

**CITY OF LONG BEACH
MINUTES OF A MEETING
OF THE COMMON COUNCIL
HELD APRIL 18, 2023**

A meeting of the City Council of the City of Long Beach was held on Tuesday April 18, 2023.

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

Acting Corporation Counsel Charles Geiger and Acting City Manager Ronald Walsh were also present.

The Acting City Manager began his report by announcing that April was National Fair Housing Month, commemorating 55 years of the passage of the fair housing act. He then continued by correcting some of the misnomers that were circulating regarding the Martin Luther King, Jr. Center. Mr. Walsh also noted that the goal was to help enhance the programs at the MLK Center and make it a success. He then spoke about the numerous meetings held with Equinor in the past weeks and noted that the focus was to make sure that the interest and the safety of the community was represented.

The Acting City Manager made several announcements of the upcoming events taking place in Kennedy Plaza during the upcoming weekend. He then asked Commissioner of Public Works, Joe Febrizio to introduce the folks who would give a presentation on the flood mitigation program.

Mr. Febrizio introduced D&B Engineers and Architects, Tom Schaefer, Russell Darris, and Rob Rabb, as well as a Representative from Basilico, Chad Greco to begin the presentation. (See attached).

Council Member McInnis asked about the deployable flood barriers:

- Date of completion
- Who will maintain them after the work is completed

Mr. Febrizio replied that it would be the City's responsibility to maintain them.

Ms. McInnis then asked if there would be additional costs in operating them as well as training costs.

Mr. Febrizio spoke about developing a comprehensive plan and stated that he would work with OEM (Office of Emergency Management) to ensure that the city would have a crew that will be trained in the installation of these barrier.

Ms. McInnis also asked about the equipment warranties.

Mr. Schaefer replied that there were warranties and that depending on the equipment, each warranty would be different.

Council Member Lester asked about the reimbursement of costs.

City Comptroller, Inna Reznik explained the reimbursement process.

Mr. Lester also asked about the pathway to the bulkhead and the height of the bulkhead.

Mr. Schaefer noted that the bulkhead would be constructed to the base flood elevation for that area at approximately 9 feet.

Commissioner Febrizio added that it would be very similar to what is seen on Bay Drive between Washington and Magnolia Boulevards.

Council Member Posterli asked if there was a plan to do bulkheading in the canals.

Mr. Febrizio replied that the only bulkheading left to do was Clark Street and he has intentions of putting out an RFP (Request for Proposal) for the design portion and then will put it out for bid for the actual construction.

Ms. Posterli also asked about the flooding that takes place at the back of the bay side.

Commissioner Febrizio responded to her question and spoke about replacing the Tideflex valves.

Council President Bendo asked about adding some type of platform to the new bulkheading for people to fish from.

Mr. Febrizio noted that he believed there would be a lot of potential for fishing once the project was finished.

Council Vice President Treston asked about the gravel pathway/walkway for pedestrians.

Mr. Schaefer noted that this design was a cost measure and a flood protection project.

Ms. McInnis asked about the commercial parking on Park Place and how it will be affected by the construction that will be taking place.

Acting City Manager, Ron Walsh noted that it would not affect the parking.

Mr. Walsh then announced the hiring of Mr. Dennis Cohen, the new Corporation Counsel. He gave a brief background of Mr. Cohen's experience and asked everyone to give him a warm welcome.

Council President Bendo spoke about his meeting with Equinor.

Ms. McInnis asked Mr. Bendo to explain how the meetings were scheduled.

Mr. Bendo noted that the meetings were broken up to allow for the City Council members to meet with Equinor.

Council Member McInnis added that the meetings were held with a maximum of 2 city council members present at one time.

The public hearing was held

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

Re: 511 Long Beach Boulevard (street floor), Long Beach,
New York.

Mr. Denis Kelly spoke on behalf of the owners of this business, which is a local deli. He then introduced the owners.

The owner, Mr. Victor Crespo, spoke about the business as a deli/supermarket.

Council President Bendo asked how many employees would be working at the deli, how many days they would be open and the hours of operation.

Mr. Crespo replied that there would be two employees, opened 7 days per week from 6:00am to 10:00pm, but would look to shorten the hours in the future.

Mr. Bendo asked about how many deliveries he would expect to have during the week.

Mr. Crespo replied that he would have to see how it goes depending on the business.

Council Member Lester asked if they would be selling beer.

Mr. Crespo replied that most likely, in the future.

The calendar items were read by the City Clerk

#1 – Presentation of the Results of the Audit of Fiscal Year 2022 to the City Council

Ms. Reznik introduced Mr. Tim Doyle and Ms. Heather Briggs from Bonadio to present the results of the City's audit for fiscal year 2022. (See attached).

Council President Bendo asked them to summarize how the city did as far as the audit was concerned.

Mr. Doyle noted that according to their findings, the City was trending in the right direction.

Mr. Lester asked about the increase in the fund balance.

Ms. Briggs explained the increase in the fund balance and how the funds are broken down.

A discussion continued regarding the fund balance.

Council Member McInnis noted that she and Mr. Lester serve on the Audit Committee for the Council and meet with Bonadio throughout the year. She added that she was very pleased with the Auditors and thanked them for their hard work and guidance. Ms. McInnis also pointed out the cost for post-employment benefits.

#2 – Resolution Granting Waiver of Off-Street Parking Requirements for Premises:
Re: 511 Long Beach Boulevard (street floor), Long Beach, New York

Editor's Note: This item was voted out of order at the conclusion of the public hearing

#3 – Resolution Authorizing the Acting City Manager to Purchase a Valve Maintenance Trailer from the Lowest Responsible Bidder

Commissioner Febrizio explained the reason and purpose for this purchase. He invited Mr. Mike Longin, Superintendent of Water Transmission to describe how the valve is used.

Council Member Lester asked about the mechanics of this piece of equipment.

Mr. Febrizio explained how this piece of equipment worked.

Mr. Longin gave a little more background and described how the valve was used.

Council Member Posterli asked about the life expectancy of the machine.

Mr. Longin noted that he would be maintaining it and hopefully make it last forever.

#4 – Resolution Authorizing the City of Long Beach to Participate in a Cooperative Bid Coordinated by the Board of Cooperative Educational Services of Nassau County

Mr. Walsh explained how being a part of this Cooperative Bid with BOCES would benefit the City of Long Beach.

#5 – Resolution Authorizing Budget Amendment to the General Fund Budget

Commissioner of Parks and Recreation, Joe Brand explained the reason and purpose of this budget amendment.

Council Member Lester asked about what repairs the money would be spent on.

Mr. Brand spoke about the special projects that were earmarked for repairs.

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

The Acting City Manager noted that this was to enable the City to pay for the salary of the CDBG (Community Development Block Grant) related employee and to be reimbursed for a portion of said salary.

#7 – Resolution Authorizing the Acting City Manager and the City Comptroller to Transfer Funds within the 2022-2023 Budget

Assistant Corporation Counsel, Joseph Lupo noted that there was a proposed amendment to this resolution.

Council Pres. Bendo made a motion to add the following resolved clause after the first resolved clause in the item:

“RESOLVED, that the City Comptroller shall provide the City Council with weekly reports regarding such transfers between the dates of April 19, 2023 and June 20, 2023; and be it further”

It was seconded by Ms. Posterli and was passed unanimously.

Mr. Walsh noted that this will enable the department heads the ability to move funds within their respective departments for year-ending accounting purposes to ensure that they city can balance each department’s finances.

#8 – Resolution Authorizing the Acting City Manager and City Council to Enter into an Employment Contract with the City Comptroller

#9 – Resolution. Confirming the Appointment of a Corporation Counsel and Authorizing the Acting City Manager and City Council to Enter into an Employment Contract with the Corporation Counsel

#10 – Resolution Fixing and Providing for the 2023 Season of the Ocean Beach Park.

#11 – 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, 2023 through June 30, 2024, and Notice of Public Hearings Thereon

This item was for publication only and the capital plan hearing will be held on May 16, 2023 at 7pm and the budget hearings will be held on May 2 and May 16, 2023 at 7pm.

#12 – Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Various Fines and Fees

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on May 2, 2023 at 7:00 p.m.

#13 – 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 May 2, 2023 at 7:00 p.m.

#14 – Approval of Minutes of Prior Meetings of April 4, 2023

Council Member McInnis 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 McInnis 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. #67/23)

Resolution Granting Waiver of Off-Street Parking Requirements for Premises:
Re: 511 Long Beach Boulevard (street floor), Long Beach, New York

Council Pres. Bendo 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. #68/23)

Resolution Authorizing the Acting City Manager to Purchase a Valve Maintenance Trailer from the Lowest Responsible Bidder

Council Member Treston 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. #69/23)

Resolution Authorizing the City of Long Beach to Participate in a Cooperative Bid Coordinated by the Board of Cooperative Educational Services of Nassau County

Council Member McInnis 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. #70/23)

Resolution Authorizing Budget Amendment to the General Fund Budget

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

(RES. #71/23)

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

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

(RES. #72/23)

Resolution Authorizing the Acting City Manager and the City Comptroller to Transfer Funds within the 2022-2023 Budget.

Council Member McInnis 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. #73/23)

Resolution Authorizing the Acting City Manager and City Council to Enter into an Employment Contract with the City Comptroller

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

(RES. #74/23)

Resolution Confirming the Appointment of a Corporation Counsel and Authorizing the Acting City Manager and City Council to Enter into an Employment Contract with the Corporation Counsel

Council Member McInnis 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. #75/22)

Resolution Fixing and Providing for the 2023 Season of the Ocean Beach Park

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. #76/23)

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, 2023 through June 30, 2024, and Notice of Public Hearings Thereon.

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

(RES. #77/23)

Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Various Fines and Fees

Council Member Treston 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. #78/23)

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 McInnis made a motion to close the meeting. It was seconded by Mr. Lester and was duly closed, all five council members present voting in the affirmative.

Dated: April 19, 2023

David W. Fraser
City Clerk

Good and Welfare

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| Mary Volosevich – 83 Armour St | Spoke about the Aux Police building and the Doyle St reconstruction |
| Brendan Finn – 114 Grand Blvd | Spoke about the Wind Farm project |
| Tim Kramer – 361 E Broadway | Spoke about the Wind Farm project |
| Christina Kramer – 361 E Broadway | Spoke about the North Shore Infrastructure Project, the replacement of water mains and the Wind Farm project |
| Cooper Kramer – 361 E Broadway | Spoke about the Wind Farm project |
| Irene Price – 372 E Harrison St | Spoke about the Wind Farm project |
| Charlie Price – 372 E Harrison St | Spoke about the Wind Farm project |
| Ron Paganini – 62 Harmon St | Spoke about the Wind Farm project and taxes |
| Judi Vining – 410 E Broadway | Spoke about Long Beach Aware events |
| Bill Philips – 61 Oregon St | Spoke about the Wind Farm project |
| Rob Noble – 276 Jefferson, Harbor Isle | Spoke about the Wind Farm project |
| Janet Cohen | Spoke about the gate fee charged for private beach entrances |
| Jennifer Sarafin – 107 Neptune Blvd | Spoke about the Wind Farm project |
| Arthur Sehnee – 167 Biltmore Rd | Spoke about the Wind Farm project and its effects on fishing |
| Cathlena Lollis – 25 W Broadway | Spoke about the MLK center |
| Tisizele Scott | Spoke about the MLK center |
| Barbara Ladeson – 650 Shore Rd | Spoke about the gate fee charged for private beach entrances |
| Kevin Martinsen – 311 E Penn St | Spoke about the MLK center and the Wind Farm project |
| Andrea Giauto - 551 Riverside Blvd | Spoke about the MLK center |
| Tammie Topel – 351 Asharoken ,Northport | Spoke about elections |
| David Kutkowski – 9 Chase La, Bethpage | Spoke about elections |
| Barbara Cataletto – Lloyd Neck | Spoke about elections |
| Rahsaan Cruse – 36 E Hudson St | Spoke about the MLK center and gun violence |
| James Hodge – 95 E Fulton St | Spoke about the MLK center |
| Cedrick Coad | Spoke about the MLK center |