

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

2025-1

2025-1

A meeting of the Board of Trustees of the Incorporated Village of Freeport was held on Monday, September 29, 2025 at 5:00 P.M. in the Municipal Building, 46 North Ocean Avenue, Freeport, New York, with the following present:

- |                       |                  |         |
|-----------------------|------------------|---------|
| Robert T. Kennedy     | Mayor            |         |
| Jorge A. Martinez     | Deputy Mayor     |         |
| Christopher L. Squeri | Trustee          |         |
| Evette B. Sanchez     | Trustee          | Excused |
| Jacques V. Butler     | Trustee          |         |
| Howard E. Colton      | Village Attorney |         |
| Pamela Walsh Boening  | Village Clerk    |         |

At 5:04 P.M., Mayor Kennedy convened in the main conference room and Deputy Mayor Martinez led in the Pledge of Allegiance.

No residents were present.

At 5:05 P.M., it was moved by Trustee Butler, seconded by Trustee Squeri and carried to adjourn this portion of the Legislative Meeting and return to the Mayor’s Conference Room to continue in Executive Session to discuss two (2) Personnel Matters.

The Clerk polled the Board as follows:

- |                       |          |
|-----------------------|----------|
| Deputy Mayor Martinez | In Favor |
| Trustee Squeri        | In Favor |
| Trustee Sanchez       | Excused  |
| Trustee Butler        | In Favor |
| Mayor Kennedy         | In Favor |

At 5:55 P.M., motion was made by Trustee Squeri, seconded by Trustee Butler and carried to reconvene in Legislative Session.

The Clerk polled the Board as follows:

- |                       |          |
|-----------------------|----------|
| Deputy Mayor Martinez | In Favor |
| Trustee Squeri        | In Favor |
| Trustee Sanchez       | Excused  |
| Trustee Butler        | In Favor |
| Mayor Kennedy         | In Favor |

One (1) resident was present.

Deputy Mayor Martinez led in the Pledge of Allegiance.

It was moved by Trustee Squeri, seconded by Trustee Butler, and carried to approve the Board of Trustees Minutes of September 8, 2025.

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2025-2

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The Clerk polled the Board as follows:

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

It was moved by Trustee Squeri, seconded by Trustee Butler, and carried to approve the Board of Trustees Dangerous/Nuisance Minutes of September 8, 2025.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Butler, seconded by Deputy Mayor Martinez and carried to retroactively approve the request to hang a banner promoting the October 5, 2025 "Pirate Festival" from September 22, 2025 through October 6, 2025 on S. Main Street between Raynor Street and Archer Street and further request that the Electric Department assist in hanging and removing the banner.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Squeri, seconded by Trustee Butler and carried to retroactively approval the request to hang a banner promoting the October 18, 2025 "South Shore Arts Festival" from September 27, 2025 through October 20, 2025 on S. Main Street between Raynor Street and Archer Street and further request that the Electric Department assist in hanging and removing the banner.

The Clerk polled the Board as follows:

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

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2025-3

2025-3

Motion was made by Trustee Butler, seconded by Deputy Mayor Martinez to approve the public assembly permit application, submitted on behalf of the NYS United Teachers, to hold a public assembly on Monday, October 6, 2025, from 3:30 P.M. to 6:00 P.M., in a portion of the LIRR parking lot on Sunrise Highway.

The Clerk polled the Board as follows:

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

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

**WHEREAS**, on November 14, 2022 the Board retroactively approved the changes recommended by the Assessor to be made to the 2022/2023 Final Assessment Roll and that the Treasurer issue a corrected tax bill for Section 62, Block 095, and Lot 169, a/k/a 56 Martha Street; and

**WHEREAS**, permission is requested for the Assessor to remove from 2023/2024 to 2025/2026 Final Assessment Rolls exemptions related to a veteran assessed value; and

**WHEREAS**, the exemption removal was entered in PAS but due to a computer glitch, the exemption removal did not take place and continued from 2023 to 2025; and

**WHEREAS**, the below list consists of changes to assessed tax value after the adoption of the 2023/2024 to 2025/2026 Final Assessment Rolls; and

S / B / L	Address	Exemption Code	Exemption Amount	Reason
62 / 095 / 169	56 Martha St	41161 - Vet - Cold War	2023 – 663 2024 – 663 2025 - 663	Removal of exemption to correct computer error - Property Sold 11/04/2022

**WHEREAS**, the Assessor reviewed the application and made the recommendation that the exemption be removed from the 2023/2024 to 2025/2026 Final Assessment Rolls as listed above; and

**WHEREAS**, where a partial exemption is entered on an assessment roll for an ineligible parcel, it is an error in essential fact, which may be corrected by the Board in accordance with the provisions of the Real Property Tax Law; and

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2025-4

2025-4

**NOW THEREFORE BE IT RESOLVED**, that the Board of Assessment Review comprised of members of the Board of Trustees, be authorized to retroactively approve the changes recommended by the Assessor to be made to the 2023/2024 to 2025/2026 Final Assessment Rolls and that the Treasurer issue a corrected tax bill.

The Clerk polled the Board as follows:

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

It was moved by Trustee Butler, 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 2025/2026 Final Assessment Roll; and

S / B / L	Address	Exemption Code	Exemption Amount	Reason
55 / 214 / 28	95 Weberfield Ave	41121 - Vet Wartime / Non-Combat	2025 – 439	Property Sold 8 / 28 / 2025
62 / 096 / 305	88 Norton St	41121 - Vet Wartime / Non-Combat	2025 - 439	Non-Owner Occupied from 9/2024 to current 9/2025

**WHEREAS**, the Assessor reviewed the application and made the recommendation that the exemption be removed from the 2025/2026 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 2025/2026 Final Assessment Roll and that the Treasurer issue a corrected tax bill.

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2025-5

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The Clerk polled the Board as follows:

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

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

**WHEREAS**, on July 15, 2024, the Board approved the renewal agreement between the Village of Freeport and AECOM Technical Services Inc., 250 Apollo Drive, Chelmsford, Massachusetts 01824, on an as needed basis for the performance of general environmental services pertaining to Freeport’s Plants 1 and 2 for a cap of \$45,000 retroactively from March 1, 2024 to February 28, 2025; and

**WHEREAS**, AECOM Technical Services, Inc. has provided environmental consulting to Freeport’s Electric Utility for over fifteen years on an as needed basis for various environmental management issues; and

**WHEREAS**, AECOM assists the Utility with the submittal of certain reports and certifications required by the New York State Department of Environmental Conservation (NYSDEC) and the Environmental Protection Agency (EPA); 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**, AECOM serves as an agent for Freeport Electric in emissions markets such as EPA’s Clean Air Market Program and the Regional Greenhouse Gas Initiative; and

**WHEREAS**, from March 1, 2024 through February 28, 2025, the Village expended \$26,705.28 out of the \$45,000.00 allocated for the contract; and

**WHEREAS**, the cost of AECOM Technical Services Inc., 250 Apollo Drive, Chelmsford, Massachusetts 01824, on an as needed basis for the performance of general environmental services pertaining to Freeport’s Plants 1 and 2 for a cap of \$45,000.00 (an increase in hourly rates, but no increase in contract cap) retroactively from March 1, 2025 to February 28, 2026; and

**WHEREAS**, these services will be charged to E7143151 510000 – Power Plant 1; E7143152 510000 – Power Plant 2 and E7143156 510000 – LM6000 and there are sufficient funds in the referenced accounts to cover these costs; and

**NOW THEREFORE BE IT RESOLVED**, that based upon the recommendation of the

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Superintendent of Electric Utilities, the Board hereby approves, and the Mayor is hereby authorized to execute the renewal agreement between the Village of Freeport and AECOM Technical Services Inc., 250 Apollo Drive, Chelmsford, Massachusetts 01824, on an as needed basis for the performance of general environmental services pertaining to Freeport’s Plants 1 and 2 for a cap of \$45,000 retroactively from March 1, 2025 to February 28, 2026.

The Clerk polled the Board as follows:

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

Motion was made by Deputy Mayor Martinez, seconded by Trustee Squeri and carried to approve the recommendation of the Freeport Fire Council and that membership be granted to Alain St. Omer, Truck Co. #1.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Butler, seconded by Trustee Squeri and carried to approve the recommendation of the Freeport Fire Council and that membership be granted to Denislon Guterrez, Hose Co. #5.

The Clerk polled the Board as follows:

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

Motion was made by Trustee Squeri, seconded by Deputy Mayor Martinez and carried to approve the Freeport Fire Council and Chief of Department Gonzalez and Sotira in creating the title Deputy Assistant Chief for the following:

Ex. Chiefs Jerry Cardoso, Scott Braun, Joe Stallone, Ray Maguire, John Maguire, Joe Sotira, Matt Colgan, Dave Baer, Albiero Gonzalez and Alfredo Ruiz.

The Clerk polled the Board as follows:

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

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2025-7

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Trustee Butler  
Mayor Kennedy

In Favor  
In Favor

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

**WHEREAS**, the Freeport Fire Council is respectfully requesting approval from the Village Board of Trustees to renew fire department subscriptions for various training publications; and

**WHEREAS**, the subscriptions afford up-to-date training and information for firefighters to utilize and are distributed to all firehouses; and

**WHEREAS**, the costs have been paid by the Village in the past and are budgeted in account A341004 545100 Fire Instruction – Subscriptions, and are broken down as follows:

<b>Freeport FD</b>	
<b>Subscriptions</b>	
Fire News	\$ 525.00
1 <sup>st</sup> Responder	\$ 495.00
WNYF (With New York Firefighters)	\$ 250.00
	<b>\$ 1,270.00</b>

**NOW THEREFORE BE IT RESOLVED**, that based on the recommendation of the Freeport Fire Council, the Village Board of Trustees approve and the Mayor be and hereby is authorized to execute any and all documentation necessary to renew the subscriptions in the aforementioned training publications for a total cost not to exceed \$1,270.00.

The Clerk polled the Board as follows:

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

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

**WHEREAS**, on March 24, 2025, the Board approved the purchase of four (4) 2025 Police Interceptor SUVs from Nielson Ford, 170 Ridgedale Ave., Morristown, NY 07960, for the total cost of \$292,075.29; and

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**WHEREAS**, the Freeport Police Department is requesting Board approval to increase the amount for purchase of Ford Interceptor Police Vehicles by \$3,484.94; and

**WHEREAS**, due to the changes required for the lights on the vehicle, the total cost has increased to \$295,560.23; and

**WHEREAS**, the purchase of vehicles will come from the NYS Assembly Grant in Account # H349702 – 522701, Police Vehicle Ban; and

**NOW THEREFORE BE IT RESOLVED**, that based upon the recommendation of the Chief of Police, the Board of Trustees hereby approves the increased purchase of four (4) 2025 Police Interceptor SUVs from Nielson Ford, 170 Ridgedale Ave., Morristown, NY 07960, by \$3,484.94, for a revised total cost of \$295,560.23.

The Clerk polled the Board as follows:

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

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

**WHEREAS**, the Incorporated Village of Freeport requires bids for the “2025 Road Resurfacing Project” which provides for the cold-milling and asphalt overlaying of existing roadways where the road bed is in good condition, but the upper layer of asphalt is deteriorating and this will help extend the life of these roadways in a cost-effective manner; and

**WHEREAS**, the proposed roadways are as follows:

Road	From	To
Manhattan Street	South Ocean	120 foot west
Russell Place	Pennsylvania Avenue	North Longbeach
Wallace Street (Conc. Road)	Brooklyn Avenue	Randall Avenue
Commercial Street	Rutland Road	Harrison Avenue
Parsons Avenue (Conc. Road)	Shonnard Avenue	North Columbus Avenue
Randall Avenue (Conc. Road)	North Main Street	Ocean Avenue
Maryland Avenue	Prince Avenue	Moore Avenue
Southside Avenue	Westend Avenue	South Brookside Avenue
Casino Street	South Bayview Avenue	South Long Beach Avenue
Parking Field 11		
North Driveway at Village Hall		

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2025-9

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**WHEREAS**, the estimated cost of this project is \$1,250,000.00; and

**WHEREAS**, partial funding will come from a \$1,260,000.00 bond resolution approved by the Board of Trustees on April 7, 2025 (Capital Account H519702 523055); and

**WHEREAS**, the project is reimbursable with a Freeport Community Development Agency grant and the New York State Consolidated Local Street and Highway Improvement Program (CHIPS) funding; and

**NOW THEREFORE BE IT RESOLVED**, that the Board hereby approves and the Village Clerk is hereby authorized to advertise a Notice to Bidders for the “2025 Road Resurfacing Project” in the Freeport Herald and other relevant publications on October 2, 2025 with specifications available from October 6, 2025 through October 17, 2025, with a return date of October 21, 2025, with bids scheduled to be opened at 11:00 AM.

The Clerk polled the Board as follows:

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

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

**WHEREAS**, six (6) bids were picked up and two (2) bids were received for the September 16, 2025 bid opening for the “Purchase of Decorative Street Poles and Signs”; and

**WHEREAS**, bids range from a high bid of \$61,094.00 to a low bid of \$51,828.00; and

**WHEREAS**, the lowest and responsible bidder was submitted by Kelly and Hayes, 66 Southern Blvd, Nesconset, NY 11767, in the amount of \$51,828.00; and

**WHEREAS**, funding for this purchase will come out of a capital account H519702 523055); the Village will receive reimbursement from the Freeport Community Development Agency in the amount of \$40,000.00 for the purchase of the poles and signs; and

**NOW THEREFORE BE IT RESOLVED**, that based upon the recommendation of the Superintendent of Public Works, the Board hereby approves and the Mayor be is hereby authorized to sign all documents necessary to award the bid for the “Purchase of Decorative Street Poles and Signs” to Kelly and Hayes, 66 Southern Blvd, Nesconset, NY 11767, in the amount of \$51,828.00.

The Clerk polled the Board as follows:

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

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

**WHEREAS**, nineteen (19) bids were distributed and three (3) bids were received on September 16, 2025 for the “Demolition of Residential House”; and

**WHEREAS**, the project calls for the demolition of 23 High Place, Freeport, NY 11520, that is in a state of disrepair and abandoned; and

**WHEREAS**, bids range from a high bid of \$135,000.00 to a low bid of \$49,500.00; and

**WHEREAS**, the lowest and responsible bidder was submitted by Jaymond Industries, 45 Nevinwood Place, Huntington Station, NY 11746, in the amount of \$49,500.00; 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 hereby approves and the Mayor be is hereby authorized to sign all documents necessary to award the bid for the “Demolition of Residential Houses” to Jaymond Industries, 45 Nevinwood Place, Huntington Station, NY 11746, in the amount of \$49,500.00.

The Clerk polled the Board as follows:

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

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

**WHEREAS**, the Village of Freeport wishes to hold a Freeport Fall Festival on Woodcleft Avenue on Sunday, October 26, 2025, with events running from 12pm to 3pm, jointly organized by the Freeport Recreation Center, the Freeport Fire Department, and the Freeport Chamber of Commerce; and

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2025-11

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**WHEREAS**, the Freeport Fire Department will host their annual Fire Expo in the municipal parking adjacent to the Splash building and across from the Village Esplanade between 12pm and 3pm; they will set up their trucks and displays in the south portion of the parking lot; and

**WHEREAS**, the Chamber of Commerce will host the “Annual Chowder Contest” from 1pm - 3pm on the Esplanade; and

**WHEREAS**, limited vendors and activities, including a Trunk or Treat and wheelchair softball game, will be set-up in the municipal lot; and

**WHEREAS**, the Village of Freeport will host a Fire Department and Children’s Costume Parade at 12pm (line-up will begin at approximately 11:30am) and proceed north on Woodcleft Avenue to the municipal parking lot, south of Hamilton Street; Woodcleft Avenue will be partially closed for the duration of the parade; estimated parade time, from line-up to finish, should be no longer than 1 hour; and

**WHEREAS**, the Recreation Center, Department of Public Works, Police Department, and Fire Department will work together to ensure the safety and order throughout the day; and

**NOW THEREFORE BE IT RESOLVED**, that the Board approves the Freeport Fall Festival on Woodcleft Avenue on Sunday, October 26, 2025, with events running from 12pm to 3pm, jointly organized by the Freeport Recreation Center, the Freeport Fire Department, and the Freeport Chamber of Commerce.

The Clerk polled the Board as follows:

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

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

**RESOLUTION AUTHORIZING THE CREATION OF THE “FREEPORT LOCAL DEVELOPMENT CORPORATION”, APPROVING THE FORM OF THE CERTIFICATE OF INCORPORATION, DESIGNATING THE CORPORATION AS ISSUER OF TAX-EXEMPT AND TAXABLE BONDS AND AUTHORIZING THE CORPORATION TO PERFORM ESSENTIAL GOVERNMENTAL FUNCTIONS INCLUDING ACTIVITIES ASSOCIATED WITH THE PROMOTION OF COMMUNITY AND ECONOMIC DEVELOPMENT AND JOB CREATION AND THE ISSUANCE OF BONDS ON ITS BEHALF**

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WHEREAS, it is the policy of the State of New York to promote the economic welfare and prosperity of its inhabitants and to actively promote, attract, encourage and develop economically sound commerce and industry; and

WHEREAS, the Village of Freeport, New York (the "Village") is tasked with the responsibility and burden to promote the health, safety and general welfare of the residents of the Village by, among other, things preventing unemployment and economic deterioration including by increasing and maintaining employment opportunities and attracting and sustaining economically sound commerce; and

WHEREAS, it is essential for the Village to support job creation, private investment and economic growth for residents of the Village: and

WHEREAS, in furtherance of the public purposes set forth above, the Village wishes to form Freeport Local Development Corporation (the "Corporation"), a local development corporation authorized under Section 1411 of the New York State Not For Profit Corporation Law (the "NFPCL"), and

WHEREAS, a proposed certificate of incorporation (the "Certificate of Incorporation") has been prepared for review by the Village Board of Trustees and a copy of such proposed Certificate of Incorporation is attached hereto as Exhibit A; and

WHEREAS, in furtherance of the public purposes set forth above, a local development corporation formed under the NFPCL is empowered to take all actions authorized pursuant to the Certificate of Incorporation and the NFPCL, including, but not limited to, the following actions: (1) to borrow money and to issue negotiable bonds, notes and other obligations therefor, (2) to sell, lease, mortgage or otherwise dispose of or encumber any such real or personal property or any interest therein upon such terms as it may determine to be suitable; and

WHEREAS, the Corporation will be operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or governmental purposes to relieve and reduce unemployment, promote and provide for additional and maximum employment, improve and maintain job opportunities, and lessen the burden of government and act in the public interest; and

WHEREAS, to accomplish its job creation and other economic development responsibilities and relieve the burdens related to same and to create and preserve employment opportunities for residents of the Village, the Village desires to task the Corporation with such burdens and responsibilities and authorize the Corporation to issue tax-exempt and taxable bonds on behalf of the Village for such public purposes.

NOW, THEREFORE, BE IT RESOLVED, the Village authorizes the creation of the Corporation and the Village Board of Trustees approves the form and substance of the Certificate of Incorporation presented at this meeting and attached hereto as Exhibit A, all in substantially the form thereof presented to this meeting, with such changes, variations, omissions and insertions as the Mayor and the Village Attorney shall approve; and

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BE IT FURTHER RESOLVED, that the Corporation is hereby designated as an on behalf of issuer of the Village for the purposes of issuing bonds with authority to exercise on the Village’s behalf all lawful powers as may be deemed necessary to accomplish its public purposes including to enhance, create and preserve employment opportunities for residents of the Village, which such powers shall include, but not be limited to, those powers described in NFPCL Section 1411 and the Corporation’s Certificate of Incorporation, with the power to issue tax-exempt and taxable bonds, notes, or other obligations on behalf of the Village in furtherance of its purposes, provided however that any obligations issued by the Corporation shall never be a debt of, nor guaranteed or supported by, the State of New York, the Village or any political subdivision thereof (other than Corporation) and neither the State of New York, the Village or any political subdivision thereof (other than Corporation) shall be liable thereon and provided further that the Corporation shall exercise its powers only in accordance with its Certificate of Incorporation; and

BE IT FURTHER RESOLVED, that the Mayor or his designated representative is hereby authorized and directed for and in the name and on behalf of the Village to do all acts and things required of the Village in connection with the issuance of tax-exempt and taxable bonds, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the Mayor or his designated representative, desirable and proper to effect the purposes of the foregoing resolutions; and be it

BE IT FURTHER RESOLVED, that these resolutions shall take effect immediately.

The Clerk polled the Board as follows:

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

**Declared duly adopted on motion** September 29, 2025.

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## **Exhibit A**

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CERTIFICATE OF INCORPORATION

OF

FREEPORT-LOCAL DEVELOPMENT CORPORATION

A Not-For-Profit Local Development Corporation

Under Section 402 and Section 1411 of the Not-For-Profit

Corporation Law of the State of New York

THE UNDERSIGNED, being over the age of eighteen years, for the purpose of forming a not-for-profit local development corporation pursuant to Section 1411 of the Not-For-Profit Corporation Law of the State of New York, hereby certifies as follows:

FIRST: The name of the corporation shall be "FREEPORT LOCAL DEVELOPMENT CORPORATION" (hereinafter referred to as the "Corporation").

SECOND: The Corporation will be a corporation as defined in subparagraph (a)(5) of Section 102 of the Not-For-Profit Corporation Law of the State of New York and, as provided in Section 1411 of the Not-For-Profit Corporation Law, will be a charitable corporation as defined in Section 201 of the Not-For-Profit Corporation Law. The Corporation shall serve as public instrumentality of, but operate separate and apart from, the Village of Freeport, New York (the "Village").

THIRD: The operations of the Corporation will be principally conducted within the Village. The purpose for which the Corporation is to be formed is to acquire, develop, own, construct (or cause to be constructed), maintain (or cause to be maintained), operate (or cause to be operated) certain real and tangible personal property located at the following premises (hereinafter the "Territory"):

<u>Premises</u>	<u>Section</u>	<u>Block</u>	<u>Lot</u>
<u>Part of 220 West Sunrise Hwy, Freeport, New York 11520</u>			

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FOURTH: The Corporation will be operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or governmental purposes to relieve and reduce unemployment, promote and provide for additional employment, improve and maintain job opportunities, lessen the burden of government and act in the public interest. In furtherance of said purposes, the Corporation's powers shall include:

(a) To foster the creation, retention and expansion of jobs and economic opportunities for the benefit of the Village, State and local economies;

(b) To construct, acquire, rehabilitate and improve for use by others, facilities in the Territory in which its operations are principally to be conducted, to assist financially in such construction, acquisition, rehabilitation and improvement, to maintain and/or lease such facilities on its behalf or for others in the Territory; to disseminate information and furnish advice, technical assistance and liaison with federal, state and local authorities with respect thereto;

(c) To acquire by purchase, lease, gift, bequest, devise or otherwise real or personal property or interests therein;

(d) To apply for loans and borrow money without limit as to amount; to make, draw, accept, endorse, execute and issue negotiable bonds, debentures, notes and other obligations therefor, including, without limitation, to issue negotiable bonds, notes or other obligations on behalf of the Village in support of economic and community development activities thereby lessening the burdens of the Village; provided, however, that in no event shall any such bonds, notes or other obligation be the direct or indirect obligation of the Village;

(e) To sell, lease, mortgage or otherwise dispose of or encumber any such facilities or any of its real or personal property or any interest therein upon such terms as it may determine;

(f) To enter into covenants and agreements and to comply with all the terms, conditions and provisions thereof, and otherwise to carry out its corporate purposes and to

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foster and encourage the location or expansion of facilities and related businesses in the Territory;

(g) To apply for and make grants and loans and to execute any and all documents necessary in connection therewith;

(h) To do any other act or thing incidental to or connected with the foregoing purposes or in advancement thereof, but not for the pecuniary profit or financial gain of its Member, directors, officers or any private person; and

(i) In general, to perform any and all acts and things, and exercise any and all powers which may now or hereafter be lawful for the Corporation to do or exercise under and pursuant to the laws of the State of New York for the purpose of accomplishing any of the foregoing purposes of the Corporation.

FIFTH: The Corporation's mission and public objective, which the Corporation's purposes will achieve, include, but are not limited to, the lessening of the burdens of government by undertaking and promoting economic development initiatives in the Village that will include real estate leasing, acquisition, development and management, real estate project finance, and other community-based economic development activities permissible under the Not-For-Profit Corporation Law; including but not limited to the acquisition of fee title or long term lease of lands within the Territory and acquisition and operation of the buildings, personal property (tangible and intangible), improvements and all other property related assets in the Territory.

SIXTH: Pursuant to the requirements of Section 1411(e) of the Not-For-Profit Corporation Law:

(a) All income and earnings of the Corporation shall be used exclusively for its corporate purposes with the intent being that all income and earnings will be expended or deposited in appropriate reserves for corporate purposes.

(b) The property of the Corporation is irrevocably dedicated to charitable purposes. No part of the income or earnings of the Corporation shall inure to the benefit or profit of, nor shall any distribution of its property or assets be made to, any member,

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director or officer of the Corporation, or private person, corporate or individual, or to any other private interest, except that the Corporation may repay loans made to it and may repay contributions (other than dues) made to it to the extent that any such contribution may not be allowable as a deduction in computing taxable income under the Internal Revenue Code of 1986, as amended.

(c) If the Corporation accepts a mortgage loan or loans from the New York Job Development Authority, the Corporation shall be dissolved in accordance with the provisions of paragraph (g) of Section 1411 of the Not-For-Profit Corporation Law upon the repayment or other discharge in full by the Corporation of all such loans.

SEVENTH: (a) The Corporation shall not attempt to influence legislation by propaganda or otherwise, or participate in or intervene, directly or indirectly, in any political campaign on behalf of or in opposition to any candidate for public office.

(b) The Corporation shall not engage in any activities not permitted to be carried on by an organization exempt from federal income taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder.

EIGHTH: In the event of the dissolution of the Corporation or the winding up of its affairs, the Board of Directors shall, after paying or making provision for the payment of all debts and liabilities of the Corporation of whatsoever kind or nature, distribute all of the remaining assets and property of the Corporation to the Village in furtherance of the public purposes set forth in Section 1411 of the Not-for-Profit Corporation Law.

NINTH: The office of the Corporation shall be located in the Village of Freeport, New York.

TENTH: The offices of the Corporation shall be functionally separate from those of the Village or any of the Village's affiliated entities (collectively, the "Village Entities"). The Corporation at all times shall:

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(a) maintain separate accounting records and other corporate records from those of the Village Entities;

(b) not divert the Corporation's funds to any other person or for other than the use of the Corporation and not commingle any of the Corporation's assets with those of the Village Entities;

(c) pay any employee, consultant or agent of the Corporation, or any other operating expense incurred by the Corporation, from the assets of the Corporation and not from the assets of any of the Village Entities;

(d) maintain its own deposit account or accounts, separate from those of the Village Entities, with commercial banking institutions and/or trust companies;

(e) to the extent that the Corporation contracts or does business with vendors or service providers where the goods and services provided are partially for the benefit of any other person or entity, the costs incurred in so doing shall be fairly allocated to or among the Corporation and such persons or entities for whose benefit the goods and services are provided, and the Corporation and each such person or entity shall bear its fair share of such costs;

(f) conduct its business in its own name and conduct all material transactions between the Corporation and the Village Entities only on an arm's-length basis;

(g) observe all necessary, appropriate and customary corporate formalities, including, but not limited to, holding all regular and special Member' and directors' meetings appropriate to authorize all corporate action, keeping separate and accurate minutes of such meetings, passing all resolutions or consents necessary to authorize actions taken or to be taken, and maintaining accurate and separate books, records, and accounts, including, but not limited to, intercompany transaction accounts. regular Member' and directors' meetings shall be held at least annually;

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(h) ensure that decisions with respect to its business and operations shall be independently made by the Corporation;

(i) act solely in its own corporate name and through its own authorized officers and agents;

(j) other than as expressly provided herein, pay all expenses, indebtedness and other obligations incurred by it;

(k) not enter into any guaranty, or otherwise become liable, with respect to any obligation of the Village Entities;

(l) cause any financial reports required of the Corporation to be prepared in accordance with generally accepted accounting principles and be audited annually and be issued separately from any reports prepared for any member of the Village Entities; and

(m) ensure that at all times it is adequately capitalized to engage in any contemplated transaction.

ELEVENTH: The sole Member of the Corporation shall be the Village acting by and through the Mayor.

TWELFTH: The Corporation shall be managed by a Board of Directors consisting of Five Directors. The Board of Directors shall be appointed by and serve for terms established by the Member. Any subsequent increase or decrease in the size of the Board of Directors will require the approval of the Member and the affirmative vote of a majority of the Directors.

THIRTEENTH: The names and addresses of the initial Directors of the Corporation and the expiration of the term for each initial Director shall be as follows:

Name	Address	Term Ending
[*]	[*]	12/31/2026

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[\*] [\*] 12/31/2026

[\*] [\*] 12/31/2027

[\*] [\*] 12/31/2027

[\*] [\*] 12/31/2028

FOURTEENTH: The duration of the Corporation shall be perpetual.

FIFTEENTH: The Corporation shall indemnify each Member, each Director, each officer, and, to the extent authorized by the Board of Directors, each other person authorized to act for the Corporation or on its behalf, to the full extent to which indemnification is permitted under the Not-For-Profit Corporation Law.

SIXTEENTH: The Secretary of State of the State of New York State is designated as agent of the Corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the Corporation served upon him is as follows: 46 N Ocean Ave, Freeport, NY 11520

SEVENTEENTH: The By-laws of the Corporation may be adopted, amended or repealed by a majority of the Directors of the Corporation.

EIGHTEENTH: The Corporation will not do any of the following:

(a) Without the affirmative vote of the Member and the affirmative vote of a majority of the Directors, increase or decrease the number of Members of the Corporation.

(b) Without the affirmative vote of the Member and the affirmative vote of a majority of the Directors, (i) dissolve or liquidate, in whole or in part, or institute proceedings to be adjudicated bankrupt or insolvent, (ii) consent to the institution of bankruptcy

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or insolvency proceedings against it, (iii) file a petition seeking or consenting to reorganization or relief under any applicable federal or state law relating to bankruptcy or insolvency, (iv) consent to the appointment of a receiver, liquidator, assignee, trustee, sequestrator or other similar official of the Corporation or a substantial part of its property, (v) make a general assignment for the benefit of creditors, (vi) admit in writing its inability to pay its debts generally as they become due or (vii) take any corporate action in furtherance of the actions set forth in clauses (i) through (vi) of this paragraph.

(c) Without the affirmative vote of the Member and the affirmative vote of a majority of the Directors, merge or consolidate with any other corporation, company or entity, sell all or substantially all of its assets or acquire all or substantially all of the assets or capital stock or other ownership interest of any other corporation, company or entity.

IN WITNESS WHEREOF, this certificate has been subscribed this \_\_\_\_ day of \_\_\_\_\_, 2025.

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Robert T. Kennedy, Mayor, Incorporator

Village of Freeport  
46 N. Ocean Avenue  
Freeport, New York 11520

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

**WHEREAS**, authorization is requested to close out the Bond resolution titled “Construction or reconstruction of improvements to the Village’s sewer system” and associated capital H819702 522841 Village Sewer System; and

**WHEREAS, the Debt History of Project:**

Authorized:	6/5/2017
Amount Authorized:	\$320,000.00
Initial Financing:	2017 Series C BAN on 8/17/17
	Rolled to 2018 Series B BAN 5/2/18
	Principal payment made \$20,000 on 4/30/19
	Balance of \$300,000 rolled to 2019 Series A BOND on 4/30/19

Remaining in project	
0.00	
Interest Earned as of 08/31/2025	36,261.52
Total cash remaining	
To be transferred to reserve for Debt Service	<b>\$36,261.52</b>

**WHEREAS**, the NYLFN §165.00 and the New York State Comptroller mandates that the Village Board give authorization to close out a bond authorization and reserve any excess BOND proceeds and earned interest to pay down current debt, if due, or transfer to a Debt Service Reserve to pay down future debt; and

**WHEREAS**, the remaining cash available will be transferred to the General Fund Reserve for Debt Service cash account A200 120171; and

**NOW THEREFORE BE IT RESOLVED**, that the Board authorizes the closing of the above referenced bond authorization titled “Construction or reconstruction of improvements to the Village’s sewer system”; and

**BE IT FURTHER RESOLVED**, that the Board authorizes the closing of the associated Capital Project H819702 522841 Village Sewer System and the remaining debt proceeds and interest, in the amount of Thirty-Six Thousand, Two Hundred Sixty-One Dollars and Fifty-Two Cents (\$36,261.52) and any additional accrued interest on such amount to the date of such transfer be moved to the General Fund Reserve for Debt Service cash account A200 120171.

The Clerk polled the Board as follows:

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

Mayor Kennedy opened the meeting to questions and comments from those present; whereupon there was no verbal response or comment slips submitted.

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

The Clerk polled the Board as follows:

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

The meeting was closed at 6:15 P.M.

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Pamela Walsh Boening  
Village Clerk