

January 3, 2023

Item No. 9
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Execution of an Agreement
and General Release.

WHEREAS, Section 20(3) of the Charter of the City of Long Beach provides that notwithstanding any provision of the Charter or any ordinance, the City Council may enter into a written employment agreement with the City Manager for a term not to exceed three years and upon such terms and conditions as the City Council shall agree; and

WHEREAS, Donna M. Gayden, the current City Manager, is a party to such a written employment agreement, the term of which is set to expire on December 31, 2023 (“Employment Agreement”); and

WHEREAS, over the course of the Ms. Gayden’s tenure, the City Council and the City Manager have examined/discussed the City’s organizational and operational structure, as well as the expected profile for the next City Manager; and

WHEREAS, to facilitate same, the City Council and the City Manager both agree that now is the time to transition towards another management professional; and

WHEREAS, the City Council and the City Manager have mutually agreed to terminate the Employment Agreement; and

WHEREAS, the City Manager and the City Council have further memorialized the terms and conditions incident to the termination of the Employment Agreement and Ms. Gayden’s separation from service;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Acting City Manager is hereby authorized to execute an Agreement and General Release memorializing the mutual termination of the Employment Agreement.

January 3, 2023

Item No. 10
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Appointing an Acting City Manager for the
City of Long Beach.

WHEREAS, Section 11 of the Charter of the City of Long Beach provides the
authority to the City Council to appoint a City Manager; and

WHEREAS, Section 20 of the Charter of the City of Long Beach provides that
the City Manager shall be the chief executive officer with specific powers and duties conferred
upon him/her by state and local laws; and

WHEREAS, Section 20(4) of the Charter of the City of Long Beach provides a
mechanism to address vacancies within the office of the City Manager, specifically that the City
Council may designate an administrative officer of the City to serve temporarily as Acting City
Manager when the office is vacant; and

WHEREAS, the current City Manager, Donna M. Gayden, and the City Council
have mutually agreed to terminate her current employment agreement; and

WHEREAS, in order to maintain the continuity and stability of government, it is
the desire of the City Council to appoint a new Acting City Manager and to establish a City
Manager search committee who will be the designated City Council liaisons charged with the
responsibility of reporting to the Council on the City's progress in the search for a permanent
City Manager and making overall recommendations to the City Council on the selection of same;
and

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 20(4) and Section 20(8) of the Charter of
the City of Long Beach, New York, that the City Council appoints the current Police
Commissioner, Ronald J. Walsh, Jr., who is hereby authorized to hold more than one office, as
the Acting City Manager of the City of Long Beach, effective January 4, 2023.

January 3, 2023

Item No. 11
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Appointing a Treasurer for the City of Long Beach.

WHEREAS, Section 20 of the Charter of the City of Long Beach provides that the City Manager shall be the chief executive officer with specific powers and duties conferred upon him/her by state and local laws; and

WHEREAS, Section 11 of the Charter of the City of Long Beach provides the authority of the City Manager to appoint a City Treasurer; and

WHEREAS, Section 21 of the Charter of the City of Long Beach provides that the City Treasurer shall be a fiscal officer of the City and shall perform such duties incident to his/her office as the Council may require; and

WHEREAS, the current City Manager, Donna M. Gayden, and the City Council have mutually agreed to terminate her current employment agreement resulting in a vacancy in the position of City Treasurer; and

WHEREAS, that pursuant to Section 8 of the Charter of the City of Long Beach provides that the City Council may provide for the holding of two or more such offices by the same person;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Sections 8 and 11 of the Charter of the City of Long Beach, New York, that the City Council hereby confirms the City Manager's appointment of Tax Assessor Raymond Flammer, who is authorized to hold more than one office, as the City Treasurer of the City of Long Beach, effective January 4, 2023.