

**CITY OF LONG BEACH
MINUTES OF THE REGULAR MEETING
OF THE COMMON COUNCIL
HELD JANUARY 19TH, 2021**

A regular meeting of the City Council of the City of Long Beach was held on Tuesday, January 19th, 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 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 Margaret Guarino and James Nytko from CMA to give an update.

Ms. Guarino of CMA gave an update on the re-development of the City's "budget book"; fiscal transparency website; physical conditions analysis; multi-year financial plan and policies. She noted that CMA had a weekly call with the City Manager where they discuss their assignments and other updated information. Ms. Guarino added that CMA would be issuing their quarterly report.

Deputy Corporation Counsel, Rich Berrios gave an update on the Haberman litigation case and noted that discussions are ongoing with CMA, Bond Counsel, Outside Counsel and other consultants.

Council Vice President McInnis asked if the city was still using Bob Spozino as its outside counsel for the next round of negotiations.

Mr. Berrios replied that Mr. Spozino has been with the case for a long time, and is part of the ongoing discussions.

The City Manager added that she would be meeting with Bob Spozino for a better understanding of the case and would be reaching out to the Council to give her some background information. She noted that whoever will be at the table with her, will have a strong enough background to get to the next step. Ms. Gayden did say that she thought that the need for a special meeting might

be necessary to go into executive session to discuss litigation and she would like to be prepared fully before meeting with the Haberman group.

Ms. Gayden then asked Mr. John McNally, Executive Assistant to the City Manager for a parking meter and COVID update.

Mr. McNally noted that the group had received some documents from the Consultant regarding the Parking Meters describing the fiscal and economic schedule that they put together. He added that once everyone involved was comfortable with the findings, they would begin to move forward. Mr. McNally also spoke about the residential parking lots and possible alternatives and/or changes for the use by residents.

Council Vice President McInnis noted that Ms. Allison Blanchette emailed the council and she had a formula for square footage for parking and asked if Mr. McNally received this information.

Mr. McNally replied that he had not and he would reach out to Ms. Blanchette. He then spoke about COVID 19 numbers and gave an update on the amount of positive test results and the frustration regarding the vaccine roll out. Mr. McNally concluded by announcing the website and phone number for folks to go to for up to date vaccine information.

Council Member Delury asked about the distribution of the vaccine regarding the essential staff such as Police, Fire, Volunteer Fire and Emergency staff.

Mr. McNally explained the different groups that were offered the vaccine and that the City is making an appeal to the state to ensure that all emergency staff get the vaccine. He added that he felt that most of them either received the vaccine or were scheduled to do so.

The City Manager concluded her report by congratulating Commissioner John Mirando on his retirement as Public Works Commissioner. She announced that Mr. Mirando will be doing some part time work for the City as well as being named the new Part Time Fire Commissioner. Ms. Gayden also announced that Commissioner Scott Kemins will now be Deputy Fire Commissioner and his major role will be Director of the OEM where has been directed to bringing all policy and procedures for any emergency events up to date. She also noted that Mr. Kemins will still remain the Commissioner of the Building Department and congratulated them both and looked forward to working together.

The public hearings were held

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 1052 West Beech Street (street floor), Long Beach, New York.

Re: Convenience Store/Smoke Shop

Mr. Thomas Sofield, representative for the store owner, Mr. Ragoonwala gave a brief background of the type of business it was. He also addressed the Council's concern for the sale of tobacco to underage customers.

Mr. Ragoonwala asked if there were any questions and continued to note that he has been running the Cloud9 convenience store (across from City Hall) for approximately 3 years with no problems. Mr. Ragoonwala added that there are 2 other employees in the store, one working the morning shift and one working the afternoon shift. He stated that he would like the opportunity

to open the same type of establishment at 1052 W. Beech Street and would be hiring Long Beach residents.

Council President Bendo asked about the deliveries to the store.

Mr. Ragoonwala noted that there would be deliveries once every two weeks.

Mr. Bendo asked about how many employees would be working at one time.

Mr. Ragoonwala noted that there would be one employee working at a time.

Council Member Treston asked if there would be room for a bike rack.

Mr. Ragoonwala agreed to have a bike rack in front of his store.

Council President Bendo asked to take a vote on this item and it was passed by all five council members.

The calendar items were read by the City Clerk

#1 – Approval of Minutes of Prior Meetings of November 17, 2020 and December 7, 2020.

Council Pres Bendo made a motion for the approval of minutes. It was seconded by Ms. Treston and was carried unanimously.

#2 – Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 1052 West Beech Street (street floor), Long Beach, New York.

Re: Convenience Store/Smoke Shop

#3 – Resolution Adopting a Revenue Policy for the City of Long Beach

Mr. James Nytko from CMA discussed the revenue policy and noted that the purpose of the policy was to ensure that the revenues of the city are appropriately balanced and capable of supporting the services provided by the city.

Roy Lester (72 Boyd St) – asked where he could find the policy.

Mr. Fraser, City Clerk directed him to the agenda page.

Mr. Lester stated that he did not see the policy.

Ms. Gayden offered to email him a copy of the policy and asked him to call her with any further questions.

#4 – Resolution Authorizing the City Manager to Enter into a Customer Project Commitment (CPC) Agreement with the New York Power Authority (NYPA)

Commissioner John Mirando explained that this agreement would upgrade the 752 of the city's remaining street lights to LED technology, and once the project was completed, it was estimated that the city would save \$79,000 in energy costs annually and \$15,000.00 in maintenance costs.

He also gave a brief update regarding the technology aspects and construction portions of the project.

Ms. Margaret Guarino, CMA requested that Mr. Mirando send her information regarding the project so that she could include it into the five-year plan.

Commissioner Mirando replied that he had an entire cost sheet that he would be happy to share with her.

Roy Lester – (72 Boyd Street) – asked if Mr. Mirando could repeat the breakdown on the energy savings and maintenance cost.

Mr. Mirando repeated the numbers for Mr. Lester adding that it mostly had to do with bulb replacement.

Mr. Joe Febrizio, City Engineer added that the city just retained a new street lighting contractor as of November 1 and because this information was placed in the bid, the prices for the maintenance were reduced from \$16,000.00 to \$8,000.00 per month and all lights should be replaced by the end of the year.

A discussion continued regarding the budget lines for this project.

Ms. Gayden noted that Ms. Reznik was not available to speak on the budget portion and that she would ask Ms. Reznik to give Mr. Lester a call regarding his budget questions.

Council Vice President McInnis asked about the amount of lights that had been replaced, and expressed her appreciation for the project.

Eileen Hession – asked for clarity on Margaret Guarino and James Nytko's titles and their relevance.

Council President Bendo noted that they were both from CMA and they are the City's Financial Consultants. He offered Ms. Hession the opportunity to contact him where he would be happy to give her more information regarding her question.

The City Manager also noted that she could give her a call and go over what CMA had been doing for the past year and what they are currently being asked to do.

#5 – Resolution Authorizing the Adoption of the Nassau County Multi-Jurisdictional Hazard Mitigation Plan

City Engineer, Mr. Joe Febrizio gave a thorough overview of the plan and its purpose. He concluded by noting his appreciation for working alongside Commissioner John Mirando over the past years and wished him all the best in his retirement.

Council President Bendo asked about changes to the annex that needed to be made.

Mr. Febrizio noted that the council was sent a draft copy and all changes will be made to bring it current.

Council Member Delury commented on some of the projects that have taken place and expressed his appreciation for all the work that Mr. Febrizio, Mr. Mirando and the staff had done and wished Mr. Mirando luck and looked forward to working with them in the future.

#6 – Resolution Authorizing the City Manager to Enter into a Location Agreement

Mr. John McNally spoke about the opportunity for a joint Artwork venture on the boardwalk with “Discover Long Island” that would help attract visitors to Long Beach with a mural offering free “selfies”.

Mr. Rich Berrios, Deputy Corporation Counsel gave a brief description of the project and noted that an agreement had been drafted and would be no cost to the city.

Council President Bendo asked when this would be finalized.

Mr. Berrios stated that once the Council agrees and once the contract was produced, the Artist could be scheduled to begin the Mural.

Roy Lester (72 Boyd St) – commented on the project and asked why an agreement was needed.

Mr. Berrios explained the legalities.

#7 – Resolution Authorizing the City Manager to Accept a Donation for Long Beach Fire Department, Engine 2343

Mr. Berrios announced that a resident of Long Beach, Mr. John Finnazo, Field Service Rep. for Dewalt, would like to donate rescue tools to the fire department’s engine 2343. He described the tools and noted his support in accepting the donation.

Council Member Delury thanked Mr. Finnazo and asked who would be doing the inventory of these items once they are accepted.

Mr. Berrios noted that once the resolution was finalized, he believed that it would be the Fire Department’s responsibility to inventory and report to the City Manager and Comptroller in regards to the value of such items.

Council Vice President McInnis also thanked Mr. Finnazo for his donation.

Fire Commissioner John Mirando noted that the Executive Officer of the Fire Department would be the one to inventory the equipment.

Sam Pinto – spoke on behalf of the Firefighters union and thanked Mr. Finnazo for his donation. He also thanked Mr. Rich Berrios for his assistance in organizing the proper channels for this donation as well as the Council and the City Manager. Mr. Pinto noted the worth of the tools and gave a description of the tools.

#8 – Resolution Authorizing Budget Amendment to the General Fund Budget

The City Manager explained the reason for this budget amendment.

#9 – Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 162 East Park Avenue (street floor), Long Beach, New York.

Re: Retail Gift Shop

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on February 2, 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 February 2, 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 Pres. Bendo 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. #11/21)

Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 1052 West Beech Street (street floor), Long Beach, New York.

Re: Convenience Store/Smoke Shop

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

(RES. #12/21)

Resolution Adopting a Revenue Policy for the City of Long Beach

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. #13/21)

Resolution Authorizing the City Manager to Enter into a Customer Project Commitment (CPC) Agreement with the New York Power Authority (NYPA)

Council Member Treston 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. #14/21)

Resolution Authorizing the Adoption of the Nassau County Multi-Jurisdictional Hazard Mitigation Plan

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. #15/21)

Resolution Authorizing the City Manager to Enter into a Location Agreement

Council Member Treston 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. #16/21)

Resolution Authorizing the City Manager to Accept a Donation for Long Beach Fire Department, Engine 2343

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

(RES. #17/21)

Resolution Authorizing Budget Amendment to the General Fund Budget.

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. #18/21)

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 162 East Park Avenue (street floor), Long Beach, New York.

Re: Retail Gift Shop

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

Dated: January 20, 2021

David W. Fraser
City Clerk

Good and Welfare

Roy Lester – 72 Boyd St

Spoke about the Haberman case court decision, transcripts and recycling.

Eileen Hession

Spoke about the Haberman case court decision

Kathleen O’Leary

Spoke about parking meters and recycling

Joanne Rea

Asked to receive the answers to questions asked of the City Manager