

**CITY OF LONG BEACH  
MINUTES OF A MEETING  
OF THE COMMON COUNCIL  
HELD JUNE 6, 2023**

A meeting of the City Council of the City of Long Beach was held on Tuesday February 7, 2023.

Present were Council Pres. Bendo and Council Members, Lester, McInnis, Posterli and Treston.

Corporation Counsel Dennis Cohen and Acting City Manager Ronald Walsh were also present.

Acting City Manager, Ron Walsh began his report describing the sink hole on Lido Blvd. He noted that the city had offered the county assistance if needed. Mr. Walsh also mentioned that there will be an informational meeting on Equinor being held at the Allegria Hotel on June 8, 2023.

**The public hearing was held**

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

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

The owner (Roger Megale) of Interstate Home loans described the business as a state licensed mortgage banker.

Council President Bendo asked about the daily activities of the office.

Mr. Megale noted that it was strictly a sales office, and he would be the only one occupying it, Monday, Wednesday, and Friday until 5-6pm.

**The calendar items were read by the City Clerk**

#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

Mr. Walsh announced that the West End Beautification Association received some grant funding through PSEG to beautifying the bus turn-around location on Ohio Avenue.

#3 – Resolution Authorizing the Acting City Manager to Enter into a Contract for a Fireworks Display to Celebrate the 4<sup>th</sup> of July

Acting City Manager, Ron Walsh noted that the fireworks will be displayed on July 7<sup>th</sup> with a rain date of July 8<sup>th</sup>.

Council Member Posterli asked if there would be sponsorships for this event.

Mr. Walsh replied that there were none at this time, but hoped there could be by the time the event takes place.

Council Member Lester asked about the overtime costs to the city for this event.

Mr. Walsh noted that he would get back to Mr. Lester with a response.

#### #4 – Resolution Authorizing the Retention of Consulting Services

Mr. Dennis Cohen, Corporation Counsel explained that the purpose of this resolution was to authorize the retention of Standard Evaluation Services to perform an appraisal in contemplation of potential future litigation.

Christina Kramer (361 E Broadway) – asked if the retention of these services had anything to do with the Equinor case.

Mr. Cohen replied that it had nothing to do with Equinor.

#### #5 – Resolution Authorizing the Continued Retention of Capital Markets Advisors, LLC

Council Member McInnis made a motion to remove the language “inclusive of a renewal option for the City for two additional one-year terms” for the third WHEREAS clause and “inclusive of a renewal option for the City for two additional one-year terms exercised in writing” from the RESOLVED clause. It was seconded by Mr. Lester and was carried unanimously.

City Comptroller, Inna Reznik gave an explanation and description of the services provided by Capital Markets Advisors, LLC (CMA).

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

*Editor’s Note: Council Member Treston recused herself from this item.*

Council Member Lester asked if they were the only applicants.

Mr. Walsh noted that they were the only ones interested in serving on the Board of Ethics at this time. He also added that the city would continue to accept applications.

Brendan Finn (114 Grand Blvd) – asked for the names of the members of the Board of Ethics. He also added that he felt it was a conflict of interest for a member of the City Council to be a part of the Board of Ethics.

Council Member Lester noted that the City Charter requires that one member be an appointed official of the city.

Christina Kramer (361 E Broadway) – asked about who was on the board of ethics at the time of the Jay Gusler settlement. She also questioned Mr. Gusler’s participation in the rebuilding of Ms. Treston’s house.

Mr. Cohen replied that nothing was presented to the board of ethics regarding the settlement.

A discussion continued regarding the role of the board of ethics.

Nora Egan – commented on the statement made about Ms. Treston’s home.

James Hodge (95 E Fulton St) – spoke about the role of the Ethics Board.

#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

Public Works Commissioner, Joe Febrizio gave a description of the resolution and the project involved.

Council Member Lester asked for an update on the project.

Mr. Febrizio explained that it was still in the planning stages.

A discussion continued regarding the bulkhead and flooding situation on Heron Street.

Council Member Posterli asked about the amount of work involved with this project.

Mr. Febrizio replied that this was just the design stage, and the construction project would probably cost in upwards of \$1 million.

#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

Commissioner Febrizio gave a complete description of the resolution and spoke about the cost and steps involved in this project. He also noted that he spoke with Nassau County, and they will be putting the Long Beach Water Pollution project before the Nassau County Legislature on June 12<sup>th</sup>.

Council Vice President Treston asked Mr. Febrizio if it would be wise to attend the June 12<sup>th</sup> meeting.

Commissioner Febrizio noted that it couldn’t hurt to have advocacy present.

Council Member McInnis asked if there was a possibility that this project would not pass through the Legislature.

Mr. Febrizio didn’t see any reason why it wouldn’t pass since everyone has been working so hard on getting this completed.

Council President Bendo asked about how the cost was broken down for the disposal of sludge.

Commissioner Febrizio responded to Mr. Bendo’s question.

James Hodge – 95 E. Fulton Street – asked about the June 12<sup>th</sup> meeting. He also noted that he felt it would be a good idea for the Council Members to attend.

Council President Bendo added that this project would stop the 77 million gallons of sewer plant effluent from being dumped into Reynolds Channel each day.

#9 – Resolution Authorizing the Acting City Manager to Purchase a Used Trailer from the Sole Source Provider

Mr. Walsh explained that the city had been renting the trailer located at the butt end of Laurelton Blvd. for quite some time and by purchasing it, there would be a structural savings for the city within 2 years. He also added that he and the Comptroller would be conducting a review of all the trailers and containers within the city.

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

Commissioner Febrizio explained the reason and purpose for this resolution. He noted that the city ran out of recycling bins for residents and felt it was important that the Council pass this resolution.

Council Member Lester asked why the recycling bins on the beach were yellow, but the resident bins were blue and/or green.

Mr. Febrizio noted that the last bins purchased were green, so they kept them in that color.

Mr. Walsh addressed Mr. Lester's question regarding the yellow recycling bins on the beach.

#11 – Resolution Declaring the City Council of the City of Long Beach Lead Agency for the Adoption of the Comprehensive Plan

Acting City Manager, Walsh spoke about the history of the Comprehensive Plan and how and why it was designed.

James Hodge (95 E Fulton St) – asked if members of the community could be a part of the approval of the Comprehensive Plan. He also expressed his concern about having more input by certain community members.

Corporation Counsel, Dennis Cohen explained that the Plan goes before the lead agency, i.e., City Council, but others would have an opportunity to comment on the environmental impact statements when they were completed.

Ms. Patti Bourne, Director of Economic Development also added that since the beginning of this process, the city had a Planning Advisory Board appointed around two years ago who have been involved in the process in creating the plan. She then gave a background on the meeting locations in recent years.

#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).

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on June 20, 2023 at 7:00 p.m.

#13 – Resolution Authorizing Settlement of Certiorari Proceedings

Mr. Ray Flammer, Tax Assessor described the settlement.

Council Member Lester asked how many challenges the city had each year.

Mr. Flammer replied that about 35% of the properties challenge each year.

Mr. Lester than asked how many the city litigated each year.

Mr. Flammer responded to Mr. Letser’s question.

#14 – Resolution Authorizing Settlement of Certiorari Proceedings

Council Pres. Bendo made a motion to replace the name “Bay Club Condominium” with “Beach House Owners Corporation” in the RESOLVED clause. It was seconded by Ms. Treston and was carried unanimously.

Mr. Flammer described the settlement.

#15 – Resolution Authorizing the Acting City Manager to Purchase Tax Assessment Software

Mr. Flammer gave a complete description on the benefits of this software purchase.

Council Member McInnis asked if this was part of this year’s capital plan.

The Tax Assessor replied that he believed that in 2019, initial funding was created for assessment software, and this is where the funding would be coming from.

Council Vice President Treston asked about the software company.

Council Member Lester asked about the retainer and future expenses.

Council Member McInnis noted that according to Mr. Flammer’s recent memo, there would be a license fee of \$3,000.00/year moving forward.

16 – A “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” was taken off the calendar

#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

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on June 20, 2023 at 7:00 p.m.

#18 – Approval of Minutes of Prior Meetings of May 16, 2023

Council Member McInnis made a motion to approve the minutes. It was seconded by Ms. Treston and was approved unanimously.

**ADDED BY UNANIMOUS CONSENT**

#19 – Resolution Ratifying the Collective Bargaining Agreement Between the Long Beach Civil Service Employees Association Lifeguard Unit and the City of Long Beach and Authorizing the Acting City Manager to Execute Same

Mr. Walsh spoke about the time involved in negotiations for this contract and was pleased to say that the city finally came to an agreement with the Lifeguards bringing them to a much more competitive hourly rate that will take effect after July 1, 2023. He also complemented the Lifeguard Association and Lifeguards in general for being good partners with the city in coming up with an agreement that works for everyone.

Chas Thomson (Pres. Long Beach Lifeguard Union) – thanked everyone who helped ratify the new 3 year lifeguard contract.

Acting City Manager, Ron Walsh noted the dedication and commitment of our lifeguards and added that this past week, the “emergency crew” present on the beach observed 5 young ladies in the water who were trapped in a rip tide. He added that the Lifeguards immediately sprang into action and rescued the lives of these young people.

Mike Delury– thanked the Council for getting this agreement accomplished and how the Long Beach Lifeguards are committed and dedicated to the safety of everyone. He also commended the Junior and Rookie Lifeguard programs.

Nora Egan – Was unclear about what item was being discussed.

James Hodge (95 E Fulton St) – thanked the Lifeguards for the fine job they do and was grateful that a contract agreement had been settled.

**The voting portion of the meeting was then begun.**

Council Member McInnis introduced and moved the adoption of the following resolution, seconded by Ms. Treston, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #101/23)

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

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

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Ms. McInnis, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #102/23)

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

Council Member Posterli introduced and moved the adoption of the following resolution, seconded by Mr. Ms. Treston, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #103/23)

Resolution Authorizing the Acting City Manager to Enter into a Contract for a Fireworks Display to Celebrate the 4<sup>th</sup> of July

Council Member McInnis introduced and moved the adoption of the following resolution, seconded by Mr. Lester, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #104/23)

Resolution Authorizing the Retention of Consulting Services

Council Member Lester introduced and moved the adoption of the following resolution (as amended), seconded by Ms. McInnis, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #105/23)

Resolution Authorizing the Continued Retention of Capital Markets Advisors, LLC

Council Pres. Bendo introduced and moved the adoption of the following resolution, seconded by Mr. Lester, and it was duly adopted by four affirmative votes. Council Member Treston recused herself from this item.

(RES. #106/23)

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

Council Member McInnis introduced and moved the adoption of the following resolution, seconded by Ms. Posterli, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #107/23)

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

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #108/23)

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

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Ms. McInnis, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #109/22)

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

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #110/23)

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

Council Member McInnis introduced and moved the adoption of the following resolution, seconded by Ms. Posterli, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #111/23)

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

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Ms. Posterli, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #112/23)

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)

Council Pres. Bendo introduced and moved the adoption of the following resolution, seconded by Ms. McInnis, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #113/22)

Resolution Authorizing Settlement of Certiorari Proceedings

Council Member Treston introduced and moved the adoption of the following resolution (as amended), seconded by Pres. Bendo, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #114/22)

Resolution Authorizing Settlement of Certiorari Proceedings

Council Member McInnis introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #115/22)

Resolution Authorizing the Acting City Manager to Purchase Tax Assessment Software

Council Member Posterli introduced and moved the adoption of the following resolution, seconded by Mr. Lester, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #116/22)

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

Council Member McInnis introduced and moved the adoption of the following resolution, seconded by Ms. Posterli, and it was duly adopted by four affirmative votes. Council Member Lester abstained.

(RES. #117/23)

Resolution Ratifying the Collective Bargaining Agreement Between the Long Beach Civil Service Employees Association Lifeguard Unit and the City of Long Beach and Authorizing the Acting City Manager to Execute Same

There being no further business before the Council, Council Member Treston made a motion to close the meeting. It was seconded by Mr. Lester and was duly closed, all five council members present voting in the affirmative.

Dated: June 7, 2023

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David W. Fraser  
City Clerk

**Good and Welfare**

Tim Kramer – 361 E Broadway	Spoke about the Wind Farm project meeting held by Citizen Campaign for the Environment, and about how his civic group is organized
Ron Paganini – 62 Harmon St	Spoke about tax bills and negotiations with the UFA
Russell Blank – 96 Wisconsin St	Spoke about violent dogs on his block
Christina Kramer – 361 E Broadway	Spoke about item #6, the Wind Farm project meeting held by Citizen Campaign for the Environment and the Wind Farm project
Pat Mullaney – 210 W Bay Dr	Spoke about the Wind Farm project
David Shokrian – 350 E Penn St	Spoke about the Wind Farm project
Brendan Finn – 95 E Fulton St	Spoke about item #16
James Hodge – 95 E Fulton St	Spoke about item #16, animal control, Community Development funds for North Park and the recent rent stabilization meeting
Kevin Martinson – 311 E Penn St	Spoke about the Wind Farm project meeting held by Citizen Campaign for the Environment and the Wind Farm project