

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
FEBRUARY 1, 2022

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Motor Vehicles and Traffic, and Vehicles for Hire.

1. Approval of Minutes of Prior Meetings of January 4, 2022 and January 18, 2022.
2. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Motor Vehicles and Traffic, and Vehicles for Hire.
3. Resolution Authorizing the City Manager to Enter into an Agreement for the Operation of the Snack Bar at the City's Ice Arena.
4. Resolution Authorizing the City Manager to Accept and Execute a Grant on Behalf of the City of Long Beach from the New York State Department of State.
5. Resolution Authorizing the City Manager to Renew the City's PublicStuff Subscription.
6. Resolution Authorizing the City Manager to Enter into a Contract for Full Service Elevator Maintenance and Repair from the Lowest Responsible Bidder.
7. Resolution Authorizing the City Manager to Enter into a Contract for EMS Ambulance Billing and Collection Services from the Most Responsible Proposer.
8. Resolution Authorizing the Retention of Outside Counsel.
9. Resolution Authorizing Transfer of Funds for the 2021-2022 Fiscal Year.
10. Resolution Authorizing Transfer of Funds for the 2021-2022 Fiscal Year.

The following Ordinance was moved by
and seconded by :

ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: MOTOR VEHICLES
AND TRAFFIC, AND VEHICLES FOR HIRE.

BE IT ENACTED, by the City Council of the City of Long Beach, New York, as
follows:

Sec.1. Chapter 15, Article VI, Division 2, Section 15-212(b) of the Code of
Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby
amended, to read as follows:

“Sec. 15-212. Procedure for Redemption; Release; Charges

...

- (a) Charges for Removal. The owner or other person entitled to possession of a
vehicle removed pursuant to this division shall pay to the Police Department a fee
of one hundred twenty dollars (\$120.00) to cover administrative costs, as well as
towing and storage charges in accordance with the following schedule:
- (1) For the pickup with standard equipment and towing, **two hundred twenty-five
dollars (\$225.00), and five dollars (\$5.00) for each additional mile or part
thereof towed.**
 - (2) For the pickup with required flatbed towing, and towing, **two hundred seventy-
five dollars (\$275.00), and five dollars (\$5.00) for each additional mile or part
thereof towed.**
 - (3) Outside storage charges shall be at the rate of twenty-five dollars (\$25.00) for
each twenty-four (24) hours or part thereof. This charge shall also apply during
any period in which a vehicle is being held as evidence or in anticipation of
forfeiture.
 - (4) Inside storage charges shall be at the rate of thirty dollars (\$30.00) for each
twenty-four (24) hours or part thereof.”

...

Sec.2. Chapter 24, Article III, Division 1, Sections 24-78 and 24-93 of the Code
of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same are
hereby amended and added to, to read as follows:

“Sec. 24-78. Towing charges.

- (a) The owner or lessee of each towing car shall file with the commissioner of police
a schedule of maximum prices charged for the towing and storage of disabled motor
vehicles. Charges for towing shall be based on the distance that disabled motor vehicles
are to be towed and shall not be based on the availability of towing car facilities. No

towing car owner or operator or other person employed by the owner shall base any towing charge upon estimating. Towing charges shown on the schedules, filed as required herein, shall not exceed the following maximum charges:

- (1) For the pickup with standard equipment and towing for the first mile or part thereof, **two hundred twenty five dollars (\$225.00)**, and five dollars (\$5.00) for each additional mile or part thereof towed.
- (2) **For the pickup for required flatbed towing, and towing for the first mile or part thereof, two hundred seventy-five dollars (\$275.00), and five dollars (\$5.00) for each additional mile or part thereof towed.**

(b) When moving or removing a disabled motor vehicle from a ditch, field, ocean, channel, canal, creek, or from deep snow, mud, gravel or sand, an additional charge of forty five dollars (\$45.00) per **half-hour, not to exceed a maximum charge of one hundred eighty dollars (\$180.00), shall be allowed on a time basis.** All other charges must be shown on the authorization of towing form before a signature is obtained. A copy showing such extra charges must be given to the vehicle owner or person in charge of the vehicle before the vehicle is towed from the scene.

(c) Subsection (a) shall not apply to the towing of motor trucks exceeding one and one-half (1- 1/2) ton capacity, nor shall it apply to towing under a contract which was in existence prior to the motor vehicle involved having become disabled.

...

Sec. 24-93. Fees.

The owner or lessee licensed under this division shall pay the following non-refundable fees:

| | |
|---|------------------------|
| New application | \$200 |
| Renewal application (including first tow car) | \$150 |
| Each additional tow car | \$100 |
| Replacement license/decal | \$25 |
| Late fee (for renewal application received after March 1st) | \$100 |
| <i>{Rotation tow list fee</i> | <i>\$500}</i> ” |

Sec. 3. This Ordinance shall take effect immediately.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into an
Agreement for the Operation of the Snack Bar at the City's
Ice Arena.

WHEREAS, after due advertising therefore, one proposal was received in the
Office of the City Purchasing Agent on Thursday, January 13, 2022 at 11:00 a.m. for the
operation of the Snack Bar at the City's Ice Arena for a period of two (2) years, with the option
for two additional two-year term extensions at the City's sole discretion; and

WHEREAS, Craig Kute of Philly Pretzel Factory, 134 East Park Avenue, Long
Beach, New York 11561 was the sole responsible proposer submitting a quotation to pay an
annual rental fee of \$2,600 to the City for the opportunity to operate the snack bar and to sell
some of the current products sold at the Philly Pretzel Factory, including but not limited to
pretzels, pretzel dogs, cinnamon pretzels, pretzel cheesesteaks, spicy sausage and pretzel
cheeseburgers, as well as assorted hot and cold beverages and snacks;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
City Manager be and is hereby authorized to enter into an agreement with Craig Kute of Philly
Pretzel Factory, 134 East Park Avenue, Long Beach, New York 11561 for the operation of the
Snack Bar at the City's Ice Arena, paying an annual rental fee of \$2,600 to the City for a period
of two (2) years, with the rental fee for the second year to be paid prior to the commencement of
the second year, with an option to renew for two additional two-year periods, at the sole
discretion of the City; and be it further

RESOLVED, that said renewals shall only take effect upon a request in writing,
received by the City no later than six (6) months prior to the expiration of the lease, and prior to
the expiration of the first extension and that the rent to be paid during any extension shall be
negotiated between the parties. For any extension period(s), the entire fee for each additional
year of the extension period(s) must be paid in full prior to the commencement of each respective
additional year.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Accept and Execute
a Grant on Behalf of the City of Long Beach from the New York
State Department of State.

WHEREAS, the City's Department of Economic Development has been notified
of the approval of a grant in the amount of \$90,100 from the New York State Department of
State Local Waterfront Revitalization Program Plan (LWRP) Contract #C1001327; and

WHEREAS, a Local Waterfront Revitalization Program (LWRP) serves as the
State's primary program for working in partnership with waterfront communities across the State
to address local and regional (coastal or inland) waterway issues, improve water quality and
natural areas, guide development to areas with adequate infrastructure and services away from
sensitive resources, promote public waterfront access, and provide for redevelopment of
underutilized waterfronts; and

WHEREAS, said grant monies shall be used for the procurement of a consultant
to prepare a Local Waterfront Revitalization Program for the City of Long Beach; and

WHEREAS, said grant requires a fifteen (15%) local City match valued at
\$15,900, which can be provided through in-kind services (staff and volunteer time);

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
City Manager be and is hereby authorized to accept and execute a grant on behalf of the City of
Long Beach from the New York State Department of State Waterfront Revitalization Program
Plan (LWRP) Contract #C1001327, in the amount of \$90,100, to be used to for the procurement
of a consultant to prepare a Local Waterfront Revitalization Program for the City of Long Beach.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Renew the
City's PublicStuff Subscription.

WHEREAS, since 2014, the City of Long Beach has provided through Accela PublicStuff a digital communications system for residents to submit real-time requests for numerous City services and to receive real-time updates, such as but not limited to, reporting a pothole; reporting street light outages; reporting flooding in an area; requesting information from the City Clerk's Office regarding permits; etc.,; and

WHEREAS, the City desires to continue this valuable service and renew its subscription with Accela, Inc., 2633 Camino Ramon, Suite 500, San Ramon, CA 94583 for an additional term of three years, commencing February 15, 2022 to February 14, 2025, at a cost of \$13,435.59 for year one, \$13,838.66 for year two and \$14,253.83 for year three, for a total three year cost of \$41,528.07;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and is hereby authorized to renew the City's subscription for PublicStuff with Accela, Inc., 2633 Camino Ramon, Suite 500, San Ramon, CA 94583 for an additional term of three years, commencing February 15, 2022 to February 14, 2025, at a cost of \$13,435.59 for year one, \$13,838.66 for year two and \$14,253.83 for year three, for a total three year cost of \$41,528.07. Funds for year one are available in Account No. A1680.54445 (Information Technology-Maintenance Contracts).

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into a
Contract for Full Service Elevator Maintenance and Repair
from the Lowest Responsible Bidder.

WHEREAS, after due advertisement therefore, bids were received in the Office of the City Purchasing on Tuesday, January 11, 2022 at 11:00 a.m. for a full service elevator maintenance and repair contract for five (5) passenger elevators, two chair lift elevators and one mechanical pool lift elevator (located in City Hall, the Senior Community Center, the Ice Arena, the City's pool and the MLK Center) according to plans and specifications on file in the Office of the City Purchasing Agent; and

WHEREAS, Dynasty Elevator Corp., 1460 Broadway, New York, New York 10036 was the lowest responsible bidder as per specifications, for a five (5) year Service and Maintenance Contract, at an annual cost of \$20,400.00 for all of the specified elevators and lifts;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and is hereby authorized to enter into a contract with Dynasty Elevator Corp., 1460 Broadway, New York, New York 10036 to service and maintain five (5) passenger elevators, two chair lift elevators and one mechanical pool lift elevator, for a period of five (5) years commencing February 1, 2022, in accordance with the Scope of Work outlined in the City's Request for Bids, dated December 21, 2021, at an annual cost of \$20,400.00. Funds in the amount of \$6,900 are available in Account No. A1620.54445 (Municipal Building-Maintenance Contracts), funds in the amount of \$1,500 are available in Account No. A7141.54445 (Ice Arena-Maintenance Contracts) and funds in the amount of \$200 are available in Account No. A7140.54445 (Recreation-Maintenance Services) for the months left in this fiscal year.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into a
Contract for EMS Ambulance Billing and Collection Services
from the Most Responsible Proposer.

WHEREAS, after due advertising therefore, three proposals were received in the
Office of the City Purchasing Agent on Monday, October 25, 2021 for City of Long Beach EMS
Ambulance Billing and Collection Services as per specifications on file in the office of the City
Purchasing Agent; and

WHEREAS, a committee was established to review and evaluate the three
proposals; and

WHEREAS, MultiMed Billing Service, Inc., 21 Oswego Street, PO Box 535,
Baldwinsville, New York 13027 has been providing this service to the City since 2000 and is the
most responsible proposer at a cost of 5% of all monies collected, except Medicaid claims which
will be billed at \$10.00 per claim where Medicaid is the primary payer and \$5.00 per claim
where Medicaid is the secondary payer;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
City Manager be and he hereby is authorized to enter into a contract with MultiMed Billing
Service, Inc., PO Box 535, Baldwinsville, New York 13027 for billing and collection services
for EMS ambulance services provided by the Long Beach Fire Department, for a period of three
(3) years with the option of the City to extend the contract for two (2) additional one-year terms
upon the terms and conditions outlined in the Request for Proposals and contract documents, at a
cost of 5% of all monies collected except Medicaid claims which will be billed at \$10.00 per
claim where Medicaid is the primary payer and \$5.00 per claim where Medicaid is the secondary
payer. Funds are available in Account No. A3410.54440 (Fire Dept.-Contracted Services).

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Retention of Outside Counsel.

WHEREAS, the City of Long Beach desires to retain the services of Sokoloff Stern LLP, 179 Westbury Avenue, Carle Place, New York 11514 as special litigation counsel; an

WHEREAS, it is in the City's best interest to retain said firm to represent the City and City officials on an as needed basis, in the areas of litigation, labor and employment, police, tort, land use and other matters, including an appointment to defend the City and its named officials in the federal lawsuit commenced by Robert Agostisi in the U.S. District Court for the Eastern District of New York, docket #21-cv-07182, at an hourly rate of \$235 for partners; \$200 per hour for associates; and \$100 per hour for paralegal time;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and is hereby authorized to enter into a retainer agreement with the firm of Sokoloff Stern LLP, 179 Westbury Avenue, Carle Place, New York 11514 as special litigation counsel to defend the City and City officials, on an as needed basis, at an hourly rate of \$235 for partners; \$200 per hour for associates; and \$100 per hour for paralegal time. Funds are available in No. A1420.54453 (Corporation Counsel-Consultants).

The following Resolution was moved by
and seconded by :

Resolution Authorizing Transfer of Funds for the
2021-2022 Fiscal Year.

WHEREAS, due to numerous building repairs, additional funds are needed in the
Municipal Building Repair line, which can be transferred from the Beach Maintenance
Equipment Lease line, as the equipment that was to be leased was unavailable due to Covid and
back-orders;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
following transfer of General Funds be and are hereby authorized:

| <u>Budget Code</u> | <u>Description</u> | <u>Transfer From:</u> | <u>Transfer To:</u> |
|---------------------------|------------------------------|----------------------------------|--------------------------------|
| A8172.54509 | Beach Maint.-Equipment Lease | \$80,000.00 | |
| A1620.54444 | Municipal Building-Repairs | | \$80,000.00 |

The following Resolution was moved by
and seconded by :

Resolution Authorizing Transfer of Funds for the
2021-2022 Fiscal Year.

WHEREAS, the City’s Central Garage has completed repairs to our snow
removal vehicles which are all prepared and ready for the snow season; and

WHEEAS, all repairs were performed in-house by the City’s qualified mechanics,
which costs of said repairs depleted the vehicle repair line, requiring a transfer of funds at this
time;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
following transfer of General Funds be and are hereby authorized:

| <u>Budget Code</u> | <u>Description</u> | <u>Transfer From:</u> | <u>Transfer To:</u> |
|---------------------------|----------------------------------|----------------------------------|--------------------------------|
| A5142.54442 | Central Garage-Equipment Rentals | \$30,000.00 | |
| A5142.54499 | Central Garage-Vehicle Repairs | | \$30,000.00 |