

**CITY OF LONG BEACH
MINUTES OF THE REGULAR MEETING
OF THE COMMON COUNCIL
HELD FEBRUARY 2ND, 2021**

A regular meeting of the City Council of the City of Long Beach was held on Tuesday, February 2nd, 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

On behalf of the City Council, Council President Bendo thanked all the city employees who spent many long hours ensuring that our roads and streets were safe for traveling during the recent snow storm.

Council Member Treston also acknowledged the first responders who rescued two puppies that morning.

City Manager Donna M. Gayden began her report by introducing Mr. Robert Spolzino of Abrams, Fensterman, et al.

Mr. Spolzino announced that due to the snowstorm, the meeting that was scheduled with the attorneys for Mr. Haberman could not take place but he would be speaking with them in an effort to try and initiate discussions about a mutually acceptable resolution of the Haberman matter.

Ms. Gayden then introduced Mr. John Gross of Ingerman Smith.

Mr. Gross gave a brief report regarding the lease negotiations with the Martin Luther King Center, Inc. organization.

The City Manager then introduced John McNally, Executive Assistant to the City Manager to give his report.

Mr. McNally gave an updated COVID 19 report. He also spoke about the parking meter RFP and the electronic Beach Pass RFP. Mr. McNally added the information regarding the Recycling schedule.

Ms. Gayden then thanked all the staff who worked long hours preparing for and handling the snowstorm event.

The public hearings were held

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

Council President asked Ms. Skudin, owner of the Cod Fish Cowboy if she anticipated much in the way of deliveries.

Ms. Skudin replied that she split them up so that they would go to three different locations minimizing the disruption of traffic.

Mr. Bendo also asked how many employees would be present at any one time.

Ms. Skudin replied that approximately 10 people would be employed but only two would be present at any one time.

Council President Bendo asked what the hours of operation would be.

Ms. Skudin replied 11am to 7pm on the off season and 10am to 7pm during the summer and Christmas time.

The calendar items were read by the City Clerk

Ed. Note: The calendar was called out of order. It was called Item 2, 1, 4, 3, 5, 6 then 7.

#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

A public hearing was already held regarding this resolution and all Council Members voted in the affirmative.

#2 – Resolution Authorizing Commencement of Litigation

Ms. Ellen Vega of Ingerman Smith gave a brief description on the resolution.

Roy Lester (72 Boyd St) – asked for clarity on the people involved in the litigation.

Ms. Vega replied that this was for new individuals separate and apart from the two litigations that had already been commenced.

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

Mr. Joe Brand, Interim Commissioner of Parks and Recreation gave a brief history and description of the program regarding this agreement and was supportive of the resolution.

Council Vice President McInnis thanked Mr. Brand for putting this program together and noted that the resolution itself did not mention the 10 week rookie league program and the 10 week girls hockey league program.

Mr. Brand explained that the learn to play program encompasses all three components.

Ms. McInnis also asked about the language portion where it indicates that the NHL subsidizes the entire program whereas the other two programs would fall on the families to purchase their own equipment. She asked Mr. Berrios, Deputy Corporation Counsel what his thoughts were regarding this language.

Mr. Brand explained his view on the equipment portion.

Mr. Berrios responded that the city could build into the agreement some protection regarding the equipment.

Council Vice President McInnis also asked if there was a budgeted value for the cost of one hour of ice time to actually run the facility.

Mr. Brand explained that this program was well beyond self-sufficient and the program attracted so many more children. He went on to elaborate on the profit the program generates.

Ms. McInnis also asked about the 6 “on-ice” coaches and if they were part of the \$310,000.00 temporary salary line for the ice arena.

Mr. Brand replied that they were part of the temporary salary line.

Council Member Delury asked if 65 participants was a reach or a stretch and would there be a need to turn people away. He also asked about how the program is advertised and what age groups were part of the program.

Mr. Brand replied that this program sells out and without COVID in the picture, the city would take up to 65 people, but due to the Governor’s guidelines, there is a restriction on how many people could be on the ice at one time. He also noted that the program was well advertised and part of the arena website. Mr. Brand added that the age groups ranged from 4 to 10 years, and the girls up to 14 years.

Roy Lester (72 Boyd St) – asked about the loss of revenue on the ice arena that Ms. McInnis asked about earlier and if we make enough to overcome this particular deficit.

Council Vice President McInnis responded with the fact that the staff as well as the City Comptroller and City Manager are working closely to be sure this gap is closed.

#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

Mr. Joe Febrizio, City Engineer gave a thorough description and explained the purpose for the amendment to the Coastal Planning and Engineering of NY, P.C. agreement.

Roy Lester (72 Boyd St) – asked how this would affect the crossovers.

Mr. Febrizio explained that what was being built would enable a small vehicle to actually cross over at National Blvd. and would be placed under the boardwalk.

Mr. Lester also asked if company was the same people advising the city on the construction since 2010. He also mentioned that from what he heard from prior meetings, the city was not happy with the construction that the Army Corps of Engineers did.

A discussion continued regarding the guidance the city was receiving from the Coastal Planning and Engineering of NY, P.C. (CPE) and the work and progress that was being completed.

Council Member Delury asked what the traverse route would be.

Mr. Febrizio described the presumable traverse route.

Council Member Delury also asked if CPE involved themselves in any of the design for this type of work.

Mr. Febrizio replied that in this case, they would sub it out to another firm.

#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

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on February 16, 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 16, 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.

#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

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on February 16, 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 16,

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.

#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

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on February 16, 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 16, 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.

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Council Pres. Bendo made a motion to go into executive session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation and regarding proposed, pending or current litigation. It was seconded by Ms. McInnis and was carried unanimously.

The voting portion of the meeting was then begun.

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. #19/21)

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

Re: Retail Gift Shop

Council Member McInnis 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. #20/21)

Resolution Authorizing Commencement of Litigation

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. #21/21)

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

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. #22/21)

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

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. #23/21)

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

Council Member Mandel 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. #24/21)

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

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. #25/21)

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

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: February 3, 2021

David W. Fraser
City Clerk

Good and Welfare

Lew Dubow	Asked about recycling
Michelle Kelly	Spoke about construction at 30 Curley St
Roy Lester – 72 Boyd St	Spoke about the executive session, financials, recycling and the cost of collecting garbage
Peter Rovitz	Spoke about the RFP for the operation of the Ice Arena
Kathleen O’Leary	Spoke about the Architectural Review Board