

**CITY OF LONG BEACH  
MINUTES OF THE REGULAR MEETING  
OF THE COMMON COUNCIL  
HELD JULY 20, 2021**

A regular meeting of the City Council of the City of Long Beach was held on Tuesday, July 20, 2021.

Present were Council President Bendo and Council Members Delury, Mandel, McInnis and Treston.

Corporation Counsel Richard Berrios and City Manager Donna Gayden were also present.

The City Manager, Donna M. Gayden noted that a statement would be read by Council Vice President, Karen McInnis.

Ms. McInnis read a statement on behalf of the City Council and the City Manager regarding “policing” in the Long Beach Community.

Ms. Gayden also noted that she had met with the committee that put the police reform together and that the city was moving forward in a positive manner. She then asked Police Commissioner, Ronald Walsh to give his report and mentioned that it was his birthday.

Commissioner Walsh touched upon several items including fishing at the ocean beach park and discussed the public safety issues involved. He also spoke about the beach parties that were taking place and the plans in place to help alleviate them. Commissioner Walsh then announced the upcoming “National Night Out” event.

The City Manager announced that following “National Night Out”, a city council meeting will be held outside in Kennedy Plaza.

Council Member Delury asked if the National Night Out event was being promoted.

Commissioner Walsh replied that it was up on the Police and City Website and Facebook page, as well the distribution of flyers throughout the city.

Ms. Gayden then asked Mr. Joe Brand, Commissioner of Parks and Recreation and Chief of Lifeguards, Paul Gillespie to give their updates.

Mr. Brand spoke about the sales of the beach park and departmental progress. He also delivered a message from Mr. Tommy Canner, Director of Operations/Beach Maintenance that the Dune areas and Walkways were the next on the list to be cleaned up. Commissioner Brand then noted that he and a playground site specialist visited all the city playgrounds and he would be preparing a report prioritizing items that needed to be addressed.

Council President Bendo asked about the combination LIRR Beach pass.

Mr. Brand noted that this combination took effect on July 1, 2021 and had been successful. He also noted that he was seeing a fair amount of success with the new electronic beach passes.

Chief of Lifeguards, Paul Gillespie spoke about the handicapped Beach Wheelchairs and demonstrated how they were used and the procedure on how to request them.

The City Manager then asked Inna Reznik, City Comptroller to give her update.

Ms. Reznik introduced CMA (Capital Market Advisors) Representatives to discuss the Moody's action of July 8<sup>th</sup> and the city's credit downgrade.

Mr. Richard Tortora, President of CMA gave a brief description of the firm and its purpose. He then began his presentation. (*See attached*)

Council Member Delury asked about how the City's credit rating effects its borrowing capacity and the importance of management continuity.

Council Vice President McInnis asked about a lower rating and the material impact to the city's debt service numbers that were already budgeted for.

Council President Bendo asked about the steps necessary to get the city back to a positive rating.

A question and answer session continued between the Council and CMA.

The City Manager noted the "Debt Dash" link which was on the website that enables any credit rating agency or investor to get answers to any of their financial questions.

Mr. Tortora noted the importance of the "Debt Dash" which allows access to financial information. He also added the importance of the city's willingness to make tough decisions such as raising rates when necessary, in order to present a credit positive event.

Ms. Gayden then noted that the city was working on a multi-year plan and doing everything possible to show Moody's that the city was moving in a positive direction.

Mr. Tortora noted that multiyear plans were favorably received because Moody's wants to know there is a plan.

### **The public hearings were held**

**PUBLIC HEARING:** Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 136 East Park Avenue, (street floor), Long Beach, New York.

Re: Spa Studio.

The owner of the business gave a description of the business specializing in skin care.

Council President Bendo asked some questions regarding the business, i.e., number of employees and days and hours of operation.

The owner replied that there would be 2 employees and it would be open Sunday through Friday from 9am to possibly 7pm.

**PUBLIC HEARING:** Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 28 East Park Avenue, (street floor), Long Beach, New York.

Re: Urgent Care.

Mr. Shamus Wheeler, General Manager of Silver Star Urgent Care gave a brief background of their business, including other locations.

Council President referenced that this location was the old Century 21 Real Estate agency next to Corazon de Cuba. He then asked some questions regarding the business, i.e., number of employees and number of customers they anticipated at one time

Mr. Wheeler replied that he anticipated 10 employees in total and they would be opened 7 days per week. He also added that he would have 3 to 4 customers at one time.

Council Member Treston asked about the hours of operation.

Mr. Wheeler replied that typical business hours were 10am to 7pm and 10am to 5pm on the weekends.

**PUBLIC HEARING:** Ordinance to Amend the Code of Ordinances of the City of Long Beach  
Re: Council for the Arts.

Corporation Counsel, Rich Berrios noted that this amendment would change the number of members for the Arts Council from 9 members to 11 members.

Ms. Patti Bourne, Director of Economic Development described the role of the Arts Council.

Mr. George Trepp, Treasurer of the Arts Council expressed the board's appreciation to the administration and staff who have helped and continue to help the Arts Council make art flourish in Long Beach. He concluded that expansion of the membership would mean more help with the new project they were working on in the North Park area and the possibility of doing more development work and obtaining grants.

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

Council Pres. Bendo made a motion to go into executive session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. It was seconded by Ms. Treston and was carried unanimously.

#1 – Approval of Minutes of Prior Meetings of June 1, 2021

Pres. Bendo made a motion to approve the minutes. It was seconded by Mr. Mandel and was carried unanimously.

#2 – Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 136 East Park Avenue, (street floor), Long Beach, New York.  
Re: Spa Studio

A public hearing was held on this item already.

#3 – Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 28 East Park Avenue, (street floor), Long Beach, New York.  
Re: Urgent Care

A public hearing was held on this item already.

#4 – Ordinance to Amend the Code of Ordinances of the City of Long Beach

Re: Council for the Arts

A public hearing was held on this item already.

#5 – Resolution Establishing Base Proportions in Accordance with Provisions of Article 19 of the Real Property Tax Law

Mr. Berrios, Corporation Counsel explained the purpose of the resolution as it related to Base Proportions in Accordance with Provisions of Article 19 of the Real Property Tax Law.

Council President Bendo added that this provision comes from the State and the city must follow it. He also added that this was voted on every year.

Roy Lester (72 Boyd St) – asked why the changes from year to year aren't indicated and asked how he could get that information.

#6 – Resolution Authorizing the City Manager to Issue a Purchase Order for the Supply, Transport and Delivery of Concrete from the Lowest Responsible Bidder

Commissioner Joe Febrizio explained the reason for this resolution and gave a brief background regarding this purchase.

Council President Bendo asked about the current comparison of prices.

Mr. Febrizio did not have the current prices available at the time.

Roy Lester (72 Boyd St) – asked about the product and purpose involved.

Commissioner Febrizio gave an explanation of the product.

#7 – Resolution Authorizing the City Manager to Enter into an Agreement for Engineering Services to Prepare a Water Resource Plan Related to Potential Saltwater Intrusion into the City's Water Supply

Mr. Febrizio gave an explanation of the resolution and a brief description of the cost proposal and purpose of the Water Resource Plan. He noted that there was funding in the capital budget for this project.

Council President Bendo asked about the 2018-2019 capital projects budget money that was supposed to be used for this item.

Council Vice President McInnis asked about coordinating with the state and/or federal government to assist the city financially since the aquifer is not just for the city of Long Beach. Commissioner Febrizio replied that he would share the information.

Council Member Delury asked if the annual water quality report indicated any saltwater intrusion.

Mr. Febrizio replied that there was no indication in the annual water quality reports indicating saltwater intrusion. He mentioned that the city's levels were fine and the importance of being proactive by doing the study. Mr. Febrizio mentioned the time frame to be within six months.

#8 – Resolution Authorizing the City Manager to Purchase Towels and Tissues from the Lowest Responsible Bidders

Mr. Febrizio spoke about the bids and products and the vendors who were the recipients of the award.

#9 - Resolution Authorizing Transfer of Funds for the 2021-2022 Fiscal Year.

Ms. Inna Reznik, City Comptroller explained the reason for the transfer of funds.

Ms. Gayden explained that an employee was being moved from the building department to the corporation counsel department and that salary was just being moved from one department to the other.

Roy Lester (72 Boyd St) – asked if the city was getting another attorney for Corporation Counsel.

Mr. Berrios replied that it was an Administrative Support staff employee.

#10 – Resolution Authorizing Transfer of Funds for the 2021-2022 Fiscal Year

Ms. Reznik explained that this transfer of funds would be from the contingency reserves to the Youth and Family Services special programs to accommodate the summer day trips that were not in the original budget.

#11 – Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises:54 West Park Avenue (second floor), Long Beach, New York.

Re: Tattoo Studio

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on August 3, 2021 at 7:00 p.m.

#12 – Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Ocean Beach Park

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on August 3, 2021 at 7:00 p.m.

#13 – Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Motor Vehicles and Traffic

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on August 3, 2021 at 7:00 p.m.

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

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

(RES. #117/21)

Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 136 East Park Avenue, (street floor), Long Beach, New York.

Re: Spa Studio

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. #118/21)

Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 28 East Park Avenue, (street floor), Long Beach, New York.

Re: Urgent Care

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

(ORD. #3055/21)

Ordinance to Amend the Code of Ordinances of the City of Long Beach

Re: Council for the Arts

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. #119/21)

Resolution Establishing Base Proportions in Accordance with Provisions of Article 19 of the Real Property Tax Law

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

(RES. #120/21)

Resolution Authorizing the City Manager to Issue a Purchase Order for the Supply, Transport and Delivery of Concrete from the Lowest Responsible Bidder

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. #121/21)

Resolution Authorizing the City Manager to Enter into an Agreement for Engineering Services to Prepare a Water Resource Plan Related to Potential Saltwater Intrusion into the City's Water Supply

Council Member Mandel 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. #122/21)

Resolution Authorizing the City Manager to Purchase Towels and Tissues from the Lowest Responsible Bidders

Council Member Delury 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. #123/21)

Resolution Authorizing Transfer of Funds for the 2021-2022 Fiscal Year.

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

(RES. #124/21)

Resolution Authorizing Transfer of Funds for the 2021-2022 Fiscal Year

Council Member Delury 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. #125/21)

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises:54 West Park Avenue (second floor), Long Beach, New York.

Re: Tattoo Studio

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

(RES. #126/21)

Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Ocean Beach Park

Council Member Mandel 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. #127/21)

Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Motor Vehicles and Traffic

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

Dated: July 21, 2021

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David W. Fraser  
City Clerk

**Good and Welfare**

Brian Wells – 1 W Chester St

Spoke about the City Council's statement regarding the PBA's comments about the Police Commissioner

Roy Lester – 72 Boyd St

Spoke about the presentation by CMA, The City's contract with M3 partners, the bike sharing program, the work session on 7/14 and the National Night Out.

Eileen Hession – 516 W Beech St

Spoke about conditions on the boardwalk