

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
FEBRUARY 2, 2021

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 162 East Park Avenue (street floor), Long Beach, New York.

Re: Retail Gift Shop

1. Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 162 East Park Avenue (street floor), Long Beach, New York.
Re: Retail Gift Shop
2. Resolution Authorizing Commencement of Litigation.
3. Resolution Authorizing the City Manager to Enter into an Agreement with the New York Rangers, LLC.
4. Resolution Authorizing the City Manager to Amend the Current Agreement with Coastal Planning and Engineering of NY, P.C. in Assisting the City in Our Coordinated Efforts with the US Army Corps of Engineers.
5. Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Vehicles for Hire.
6. Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Licenses and Business Regulations.
7. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 163 East Park Avenue (street floor), Long Beach, New York.
Re: Kosher Foods and Grocery Products Shop

February 2, 2021

Item No. 1
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Granting Waiver of Off-Street Parking Requirements
Re: Premises 162 East Park Avenue, (street floor), Long Beach, New York.

WHEREAS, there has been presented to this Council an application pursuant to Section 9-112(18)(c) of Appendix A (Zoning Law) of the Long Beach Code of Ordinances, for waiver of off-street parking requirements for the premises located at 162 East Park Avenue (street floor), Long Beach, New York (Section 59, Block 110, Lot 27) between Riverside and Long Beach Boulevards, having frontage of less than 20 feet, on behalf of the owner 162-172 E. Park Enterprises Inc., c/o Ben Ferrante, 2700 Two Brothers Court, Oceanside, New York 11572 to be used as a Retail Gift Shop;

WHEREAS, a Public Hearing was held on this date;

NOW, THEREFORE, after due deliberation, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the application of the owner 162-172 E. Park Enterprises Inc., c/o Ben Ferrante, 2700 Two Brothers Court, Oceanside, New York 11572 for exemption with respect to the requirements for off-street parking at premises 162 East Park Avenue (street floor), having frontage of less than 20 feet, be and the same hereby is granted, only and during the time that such premises shall be used as a Retail Gift Shop.

February 2, 2021

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Commencement of Litigation.

WHEREAS, the City Council wishes to authorize Ingerman Smith, LLP, to commence certain legal actions against certain former and current Long Beach city employees;

NOW, THEREFORE, be it

BE IT RESOLVED, that the City Council authorizes special counsel, Ingerman Smith, LLP, to commence certain legal actions against certain former and current Long Beach city employees for recovery of monies improperly paid. The referenced proceedings shall be commenced in the District Court of Nassau County – Commercial Small Claims Part; the District Court of Nassau County; the County Court of Nassau County; and the Supreme Court of Nassau County, as applicable.

February 2, 2021

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into an
Agreement with the New York Rangers, LLC.

WHEREAS, the City of Long Beach desires to enter into an agreement with the
New York Rangers, LLC for the administration of a ten week youth hockey program known as
The Learn to Play Program (Program); and

WHEREAS, the Program allows the City to partner with the New York Rangers,
Madison Square Garden (MSG) and the National Hockey League (NHL), to offer professional
instruction from the New York Rangers Hockey Development Team; training aids and supplies;
and all hockey equipment necessary for each registered participant, at no cost to the City; and

WHEREAS, the Program is administered by MSG in terms of registration and fee
collection; the Rangers supply the equipment and the instruction package; the NHL subsidizes
the entire Program; and the City provides on-ice coaches and operates the rink;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
City Manager be and hereby is authorized to enter into an agreement with the New York
Rangers, LLC, for the administration of a ten week youth hockey program known as The Learn
to Play Program, administered by Madison Square Garden, with hockey instruction from the
New York Rangers Hockey Development Team, sponsored by the National Hockey League; and
be it further

RESOLVED, that said Agreement shall contain such other terms and conditions
as the City Manager shall deem proper.

February 2, 2021

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Amend the Current Agreement with Coastal Planning and Engineering of NY, P.C. in Assisting the City in Our Coordinated Efforts with the US Army Corps of Engineers.

WHEREAS, pursuant to Resolution No. 181/08, duly passed on December 16, 2008 and Resolution No.107/10, duly passed on October 5, 2010, the City entered into agreements with Coastal Planning and Engineering of NY, P.C., 2481 NW Boca Raton Blvd., Boca Raton, Florida 33431 for professional services to evaluate the physical conditions of the City's ocean and bay front shorelines; and

WHEREAS, pursuant to Resolution No. 144/12, duly passed on December 4, 2012, Resolution No. 140/14, duly passed on October 7, 2014 and Resolution No. 90/17, duly passed on September 5, 2017, the City further amended its agreement with Coastal Planning and Engineering of NY, P.C. to provide engineering and survey services required to document the beach loss and the extent of coastal damage sustained after Superstorm Sandy, to identify FEMA eligible items and to coordinate efforts with the US Army Corps of Engineers; and

WHEREAS, Coastal Planning and Engineering of NY, P.C. has coordinated efforts with the Army Corps, including technical consulting, reviewed all documents and attended meetings with the State of New York, Corps of Engineers, Nassau County, Town of Hempstead and/or local interest groups, and City staff; and conducted a borrow area design on existing and available data as provided by the Army Corps; and

WHEREAS, the New York District of the Army Corps of Engineers is moving toward transferring operation and maintenance of the beach, groins and walkovers to the City; and

WHEREAS, Coastal Planning and Engineering of NY, P.C. has been working with the City in addressing concerns with the project, providing technical consulting, coordinating efforts with the Army Corps and advising on actions associated with the federal process;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and hereby is authorized to amend the agreement with Coastal Planning and Engineering, NY, P.C. 2481 NW Boca Raton Blvd., Boca Raton, Florida 33431 for additional professional and technical services to assist the City as we move forward with the Army Corps of Engineers and to continue coordination efforts with all relevant agencies, at a cost of \$30,000.00. Funds are available in Account No. H1018.53024 (Design Fee Miscellaneous).

February 2, 2021

Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of an
Ordinance to Amend the Code of Ordinances of the City
of Long Beach Re: Vehicles for Hire.

WHEREAS, there has been presented to this Council the following proposed
Ordinance:

“ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: VEHICLES FOR HIRE.”
(See Ordinance Attached)

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the
City Clerk shall cause to be published in the official newspaper of the City of Long Beach the
title, and a summary or the full text of said Ordinance; and be it further

RESOLVED, that 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 202.60, the February 16, 2021 City Council meeting and this hearing may be held via
videoconferencing; and be it further

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

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

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

Sec.1. Chapter 24, Article III, Division I, Sections 24-78 and 24-79, and Division II, Section 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, **one hundred seventy five dollars (\$175.00)**, 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 hour or part thereof 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. 24-79. Storage charges.

Outside storage charges shall be at the rate of not more than \$25 per day. Inside storage rates may be determined by agreement of the parties. All vehicles must be stored on the premises of the tow car owner's terminal, whether indoors or outdoors, and shall not be permitted on public streets or public parking fields.”

...

“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/decals	\$25
Late fee (for renewal application received after March 1st)	\$100
Rotation tow list fee	\$500”

Sec. 2. This Ordinance shall take effect immediately.

February 2, 2021

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of an
Ordinance to Amend the Code of Ordinances of the City
of Long Beach Re: Licenses and Business Regulations.

WHEREAS, there has been presented to this Council the following proposed
Ordinance:

“ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: LICENSES AND
BUSINESS REGULATIONS.”

(See Ordinance Attached)

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the
City Clerk shall cause to be published in the official newspaper of the City of Long Beach the
title, and a summary or the full text of said Ordinance; and be it further

RESOLVED, that 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 202.60, the February 16, 2021 City Council meeting and this hearing may be held via
videoconferencing; and be it further

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

ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: LICENSES AND
BUSINESS REGULATIONS.

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

Sec. 1. Chapter 14, Article IX, Section 14-212 of the Code of Ordinances of the City of Long Beach, shall be repealed, revoked and rescinded and Sections 14-213 as heretofore amended, shall be and the same is hereby amended to read as follows:

“Sec. 14-212. Maximum rates.

(a) The charge for parking an automobile in a parking lot, when contracted for less than one day, shall not exceed the following rates:

- (1) Two dollars (\$2.00) for the first hour;*
- (2) One dollar (\$1.00) for each succeeding hour;*
- (3) The total charge shall not in any event exceed ten dollars (\$10.00) for any one day.*

Any fraction of an hour shall be deemed to be a full hour in computing the foregoing charges.

(b) When parking privileges are purchased by the day, week or month, the charges for parking an automobile in a parking lot shall not exceed the following rates:

- (1) Ten dollars (\$10.00) per day;*
- (2) Fifty dollars (\$50.00) for any period of seven (7) consecutive calendar days;*
- (3) One hundred dollars (\$100.00) for any period of thirty (30) consecutive calendar days.”*

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“Sec. 14-213. Signs.

Signs shall be erected and maintained at all times at each entrance to **every parking lot which charges an hourly, daily, weekly, monthly, or yearly fee, or any derivative thereof. Such signs shall designate and include the following information:**

- (a) Private Property Only;**
- (b) Owner/Management Telephone Contact Number;**
- (c) Parking Rates Per Spot;**
- (d) Tow Company’s Telephone Contact Number and Tow Rates along with the verbiage “Violators will be towed at their own expense.”**

All letters and figures on each such sign shall be at least four (4) inches in height, and sufficient illumination shall be provided so that such signs shall be readily readable after sunset.”

Sec. 2. Chapter 14, Article II, Section 14-15 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. 14-15. Occupational licenses and fees generally.

In addition to any other occupation or business required by this Code or other ordinance of the city to be licensed, the following occupations or businesses shall be licensed pursuant to this article, and the fees prescribed for the license by this section shall be paid:

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P

....

PARKING LOTS (That do not charge a fee for parking) . . . \$155.00

**PARKING LOTS (That do charge a fee for parking: hourly, daily,
weekly, monthly, or yearly fee, or any derivative thereof) . . . \$50.00 per space**

...”

Sec. 2. This Ordinance shall take effect immediately.

February 2, 2021

Item No. 7
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 163 East Park Avenue (street floor), Long Beach, New York.

WHEREAS, there has been presented to this Council an application pursuant to Section 9-112(18)(c) of Appendix A (Zoning Law) of the Long Beach Code of Ordinances, for waiver of off-street parking requirements for the premises located at 163 East Park Avenue (street floor), Long Beach, New York (Section 59, Block 109, Lot 27) between Riverside and Long Beach Boulevards, having frontage of 20 feet, on behalf of the owner 163 E. Park Ave. Management LLC, 1266 East 23rd Street, Brooklyn, New York 11210 to be used as a Kosher Foods and Grocery Products Shop;

NOW, THEREFORE, be it

RESOLVED, that 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 202.60, the February 16, 2021 City Council meeting and this hearing may be held via videoconferencing; and be it further

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

RESOLVED, that the City Clerk be and he hereby is authorized to cause a notice of said hearing to be published in the official newspaper of the City of Long Beach.