap or multiples thereof, the size of the service and the size of the meter shall conform, except where headers for battery installation of meters are made or where expansion is anticipated. Battery settings of meters shall include horizontal headers, two gate valves for each meter and angle-type back pressure valves for all but one of the meters.

B. Section 201-11B is revised as indicated:

B. Sizes, main limitations.

- (1) Steel mains: ~~three-fourths inch tap only~~ One-inch tap or larger.
- (2) Transite mains: One-inch tap or larger.

~~(a) Three-fourths inch tap in any size main.~~

~~(b) One inch tap in an eight inch main and larger.~~

(3) Cast-iron mains: One-inch tap or larger.

~~(a) Three-fourths inch tap in any size main. (b)~~

~~One inch tap in a six inch main and larger.~~

C. Section 201-13 is revised as follows:

(1) Subsection B is revised to read as follows:

Size. For residential installations (single-family dwellings), one-inch fittings shall be provided to receive one-inch meter couplings furnished by the Water Department. For multiple dwellings, business, commercial and industrial installations, the size of the meter shall conform to the size of the water service, except where headers for battery installation of meters are made or where expansion is anticipated. Battery settings of meters shall include horizontal headers, two gate valves for each meter and back pressure valves for all but one of the meters.

(2) Subsection D is revised to read as follows:

Facilities. The owner shall provide facilities and support for the setting of the meter in each installation or alteration of water service according to the Water Department Ordinance and the Plumbing Code.

D. Section 201-21 is revised as follows:

(1) Subsection C is revised to read as follows:

Charge. The charge for any special permit for the use of any hydrant shall be in accordance with its intended use as determined by the Water Department. The minimum charge shall be \$50. The cost of repairing any damage caused to a hydrant by such a user shall be paid to the Water Department by said user at the office of the Village Treasurer.

(2) Subsection D is revised to read as follows:

Connections. No connection shall be made in hydrant outlets except by valves or couplings which are readily detachable in an emergency. The connection shall have a control valve and backflow device and all connections must be detached immediately after use has ceased and always at the end of the work day.

E. Section 201-22A is repealed and its number reserved.

F. Section 201-34 is added to read as follows:

Any person, firm or corporation violating any of the provisions of this chapter shall be subject to the penalties set forth in § 1-14 of the Code of the Village of Freeport.

Chapter 205, Waterfront Properties and Watercraft

A. Section 205-1, the definition of “pierhead line” is revised to read as follows:

In all navigable waters within the harbor line where such waters abut property which has been zoned for residential, business, manufacturing or industrial use, in the absence of any other pierhead line fixed by the Village, there is deemed to have been established a pierhead line parallel with the property or bulkhead line adjoining such water and removed from such property or bulkhead line a distance equal to 20% of the width of said navigable water at the point in question, said distance, however, not to exceed 25 feet.

B. Section 205-5 is revised to read as follows:

The owner, lessee or occupant of waterfront property shall keep the same cleaned and in good repair, and he shall keep the slips adjacent thereto properly dredged so as not to constitute a menace to navigation or to the health and well-being of the community or in any way be a nuisance. The area between the bulkhead line and the pierhead line shall also be the responsibility of the land owner to remove any aquatic vessels, slips, docks, floats or other items that may pose a danger or nuisance to navigable waters.

C. Section 205-8D is added to read as follows:

For purposes of calculating buildable area, only the portion of land between the street line and the bulkhead line can be considered for the construction of a primary or secondary structure.

D. Section 205-9 is revised to read as follows:

No person shall carry on or conduct a bathing beach or bathing pool in the Village where a charge is made for the use thereof without first having obtained a license in conformity with the provisions of §§ 138-1 through 138-11 of Ch. 138, Licensing of Businesses, and as further provided herein.

E. Section 205-11 is revised to read as follows:

The Board of Trustees by resolution shall adopt and from time to time may amend a schedule of fees payable by an applicant for a license to operate a bathing beach or bathing pool.

F. Section 205-13 is repealed.

G. Section 205-17D is revised to read as follows:

D. Properties owned or operated by the Village of Freeport

[Added 6-3-2013 by L.L. No. 1-2013, amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D)]

- (1) No vessel shall be moored or docked at the marina portion of Sea Breeze Park, the boat slips located at the Esplanade, the Guy Lombardo Avenue Marina or

Cow Meadow Park without proper authorization, in the form of a placard or permit, from the Village of Freeport. The Board of Trustees, from time to time, shall set the fees for the docking and mooring of vessels at Sea Breeze Park Marina, the Esplanade, the Guy Lombardo Avenue Marina or Cow Meadow Park.

- (a) Notwithstanding any other provisions of law to the contrary, the failure to have proper authorization to moor or dock a vessel at the Sea Breeze Park Marina, the Esplanade, the Guy Lombardo Avenue Marina or Cow Meadow Park shall be a violation, as said term is defined under the Penal Law of the State of New York, and be subject to a fine of \$500 for the first infraction, \$1,000 for the second infraction, and not more than \$1,500 for the third and any violations thereafter or by imprisonment for not more than 15 days, or both such fine and imprisonment, for each such violation.

H. Section 205-18G is revised to read as follows:

Penalties. There shall be a fine not to exceed \$1,000 for a conviction of any provision of this section.

Chapter 209, Site Plan Review

A. Section 209-4 is revised as follows:

- (1) Subsection A is revised to change “Site Plan Review Board” to “Planning Board.

- (2) Subsection B(3) is revised as follows:

Repair and replacement of existing driveways, curb cuts, aprons and sidewalks in which no change is being made to the width or length of the existing driveway.

- (3) Subsection B(6) is revised as follows:

Fences which do not extend beyond the front line of the building or principal structure with the exception of fences made of or designed as metallic in nature.

- (4) Subsection B(7) is revised as follows:

Decks which are six feet or less above grade.

- (5) Subsection B(9) is added as follows:

Residential handicap ramps.

B. Section 209-5 is revised to read as follows:

§ 209-5. Concept plan conferences and preliminary meetings.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

- A. A preliminary conference or conferences may be held between the Planning Board, a representative of the Building Department and the applicant and his/her

representatives upon written request to the Clerk of the Planning Board prior to the preparation and submission of a formal site plan. The intent of such a conference is to enable the applicant to inform the Planning Board of the proposal prior to the preparation of a detailed site plan, and for the Planning Board to review the basic site design concept, to advise the applicant as to potential problems and concerns and to determine generally the type of information to be shown on and submitted with the site plan. In order to accomplish these objectives, the applicant shall provide the following:

- (1) A statement and site map showing the location and dimensions of all structures, buildings, parking areas, access signs (with descriptions), existing and proposed vegetation and other planned features on the site, anticipated changes in the site's existing topography and natural features, and, where applicable, measures and features to comply with other applicable state and/or local regulations, including, but not limited to, tidal wetlands, freshwater wetlands and flood hazard areas.
 - (2) A map of the area which clearly shows the location of the site with respect to nearby streets, rights-of-way, properties, water bodies, shorelines (with high-water line), easements and other pertinent features.
 - (3) A topographic or contour map of adequate scale and detail to show site topography.
- B. A preliminary meeting is required for all new residential and new commercial construction. The intent of such a meeting is to allow the Planning Board to review the completed application with the applicant and provide feedback in an informal setting prior to the public hearing.

C. Section 209-6 is revised as follows:

- (1) Subsection A is revised to read as follows:

All applications for approval of a site plan shall be submitted on a form prescribed by rule or regulation of the Planning Board. Twelve copies of the site plan application and any related information shall be submitted to the Planning Board. No application shall be accepted by the Clerk of the Planning Board unless it is complete. Within 30 days of receipt of the application, the Planning Board shall determine whether said application is complete. If the Planning Board determines that said application is incomplete, it shall promptly notify the applicant wherein said application is deficient.

- (2) Subsection C(1) is repealed.

- (3) Subsection 209-6C(3)(o) is revised to read as follows:

Approximate locations and dimensions of areas proposed for neighborhood parks, playgrounds or other permanent open space.

D. Section 209-7A(2) is revised to read as follows:

Various on-site structures and uses within the development shall be harmonious and in scale to one another and with the neighborhood. No open design foundation system will be permitted for residential structures within an AE flood zone. Open design foundation systems shall only be permitted in FEMA-designated V (Velocity) zones and FEMA-designated Coastal A Zones, also known as the LIMWA Zone

Chapter 210, Zoning

A. Sections 210-3, 210-171C, D and F, 210-207, 210-300C, and 210-326 are revised to change “Site Plan Review Board” with “Planning Board.

B. Section 210-3 is revised as follows:

(1) Definition of “adjusted grade” is revised to read as follows:

Only in areas mapped in a floodplain by FEMA FIRM maps. Adjusted grade is the average of established grade and the design flood elevation as established by FEMA, the Incorporated Village of Freeport, and the North American Vertical Datum of 1988 (NAVD88).

(2) Definition of “design flood elevation” is added to read as follows:

The base flood elevation plus the freeboard requirement.

(3) Definition of “freeboard” is added to read as follows:

An additional amount of height above the base flood elevation used as a factor of safety in determining the level at which a structure's lowest floor must be elevated or floodproofed to be in accordance with state or community floodplain management regulations. The freeboard requirement for the Village is four feet or two feet above the State of New York freeboard requirement, whichever is greater.

(4) Definition of “lot, plot or parcel” is revised to read as follows:

A portion of land considered as a unit or occupied by a building or a group of buildings which are united by a common interest or use and the customary accessories and open spaces belonging to the same, provided that said portion of land is not dissected by a street, dedicated or not, a public or private way or by any easement over which the public has a right of passage. In the case of a waterfront property for the purpose of calculating buildable area, only the portion of terrestrial land between the streetline and the bulkhead line may be considered for a primary or secondary building.

(5) Definition of “NAVD 1988” is added to read as follows:

North American Vertical Datum of 1988 Plane. Elevation datum currently used by FEMA and the Incorporated Village of Freeport for the determination of flood elevations, FIRM Maps, and mean high tide.

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- C. Sections 210-4 and 210-260A are revised to change “Marine Apartment-Boatel and Condominium district” to “Marine Apartment-Boatel Condominium and Cooperative District.”
- D. Section 210-9 is revised to change \$1,000 to read \$4,000.
- E. Sections 210-9.1, 210-9.2, 210-9.3, 210-9.4, 210-9.5, various moratoria, are repealed due to their expiration.
- F. Section 210-29F is revised to read as follows:
- Customary home occupations, such as the office of a physician, dentist, surgeon, real estate broker or other professional person, provided that such use is incidental to the primary residence use of such professional persons, and provided that such use shall be conducted in the principal building.
- G. Section 210-47A is revised to read as follows:
- Generally. All buildings and structures shall be limited to 50 feet in height, except that no dwelling shall have a height of more than 35 feet nor have more than three stories, and apartment houses shall not exceed 50 feet in height nor have more than four stories, including the basement.
- H. Section 210-170 is revised to read as follows:
- On corner lots in any Residence AA, Residence A or Residence Apartment District, no hedge or other structure or plant, other than shade trees, more than three feet in height above established grade, shall be erected, placed or maintained within a triangular area formed by the intersecting street lines and a straight line joining the street lines at points 20 feet distant from the point of intersection and measured along the street lines.
- I. Section 210-177B(4) is revised as indicated:
- The minimum fine for a violation of this subsection shall be ~~\$25~~\$250.
- J. Section 210-204, definition of “temporary sign” is revised to read as follows:
- TEMPORARY SIGN –
- A sign which is designed to advertise or announce a particular event or series of events, to solicit political support or to announce the availability for sale of any type of property. Such temporary signs may be maintained for a period of no greater than 60 calendar days.
- K. Section 210-204, definition of “wall sign” is revised to read as follows:
- WALL SIGN –
- Any sign which is attached directly to or painted on the building wall and is parallel to the building wall.
- L. Section 210-206A(14) is added to read as follows:

The material of all signs shall be no thinner than 1/4-inch thick, shall be made of solid plastic, metal, or wood, and shall not be of flexible banner-type material.

M. Section 210-221 is revised to read as follows:

§ 210-221. Display of street numerals and business name.

[Added 1-23-1978 by L.L. No. 2-1978; amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D)]

- A. Any provision of this Code to the contrary notwithstanding, all structures situate within the Village of Freeport shall prominently display the numerals of the street address of said premises. Such numbers are to be clearly visible from the street adjacent thereto.
- B. Any provision of this Code to the contrary notwithstanding, all businesses occupying a streetfront within the Village of Freeport shall have a code-compliant sign prominently displaying the business name of said business.
- C. Any provision of this Code to the contrary notwithstanding, all businesses within the Village of Freeport containing a rear door shall have the business name and/or address displayed on said rear door.

N. Section 210-223A is revised to read as follows:

Location. Such pool is installed in the rear or side yard of the premises.

O. Section 210-260F and G are repealed.

P. Section 210-272 is revised to read as follows:

The Board of Trustees by resolution shall adopt and from time to time and may amend a schedule of fees payable by an applicant for a special use permit for an Artist/Professional Live/Work Overlay District and for the annual compliance inspection provided for in § 210-270 of this chapter.

Q. Section 210-295A is revised to read as follows:

The Board of Trustees by resolution shall adopt and from time to time may amend a schedule of fees payable by an applicant for a petition for a Golden Age Zone Classification.

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**Village of Freeport
Code Adoption 2024 Local Law**

**Schedule B
Additional Specific Revisions at Time of Adoption of Code**

Chapter 86

Remove Table of Height and Area Limits, which was part of now-removed 86-17A1
Remove Tables I and II for Allowable Working Stresses, which was part of now-removed 86-53F4.

Chapter 124, Health and Sanitation

Article III, Fumigation

Section 124-8 is revised to replace reference to Chairman of the Board of Police Commissioners with Chief of Police.

Chapter 138, Licensing of Business

Article III, Special Sales

Section 138-18B is revised to replace reference to Chairman of the Board of Police Commissioners with Chief of Police.

Section 138-19B is revised to replace reference to Chairman of the Board of Police Commissioners with Chief of Police.

Section 138-22 is revised to replace reference to Chairman of the Board of Police Commissioners with Chief of Police.

Chapter 151, Pawnbrokers

Section 151-4B is revised to replace reference to Chairman of the Board of Police Commissioners with Chief of Police.

Chapter 188, Taxicabs

Article II, Licenses

Section 188-15B is revised to replace reference to Chairman of the Board of Police Commissioners with Chief of Police.

Section 188-24G is revised to replace reference to Chairman of the Board of Police Commissioners with Chief of Police.

Section 188-30B is revised to replace reference to Chairman of the Board of Police Commissioners with Chief of Police.

Section 188-30C is revised to replace references to Chairman of the Board of Police Commissioners with Chief of Police.

Section 188-31 is revised to replace reference to Chairman of the Board of Police Commissioners with Chief of Police.

Section 188-32B is revised to replace reference to Chairman of the Board of Police Commissioners with Chief of Police.

Chapter 205. Waterfront Properties and Watercraft

October 21, 2024

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Article III, Boats and Vessels

Section 205-17B is revised to replace reference to Chairman of the Board of Police Commissioners with Chief of Police.

Section 205-20 is revised to replace reference to Chairman of the Board of Police Commissioners with Chief of Police.

It was moved by Trustee Squeri, seconded by Deputy Mayor Ellerbe, and carried to approve the Board of Trustees Minutes of October 7, 2024.

The Clerk polled the Board as follows:

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

It was moved by Trustee Squeri, seconded by Deputy Mayor Ellerbe, and carried to approve the Board of Trustees Dangerous/Nuisance Minutes of October 7, 2024.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Squeri, seconded by Deputy Mayor Ellerbe and carried for the Board of Trustees to schedule two special meetings for the 2025/2026 public budget workshops on Monday, November 4, 2024 at 5:45 and Wednesday, November 6, 2024 at 5:00 P.M.

The Clerk polled the Board as follows:

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

Motion was made by Deputy Mayor Ellerbe, seconded by Trustee Squeri and carried for the Board of Trustees, acting as the Board of Review to schedule a special meeting for Tuesday, November 19, 2024 to hear objections in relation to assessments.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	Excused

October 21, 2024

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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Trustee Squeri	In Favor
Trustee Sanchez	Excused
Mayor Kennedy	In Favor

It was moved by Trustee Squeri, seconded by Deputy Mayor Ellerbe 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, 2024 and November 19, 2024; and

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

NOW THEREFORE BE IT RESOLVED, that the Village Clerk be authorized to publish a notice in the Freeport Herald and other relevant publications of general circulation on November 7, 2024 and November 14, 2024 regarding the availability for review by property taxpayers of the assessment inventory and valuation data that is maintained in the Assessor’s Office.

The Clerk polled the Board as follows:

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

It was moved by Deputy Mayor Ellerbe, seconded by Trustee Squeri that the following 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 2025/2026 Tentative Assessment Roll will be prepared and filed with the Village Clerk on Friday, November 1, 2024 and will be available for inspection beginning on Friday, November 1, 2024; and

WHEREAS, the roll will be open for inspection during the business hours of 8:30am to 4:30pm in the Village Clerk’s Office and the Assessor’s Office from Friday, November 1, 2024 to Tuesday, November 19, 2024; and

WHEREAS, on Tuesday, November 19, 2024, 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

October 21, 2024

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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 Herald dated November 7, 2024 and November 14, 2024.

The Clerk polled the Board as follows:

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

S / B / L	Address	Exemption Code	Exemption Amount	Reason
54 / 303 / 18	226 Locust Ave	41121 Veteran War Time/Non-Combat	2024 - 468	Property Sold 09/11/2024
62 / C / 473 Unit 708	1 Anchorage Way	41121 Veteran War Time/Non-Combat 41141 Vet / Disable	2024 41121 - 330 41141 - 275	Property Sold 5/29/2024
62 / C / 473 Unit 904	1 Anchorage Way	41131 Veteran War Time/ Combat	2024 - 517 2023 - 517	Property Sold 5/9/2023
62 / C / 473 Unit 1205	1 Anchorage Way	41101 Veteran War Time/ Combat	2024 - 1,200 2023 - 1,200 2022 -1,200 2021 - 1,200	Property Sold 12/2/2021
62 / C / 473 Unit 1506	1 Anchorage Way	41121 Veteran War Time/	2024 - 303 2023 - 303	Property Sold 11/28/2023

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		Non-Combat		
62 / 114 / 21 Unit 2D	222 Smith Street	41800 Senior	2024 - 686	Property Sold 09/20/2024
62 / 103 / 245 Unit 339	725 Miller Ave	41131 Veteran War Time/ Combat	2024 - 484	Property Sold 02/29/2024
54 / 207 / 831	74 Frankel Ave	41400 Clergy	2024 - 1,500	Property Sold 08/23/2024
54 / 308 / 52	95 Elliot Pl	41121 Veteran War Time/ Non-Combat	2024 - 468	Property Sold 10/07/2024
54 / 206 / 10	365 Smith St	41101 Veteran /Eligible Funds	2024 - 4,138	Deceased 08/31/2024

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

The Clerk polled the Board as follows:

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

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

WHEREAS, each year residential properties undergo permitted upgrades approved by the Building Department and/or renovations; and

October 21, 2024

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WHEREAS, the properties attached have had some of these upgrades which increase the value; and

WHEREAS, the Assessor may apply these increased assessments to the 2025/2026 Tentative Assessment Roll; and

WHEREAS, the Village of Freeport is projected to receive additional revenue in the amount of approximately \$42,752.26 from residential properties for permitted upgrades, based on the 2024 tax rate multiplied by the new assessed value; and

NOW THEREFORE BE IT RESOLVED, that the Assessor is granted retroactive permission to apply the changes in assessment from permitted upgrades to the 2025/2026 Tentative Assessment Roll to the attached list of properties.

The Clerk polled the Board as follows:

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

October 21, 2024

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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Parcel ID	Legal Address	2024/2025 VillageMkt Value EQ @ 1.30	2024/2025 Village AV`	AV Difference Between 2024 & 2025	2025/2026 Village MKT Val @ 1.22 EQ	2025/2026 Village AV	Workup Value	Work Description	Notes
36--329-478	115 DELAWARE AVE	397,076	5,162	1,258	526,230	6,420	747,700	RESIDENTIAL ADDITION - 1 STORY REAR ADDITION 2ND FLOOR ADDITION 1ST FLOOR INTERIOR ALTERATIONS.	
36--521-21	194 DELAWARE AVE	519,846	6,758	465	592,049	7,223	823,197	RESIDENTIAL ADDITION-PROPOSED REAR DORMER AND INTERIOR ALTERATION 1ST FLOOR.	Elec, Plumb Hvac
36--K-1-44	370 MARYLAND AVE	505,384	6,570	599	587,623	7,169	797,176	RESIDENTIAL ALTERATION - INTERIOR ALTERATIONS PER DRAWINGS SUBMITTED.	
54--067-18	69 PENNSYLVANIA AVE	415,384	5,400	485	482,377	5,885	675,000 Purch	INTERIOR RENOVATIONS - DRYWALL, FLOORING, CABINETRY,	full Rehab
54--067-311	307 RANDALL AVE	403,846	5,250	207	447,295	5,457	567,400	RESIDENTIAL ALTERATION - CONVERT WASHROOM INTO BATHROOM	Fin Bsmnt & Bath
54--078-157	85 CENTRE ST	460,384	5,985	7	491,148	5,992	630,125	RESIDENTIAL ALTERATION - WIDENING OF DRIVEWAY AND REPAIR TWO FLAGS OF SIDEWALK	
54--085-111	65 PARK AVE	373,076	4,850	233	416,639	5,083	610,000	RESIDENTIAL ADDITION - MAINTAIN EXISTING CONCRETE BLOCK EXTERIOR CELLAR ACCESS: 2 - PROPOSED (1.538 S.F.) FINISHED CELLAR WITH 3 PC BATHROOM AND 3 - EXTENSION OF EXISTING CONCRETE DRIVEWAY	Purch 2023 610K
54--085-118	183 LEXINGTON AVE	534,615	6,950	59	574,508	7,009	684,879	MAINTAIN FINISHED CELLAR WITH BATHROOM, EGRESS WINDOW, AND MAINTAIN ROOF OVER PATIO.	
54--086-215	76 PARK AVE	435,692	5,664	221	482,377	5,885	650,000	RESIDENTIAL ADDITION - MAINTAIN EXISTING BASEMENT	Purch 2023 650K

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AND THE BOARD OF TRUSTEES.

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54--095-938	408 W MERRICK RD	393,461	5,115	1,573	548,197	6,688	680,352	CONSTRUCT A SECOND FLOOR ADDITION (1,000 sf)X \$ 165 psf	Full 2nd Floor Add
54--206-154	431 SIGMOND ST	326,923	4,250	833	416,639	5,083	659,807	PROPOSED 2ND FLOOR FULL FRAME ADDITION TO EXISTING 1 1/2 STORY FRAME RESIDENCE WITH MODIFICATION TO FIRST FLOOR AND 13.5 x 12' REAR DECK	Rooms & Bath
54--206-96	280 ROSE ST	457,153	5,943	156	499,918	6,099	725,507	MAINTAIN EXISTING 572 S.F. FINISHED ATTIC WITH 3-PIECE BATHROOM	Fin Attic
54--206-99	290 ROSE ST	546,923	7,110	113	592,049	7,223	752,634	RESIDENTIAL ADDITION - MAINTAIN FINISHED BASEMENT AND NEW EGRESS WINDOW	Full Fin Bsmnt Unit
54--207-833	384 ROSE ST	430,769	5,600	18	460,492	5,618	602,864	RESIDENTIAL ADDITION MAINTAIN DRIVEWAY 22.4 FEET BY 20 FEET	
54--300-53	541 ARCHER ST	261,384	3,398	615	328,934	4,013	534,430	RESIDENTIAL ALTERATION-INSTALL 2 SKYLIGHTS.	Purch 480K - Full Rehab Outside Shower 400 SF Deck
54--302-232	311 ROSE ST	418,461	5,440	231	464,836	5,671	587,000	INSTALLATION OF THREE (3) BRICK STEPS WITH RAILINGS + FIN ATTIC & FIN BASEMENT	Purch 2022 587K
54--309-135	70 ELLIOTT PL	406,538	5,285	333	460,492	5,618	599,181	RESIDENTIAL ADDITION prop. 11.83' x 18-0 ONE STORY REAR ADDITION (216 SF x 165 PSF= \$35,000)	216 SF
54--311-43	411 SOUTHSIDE AVE	517,692	6,730	493	592,049	7,223	797,585	RESIDENTIAL ALTERATION- INSTALLATION OF NEW MASONRY FRONT PORCH WITH STONE VENEER, ON VERTICAL SURFACES , BLUES TONE CAPPING, ALSO NEW BLUE STONE FRONT WALKWAY. & Roof 60K combined	
54--313-128	471 ATLANTIC AVE	283,076	3,680	1,670	438,525	5,350	786,084	RESIDENTIAL ADDITION - ONE STORY ADDITION WITH THREE BEDROOM AND ONE FOUR PIECE BATHROOM \$150,000	

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54--330-75	180 MEISTER BLVD	623,076	8,100	995	745,492	9,095	1,125,000	SUPPORT UPPER LEVEL DECK, PROTECT STRUCTURAL MEMBERS, CLOSE AND PROTECT ROOF OVER THE DECK, PROPER INSTALLATION OF ROOF STRUCTURAL SUPPORTS.	Purch 1,125,000
55--056-2	70 CALIFORNIA AVE	364,615	4,740	343	416,639	5,083	575,000	RESIDENTIAL ALTERATION - REPLACING EXISTING WINDOWS WITH BOWS AND FINISHED BASEMENT \$15,000	Purch 2022 575K
55--067-569	41 COLONIAL AVE	395,384	5,140	50	425,410	5,190	538,143	RESIDENTIAL ALTERATION-FRONT AWNING ABOVE Front DOOR.	
55--101-250	206 EVANS AVE	417,230	5,424	3,671	745,492	9,095	1,040,000	PROPOSED NEW 2-STORY, ONE FAMILY FRAME RESIDENCE	Purch 1,040000 2023
55--101-251	208 EVANS AVE	451,999	5,876	3,219	745,492	9,095	1,040,000	NEW HOUSE - PROPOSED NEW 2-STORY 2581 SQUARE FOOT 2 STORY ONE FAMILY FRAME RESIDENCE WITH ATTACHED GARAGE, 140 SQUARE FOOT REAR PORCH AND 75 SQUARE FOOT FRONT PORCH.(ADDRESS WILL BE 206 EVANS AVE).	Purch 1,040,000 2023
55--225-126	42 RUTLAND RD	326,923	4,250	244	368,361	4,494	519,415	MAINTAIN REAR ROOF OVER, SHED AND WINDOW WELL	
55--231-204	60 MOUNT AVE	349,999	4,550	265	394,672	4,815	555,000	LEGALIZE EXISTING EXTERIOR BASEMENT STAIRS AND FINISHED BASEMENT STORAGE WITH BATHROOM & Full KITCHEN	Purch 555K 2022
55--231-210	72 MOUNT AVE	307,692	4,000	280	350,820	4,280	470,000	RESIDENTIAL ALTERATION-MAINTAIN EXISTING EXTERIOR STAIRS DOWN TO UNFINISHED BASEMENT. Finished Attic too	Purch 470K 2021
55--232-6	9 ROSEDALE AVE	280,769	3,650	1,700	438,525	5,350	680,000	RESIDENTIAL ALTERATION- REPLACED EXISTING DRIVEWAY FROM BLACKTOP TO CONCRETE AND WIDENED. REPLACED STEPS AS WELL. Full Reno, Full Bsmnt Sep Ent, 2nd Kitch Basement	Purch 2024 680K

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55--235-82	64 HARDING PL	392,307	5,100	785	482,377	5,885	645,099	RESIDENTIAL ADDITION - PROPOSED ADDITION & ADDITION TO EXISTING 1-STORY SINGLE FAMILY FRAME RESIDENCE***10/12/2021 NEW CONTRACTOR***	
55--245-35	130 DEHNHOFF AVE	278,461	3,620	125	306,967	3,745	501,304	RESIDENTIAL ALTERATION-REMOVE EXISTING DETACHED GARAGE UNDER CONSTRUCTION AND REPLACE NEW TO CONFORM TO CODE 462 SF. 2-23-23- ZBA approved maintaining 625 sq ft det garage with existing rear and side 3.75 and 3.08 encroachments detailed in ZBA approval dated July 21,2023.	
55--250-243	127 HARRIS AVE	348,615	4,532	283	394,672	4,815	568,786	REPAIR AND REPLACE WALLS, REPLACE ALL FLOORS, CEILING PATCHWORK AND PAINTING.	
55--250-275	164 E SEAMAN AVE	384,615	5,000	1,420	526,230	6,420	700,532	EXISTING 1ST FLOOR ADDITION AND RECONSTRUCTION W 2ND FLOOR ADDITION AND 1ST AND 2ND FLOOR RECONFIGURATIONS WITH NEW PLUMBING FRONT PORTICO AND REAR DECK.	
55--251-151	43 DEHNHOFF AVE	230,769	3,000	1,173	342,049	4,173	502,000	RESIDENTIAL ALTERATION-REPAIR STRUCTURAL DAMAGE ON FRONT PORCH AREA. FINISHED ATTIC, FINISHED BASEMENT (500 SF) @165 = \$82,500 . Also has 2nd Kitchen in basement \$25,000	Purch 2024 502,000
55--253-93	162 JAY ST	326,923	4,250	298	372,787	4,548	528,355	CONSTRUCT 18' x 8' REAR ROOF WITH RETRACTABLE SCREENS	
55--255-17	59 HARRIS AVE	269,076	3,498	33	289,426	3,531	514,231	RESIDENTIAL ADDITION - INSTALLATION of 10 X 12 GAZEBO	
55--272-4	19 WALLACE ST	453,846	5,900	22	485,410	5,922	650,774	RESIDENTIAL ALTERATION - WIDEN DRIVEWAY 10' X 35'	
55--350-250	160 MOORE AVE	84,615	1,100	5,320	526,230	6,420	611,000	PROPOSED 3,144 SQ. FT. 2 STORY DWELLING WITH ATTACHED GARAGE, 43 SQ. FT. PORTICO AND 195 SQ. FT.	

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								PATIO	
55--352-505	191 COLONIAL AVE	223,076	2,900	845	306,967	3,745	580,000	RESIDENTIAL ALTERATION-MAINTAIN INTERIOR ALTERATIONS AND FINISH BASEMENT WITH BATH AND NEW ROOF WITH 3/4 PLYWOOD. FULL GUT RENO W GRANITE FLOORS AND WALLS	Purch 580K 2024
55--358-899	329 RUTLAND RD	281,769	3,663	350	328,934	4,013	581,002	MAINTAIN FINISHED CELLAR WALL FOR STORAGE ONLY	Permits 2019-2023
55--363-13	61 STEVENS ST	351,538	4,570	245	394,672	4,815	649,526	MAINTAIN EXISTING FINISHED CELLAR TO ONE-FAMILY RESIDENCE.	
55--364-142	66 INDEPENDENCE AVE	468,923	6,096	3	499,918	6,099	634,913	RESIDENTIAL ALTERATION - RECONSTRUCTION OF GARAGE DUE TO A FIRE ON EXISTING FOUNDATION	
55--370-153	59 LILLIAN AVE	101,923	1,325	7,770	745,492	9,095	1,050,000	NEW HOUSE - PROPOSED NEW ONE FAMILY DWELLING ON EXISTING VACANT LOT	Purch 2024 1,050,000
55--370-229	8 LEONARD AVE	432,692	5,625	260	482,377	5,885	590,000	MAINTAIN INTERIOR ALTERATIONS.	Flip Reno - Purch 590K
55--372-34	124 LEONARD AVE	314,615	4,090	725	394,672	4,815	690,500	RESIDENTIAL ALTERATION-ONE STORY ADDITION TO REAR, ONE STORY ADDITION UNDER FRONT PORCH AND REAR 10' X 20' REAR DECK. \$57,600	
55--374---1156	259 RUTLAND RD	251,923	3,275	738	328,934	4,013	594,993	RESIDENTIAL ALTERATION- REPLACE SHEETROCK, FINISH EXISTING BASEMENT STORAGE. \$48,000	Non Arms Length Sale
55--375---1179	270 RUTLAND RD	363,076	4,720	1,165	482,377	5,885	670,000	RESIDENTIAL ALTERATION - EXACT REPLACEMENT - PARTIAL GUTTING , NEW WIRING PARTIAL SHEET ROCK PREP & PAINT EXTERIOR INTERIOR OF HOUSE NEW KITCHEN CABINET, REMODEL FIRST AND SECOND FLOOR BATHROOM. FULL GUT RENO W FINISHED BASEMENT	Purch 2024 670K
55--385-191	134 NEW YORK AVE	380,230	4,943	300	429,754	5,243	627,876	RESIDENTIAL ALTERATION - INTERIOR ALTERATION,REMODELING KITCHEN AND DEN.	

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55--394-408	11 EVANS AVE	346,153	4,500	48	372,787	4,548	582,062	RESIDENTIAL ADDITION - ADDITION OF A CLOSET ON 2ND FL ATTIC SPACE	
55--491-33	122 COMMERCIAL ST	169,230	2,200	743	241,230	2,943	523,267	RESIDENTIAL ALTERATION-REPAIRS, REMOVE THE WALL, INSTALL CEMENT BLOCKS, FRAMING WINDOW, CEILING. WOOD FLOOR	
55--M-196	191 GREEN AVE	357,692	4,650	486	420,984	5,136	579,596	RESIDENTIAL ALTERATION - KITCHEN RENOVATION + ELECTRIC + PLUMBING + FENCE	
55--M-234	123 PUTNAM AVE	486,538	6,325	95	526,230	6,420	621,795	MAINTAIN FINISHED BASEMENT WITH A 3 PIECE BATHROOM	
55--M-690	450 PENNSYLVANIA AVE	583,076	7,580	178	635,902	7,758	800,287	KITCHEN RENOVATION	
55--N-271	244 WALLACE ST	411,923	5,355	263	460,492	5,618	559,000	RESIDENTIAL ADDITION - MAINTAIN FINISH BASEMENT WITH BATH, NEW BATH FIXTURE ON 1ST FLOOR & NEW BATH ON 2ND FLOOR & ENCLOSED PORCH	
62--032-4	214 WESTSIDE AVE	390,384	5,075	36	418,934	5,111	581,174	RESIDENTIAL ADDITION- MAINTAIN GAZEBO 20'x12'	
62--036-13	11 MORRIS ST	296,153	3,850	109	324,508	3,959	571,132	RESIDENTIAL ADDITION - 10 X 10 GAZEBO IN BACK YARD.	
62--039-9	140 ROOSEVELT AVE	443,076	5,760	660	526,230	6,420	654,349	RESIDENTIAL ALTERATION-PROPOSED INTERIOR ALTERATION ON 1ST FLOOR	Full Rehab-Current
62--049-9	16 SOUTHSIDE AVE	173,076	2,250	960	263,115	3,210	561,663	MAINTAIN REAR ADDITION \$40,000 ++	
62--054-33	165 CHURCH ST	384,615	5,000	1,955	570,082	6,955	759,381	CONSTRUCT A NEW TWO-STORY DWELLING WITH 1 1/2- CAR DETACHED GARAGE	
62--055-37	229 CHURCH ST	330,769	4,300	1,050	438,525	5,350	587,619	CONSTRUCT A 616 SQ. FT. ONE-STORY REAR ADDITION Bath & Elec (101,640 @165 PSF)	
62--057-16	105 ARCHER ST	348,461	4,530	285	394,672	4,815	591,852	MAINTAIN PORTICO, CONCRETE STOOP AT FRONT OF HOUSE AND REPLACE ROOF	
62--058-202	11 GORDON PL	284,615	3,700	580	350,820	4,280	588,008	MAINTAIN EXITING FINISHED BASEMENT USED AS STORAGE WITH BATH + 200 Amp Svc + Bath	

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62--058-206	27 GORDON PL	335,999	4,368	19	359,590	4,387	530,000	RESIDENTIAL ALTERATION- REPLACE WOOD IN FRONT OF HOUSE WITH BLOCKS. (RETAINER WALL)	Purch 2023 530K
62--059-43	325 BEDELL ST	509,384	6,622	44	546,393	6,666	710,000	NEW FRONT PORTICO 6' 10" X 10'	Purch 2022 710K
62--060-86	288 BEDELL ST	526,153	6,840	169	574,508	7,009	704,294	PROPOSED 5' X 8'-11" FRONT DECK AND 12' X 22 AND 8'-2" X 23'-2" REAR DECKS	
62--061-223	19 W 1st ST	435,615	5,663	490	504,344	6,153	656,000	RESIDENTIAL ALTERATION - DIVIDE LARGE ROOM INTO TWO ROOMS AND WALL & DOOR	Purch 656K - Fin Basement & Deck
62--062-342	65 W 2nd ST	611,923	7,955	70	657,787	8,025	897,544	CONSTRUCT A GREENHOUSE IN SIDE YARD AND REPLACE EXISTING SHED IN BACKYARD	
62--076-10	25 EAST AVE	419,230	5,450	221	464,836	5,671	665,352	MAINTAIN EXISTING DETACHED GARAGE	
62--081-10	138 EAST AVE	265,384	3,450	295	306,967	3,745	608,160	RESIDENTIAL ALTERATION	Full Reno
62--081-101	37 SPORTSMANS AVE	392,307	5,100	250	438,525	5,350	657,954	RESIDENTIAL ALTERATION TO BATHROOM - FRAMING, SHEET ROCK, TILE, PAINT	Plumb, Elec, & Res Add
62--081-103	47 SPORTSMANS AVE	363,999	4,732	618	438,525	5,350	667,000	RESIDENTIAL ALTERATION- INTERIOR RENOVATION OF BASEBOARDS, FLOORING, AND SHEET ROCK. HVAC & ELECTRIC. FULL RENO	Purch 2024 667,000
62--084-37	109 ATLANTIC AVE	286,153	3,720	2,700	526,230	6,420	800,000	PROPOSED THREE STORY ONE FAMILY DWELLING.	For Sale 819,000
62--091-225	216 GARFIELD ST	377,076	4,902	20	403,443	4,922	600,000	RESIDENTIAL ADDITION - MAINTAIN ROOF OVER DECK, OUTDOOR SHOWER AND HOT TUB	Purch 600K 2024
62--092-452	275 GORDON PL	467,538	6,078	342	526,230	6,420	755,000	MAINTAIN EXISTING PARTIALLY COVERED DECK W/OUTSIDE KITCHEN 454 SQ.FT., DECK AND MASTER BR ENTRY, 105 SQ.FT.	Purch 755K
62--094-145	89 JEFFERSON ST	455,769	5,925	-29	483,279	5,896	585,146	EXPANSION OF EXISTING DRIVEWAY FROM A SINGLE WIDE TO A DOUBLE	

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								WIDE	
62--096-160	79 MARTHA ST	475,769	6,185	342	535,000	6,527	830,000	RESIDENTIAL ALTERATION- INTERIOR ALTERATIONS AS PER PLANS (Full RENO, REAR DECK, HVAC,	Purch 2024 830,000
62--097-381	31 NORTON ST	287,461	3,737	1,292	412,213	5,029	612,038	RESIDENTIAL ALTERATION - PROPOSED SECOND FLOOR ADDITION AND ALTERATION TO EXISTING 2-STORY FRAME RESIDENCE	2nd Floor Addn& 3rd floor
62--098-465	91 OVERTON ST	323,076	4,200	401	377,131	4,601	530,000	Maintain existing above ground pool and deck as shown on survey	Purch 530K - Full Rehab
62--100-678	52 GRANT ST	319,230	4,150	237	359,590	4,387	466,575	CONSTRUCT A 91 SQ. FT. REAR ADDITION & A NEW 265 SQ. FT. DECK. & HVAC	Full Reno
62--106-389	34 HOWARD AVE	403,846	5,250	314	456,066	5,564	560,000 Purch	RESIDENTIAL ALTERATION - REPAIR ROOF, UPDATE KITCHEN (NEW CABINETS AND ZINC) UPDATE 11/2 BATHROOM (NEW TILE, VANITY)	Full Rehab &
62--111-8	242 GUY LOMBARDO AVE	294,385	3,827	186	328,934	4,013	611,809	CONSTRUCT 128 SQ. FT. DECK AND 24 SQ. FT. STAIR ENCLOSURE.	
62--131-23	296 ATLANTIC AVE	355,615	4,623	192	394,672	4,815	490,000	MAINTAIN EXISTING CONDITIONS AND CHANGE OF USE FROM SINGLE FAMILY TO MIX- USE / MEDICAL - OWNER OCCUPIED. (NO CHANGES OF EGRESS, NO PLUMBING OR ELECTRIC) NEEDS TO GET 483 Class	Purch 490K
62--134-19	151 WHALEY ST	449,999	5,850	89	486,803	5,939	639,246	RESIDENTIAL ALTERATION - REPLACEMENT OF FLOOR BOARD DUE TO ROTTING, REPLACEMENT OF OLD WINDOWS, AND FRONT DOOR	& 2 fences Closed
62--134-21	78 ROOSEVELT AVE	476,923	6,200	755	570,082	6,955	745,000	MAINTAIN: RESIDENTIAL ALTERATION- EXPANSION OF DRIVEWAY / FULL RENO/ AND BASEMENT FINISHED	Purch 2023 745K
62--143-45	4 PRATO CT	480,769	6,250	11	513,197	6,261	601.955	WIDENING OF DRIVEWAY 270 SQ. FT.	
62--147-481	244 ROOSEVELT AVE	345,307	4,489	1,396	482,377	5,885	697,000 Mtg	CONSTRUCT A NEW 870.5 SQ. FT. SECOND FLOOR ADDITION AND A NEW 178 SQ. FT. REAR DECK	Purch 775K

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62--150-8	179 ROOSEVELT AVE	361,538	4,700	650	438,525	5,350	670,000	CONSTRUCT ADDL FIRST FLOOR FULL BATHROOM & A 154 SQ. FT. REAR DECK	Purch 670K 2023 total reno
62--154-6	588 S LONG BEACH AVE	375,384	4,880	470	438,525	5,350	620,267	REPLACE ROOF & SHAFING 5/8" AND INSULATION FOR ENERGY CODE	Pool Fence Electric
62--156-229	736 S LONG BEACH AVE	662,307	8,610	164	719,180	8,774	889,218	RECONSTRUCT FRONT MASONRY STEPS AND RECONSTRUCT REAR DECK.	
62--156-343	862 S LONG BEACH AVE	534,615	6,950	2,680	789,344	9,630	1,275,000	NEW 3074 SQ FT FEMA COMPLIANT 3 STORY ELEVATED HOME WITH 290 SQ FT REAR DECK (New GC as of 10-06-2022 to Quality Remodeling By Oscar)	Purch 1,275K 2024
62--156-535	948 S LONG BEACH AVE	423,846	5,510	322	478,033	5,832	616,173	RESIDENTIAL ALTERATION - CONVERT 160 SQ FT DECK INTO PORCH	
62--156-537	940 S LONG BEACH AVE	605,076	7,866	61	649,754	7,927	912,209	REPLACE REAR 504 SQ FT FLAT ROOF*** & 50 Amp Outdoor Circuit	
62--156-549	914 S LONG BEACH AVE	407,692	5,300	585	482,377	5,885	680,146	LEGALIZE EXISTING RENOVATIONS AND ADDITIONS. SANDY REPAIR.	Full Reno
62--157-530	24 NASSAU AVE	391,384	5,088	39	420,246	5,127	690,885	PERGOLA (324 SQ FT). TREATED WOOD OVER CONCRETE PATIO.	
62--163-342	123 NASSAU AVE	319,999	4,160	120	350,820	4,280	520,000	FRONT PORTICO	Purch 520K
62--172-509	526 S OCEAN AVE	406,153	5,280	70	438,525	5,350	500,000	RESIDENTIAL ALTERATION - INSTALL FLOOR. NEW PAINTING FOR WHOLE HOUSE. FIX SIDING & ROOF	Full reno Purch / Flip
62--180-427	804 S OCEAN AVE	396,153	5,150	200	438,525	5,350	550,773	WIDEN DRIVEWAY BY 2 FEET WITH PAVERS STONE FOUNDATION. 2 FLOWER BOXES BUILT WITH PAVERS STONE IN FRONT OF HOUSE. CAC / Solar w Gen	
62--181-178	452 MILLER AVE	382,153	4,968	61	412,213	5,029	578,383	REPLACE EXISTING 9' DRIVEWAY WITH NEW 20' WIDE DRIVEWAY IN PAVERS	
62--183-288	738 MILLER AVE	444,230	5,775	3	473,607	5,778	587,782	RESIDENTIAL ADDITION - WIDEN DRIVEWAY (7 FT WIDER) 7 FT X 30 FT	

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62--185-3	72 SUFFOLK ST	426,076	5,539	25	456,066	5,564	635,322	RESIDENTIAL ADDITION - 600 sq ft CONCRETE PATIO WITH 160 CUBIC FOOT FRENCH DRAIN WITH PEA GRAVEL AND FILTRATION FABRIC.	
62--186-420	875 S LONG BEACH AVE	307,692	4,000	3,490	613,934	7,490	790,000	CONSTRUCT NEW 2 STORY FRAME RESIDENCE 2,976 SQ FT.	Purchase New Home
62--230-56	6 SAINT MARYS PL	278,462	3,620	393	328,934	4,013	482,398	COMMERCIAL ALTERATION - RENOVATING ORIGINAL PLANS FOR INTERIOR MAINTAINING ORIGINAL PLANS + PLUMBING + ELECTRIC +HVAC	
62--C-429	57 HOWARD AVE	379,230	4,930	46	407,869	4,976	550,293	MAINTAIN WINDOWS AND HEADER	Open Plumbing
TOTAL		39,311,023	511,044	69,447	47,581,230	580,491			

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

WHEREAS, the Village Assessor is requesting Board approval of the court-ordered Small Claims Assessment Review (SCAR) reductions for:

SCARS 2023 / 2024 Petitioner	Current 2023 AV TOTAL	SCARS 2023 AV	Reduction Amount	Refund (.61649)	Fee (\$30)	Total Refund
Maidenbaum Property Tax Reduction Group	866,264	788,176	78,088	\$48,140.47	\$2,190	\$50,330.47

WHEREAS, these refunds are from grievances to the 2023/2024 Final Assessment Roll and apply the amount to the specific properties attached; and

NOW THEREFORE BE IT RESOLVED, that the Board of Assessment Review comprised of members of the Board of Trustees, be authorized to approve the court-ordered Small Claims Assessment Review (SCAR) reductions, and authorize the Village Treasurer to issue a refund to Maidenbaum & Sternberg, LLP in the amount of \$50,330.47.

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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**2023 SCARS
MAIDENBAUM
PROPERTY**

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AND THE BOARD OF TRUSTEES.

Year	Index #	Print Key	Additional Lots	Owner	Legal Address	Full Market Value	2023 Value	2023 AV	Difference	Refund Tax Rate	Award \$30	Total Refund
	2024-70											
2023	23700454	36--518-3	LOT-GRP: 659-660,709	RAMDEEN B AND R	17 WILLOWBROOK LN	466,400	6,996	6,840	156	96.17	30	126.17
2023	23700414	36--519-21		CHARLET F & M	320 N BROOKSIDE AVE	500,466	7,507	6,930	577	355.71	0	355.71
2023	23700452	36--520-5		HAMILTON ROBERT L	8 WILLOWBROOK LN	507,333	7,610	7,353	257	158.44	30	188.44
2023	23700402	36--521-19		ISLAM MUHAMMAD & SYEDA	174 DELAWARE AVE	586,666	8,800	8,580	220	135.63	0	135.63
2023	23700319	36--521-30		NURSE-BROWNELL M & E	277 MOORE AVE	546,933	8,204	7,920	284	175.08	0	175.08
2023	23700496	36--521-46	LOT-GRP: 465-469	BARNABY JOY M	297 PENNSYLVANIA AVE	641,666	9,625	9,515	110	67.81	30	97.81
2023	23700456	36--526-6		BENJAMIN JACQUELINE JOHNSON GARY & MARLENE	3 GOLD CIR	421,333	6,320	5,700	620	382.22	30	412.22
2023	23700590	36--527-24		267 MARYLAND AVE	652,666	9,790	8,052	1,738	1,071.46	0	1,071.46	
2023	23700427	36--K-1-44	LOT-GRP: 95,205	DAVIS DEVEEN & THERESA	370 MARYLAND AVE	584,000	8,760	6,570	2,190	1,350.11	30	1,380.11
2023	23700501	36--K-1-59		EDWARDS ALESIA & LONNIE	514 N BROOKSIDE AVE	397,333	5,960	5,870	90	55.48	30	85.48
2023	23700390	36--K-2-3	LOT-GRP: 372-373	FOURCELL SAMANTHA CARTER EDWARD & LESLIE	353 MARYLAND AVE	660,666	9,910	9,030	880	542.51	30	572.51
2023	23700408	54--056-5		151 N LONG BEACH AVE	519,200	7,788	6,400	1,388	855.69	0	855.69	
2023	23700533	54--057-147	LOT-GRP: 25-28,69	PERALTA EMILY & ROBERT	32 NEW YORK AVE	446,466	6,697	6,075	622	383.46	30	413.46
2023	23700440	54--064-123		CORDERO D & ASITIMBAY F MUFSON STEVE & DENISE \$	95 PENNSYLVANIA AVE	425,000	6,375	6,270	105	64.73	30	94.73
2023	23700196	54--068-18		48 PEARSALL AVE	447,200	6,708	6,576	132	81.38	30	111.38	
2023	23700331	54--085-143		NEHRING KIRK & PINK NOELL	60 MADISON AVE	550,000	8,250	7,663	587	361.88	0	361.88
2023	23700368	54--089-17		MEDINA A AND GARCIA J C	91 MADISON AVE	346,533	5,198	5,012	186	114.67	30	144.67

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2023	23700392	54--198-168		MAHARAJ RODNEY	222 JUANITA AVE	353,400	5,301	4,500	801	493.81	0	493.81
2023	23700363	54--198-318		ALTAMORE DIANE	155 S BROOKSIDE AVE	438,933	6,584	6,180	404	249.06	30	279.06
2023	23700285	54--199-334	LOT-GRP: 522-524	CANELA-INFANTE & AGUILAR	494 SIGMOND ST	356,666	5,350	5,000	350	215.77	0	215.77
2023	23700233	54--201-503	LOT-GRP: 119,211,226	GIORDANO V & GIORDANO B	172 SWEEZY AVE	420,000	6,300	4,725	1,575	970.97	0	970.97
2023	23700355	54--201-512		ABREU MUNIZ MAYRA	149 PARK AVE	482,266	7,234	6,500	734	452.50	0	452.50
2023	23700316	54--204-633	LOT-GRP: 258-259	BURKART BARBARA A	165 MADISON AVE	379,000	5,685	5,300	385	237.35	0	237.35
2023	23700254	54--209-144		VICENTE FRANCISCO S	2 FRANKEL AVE	393,333	5,900	5,400	500	308.25	0	308.25
2023	23700206	54--299-286		REYES RUTH E	556 SOUTHSIDE AVE	437,333	6,560	6,100	460	283.59	0	283.59
2023	23700282	54--300-60	LOT-GRP: 300,301	PENALO B AND QUINTO K	533 ARCHER ST	435,733	6,536	5,550	986	607.86	0	607.86
2023	23700455	54--310-104		PENA JULIO C	476 ATLANTIC AVE	450,000	6,750	6,213	537	331.06	30	361.06
2023	23700343	54--317-181	LOT-GRP: 660-661	SCHNIDMAN MARK & CATHERIN	17 MAY CT	357,333	5,360	5,321	39	24.04	30	54.04
2023	23700257	54--320-133		RODRIGUEZ U AND YEPEZ M	25 JOHNSON PL	450,000	6,750	6,055	695	428.46	30	458.46
2023	23700601	54--334-29		WALLACE PENINIAH	51 BUCHANAN ST	506,666	7,600	7,580	20	12.33	0	12.33
2023	23700179	54--337-114		FRUMENTO JOSEPH & MICHAEL	110 STIRLING AVE	381,933	5,729	5,544	185	114.05	30	144.05
2023	23700366	54--338-513		MAUGERI JOHN T & LINDA	65 STIRLING AVE	422,933	6,344	5,709	635	391.47	30	421.47
2023	23700330	54--457-4	LOT-GRP: 569-571	GUMBS DORIS A	92 VIRGINIA AVE	558,600	8,379	7,828	551	339.69	0	339.69
2023	23700341	54--458-225	LOT-GRP: 225,325	THE LATIMER FAMILY I/T	58 MARYLAND AVE	475,866	7,138	6,402	736	453.74	30	483.74
2023	23700449	54--459-115		BOCO JACQUES & NICOLE	149 MAXSON AVE	428,133	6,422	6,327	95	58.57	30	88.57
2023	23700536	54--460-4		SCHWABER FERN & KAFER SUE	27 DELAWARE AVE	446,666	6,700	6,480	220	135.63	30	165.63
2023	23700356	54--488-9	LOT-GRP: 133,134	BELLE MARY	75 VIRGINIA AVE	508,466	7,627	6,796	831	512.30	30	542.30

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2023	23700460	54--524-50		HAYDE MARGUERITE	234 S BROOKSIDE AVE	330,000	4,950	4,674	276	170.15	30	200.15
2023	23700498	54--B-558		DODARD SERGE	91 N BROOKSIDE AVE	432,533	6,488	5,935	553	340.92	30	370.92
2023	23700350	55--023-133	LOT-GRP: 302-303	WHITMORE III JACKSON VANBRUNT III THOMAS	200 CRAIG AVE	532,666	7,990	6,506	1,484	914.87	30	944.87
2023	23700305	55--023-3		& JUD	185 EVANS AVE	400,000	6,000	5,404	596	367.43	0	367.43
2023	23700369	55--056-140		EPPS THOMAS & KIMBERLY M	300 PENNSYLVANIA AVE	533,333	8,000	6,000	2,000	1,232.98	30	1,262.98
2023	23700377	55--224-408		HALL ANDREA	78 RUTLAND RD	392,666	5,890	5,618	272	167.69	30	197.69
2023	23700507	55--228-80		EUGENE PATRICIA	4 MIDWOOD PL	553,333	8,300	6,720	1,580	974.05	30	1,004.05
2023	23700434	55--347-183	LOT-GRP: 1186-1189	HOLT MARILYN E	185 PRINCE AVE	490,000	7,350	6,860	490	302.08	30	332.08
2023	23700444	55--347-90		HILL KEVIN & CELESTE	214 MOUNT JOY AVE	460,000	6,900	6,516	384	236.73	30	266.73
2023	23700213	55--376---1222	LOT-GRP: 443-444,505	MORRISON PATRICK & PAULA	80 BEDFORD AVE	344,000	5,160	4,991	169	104.19	30	134.19
2023	23700177	55--385-131		LATIMER MATTHEW SANDERS RUDOLPH & ARLETTA	135 CONNECTICUT AVE	442,066	6,631	6,270	361	222.55	30	252.55
2023	23700367	55--M-308		ARLETTA	1 CHELSEA CT	390,400	5,856	5,684	172	106.04	30	136.04
2023	23700162	62--029-32		SINGH JOGINDER MARTINI JOHN III & IRMA	51 ATLANTIC AVE	602,400	9,036	8,990	46	28.36	30	58.36
2023	23700334	62--059-84		IRMA	13 LAUREL RD	413,333	6,200	5,044	1,156	712.66	0	712.66
2023	23700329	62--061-225		WU DAN XIN	9 W 1st ST	630,666	9,460	7,620	1,840	1,134.34	30	1,164.34
2023	23700477	62--062-190	LOT-GRP: 588-590,598	BATCHER GERALD & PATRICIA	75 W 2nd ST	482,933	7,244	6,437	807	497.51	30	527.51
2023	23700229	62--062-239	LOT-GRP: 524 & 525	WEBER DONALD P	578 S MAIN ST	500,000	7,500	5,625	1,875	1,155.92	0	1,155.92
2023	23700352	62--062-330		HEADLEY WAYNE	7 W 2nd ST	602,000	9,030	8,467	563	347.08	30	377.08
2023	23700198	62--062-342		RAFIQUE AALIA	65 W 2nd ST	670,866	10,063	7,955	2,108	1,299.56	0	1,299.56
2023	23700195	62--063-108		SOLLER FREDERICK & KAREN	37 W 3rd ST	410,266	6,154	5,593	561	345.85	0	345.85
2023	23700602	62--069-		GIANNUZZI RB & RW	99 E 1st ST	417,866	6,268	5,534	734	452.50	0	452.50

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2023	23700485	62--069-179	LOT-GRP: 249-251,339	GUERIN PATRICIA & LAURA	112 E 1st ST	501,733	7,526	5,645	1,881	1,159.62	30	1,189.62	
2023	23700307	62--069-185		DETRANO ROBERT & KATHLEEN	82 E 1st ST	427,133	6,407	5,544	863	532.03	0	532.03	
2023	23700457	62--072-537	LOT-GRP: 38-39	KHAN MOHAMED & FAREENA	129 CASINO ST	550,000	8,250	8,094	156	96.17	30	126.17	
2023	23700443	62--076-121		GOPIE B AND ESPINAL S	214 CHURCH ST	602,000	9,030	6,865	2,165	1,334.70	30	1,364.70	
2023	23700374	62--076-48		VICIOSO NELSON Y FERMIN AYLE & ROSAA N	118 ARCHER ST	343,333	5,150	4,770	380	234.27	30	264.27	
2023	23700521	62--077-20		RODRIGUEZ BRIZAURA	44 EAST AVE	313,533	4,703	4,455	248	152.89	30	182.89	
2023	23700450	62--086-2		PRANSKAT RALPH & BETTY	55 RAY ST	630,666	9,460	7,343	2,117	1,305.11	30	1,335.11	
2023	23700235	62--086-488	LOT-GRP: 239-240,337		47 RAY ST	472,533	7,088	6,540	548	337.84	0	337.84	
2023	23700240	62--087-234		PERSAD LYNETTE WILLIAMS RONALD B & MARCI	50 PROSPECT ST 459 GUY LOMBARDO AVE	364,800	5,472	5,337	135	83.23	0	83.23	
2023	23700619	62--088-69		MACK DERRICK AND TINA	235 SPORTSMANS AVE	545,333	8,180	8,114	66	40.69	0	40.69	
2023	23700264	62--089-28	LOT-GRP: 1-3		AVE	573,200	8,598	7,737	861	530.80	0	530.80	
2023	23700276	62--091-300		RICHARD ROSENKRANZ I/T	119 GARFIELD ST	441,333	6,620	6,341	279	172.00	0	172.00	
2023	23700174	62--091-434		AMBER JOHN	84 PRESIDENT ST	498,400	7,476	7,453	23	14.18	30	44.18	
2023	23700596	62--094-128		SAVINO FABIAN	88 LAYTON ST	401,333	6,020	5,238	782	482.10	0	482.10	
2023	23700517	62--098-456		YNDIGOYEN ELOY	37 OVERTON ST	396,666	5,950	5,670	280	172.62	30	202.62	
2023	23700445	62--098-474		ENNIS GILLIAN	44 POLK ST	367,333	5,510	4,425	1,085	668.89	30	698.89	
2023	23700492	62--098-475		BATT GREGORY & JACQUELINE	38 POLK ST	367,466	5,512	4,835	677	417.36	30	447.36	
2023	23700405	62--098-479	LOT-GRP: 694-696	CORNILS PAUL	18 POLK ST	306,000	4,590	3,743	847	522.17	0	522.17	
2023	23700211	62--099-553		PRUSIECKI AMANDA M	71 POLK ST	410,000	6,150	4,613	1,537	947.55	0	947.55	
2023	23700315	62--099-561	LOT-GRP: 260-261	WUNDER PAULA BETH	17 POLK ST	360,866	5,413	4,844	569	350.78	0	350.78	

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2023	23700176	62--099-568		ANZALONE PAULA M.	77 POLK ST	361,933	5,429	5,138	291	179.40	30	209.40
2023	23700328	62--100-654		NIETO HERMAN & HERNANDEZ	83 ROBERT ST	350,066	5,251	5,152	99	61.03	0	61.03
2023	23700448	62--101-659	LOT GRP: 17-18	DUCKWORTH STEPHEN & ANNEM	81 GRANT ST	333,333	5,000	4,788	212	130.70	30	160.70
2023	23700438	62--105-302		KASSIM BRENDA T & B O	7 TYLER ST	400,000	6,000	5,358	642	395.79	30	425.79
2023	23700378	62--106-423		CRISCI JOSEPH	14 HOWARD AVE 221 S LONG BEACH	354,600	5,319	4,645	674	415.51	30	445.51
2023	23700164	62--121-18	LOT-GRP: 70-73	ROBINSON ERIN	AVE 310 S LONG BEACH	566,666	8,500	6,636	1,864	1,149.14	30	1,179.14
2023	23700349	62--131-2		MAYER D AND BASILE C	AVE	435,600	6,534	6,181	353	217.62	30	247.62
2023	23700497	62--138-20	LOT-GRP: 452-453	QUETTANT JR JULNER LOPEZ CARMELO AND	63 SAINT MARKS AVE	426,666	6,400	5,931	469	289.13	30	319.13
2023	23700171	62--139-1		ROWENA	195 CEDAR ST	450,000	6,750	5,904	846	521.55	30	551.55
2023	23700559	62--141-128	LOT-GRP: 236-238	CERRITOS MENJIVOR OSCAR & SOOFIZADA ALI & KARLA	51 BRANCH AVE 485 S BAYVIEW AVE	416,133	6,242	6,121	121	74.60	0	74.60
2023	23700532	62--143-38		RODRIGUEZ AND		395,333	5,930	5,400	530	326.74	30	356.74
2023	23700347	62--143-47	LOT-GRP: 225,325	DEALMONTE	8 PRATO CT	467,533	7,013	6,524	489	301.46	30	331.46
2023	23700169	62--147-515	LOT-GRP: 297-298	RUINSKY D AND THOMAS S	119 S BAY AVE	403,733	6,056	5,860	196	120.83	0	120.83
2023	23700376	62--147-7		DIAZ J & MENTOR C	105 S BAY AVE	445,666	6,685	6,526	159	98.02	30	128.02
2023	23700461	62--151-277		FLAHERTY MARY ELLEN	388 S LONG BEACH AVE	377,066	5,656	5,415	241	148.57	30	178.57
2023	23700410	62--154-361	LOT-GRP: 514-515	HUIZA S & AJEWOLE O	375 ROOSEVELT AVE	660,000	9,900	7,708	2,192	1,351.35	0	1,351.35
2023	23700234	62--154-5		FAUST CARLTON	415 ROOSEVELT AVE	525,333	7,880	7,505	375	231.18	0	231.18
2023	23700203	62--156-544	LOT-GRP: 101-103	SOTIRIOU NICOS AND SOPHIA	926 S LONG BEACH AVE	578,733	9,460	8,820	640	394.55	30	424.55
2023	23700459	62--157-5	LOT-GRP: 528-530	ALVAREZ JENNIE FLORES ANGEL & DELMY	355 S LONG BEACH AVE	510,000	7,650	6,840	810	499.36	30	529.36
2023	23700273	62--169-12			181 RAY ST	388,000	5,820	4,365	1,455	896.99	0	896.99
2023	23700351	62--170-5		PERALTA BLANCA	410 GUY	443,333	6,650	6,299	351	216.39	30	246.39

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LOMBARDO AVE

2023	23700373	62--172-490		SMITH ALEXIS	566 S OCEAN AVE	416,666	6,250	6,146	104	64.11	30	94.11
2023	23700488	62--179-414	LOT-GRP: 302,402,414,515	VELEZ C GARCIA & ATURO	746 S OCEAN AVE	319,333	4,790	4,650	140	86.31	30	116.31
2023	23700342	62--180-428		CARPENTER D & ESPOSITO D	818 S OCEAN AVE	367,533	5,513	5,450	63	38.84	30	68.84
2023	23700227	62--182-119		KINNEY STEPHEN AND SHEILA	560 MILLER AVE	413,200	6,198	5,766	432	266.32	0	266.32
2023	23700382	62--183-292	LOT-GRP: 510, 548	HECKER MAJORIE T L/E	730 MILLER AVE	528,000	7,920	7,587	333	205.29	30	235.29
2023	23700344	62--183-302		FARINO NICOLE	704 MILLER AVE	401,333	6,020	5,935	85	52.40	30	82.40
2023	23700364	62--184-156		O'BRIEN GWENDOLYN	683 S LONG BEACH AVE	384,000	5,760	5,651	109	67.20	30	97.20
2023	23700599	62--186-511	LOT-GRP: 136-138	TORRES BRENDA AND CAROLYN	592 NASSAU AVE	484,066	7,261	7,177	84	51.79	30	81.79
2023	23700228	62--186-532		VECCHIONE A & GALMAN H	645 NASSAU AVE	450,333	6,755	6,701	54	33.29	30	63.29
2023	23700303	62--196-31		GIANNUZZI ROBERT B & GLOR	58 E 2nd ST	447,133	6,707	6,700	7	4.32	0	4.32
2023	23700189	62--196-32		MCGAULEY RYAN & CHARLOTTE	52 E 2nd ST	452,666	6,790	6,757	33	20.34	0	20.34
2023	23700598	62--196-4		RUBINO STEVEN & MARIA	21 E 2nd ST	487,333	7,310	7,272	38	23.43	0	23.43
2023	23700192	62--196-44		MAGEE VICTORIA & JAMES	98 E 2nd ST	507,266	6,886	6,709	177	109.12	0	109.12
2023	23700358	62--196-7	LOT-GRP: 330-334	CONTE JOAN C	37 E 2nd ST	440,000	6,600	6,056	544	335.37	30	365.37
2023	23700148	62--203-20	LOT-GRP: 11-13	TATJE C & MERTENS E	29 ANN DR N	475,800	7,137	6,490	647	398.87	0	398.87
2023	23700248	62--203-21	511	MATHISON ERIC	31 ANN DR N	478,333	7,175	6,765	410	252.76	0	252.76
2023	23700613	62--203-61	LOT-GRP: 473-475	BRAHS ROBERT	7 JEFFREY CT	484,933	7,274	6,743	531	327.36	0	327.36
2023	23700183	62--204-22		CORREA OURANIA & GIOVANNI	23 LAURETTE LN	406,666	6,100	6,072	28	17.26	0	17.26
2023	23700345	62--204-23		MURILLO SEAN	21 LAURETTE LN	496,666	7,450	6,065	1,385	853.84	30	883.84
2023	23700603	62--204-6	LOT-GRP: 202-203	JAMES OSCAR G	14 ANN DR N	444,666	6,670	6,182	488	300.85	0	300.85

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2023	23700252	62--206-14	LOT-GRP: 2,431	TUCKER MICHAEL & LORRAINA	42 ANN DR E 352 SAINT MARKS	534,466	8,017	6,820	1,197	737.94	0	737.94
2023	23700172	62--227-10		MATTAR CAVEL	AVE	416,666	6,250	5,588	662	408.12	30	438.12
2023	23700241	62--227-9	LOT-GRP: 488- 492	TARRICONE FRANK & ROCHELL	358 SAINT MARKS AVE	407,733	6,116	5,500	616	379.76	0	379.76
2023	23700218	62--234-4	LOT-GRP: 1224- 1225	BACCUS FAMILYTRUST	223 WESTSIDE AVE - UNIT B	478,400	7,176	6,347	829	511.07	0	511.07
2023	23700348	62--234-45		SOTIRIOU CHARLES & MARJAN	243 WESTSIDE AVE - UNIT D	566,333	8,495	7,612	883	544.36	30	574.36
2023	23700210	62--234-52		SCHEINER BARRY & KATHLEEN	253 WESTSIDE AVE - UNIT A	489,800	7,347	6,710	637	392.70	0	392.70
2023	23700393	62--C-411		ORTIZ J AND MUNOZ M	23 HOWARD AVE	382,466	5,850	5,694	156	96.17	0	96.17
				MAIDENBAUM PROPERTY TAX REDUCTION GROUP LLC			866,264	788,176	78,088	48,140.47	2,190.00	50,330.47

October 21, 2024

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

2024-77

2024-77

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

WHEREAS, the Electric Department is interested in reviewing confidential information in relation to the proposed update to LIPA's Wholesale Transmission Charge under the NYISO's Open Access Transmission Tariff that becomes effective January 1, 2025; and

WHEREAS, Long Island Electric Utility Servco LLC, is an agent of and acting on behalf of the Long Island Lighting Company d/b/a Long Island Power Authority (LIPA), 333 Earle Ovington Blvd., Uniondale, NY 11553; and

WHEREAS, review of these documents will also be performed by NYAPP consultants and Duncan, Weinberg, Genzer & Pembroke, P.C. (representing the Village through NYAPP); and

WHEREAS, the review could be extremely beneficial to the Village as it could result in decreased future transmission service charge rates; and

WHEREAS, the Confidentiality and Non-Disclosure Agreement will commence on or after October 21, 2024 and will last as long as any confidential information disclosed in accordance with the agreement is retained by the receiving party and the information continues to be confidential; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, the Board approves and the Mayor be and hereby is authorized to execute any and all documentation necessary to effectuate the Confidentiality and Non-Disclosure Agreement between the Village of Freeport and Long Island Electric Utility Servco LLC, is an agent of and acting on behalf of the Long Island Lighting Company d/b/a Long Island Power Authority (LIPA), 333 Earle Ovington Blvd., Uniondale, NY 11553.

The Clerk polled the Board as follows:

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

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

WHEREAS, on August 26, 2024, the Board authorized the Village Clerk to publish a Notice to Bidders for the "Furnishing of Poles and Bases for Solar Lights", Bid #24-09-ELEC-710; and

WHEREAS, at the bid opening on September 24, 2024, the Electric Department

October 21, 2024

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2024-78

2024-78

received two (2) bids for the Furnishing of Poles and Bases for Solar Lights; and

WHEREAS, the lowest and responsible bidder was submitted by Graybar Electric Co., Inc., 800 Huyler Street, Teterboro, NJ 07608, for a cost of \$39,511.08 plus shipping; and

WHEREAS, the cost of these purchases 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 Utilities, the Board approves and the Mayor be and hereby is authorized to sign all documents necessary and proper to award for the “Furnishing of Poles and Bases for Solar Lights”, Bid #24-09-ELEC-710, to Graybar Electric Co., Inc., 800 Huyler Street, Teterboro, NJ 07608, for a cost of \$39,511.08 plus shipping.

The Clerk polled the Board as follows:

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

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

WHEREAS, on September 9, 2024, the Board authorized the Village Clerk to advertise a Notice for Request for Proposals for the “Substation Tap Changer Maintenance”, RFP #24-09-ELEC-713; and

WHEREAS, the Village received two (2) proposals by the return date on September 27, 2024; and

WHEREAS, the proposals ranged from a high of \$107,959.00 to a low \$88,956.96; and

WHEREAS, the lowest responsive and responsible proposal was submitted by Reinhausen Manufacturing, Inc., 2549 North 9th Avenue, Humboldt, TN, 38343, for a cost of \$88,956.96 plus any related shipping costs; and

WHEREAS, this expense will be charged to E7323000 573000 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 Board approves and the Mayor be and hereby is authorized to sign all documents necessary to award the “Substation Tap Changer Maintenance”, RFP #24-09-ELEC-713, to Reinhausen Manufacturing, Inc., 2549 North 9th Avenue, Humboldt, TN, 38343, for a cost of \$88,956.96 plus any related shipping costs.

October 21, 2024

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2024-79

2024-79

The Clerk polled the Board as follows:

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

Motion was made by Trustee Squeri, seconded by Deputy Mayor Ellerbe and carried to approve the recommendation of the Freeport Fire Council and that membership be granted to Kittim Montana Anderson, emergency Co. #9.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Squeri, seconded by Deputy Mayor Ellerbe and carried to approve the recommendation of the Freeport Fire Council and that membership be granted to Thomas Basso, Engine Co. #1.

The Clerk polled the Board as follows:

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

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

WHEREAS, on July 29, 2024, the Board authorized the Village Clerk to publish a “Request for Proposals for Cameras for the Nautical Mile Esplanade”; and

WHEREAS, on August 1st, 2024, five (5) proposals were received for cameras; and

WHEREAS, the proposals ranged from a high of \$48,725.77 from GreyBar to a low of \$17,958.40 from Nest Wireless Global; A+ Technology and Security's Inc., 1490 Clinton Avenue, Bay Shore, NY 11706, was the second lowest, in the amount of \$29,710.90; and

WHEREAS, the software supplied by A+ Technology and Security includes advanced analytics; and

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2024-80

2024-80

WHEREAS, the Deputy Chief of Police is requesting Board approval to award the “Request for Proposals for Cameras for the Nautical Mile Esplanade” with A+ Technology and Security's Inc., 1490 Clinton Avenue, Bay Shore, NY 11706, in the amount of \$29,710.90; and

WHEREAS, the bulk of the purchase will be paid using a FEMA infrastructure grant; the budget line used for this purchase will be A312002 520103 – unexpected expense - equipment; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Freeport Deputy Chief of Police, the Board approves and the Mayor be and hereby is authorized to sign all documents necessary and proper to award the “Request for Proposals for Cameras for the Nautical Mile Esplanade” to A+ Technology and Security's Inc., 1490 Clinton Avenue, Bay Shore, NY 11706, in the amount of \$29,710.90.

The Clerk polled the Board as follows:

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

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

WHEREAS, on September 9, 2024, the Board authorized the Village Clerk to publish a Notice to Bidders for the “Bulkheading of Residential Properties”; and

WHEREAS, the project calls for the installation of new bulkheading at the following properties that are in a state of disrepair and are now considered a nuisance:

- 1 West 4th St., Freeport, NY 11520
- 2 West 4th St., Freeport, NY 11520
- 122 Sportsmans Ave., Freeport, NY 11520
- 185 Sportsmans Ave., Freeport, NY 11520
- 700 S. Long Beach Ave., Freeport, NY 11520
- 498 Roosevelt Ave., Freeport, NY 11520

WHEREAS, eighteen (18) bids were distributed and five (5) bids were received on October 1, 2024 for the referenced contract; and

WHEREAS, the Superintendent of Public Works is requesting Board approval that the following contracts and costs be awarded to the lowest responsible bidder:

Contract	Address	Total Bid
Contract A	1 West 4th St., Freeport, NY 11520	\$132,641.25

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2024-81

2024-81

Contract B	2 West 4th St., Freeport, NY 11520	\$122,561.25
Contract C	122 Sportsmans Ave., Freeport, NY 11520	\$101,666.25
Contract D	185 Sportsmans Ave., Freeport, NY 11520	\$76,886.25
Contract E	700 S. Long Beach Ave., Freeport, NY 11520	\$192,071.25
Contract F	498 Roosevelt Ave., Freeport, NY 11520	\$24,175.80

WHEREAS, the lowest responsible bidder was submitted by Kitzen Construction, 150 Cary Place, Freeport, New York, 11520, in the total amount of \$650,002.05; for all six (6) contracts; and

WHEREAS, funding for this project will come from the Village General Fund (A149004 540130 - \$625,826.25.) as well as capital account (H819702 522930 - \$24,175.80); the Village will bill the property owner for all work performed along with permit fees and an administrative fee; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Board approves and the Mayor be and hereby is authorized to sign all documents necessary to award the “Bulkheading of Residential Properties” to Kitzen Construction, 150 Cary Place, Freeport, New York, 11520, in the total amount of \$650,002.05.

The Clerk polled the Board as follows:

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

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

WHEREAS, on January 4, 2016, the Board of Trustees awarded the bid for the Furnishing and Installation of Multi-Space Parking Meters to Devo and Associates, 1252 Haddonfield Berlin Road, Unit 3, Voorhees, NJ 08043 March 1, 2016 and ending February 28, 2017; and

WHEREAS, the contract has been renewed annually each year through February 29, 2024; and,

WHEREAS, the contract provides pricing for the purchase and installation of multi-space meters, as well as web-based monitoring, credit card processing, and support for our existing metering system; and,

WHEREAS, Devo and Associates is the sole vendor that is able to fully interface with our existing meter system; and

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2024-82

2024-82

WHEREAS, the Village wishes to enter into an agreement for one year beginning March 1, 2025 and ending February 28, 2026 for a not-to-exceed cost of \$25,000.00; and

WHEREAS, funds for this contract will be available in budget lines A332004 540800, A149004 540800, and possible future bonding; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Board approves and the Mayor be and hereby is authorized to execute any documentation necessary to enter into a contract with Devo and Associates, 1252 Haddonfield Berlin Road, Unit 3, Voorhees, NJ 08043, for the purchase and installation of multi-space meters, as well as web-based monitoring, credit card processing, and support for our existing metering system in the amount of \$25,000.00 for a term beginning March 1, 2025 and ending February 28, 2026.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	Excused
Trustee Squeri	In Favor
Trustee Sanchez	Excused
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 occasionally needs to dispose of items that it no longer has a use for, such as old computers and office equipment, abandoned vehicles, and Village-owned vehicles that have reached the end of their useful life; and

WHEREAS, the Department of Public Works is requesting Board approval to enter into a professional services agreement for online auction services for items that the Village may deem a surplus; 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, Auctions International, 11167 Big Tree Road, East Aurora, New York 14052, possesses those certain skills, knowledge, and expertise of a specialized nature; and

WHEREAS, Auctions International has successfully auctioned Village owned property in the past and the Village has been satisfied with their service; and

WHEREAS, Auctions International Inc. is compensated with a buyer's premium to be paid by the successful buyer; and

October 21, 2024

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2024-83

2024-83

WHEREAS, the contract will be for a term from March 1, 2025 to February 28, 2026; and

WHEREAS, all sale proceeds will be applied to the appropriate account; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Board approves and the Mayor be and hereby is authorized to execute a professional services agreement with Auctions International, 11167 Big Tree Road, East Aurora, New York 14052, for a term from March 1, 2025 to February 28, 2026.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Board authorized the Village Clerk to publish a Notice to Bidders for the “Purchase of Miscellaneous Hardware”; and

WHEREAS, seventeen (17) bids were picked up and one (1) bid was received on October 1, 2024 for the referenced purchase contract; and

WHEREAS, the sole bid was for \$72,000.00; and

WHEREAS, the Superintendent of Public Works is requesting to reject this bid; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the bid received on October 1, 2024, for “Purchase of Miscellaneous Hardware”, be rejected.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Superintendent of Public Works is requesting the Board to authorized

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2024-84

2024-84

the Village Clerk to advertise a Notice to Bidders for the “Purchase of Miscellaneous Hardware - Rebid”; 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, this purchase contract provides competitive pricing for the purchase of miscellaneous incidental hardware; and

WHEREAS, the contract will begin upon award and end on February 28, 2026, with an option for two (2) one-year extensions if mutually accepted; and

WHEREAS, the estimated annual cost for these purchases is \$80,000.00; and

WHEREAS, this Contract can be utilized by any Department within the Village, and therefore, purchases made under this contract will be paid for under the appropriate account or budget line from the requesting Department; the Department Head of said Village Department will determine the appropriate account or budget line to charge work to under this contract; 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 “Purchase of Miscellaneous Hardware -Rebid” in the Freeport Herald and other relevant publications of general circulation on October 24, 2024, with bid documents available from October 28, 2024 through November 8, 2024, with a return date of November 13, 2024.

The Clerk polled the Board as follows:

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

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

WHEREAS, as part of the recodification process, many of the fees outlined in the code are being changed from fees specified in the code to fees that the Board of Trustees may set by resolution from time to time; and

WHEREAS, this streamlines the process for changing fees when necessary, by removing the requirement for a public hearing, and was suggested by General Code as part of the recodification process; and

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2024-85

2024-85

WHEREAS, the fees being set are those that were in existence at the time of the recodification; No fees are being increased; and

WHEREAS, the Village Attorney's Office is requesting Board approval of the following fees as part of the recodification process:

72-15 – Alarm Permit Fees

Initial Permit: One Year:	\$50
Three Year:	\$125
Each additional detection type (subpermit) one or three years:	\$50
Each additional detection type expiring less than one year:	\$25
Renewal of Permit	
One Year:	\$50
Three Year:	\$125
Each additional detection type (subpermit) one or three years:	\$50

88-3B – Vacant Building Registration fee

First year registration fee, due by March 1 of the year	\$250
Registration fee shall increase by \$250 for each and every subsequent year the building remains vacant	

138-13 – Auctioneer License Fee

A. Basic Annual Fee	\$25
B. Additional fee for each day an auction is conducted	\$25

138-20 – Special Sales License Fees

Fee	\$25
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165-5 – Public Assembly License Fees

A. Annual Fees for Public Assembly Licenses

Capacity in Persons	Fee per year or Fraction Thereof
1 to 100	\$40
101 to 300	\$125
301 to 600	\$150
601 to 1,000	\$250
Every 100 persons in excess of 1,000	\$25
Maximum fee shall not exceed \$500.00	

D. Filling Fee (retained to cover cost of processing if application is disapproved, credited toward cost of license fee if approved.	\$25
E. Extension of temporary license (for each 30 days	\$10

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2024-86

2024-86

	or fraction thereof, not to be applicable to total fee required)	
F.	Replacement or substitute copy of license or occupancy poster	\$10
205-11	Commercial Beach Annual Fee Annual Fee (all or part of any year)	\$50
210-272	Artist/Professional Live/Work Overlay District Application Fee	\$500
210-295A	Golden Age Zone Application Fee	\$750

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees for the Incorporated Village of Freeport, that the above schedule of fees and/or charges set forth by rate or amount herein above to be charged in connection with the fees, permits or applications above pursuant to the provisions of the Code of the Village of Freeport, New York, listed herein above, be and is hereby adopted, with the fee schedule to take effect immediately.

The Clerk polled the Board as follows:

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

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

WHEREAS, as part of the recodification process, many of the insurance amounts required by various sections outlined in the code are being changed from amounts specified in the code to amounts that the Board of Trustees may set by resolution from time to time; and

WHEREAS, this streamlines the process for changing insurance amounts when necessary, by removing the requirement for a public hearing, and was suggested by General Code as part of the recodification process; and

WHEREAS, the insurance amounts being set are those that were in existence at the time of the recodification; No insurance amounts are being increased; and

WHEREAS, the Village Attorney’s Office is requesting Board approval of the following fees as part of the recodification process:

74-6 – Rodeos, Circuses and Carnivals

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2024-87

2024-87

Public liability insurance policy	\$100,000/\$300,000
90-2 – Buildings and/or Structures, Moving of	
Public Liability Coverage	\$100,000/\$300,000
Property Damage	\$50,000/\$100,000
Damage to Street or other public property	\$2,000
106-10 – Electricity	
Comprehensive personal liability	\$500,000
Property damage liability coverage	\$250,000
Combined single limit personal injury/property damage	\$1,000,000
162-29 – Plumbing	
Comprehensive general liability coverage	\$1,000,000 per occurrence \$2,000,000 aggregate
Medical payment	\$5,000
Fire legal liability	\$100,000
180-6 – Streets and Sidewalks – Building Materials on highways	
Public Liability Coverage	\$100,000/\$300,000
Property Damage	\$50,000/\$100,000
180-14 – Streets and Sidewalks – Excavation in Streets	
Public Liability Coverage	\$100,000/\$300,000
Property Damage	\$50,000/\$100,000
180-28 – Streets and Sidewalks – Sidewalk and Curb Construction	
Comprehensive personal liability	\$500,000
Property damage liability coverage	\$250,000
Combined single limit personal injury/property damage	\$1,000,000
180-45 – Streets and Sidewalks – Trees and Shrubbery	
Public Liability Coverage	\$500,000
Property Damage	\$250,000
Combined limit	\$1,000,000
188-18 – Taxicabs	
Personal injury or death of one person	\$10,000
Personal injury or death of two or more persons in one accident	\$20,000
Property damage	\$5,000

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees for the Incorporated Village of Freeport, that the above schedule of required insurance coverage

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2024-88

2024-88

amounts set forth by amount herein above to be required charged in connection with the fees, permits or applications above pursuant to the provisions of the Code of the Village of Freeport, New York, listed herein above, be and is hereby adopted, with the required coverage schedule to take effect immediately.

The Clerk polled the Board as follows:

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

It was moved by Deputy Mayor Ellerbe, 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 2024/2025 operating budget:

FROM:

A199004-540199 CONTINGENCY	\$448,517.13
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TO:

A149004-541510 CHIPS ROAD WORK	\$448,517.13
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WHEREAS, the purpose of the above transfer is to appropriate the necessary funding to cover what is owed to Stasi General Contracting, approximately \$448,517.13; the Comptroller’s office would need to make one payment in the amount of \$374,613.50 for Payment #4 2023 Road Resurfacing Project and an additional payment for the release of retainage; the Village will be getting reimbursed from Freeport CDA as well and NY State; 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	Excused
Trustee Squeri	In Favor
Trustee Sanchez	Excused
Mayor Kennedy	In Favor

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

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2024-89

2024-89

WHEREAS, the Village is submitting a 2025 Childhood Obesity Prevention - Environmental Health and Sustainability Awards Grant in the amount of \$50,000.00 and \$125,000.00; and

WHEREAS, the deadline to submit the grant is, October 18, 2024, thus making this request retroactive; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees for the Incorporated Village of Freeport hereby determines that Mayor Robert T. Kennedy is the representative authorized to act on behalf of the Board of Trustees for the Incorporated Village of Freeport in all matters related to grant funding; and

BE IT FURTHER RESOLVED, that the Mayor is also hereby authorized to submit a grant application to apply to the 2025 Childhood Obesity Prevention - Environmental Health and Sustainability Awards Grant and otherwise act for the Board of Trustees for the Incorporated Village of Freeport, its governing body, in all matters related to the Project.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Village Justice is requesting permission to apply for a grant under the Justice Court Assistance Program (JCAP); and

WHEREAS, the Village is submitting a Justice Court Assistance Program (JCAP) grant in the amount of \$30,000.00; and

WHEREAS, the deadline to submit the grant is, October 11, 2024, thus making this request retroactive; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees for the Incorporated Village of Freeport hereby determines that Mayor Robert T. Kennedy is the representative authorized to act on behalf of the Board of Trustees for the Incorporated Village of Freeport in all matters related to grant funding; and

BE IT FURTHER RESOLVED, that the Mayor is also hereby authorized to submit a grant application to apply to the Justice Court Assistance Program (JCAP) and otherwise act for the Board of Trustees for the Incorporated Village of Freeport, its governing body, in all matters related to the Project.

October 21, 2024

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2024-90

2024-90

The Clerk polled the Board as follows:

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

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

WHEREAS, pursuant to provisions of §1452(1) of the Real Property Tax Law, the Village Treasurer is required to advertise the list of 2023 delinquent real property taxes; and

WHEREAS, it will be advertised in the Freeport Herald and other relevant publications once each week for three successive weeks on 11/14/2024, 11/21/2024, and 11/28/2024; and

WHEREAS, the sale will take place on Friday, December 6, 2024 at 10:00 a.m. at Village Hall in the Board Room; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Village Treasurer, the Board approve and direct the publication of the 2024 Tax Lien Sale of Real Property in the Freeport Herald and other relevant publications for three successive weeks on 11/14/2024, 11/21/2024, and 11/28/2024 with the sale scheduled to take place on Friday, December 6, 2024 at 10:00 a.m. at Village Hall in the Board Room.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Freeport Water Department needs assistance from time to time, for the maintenance of the Department’s electrical control systems, which integrate water safety controls as well as chemical feed systems necessary for the production and treatment of the Village’s water supply; 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

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

2024-91

2024-91

WHEREAS, Eagle Control Corporation, 23 Old Dock Road, Yaphank, New York, 11980 possesses those certain skills, knowledge, and expertise of a specialized nature; and

WHEREAS, the contract will be for a term from March 1, 2025 to February 28, 2026 for a total cost not to exceed \$40,000; and

WHEREAS, the cost of these services shall be charged to WE95004 544810 Water Department Operating Budget and there are sufficient funds to cover these costs; and

NOW THEREFORE BE IT RESOLVED, that the Mayor be and is hereby authorized to execute a Professional Services Agreement with Eagle Control Corporation, 23 Old Dock Road, Yaphank, New York, 11980, for a term from March 1, 2025 to February 28, 2026 for a total cost not to exceed \$40,000.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	Excused
Trustee Squeri	In Favor
Trustee Sanchez	Excused
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 on February 26, 2024, the Board approved a Professional Services Agreement with Wire to Water Inc., 136 Gazza Boulevard, Farmingdale, New York 11735, for a term from March 1, 2024 to February 28, 2025 at a total cost not-to-exceed \$55,000; 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 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 Water Department is requesting Board approval for a Professional Services Agreement for the maintenance and repair of the Water Department’s Supervisory Control and Data Acquisition (SCADA) system with Wire to Water Inc., 136 Gazza Blvd, Farmingdale, NY 11735; and

WHEREAS, the contract will be for a term from March 1, 2025 to February 28, 2026 at

October 21, 2024

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

2024-92

2024-92

a total cost not-to-exceed \$50,000; 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 approves and the Mayor be and hereby is authorized to sign any documentation necessary to effectuate a Professional Services Agreement with Wire to Water Inc., 136 Gazza Boulevard, Farmingdale, New York 11735, for a term from March 1, 2025 to February 28, 2026 at a total cost not-to-exceed \$50,000.

The Clerk polled the Board as follows:

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

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

- Speeding on Wallace Avenue

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 5:50 P.M.

Pamela Walsh Boening
Village Clerk