

**CITY OF LONG BEACH
MINUTES OF A MEETING
OF THE COMMON COUNCIL
HELD FEBRUARY 21, 2023**

A meeting of the City Council of the City of Long Beach was held on Tuesday February 21, 2023.

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

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

Acting City Manager, Ron Walsh began his update by commending a “good Samaritan” for flagging down Police Sgt. Judy Arroyo to inform her of a house fire that was taking place on West Penn Street. He continued to describe the incident and commended them both. Mr. Walsh then proceeded to thank Sgt. Arroyo for the courageous and selfless efforts taken in getting the owner of the house out safely. He went on to say that Sgt. Arroyo did receive some injuries and was resting. In closing, Mr. Walsh thanked Sgt. Arroyo and the paid and volunteer fire departments for keeping our city safe.

The public hearings were held

Editors Note: The fourth public hearing (Off-Street Parking) was called first out of order, and its corresponding calendar item (#4) was voted on out of order at the conclusion of the hearing

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Granting Waiver of Off-Street Parking Requirements for Premises: Re: 776 West Beech Street (street floor), Long Beach, New York.

Mr. Steve Cianciotto, owner of Sorrento’s noted that they were looking to build out next door at 776 West Beech Street to include a coffee shop/Italian pastry store.

Council President Bend asked about the hours of operation and the number of employees who would be there.

Mr. Cianciotto replied that they would be open from 7am to around 5pm and he would anticipate having around 3 to 4 employees.

Karen Adamo (74 Forrester St) – asked if they would be returning to their original location in town.

Mr. Cianciotto noted that they would probably not be going back to their original location but would not abandon the East end part of Long Beach.

Mike Delury– spoke about forming a more official planning commission to help with addressing variances for projects, such as off-street parking requirements for commercial businesses. He then asked the council to consider developing a governing body dedicated to land use and development issues.

Council President Bendo noted there had been conversations about what Mr. Delury was referring to and it is being kept in mind.

PUBLIC HEARING: Resolution Authorizing 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, for Inclusion in the City's Community Development Program for 2023-2024 (49th Year).

Ms. Patti Bourne, Director of Economic Development gave an explanation on the procedure and distribution of Community Development funds.

Council Member Lester asked for clarity on the distribution of community development funds.

Ms. Bourne replied to Mr. Lester's question and spoke about the criteria and eligibility requirements for distributing these funds.

Karen Adamo (74 Forrester St) – asked that funding for the Long Beach Historical Society be considered.

Ms. Bourne replied to Ms. Adamo's question and spoke about the criteria and eligibility of CDBG funding.

James Hodge (95 E Fulton St) – spoke on the past practice of Community Development funding and asked that parks and other areas be funded. He also suggested that meetings be held before these hearings to talk about the different groups in Long Beach that may qualify for this funding.

Crystal Lake (206 E Market St) – asked that these funds be distributed to assist the youth of Long Beach and how important the Leroy Conyers Park was to the community. She continued to speak on other areas in need for funding.

Council President Bendo suggested Ms. Lake make arrangements to speak further with Patti Bourne on these matters.

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Special Events, Offenses-Miscellaneous and Parks and Recreation.

Corporation Counsel, Rich Berrios gave a description of this ordinance and the reason for the amendment.

Council Member Lester expressed his concerns regarding the permit application and processing fees for holding an event in Long Beach.

Mr. Berrios spoke about the procedures involved in applying for a permit to have an event in Long Beach.

Acting City Manager, Ron Walsh also described the many different components required when applying for a permit to hold an event.

A discussion continued regarding the permit application process and fees.

Karen Adamo (74 Forrester St) – spoke about having boardwalk fairs and her recent meeting with Commissioner Joe Brand, Parks & Recreation and Mr. John McNally, Dir. of Public Relations. She continued to speak about the events application fees for non-profit-agencies who might not have the money upfront to hold an event, and suggested the city continue to hold boardwalk events in an effort to generate revenue.

Council Member McInnis noted that she had no knowledge or had seen a report indicating the amount of revenue that is brought in by the city for holding any events.

Mr. Walsh also noted that he had not seen any type of report indicating the city was making money on events. He then asked Commissioner Brand if he had any knowledge or documents showing the city making money on events.

Commissioner Brand spoke about the number of Vendors vs. Personnel needed to hold an event.

Council Member McInnis then spoke about the inconsistency of data collection for special events and how moving forward with the amendment to the code of ordinance, there will be a much clearer picture on profit and loss.

Commissioner Brand agreed with Ms. McInnis and indicated that they are now keeping a Profit and Loss report for all events.

Corporation Counsel, Rich Berrios responded to Ms. Adamo's concern about non-profit-agencies and added that this ordinance would not preclude a non-for-profit from applying to hold an event but would make them more accountable for the costs of the event.

Council Member Treston also added that there are a number of non-profits that are limited with funds but would still continue to be able to utilize the city.

Council Member Lester expressed his concern with the wording of the ordinance as written.

Judi Vining – expressed her concern about the wording of the permit application including the alcohol permit portion of the application.

Mr. Walsh addressed Ms. Vining's concerns.

Jim Kirklin – spoke about doing some preliminary research with other communities and getting information and comparisons on how their events are benefiting them.

The Acting City Manager noted that it would be very hard to predict how an event is going to play out until it is presented and the details are worked out.

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach
Re: Ocean Beach Park.

Mr. Berrios explained that this was an ordinance to amend the “tables and chairs” concept on the boardwalk. He gave an overview of what was included in the ordinance.

Council Member McInnis thanked the Corporation Counsel's office for working on this amendment which helped keep it consistent with the city's Code.

Council Member Lester had several questions and concerns regarding the wording of the ordinance and the leases involved.

The Corporation Counsel responded to Mr. Lester's questions.

A discussion continued regarding the definition and wording of the ordinance.

Eileen Hession – asked about the language in the document and asked for clarity with the definition of the word “Season”.

Mr. Berrios replied to Ms. Hession's question.

Ron Paganini (62 Harmon St) – questioned the wording in a specific contract between the city and an individual.

Council Member McInnis expressed her concern about speaking in public about a specific agreement with a specific individual.

Mr. Berrios noted that he would try to address Mr. Paganini's questions.

Mr. Paganini continued to ask several questions about the charter vs. a specific lease.

The calendar items were read by the City Clerk

#1 – Resolution Authorizing 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, for Inclusion in the City's Community Development Program for 2023-2024 (49th Year)

A hearing had been held on this item already.

#2 – Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Special Events, Offenses-Miscellaneous and Parks and Recreation

A hearing had been held on this item already.

#3 – Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Ocean Beach Park

A hearing had been held on this item already.

#4 – Resolution Granting Waiver of Off-Street Parking Granting Waiver of Off-Street Parking Requirements for Premises:

Re: 776 West Beech Street (street floor), Long Beach, New York

See note in Public Hearing above

#5 – Resolution Authorizing Budget Amendments to the Water Fund Budget for the 2022-2023 Fiscal Year

Mr. Walsh gave a complete description on the purpose and reason for this budget amendment.

#6 – Resolution Authorizing the Acting City Manager to Purchase Bunker Gear for the Long Beach Fire Department Under New York State Contract

Fire Commissioner, Joe Miller gave a thorough explanation on the importance and safety requirements for purchasing bunker gear for the members of the fire department.

Council Member Lester asked how the bunker gear would be distributed.

Council Member McInnis added that she suggested to the Acting City Manager that moving forward, the funds to purchase bunker gear should be incorporated each year to help eliminate the possibility of having such old equipment in disrepair.

Commissioner Miller replied that they have been doing this for the past year and it is helping to meet the needs of everyone having the proper gear.

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

Council President Bendo spoke in favor of this item. He continued to add that the administration is committed to making sure that all employees are provided with the necessary equipment to perform their jobs.

#7 – Resolution Authorizing the Acting City Manager to Purchase a New Ambulance for the City’s Fire Department Under a Nassau County Contract

Commissioner Miller spoke about the need to purchase a new ambulance for the Fire Department. He continued to describe the need to replace ambulances every three years or so due to the wear and tear on them due to the amount of the emergency alarms they respond to. Mr. Miller noted that there were 3,800 responses last year alone. He added that there are ambulances that are in dire need of replacement and/or repair and spoke about the timeline when it comes to replacing ambulances.

Council President Bendo asked about the quality of this particular vehicle.

Council Member McInnis thanked the Acting City Manager for giving an explanation on how the finances worked for this purchase and asked for clarity on how the expenditures would be made.

Council Member Lester asked about the mileage on the existing ambulance engine.

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

#8 – A “Resolution Authorizing the Approval of a List of Eligible Volunteer Firefighters for 2022 Length of Service Award Program (LOSAP) Service Credit” was taken off the calendar

#9 – A “Resolution. Authorizing the Acting City Manager to Purchase Three (3) 2023 Chevrolet Tahoe Sport Utility Vehicles; One (1) 2023 Ford Transit 250 Cargo RWD Low Roof Van; Two (2) 2021 Chevrolet Silverado MD 6500 4WD Crew Cab Dump Trucks; Two (2) 2022 Chevrolet

Silverado 2500 HD 4WD Crew Cab 159” Work Trucks; and Two (2) 2022 Chevrolet Silverado 2500 HD 4WD Regular Cab 142” Work Trucks for Various City Departments” was taken off the calendar

#10 – Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Motor Vehicles and Traffic

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on March 7, 2023 at 7:00 p.m.

Council Member Treston made a motion to make the following change to the ordinance:

- Reformat/re-letter Section 15-217 to start with the first paragraph as “A” (paragraph beginning “A device that is capable...”).
- At the beginning of Section 15-217(A) insert: “**For the purposes of this Article, a school bus photo violation monitoring system is a device . . .**”

It was seconded by Ms. McInnis and was carried unanimously.

#11 – Approval of Minutes of Prior Meeting of February 7, 2023

Council Pres. Bendo made a motion to approve the minutes. It was seconded by Ms. Treston and was carried by three (3) affirmative votes. Council member McInnis abstained.

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 four council members present voting in the affirmative.

(RES. #32/23)

Resolution Authorizing 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, for Inclusion in the City’s Community Development Program for 2023-2024 (49th Year)

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

(ORD. #3074/23)

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 ordinance, seconded by Ms. McInnis, and it was duly adopted by three affirmative votes. Council Member Lester voted no.

(ORD. #3075/23)

Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Ocean Beach Park

Council Member McInnis 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. #33/23)

Resolution Granting Waiver of Off-Street Parking Granting Waiver of Off-Street Parking Requirements for Premises:

Re: 776 West Beech Street (street floor), Long Beach, New York

Council Member Lester 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. #34/23)

Resolution Authorizing Budget Amendments to the Water Fund Budget for the 2022-2023 Fiscal Year

Council Member Lester 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. #35/23)

Resolution Authorizing the Acting City Manager to Purchase Bunker Gear for the Long Beach Fire Department Under New York State Contract

Council Member McInnis 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 abstained.

(RES. #36/23)

Resolution Authorizing the Acting City Manager to Purchase a New Ambulance for the City's Fire Department Under a Nassau County Contract

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

(RES. #39/23)

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

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

Dated: February 22, 2023

David W. Fraser
City Clerk

Good and Welfare

Ron Paganini – 62 Harmon St

Spoke about overtime and the costs of the Haberman judgement to the homeowners

Eileen Hession

Spoke about the new medical arts building on State St.

Crystal Lake – 206 E Market St

Spoke about the North Shore Infrastructure Project, feral cats and the online water bill payment system

James Hodge – 95 E Fulton St

Spoke on various topics