

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

2024-1

2024-1

A meeting of the Board of Trustees of the Incorporated Village of Freeport was held on Monday, November 18, 2024 at 5:00 P.M. in the Municipal Building, 46 North Ocean Avenue, Freeport, New York, with the following present:

Robert T. Kennedy	Mayor	
Ronald Ellerbe	Deputy Mayor	
Jorge A. Martinez	Trustee	
Christopher L. Squeri	Trustee	
Evette B. Sanchez	Trustee	Excused
Howard E. Colton	Village Attorney	
Pamela Walsh Boening	Village Clerk	

At 5:08 P.M., Mayor Kennedy convened in the main conference room and led in the Pledge of Allegiance.

No residents were present.

At 5:09 P.M., it was moved by Trustee Squeri, seconded by Trustee Martinez and carried to adjourn this portion of the Legislative Meeting and return to the Mayor’s Conference Room to continue in Executive Session to consult with Counsel.

The Clerk polled the Board as follows:

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

At 5:37 P.M., motion was made by Deputy Mayor Ellerbe, seconded by Trustee Squeri and carried to reconvene in Legislative Session.

The Clerk polled the Board as follows:

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

Approximately four (4) residents were present.

Deputy Mayor Ellerbe led in the Pledge of Allegiance.

It was moved by Trustee Martinez, seconded by Trustee Squeri, and carried to approve the Board of Trustees Minutes of November 4, 2024.

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2024-2

2024-2

The Clerk polled the Board as follows:

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

It was moved by Trustee Martinez, seconded by Trustee Squeri, and carried to approve the Board of Trustees Budget Workshop Minutes of November 4, 2024.

The Clerk polled the Board as follows:

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

It was moved by Trustee Squeri, seconded by Trustee Martinez, and carried to approve the Board of Trustees Dangerous/Nuisance Minutes of November 4, 2024.

The Clerk polled the Board as follows:

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

It was moved by Trustee Martinez, seconded by Trustee Squeri, and carried to approve the Board of Trustees Budget Workshop Minutes of November 6, 2024.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor
Trustee Squeri	Abstain
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 Assessor periodically reviews the exemption status of properties in the Village of Freeport to ensure continuing eligibility under the criteria of particular exemptions; and

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2024-3

2024-3

WHEREAS, the below list consists of changes to assessed tax value after the adoption of the 2022/2023 to 2024/2025 Final Assessment Rolls; and

S / B / L	Address	Exemption Code	Exemption Amount	Reason
54 / 524 / 18	20 West End Ave	41101 Veteran / Eligible Funds	2024 – 3,050 2023 – 3,050 2022 – 3,050	Property Sold 10/07/2016
62 / C / 473 Unit 901	1 Anchorage Way	41131 Veteran War Time / Combat	2024 41131 - 506	Deceased 04/29/2024
62 / 187 / 816	61 Bryant St	41131 Veteran War Time / Combat	2024 – 780 2023 – 900 2022 - 906	Deceased 09/04/2015

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 2022/2023 to 2024/2025 Final Assessment Rolls and that the Treasurer issue a corrected tax bill.

The Clerk polled the Board as follows:

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

The following directive is an excerpt from the Minutes of the Board of Trustees Meeting of November 18, 2024:

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

November 18, 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.

2024-4

2024-4

WHEREAS, the Superintendent of Electric Utilities is requesting Board approval for the executed Hold Harmless Agreement in Lieu of Insurance with Woodward Children’s Center, 201 W. Merrick Rd., Freeport, New York, 11520, for holiday light maintenance on Village property during October and November of 2024, retroactive to October 28, 2024; and

WHEREAS, Greg Ingino, Executive Director of the Woodward Children’s Center, 201 W. Merrick Rd., Freeport, New York, 11520, and Member of the Freeport Chamber of Commerce met with the Electric Department regarding preparing holiday lights for village wide installation; and

WHEREAS, as part of a community outreach initiative, the Chamber would like to use some of Woodward’s students to perform the bulb replacements and repairs to prepare the holiday lights for installation; and

WHEREAS, the lights are stored in the Chamber of Commerce’s shed at Power Plant 1 adjacent to the new generator; and

WHEREAS, the plan is to have three (3) or four (4) high school aged students along with the Executive Director or other supervisory personnel from Woodward School make the needed preparations; the students will not be left unsupervised; and

WHEREAS, the Electric Department is scheduled to begin installing the lights on the poles on November 12, 2024; the Chamber would like to begin maintenance retroactive to October 31, 2024; and

WHEREAS, in order to facilitate this holiday lights maintenance and protect the interests of the Village, Woodward Children’s Center executed a Hold Harmless Agreement in Lieu of Insurance; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, the Board approves the executed Hold Harmless Agreement in Lieu of Insurance with Woodward Children’s Center, 201 W. Merrick Rd., Freeport, New York, 11520, for holiday light maintenance on Village property during October and November of 2024, retroactive to October 28, 2024.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	Abstain
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:

November 18, 2024

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2024-5

2024-5

WHEREAS, the Village of Freeport Electric Utility utilizes a Geographic Information System (GIS) and Mapping Software; and

WHEREAS, a maintenance contract is necessary to ensure that the Village has the appropriate licensing, map updates, and software support for the GIS System; and

WHEREAS, on March 30, 2023, the Board approved a contract with ESRI, Inc., 380 New York Street, Redlands, California 92373, for a term effective March 1, 2023 ending February 29, 2028 at a total cost of \$9,300.00; and

WHEREAS, due to high demand for GIS service, the Superintendent of Electric Utility is requesting Board approval for the purchase an additional desktop ArcMap license, an annual price increase of \$1,006.73; and

WHEREAS, under New York State Centralized Contract (PM67345/ESRI Contract No. 305303) with ESRI, Inc., 380 New York Street, Redlands, California, 92373, the GIS and Mapping Software contract will be for a term from March 1, 2025 to February 28, 2026, for a total of \$10,306.73; and

WHEREAS, the service will be charged to Allocation Code 5003 (Budget lines A168004 542800 (71%), E7815630 578100 (25%), and WE93004 542800 (4%) Service Contract/Repairs Network) and there are sufficient funds to cover such expense; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to effectuate the GIS and Mapping Software contract between the Village of Freeport and ESRI, Inc., 380 New York Street, Redlands, California 92373, for a term from March 1, 2025 to February 28, 2026, for a total of \$10,306.73.

The Clerk polled the Board as follows:

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

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

WHEREAS, on January 22, 2024, the Board approved the software update license and support service renewal with Oracle America, Inc., P.O. Box 203448, Dallas, TX 75320-3448, for a cost of \$7,425.73 for a term from March 1, 2024 to February 28, 2025; and

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2024-6

2024-6

WHEREAS, the Village of Freeport Electric Utility maintains and operates the enQuesta system for billing throughout the Village, software that is vital to the day-to-day operations of the Village; and

WHEREAS, the ordering documents for the renewal of Oracle Database Licensing – technical support service number 1729401 (\$8,019.79), and these documents cover 2 processors used by the enQuesta V6 database; and

WHEREAS, Oracle America, Inc. (Oracle) is a sole source provider, so competitive quotes are not available, and the database licensing must be renewed in order for the Systems & Software enQuesta billing system to be maintained; and

WHEREAS, this service was previously part of the Systems and Software contract but is now being billed separately by Oracle America, Inc., P.O. Box 203448, Dallas, Texas 75320-3448, a sole source provider (as previously determined by the Board on January 4, 2016); and

WHEREAS, the licensing period runs from March 1, 2025 to February 28, 2026, for a cost of \$8,019.79 (an increase of \$594.06 (8%) in maintenance from this current fiscal year); and

WHEREAS, this service shall be charged to Allocation Code 5003 (Budget lines A168004 542800 (71%), E7815630 578100 (25%), and WE93004 542800 (4%) Service Contract/Repairs Network); and

THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Electric Utilities, the Mayor and Board of Trustees approve the software update license and support service renewal with Oracle America, Inc., P.O. Box 203448, Dallas, TX 75320-3448, for a cost of \$8,019.79 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	In Favor
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 8, 2024, the Board approved the service of enQuesta and the 3rd party software maintenance from Systems & Software, Inc., 10 East Allen Street, Suite 201, Winooski, Vermont 05404, for a term from March 1, 2024 to February 28, 2025, for a total cost of \$115,000.00; and

WHEREAS, the Village of Freeport requires an annual contract for the support of the

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2024-7

2024-7

enQuesta system, software that is vital for the day-to-day operations of the Village; and

WHEREAS, the enQuesta system is a proprietary software system, whose maintenance cannot be bid to outside companies, so Systems & Software, Inc. is the only company able to provide maintenance to these systems; and

WHEREAS, the total cost for the period March 1, 2025 to February 28, 2026 is \$121,020.88; (this amount includes the cost for enQuesta support and 3rd Party Software Maintenance; the price for the support and maintenance in the new fiscal year is \$118,020.49, an increase of \$3,020.49 (a 2.6% increase); the additional cost of bill prints for Electric and Water and the AMI Integration maintenance module added in 2024 increased the price by \$3,000.39); and

WHEREAS, this expense will be charged to Allocation Code 5003 [Budget lines A168004 542800 (71%), E7815630 578100 (25%), and WE93004 542800 (4%) Service Contract/Repairs Network]; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Acting Superintendent of Electric Utilities, the Board approves and the Mayor be and hereby is authorized to sign any and all documents necessary and proper to effectuate Annual Software Maintenance and Support Agreement with the service of enQuesta and the 3rd party software maintenance from Systems & Software, Inc., 10 East Allen Street, Suite 201, Winooski, Vermont 05404, for a term from March 1, 2025 to February 28, 2026, for a total cost of \$121,020.88.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Village of Freeport’s Electric Utility requires the performance of specialized legal services related to the New York Association of Public Power (NYAPP), the New York Independent System Operator (NYISO) and other matters that may arise from time to time; and

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

WHEREAS, the firm of Duncan, Weinberg, Genzer, & Pembroke, P.C. is qualified to provide the services required; and

November 18, 2024

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2024-8

2024-8

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 Superintendent of Electric Utilities has recommended that the Village continue to retain the services of Duncan, Weinberg, Genzer, & Pembroke, P.C.; and

WHEREAS, the Superintendent of Electric Utilities recommends that the contract be entered into from March 1, 2025 through February 28, 2026, for a not-to-increase cost of \$100,000.00; and

WHEREAS, attorney fees for the new fiscal year increased by \$10.00 per hour based on title; and

WHEREAS, this service shall be funded through various account numbers including E7222160 512200 (Purchase Power Legal Expense) and there are sufficient funds available to cover 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 execute any documentation necessary to effectuate the agreement for legal services between the Village of Freeport and Duncan, Weinberg, Genzer, & Pembroke, P.C., 1667 K Street N.W., Suite 700, Washington, DC 20006, for a term effective March 1, 2025 through February 28, 2026, at a not-to-exceed cost of \$100,000.00 payable at the rates contained in the letter of agreement.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor
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 May 1, 2023, the Board awarded the bid for the 300,000 Gallons, More or Less, Fungible Aviation Kerosene Grade 55, Bid #23-03-ELEC-655, to Sprague Operating Resources LLC, 185 International Drive, Portsmouth, NH 03801, for the Argus New York Harbor Barge ULSK #1 + \$0.7046/gallon delivered to Freeport for a contract term running from May 1, 2023 to February 28, 2025 with a one-year extension option subject to the mutual consent of both parties; and

November 18, 2024

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2024-9

2024-9

WHEREAS, the Superintendent of Electric Utilities wishes to exercise the extension option to extend the contract for one (1) additional year; and

WHEREAS, the one-year extension term with Sprague Operating Resources LLC, 185 International Drive, Portsmouth, NH 03801, will begin on March 1, 2025 to February 28, 2026, for the same rate as the original proposal; and

WHEREAS, the cost for the fuel oil will be charged to Account #E 7141006 510000 – Production Expense for the Combustion Turbine (LM6000) and there are sufficient funds available to cover 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 any paperwork necessary to extend the contract for the 300,000 Gallons, More or Less, Fungible Aviation Kerosene Grade 55, Bid #23-03-ELEC-655, with Sprague Operating Resources LLC, 185 International Drive, Portsmouth, NH 03801, for the Argus New York Harbor Barge ULSK #1 + \$0.7046/gallon delivered to Freeport for the one-year extension term from March 1, 2025 to February 28, 2026.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor
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 is submitting a 2025 DollarWise Innovation Grant Program in the amount of \$10,000.00; and

WHEREAS, the deadline to submit the grant is, November 15, 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 DollarWise Innovation Grant Program and otherwise act for the Board of Trustees for the Incorporated Village of Freeport, its governing body, in all matters related to the Project retroactive to November 15, 2024.

November 18, 2024

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2024-10

2024-10

The Clerk polled the Board as follows:

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

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

WHEREAS, the Board authorized the Village Clerk to publish a Notice to Bidders for the “Demolition of Residential Houses”; and

WHEREAS, nineteen (19) bids were distributed and four (4) bids were received on October 29, 2024 for the referenced contract; and

WHEREAS, the project calls for the demolition of the following residences that are in a state of disrepair and are now considered nuisance buildings:

- 170 Whaley Street
- 188 Independence Avenue
- 313 Nassau Avenue
- 122 Sportsmans Avenue

WHEREAS, the lowest and responsible bidder was submitted by S&M Prompt Rubbish Removal Service Inc., 425 West Sunrise Highway, Freeport, New York 11520, in the total amount of \$240,396.00; for all four contracts; and

WHEREAS, funding for this project will come from the Village General Fund (Account # A149004 540130); it is anticipated that the Village Treasurer’s office will need to do a budget transfer to this account to ensure there is funding to cover the expenditures; the Village will bill the property owner for all work performed along with 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 for the “Demolition of Residential Houses” to S&M Prompt Rubbish Removal Service Inc., 425 West Sunrise Highway, Freeport, New York 11520, in the total amount of \$240,396.00; for all four contracts.

The Clerk polled the Board as follows:

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

November 18, 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.

2024-11

2024-11

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

WHEREAS, on February 6, 2023, the Board awarded the 2023 Annual Catch Basin and Road Panel Contract to Nicolino Construction Co. Inc., 555 Southside Avenue, Freeport, NY 11520 in the amount of \$326,700.00 for a term of one year beginning March 1, 2023 and ending on February 29, 2024, with an option for two one-year extensions if mutually accepted; and on November 13, 2023, the Board awarded to extend the contract for the “2023 Annual Catch Basin and Road Panel Contract” with Nicolino Construction Co. Inc., 555 Southside Avenue, Freeport, NY 11520, for the first one-year extension term beginning on March 1, 2024 and ending February 28, 2025, with no increase in the unit prices; and

WHEREAS, fiscal year to date, the Village has spent \$152,317.68 under this contract; and

WHEREAS, the Superintendent of Public Works is requesting Board approval for the second and final one-year extension of the 2023 Annual Catch Basin and Road Panel Contract with Nicolino Construction from March 1, 2025 to February 28, 2026; and

WHEREAS, the Superintendent has requested an extension of the Contract with the Contractor and the Contractor has agreed on this extension, with no increase in the unit prices; and

WHEREAS, funding for this work will come from various Village accounts, depending on where the work is performed; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to extend the contract for the “2023 Annual Catch Basin and Road Panel Contract” with Nicolino Construction Co. Inc., 555 Southside Avenue, Freeport, NY 11520, for the second and final one-year extension term beginning on March 1, 2025 and ending on February 28, 2026, with no increase in the unit prices.

The Clerk polled the Board as follows:

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

It was moved by Trustee Martinez, seconded by Trustee Squeri that the following resolution be adopted;

WHEREAS, on February 6, 2023, the Board awarded the 2023 Annual Fence Contract to Island Fence Co., 964 Front Street, Uniondale, NY 11553 in the amount of \$54,275.00 for a

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2024-12

2024-12

term of one year beginning March 1, 2023 and ending February 29, 2024, with an option for two one-year extensions if mutually accepted; and

WHEREAS, on October 16, 2023, the Board approved the first one-year contract extension for the 2023 Annual Fence Contract with Island Fence Co., 964 Front Street, Uniondale, NY 11553, for a term beginning March 1, 2024 and ending February 28, 2025, with no increase in the contract prices; and

WHEREAS, fiscal Year to date the Village has spent approximately \$40,134.00 under this contract; and

WHEREAS, the Superintendent of Public Works is requesting Board approval for the second and final one-year extension of the Contract with Island Fence Co., 964 Front Street, Uniondale, NY 11553, with no increase in the contract prices, for a term of one year beginning March 1, 2025 and ending February 28, 2026; and

WHEREAS, this Contract can be utilized by any Department within the Village and therefore work done under this contract will be paid for under the appropriate account or budget line from the requesting Department; 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 paperwork necessary to effectuate the second and final one-year contract extension for the 2023 Annual Fence Contract with Island Fence Co., 964 Front Street, Uniondale, NY 11553, in the amount of \$54,275.00, with no increase in the contract prices, for a term of one year beginning March 1, 2025 and ending February 28, 2026.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor
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 January 25, 2021, the Board awarded the bid for the 2021 Disposal Services of Municipal Solid Waste (Recyclables) to Omni Recycling of Westbury Inc., 7 Portland Avenue, Westbury, N.Y. 11590 at a total cost of \$289,168.75 per year to commence March 1, 2021 through February 28, 2025, with an option for two (2) two-year extensions; and

WHEREAS, on February 27, 2023, the Board approved to increase the contract annually for the 2021 Disposal Services of Municipal Solid Waste (Recyclables) with Omni Recycling of

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2024-13

2024-13

Westbury Inc., 7 Portland Avenue, Westbury, N.Y. 11590 from \$289,168.75 to \$320,000.00 per year for the remaining terms of the contract; and

WHEREAS, fiscal Year to date the Village has spent approximately \$213,656.97 under this contract; and

WHEREAS, the Superintendent of Public Works is requesting Board approval for the first two-year extension of the Contract with Omni Recycling of Westbury Inc., Westbury, NY 11590, with no annual increase in the unit prices, for a term from March 1, 2025 until February 28, 2027; and

WHEREAS, funding for the disposal is included in the Refuse Account A816004 564600; 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 paperwork necessary to effectuate the first (2) two-year contract extension for the 2021 Disposal Services of Municipal Solid Waste (Recyclables) with Omni Recycling of Westbury Inc., 7 Portland Avenue, Westbury, NY 11590, at the cost of \$320,000 per year, with no annual increase in the unit prices, for a term from March 1, 2025 until February 28, 2027.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor
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 authorize the Village Clerk to advertise a Notice to Bidders for the “Woodcleft Canal Drainage Improvement Project Phase 2 (Installation of Pumps and Fittings)”;

WHEREAS, phase 2 of the project calls for the installation of pumps and fittings at four (4) locations on Woodcleft Avenue and one (1) location on Miller Avenue; and

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

WHEREAS, the estimated cost for this project is \$300,000.00; and

WHEREAS, funding for this project will come from a bond resolution authorized by the Village Board of Trustees on February 26, 2024; and

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2024-14

2024-14

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Village Clerk is hereby authorized to publish a Notice to Bidders for the “Woodcleft Canal Drainage Improvement Project Phase 2 (Installation of Pumps and Fittings)” in the Freeport Herald and other relevant publications of general circulation on November 21, 2024, with bid documents available from November 25, 2024 through December 6, 2024, with a return date of December 10, 2024.

The Clerk polled the Board as follows:

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

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

WHEREAS, the Superintendent of Public Works is requesting the Board to authorize the Village Clerk to advertise a Notice to Bidders for the “Woodcleft Canal Drainage Improvement Project Phase 3 (Electrical Installation)”; and

WHEREAS, phase 3 of the project calls for the installation electrical services at four (4) locations on Woodcleft Avenue and one (1) location on Miller Avenue; and

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

WHEREAS, the estimated cost for this project is \$250,000.00; and

WHEREAS, funding for this project will come from a bond resolution authorized by the Village Board of Trustees on February 26, 2024; and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Village Clerk is hereby authorized to publish a Notice to Bidders for the “Woodcleft Canal Drainage Improvement Project Phase 3 (Electrical Installation)” in the Freeport Herald and other relevant publications of general circulation on November 21, 2024, with bid documents available from November 25, 2024 through December 6, 2024, with a return date of December 10, 2024.

The Clerk polled the Board as follows:

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

November 18, 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.

2024-15

2024-15

Mayor Kennedy

In Favor

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

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF FREEPORT, NEW YORK, that the VEHICLE AND TRAFFIC REGULATIONS Article III Parking Restrictions be amended as follows:

Sec. 42. Two-hour parking at all times unless otherwise indicated.

No person shall park a vehicle for a period longer than two consecutive hours in the following places, at any time or at the times indicated:

ADD:

Porterfield Place, south side, from the westerly curblineline of South Long Beach Avenue west for a distance of 252 feet.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor
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 April 29, 2024, the Board awarded the “2024 Furnishing of Calcium Hypochlorite (Tablet) Rebid” to Eagle Control Corporation, 23 Old Dock Road, Yaphank, NY 11980, in the amount of \$62,475.00 for a retroactive term from March 1, 2024 to February 28, 2025, with an option for two (2) one-year extensions if mutually accepted; and

WHEREAS, the Superintendent of Public Works is requesting Board approval for the first one-year extension of the Contract with Eagle Control Corporation, 23 Old Dock Road, Yaphank, NY 11980, with no increase in the contract prices, for a term from March 1, 2025 until February 28, 2026;

WHEREAS, funding for this purchase will come out of the Water Department operating budget for the purchase of chemicals. (WE96004 541210); 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 the first one-year contract extension for the

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

2024-16

2024-16

“2024 Furnishing of Calcium Hypochlorite (Tablet) Rebid” with Eagle Control Corporation, 23 Old Dock Road, Yaphank, NY 11980, with no increase in the contract prices, for a total cost of \$62,475.00, 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	In Favor
Trustee Squeri	In Favor
Trustee Sanchez	Excused
Mayor Kennedy	In Favor

It was moved by Trustee Martinez, seconded by Trustee Squeri that the following resolution be adopted;

WHEREAS, on February 26, 2024, the Board awarded the bid for the “Furnishing of Fire Hydrants, Gate Valves, Repair Couplings, Repair Fittings and Incidentals – 2024” (Contract #2) to T. Mina Supply, Inc., 17 Expressway Drive North, Medford, NY 11763, for a total cost of \$137,270.00 for a term from March 1, 2024 to February 28, 2025, with an option for two (2) one-year extensions if mutually accepted; and

WHEREAS, the Superintendent of Public Works is requesting Board approval for the first one-year extension of the Contract with T. Mina Supply, Inc, 17 Expressway Drive North, Medford, NY 11763, for a total cost of \$137,270.00, with no increase in the unit prices, for a term from March 1, 2025 to February 28, 2026; and

WHEREAS, funding for this purchase will come out of the Water Department operating budget (WE97004 547710); and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to effectuate the first one-year extension of the Contract for the “Furnishing of Fire Hydrants, Gate Valves, Repair Couplings, Repair Fittings and Incidentals – 2024” (Contract #2) with T. Mina Supply, Inc., 17 Expressway Drive North, Medford, NY 11763, for a total cost of \$137,270.00 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	In Favor
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:

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

2024-17

2024-17

WHEREAS, on February 6, 2023, the Board awarded the 2023 Furnishing of Sodium Hexametaphosphate to Chemrite, Inc., 5202 Belle Wood Ct, Suite 104. Buford, GA 30518, in the amount of \$107,600.00 for a contract term beginning March 1, 2023 and ending February 29, 2024, with an option for two (2) one-year extensions if mutually accepted; and

WHEREAS, on October 16, 2023, the Board approved to extend the contract for the 2023 Furnishing of Sodium Hexametaphosphate to Chemrite, Inc., 5202 Belle Wood Ct, Suite 104. Buford, GA 30518, for a first one-year extension term beginning March 1, 2024 and ending February 28, 2025, with no increase in the unit prices; and

WHEREAS, fiscal Year to date, the Village has spent a total of \$35,508.00 under this contract; and

WHEREAS, the Superintendent of Public Works is requesting Board approval for the second and final one-year extension of the Contract with Chemrite, Inc., 5202 Belle Wood Ct, Suite 104. Buford, GA 30518, in the amount of \$107,600.00, with no increase in the unit prices, for a term beginning March 1, 2025 and ending February 28, 2026; and

WHEREAS, funding for this purchase will come out of the Water Department operating budget for the purchase of chemicals (WE96004 541310); and

NOW THEREFORE BE IT RESOLVED, that based upon the recommendation of the Superintendent of Public Works, the Board approve and the Mayor be and hereby is authorized to sign any paperwork necessary to effectuate the second and final one-year extension for the 2023 Furnishing of Sodium Hexametaphosphate with Chemrite, Inc., 5202 Belle Wood Ct, Suite 104. Buford, GA 30518, in the amount of \$107,600.00, with no increase in the unit prices, 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	In Favor
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 whereupon there were no public comments.

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

The Clerk polled the Board as follows:

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

November 18, 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.

2024-18

2024-18

Trustee Sanchez
Mayor Kennedy

In Favor
In Favor

The meeting was closed at 5:53 :00 P.M.

Pamela Walsh Boening
Village Clerk

At 5:53 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 an amendment to Chapter 138 of the Village Code.

Jennifer Ungar, Deputy Village Attorney entered eight (8) exhibits into evidence and conducted the hearing.

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

WHEREAS, the Board of Trustees of the Incorporated Village of Freeport, as lead agency, has determined that the proposed action described below, will not have a significant effect on the environment and neither a draft environmental impact statement nor a final environmental impact statement will be prepared; and

WHEREAS, the proposed action is to consider the amendment of Chapter 138 of the Village Code, entitled, Licensing of Businesses, by repealing the existing Article I entitled “General Licensing Requirements” and replacing it with a new Article I entitled “General Licensing Requirements”; and

WHEREAS, this Board determines that the proposed action is an unlisted action, as that term is defined in the New York State Environmental Quality Review Act, herein after referred to as SEQRA. After careful consideration, the Board has concluded that the proposed action will not have a significant effect on the environment for the following reasons:

1. The proposed action will not result in a substantial adverse change in the existing air quality, ground or surface water quality, traffic or noise level, will not affect solid waste production, and will not affect erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna nor interfere with the movement or any resident or migratory fish or wildlife species, nor impact on a significant habitat area, nor result in any other significant adverse effect to natural resources.

November 18, 2024

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2024-19

2024-19

3. The proposed action will not encourage or attract a large number of people.
4. The proposed action is consistent with the community’s current plans and goals for enforcement of Village laws.
5. The proposed action would not impair the character or quality of important historical, archeological, architectural or aesthetic resources of the Village.
6. The proposed action will not bring about a major change in the use of either the quantity or type of energy.
7. The proposed action will not create a hazard to human health.
8. The proposed action will not produce a substantial change in the use or intensity of land, including cultural or recreational resources, or its capacity to support existing uses.
9. The proposed action will not create a material demand for other actions that would result in any of the above consequences.
10. The proposed action will not change two or more elements in the environment, which when considered together could result in a substantial adverse impact on the environment.
11. When considered cumulatively with other actions, the proposed action will not have a significant effect on the environment or meet one of the above criteria.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Freeport, after reviewing the above criteria has determined that the proposed action is not environmentally significant.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Martinez, seconded by Deputy Mayor and carried to amend the proposed local law for Chapter 138 to begin on June 1, 2025.

The Clerk polled the Board as follows:

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

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2024-20

2024-20

Trustee Sanchez
Mayor Kennedy

Excused
In Favor

Motion was made by Trustee Martinez, seconded by Trustee Squeri and carried to close the hearing to further evidence and testimony.

The Clerk polled the Board as follows:

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

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

A LOCAL LAW TO AMEND CHAPTER 138 OF THE CODE OF THE VILLAGE OF FREEPORT ENTITLED “LICENSING OF BUSINESSES”, BY REPEALING EXISTING ARTICLE I ENTITLED “GENERAL LICENSING REQUIREMENTS” §138-1 TO 138-11 AND ADOPTING A NEW ARTICLE I ENTITLED “GENERAL LICENSING REQUIREMENTS” §138-1 TO 138-11

BE IT ENACTED BY THE BOARD OF TRUSTEES FOR THE INCORPORATED VILLAGE OF FREEPORT, AS FOLLOWS:

1. Chapter 138, §138-1 to 138-11, which reads as follows, is hereby repealed:

§ 138-1 When license required.

Whenever in any ordinance it is provided that a license be obtained before engaging upon any act or in any specified business, trade or occupation or before providing services for payment or hire for the convenience, comfort or entertainment of others or for any other designated purpose, it shall be a violation hereof for any person to engage upon or undertake any activity or enterprise thus specified until a license has been issued to him in compliance with the provisions of this article and of any other applicable ordinance.

§ 138-2 Application for license.

Except as otherwise specifically provided, every applicant for a license shall file a statement with the Village Clerk, which statement shall be signed and sworn to by the applicant in person if an individual, by all partners if a partnership and by the president or duly authorized officer if a corporation, showing:

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2024-21

2024-21

- A. Name. The name of the applicant.
- B. Business address. His business address.
- C. Home address. His home address if he is a natural person.
- D. Age. If his age is 21 years or less and if less, his precise age.
- E. Purpose. The precise purpose for which the license is sought.
- F. Location of licensed premises. The place within the Village where the licensee will engage in the licensed activity or enterprise.
- G. Criminal history. Whether or not the applicant or, in the case of a corporation, whether any officer or director thereof has been convicted of a crime or violation of any ordinance of the Village and, if so, the nature of such offense and the penalty assessed therefor.
- H. Credentials from principal. Satisfactory credentials from his principal if the applicant is to act as an agent.
- I. References. References or letters of recommendation by at least three reputable businessmen or property owners of the Village such as will establish, to the satisfaction of the Mayor, the good character and business responsibility of the applicant.
- J. Other data. Any other data necessary to meet the requirements of any ordinance by provisions of which the license sought is required.

§ 138-3 Bond requirements.

Whenever, by the terms of any ordinance, a bond is required to protect the Village or any other person against loss because of the fault or default of a licensee, no license shall be issued until a bond in the full amount specified and in form approved by the Village Counsel has been filed with the Village Clerk and the fact of its filing, the amount of its coverage and the date of its expiration has been noted on the license.

§ 138-4 Expiration of license.

All licenses issued on an annual basis shall expire on the 31st day of July of each year unless a different expiration date is set forth in a specific section of this Code. The precise date of expiration shall be clearly marked upon each temporary license.

§ 138-5 Issuance or denial of license.

All licenses shall be issued by the Mayor to such persons as he shall deem fit and proper upon an evaluation of their qualifications and upon compliance of the applicant with the provisions of this article or any other applicable ordinance; however, licenses for circuses, theaters or other exhibitions or performances, the keeping of billiard or poolrooms, bowling alleys, shooting galleries and other similar places of amusements for money or hire or the giving of exhibitions, performances or entertainments at any place within the Village or the use of mechanically

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

2024-22

2024-22

operated amusement devices shall be refused when, in the judgment of the Mayor, they shall be likely to disturb the peace and order of the Village or be immoral or improper.

§ 138-6 Application to Board of Trustees.

Any applicant who has been refused a license by the Mayor may apply for its issuance to the Board of Trustees at a meeting thereof, and the same may be granted or refused by the Board.

§ 138-7 Signing and record of licenses.

Every license issued shall be signed by the Mayor and countersigned by the Village Clerk, who shall keep a record thereof and the amount of fee to be paid therefor.

§ 138-8 Payment of license fee.

No license shall be effective until the fee therefor, as established by the Board of Trustees, shall have been paid to the Treasurer, who shall endorse his receipt of the fee upon each license which is presented to him properly signed and countersigned and accompanied by the amount of the fee.

§ 138-9 Cause for revocation.

Any license issued pursuant to the provisions of this article or any other ordinance may be revoked by the Mayor, after notice and hearing, for any of the following causes:

- A. Fraud or false statement in the application for the license.
- B. Fraud or false statement in connection with the carrying out of the business, activity or enterprise for which the license was issued.
- C. Any violation of a term of this article or of any other ordinance under whose provisions the license was issued.
- D. Conviction of the licensee of any crime.
- E. Carrying out the licensed business, enterprise or activity in an unlawful manner or in such a way as to breach the peace or constitute a menace to the health, safety or general welfare of the public.
- F. Carrying out the licensed business, enterprise or activity in such manner that the same disturbs the peace and quiet of the neighborhood.
- G. Any transfer or assignment of the license to any person, except upon written consent of the Mayor, upon due application and the presentation of information concerning the proposed transferee's qualifications, similar to those furnished by the original applicant.

§ 138-10 License renewal.

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2024-23

2024-23

Unless specifically provided otherwise, any license duly issued may be renewed upon application by the licensee and accompanied by the appropriate fee and a continuance or renewal of bonds as provided in § 138-3 hereof.

§ 138-11 Display of license.

Every person to whom a license or permit has been issued shall have the same with him at the site or place at all times when the business or act licensed is being performed and available for inspection by a police officer or any other authorized person.

2. Chapter 138, §138-1 to 138-11, which reads as follows, is hereby adopted:

§ 138-1 License required.

It shall be a violation of this Code for any person to engage in or carry on any business, trade or calling in the Village of Freeport without first obtaining a license therefor in accordance with the provisions of this chapter.

§ 138-2 License Commissioner.

The Village Clerk is hereby designated as the License Commissioner of the Village, with the authority to make such rules and regulations and to conduct investigations in relation to the issuance, renewal, amendment, termination, cancellation, revocation and suspension of licenses or permits required by the provisions of this Code, except for those licenses or permits required by the provisions of this Code or other law to be issued by another department, division or agency.

§ 138-3 Application for license (or renewal of license); information required.

A. Except as otherwise specifically provided, every applicant for a license (or renewal of license) shall file a statement with the Village Clerk, which statement shall be signed and sworn to by the applicant in person if an individual, by all partners if a partnership and by the president or duly authorized officer if a corporation, showing:

1. Name.
2. Business address.
3. Residence address.
4. Age.
5. The precise purpose for which the license is sought.
6. Location of licensed premises.

November 18, 2024

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2024-24

2024-24

7. Whether there are any dangerous or hazardous substances stored at the location of licensed premises.

8. Criminal history. Whether or not the applicant or, in the case of a corporation, whether any officer or director thereof has been convicted of a crime, offense or violation of any municipal ordinance or law, and if so, the municipality or jurisdiction where the offense occurred, the nature of the same and the penalty assessed therefor.

9. Photographs. Two clear photographs of the applicant taken not more than 60 days before the submission of the application, which photographs shall be two inches by two inches, showing the head and shoulders of the applicant. In case of a corporation, the officer or agent principally engaged in the activities within the Village shall furnish such photographs.

B. No application shall be considered complete unless it is accompanied by payment of the license fee. The Board of Trustees shall from time to time by resolution set the fee for any license issued pursuant to this section. This fee shall not supersede any other license fees set by the Board pursuant to other sections of the code.

C. Unless specifically provided otherwise, any license duly issued may be renewed upon application by the licensee and accompanied by the appropriate fee and a continuance or renewal of bonds as provided herewithin.

§ 138-4 Investigation.

The completed application, together with the appropriate fee, which shall be nonrefundable and shall be applied to the cost of conducting the investigation and other administrative costs in processing the application, shall be submitted to the Village Clerk, who shall thereupon cause an investigation to be made into all the facts and circumstances pertaining to the application.

§ 138-5 Issuance or denial of license.

A. After such investigation, the Village Clerk shall provide application and results of investigation to the Mayor. All licenses (and renewals) shall be issued by the Mayor to such persons as he shall deem fit and proper upon an evaluation of their qualifications and upon compliance of the applicant with the provisions of this article or any other applicable ordinance, upon a finding that the issuance (or renewal) of a license would not be detrimental to the best interests of the Village or the public. However, licenses for circuses, theaters or other exhibitions or performances, the keeping of billiard or poolrooms, bowling alleys, shooting galleries and other similar places of amusements for money or hire or the giving of exhibitions, performances or entertainments at any place within the Village or the use of mechanically operated amusement devices shall be refused when, in the judgment of the Mayor, they shall be likely to disturb the peace and order of the Village or be immoral or improper.

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

2024-25

2024-25

B. Whenever, by the terms of any ordinance, a bond is required to protect the Village or any other person against loss because of the fault or default of a licensee, no license shall be issued until a bond in the full amount specified and in form approved by the Village Counsel has been filed with the Village Clerk and the fact of its filing, the amount of its coverage and the date of its expiration has been noted on the license.

C. Every license issued shall be signed by the Mayor and countersigned by the Village Clerk. The Village Clerk shall keep a record of each license issued, including the number and date of issuance of the license, the expiration date and purpose for which it is granted and the amount of the fee paid therefor.

§ 138-6 Contents of license.

Each license shall specify the purpose and length of time for which it is granted and when it shall expire. All licenses are issued on an annual basis and shall expire on the 31st day of July each year unless a different expiration date is set forth in a specific section of the code. The precise date of expiration shall be clearly marked upon each temporary license. Licenses not renewed within one year from the date of issuance will be subject to an additional twenty-five-dollar penalty for every 30 days past the expiration date.

§ 138-7 Display of license.

Each licensee shall display the license in a conspicuous place at his place of business; however, when the licensee does not have a fixed place of business, he shall carry the license upon his person at all times while engaged in the licensed activity. Any licensee shall, upon demand of any person, display the license.

§ 138-8 Notification of change of address.

Each person holding a license issued under any provision of this chapter shall notify the Village Clerk in writing of any change of residence or place of business within seven days of such change.

§ 138-9 Denial of license application.

In the event of the denial of an application for a license or a renewal thereof, the Village Clerk shall give written notice thereof to the applicant by registered or certified mail, return receipt requested. The applicant shall have the right to appeal such decision to the Board of Trustees, provided that a notice of appeal is filed, in writing, with the Village Clerk and actually received by the Village Clerk within 10 days from the mailing of the notice denying the application.

§ 138-10 Grounds for suspension or revocation.

The grounds for the suspension or revocation of a license issued pursuant to this chapter are as follows:

A. A misrepresentation or false statement contained in the application for a license.

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2024-26

2024-26

- B. Fraud, misrepresentation or false statement made in the course of carrying on any business or activity which is licensed.
- C. The violation of any provision of this chapter or the provisions of this Code or other ordinance or local law or any statute regulating the licensed activity.
- D. Conviction of the licensee of any crime.
- E. Conducting any business activity which is regulated by the provisions of this Code or any other law requiring the license in such a manner as to constitute a breach of the peace or to endanger the health, safety or general welfare of the public.
- F. Any series of occurrences which cumulatively has the effect of disturbing the tranquility of the Village or a part thereof or causes reasonable apprehension of there being a disturbance of such tranquility.
- G. Violation of any stipulation or condition imposed by the Board of Trustees upon the granting or renewal of any such license and/or any stipulation or condition imposed by any Village Board in relation to the use and occupancy of the property.

§ 138-11 Suspension or revocation of license.

- A. The Village Clerk may suspend any license granted pursuant to this chapter by the giving of written notice to that effect to the licensee by registered or certified mail, return receipt requested. The Board of Trustees shall promptly hold a hearing concerning the facts and circumstances prompting the suspension and shall continue the suspension of the license for a fixed period of time or reinstate or revoke the license.
- B. Any notice to be given by the Board of Trustees under this chapter shall be deemed to have been duly given when:
 - (1) Served personally upon the licensed person or sent by registered or certified mail addressed to his last known address; or
 - (2) In the case of a corporate licensee, served personally upon an officer of said corporate licensee or sent by registered or certified mail addressed to an officer thereof at his residence, together with a copy of the notice by ordinary mail to the address of the licensed premises; or
 - (3) Served personally upon or sent by registered or certified mail to the agent designated under § 138-3; or
 - (4) Served in any manner otherwise specifically provided in this chapter or in any other lawful manner.

Section 3. This local law shall take effect on June 1, 2025.

The Clerk polled the Board as follows:

November 18, 2024

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2024-27

2024-27

Deputy Mayor Ellerbe
Trustee Martinez
Trustee Squeri
Trustee Sanchez
Mayor Kennedy

In Favor
In Favor
In Favor
Excused
In Favor

The hearing was closed at 6:00 P.M.

Pamela Walsh Boening
Village Clerk

November 18, 2024