

CALENDAR

for

REGULAR MEETING OF THE COUNCIL

of the

CITY OF LONG BEACH

held

APRIL 17, 2018

PUBLIC HEARING: Bond Ordinance Authorizing Financing for Cost of Separation Payments To or For the Benefit of Employees of the City, Stating the Estimated Total Cost Thereof is \$2,100,000, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$2,100,000 Bonds of Said City to Finance Said Appropriation.

1. Bond Ordinance Authorizing Financing for Cost of Separation Payments To or For the Benefit of Employees of the City, Stating the Estimated Total Cost Thereof is \$2,100,000, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$2,100,000 Bonds of Said City to Finance Said Appropriation.

Legislative Memo: This bond issue funds separation payouts due and owing to employees, and to otherwise fund early retirement incentive programs, among other financial commitments and obligations.

2. Resolution Authorizing the City Manager to Enter into Agreements for the Operation of Additional Food Trucks at the City's Riverside Food Market (Shoregasboard).

Legislative Memo: It is the City's desire to continue to provide a wide variety of food and refreshment concessions at the Shoregasboard, a greater diversity of food choices, excellent quality foods with a local flavor, while showing preference to local food merchants and/or those who have previously provided food services.

3. Resolution Authorizing the City Manager to Amend the Current Agreement for Asphalt Overlay Work.

Legislative Memo: Additional funding is needed to complete payments for work done at the municipal parking lot located at Riverside Boulevard and East Fulton Street, as the actual amount of asphalt utilized exceeded the estimate.

4. Resolution Authorizing the City Manager to Amend its Contract for the Rehabilitation of the Sand Filter, Sand Filter Building and Sand Filter Lift Station at the Wastewater Treatment Plant.

Legislative Memo: These structures were severely damaged by Superstorm Sandy as they were completely inundated with saltwater. After the project was designed, one of the underground electrical circuits failed and additional work is now needed for the replacement of the subsurface electrical feeders and breakers between the influent building and the recirculation building.

5. Resolution Authorizing Publication of the General Summary of the Capital Improvement Program for the Next Five Years, and Authorizing Publication of the General Summary of the Proposed Budget for Year July 1, 2018 through June 30, 2019, and Notice of Public Hearings Thereon.
6. Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Sewer Rents.

Legislative Memo: This item is on for publication only.

April 17, 2018

Item No. 1
Ordinance No.

The following Ordinance was moved by
and seconded by :

BOND ORDINANCE AUTHORIZING FINANCING FOR THE COST OF SEPARATION PAYMENTS TO OR FOR THE BENEFIT OF EMPLOYEES OF THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$2,100,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,100,000 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION.

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

Section 1. The City of Long Beach, Nassau County, New York (herein called the "City"), is hereby authorized to finance the cost of separation payments to or for the benefit of employees of the City pursuant to Chapter 258 of the 2012 Laws of New York, at the estimated maximum cost of \$2,100,000. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$2,100,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of not to exceed \$2,100,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the aggregate principal amount of \$2,100,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance the appropriation referred to herein.

Section 3. The period of probable usefulness of the specific object or purpose for which said \$2,100,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 85-e of the Law, is five (5) years.

Section 4. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or such obligations are authorized in violation of the provisions of the constitution.

Section 8. This ordinance, which takes effect immediately upon the final passage thereof, shall be published in summary form in the official newspaper of said City, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

April 17, 2018

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into
Agreements for the Operation of Additional Food Trucks
at the City's Riverside Food Market (Shoregasboard).

WHEREAS, it is the City's desire to continue to provide a wide variety of food and refreshment concessions, a greater diversity of food choices, excellent quality foods with a local flavor, while showing preference to local food merchants and/or those who have previously provided food services; and

WHEREAS, there are currently twelve vendors with food trucks at the Riverside Food Market (the Shoregasboard) and there is room for additional vendors; and

WHEREAS, after due advertisement therefore, proposals were received in the Office of the City Purchasing Agent on Thursday, March 15, 2018 at 11:00 a.m., and the following vendors submitted proposals that best meet the needs and desires of the community all while offering diverse, delicious and quality local fair:

Riverside Food Market: (Food Trucks)

- * **Waffle Cabin**, 68 Pennsylvania Avenue, Long Beach, New York 11561
- * **Gourmet Mobile Express**, 236 Hamilton Road, Rockville Centre, New York 11570
- * **Chopped Salads**, 87 West Fourth Street, Freeport, New York 11520

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 agreements with the above vendors for the 2018 summer season for a total fee of not less than \$17,837.90, which includes payment to the City for the cost to maintain and keep clean the Shoregasboard area for the summer season; and be it further

RESOLVED, that said agreements shall contain such other terms, conditions and provisions as the City Manager and the Commissioner of Public Works shall deem necessary and proper.

April 17, 2018

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Amend the
Current Agreement for Asphalt Overlay Work.

WHEREAS, pursuant to Resolution No. 91/17, duly adopted by the City Council on September 5, 2017, the City entered into an agreement for “as-needed” asphalt overlay work at various locations throughout the City with Roadwork Ahead, Inc., 1211 Stewart Avenue, Bethpage, New York 11714, at a cost of \$363,000.00; and

WHEREAS, based on original estimated asphalt quantities, the municipal parking lot at Riverside Boulevard and East Fulton Street was included; and

WHEREAS, the actual quantity of asphalt needed exceeded the original estimate and additional funding is required to complete payments for the work done, in the amount of \$18,525.00;

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 amend the agreement with Roadwork Ahead, Inc., 1211 Stewart Avenue, Bethpage, New York 11714 for additional funding needed to complete payments for work done at the municipal parking lot located at Riverside Boulevard and East Fulton Street, in the amount of \$18,525.00. Funds are available in Account No. H1017.52299 (Road Overlays).

April 17, 2018

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Amend its
Contract for the Rehabilitation of the Sand Filter, Sand Filter
Building and Sand Filter Lift Station at the Wastewater Treatment Plant.

WHEREAS, pursuant to Resolution No. 124/15, duly adopted by the City Council on November 17, 2015, the City entered into a contract with Philip Ross Industries, Inc., 200 Long Island Avenue, Wyandanch, New York 11798 for the complete rehabilitation of the City's Sand Filter, Sand Filter Building and Sand Filter Lift Station, and replacement of the Hypochlorite Storage Tanks at the Wastewater Treatment Plant, which all sustained significant damage as they were inundated with saltwater during Superstorm Sandy; and

WHEREAS, after the project was designed, one of the underground electrical circuits failed rendering a majority of the equipment at the back end of the facility non-operational, requiring a temporary emergency repair; and

WHEREAS, additional work is now needed for the replacement of the subsurface electrical feeders and breakers between the influent building and the recirculation building to provide power to the equipment at the back end of the facility; and

WHEREAS, the cost of this additional work is \$137,340 and there is currently \$74,287.50 remaining in the contingency allotment of the contract, thereby requiring an additional cost of \$63,052.50 for this amendment;

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 amend the contract with Philip Ross Industries, Inc., 200 Long Island Avenue, Wyandanch, New York 11798 for the above specified additional work required for the complete rehabilitation of the City's Sand Filter, Sand Filter Building and Sand Filter Lift Station, and replacement of the Hypochlorite Storage Tanks at the Wastewater Treatment Plant, at a cost of \$137,340 minus the \$74,287.50 remaining in the contingency allotment of the contract, for a total of \$63,052.50. Funds are available in Account No H3017.52358 (Sewer Upgrades Compliance).

April 17, 2018

Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication of the General Summary
of the Capital Improvement Program for the Next Five Years,
and Authorizing Publication of the General Summary
of the Proposed Budget for Year July 1, 2018 through June
30, 2019, and Notice of Public Hearings Thereon.

BE IT RESOLVED, by the City Council of the City of Long Beach, New York that the General Summary of the proposed Capital Improvement Program for the five-year period July 1, 2018 to June 30, 2023, inclusive, be published in the official newspaper of the City of Long Beach, together with a Notice of Public Hearing on said Capital Improvement Program, to be held at City Hall, 1 West Chester Street, in the City of Long Beach, New York, on Tuesday, May 15, 2018 at 7:00 p.m. on that day, pursuant to Section 101-d of the City Charter. Copies of said Capital Improvement Program will be available for inspection by the public at the Office of the City Clerk, daily on business days between the hours of 10:00 a.m. and 3:00 p.m., prior to said hearing. Copies of said Capital Improvement Program will also be available for inspection at the Public Library of the City of Long Beach. An electronic version of the Capital Improvement Program will be available on the City's official website www.longbeachny.gov., and

BE IT RESOLVED, by the City Council of the City of Long Beach, New York that the City Clerk is hereby authorized and directed to publish in the official newspaper of the City of Long Beach a General Summary of the Proposed Budget for Year July 1, 2018 through June 30, 2019, together with a notice calling for public hearings on such budget to be held on Tuesday, May 1, 2018 and Tuesday, May 15, 2018, at 7:00 p.m., at City Hall, 1 West Chester Street, in the City of Long Beach, New York. Copies of the submitted budget and budget message, and all supporting schedules, are available for inspection by the public at the Office of the City Clerk, daily on business days between the hours of 10:00 a.m. and 3:00 p.m., prior to said hearings. Copies of said budget and message are also available for inspection at the Public Library of the City of Long Beach. An electronic version of the budget and message is available on the City's official website www.longbeachny.gov.

April 17, 2018

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of a Local Law
Amending the Charter of the City of Long Beach Re: Sewer Rents.

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

“A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: SEWER RENTS”.

(See Local Law Attached)

NOW, THEREFORE, be it

RESOLVED, that a public hearing shall be had before this Council at City Hall, 1
West Chester Street, Long Beach, New York, concerning the aforesaid Local Law, on May 1,
2018 at 7:00 p.m.; and be it further

RESOLVED, that the City Clerk be and hereby is authorized and directed to
cause a notice of said hearing to be published in the official newspaper of the City of Long
Beach, containing the title of such proposed Local Law and an explanatory statement thereof.

Introductory No. 351
Introduced by:

CITY OF LONG BEACH

CHAPTER I LAWS OF 2018

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: SEWER RENTS.

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

Sec. 1. Article 6, Section 122(b)(2) of the Charter of the City of Long Beach, New York as set forth in Chapter 635 of the Laws of 1922, as heretofore amended, shall be and the same is hereby amended to read as follows:

“Sec. 122. Sewer rents.

(a) *Sewer system, defined.* As used in this section, the term sewer system shall mean and include the sewers, manholes, intercepting sewers, sewage pumping, treatment and disposal works, and any other plants, works or equipment and accessories, which are used or useful in connection with the collection, treatment or disposal of sewage and waste, and which are owned, operated or maintained by the city as part of the public sewer system. This definition is intended to include the sewer system both within and without the city.

(b) *Imposition and computation of sewer rents.*

1. In addition to any other fees or charges provided by law, the owner of any parcel of real property connected with the sewer system, including but not limited to real property connected with the sewer system by means of a private sewer or drain emptying into the sewer system, shall pay a sewer rent for the use of the sewer system.

2. Sewer rents applicable to premises within city limits. On and after July 1, 1975, the annual sewer rent for real property located within the city limits is hereby fixed at an amount equal to sixty-seven (67) per cent of the water charges and rents for any such real property.

On and after July 1, 1976, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to eighty-four (84) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof.

On and after July 1, 1978, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to seventy-five (75) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 1978.

On and after July 1, 1989, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to one hundred (100) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 1989.

On and after July 1, 2016, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to one hundred eight (108) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 2016.

On and after July 1, 2017, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to one hundred fifteen (115) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 2017.

On and after July 1, 2018, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to one hundred twenty (120) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 2018.”

Sec. 2. This Local Law shall take effect immediately upon being filed in the Office of the New York Secretary of State.