

**CALENDAR**  
**for**  
**REGULAR MEETING OF THE COUNCIL**  
**of the**  
**CITY OF LONG BEACH**  
**held**  
**JULY 3, 2018**

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**PUBLIC HEARING:** Ordinance Authorizing Financing for Cost of Separation Payments To or for the Benefit of Employees of the City, Stating the Estimated Total Cost Thereof is \$2,500,000, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$2,500,000 Bonds of Said City to Finance Said Appropriation.

**PUBLIC HEARING:** Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Special Events.

1. Ordinance Authorizing Financing for Cost of Separation Payments To or for the Benefit of Employees of the City, Stating the Estimated Total Cost Thereof is \$2,500,000, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$2,500,000 Bonds of Said City to Finance Said Appropriation.

Legislative Memo: The City is budgeted to borrow \$1.8 million in the 2018-2019 annual budget for separation payments. Due to previously agreed upon installment schedules, the City now has 24 CSEA, PBA and LBPFAs retirees who will receive their installment separation payments, **in the 2018-19 fiscal year**, totaling \$1,340,135.83, annually (an itemized list is appended to the resolution).

In light of these encumbrances, and given the uncertainties surrounding new retirees in Fiscal Year 2018-2019, the City believes it prudent to act in an abundance of caution by increasing the bond authorization to \$2.5 million. The City's decision, in that regard, is guided by past separation payouts to employees, particularly the obligations due to and owing to Police and Fire Department employees, an average composite of which is as follows:

Fire Fighter -	\$296,197.37
Fire Lieutenant -	\$409,560.25
Police Officer -	\$316,033.79
Police Lieutenant -	\$421,750.44
Police Sergeant -	\$619,183.01

Therefore, if even a small number of employees from the above categories were to retire, the City would require additional funding.

As a reminder, the City may not need to borrow the full amount of the bond authorized; only that portion which is needed to pay employees who have actually separated from City service, or will separate from City service during the 2018/19 fiscal year.

2. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Special Events.
3. Resolution Authorizing the City Manager to Enter into an Agreement for the Construction of an Office of Emergency Management for the City of Long Beach with the Lowest Responsible Bidder, and to Amend the Budget.
4. Resolution Authorizing the City Manager to Enter into a Contract for the Disposal of Tideline Debris on an "As Needed" Basis with the Lowest Responsible Bidder.
5. Resolution Authorizing the City Manager to Enter into a Contract with the Woodmere Fire District for the Performance of Fire Alarm Dispatching Services.
6. 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.

Legislative Memo: Annually the ETPA directs that each city, town or village that participates in the system of rent regulation share the costs of administering the system. Said costs are paid to the Division of Housing and Community Renewal annually, by Resolution.

7. Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Cold War Veterans.

July 3, 2018

Item No. 1  
Ordinance No.

The following Ordinance was moved by  
and seconded by :

BOND ORDINANCE AUTHORIZING FINANCING FOR THE COST OF SEPARATION PAYMENTS TO OR FOR THE BENEFIT OF EMPLOYEES OF THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$2,500,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,500,000 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION.

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

Section 1. The City of Long Beach, Nassau County, New York (herein called the “City”), is hereby authorized to finance the cost of separation payments to or for the benefit of employees of the City pursuant to Chapter 258 of the 2012 Laws of New York, at the estimated maximum cost of \$2,500,000. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$2,500,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of not to exceed \$2,500,000 bonds of the City to finance said appropriation, and 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.

Section 2. Bonds of the City in the aggregate principal amount of \$2,500,000 are hereby authorized to be issued 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 period of probable usefulness of the specific object or purpose for which said \$2,500,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 85-e of the Law, is five (5) years.

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 such obligations are authorized in violation of the provisions of the constitution.

Section 8. This ordinance, which takes effect immediately upon the final passage thereof, shall be published in summary form in the official newspaper of said City, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Last Name	First Name	Org	Object	Amount to Be Paid	
BERMUDEZ	STEVEN	A1990	51105	\$ 54,196.92	
BURKARD	ROBERT	A1990	51105	\$ 41,260.47	
CALCAGNO	JOSEPH	A1990	51105	\$ 2,707.42	
CAREY	KEVIN	G1990	51105	\$ 39,746.72	
COMPTON	MARK	A1990	51105	\$ 47,149.70	
FARRELL	GAIL	A1990	51105	\$ 34,487.18	
FRASER	PEGGY	A1990	51105	\$ 64,867.40	
HAEGELE	HOWARD	A1990	51105	\$ 43,718.22	
HERBST	ROBERT	A1990	51105	\$ 25,777.18	
HIRSCHFELD	RODNEY	G1990	51105	\$ 44,732.22	
HOUGH	JOSEPH	A1990	51105	\$ 10,689.90	
KOHUT	DIANE	F1990	51105		\$ 52,478.40
LANGLOIS	MICHAEL	A1990	51105	\$ 100,241.27	
MOLZON	WARREN	A1990	51105	\$ 54,458.04	
MORRISSEY	CHRISTOPHER	A1990	51105	\$ 56,195.10	
NOTHOLT	WILLIAM	G1990	51105	\$ 80,933.19	
ONEILL	ANTHONY	A1990	51105	\$ 54,536.30	
PAGANINI	RONALD	A1990	51105	\$ 46,823.92	
PARCHMENT	DONALD	A1990	51105	\$ 11,616.02	
PEPPE	ANGELO	A1990	51105	\$ 135,934.50	
PETRILLO	JOSEPH	G1990	51105	\$ 39,220.48	
SCULLY	JOHN	F1990	51105		\$ 45,323.72
TALFORD	ROBERT	A1990	51105	\$ 13,233.74	
THURSLAND	EDWARD	A1990	51105	\$ 106,074.80	
VEGH	ROBERT	F1990	51105		\$ 48,393.54
WILDES	DONNA	A1990	51105	\$ 31,535.14	
TBD	TBD	A1990	51105	\$ 200,000.00	(Police Dept 1/3)
				<b>\$ 1,340,135.83</b>	

July 3, 2018

Item No. 2  
Ordinance No.

The following Ordinance was moved by  
and seconded by :

**ORDINANCE TO AMEND THE CODE OF ORDINANCES  
OF THE CITY OF LONG BEACH RE: SPECIAL EVENTS.**

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

Sec.1. Chapter 14, Article XV of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby repealed, revoked and rescinded, and the following Article XV is hereby adopted and enacted in place and stead of said Article, to read as follows:

**“ARTICLE XV. SPECIAL EVENTS**

**Sec. 14-310. Legislative intent.**

**The intent and purpose of this Article is to establish a process for permitting the use of City property, streets, facilities or services and to establish reasonable regulations governing the time, place and manner for the holding of certain activities defined as “special events”.**

**It is the intent of the City to regulate special events; to provide a coordinated process for applicants in regard to the granting or denial of a special event permit; to protect the rights and interests of the residents of the City; and to recoup any costs borne by the City during the special event, to include, but not be limited to: the use of personnel, consultants, equipment and supplies, sanitation (litter and debris clean-up) and utilities.**

**Sec. 14-311. Definitions.**

**As used in this article the following words and phrases shall have the meanings assigned:**

***Amusement ride.* Any kind of machine, apparatus or device which is designed or used to propel, project or move a person through the air, along the ground or otherwise, and shall include a carousel, Ferris wheel, gravity steeplechase, scenic railway, parachute jump and other similar machinery and rides customarily associated with amusements or carnivals.**

***Athletic event.* An organized competitive or recreational event in which a group of people collectively engage in a sport or comparable activity on any City street or other City property.**

***Building.* A structure wholly or partially enclosed within exterior or party walls, containing a roof and a single standalone foundation, affording shelter to persons, animals or property.**

***Charitable or religious event or activity.*** Any special event conducted by a charitable or nonprofit organization which is either duly registered or exempt from registration with the Board of Social Welfare of the State of New York in accordance with the provisions of the Social Welfare Law, or by a religious corporation or property owned or leased by it for its own charitable fund-raising purposes and utilizing its own members as operating personnel and conducted in compliance with all rules and regulations of the State of New York, or any subdivision thereof, and the applicable provisions of this article.

***City.*** The land area located within the boundary of the City of Long Beach under the jurisdiction of the Long Beach City Council.

***City Clerk.*** The City Clerk of the City of Long Beach, and/or his or her designee.

***Festival.*** A thematic, organized celebration, performance, exhibition or competition occurring upon public or private property, or a combination of private and public property, as a result of a private non-governmental event organizer, during which commerce may occur, for a defined period of time, advertised and promoted inside or outside the City, that will, in the determination of the City, have an impact on City resources, due to the anticipated amount of people attending.

***Parade.*** Any march, race, presentation, ceremony, pageant or procession of any persons and conveyances of any sort moving upon any public street or sidewalk of the City, which is inconsistent with normal traffic regulations.

***Person.*** Any individual, firm, partnership, corporation, association, company or organization of any kind.

***Special event.*** Any athletic event, entertainment event, filming event, demonstration (political or otherwise) or other organized event, whether held for profit, nonprofit, or charitable purposes, that involves the use of streets, sidewalks, parks or other City property in a way that is inconsistent with normal or usual traffic, pedestrian, park or similar laws, rules, regulations or controls. A special event has a specific start and stop date. Examples of special events include, but are not limited to: concerts, parades, circuses, fairs, festivals, filming, automobile or motorcycle shows, community events, marathons and running events, bicycle races or tours, as well as participant and/or spectator sports, such as volleyball, surfing, boat races, beach polo, beach soccer, beach tennis, football, basketball, baseball and hockey games.

***Special event permit.*** A permit or instrument granted or issued by the City Clerk pursuant to the provisions of this article.

***Temporary structure.*** Structures built or erected for shelter, shade or enclosure of persons, animals, or property of any kind, including but not limited to tents.

**Sec. 14-312. Permit required.**

**It shall be unlawful for any person, corporation, partnership, association or other entity, public or private, to conduct a special event in the City unless there is compliance with the following provisions:**

**(a) A special event permit issued by the City Clerk shall be required in order to conduct a special event, except that no such permit shall be required for a charitable or religious event or activity conducted wholly within a building which complies with the provisions of the building and zoning requirements of the City's Code of Ordinances and the New York State laws, rules and regulations relating to places of public assembly.**

**(b) Amusement rides may be permitted in any special event, including a charitable or religious event or activity, only upon compliance with the following:**

- (1) Amusement rides shall not exceed six (6) per acre of vacant land.**
- (2) Compliance with the applicable provisions of the New York State Labor Law and Industrial Board.**
- (3) Compliance with the applicable provisions of the City's Code of Ordinances.**
- (4) Any time, place and manner restrictions set forth in the relevant permit, including but not limited to any restrictions relating to duration.**

**(c) Notwithstanding Section 9-112 of the Code of Ordinances, the City Clerk may issue a permit allowing for the temporary placement of tents in parking lots during Special Events, considering the impact (if any) said tent(s) may or will have on public safety, and other quality of life concerns. Issuance of such permits is subject to and conditioned upon:**

- (1) the Building Commissioner's separate determination that the proposed tent(s) is/are fully compliant with all applicable New York State and/or City of Long Beach laws, rules and regulations; and**
- (2) any time, place and manner restrictions that are set forth in the relevant permit, including but not limited to any restrictions relating to duration.**

**Sec. 14-313. Permit application procedures.**

**(a) All requests for special event permits shall be made on a special event permit application form prescribed by the City and shall include the following information:**

- 1. Type and description of the special event;**
- 2. Name of the organizer and the organizer's contact person, and such contact person's address and telephone number;**
- 3. A certification that the applicant will be jointly and severally liable for any City fees or costs that may be imposed for the event;**
- 4. Services requested from the City, such as (for example) police, fire, sanitation, public services, water, stage, sound system, bandwagon, bleachers, commercial vehicles, parking, tables, beach admission;**
- 5. Proposed date of the special event, together with beginning and ending times;**
- 6. Proposed location(s);**



7. **Estimated numbers of event staff, security personnel, participants, spectators, structures and/or vehicles;**
8. **Proposed use of any alcoholic beverages during or in the conduct of the event (see Subsection e below);**
9. **Insurance and surety bond information;**
10. **Signature of applicant.**

**(b) Submission Time: Applicants must submit a completed application to the City forty-five (45) days prior to the event in order to allow adequate time for review.**

**(c) Notwithstanding anything contained in this Article, any application for a filming event may be submitted to the City two (2) weeks before the filming event is scheduled to occur.**

**(d) Application Fee: Each initial application for a special event permit shall be accompanied by a processing fee of two hundred and fifty dollars (\$250). Payment of the processing fee does *not* guarantee a Final Permit. The processing fee is strictly for entering an application into the permit process for further review. This fee is non-refundable.**

**(e) Application for Use of Alcohol: Whenever an applicant wishes to sell or serve alcohol at a Special Event, an additional application for a separate Special Event Permit for the use of alcohol shall be submitted to the City Clerk, along with an additional application fee of one hundred fifty (\$150.00) dollars. The City Clerk shall then determine whether the character, size and location of the proposed event is consonant with the public safety, health, character, and general welfare of the surrounding neighborhood. Such permit, if issued, is subject to and conditioned upon the applicant's written agreement to comply with the terms of such permit, and provide such additional insurance, and defense and/or indemnification protections that may be necessary to safeguard the City's interests. Sales and service of alcohol at Special Events is strictly prohibited absent such permit.**

**Sec. 14-314. Issuance of a special event permit does not obligate City services.**

**Issuance of a special event permit does not obligate or require the City to provide or contribute services, equipment or personnel in support of an event. Consistent with applicable law, the City Manager may, in his/her sole discretion, provide or contribute City services, equipment, or personnel, contingent upon whatever terms and conditions the City Manager deems just.**

**Sec. 14-315. Consideration of approval and reasons for denial of a special event permit.**

**No applicant will be given less favorable treatment as to time, manner or place on account of any message or viewpoint that may be conveyed at an event, or on account of identity or associational relationships of the applicant.**

**The City Clerk shall deny a special event permit to an applicant who has not:**

- 1) Provided complete responses on the City's application;**
- 2) Provided all ancillary documentation as requested on the City's application;**
- 3) Demonstrated an ability or willingness to conduct an event pursuant to the terms and conditions of this Article;**

**4) Not complied with any term of this Article, or with any condition of a special event permit previously issued to the applicant; and**

**A permit may also be denied when:**

- 5) The event, as proposed, will violate public health or safety laws;**
- 6) The event fails to conform to the requirements of law;**
- 7) The event or events create an unreasonable demand on City staff and services or pose an unreasonable burden upon the City, or its residents;**
- 8) The applicant failed to provide sufficient evidence of insurance coverage; or**
- 9) The applicant is in arrears or has defaulted on any payment obligation to the City.**

**Sec. 14-316. Insurance required to conduct a Special Event; hold harmless.**

**The event organizer must possess or obtain comprehensive general liability insurance to protect the City against loss from liability imposed by law for damages on account of bodily injury or property damage. Such insurance shall name the City of Long Beach as the certificate holder and additional named insured. Defense, indemnification, and hold harmless provisions may also be required, in the discretion of the City. Insurance coverage must be maintained for the duration of the event in accordance with the following conditions:**

- (a) For events where the City (in its estimate) anticipates that a Special Event will attract less than 15,000 individuals:**

**the City requires general liability insurance (CGL), or GGL with excess umbrella coverage, or special event insurance, in amounts not less than \$1,000,000 per person and \$1,000,000 per occurrence and property damage liability insurance in an amount not less than \$300,000/\$1,000,000 per occurrence; or**

**the City requires minimum coverage of \$1,000,000 per occurrence with a \$2,000,000 general aggregate, equaling a total aggregate of \$3,000,000.**

- (b) For events where the City (in its estimate) anticipates that a Special Event will attract 15,000 individuals or more:**

**the City requires general liability insurance (CGL), or GGL with excess umbrella coverage, or special event insurance, in amounts not less than \$5,000,000 per person and \$5,000,000 per occurrence and property damage liability insurance in an amount not less than \$1,500,000/\$5,000,000 per occurrence; or**

**the City requires minimum coverage of \$5,000,000 per occurrence with a \$10,000,000 general aggregate, equaling a total aggregate of \$10,000,000.**

**Sec. 14-317. Cost recovery for special events.**

Cost recovery is a method by which the City can recover costs expended. Cost recovery is established to reimburse City departments for services they provide before, during and after a special event, or in any way related to special events, and to ensure that residents are not unduly financially burdened by special events.

The process involves providing an estimate of the costs to the applicant and suggested changes that may lower projected costs. The City shall require payment of a reasonable estimate of costs, in full, before a permit will be issued.

The City shall charge for the actual cost of the salaries of City personnel, including but not limited to, policing, fire safety, emergency medical services, clean-up or other facility or event support, consultant costs, and for the use of City equipment and other non-personnel expenses related to the event(s). A final accounting document will be generated that will contain the actual costs and could result in a zero balance, refund or invoice.

Shortly after the conclusion of an event, the City Comptroller will prepare an official accounting of services provided for the event. The City Clerk will distribute to the permit holder the final accounting document within thirty (30) days of the event, and an invoice for additional funds should that be necessary, in the case of additional costs incurred during the event, which shall be payable to the City no later than thirty (30) days following the date of invoice. In the event that the permit holder is owed a refund, the City shall make said payment within sixty (60) days of the event.

Sometimes an event incurs additional costs because of issues including, but not limited to, changes made during the event planning phase, problems encountered during the event or extra services deemed necessary to maintain health and safety by City officials. While some costs can be projected and submitted to the applicant early, others may be charged due to an emergent need. The applicant is responsible for any cost recovery associated with emergent issues that arise from any part of the activity, including but not limited to property damaged by attendees. Such additional costs shall be itemized and distributed to the permit holder within thirty (30) days of the event, and may be: (i) invoiced and made payable to the City within thirty (30) of the date of invoice; (ii) used by the City as an offset against any refund(s) owed to the permit holder; or (iii) any combination of the above.

**Sec. 14-318. Closing hour.**

No special event shall be operated beyond or after 11:00 p.m. That notwithstanding, the City Clerk may set forth earlier closing hours in the permit, which shall be binding and enforceable on the permit holder.

**Sec. 14-319. Dismantling or removal of equipment.**

No equipment used in connection with a special event shall be dismantled or removed after 11:30 p.m.

**Sec. 14-320. Noise.**

**The provisions of Chapter 16 of the Long Beach Code of Ordinances, entitled "Noise," shall be applicable to every special event, including charitable and religious events and activities.**

**Sec. 14-321. Penalties for offenses.**

**(a) Any person who violates any provision of this article shall be guilty of a violation punishable by a fine not exceeding two hundred fifty dollars (\$250.00) or imprisonment for a period not exceeding fifteen (15) days, or by both such fine and imprisonment, for each such offense.**

**(b) In the event of a continuing violation, each day such offense continues shall constitute a separate additional violation.**

**(c) In addition to the foregoing penalties, the license or licenses issued for the special event shall be subject to revocation by the issuing city official or officials.”**

**and**

Sec.2. Chapter 17, Section 17-2(g) of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby amended to read as follows:

“Chapter 17. Offenses-Miscellaneous

Sec. 17-2. Possession and consumption of alcoholic beverages in public places.

...

**(g) *Permits for special events. Refer to Chapter 14, Article XV, Section 14-313 (e).***”

Sec. 2. This Ordinance shall take effect immediately.

July 3, 2018

Item No. 3  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Enter into an Agreement for the Construction of an Office of Emergency Management for the City of Long Beach with the Lowest Responsible Bidder, and to Amend the Budget.

WHEREAS, after due advertisement therefore, two bids were received in the Office of the Commissioner of Public Works on May 17, 2018 for the construction of an Office of Emergency Management on the 6<sup>th</sup> floor of City Hall, to include asbestos abatement, demolition, all labor, materials and equipment, as per specifications on file in the Office of the Commissioner of Public Works; and

WHEREAS, Construction Consultants of LI, Inc., 36 East 2<sup>nd</sup> Street, Riverhead, New York 11901 was the lowest responsible bidder at a cost of \$1,448,000.00; and

WHEREAS, funding is available, at no cost to the City, through the Governor's New York Rising Community Reconstruction Program (NYRCRP); and

WHEREAS, upon completion of the work Construction Consultants of LI, Inc. will invoice the City, the City then forwards the invoice to GOSR. GOSR then electronically deposits the funds into revenue Account No. H0040.44097 (Federal Aid-Capital Projects) and within five days of receipt of said funds, payment is sent to Construction Consultants of LI, Inc.; and

WHEREAS, contingent upon final approval of the Governor's Office of Storm Recovery and receipt of the above funds, monies associated with this transaction shall be allocated as follows:

Increase Estimated Revenues: H10510	\$1,448,000.00
H0040.44097 Federal Aid, Capital Projects	\$1,448,000.00
Increase Appropriations: H20960	\$1,448,000.00
H1018.52360 Office of Emergency Mgmt. Estab.	\$1,448,000.00

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and he hereby is authorized to enter into an agreement with Construction Consultants of LI, Inc., 36 East 2<sup>nd</sup> Street, Riverhead, New York 11901 for the construction of an Office of Emergency Management on the 6<sup>th</sup> floor of City Hall, at a cost of \$1,448,000.00; and be it further

RESOLVED, that the budget modifications set forth in the whereas clause above, is hereby incorporated by reference, and adopted in full.

July 3, 2018

Item No. 4  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Enter into  
a Contract for the Disposal of Tideline Debris on an “As  
Needed” Basis with the Lowest Responsible Bidder.

WHEREAS, after due advertisement therefore, five bids were received in the  
Office of the City Purchasing Agent on February 1, 2018 at 11:30 a.m. for the disposal of  
tideline debris on an “as needed” basis; and

WHEREAS, Atlas Roll-Off, 895 Essex Street, Brooklyn, New York 11208 was  
the lowest responsible bidder as per specifications at a cost of \$894.00 per pull for a 20 yard roll-  
off container;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the  
City Manager be and he hereby is authorized to enter into a contract with Atlas Roll-Off, 895  
Essex Street, Brooklyn, New York 11208 for the disposal of tideline debris on an “as needed”  
basis at a cost of \$894.00 per pull for a 20 yard roll-off container, for a period of one (1) year,  
with the option to renew for an additional one (1) year period. Funds are available in Account  
No. A8160.54459 (Sanitation –Waste and Rubbish Removal).

July 3, 2018

Item No. 5  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Enter into a  
Contract with the Woodmere Fire District for the Performance  
of Fire Alarm Dispatching Services.

BE IT RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and he hereby is authorized to enter into a contract with the Woodmere Fire District, 20 Irving Place, Woodmere, New York 11598 to provide fire alarm dispatching services on a 24 hour per day, 7 day per week basis for a period of five (5) years, commencing September 1, 2018 and ending August 30, 2023 at an annual fee of \$28,000 for the first year; \$28,840 for the second year; \$29,705.20 for the third year; \$30,596.35 for the fourth year and \$31,514.24 for the fifth year; and be it further

RESOLVED, that said agreement shall contain such other provisions as the City Manager shall deem proper and advisable.

July 3, 2018

Item No. 6  
Resolution No.

The following Resolution was moved by  
and seconded by :

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.

WHEREAS, the City of Long Beach, by Resolution No. 173/03, declared a housing emergency pursuant to the Emergency Tenant Protection Act of 1974, as amended, as to all multiple dwellings located within the City of Long Beach with 60 or more dwelling units; and

WHEREAS, Section 8 of the Emergency Tenant Protection Act of 1974, as amended, provided that each municipality must pay its proportionate share of the cost of administering the program and permits municipalities to pass on the cost of administration to the owners of housing accommodations subject to the provisions of the Emergency Tenant Protection Act of 1974, as amended; and

WHEREAS, it is estimated that the City's share of the cost of administration by the New York State Division of Housing and Community Renewal will be billed to the City at a rate of \$10.00 per unit, as follows:

Multiple Dwellings containing 60 or more units for the period  
April 1, 2017 to March 31, 2018 on 506 units = \$5,060.00; and

WHEREAS, the same sum will be paid by the City upon certification by the Division of Housing and Community Renewal; and

WHEREAS, the City Manager and the City Comptroller have determined that the direct costs incurred by the City in the administration of the Emergency Tenant Protection Act amount to \$2.00 per unit, to be passed on to the respective owners of such housing accommodations, as follows:

506 units at \$2.00 per unit = \$1,012.00

WHEREAS, the City Comptroller has been directed by the aforesaid Resolution to pass on the cost of such administration to the respective owners of the subject housing accommodations;

NOW, THEREFORE, be it



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

1. The aforesaid payment by the City of Long Beach to the New York State Division of Housing and Community Renewal in the sum of \$5,060.00 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, 2017 to March 31, 2018.
2. 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 \$2.00 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.
3. 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 \$12.00 per unit.
4. 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 (1 ½ %) each month, and the City Comptroller is authorized and directed to collect such interest.

July 3, 2018

Item No. 7  
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: Cold War Veterans.

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: COLD WAR VETERANS”.

(See Local Law Attached)

NOW, THEREFORE, be it

RESOLVED, that a public hearing shall be had before this Council at City Hall, 1  
West Chester Street, Long Beach, New York, concerning the aforesaid Local Law, on July 17,  
2018 at 7:00 p.m.; and be it further

RESOLVED, that the City Clerk be and hereby is authorized and directed to  
cause a notice of said hearing to be published in the official newspaper of the City of Long  
Beach, containing the title of such proposed Local Law and an explanatory statement thereof.

Introductory No. 353  
Introduced by:

CITY OF LONG BEACH

CHAPTER I LAWS OF 2018

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF  
LONG BEACH RE: COLD WAR VETERANS.

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

Sec. 1. Article 6, Section 104-e 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 amended to read as follows:

**“Sec. 104-e. Exemptions for persons who rendered active military service to the United States during the Cold War.**

1. Pursuant to the provisions of Section 458-b of the Real Property Tax Law of the State of New York, as amended and as therein provided, adopted herein, real property owned by persons, **including real property owned by a cooperative corporation**, who rendered active military service to the United States during the Cold War (any person who served on active duty for a period of more than three hundred sixty-five days in the United States Armed Forces during the period from September 2, 1945 to December 26, 1991, and was discharged or released therefrom under honorable conditions) shall be exempt from taxation to the extent of 10 percent of the assessed value of such property provided however that such exemption shall not exceed four thousand dollars (\$4,000.00) or the product of four thousand dollars (\$4,000.00) multiplied by the latest class rates, whichever is less.
2. Additional exemption. In addition to the exemption provided by subdivision 1., where the Cold War veteran received a compensation rating from the United States department of defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed twenty thousand dollars (\$20,000.00), or the product of twenty thousand dollars (\$20,000.00) multiplied by the latest class ration, whichever is less.

3. **Limitation.**
  - (1) The exemption from taxation provided by this section shall not be applicable to taxes levied for school purposes or special district, advoleram taxes.
  - (2) If a Cold War veteran receives the exemption under New York State Real Property Tax Law section 458 or 458-a, the Cold War veteran shall not be eligible to receive the exemption under this section.
  - (3) **The exemptions authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners.**
4. Application for exemption shall be made by the owner, or all of the owners of the property on a form prescribed by the City's Department of Assessment. The owner or owners shall file the completed form in the City Assessor's Office on or before the first appropriated taxable status date. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the penal law.”

Sec. 2. This Local Law shall take effect immediately.