

**PROCEEDINGS OF THE CITY COUNCIL
CITY OF LONG BEACH
MEETING OF MAY 3, 2022**

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

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, 2022 through June 30, 2023.

1. Resolution Authorizing the City Comptroller to Close Completed Capital Projects and to Transfer the Remaining Unexpended Funds

The City Council directs the City Comptroller to close the listed completed Capital Projects, complete the transfers of funds, and adjust balances accordingly.

Adopted Unanimously

2. Bond Ordinance Authorizing Financing of the Construction and Reconstruction of Improvements to the City's Wastewater Treatment Plant, Appropriating \$2,000,000 for Such Purpose and Authorizing the Issuance of Up to \$2,000,000 Bonds to Finance Said Appropriation

object or purpose: to finance the cost of the construction and reconstruction of improvements to the City's Wastewater Treatment Plant.

period of probable usefulness: forty (40) years

amount of obligations to be issued: \$2,000,000

A complete copy of the Bond Ordinance summarized above shall be available for public inspection during normal business hours at the office of the City Clerk, 1 West Chester Street, Long Beach, New York or on line at www.longbeachny.gov/councilmeetings

Adopted Unanimously (as amended)

3. Resolution Authorizing the City Manager to Amend the Existing Agreement with CDM Smith for Support Services Related to the Emergency Secondary Digester Cover Removal, Sludge Removal and Tank Cleaning at the Water Pollution Control Plant, as well as Sludge Hauling Services

The City Manager is authorized to amend the City's agreement with CDM Smith, Woodbury, New York for additional supportive services related to the emergency secondary digester cover removal, sludge removal and tank cleaning at the Water Pollution Control Plant, as well as sludge hauling services, at an additional cost of \$30,000. Funds will be available pursuant to the borrowing that will be completed from the bond ordinance that was adopted on May 3, 2022.

Adopted Unanimously

4. Resolution Authorizing the City Manager to Enter into a Contract for the Hauling and Disposal of Undigested Sludge from the City's Wastewater Treatment Plant

The City Manager is authorized to enter into a contract with Tully Environmental, Inc., Flushing, New York for the providing of seven thousand (7,000) gallon tankers for the transport of undigested sludge from the City's Wastewater Treatment Plant, to a licensed facility permitted to accept the product, at a unit price of \$2,400 per 7,000 gallon tanker, for a six month initial term, at a cost of \$624,000, with one additional six month option if

necessary. Funds will be available pursuant to the borrowing that will be completed from the bond ordinance that was adopted on May 3, 2022.

Adopted Unanimously

5. Resolution Authorizing the City Manager to Enter into a Contract for Emergency Removal and Disposal of the Secondary Digester Cover, Removal and Disposal of Sludge and Cleaning of the Tank at the City's Wastewater Treatment Plant

The City Manager is authorized to enter into a contract with Thomas Novelli Contracting Corp., Farmingdale, New York for the providing of emergency removal and disposal of the secondary digester cover, removal and disposal of sludge, and the cleaning of the tank at the City's Wastewater Treatment Plant, at a cost of \$1,049,000. Funds will be available pursuant to the borrowing that will be completed from the bond ordinance that was adopted on May 3, 2022.

Adopted Unanimously

6. A "Resolution Authorizing the City Manager to Enter into an Agreement for Engineering Services in Conjunction with the Resilient Connectivity for Park Avenue Project-Phase I & II" was tabled unanimously.

7. 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 override the New York State tax cap.

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 17, 2022 at 7:00 p.m.

Adopted Unanimously

8. Resolution Establishing a Standard Work Day for Elected Members of the City Council of the City of Long Beach for Purposes of Determining and Reporting Days Worked to the New York State and Local Employees' Retirement System.

Council Member Lester reported the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by him to the City Comptroller of the City of Long Beach:

| | |
|--|-----------------------|
| Title: | City Council Member |
| Name: | Roy Lester |
| Standard Work Day: | Six hours |
| Term: | 01/01/2022 – 12/31/25 |
| Participating in Employer's Time Keeping System: | Yes |
| Days/Month: | 6.16 |

Adopted Unanimously

9. Resolution Authorizing the City Manager to Execute a Two Word Correction Regarding the Formal Agreement and Stipulation of Settlement Between the City of Long Beach, Commissioner of Buildings and Property Conservation Scott Kemins, the City of Long Beach Zoning Board of Appeals, Sinclair Haberman and Belair Buildings, LLC.

The City Manager is authorized to execute the aforementioned one-page correction and integrate same into the Formal Agreement and Stipulation of Settlement on behalf of the City of Long Beach and Commissioner of Buildings and Property Conservation Scott Kemins, the City of Long Beach Zoning Board of Appeals, Sinclair Haberman and Belair Building, LLC.

Adopted Four (4) Affirmative Votes
Council Member Lester Abstained

10. Resolution Fixing and Providing for the 2022 Season of the Ocean Beach Park.

The City Council 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 2022 is fixed and determined to be as follows, in place and stand for the period provided in and by said Section 18-29.

Saturday, May 28, 2022; Sunday, May 29, 2022 and Monday, May 30, 2022;
Saturday, June 4, 2022; Sunday, June 5, 2022;
Saturday, June 11, 2022; Sunday, June 12, 2022;
Saturday, June 18, 2022; Sunday, June 19, 2022; and
Beginning Saturday, June 25, 2022, every day to and including Labor Day, Monday, September 5, 2022

Adopted Unanimously

11. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Ocean Beach Park.

Summary: This ordinance will change the fees for seasonal beach passes and creates a new Twilight Daily Pass.

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

Adopted Three (3) Affirmative Votes
Council Members Lester and Posterli Voted No

12. Resolution Authorizing Budget Amendment to the General Fund Budget.

All of the purchases made in accordance with Mr. Carbona's donative intent are hereby authorized by the City Council. Also, the following amendment to the fiscal year 2021-2022 General Fund Budget is hereby authorized:

GENERAL FUND

| | | |
|---|--------|----------|
| Increase Estimated Revenues: | A10510 | \$20,768 |
| A0027.42705 Gifts and Donations | | \$20,768 |
| Increase Appropriations: | A20960 | \$20,768 |
| A7186.52220 Lifeguards, Machinery and Equipment | | \$20,768 |

The remaining \$129,232 is to be reserved for future Lifeguard Departmental operations.

Adopted Unanimously (as amended)

13. Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for the Costs of the Construction and Reconstruction of Improvements to the City's Long Beach Water Pollution Control Plant and South Shore Reclamation Facility, Stating the Estimated Total Cost Thereof is \$123,095,799, Appropriating Said Amount Therefor, Authorizing the Issuance of Not to Exceed \$123,095,799 Bonds of Said City to Finance

Said Appropriation, and Further Authorizing Any Amounts Received from the United States of America and/or the State of New York to be Expended Towards the Cost of Such Project, or Redemption of Any Notes and Bonds Issued Therefor or to be Budgeted as an Offset to the Taxes for Payment of the Principal of and Interest on Said Bonds and Any Notes Issued in Anticipation Thereof.

object or purpose: to finance the construction and reconstruction of improvements to the City's Long Beach Water Pollution Control Plant and South Shore Water Reclamation Facility.

period of probable usefulness: forty (40) years

amount of obligations to be issued: \$123,095,799

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on May 17, 2022 at 7:00 p.m.

Adopted Unanimously

14. Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for the Costs of a Settled Claim Against the City in the Matter of Sinclair Haberman, LLC v. The Zoning Board of Appeals of the City of Long Beach, the City of Long Beach, and Scott A. Kemins, as Commissioner of the Department of Buildings of the City, Stating the Estimated Total Cost Thereof is \$75,000,000, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$75,000,000 Bonds of Said City to Finance Said Appropriation.

object or purpose: to finance the costs of a settled claim against the City in the matter of Sinclair Haberman and Belair Building, LLC, v. The Zoning Board of Appeals of the City of Long Beach, the City of Long Beach, and Scott A. Kemins, as Commissioner of the Department of Buildings of the City.

period of probable usefulness: thirty (30) years

amount of obligations to be issued: \$75,000,000

A complete copy of the Bond Ordinance summarized above shall be available for public inspection during normal business hours at the office of the City Clerk, 1 West Chester Street, Long Beach, New York or on line at www.longbeachny.gov/councilmeetings

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on May 17, 2022 at 7:00 p.m.

Adopted Unanimously

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

Dated: May 4, 2022

David W Fraser
City Clerk