

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
MAY 16, 2023

PUBLIC HEARING: 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.

PUBLIC HEARING: For the purpose of giving citizens an adequate opportunity to publicly present their views on the General Summary of the Capital Improvement Program for the Five-Year Period from July 1, 2023 to June 30, 2028.

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. 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.
2. Resolution Authorizing the Adoption of a Capital Improvement Program for Five Years from July 1, 2023 to June 30, 2028, Inclusive
3. Resolution Authorizing the Adoption of the Operating Budget for the Fiscal Year Commencing July 1, 2023 and Ending June 30, 2024, Appropriating Sums Set Forth Therein and Determining and Fixing the Real Estate Tax Levy.
4. Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year.
5. Resolution Authorizing the Acting City Manager to Furnish and Install a Gasboy System, Gas and Diesel Fuel Pumps and an Automatic Tank Gauge Under Nassau County Contract.
6. Resolution Authorizing the Acting City Manager to Purchase Various Chemicals on an “As Needed Basis” for the Water Purification Plant from the Lowest Responsible Bidders.

7. Resolution Authorizing the Acting City Manager to Purchase a Dri-Prime Dewatering Pump from the Sole Responsible Bidder.
8. Resolution Authorizing the Acting City Manager to Purchase a Vehicle for the City's Building Department Under Monroe County Contract.
9. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises:
Re: 880 West Beech Street (street floor), Long Beach, New York.
10. Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.
11. Approval of Minutes of Prior Meeting of May 2, 2023.

The City Clerk shall present to the City Council the Letter of Review performed by the Office of the State Comptroller, within ten days after the filing of said report.

May 16, 2023

Item No. 1
Local Law No.

The following Local Law was moved by
and seconded by :

Introductory No. 376
Introduced by:

CITY OF LONG BEACH

CHAPTER III LAWS OF 2023

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 2023-
2024 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 2023-2024 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.

May 16, 2023

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Adoption of a Capital Improvement
Program for Five Years from July 1, 2023 to June 30, 2028, Inclusive.

BE IT RESOLVED, by the City Council of the City of Long Beach, New York,
that the Capital Improvement Program for the five year period from July 1, 2023 to June 30,
2028, inclusive, which is on file in the Office of the City Clerk, be and the same is hereby
adopted.

May 16, 2023

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Adoption of the Operating Budget for the Fiscal Year Commencing July 1, 2023 and Ending June 30, 2024, Appropriating Sums Set Forth Therein and Determining and Fixing the Real Estate Tax Levy.

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

Sec. 1. The Operating Budget of the City of Long Beach for fiscal year commencing July 1, 2023 and ending June 30, 2024, providing for the expenditure of \$102,992,626 and the Personnel Schedule, all of which are attached hereto and made a part hereof, are in all respects adopted, confirmed, fixed and determined.

Sec. 2. The sums of money designated in the Operating Budget as appropriations for the fiscal year commencing July 1, 2023 and ending June 30, 2024, and the sums of money set forth for debt service and capital outlay are hereby appropriated and authorized to be expended for debt service and current expenses of the departments, agencies and purposes enumerated therein, in such manner as may be provided by law.

Sec. 3. The amount of real estate taxes required in addition to such other current revenues and other receipts is hereby determined to be \$59,875,905. The rate of tax required to produce such amount is determined to be \$24.8164 per \$100 assessed valuation, as shown on the Assessment Roll last completed for Homesteading properties, and \$43.7716 per \$100 of assessed valuation as shown on the Assessment Roll last completed for non-Homesteading properties. The said Assessment Roll is in all respects confirmed.

Sec. 4. The City Council hereby directs that the said amount be levied and raised by an ad valorem tax on all of the taxable property in the City according to the valuation on the last completed Assessment Roll.

Sec. 5. The City Manager is hereby directed to cause the amount heretofore directed to be levied and raised, and to extend such tax and issue the warrant required by law for the collection of same.

Sec. 6. The Acting City Manager is hereby authorized to allocate the expending and/or encumbering of appropriations on a monthly, quarterly or other basis to assure availability of appropriations throughout the fiscal year.

Sec. 7. This Resolution shall be determined to repeal any inconsistent provision of the personnel schedule or roster.

Sec. 8. This Resolution shall take effect immediately.

May 16, 2023

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

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

WHEREAS, a transfer of funds is needed to replace outdated equipment in
Central Garage;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
following transfer of funds be and are hereby authorized:

<u>Budget Code</u>	<u>Description</u>	<u>Transfer From:</u>	<u>Transfer To:</u>
A1990.54406	Contingency	\$95,032.63	
A1640.52220	Central Garage Machinery and Equipment		\$95,032.63

May 16, 2023

Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Furnish and Install
a Gasboy System, Gas and Diesel Fuel Pumps and an Automatic
Tank Gauge Under Nassau County Contract.

WHEREAS, the City is seeking to replace outdated equipment from City Garage
by furnishing and installing new equipment; and

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
Acting City Manager be and hereby is authorized to furnish and install a gasboy system, gas and
diesel fuel pumps and an automatic tank gauge from Global Fueling Systems, Inc., 42 Field
Street, West Babylon, New York 11704 under Nassau County Department of Public Works
Contract #BPNC20000205 through November 17, 2023, for a cost of \$95,032.63. Funds will be
available in Account No. A1640.52220 (Central Garage Machinery and Equipment).

May 16, 2023

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Purchase
Various Chemicals on an “As Needed Basis” for the
Water Purification Plant from the Lowest Responsible Bidders.

WHEREAS, after due advertising therefore, bids were received in the Office of
the City Purchasing Agent on Thursday, May 11, 2023 at 11:00 a.m. for the purchase of various
chemicals on an “as needed basis” for the Water Purification Plant and the following named
firms were the lowest responsible bidders in each instance;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
City Manager be and is hereby authorized to purchase from the following lowest responsible
bidders in accordance with specifications on file in the Office of the City Purchasing Agent, on
an “as needed” basis as follows, for a period of one (1) year:

- Item 1. Aluminum Sulfate Liquid – Chemtrade Chemicals, 90 East Halsey Road,
Parsippany, NJ 07054, at a bid price of \$1.4661 per gallon; and
- Item 2. Hydrated Lime Bulk – Graymont Inc., 375 Graymont Road, Bellefonte, PA 16823
at a bid price of \$251.33 per ton. Approximately \$8,567.20 is available for the
remainder of fiscal year 2023 and approximately \$162,150 should be made
available in fiscal year 2024 in Account No. F8330.54416 (Water Purification –
Chemicals).

May 16, 2023

Item No.7
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Purchase a
Dri-Prime Dewatering Pump from the Sole Responsible Bidder.

WHEREAS, after due advertisement therefore, bids were received in the Office of
the City Purchasing Agent on May 11, 2023 at 11:00 a.m. for the purchase of a Dri-Prime
Dewatering Pump as per specifications on file in the Office of the City Purchasing Agent; and

WHEREAS, Fleetpump and Services, 466 Knollwood Avenue, White Plains, NY
10603 was the sole responsible bidder for the purchase of a Dri-Prime Dewatering Pump as per
specifications on file, for a cost of \$74,660.00;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
Acting City Manager be and he hereby is authorized to purchase a Dri-Prime Dewatering Pump
from Fleetpump and Services, 466 Knollwood Avenue, White Plains, NY 10603 as per
specifications on file in the Office of the City Purchasing Agent, for a cost of \$74,660.00. Funds
are available in Account No. H3017.52358 (Sewer Upgrades – Compliance).

May 16, 2023

Item No. 8
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Purchase a
Vehicle for the City's Building Department Under Monroe County Contract.

WHEREAS, the City's Building Department needs a vehicle for various
purposes; and

WHEREAS, DeNooyer, 127 Wolf Road, Albany, New York 12205 is an
awarded vendor through Monroe County Contract #BP0321-23; and

WHEREAS, the City desires to purchase one (1) Chevrolet Traverse vehicle, with
specified options, at a cost of \$38,910.00;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
City Manager be and is hereby authorized to purchase one (1) Chevrolet Traverse vehicle, with
specified options, at a cost of \$38,910.00, for the City's Building Department from DeNooyer,
127 Wolf Road, Albany, New York 12205, an awarded vendor through Monroe County Contract
#BP0321-23. Funds are available in Account No. H1017.52047 (Transportation Vehicle).

May 16, 2023

Item No. 9
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication of a Notice of Public
Hearing of an Application to Waive the Off-Street Parking
Requirements for Premises: 880 West Beech Street (street floor),
Long Beach, New York.

WHEREAS, there has been presented to this Council an application pursuant to Section 9-112(18)(c) of Appendix A (Zoning Law) of the Long Beach Code of Ordinances, for waiver of off-street parking requirements for the premises located at 880 West Beech Street (street floor), Long Beach, New York (Section 59, Block 259, Lot 1), between Delaware Avenue and Alabama Street, having frontage of less than 20 feet, on behalf of the owner 880 West Beech LLC, 821 Channel Road, Lido Beach, New York 11561 to be used as a cannabidiol (“CBD”) and retail store;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that a public hearing will be had before this Council upon said application at City Hall, 1 West Chester Street, in the City of Long Beach, New York, on June 6, 2023 at 7:00 p.m. on that date; and be it further

RESOLVED, that the City Clerk be and is hereby authorized to cause a notice of said hearing to be published in the official newspaper of the City of Long Beach.

May 16, 2023

Item No. 10
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of a Local Law
Amending the Charter of the City of Long Beach Re: Assessment; Levy;
Collection of Taxes.

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

“A LOCAL LAW

AMENDING THE CHARTER OF THE CITY
OF LONG BEACH RE: ASSESSMENT; LEVY; COLLECTION OF TAXES.”

(See Local Law Attached)

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the
City Clerk shall cause to be published in the official newspaper of the City of Long Beach the
title, and a summary or the full text of said Ordinance; and be it further

RESOLVED, that said Ordinance shall be on the calendar for public hearing at a
meeting of the City Council to be held at City Hall, 1 West Chester Street, Long Beach, New
York, on June 6, 2023 at 7:00 p.m. on that day.

Introductory No. 377
Introduced by:

CITY OF LONG BEACH

CHAPTER III

LAWS OF 2023

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY
OF LONG BEACH RE: ASSESSMENT; LEVY; COLLECTION OF TAXES

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

Section 1. Article 6, Section 104-g 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 added to Article 6 to read as follows:

“Sec. 104-g. Partial Exemption from Taxation for Volunteer Firefighters in the City of Long Beach.

- 1. Pursuant to the provisions of Section 466-a of the Real Property Tax Law of the State of New York, as amended and as therein provided, adopted herein, real property owned by an enrolled member of the Long Beach Volunteer Fire Department or such enrolled member and spouse residing in the City of Long Beach shall be exempt from taxation to the extent of up to ten percent of the assessed value of such property for county purposes, exclusive of special assessments.**
- 2. Such exemption shall not be granted to an enrolled member of the Long Beach Volunteer Fire Department residing in the City of Long Beach unless:**
 - (a) the applicant resides in the City of Long Beach;**
 - (b) the property is the primary residence of the applicant;**
 - (c) the property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and**
 - (d) the applicant has been certified by the Board of Fire Commissioners of the Long Beach Volunteer Fire Department as an enrolled member; provided, however, that such applicant has been an enrolled member for no less than two years.**

- 3. Any enrolled member of the Long Beach Volunteer Fire Department who accrues more than twenty years of active service and is so certified by the Board of Fire Commissioners of the Long Beach Volunteer Fire Department, shall be granted the ten percent exemption as authorized by this section for the remainder of their life as long as their primary residence is located within the City of Long Beach.**
- 4. The City shall continue an exemption or reinstate a pre-existing exemption claimed under this section by an enrolled member of the Long Beach Volunteer Fire Department, for such deceased enrolled member's un-remarried spouse if such member is killed in the line of duty; provided, however, that:**

 - (a) such un-remarried spouse is certified by the Board of Fire Commissioners of the Long Beach Volunteer Fire Department as an un-remarried spouse of an enrolled member who was killed in the line of duty; and**
 - (b) such deceased volunteer had been an enrolled member for at least five years; and**
 - (c) such deceased volunteer had been receiving the exemption prior to their death.**
- 5. Application for such exemption must be made by the owner or all of the owners of the property annually on forms to be furnished by the tax assessor of the City of Long Beach, and such owner or owners shall furnish the information required by such forms and shall execute such forms in the manner prescribed in such forms, and shall file such forms in said assessor's office annually, on or during the ninety (90) days immediately preceding the appropriate taxable status date.**
- 6. No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of Article Four of the Real Property Tax Law on the effective date of this section shall suffer any diminution of such benefit because of the provisions of this section.”**

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