

**PROCEEDINGS OF THE CITY COUNCIL
CITY OF LONG BEACH
MEETING OF JUNE 4, 2024**

Present: Council President Finn and Council Members Bendo, Fiumara, Lester, and Reinhart.

1. Resolution Authorizing the City Manager to Pay Administrative Costs Under the Emergency Tenant Protection Act, Authorizing the Passing on of Administrative Costs to the Owners of the Buildings Included Under Such Act, and Directing the City Comptroller to Make Billing Therefore

- The aforesaid payment by the City of Long Beach to the New York State Division of Housing and Community Renewal in the sum of \$8,320.00 be and the same is hereby approved, confirmed and ratified in all respects, upon certification by the New York State Division of Housing and Community Renewal of the respective number of housing units subject to Section 8 of the Emergency Tenant Protection Act for the period of April 1, 2022 to March 31, 2023.

- The direct cost incurred by the City of Long Beach in the administration of the Emergency Tenant Protection Act is hereby fixed at the sum of \$3.00 per unit, to be passed on to the respective owners of housing accommodations subject to said Act in proportion to the number of units in each multiple dwelling.

- The City Comptroller is authorized and directed to charge the annual cost of administration to the owners of every building containing housing accommodations subject to such rent control in proportion to the number of dwelling units contained in such building, at a cost of \$23.00 per unit.

- In the event that payments are not made by the respective owners within thirty (30) days after billing, interest shall be charged on the amount due at the rate of one and one-half percent (1½ %) each month, and the City Comptroller is authorized and directed to collect such interest.

Adopted Unanimously

2. Resolution Authorizing the City Manager to Renew the City's Agreements for Disaster Management Response and Recovery Consulting Services

The City Manager is authorized to renew the retainer agreements with each of the following firms:

- IMEG Engineering, Rock Island, IL
- L.K. McLean Associates, P.C., Brookhaven, NY; &
- D&B Engineers and Architects, P.C., Woodbury, New York

for Disaster Management Response and Recovery Consulting Services, to assist the City with its ongoing Hazard Mitigation Projects, on an as needed basis, for a period of two years.

Adopted Unanimously

3. Resolution Authorizing the City Manager to Purchase a Trolley Bus Under a State of Washington Contract

The City Manager is authorized to enter into an agreement to purchase one (1) 29' Low Floor Diesel Trolley Bus through Gillig, Livermore, California, at a cost of \$751,017.00. Funds will be made available in the Fiscal Year 2025 budget, of which the Federal Transit Administration will reimburse the City of Long Beach 80% of funds expended for this purchase and the New York State Department of Transportation will reimburse the City of Long Beach 10% of funds expended for this purchase. This project is authorized in the Fiscal Year 2024 – 2025 Capital Plan and will be funded pursuant the Bond Authorization presented for Publication at June 4, 2024 City Council Meeting in the amount of \$683,017.

4. Resolution Adopting a City of Long Beach Federal Transit Administration Safety Plan.

The updated Federal Transit Administration Safety Plan of the City of Long Beach presently on file in the office of the City Clerk and dated March 6, 2024 is hereby adopted.

Adopted Unanimously

5. Resolution Approving the Reimbursement of Various Volunteer Fire Department Expenses.

Any claims for reimbursement by the Volunteer Fire Department and/or members of the Volunteer Fire Department shall be approved by the City Manager and/or City Comptroller prior to purchase.

Adopted Unanimously

6. Resolution Authorizing Transfer of Funds for the 2023-2024 Fiscal Year.

The following transfer of funds are hereby authorized:

<u>Budget Code</u>	<u>Description</u>	<u>Transfer From:</u>	<u>Transfer To:</u>
A5142.51103	Snow Removal – Overtime Salaries	\$43,484.00	
A5142.54499	Snow Removal – Vehicle Repairs	\$15,204.59	
A1640.54415	Central Garage – Vehicle Gas, Oil and Diesel	\$25,949.73	
A8170.54443	Street Maintenance – Equipment Repairs		\$84,638.32.

Adopted Unanimously

7. Resolution Authorizing the City Manager to Enter into an Agreement for the Repair of a 2006 Vactor Truck from the Sole Source Provider.

The City Manager is authorized to enter into an agreement with JDC, Bay Shore, New York to repair the 2006 Vactor truck that is presently part of the City's fleet, at a cost of \$143,590.32.

Adopted Unanimously

8. Resolution Authorizing the City Manager to Enter into an Agreement for the Repair of a 2015 Vactor Truck from the Sole Source Provider

The City Manager is authorized to enter into an agreement with Trius Incorporated, Bohemia to repair the 2015 Vactor truck that is presently part of the City's fleet, at a cost of \$74,516.52.

Adopted Unanimously

9. Resolution Authorizing the City Manager to Purchase Salt (Mineral Crushed Rock) Under a New York State Contract

The City Manager is authorized to purchase 750 tons of salt (mineral crushed rock) from Atlantic Salt, Inc., Lowell, MA at a cost of \$89.00 per ton, and total cost of \$66,922.50, through New York State Office of General Services, OGS Contract #PC70130.

Adopted Unanimously

10. Resolution Authorizing the Retention of Outside Counsel

The City Manager is authorized to enter into a retainer agreement with the firm of Forchelli Deegan Terrana LLP, Uniondale, New York to represent the City of Long Beach in two zoning matters presently before the City of Long Beach Zoning Board of Appeals, namely Zoning Board of Appeals Case #2773, pertaining to 530 West Broadway, Long Beach, New York 11561, also known as Section 59, Block 29, Lots 14-35, 37 & 113 on the Nassau County Land and Tax Map and Zoning Board of Appeals Case #3419, pertaining to 658-664 West Broadway, Long Beach, New York 11561, also known as Section 59, Block 18, Lots 39-42 on the Nassau County Land and Tax Map, at a cost not to exceed \$50,000.00 without further City Council approval.

Adopted Unanimously

11. Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for Various Capital Projects in and for the City, Stating the Estimated Total Cost Thereof is \$22,369,395

BOND ORDINANCE DATED JUNE 18, 2024.

ORDINANCE AUTHORIZING FINANCING FOR VARIOUS CAPITAL PROJECTS IN AND FOR THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$22,369,395, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF \$7,162,652 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$14,123,981 BONDS OF SAID CITY TO FINANCE THE BALANCE OF 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 CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, 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 NOTES AND BONDS.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF LONG BEACH, NASSAU COUNTY, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said Council) AS FOLLOWS:

Section 1. The City of Long Beach, Nassau County, New York (herein called the "City"), is hereby authorized to finance the costs of construction, acquisition or undertaking of the various capital projects as described in column A of Schedule I attached hereto and hereby made a part hereof, at the estimated maximum costs indicated in column F of such Schedule I. The total estimated cost of such projects, including preliminary costs and costs incidental thereto and to the financing thereof, is \$22,369,395 and said amount is hereby appropriated therefor. The plan of financing includes (i) the issuance of not to exceed \$14,123,981 bonds of the City to finance a portion of said appropriation as further described in column H of such Schedule I, (ii) State and Federal aid expected to be received in the amounts indicated in column G of such Schedule I, a portion of the receipt of which shall reduce the amount of such bonds *pro tanto* (ii) certain City moneys in the amount of \$8,245,414 previously authorized or borrowed and unencumbered as further described in columns D and E of such Schedule I, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any amounts received by the City from the United States of America and/or the State of New York are hereby authorized to be expended towards the cost of the applicable specific objects or purposes, classes of objects or purposes or combinations of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$14,123,981 are hereby authorized to be issued in the respective principal amounts indicated in column H of Schedule I for each of the respective objects or purposes indicated in column A of such Schedule I, pursuant 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"), to finance the appropriation referred to herein.

Section 3. The respective periods of probable usefulness of the specific objects or purposes, classes of objects or purposes and combinations as referenced in column A of the attached Schedule I, for which said bonds are authorized are to be issued, within the limitations of §11.00 a. of the Law, are set forth in column K of the attached Schedule I.

Section 4. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. This Bond Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in full, together with a notice in substantially the form prescribed by §81.00 of the Law in "*The Long Beach Tribune*," the official newspaper of said City for such publication.

SCHEDULE 1 - 2024 CHART OF COMPONENTS

[A]	[B]	[C]	[D]	[E]	[F]	[G]	[H]	[I]	[J]	[K]	[L]	[M]	
Category	Project Name	Project Type	Current Authorized (unissued)	Current Funding As of 3/2024		Estimated Maximum Cost	Projected Grant Reimbursement	Bond Authorization	2025 Non City Funding		PPU	LFL Paragraph	Specific, Class, or Combinatio
				Borrowed Un-Encumbered available budget					City Portion	Grant Portion			
GENERAL FUND													
Roads	Road Overlays	Rehabilitation	\$ -	\$ 133,108	\$ 633,108		\$ 500,000	\$ -	\$ -	15 yrs	Par. 20@	C	
Roads	Road Reconstruction	Construction	\$ -	\$ 156,183	\$ 1,156,183		\$1,000,000	\$ -	\$ -	15 yrs	Par. 20@	C	
Transportation	Heavy Duty Trolley Bus	Equipment	\$ -	\$ 68,000	\$ 751,017	\$ 675,900	\$ 683,017	\$ 75,100	\$ 675,900	10 yrs.	Par 29-a	S	
Transportation	Semi Open Trolley Bus -Medium Duty	Equipment	\$ -	\$ -	\$ 350,000	\$ 350,000	\$ 350,000	\$ -	\$ 350,000	10 yrs.	Par 29-a	S	
Transportation	Transportation Vehicle	Equipment	\$ -	\$ 47,500	\$ 65,000	\$ 58,500	\$ 17,500	\$ 6,500	\$ 58,500	5 yrs.	Par 29	S	
Transportation	Plan/Study for New Bus/Central Garage	Design/Construction	\$ -	\$ -	\$ 600,000	\$ 540,000	\$ 600,000	\$ 60,000	\$ 540,000	5 yrs.	Par 62(2nd)	S	
Public Safety	Fire Department - EMS Stretchers (Power Load)	Equipment	\$ -	\$ -	\$ 200,000		\$ 200,000	\$ -	\$ -	5 yrs.	Par 27-a	C	
Public Safety	PD - Storage Trailer	Equipment	\$ -	\$ -	\$ 100,000		\$ 100,000	\$ -	\$ -	15 yrs.	Par 28	S	
Public Safety	PD-Records Management System	Technology	\$ -	\$ -	\$ 350,000		\$ 350,000	\$ -	\$ -	5 yrs.	Par 81(b)	S	
Public Safety	Women's/Mens PD/FD Locker Room and Shower	Construction	\$ -	\$ 150,000	\$ 225,000		\$ 75,000	\$ -	\$ -	15 yrs.	Par. 12(a)(2)	S	
Buildings	Recreation - Various Improvements	Construction	\$ -	\$ 2,333	\$ 122,333		\$ 120,000	\$ -	\$ -	15 yrs.	Par. 12(a)(2)	S	
Buildings	Salt Storage Dome	Design/Construction	\$ -	\$ 55,000	\$ 1,055,000	\$ 109,252	\$ 1,000,000	\$ 55,000	\$ 109,252	25 yrs.	Par 11(b)	S	
Buildings	City Building Rehabilitation - Various Locations	Design/Construction	\$ -	\$ 661,869	\$ 1,511,869		\$ 850,000	\$ -	\$ -	15 yrs.	Par. 12(a)(2)	C	
Parks	Resurface Turf Field	Design/Construction	\$ -	\$ -	\$ 900,000		\$ 900,000	\$ -	\$ -	15 yrs.	Par. 19@	S	
Parks	Playgrounds	Design/Construction	\$ -	\$ 312,481	\$ 812,481		\$ 500,000	\$ -	\$ -	15 yrs.	Par. 19@	C	
Equipment	Street Maintenance - Street Sweeper	Equipment	\$ -	\$ -	\$ 400,000		\$ 400,000	\$ -	\$ -	15 yrs.	Par. 28	S	
Equipment	Sanitation Vehicles	Equipment	\$ -	\$ -	\$ 839,540		\$ 839,540	\$ -	\$ -	15 yrs.	Par. 28	C	
Various	Eco-Dev New York Forward-Park Ave. Project	Design/Construction	\$ 2,000,000	\$ -	\$ 3,359,000	\$ 3,359,000	\$ 1,359,000	\$ -	\$ 3,359,000	15 yrs	Par. 20@	S	
Various	Eco-Dev Parking Study	Design/Construction	\$ -	\$ -	\$ 150,000	\$ 70,000	\$ 150,000	\$ 80,000	\$ 70,000	5 yrs.	Par 62(2nd)	S	
Sewer	Sewer Upgrades	Construction	\$ -	\$ 574,698	\$ 1,374,698		\$ 800,000	\$ -	\$ -	30 yrs	Par. 4	C	
Water	Various Plant Improvements	Construction	\$ -	\$ 227,808	\$ 327,808		\$ 100,000	\$ -	\$ -	40 yrs.	Par. 1	C	
Water	Water System Upgrades - Various	Construction	\$ -	\$ 3,737,750	\$ 5,837,750	\$ 1,000,000	\$ 2,100,000	\$ 250,000	\$ 1,000,000	40 yrs.	Par. 1	C	
Water	High Pressure Filter Rehabilitation	Design/Construction	\$ -	\$ 118,684	\$ 1,118,684	\$ 1,000,000	\$ 1,000,000	\$ 250,000	\$ 1,000,000	40 yrs.	Par. 1	C	
Equipment	Sanitation Truck**	Equipment	\$ -	\$ -	\$ 129,924		\$ 129,924	\$ -	\$ -	15 yrs.	Par. 28	S	
	Total		\$ 2,000,000.00	\$ 6,245,414	\$ 22,369,395	\$ 7,162,652	\$ 14,123,981	\$ 776,600	\$ 7,162,652				

A Public Hearing will be held at City Hall, 1 Wst Chester Street, Long Beach, New York, on June 18, 2024 at 7:00 p.m.

Adopted Unanimously (as amended)

12. Approval of Minutes of Prior Meetings of May 7, 2024 and May 21, 2024

Approved Unanimously

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

Dated: June 5, 2024

David W Fraser
City Clerk