

**CITY OF LONG BEACH
MINUTES OF THE REGULAR MEETING
OF THE COMMON COUNCIL
HELD JANUARY 5TH, 2021**

A regular meeting of the City Council of the City of Long Beach was held on Tuesday, January 5th, 2021.

Present were Council President Bendo and Council Members Delury, Mandel, McInnis and Treston.

Deputy Corporation Counsel Richard Berrios and City Manager Donna Gayden were also present.

Because of the COVID-19 pandemic, public attendance was suspended for this meeting. The following notice was posted prior to the meeting:

In light of current health concerns and as per Gov. Cuomo's Executive Order 202.1 we are making the following changes for this Council Meeting:

- **Public attendance for this meeting will be suspended.** A live Stream of the meeting will be available on our YouTube channel. Please visit [longbeachny.gov/councilmeetings](https://www.longbeachny.gov/councilmeetings) for the link to our YouTube channel.
- Anyone wishing to directly participate in the meeting was provided with a link to the Zoom meeting

City Manager Donna M. Gayden introduced Mr. John Gross, Esq. of Ingerman Smith, to give a report.

Mr. Gross stated that the City Manager asked him to give a brief report regarding the status of discussions between the City and the MLK, Inc. He proceeded to note the reasons for the negotiations regarding the Lease agreement and that the aim for these discussions was to establish a lease that would provide for utilization of a portion of the premises by the MLK, Inc. and to permit them to participate in the efforts of the city to expand services to the community. Mr. Gross also noted that the city's intent was to develop an appropriate lease agreement with the MLK, Inc. and have them continue to provide programs and expand their involvement in city sponsored activities. He concluded that there will be another negotiating session and he was hopeful that this matter could have some closure with an appropriate lease agreement.

Council Member Treston asked Mr. Gross to emphasize the fact that this topic was all about a lease and asked who would be responsible if someone were to get hurt in any of the City buildings.

Mr. Gross replied that the city would most likely be sued along with the organization. He also added that in the lease agreement, appropriate insurance would need to be obtained by the city and any organization that uses a portion of the facility. Mr. Gross also indicated that it was the

council's job to be sure that they follow through with their fiduciary responsibilities and bring this situation into a conformance with appropriate law.

Council Vice President McInnis thanked City Manager Gayden, Rich Berrios and Mr. Gross for making sure that she does her job as a fiduciary for the city.

Mr. John McNally, Executive Assistant to the City Manager asked Mr. Gross to give an update on the status of the COVID site safety reopening plan for the MLK, Inc. in terms of the lease negotiations.

Mr. Gross stated that any user of the premises would need to meet appropriate CDC and NYS Department of Health COVID 19 precautions.

The City Manager noted that it had been said that MLK, Inc. had provided the city with the necessary COVID plans, but it was her understanding that the plan that was issued to the city allowed them to be in the center administratively and added that a separate site safety plan for every program would need to be established. Ms. Gayden also asked Mr. Gross and Ms. Powell if they received anything outside the administrative program.

Ms. Monique Powell, Director of Community Development replied that she did receive something last week and was going through it thoroughly. She added that she had communicated with the MLK, Inc. administrators and board members, and expressed her concerns regarding their previous safety plan and will continue to work with them to develop a safety plan that will ensure the health and safety of all that enter the premise.

Council Vice President McInnis asked Ms. Powell if it was correct to say that although the organization had given Ms. Powell the requirements that they believe satisfies everything they are supposed to do, the city had a responsibility to review the document to ensure that it is in compliance.

Ms. Powell replied that Ms. McInnis was correct. She added that during the meeting she was informed that remote services could be provided at this time until the safety plan has been approved.

Ms. Gayden asked Ms. Powell if she was aware of any suggested remote services.

Ms. Powell replied that she was not aware of any at this time.

City Manager Gayden thanked Ms. Powell for reaching out and meeting with the Director and Board Members of MLK, Inc. and wanted the Council to know that this was an effort to move ahead in collaboration of both parties. She then asked Ms. Powell to talk about the programs that the city is preparing launch.

Ms. Powell expressed her excitement of moving forward with creating a “logic framework model” using a theory of change to provide programs and services accessible to all communities within the city of Long Beach and shifting towards a data-driven decision-making system to identify the needs and interests so that programs and services, citywide, are aligned and provided accordingly. She also noted that with the re-opening of the Youth and Family services department, a hub had been created to enable community members to go to or call to see what resources are available to them. Ms. Powell added that the Senior Program had been reinstated and has a designated senior program specialist assigned solely to this program. She also noted that there is a new “Grab-n-Go Long Beach Mask up Golden Edition” which will provide PPE equipment to all seniors within the City of Long Beach as well as other programs which will also give the city the opportunity to assess their needs and interests.

Council Member Treston asked if there was a way that the seniors could add their name to the city of Long Beach Fire Department’s list of persons with disabilities or certain medical conditions in the event the Fire Department would need to go to their homes.

Ms. Powell explained that this would be part of the program manager’s role to ensure that they get this vital information and will speak with the Fire Department to clarify how she should proceed in getting that information to them.

Council Vice President McInnis thanked Ms. Powell for her enthusiasm and for taking a data driven approach that would help the city learn what works and what might need improvement, and share this information among the organizations within the community to ensure that the resources are getting to the right people at the right time.

Ms. Powell moved on to speak about the early childhood and youth program portion of Youth and Family services and future programs as well as needs and availability. She added that there is now a bus stop that provides roundtrip transportation, from Riverside Blvd. to Magnolia Blvd. at 3:30pm so that our youth can travel at no charge, to Magnolia Blvd. to attend any of the youth programs being provided.

Ms. Gayden asked about the grab-n-go at the Long Beach Housing.

Ms. Powell confirmed that there were various locations including the senior housing where they will be dropping off the PPE items.

The City Manager then asked Mr. Joseph Lupo, Assistant Corporation Counsel to speak about the JCC that will be in place at the Magnolia Center.

Mr. Lupo noted that according to the JCC, they were almost done with the preparations at the Magnolia Center and anticipated being open within a couple of weeks. He went on to describe the timeline and advertising involved and that the JCC was very excited and looked forward to opening.

President Bendo asked for clarity that the JCC was providing a daycare service.

Mr. Lupo clarified that the JCC would be running a daycare for children 10 months old to six years old.

The City Manager noted that this was a perfect example of the city leasing one of its buildings to the JCC and collaborating by bringing necessary programs to benefit the community as a whole. She then introduced Dave Fraser, City Clerk to speak.

Mr. Fraser stated that he received many questions regarding transcripts for the council meetings. He noted that minutes, proceedings and videos are produced for all meetings however, he has added a section to the City Council page called “*council meeting youtube transcripts*” where the transcripts from each of the meetings are downloaded into a separate file. Mr. Fraser made it clear that these verbatim transcripts were computer generated and was a reference tool that could be used to view information regarding the meeting.

Ms. Gayden then introduced Mr. John McNally to talk about COVID updates.

Mr. McNally began with an update on the parking meters for the central business district. He then spoke about the COVID update noting that there were 235 recent confirmed cases in Long Beach, bringing the city up to 2,100 confirmed cases since the beginning of the pandemic. Mr. McNally did note that this uptake could be the result of folks just coming off from the holidays where there were gatherings, and urged everyone to continue to follow the safety protocols. He then noted that there was a meeting with one of the organizers of the Polar Bear Plunge and it was agreed by all in attendance that there was no way to do a typical plunge this year, however people are being encouraged to continue to support the Make a Wish Foundation.

Council Member Delury thanked Mr. McNally for his update on the parking meters.

The City Manager assured Mr. Delury that this topic is being followed up on a regular basis and will keep the council updated once they have something to report. She also noted that as Monique Powell stated, the moving of a staff member from Magnolia to Youth and Family Services is Item #11 on the agenda. Ms. Gayden also added that she is wrapping up the remainder of the Boards and Commissions interviews, and the council will need to vote on a few boards that will be placed on the agenda for the next meeting. The City Manager concluded by saying that the RFP process had been updated and gave a brief description of the process. She also noted that moving forward, all RFP’s will be opened up in public, via youtube, so that the public has the opportunity to see all the bids and proposals that were received.

The public hearings were held

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach
Re: Environmental Advisory Board.

Ms. Gayden explained that there were many people interested in serving on this particular board, and felt it was important to increase the number of the members of the Environmental Board.

President Bendo asked if the board was going from 7 to 9 members.

The City Manager replied yes.

Council Member Delury thanked everyone who expressed an interest in serving on the Environmental Advisory Board.

The calendar items were read by the City Clerk

#1 – Approval of Minutes of Prior Meetings of October 20, 2020 and November 4, 2020.

Council Member Delury made a motion for the approval of minutes. It was seconded by Mr. Mandel and was carried unanimously.

#2 – Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Environmental Advisory Board

A hearing had been held on this item already.

#3 – Resolution Authorizing Adoption of the New Retention and Disposition Schedule for New York Local Government Records.

Mr. Fraser explained that NYS Archives was the organization that controlled the retention schedule and they did a complete overhaul of the retention schedule. He went on to say that previous to this, there were several different types of schedules that they now consolidated into one schedule and made a few updates. Mr. Fraser also noted that as a result, the city would need to adopt this resolution showing that the city is going to follow the new schedule.

#4 – Resolution Authorizing the City Manager to Appoint a Police Commissioner.

Council President Bendo shared the definition in the charter that indicates that the City Manager has the authority to appoint a Police Commissioner.

Roy Lester (72 Boyd St) – asked when the Police Commissioner search committee was formed.

Ms. Gayden replied that she would get back to Mr. Lester with that information.

Mr. Lester stated that he did not see it listed on any prior agenda.

The City Manager explained that it was not on any agenda and it was a committee that was put together.

Mr. McNally replied that the first interviews took place in early August, 2020.

Mr. Lester recalled that the committee was comprised of community representatives, and he did not remember the City Manager asking for community representatives.

The City Manager replied that she received her community representatives, there were law representatives, and representatives from across the board.

Mr. Lester asked if that was something people volunteered for or were they chosen.

Ms. Gayden replied that they were chosen from lists that were given to her by organizations that they reached out to. She did note that there might be some people who might be upset that they weren't selected, but did state that it was a good search committee.

Mr. Lester continued to say that he had no doubt it was a good search committee, but was concerned that people who might have wanted to be involved did not know about it. He also asked if it was the search committee that did the recommendation.

The City Manager replied yes.

Mr. Lester asked if a list of the committee members existed.

Ms. Gayden said there was a list and once this resolution was voted on, she would put out the list of the committee.

Mr. Lester wished Ron Walsh luck and felt he was very qualified, but questioned the process. He also asked about Section 20 of the Charter of the city of Long Beach where it says that the *City Manager can be the Mayor of the City* and asked questions about the removal of any reference to a Mayor.

The City Manager explained that the goal was to begin working on the Charter but had many distractions throughout the year that took precedence. She did note that they have begun looking at the Charter as a whole and there are a lot of things in the Charter that need to be updated that are now being addressed.

#5 – Resolution Confirming the Reappointment of a Civil Service Commission Member and the Appointment of Two New Members to the Civil Service Commission for the City of Long Beach

Ms. Gayden noted that she interviewed folks for the Civil Service Commission and was bringing before the council, one person to be reinstated and two new members to be appointed. She continued to name them – Ms. Susan Solomon, Ms. Patricia O'Donnell and Mark Moses.

President Bendo added that state law required that no more than two members can be from the same political party.

The City Manager confirmed that there was one republican and two democrats. Ms. Gayden also noted that only one republican applicant applied.

Council Member Delury asked if a Chairman is appointed by the members.

Ms. Gayden replied yes.

#6 – Resolution Authorizing Budget Amendment to the Capital Fund Budget

Mr. Joe Febrizio, City Engineer gave a description and explanation for the budget amendment.

#7 – Resolution Authorizing Budget Amendments to the General and Sewer Fund Budgets for the 2020-2021 Fiscal Year

City Comptroller, Inna Reznik explained the budget amendment and noted that staff were moved from one department to another and required this amendment to enable to fund these particular positions. She continued to describe the process and specific changes.

Council Member Delury asked about the allocation of time.

Ms. Reznik explained that the individual went from part time to full time in the Central Garage and there were excess funds as a result of a retirement in the Sewer Department in that salary line.

Roy Lester (72 Boyd St) – asked for clarity on staff being moved vs. money being transferred from the sewer department to the central garage.

The City Comptroller noted that there were four different resolutions that pertain to movement of budgets to the salary lines, which could mean movement between departments and/or from part time to full time.

Mr. Lester asked if this particular resolution was due to a promotion from part time to full time.

Ms. Reznik replied yes.

Mr. Lester asked for clarification on the part time status and the part time hours vs. the full time hours as well as the increase in salary.

Ms. Reznik explained the process and reason for the salary change and noted that this calculation was for half a year.

#8 – Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year

City Comptroller, Inna Reznik explained that this transfer was due to the promotion of eight part time employees from the Sanitation department to full time status and described the difference in salary as well as the movement of funds from the temporary salary line to the regular salary line within the sanitation department.

Council Vice President McInnis congratulated the Sanitation Department leadership and the eight employees who were promoted to full time status. She continued to say that she was thrilled on how the Sanitation Department leadership worked with City Manager Gayden and the City Comptroller, Inna Reznik to enable this to happen without increasing the overall budget.

Council President Bendo gave a brief background on the history of the employment of sanitation workers and how unfairly they had been treated. He also expressed his endorsement of making these types of changes moving forward.

#9 – Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year

Mr. Gregg Scott, Commissioner of Public Works explained that this transfer was needed to help phase out the city's public receptacles that were being replaced.

Council Member Delury asked if this project was put out to bid.

Commissioner Scott stated that it was put out to bid.

#10 – Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year

Commissioner Scott explained that the Sign Shop located at the old Police Auxiliary building on Maple Blvd. and Park Avenue would now be housed in the Street Maintenance department, which and was a much better working environment. He went on to explain that the staff and funds were transferred to the highway department. Mr. Scott assured the council that they will still be working with the police department and fulfilling all their needs. He also thanked the City Manager and the Council for the changes in Sanitation.

Roy Lester (72 Boyd St) – Asked if the city was hiring another sanitation worker at part time status, referring to the language in the resolution stating the transfer was from the Sanitation Department.

Ms. Gayden asked if he was referring to Resolution #10 and noted that the transfer was moving the sign shop staff from the Police Department to Street Maintenance.

Mr. Lester indicated that the resolution stated Sanitation.

Council Vice President confirmed that the text in the resolution said “sanitation”.

City Manager Gayden apologized for the typographical error and noted that it needed to be corrected before voting on it.

Joseph Naham – asked about updating certain signs in the city that he had been requesting for 2 years.

Ms. Gayden asked Mr. Naham to contact her office so that he could tell her which signs he was referring to and she would look into it personally.

Council Pres. Bendo made a motion to change “Sanitation” to “Street Maintenance” in the WHEREAS clause in Item #10. It was seconded by Mr. Delury and was carried unanimously.

#11 – Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year

City Manager Gayden reminded the audience that this was discussed earlier and reflected the staff movement from Magnolia to Youth and Family Services.

#12 – Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 1052 West Beech Street (street floor), Long Beach, New York

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on January 19, 2021 at 7:00 p.m.

Due to public health and safety concerns related to COVID-19, the City Council may not be meeting in-person. In accordance with the Governor’s Executive Order 202.1, the January 19,

2021 City Council meeting may be held via videoconferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live.

The public will be given an opportunity to observe and participate in the virtual meeting by registering for the hearing at longbeachny.gov/councilmeetings.

The voting portion of the meeting was then begun.

Council Member Treston introduced and moved the adoption of the following ordinance, seconded by Mr. Mandel, and it was duly adopted, all five council members present voting in the affirmative.

(ORD. #3044/20)

Ordinance to Amend the Code of Ordinances of the City of Long Beach Re:
Environmental Advisory Board

Council Member Delury introduced and moved the adoption of the following resolution, seconded by Ms. Treston, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #1/21)

Resolution Authorizing Adoption of the New Retention and Disposition Schedule for
New York Local Government Records

Council Member McInnis introduced and moved the adoption of the following resolution, seconded by Ms. Treston, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #2/21)

Resolution Authorizing the City Manager to Appoint a Police Commissioner

Council Member Delury introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #3/21)

Resolution Confirming the Reappointment of a Civil Service Commission Member and
the Appointment of Two New Members to the Civil Service Commission for the City of
Long Beach

Council Pres. Bendo introduced and moved the adoption of the following resolution, seconded by Ms. Treston, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #4/21)

Resolution Authorizing Budget Amendment to the Capital Fund Budget

Council Member Delury introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #5/21)

Resolution Authorizing Budget Amendments to the General and Sewer Fund Budgets for the 2020-2021 Fiscal Year

Council Member Mandel introduced and moved the adoption of the following resolution, seconded by Ms. Treston, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #6/21)

Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year.

Council Member Delury introduced and moved the adoption of the following resolution, seconded by Ms. McInnis, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #7/21)

Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year.

Council Member Treston introduced and moved the adoption of the following resolution (as amended), seconded by Pres. Bendo, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #8/21)

Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year.

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Ms. McInnis, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #9/21)

Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year.

Council Member Delury introduced and moved the adoption of the following resolution, seconded by Mr. Mandel, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #10/21)

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 1052 West Beech Street (street floor), Long Beach, New York

There being no further business before the Council, Council Member Treston made a motion to close the meeting. It was seconded by Ms. McInnis and was duly closed, all five council members present voting in the affirmative.

Dated: January 6, 2021

David W. Fraser
City Clerk

Good and Welfare

Roy Lester – 72 Boyd St
Joseph Naham

Spoke about transcripts and the IT budget
Asked about the army Corps of Engineers
project

Judi Vining
Kathleen O’Leary

Spoke about the social host law
Spoke about parking meters, resident permit
parking lots and recycling