

**PROCEEDINGS OF THE CITY COUNCIL
CITY OF LONG BEACH
MEETING OF MAY 2, 2023**

Present: Council President Bendo and Council Members Lester, McInnis and Treston. Council Member Posterli was absent

HEARING HELD - 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

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

Summary: This ordinance will update various fines and fees

Full text of this ordinance is available from the Office of the City Clerk, or online at <http://www.longbeachny.gov/councilmeetings>.

Adopted Unanimously (as amended)

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

Summary: This ordinance will update the fees for the delinquent payment of tickets

Full text of this ordinance is available from the Office of the City Clerk, or online at <http://www.longbeachny.gov/councilmeetings>.

Adopted by Three Affirmative Votes
Council Member Lester Voted No

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

The Acting City Manager is authorized to renew the Enterprise Resource Planning Agreement for the City's MUNIS system with Tyler Technologies, Inc., Falmouth, Maine for an additional year, at a cost of \$97,541.94, and annually thereafter as deemed necessary, subject to available funding, upon City Council approval.

Adopted Unanimously

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

The Acting City Manager is hereby authorized to accept the donation of a tent, valued at \$2,089.00, from the Long Beach Police Foundation, Inc., Massapequa Park, New York, to be used by the City of Long Beach Police Department..

Adopted Unanimously

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

The Acting City Manager is authorized to accept the grant, on behalf of the Long Beach Council for the Arts, of \$2,500.00 from the New York State Council on the Arts, facilitated through the Huntington Arts Council, for an afterschool program called the "Mural Makers" for Long Beach Middle School and Long Beach High School students to design and create a mural at the Long Beach Recreation Center.

Adopted Unanimously

6. Resolution Authorizing Budget Amendment to the General Fund Budget

The following amendment to the fiscal year 2022-2023 General Fund Budget is authorized:

GENERAL FUND

Increase Estimated Revenues: A10510 \$2,500
A0027.42705 Gifts and Donations \$2,500

Increase Appropriations: A20960 \$2,500
A7010.54410 Arts Council-Supplies & Materials \$2,500

Adopted Unanimously

7. Resolution Authorizing Budget Amendment to the Capital Projects Fund Budget

The following amendment to the fiscal year 2022-2023 General Fund Budget is authorized:

GENERAL FUND

Increase Estimated Revenues: H10510 \$645,406.25
H0030.43810 State Aid, Rec/Playgrounds \$645,406.25

Increase Appropriations: H20960 \$645,406.25
H1023.52057 Playgrounds \$645,406.25.

Adopted Unanimously

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

The following transfer of funds are authorized:

<u>Budget Code</u>	<u>Description</u>	<u>Transfer From:</u>	<u>Transfer To:</u>
A1990.54406	Contingency	\$256,647.18	
A1640.54415	Vehicle Fuel		\$150,000.00
A1640.54499	Vehicle Repair		\$106,647.18

Adopted by Three Affirmative Votes
Council Member McInnis Voted No

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

The Acting City Manager is authorized to increase the previously authorized purchase order for Tully Environmental, Inc., Flushing, New York at an additional cost of \$64,800.00.

Adopted Unanimously

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

The Acting City Manager is authorized to enter into an agreement to furnish and install thirteen bus shelters from Keys Fence and Gate, LLC, , Bay Shore, New York as per specifications on file in the Office of the City Purchasing Agent, for a cost of \$242,000.00.

Adopted Unanimously

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

The Acting City Manager is authorized to withdraw 20% of funds that are part of an American International Group (“AIG”) American Pathway seven (7) year annuity, worth an estimated \$97,954.05. The City Comptroller is authorized to and purchase a five (5) year fixed rate annuity product from National Life Insurance Company, at a cost of \$100,000.00.

Adopted Unanimously

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.

Adopted Unanimously

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

Summary: This local law will allow the City to override the Tax Cap limit

Full text of this local law is available from the Office of the City Clerk, or online at <http://www.longbeachny.gov/councilmeetings>.

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.

Adopted Unanimously

14. Approval of Minutes of Prior Meeting of April 18, 2023

Approved Unanimously

ADDED BY UNANIMOUS CONSENT

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

The Corporation Counsel is authorized to settle all claims, demands and pending litigation in which Jay Gusler and the City of Long Beach are parties, inclusive of Jay Gusler v. City of Long Beach (Nassau County Supreme Court Index No. 0207-2021), Jay Gusler v. City of Long Beach (Nassau County Index No. 5012-2022), and Jay Gusler v. City of Long Beach (Appellate Division, Second Department Case No. 2022-04529), for the sum of \$144,000.00, inclusive of costs and fees, with prejudice, and the City Comptroller is hereby authorized to make payments to Jay Gusler in full payment of the City’s settlement, in equal, bi-weekly installments over the course of nine (9) years, amounting to \$16,000.00 per year, subject to other terms and conditions set forth in the negotiated Settlement Agreement and General Release, upon the Acting City Manager’s execution of said settlement.

Adopted by Three Affirmative Votes
Council Pres. Bendo recused himself from this item

All Resolutions are available for inspection in the Office of the City Clerk during regular business hours.

Dated: May 3, 2023

David W Fraser
City Clerk