

**CITY OF LONG BEACH  
MINUTES OF A MEETING  
OF THE COMMON COUNCIL  
HELD FEBRUARY 7, 2023**

A meeting of the City Council of the City of Long Beach was held on Tuesday February 7, 2023.

Present were Council Pres. Bendo and Council Members, Lester, Posterli and Treston. Council Member McInnis was absent.

Corporation Counsel Richard Berrios and Acting City Manager Ronald Walsh were also present.

The Acting City Manager, Ronald J. Walsh, Jr. began his report by introducing Corporation Counsel, Rich Berrios to give an update on the dissolving of the LDC (Local Development Corporation).

Mr. Walsh then announced that Mr. Berrios has been offered an opportunity that would mean leaving the City of Long Beach by next month. He then thanked Mr. Berrios for his invaluable contribution to the city and residents.

The Acting City Manager then announced that the city was the recipient of the “Distinguished Budget Award”. He continued to note the extent in which this award is given and congratulated Ms. Reznik and all the departments that made this possible. He then introduced Ms. Patti Bourne, Director of Economic Development to give her update.

Ms. Bourne announced that the city received a \$4.5 million dollar grant from NYS for infrastructure and related improvements for the central downtown on Park Avenue. She went on to speak about how the grant would be distributed. Ms. Bourne then thanked all who were involved in helping to achieve this grant.

Mr. Walsh proceeded to respond to several questions from residents that were waiting for responses on the following topics:

- Tennessee Avenue Pump Station
- Translation of Meeting Agendas
- Long Beach Blvd. Patrol Enforcement
- Fire Department Overtime

Council President Bendo commended all those who were instrumental in receiving the “Distinguished Budget Award”.

**The public hearing was held**

**PUBLIC HEARING:** Ordinance to Amend the Code of Ordinances of the City of Long Beach  
Re: Housing and Property Rehabilitation and Conservation Code: Mortgage-in-Default Registry

Mr. Berrios gave a brief historical background on this item. He then discussed the legal responsibility of the city and the reason for amending this particular section in the Code of Ordinance.

**The calendar items were read by the City Clerk**

#1 – Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Housing and Property Rehabilitation and Conservation Code: Mortgage-in-Default Registry

*A hearing had been held on this item already.*

#2 – Resolution Authorizing the Acting City Manager to Purchase Industrial and Commercial Equipment and Supplies Under Two Sourcewell Contracts.

The Acting City Manager described the reason and purpose for purchasing these items.

#3 – Resolution Authorizing Budget Amendments to the General Fund Budget and the Sewer Fund Budget for the 2022-2023 Fiscal Year

Public Works Commissioner, Joe Febrizio gave an explanation and reason for the transfer of these funds.

Council Member Lester asked about the savings to the city in response to this resolution and the reason for moving money into the contingency budget.

Ms. Reznik, City Comptroller responded to Mr. Lester's question.

#4 – Resolution Authorizing Budget Amendments to the Community Development Fund for the 45<sup>th</sup> Program Year

Ms. Bourne gave an explanation on how the city receives CDBG funds. She also noted that the County and the Federal Government had already approved these transfers which would allow the city to use the funds more efficiently. Ms. Bourne then continued to speak about some of the programs that this money would benefit.

Council Member Posterli thanked all those who helped to provide insight on how these funds are received and distributed.

Council Vice President Treston asked Ms. Bourne to clarify what the 45<sup>th</sup> year covered.

Ms. Bourne replied that it was the year 2020.

James Hodge (95 E Fulton St) – asked the council about the use of community development funds.

Council Vice President Treston noted that this agenda item was regarding transfer of funds.

Mr. Hodge expressed his concern on what these specific funds would be used for.

Council Member Posterli gave some examples on where these funds would be dispersed.

Council President Bendo also added that most of the funds go to the North Park community due to the demographic requirements.

Ms. Bourne also noted that the County and Federal Government must approve the spending of these funds.

Mr. Walsh then went on to discuss the process in which the city receives the funds and the timeline that these funds were available. He also noted that the city was moving in the direction of spending the money for the purpose it is designed for.

Crystal Lake (206 E Market St) – expressed her concern about updating the census data so that the funds are properly dispersed. She also noted the decrease in CDBG money over the past several years and suggested that the city use other options and focus on other areas that would draw in a greater amount of funding.

The Acting City Manager stated some of the possible reasons for the decrease in funds.

#5 – Resolution Authorizing Annual Allocation of Community Development Funds for the 48<sup>th</sup> Program Year

Ms. Bourne explained that this resolution was for the purpose of accepting these funds and spoke about where these would be allocated.

Council Member Lester asked about some of the items being funded in certain areas and if they fall into the proper criteria of demographics.

Ms. Bourne gave an explanation on the current census track which would allow the funding to take place.

A discussion continued regarding the categories that were part of the application.

James Hodge (95 E Fulton St) – spoke about the different city areas and organizations that could benefit by these funds.

#6 – Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year

Mr. Walsh explained that this item was for the purpose of medical screening of police candidates in the Police Department.

#7 – Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year

Mr. Walsh explained that this item was for the purchase of some needed equipment for the city's tax department.

Council Member Lester asked if there was a breakdown on the cost of these items.

Ms. Reznik gave an explanation on the cost for these items, which included a cash counter and letter opener.

Council Member Postelri asked Ms. Reznik to explain what the letter opener is used for.

Ms. Reznik spoke about the abundance of tax payments and water payments that come in that requires a mechanical letter opener.

Council Member Lester asked about the cost of repairing the old equipment.

Ms. Reznik explained that it would be very expensive to repair due to the age of the equipment and difficulty in finding the parts to repair them.

#### #8 – Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year

The Acting City Manager noted that this was for overtime expenses in the Tax Assessor's office due to unexpected illnesses within the department and other projects that would need to be completed.

Mr. Flammer added that there would also be additional overtime due to the Nassau County IMA (Intermunicipal Agreement).

Council Member Lester asked about the revenue that would come from the agreement.

Mr. Flammer responded to Mr. Lester's question.

#### #9 – Resolution Authorizing Settlement of Certiorari Proceedings

Mr. Flammer gave an explanation on this settlement and noted that it would be in the best interest of the city.

#### #10 – Resolution Authorizing the Acting City Manager to Purchase Assessment Software for the City.

The Tax Assessor spoke about the process of purchasing this product and noted that the software would replace the antiquated software that is presently being used. He noted that within the near future, the entire third floor would be upgraded as well.

Council President Bendo asked about the extra cost involved.

Council Member Lester asked about the added costs.

Mr. Flammer explained the reasons for the added costs.

#### #11 – Resolution Declaring the City Council of the City of Long Beach Lead Agency for the Pacific Park Playground Improvement Project, Declaring said Project to Constitute an Unlisted Action and Authorizing the Acting City Manager to Execute and Accept a Grant for the Renovation of Pacific Playground with the New York State Office of Parks, Recreation and Historic Preservation

Public Works Commissioner, Joe Febrizio spoke about the process and noted that all paperwork was completed in order to proceed. He added that the cost to the city was \$335,000.00 which matched the awarded grant amount, and funds were available in the Capital Budget. Mr. Febrizio also added that he was hopeful that this project could be completed by late Summer early Fall.

#12 – Resolution Authorizing the Acting City Manager to Accept a Donation for the Repair or Replacement of a Zamboni Electric Charging Station for the Long Beach Ice Arena

Mr. Walsh thanked Engel Berman for the donation to repair the Zamboni and spoke about what repairs were involved.

Council Member Lester asked about changing to a propane Zamboni instead of an electric one.

Mr. Walsh noted that Commissioner Brand was working with the County Legislator, Denise Ford on the funding for the purchase of a new Zamboni. He added that although this could take a period of time to complete, it is the city's plan to get the current Zamboni up and running and working properly. Mr. Walsh then spoke about the possibility of purchasing additional Zambonis.

#13 – Resolution Authorizing the Acting City Manager to Purchase a Fire Alarm Management System with the Sole Responsible Bidder

Council Member Treston made a motion to change "Commissioner of Public Works" to "Purchasing Agent" in the first WHEREAS clause. It was seconded by Pres. Bendo and was carried unanimously.

The Acting City Manager described how the Fire Alarm Management System worked.

Fire Commissioner, Joe Miller additionally noted the many places throughout the city that this system provided for. He spoke about the bidding process and the cost of the added maintenance agreement. Commissioner Miller also noted that the cost of the fire alarm panel was being funded by CDBG (Community Development Block Grant) funds, and the investment would be realized within the first year of application.

Council President Bendo asked about the age of the current system.

Commissioner Miller replied that his best guess would be 8 to 10 years and the system is now outdated.

Council Member Lester asked about the present system's life expectancy and questioned the sole bidder.

Commissioner Miller noted that it was put out to bid and believes that since it was a very technical piece, only one company bid on it.

Mr. Lester also asked if Long Beach was the only City that used this equipment.

Commissioner Miller replied that other municipalities might have similar equipment.

Mr. Walsh noted several areas in Nassau County that have this specific type of equipment. He added that in his experience, five to six years is the maximum time you should expect computers to work.

James Hodge (95 E Fulton St) – Spoke in favor of the item.

#14 – Resolution Authorizing City Membership for The Interlocal Purchasing System and the Retention of Troy & Banks Consultants LLC as Independent Auditors to Perform Gross Receipt Tax and Franchise Fee Audits

Corporation Counsel, Rich Berrios explained that this resolution was for the council to authorize membership for the Interlocal Purchasing System which would enable the city to realize the possibility of uncollected funds and retrieve such funds under the law. He also added that this was a contingency based agreement for each audit which meant that the Auditors would only get paid if the city got paid.

Council President Bendo questioned whether or not this resolution should have been separated into two different resolutions since there are two different entities involved.

Mr. Berrios replied that it could be separated but noted that if the council voted no on one, then the other one would be obsolete.

Mr. Walsh added that this was discussed but felt that it would be easier for them to be placed together and a better legal way to present it.

Council Member Lester asked about what percentage they would be paid at and if it was negotiable.

Mr. Walsh replied that it was a state bid contract and non-negotiable.

Mr. Bendo replied to the percentage amounts the Auditors would receive.

#15 – Resolution. Authorizing Publication of a Notice of Public Hearing for the Filing of an Application with the County of Nassau for the Purpose of Undertaking a Community Development Program, Under Title I of the Housing and Community Development Act of 1974, as Amended, and Title II of the National Affordable Housing Act of 1990, as Amended, for Inclusion in the City's Community Development Program for 2023-2024 (49th Year)

***This item was for publication only and a hearing will be held on February 21, 2023 at 7:00pm***

#16 – Approval Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Special Events, Offenses-Miscellaneous and Parks and Recreation

***This item was for publication only and a hearing will be held on February 21, 2023 at 7:00pm***

#17 – Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Ocean Beach Park

***This item was for publication only and a hearing will be held on February 21, 2023 at 7:00pm.***

#18 – Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: Re: 776 West Beech Street (street floor), Long Beach, New York

*This item was for publication only and a hearing will be held on February 21, 2023 at 7:00pm.*

#19 – Approval of Minutes of Prior Meeting of January 17, 2023

Council Pres. Bendo made a motion to approve the minutes. It was seconded by Ms. Treston and was approved unanimously.

**The voting portion of the meeting was then begun.**

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

(ORD. #3073/23)

Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Housing and Property Rehabilitation and Conservation Code: Mortgage-in-Default Registry

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

(RES. #15/23)

Resolution Authorizing the Acting City Manager to Purchase Industrial and Commercial Equipment and Supplies Under Two Sourcewell Contracts

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and it was duly adopted by three affirmative votes. Council Member Lester voted No.

(RES. #16/23)

Resolution Authorizing Budget Amendments to the General Fund Budget and the Sewer Fund Budget for the 2022-2023 Fiscal Year

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

(RES. #17/23)

Resolution Authorizing Budget Amendments to the Community Development Fund for the 45<sup>th</sup> Program Year

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Ms. Posterli, and it was duly adopted by three affirmative votes. Council Member Lester voted No.

(RES. #18/23)

Resolution Authorizing Annual Allocation of Community Development Funds for the 48<sup>th</sup> Program Year

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

(RES. #19/23)

Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year

Council Pres. Bendo introduced and moved the adoption of the following resolution, seconded by Ms. Treston, and it was duly adopted by three affirmative votes. Council Member Lester voted No.

(RES. #20/23)

Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year.

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

(RES. #21/23)

Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year

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

(RES. #22/23)

Resolution Authorizing Settlement of Certiorari Proceedings

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and it was duly adopted by three affirmative votes. Council Member Lester voted No.

(RES. #23/22)

Resolution Authorizing the Acting City Manager to Purchase Assessment Software for the City

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

(RES. #24/23)

Resolution Declaring the City Council of the City of Long Beach Lead Agency for the Pacific Park Playground Improvement Project, Declaring said Project to Constitute an Unlisted Action and Authorizing the Acting City Manager to Execute and Accept a Grant for the Renovation of Pacific Playground with the New York State Office of Parks, Recreation and Historic Preservation.



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

(RES. #25/23)

Resolution Authorizing the Acting City Manager to Accept a Donation for the Repair or Replacement of a Zamboni Electric Charging Station for the Long Beach Ice Arena

Council Pres. Bendo introduced and moved the adoption of the following resolution (as amended), seconded by Ms. Posterli, and it was duly adopted by three affirmative votes. Council Member Lester voted No.

(RES. #26/23)

Resolution Authorizing the Acting City Manager to Purchase a Fire Alarm Management System with the Sole Responsible Bidder

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

(RES. #27/23)

Resolution Authorizing City Membership for The Interlocal Purchasing System and the Retention of Troy & Banks Consultants LLC as Independent Auditors to Perform Gross Receipt Tax and Franchise Fee Audits

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

(RES. #28/23)

Resolution Authorizing Publication of a Notice of Public Hearing for the Filing of an Application with the County of Nassau for the Purpose of Undertaking a Community Development Program, Under Title I of the Housing and Community Development Act of 1974, as Amended, and Title II of the National Affordable Housing Act of 1990, as Amended, for Inclusion in the City's Community Development Program for 2023-2024 (49th Year).

Council Pres. Bendo introduced and moved the adoption of the following resolution, seconded by Ms. Treston, and it was duly adopted by three affirmative votes. Council Member Lester voted No.

(RES. #29/23)

Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Special Events, Offenses-Miscellaneous and Parks and Recreation

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and it was duly adopted by three affirmative votes. Council Member Lester voted No.

(RES. #30/23)

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

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

(RES. #31/23)

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: Re: 776 West Beech Street (street floor), Long Beach, New York.

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

Dated: February 8, 2023

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David W. Fraser  
City Clerk

**Good and Welfare**

Ron Paganini – 62 Harmon St

Spoke about firefighter pay and the upcoming budget and tax levy

Crystal Lake – 206 E Market St

Spoke about the North Shore Infrastructure Project and asked for a bathroom to be placed at Leroy Congers Park

James Hodge – 95 E Fulton St

Spoke Mr. Lester's vote on item #13, black history month and asked for 5 seconds of silence for the victims of the earthquake in Turkey

Helen Alesi – 164 W Park Ave

Spoke about language access and the Equinor wind farm project

Sam Pinto

Spoke about Fire Dept. staffing