

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
MAY 1, 2018

PUBLIC HEARING: For the purpose of giving citizens an adequate opportunity to publicly present their views on the General Summary of the Proposed Budget for the year July 1, 2018 through June 30, 2019.

PUBLIC HEARING: Local Law Amending the Charter of the City of Long Beach Re: Sewer Rents.

1. Local Law Amending the Charter of the City of Long Beach Re: Sewer Rents.

Legislative Memo: Pursuant to a 2017 Order on Consent from the New York State Department of Environmental Conservation, the City has made and will continue to make repairs and improvements, combined with increased regulatory requirements which have raised our operational costs.

2. Resolution Fixing and Providing for the 2018 Season of the Ocean Beach Park.
3. Resolution Delegating to the City Comptroller of the City of Long Beach, Nassau County, New York the Powers to Authorize the Issuance of \$4,000,000 Tax Anticipation Notes of Said City, or So Much Thereof as May be Necessary, in Anticipation of the Collection of Taxes Levied for the Fiscal Year Commencing July 1, 2018, and to Prescribe the Terms, Form and Contents, and Provide for the Sale and Credit Enhancement of Such Notes.

4. Resolution Authorizing the City Manager to Enter into a Contract for the Rental of Portable Restroom Trailers for the Ocean Beach Park.

Legislative Memo: After the damage caused by Superstorm Sandy, the City rebuilt five ADA compliant comfort stations. Again this summer season, the City wants to supply an additional six portable restrooms, three of which are ADA compliant. The City is seeking reimbursement through public assistance grant monies from FEMA.

5. Resolution Authorizing Publication for Hearing of a Local Law Amending Subpart C of Related Acts Relating to the Charter of the City of Long Beach Re: A Local Law to Override the Tax Levy Limit Established in General Municipal Law § 3-c.

Legislative Memo: This item is on for publication only.

May 1, 2018

Item No. 1
Local Law No.

The following Local Law was moved by
and seconded by :

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.

May 1, 2018

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Fixing and Providing for the 2018 Season of
the Ocean Beach Park.

BE IT RESOLVED, by the City Council of the City of Long Beach, New York that pursuant to the authority conferred by Section 18-29 of the Code of Ordinances of the City of Long Beach, the season of the Ocean Beach Park for and during the calendar year for 2018 be and the same hereby is fixed and determined to be as follows, in place and stead for the period provided in and by said Section 18-29.

Saturday, May 26, 2018; Sunday, May 27, 2018 and Monday,
May 28, 2018;

Saturday, June 2, 2018; Sunday, June 3, 2018;

Saturday, June 9, 2018; Sunday, June 10, 2018;

Saturday, June 16, 2018; Sunday, June 17, 2018;

Beginning, Saturday, June 23, 2018, every day to and including
Labor Day, Monday, September 3, 2018.

May 1, 2018

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Delegating to the City Comptroller of the City of Long Beach, Nassau County, New York the Powers to Authorize the Issuance of \$4,000,000 Tax Anticipation Notes of Said City, or So Much Thereof as May be Necessary, in Anticipation of the Collection of Taxes Levied for the Fiscal Year Commencing July 1, 2018, and to Prescribe the Terms, Form and Contents, and Provide for the Sale and Credit Enhancement of Such Notes.

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

Section 1. Subject 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"), the power to authorize the issuance of Tax Anticipation Notes (herein called "Notes") of the City of Long Beach, Nassau County, New York (herein called the "City"), in the aggregate principal amount of not to exceed \$4,000,000, and any notes in renewal thereof, is hereby delegated to the City Comptroller, as chief fiscal officer of the City.

Section 2. The following additional matters are hereby determined and declared:

(a) The Notes shall be issued in anticipation of the collection of real estate taxes levied for City purposes in the fiscal year commencing July 1, 2018 and ending June 30, 2019, and the proceeds of the Notes shall be used only for the purposes for which said taxes are to be levied.

(b) The Notes shall mature within the period of one year from the date of their issuance, and may be renewed from time to time in accordance with the provisions of the Law.

(c) The Notes are not issued in renewal of other notes.

(d) No Notes have heretofore been authorized or issued in anticipation of the collection of said taxes.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the City, and the faith and credit of the City shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the City and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the power to determine the respective amounts of Notes to be issued in anticipation of said respective revenues specified in Section 2 hereof, and the power to enter into agreements for credit

May 1, 2018

Page 2
Item No. 3
Resolution No.

enhancement for the Notes, are hereby delegated to the City Comptroller, as chief fiscal officer of the City.

Section 5. If the City receives reimbursement from the federal and/or state government (hereinafter, "Sandy reimbursement funds") during the term of this TAN, and does not use said funds to satisfy this TAN within two (2) regularly-scheduled City Council meetings of receipt, then the City Council must approve any alternate use/allocation of the Sandy reimbursement funds by duly-adopted resolution.

Section 6. This Resolution shall take effect immediately.

May 1, 2018

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into
a Contract for the Rental of Portable Restroom Trailers
for the Ocean Beach Park.

WHEREAS, as a result of Superstorm Sandy, the bathrooms on Ocean Beach
Park were completely destroyed by the storm surge, requiring the City to rent temporary
bathrooms for the 2013, 2014, 2015, 2016 and 2017; and

WHEREAS, the City has rebuilt five comfort stations located at Grand, National,
Edwards, Riverside and Lincoln Boulevards, making them more resilient by elevating them and
placing them on the north side of the boardwalk, in compliance with FEMA regulations and
guidelines, as well as ADA compliant; and

WHEREAS, the City needs six trailers, three (3) which will contain five women's
stalls on one side and two men's stalls with three urinals on the other side to be located at Long
Beach Road, Neptune Blvd. and New York Avenue, two (2) ADA compliant trailers to be
located at New York Avenue and Neptune Blvd., and one (1) trailer which contains four
women's stalls on one side, four men's stalls on one side and an attached ADA compliant
bathroom to be located at Virginia Avenue; and

WHEREAS, after due advertisement therefore, one bid was received in the
Office of the Commissioner of Public Works on April 12, 2018 for the rental of portable
restroom trailers for the Ocean Beach Park; and

WHEREAS, Direct Drainage, 363 N. Dunton Avenue, East Patchogue, New York
11772 has provided said service for the last five summer seasons efficiently and responsibly and
is the sole responsible bidder for this summer season for all of the above units, from May 1, 2018
through September 30, 2018, for a total cost of \$162,000.00;

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 enter into a contract with Direct Drainage, 363
N. Dunton Avenue, East Patchogue, New York 11772 for the rental of portable restroom trailers
for the Ocean Beach Park for a period of five months at a total cost of \$162,000.00. The City is
seeking reimbursement through public assistance grant monies from FEMA. Funds are available
in Account No. P1000.54442 (Sandy FEMA-Equipment Rental).

May 1, 2018

Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of a Local Law
Amending Subpart C of Related Acts Relating to the Charter of
the City of Long Beach Re: A Local Law to Override the Tax Levy
Limit Established in General Municipal Law § 3-c.

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

“A LOCAL LAW

AMENDING SUBPART C OF RELATED ACTS RELATING
TO THE CHARTER OF THE CITY OF LONG BEACH,
RE: A LOCAL LAW TO OVERRRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c.”

(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 15,
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.

May 1, 2018

Page 2
Item No. 5
Resolution No.

Introductory No. 352
Introduced by:

CITY OF LONG BEACH

CHAPTER II LAWS OF 2018

A LOCAL LAW

AMENDING SUBPART C OF RELATED ACTS RELATING
TO THE CHARTER OF THE CITY OF LONG BEACH,
RE: A LOCAL LAW TO OVERRRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c.

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

Section 1. Subpart C of Related Local Laws relating to the Charter of the City of Long Beach, New York, enacted as Chapter 635 of the Laws of 1922, as heretofore amended, shall be and the same is hereby amended to read as follows:

“Article IX. Override of the Tax Levy Limit Established in General Municipal Law § 3-c.

Sec. 80. Legislative Intent.

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the City of Long Beach, County of Nassau, pursuant to General Municipal Law § 3-c, and to allow the City of Long Beach to adopt a City budget for the Fiscal Year 2018-2019 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Sec. 81. Authority.

This Local Law is adopted pursuant to subdivision 5 of the General Municipal Law § 3-c, which expressly authorizes the City Council to override the tax levy limit by the adoption of a Local Law approved by vote of sixty percent (60%) of the City Council.

Sec. 82. Tax Levy Limit Override.

The City Council of the City of Long Beach, County of Nassau, is hereby authorized to adopt a budget for the Fiscal Year 2018-2019 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Sec. 83. Severability.

If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.”

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