

**CITY OF LONG BEACH
MINUTES OF A MEETING
OF THE COMMON COUNCIL
HELD MAY 2, 2023**

A meeting of the City Council of the City of Long Beach was held on Tuesday May 2, 2023.

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

Corporation Counsel Dennis Cohen and Acting City Manager Ronald Walsh were also present.

The public hearings were held

Editors Note: Item #8 was called out of order before the public hearings

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach
Re: Various Fines and Fees.

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, 2023 through June 30, 2024.

Mr. Walsh asked the City Comptroller, Ms. Inna Reznik to give a presentation on the budget. (See attached).

Mr. Bendo gave a brief outline of the budget public meetings process.

Ms. McInnis added that the council had a five (5) hour work session on Saturday, 4/29/2023 and announced that the next work session will be held on Thursday, 5/4/2023. She also noted that the council had been asking staff about the budget on a daily basis, to ensure that each council member understands the responsibility for voting on a budget.

Mr. Lester asked about the revenue increase in the use of money and property; the decrease in federal aid, and snow removal funds.

Ms. Reznik explained and responded to Mr. Lester's questions.

Ms. McInnis asked several questions regarding the revenue portion of the budget; the increase for 2024 versus 2023 made on the government services related line; and the fund balance.

Ms. Reznik explained and responded to Ms. McInnis's questions.

Council President Bendo added that due to the Haberman settlement, the staff was asked to be more diligent while preparing their budget and to be sure to stay within the tax cap.

Brendan Finn (114 Grand Blvd) – asked expressed his concerns and asked several questions regarding salary increases.

Mr. Walsh responded to Mr. Finn's questions and gave a thorough explanation.

Herb Crester (666 Shore Rd) – asked if the city employed a certified public accounting firm and if so, did it get an annual financial certified statement each year.

Ms. Reznik addressed Mr. Crester's question. She noted that at the last council meeting, a presentation was made on the city's financial statements by an outside accounting firm.

Christina Kramer (361 E Broadway) – asked about the parking meters and how they will affect the budget. She also asked if the city was getting the best rates when it comes to health insurance.

Mr. Bendo replied to the parking meter question and Ms. Reznik responded to the health insurance question.

Mr. Walsh then elaborated on the topic of health insurance. He also explained how the collective bargaining practice works when it comes to unions paying into their insurance premiums.

Ms. Kramer also asked about lowering the firefighters' overtime.

Acting City Manager Walsh explained the reason for the overtime and that the collective bargaining sessions have begun. He also added that the city is doing everything it can to come to a resolution.

Denise Ford (36 Ohio Ave) – had a list of several questions regarding the budget including the expenses and expenditures in different areas. She also asked about the unpaid taxes and liens.

Mr. Bendo asked Ms. Ford to email all her questions to them and she will receive a response.

Ms. Reznik addressed the unpaid taxes and lines question.

Eileen Hession (516 W Beech St) – thanked the administration for settling the Haberman agreement.

Mike Reinhart (11 Dalton St) – asked about the Haberman settlement and the cost to the city.

Council President Bendo responded to Mr. Reinhart's questions.

Mr. Walsh also gave a response to Mr. Reinhart's question.

Ron Paganini (62 Harmon St) – asked for clarification on the superblock levy and its effects on the taxpayer. He also asked about the Haberman settlement and how it will affect future budgets.

Ms. Reznik addressed Mr. Paganini's questions.

James Hodge (95 E Fulton St) – expressed his concern regarding the increase in exempt employee salaries and its effect on the taxpayers.

Mr. Walsh responded to Mr. Hodge's concerns.

Mr. Bendo also responded to some of Mr. Hodge's questions.

Jennifer Sarafin (107 Neptune Blvd) – asked for clarity on the timeline of the Judge's ruling on the Haberman settlement. She also questioned salary increases and the tax increase.

Ms. McInnis, Mr. Bendo and Mr. Walsh responded to Ms. Sarafin's questions.

Council Member Lester made a motion to go into Executive Session to seek advice from Counsel. It was seconded by Ms. McInnis and was carried unanimously.

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach
Re: Motor Vehicles and Traffic.

Acting City Manager Walsh explained that this amendment was a proposal to modify late fees to the city regarding parking infractions.

The calendar items were read by the City Clerk

#1 – Ordinance to Amend the Code of Ordinances of the City of Long Beach
Re: Various Fines and Fees

Council Member Treston made a motion to remove the changes to Sec. 18-17a & b from the ordinance. It was seconded by Ms. McInnis and was carried unanimously.

Council President Bendo explained that the motion was made so that the change in the gate attendance fee for the private beach entrances remains the same as it was last year.

Council Member Lester asked how much more revenue was expected with the change in application fees, etc.

Ms. Reznik, City Comptroller replied that it would be approximately \$200,000.00.

#2 – Ordinance to Amend the Code of Ordinances of the City of Long Beach
Re: Motor Vehicles and Traffic

A hearing was held on this item already.

#3 – Resolution Authorizing the Acting City Manager to Renew the Enterprise Resource Planning Agreement for the City's MUNIS System

City Comptroller, Inna Reznik explained the purpose for this resolution.

#4 – Resolution Authorizing the Acting City Manager to Accept a Charitable Donation

Mr. Walsh noted that this item was a donation of a "pop-up" tent from the New York Police Foundation to use at different events.

Council Member Lester asked if the amount of the donation had any restrictions on accepting this item.

Mr. Walsh replied that it did not.

#5 – Resolution Authorizing the Acting City Manager to Accept a Grant for an Afterschool Program

Acting City Manager Walsh noted that this was grant awarded through the Arts Council for “Mural Makers” to assist in putting up a mural in the city.

Ms. Patti Bourne, Dir. of Economic Development added that this will be happening with middle school and high school students under the supervision of 2 art teachers who are designing the mural and learning how to make a mural. She also noted that this would be happening at the recreation center very soon.

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

Editor’s Note: Items 5 and 6 were called at the same time since they both dealt with the afterschool program.

#7 – Resolution Authorizing Budget Amendment to the Capital Projects Fund Budget

Commissioner of Public Works, Joe Febrizio explained the purpose and reason for this resolution. He noted that it was in connection to the Magnolia Park project.

Council Member McInnis noted that this project was completed ahead of schedule and thanked Commissioner Febrizio.

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

Editors Note: Item #8 was called out of order before the public hearings

Acting City Manager, Ron Walsh explained the purpose for this transfer of funds for the City Garage.

Commissioner of Public Works, Joe Febrizio elaborated on the reason for the additional costs and the process put in place moving forward.

Mr. Walsh asked when the “gas boy” system which monitors the amount of gas usage was purchased.

Director of Operations, Gregg Scott replied that it was purchased about 13 years ago.

Acting City Manager, Walsh also noted that this system was never installed, and he has authorized that money be taken out of the contingency budget to authorize the expedition of the installation of the program so that this type of shortfall doesn’t happen again.

President Council, Bendo asked about when it was realized that the department was over budget.

Mr. Scott noted that it was a misstep on the department’s part and spoke about how steps are now in place so that this doesn’t happen again.

Mr. Bendo also thanked the department for their quick response in repairing the “vacuum truck” to address the sewer line collapse in the canals.

Mr. Walsh also thanked the City Garage for their prompt attention to the repair of the vacuum truck.

Council Member Lester asked how many vacuum trucks the city owned.

Mr. Scott responded that the city owned 2 vacuum trucks and one was out for repair.

Mr. Lester asked why the truck was out for repair and how long it would take to be fixed.

Mr. Dave Koenig, Mechanic for the Central Garage explained the reason for the truck being out for repair. He also noted that the company said it should be ready by next week.

Mr. Lester asked about the sewer collapse.

Commissioner Febrizio responded to Mr. Lester’s questions in detail.

Council Member Lester then asked about the fuel system and how soon it would be in place.

Mr. Scott responded to Mr. Lester’s question.

Mr. Walsh also noted that it would be ready to present to the City Council in 2 weeks for a vote.

Mr. Bendo asked Mr. Walsh what measures have been put in place to ensure that this over-budget incident doesn’t happen again.

Acting City Manager Walsh addressed Mr. Bendo’s question.

Council Member McInnis expressed her reason for concern before moving money from the contingency budget.

Council President Bendo noted that this will not increase the city budget and that the money was being found within the budget itself.

#9 – Resolution. Authorizing the Acting City Manager to Increase the Amount of a Previously Authorized Purchase Order

Commissioner Febrizio explained the reason and purpose of this resolution and reminded the audience that it had to do with the emergency at the waste-water treatment plant. He also noted that funding was available in the capital budget.

Council Member Lester asked if the sewer fees went up due to the fact that there might have been more sewerage involved and more water used.

Mr. Febrizio explained that it wasn’t a matter of more sewerage and it was treated in a different way.

Crystal Lake (206 E Market St) – asked about the water and sewer fees.

Ms. Reznik explained how the water/sewer fees worked.

#10 – Resolution Authorizing the Acting City Manager to Enter Into an Agreement to Furnish and Install Bus Shelters

Mr. Walsh noted that the new bus shelters will be replacing the current damaged shelters.

#11 – Resolution Authorizing the Acting City Manager to Withdraw Funds from an AIG American Pathway Annuity and Authorizing the City Comptroller to Purchase an Annuity Product from the National Life Insurance Company

Mr. Walsh explained the purpose of this resolution.

#12 – Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises:

Re: 966 West Beech Street (street floor), Long Beach, New York

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on May 16, 2023 at 7:00 p.m.

#13 – 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

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on May 16, 2023 at 7:00 p.m.

#14 – Approval of Minutes of Prior Meetings of April 18, 2023

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

ADDED BY UNANIMOUS CONSENT

#15 – Resolution Authorizing Settlement of Actions Brought by Jay Gusler Against the City of Long Beach.

Council Pres. Bendo recused himself from this item.

Council Member Lester added that for full disclosure, his firm had represented Mr. Gusler in the past.

Corporation Counsel, Dennis Cohen described the settlement in detail and recommended that the City Council approve this resolution.

Christina Kramer (361 E Broadway) – asked why Mr. Lester didn't recuse himself from the vote since he represented Mr. Gusler in the past.

Mr. Lester replied that there was no conflict.

The voting portion of the meeting was then begun.

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

(ORD. #3079/23)

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 Ms. McInnis, and it was duly adopted, all four council members present voting in the affirmative.

(ORD. #3080/23)

Ordinance to Amend the Code of Ordinances of the City of Long Beach
Re: Motor Vehicles and Traffic

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

(RES. #79/23)

Resolution Authorizing the Acting City Manager to Renew the Enterprise Resource Planning Agreement for the City's MUNIS System

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. #80/23)

Resolution Authorizing the Acting City Manager to Accept a Charitable Donation

Council Member Ms. 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. #81/23)

Resolution Authorizing the Acting City Manager to Accept a Grant for an Afterschool Program

Council Member McInnis 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. #82/23)

Resolution Authorizing Budget Amendment to the General Fund Budget

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. #83/23)

Resolution Authorizing Budget Amendment to the Capital Projects Fund Budget.

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

(RES. #84/23)

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. #85/23)

Resolution Authorizing the City Manager to Accept a Donation from Nettie Says, Inc

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. #86/22)

Resolution Authorizing the Acting City Manager to Enter Into an Agreement to Furnish and Install Bus Shelters

Council Member McInnis 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. #87/23)

Resolution Authorizing the Acting City Manager to Withdraw Funds from an AIG American Pathway Annuity and Authorizing the City Comptroller to Purchase an Annuity Product from the National Life Insurance Company.

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. #88/23)

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises:

Re: 966 West Beech Street (street floor), Long Beach, New York

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

(RES. #89/23)

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

Council Member McInnis introduced and moved the adoption of the following resolution, seconded by Ms. Treston, and it was duly adopted by three affirmative votes. Council Member Bendo recused himself from the item.

(RES. #90/22)

Resolution Authorizing Settlement of Actions Brought by Jay Gusler Against the City of Long Beach

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 four council members present voting in the affirmative.

Dated: May 3, 2023

David W. Fraser
City Clerk

Good and Welfare

Ron Paganini – 62 Harmon St	Spoke about the budget
Richard Schwin – 167 Jefferson Ave, Island Park	Spoke about the Wind Farm project
Brendan Finn – 114 Grand Blvd	Spoke about the Haberman lawsuit settlement
Michael Reinhart – 11 Dalton St	Spoke about quality of life issues and revenue
Crystal Lake – 206 E Market St	Spoke about the North Shore Infrastructure Project
Jennifer Sarafin – 107 Neptune Blvd	Spoke about the Wind Farm project
Tim Kramer – 361 E Broadway	Spoke about the proposed new fuel system for the garage, and article 7 issue, and the Wind Farm project
Christina Kramer – 361 E Broadway	Spoke about the Wind Farm project
Lynn Kreiss – 711 W Olive St	Spoke about the Wind Farm project
James Hodge – 95 E Fulton St	Spoke about OEM
Lauren Moriarty – 509 Neptune Blvd	Spoke about the Haberman lawsuit settlement
Arthur Schnee – 167 Biltmore Bluff, Massapequa	Spoke about the Wind Farm project and its effects on fishing
Matt Crowley – 29 Kentucky St	Spoke about the Wind Farm project and quality of life issues