

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
JUNE 6, 2023

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements for Premises:

Re: 880 West Beech Street (street floor), Long Beach, New York.

1. Resolution Granting Waiver of Off-Street Parking Requirements for Premises:
Re: 880 West Beech Street (street floor), Long Beach, New York.
2. Resolution Authorizing the Acting City Manager to Enter into a Location Agreement.
3. Resolution Authorizing the Acting City Manager to Enter into a Contract for a Fireworks Display to Celebrate the 4th of July.
4. Resolution Authorizing the Retention of Consulting Services.
5. Resolution Authorizing the Continued Retention of Capital Markets Advisors, LLC.
6. Resolution Appointing Four (4) Members to the Board of Ethics for the City of Long Beach.
7. Resolution Authorizing the Acting City Manager to Enter into a Contract for Design/Construction Administration Services for the Reconstruction of Heron Street, North of East Pine Street.
8. Resolution Authorizing the Acting City Manager to Enter into a Contract for the Dewatering, Transport and Disposal of Undigested Sludge from the City's Wastewater Treatment Plant.
9. Resolution Authorizing the Acting City Manager to Purchase a Used Trailer from the Sole Source Provider.

10. Resolution Authorizing the Acting City Manager to Purchase 1,000 32-Gallon Recycling Cans with Lids from the Lowest Responsible Bidder.
11. Resolution Declaring the City Council of the City of Long Beach Lead Agency for the Adoption of the Comprehensive Plan.
12. Resolution Authorizing the Publication of a Notice of a Public Hearing to Discuss the Adoption of a Comprehensive Plan and Environmental Assessment for the City of Long Beach Pursuant to Requirements of New York State General City Law and New York State Environmental Quality Review Act (SEQRA).
13. Resolution Authorizing Settlement of Certiorari Proceedings.
14. Resolution Authorizing Settlement of Certiorari Proceedings.
15. Resolution Authorizing the Acting City Manager to Purchase Tax Assessment Software.
16. Resolution Authorizing a Home Rule Message to Authorize the City of Long Beach, Nassau County, New York, to Establish an Administrative Adjudication Hearing Procedure for Code and Ordinance Violations for the City of Long Beach.
17. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises:
Re: 64 West Beech Street (street floor), Long Beach, New York
18. Approval of Minutes of Prior Meeting of May 16, 2023.

June 6, 2023

Item No. 1
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Granting Waiver of Off-Street Parking Requirements
Re: 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 mortgage banker office;

WHEREAS, a Public Hearing was held on this date;

NOW, THEREFORE, after due deliberation, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the application of owner 880 West Beech LLC, 821 Channel Road, Lido Beach, New York 11561 for exemption with respect to the requirements for off-street parking at premises 880 West Beech Street (street floor), having frontage of less than 20 feet, be and the same hereby is granted, only and during the time that such premises shall be used as a mortgage banker office.

June 6, 2023

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Enter into
a Location Agreement.

WHEREAS, PSEG Long Island (“PSEG”), 15 Park Drive, Melville, New York 11747 and West End Beautification Association (“WEBA”), 68 Delaware Avenue, Long Beach, New York 11561 desire to enter into a Location Agreement with the City of Long Beach for permission to enhance and beautify the City owned portions of the Ohio Avenue bus turnaround and “Welcome to Long Beach” West End gateway sign; and

WHEREAS, PSEG has awarded WEBA \$2,760.00 to enhance and beautify said location with lighting, top soil, plants and shrubs; and

WHEREAS, PSEG and WEBA seek to obtain the City’s permission to enhance and beautify said location with lighting, top soil, plants and shrubs;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the Acting City Manager be and is hereby authorized to execute a Location Agreement between the City of Long Beach, PSEG Long Island, 15 Park Drive, Melville, New York 11747 and West End Beautification Association, 68 Delaware Avenue, Long Beach, New York 11561, approving the enhancement and beautification of the City owned portions of the Ohio Avenue bus turnaround and “Welcome to Long Beach” West End gateway sign with lighting, top soil, plants and shrubs; and be it further

RESOLVED, that said Location Agreement shall contain such other terms and conditions as the Acting City Manager shall deem proper.

June 6, 2023

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Enter into a
Contract for a Fireworks Display to Celebrate the 4th of July.

WHEREAS, the City of Long Beach desires to have a fireworks display as part of
the 4th of July celebration on Friday, July 7, 2023, for the pleasure and enjoyment of the residents
and visitors to the City; and

WHEREAS, the City desires to enter into an agreement with Starfire Corporation,
566 Theatre Road, P.O. Box 179, St. Benedict, Pennsylvania for our 2023 fireworks display at a
cost of \$40,000.00;

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 enter into a contract with Starfire
Corporation, 566 Theatre Road, P.O. Box 179, St. Benedict, Pennsylvania for a fireworks display
to be held on Friday, July 7, 2023, at a cost of \$40,000.00. Funds are available in Account No.
A7550.54440 (Celebration-Contracted Services) in the fiscal year 2024 budget.

June 6, 2023

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Retention of Consulting Services.

WHEREAS, the City of Long Beach desires to retain the professional consulting services of Standard Valuation Services, who specializes in real estate appraisal services; and

WHEREAS, Standard Valuation Services will provide appraisal services as directed by the Corporation Counsel; and

WHEREAS, Standard Valuation Services, 27 East Jericho Turnpike, Mineola, New York 11501 has agreed to provide appraisal services as directed by the Corporation Counsel, at a cost not to exceed \$18,000.00;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Acting City Manager may retain Standard Valuation Services, 27 East Jericho Turnpike, Mineola, New York 11501 to provide appraisal services as directed by the Corporation Counsel, at a cost not to exceed \$18,000.00. Funds are available in Account No. A1420.54453 (Corporation Counsel-Consultants).

June 6, 2023

Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Continued Retention of
Capital Markets Advisors, LLC (“CMA”).

WHEREAS, pursuant to Resolution No. 27/19, duly adopted by the City Council on April 16, 2019, the City of Long Beach retained the professional services of Capital Markets Advisors, LLC (“CMA”), an independent registered municipal advisor, to provide on-site consulting services to assist the City in improving the efficiency and effectiveness of our day-to-day operations for a period of one year; and

WHEREAS, pursuant to Resolution No. 39/20, duly adopted by the City Council on June 2, 2020, the City of Long Beach authorized the continued retention of CMA, for a one-year term commencing on June 15, 2020, inclusive of a renewal option for the City for two additional one-year terms; and

WHEREAS, it is the desire of the City Council to continue the retention of Capital Markets Advisors, LLC (“CMA”), 11 Grace Avenue, Suite 308, Great Neck, New York 11021, to act as a consultant on behalf of the City, for a term of one year, subject to the terms and conditions set forth in the to-be executed Financial Advisory Services Agreement, commencing on June 30, 2023 through June 30, 2024, inclusive of a renewal option for the City for two additional one-year terms;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Acting City Manager may continue the retention of CMA, 11 Grace Avenue, Suite 308, Great Neck, New York 11021 to perform professional municipal consulting services on behalf of the City, for a term of one year, subject to the terms and conditions set forth in the to-be executed Financial Advisory Services Agreement, commencing on June 30, 2023 through June 30, 2024, inclusive of a renewal option for the City for two additional one-year terms exercised in writing. Funds are available in A1380.54423 (Fiscal Agent Fees – Bond and Note Issue Services) in the fiscal year 2024 budget.

June 6, 2023

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Appointing Four (4) Members to the Board
of Ethics for the City of Long Beach.

WHEREAS, pursuant to Article 2, Section 18 of the Charter of the City of Long Beach, a Board of Ethics consisting of eight (8) members is appointed by the City Council; and

WHEREAS, the City Council desires to fill four (4) vacant seats of the Board of Ethics of the City of Long Beach; and

WHEREAS, said members of the Board of Ethics shall serve at the pleasure of the City Council; shall reside in the City of Long Beach; shall serve without compensation; and shall have at least one member that is an elected or appointed officer or employee of the City; and

WHEREAS, the Board shall render advisory opinions with respect to Article 18 of the General Municipal Law and the City's Code and all requests for opinions must be submitted to the Board in writing;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the following persons are hereby appointed as members of the Board of Ethics for the City of Long Beach:

1. Sean-Patrick Barravecchio
2. Melissa Grant
3. Tori Piechocniski
4. Felicia Smith Solomon

June 6, 2023

Item No. 7
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Enter into a Contract
for Design/Construction Administration Services for the Reconstruction
of Heron Street, North of East Pine Street.

WHEREAS, after due advertisement therefore, proposals were received in the
Office of Public Works for design/construction administration services for the reconstruction of
various City roads in accordance with plans and specifications on file in the Department of
Public Works; and

WHEREAS, D&B Engineers and Architects, 330 Crossways Park Drive,
Woodbury, New York 11797 submitted the technical proposal which will provide the best
overall value to the City in accordance with the plans and specifications;

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 enter into a contract with D&B Engineers
and Architects, 330 Crossways Park Drive, Woodbury, New York 11797 for design/
construction administration services for the reconstruction of Heron Street, north of East Pine
Street, at a cost of \$55,304.00. Funds in the amount of \$18,693.00 are available in Account No.
H1015.52258 (Design Various Roadways); funds in the amount of \$15,598.00 are available in
Account No. H1017.52258 and funds in the amount of \$21,013.00 are available in Account No.
A1490.54453 (Consultants).

June 6, 2023

Item No. 8
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Enter into a Contract for the Dewatering, Transport and Disposal of Undigested Sludge from the City's Wastewater Treatment Plant.

WHEREAS, after due advertisement therefore, one bid was received in the Office of the Commissioner of Public Works on March 24, 2022 for the dewatering, transport and disposal of undigested sludge from the City's Wastewater Treatment Plant; and

WHEREAS, the bid was not awarded due to the emergency removal and disposal of the secondary digester cover at the City's Wastewater Treatment Plant; and

WHEREAS, upon completion of the emergency removal and disposal of the secondary digester cover, Tully Environmental, Inc., 127-50 Northern Boulevard, Flushing, New York 11368, the sole responsible bidder, agreed to hold their bid prices for the dewatering, transport and disposal of undigested sludge from the City's Wastewater Treatment Plant for a two-year initial term with two additional one-year options, for the amount of 350 dry tons per annum, at a unit price of \$1,460.00 per dry ton, equaling an estimated value of \$1,022,000.00 for the two-year initial term and \$511,000.00 per annum;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Acting City Manager be and is hereby authorized to enter into a contract with Tully Environmental, Inc., 127-50 Northern Boulevard, Flushing, New York 11368 for the dewatering, transport and disposal of undigested sludge from the City's Wastewater Treatment Plant, at a unit price of \$1,460.00 per dry ton, for a two-year initial term, at a cost of \$1,022,000.00, with two additional one-year options if necessary. Funds in the amount of \$30,131.24 are currently available in the fiscal year 2023 budget and \$500,000.00 will be available in the fiscal year 2024 budget in Account No. G8130.54440 (Water Pollution Control Contracted Services).

June 6, 2023

Item No. 9
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Purchase a
Used Trailer from the Sole Source Provider.

WHEREAS, the City's Police Department desires to purchase a used trailer; and

WHEREAS, Williams Scotsman, Inc., 280 Skip Lane, Bay Shore, New York
11706 is the sole source provider, at a cost of \$35,000.00;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
Acting City Manager be and is hereby authorized to purchase a used trailer from Williams
Scotsman, Inc., 280 Skip Lane, Bay Shore, New York 11706, the sole source provider, at a cost
of \$35,000.00. Funds are available in Account No. A3120.52220 (Machinery and Equipment).

June 6, 2023

Item No. 10
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Purchase 1,000
32-Gallon Recycling Cans with Lids from the Lowest Responsible Bidder.

WHEREAS, after due advertisement therefore, bids were received in the Office of the City Purchasing Agent on May 30, 2023 at 11:00 a.m. for the purchase of 1,000 32-Gallon Recycling Cans with Lids as per specifications on file in the Office of the City Purchasing Agent; and

WHEREAS, T.M. Fitzgerald & Associates, 850 West Chester Pike, Havertown, Pennsylvania 19083 was the lowest responsible bidder for the purchase of 1,000 32-Gallon Recycling Cans with Lids as per specifications on file, for a cost of \$22,500.00;

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 1,000 32-Gallon Recycling Cans with Lids from T.M. Fitzgerald & Associates, 850 West Chester Pike, Havertown, Pennsylvania 19083 as per specifications on file in the Office of the City Purchasing Agent, for a cost of \$22,500.00. Funds are available in Account No. H1016.52313 (Economic Development – Green Infrastructure & Signage).

June 6, 2023

Item No. 11
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Declaring the City Council of the City of Long Beach
Lead Agency for the Adoption of the Comprehensive Plan.

WHEREAS, pursuant to Resolution No. 180/21, duly adopted on November 23, 2021, the City entered into an agreement with SLR Engineering Landscape Architecture & Land Surveying, P.C., 245 East 40th Street, New York, New York 10016 for the preparation of an updated Comprehensive Plan for the City of Long Beach; and

WHEREAS, the City Council of the City of Long Beach is the only involved agency defined by the State Environmental Quality Review Act (“SEQRA”) for the adoption of the Comprehensive Plan; and

WHEREAS, the City Council of the City of Long Beach desires to declare itself Lead Agency and desires to fully assess the environmental impact and significance of preparing and ultimately adopting a Comprehensive Plan, consistent with its responsibilities under Article 8 of the Environmental Conservation Law, the State Environmental Quality Review Act (“SEQRA”);

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the City Council of the City of Long Beach is declared Lead Agency in this matter; and be it further

RESOLVED, that the preparation of a Comprehensive Plan is a Type I action pursuant to SEQRA.

June 6, 2023

Item No. 12
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Publication of a Notice of a Public Hearing to Discuss the Adoption of a Comprehensive Plan and Environmental Assessment for the City of Long Beach Pursuant to Requirements of New York State General City Law and New York State Environmental Quality Review Act (SEQRA).

WHEREAS, SLR Engineering Landscape Architecture & Land Surveying, P.C., 245 East 40th Street, New York, New York 10016, the City's consultants in this matter and the City's Department of Economic Development and Planning, have prepared a draft Comprehensive Plan as well as the required Environmental Assessment Form, both of which are currently available to the public on the City's website, at the City Clerk's Office and at the Public Library; and

WHEREAS, the City has facilitated public feedback on the Comprehensive Plan by hosting a series of community outreach meetings and providing additional forms for public comment through the City's website, and social media; and

WHEREAS, a Public Hearing will give the residents of the City an opportunity to publicly present their views on this matter, with a comment period extending 10 days after the close of said hearing for additional written comments;

NOW, THEREFORE, be it

RESOLVED, that a Public Hearing shall be held before the City Council at City Hall, 1 West Chester Street, Long Beach, New York on June 20, 2023 at 7:00 p.m., for the purpose of giving residents an adequate opportunity to publicly present their views on the Comprehensive Plan and on the Environmental Assessment; and be it further

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

June 6, 2023

Item No. 13
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Settlement of Certiorari Proceedings.

WHEREAS, Bay Club Condominium, represented by Litt Law Group, LLC, 66 North Village Avenue, Rockville Centre, New York 11570, has commenced an action in the Supreme Court, Nassau County against the City of Long Beach to compel a reduction in the assessed valuation of the property known as Section 59, Block 250, Lot 143 on the Land and Tax Map of the County of Nassau, and also known as 749-789 West Park Avenue, Units 101-120, Long Beach, New York for the fiscal years of 2018/19 through 2023/24; and

WHEREAS, the Tax Assessor and Corporation Counsel for the City of Long Beach have reviewed petitioner's legal papers, the income and expenses for the subject property and after extensive negotiation has agreed to settle the certiorari proceedings for a lump sum payment of \$40,000 covering the fiscal years 2018/19 through 2023/24 and a reduction of the assessed valuation from \$504,300 to \$401,920 on condition that no grievance and/or petition be filed for the tax years 2024/25, 2025/26 and 2026/27 for Units 101-120 except Units 115 and 116 are not to be included for an assessment reduction moving forward; and

WHEREAS, the Board of Assessors of the City of Long Beach has determined that the settlement, without further litigation, is in the best interests of the City of Long Beach;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Corporation Counsel be and he hereby is authorized and directed to enter into a stipulation with Bay Club Condominium settling the certiorari proceedings covering fiscal years 2018/19 through 2023/24 for a lump sum payment of \$40,000.00 and a reduction of the assessed valuation from \$504,300 to \$401,920 on condition that no grievance and/or petition be filed for the tax years 2024/25, 2025/26 and 2026/27. Funds are available in Account No. A1930.54403 (Judgments and Claims).

June 6, 2023

Item No. 14
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Settlement of Certiorari Proceedings.

WHEREAS, Beach House Owners Corporation, represented by Koeppel, Martone & Leistman, LLC, a wholly owned subsidiary of Forchelli Deegan Terrana LLP, 333 Earle Ovington Blvd., Suite 1010, Uniondale, New York 11553, has commenced an action in the Supreme Court, Nassau County against the City of Long Beach to compel a reduction in the assessed valuation of the property known as Section 59, Block 195, Lot 47-48 and Section 59, Block 205, Lots 22-28 and 56-61 on the Land and Tax Map of the County of Nassau, and also known as 700 East Broadway, Long Beach, New York for the fiscal years of 2018/19 through 2023/24; and

WHEREAS, the Tax Assessor and Corporation Counsel for the City of Long Beach have reviewed petitioner's legal papers, the income and expenses for the subject property and after extensive negotiation has agreed to settle the certiorari proceedings for a lump sum payment of \$42,000 covering the fiscal years 2018/19 through 2023/24 and a reduction of the assessed valuation from \$318,400 to \$280,000 on condition that no grievance and/or petition be filed for the tax years 2024/25, 2025/26 and 2026/27; and

WHEREAS, the Board of Assessors of the City of Long Beach has determined that the settlement, without further litigation, is in the best interests of the City of Long Beach;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Corporation Counsel be and he hereby is authorized and directed to enter into a stipulation with Bay Club Condominium settling the certiorari proceedings covering fiscal years 2018/19 through 2023/24 for a lump sum payment of \$42,000.00 and a reduction of the assessed valuation from \$318,400 to \$280,000 on condition that no grievance and/or petition be filed for the tax years 2024/25, 2025/26 and 2026/27. Funds are available in Account No. A1930.54403 (Judgments and Claims).

June 6, 2023

Item No. 15
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Purchase
Tax Assessment Software.

WHEREAS, the City's Tax Assessor desires to replace the City's current tax
assessment software; and

WHEREAS, the City desires to purchase tax assessment software, with
specified options, at a cost of \$33,500.00, from GAR Associates LLC, 5300 Main Street, Suite
347, Williamsville, New York 14221;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
Acting City Manager be and is hereby authorized to purchase tax assessment software, with
specified options, for the City's Tax Assessor from GAR Associates LLC, 5300 Main Street,
Suite 347, Williamsville, New York 14221 at a cost of \$33,500.00. Funds are available in
Account No. H1020.52375 (Assessment Software Upgrade).

June 6, 2023

Item No. 16
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing a Home Rule Message to Authorize the City of Long Beach, Nassau County, New York, to Establish an Administrative Adjudication Hearing Procedure for Code and Ordinance Violations for the City of Long Beach.

WHEREAS, the City of Long Beach seeks to establish an administrative adjudication hearing procedure for code and ordinance violations for the City of Long Beach;

NOW, THEREFORE, be it

BE IT RESOLVED, that pursuant to Article IX of the Constitution of the State of New York, the City of Long Beach does hereby request the enactment of Senate Bill No. 7398 and Assembly Bill No. 7548 entitled:

“AN ACT to amend the general municipal law, in relation to establishing an administrative adjudication hearing procedure for code and ordinance violations for the city of Long Beach.”

June 6, 2023

Item No. 17
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: 64 West Park Avenue (second 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 64 West Park Avenue (second floor), Long Beach, New York (Section 59, Block 84, Lot 8), between National Boulevard and Edwards Boulevard, having frontage 20 feet or less, on behalf of the owners Leslie Shamis and Eileen Shamis, 321 West Olive Street, Long Beach, New York 11561 to be used as a beach rental shop;

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 20, 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.