

**CITY OF LONG BEACH  
MINUTES OF THE REGULAR MEETING  
OF THE COMMON COUNCIL  
HELD AUGUST 11<sup>TH</sup>, 2020**

A regular meeting of the City Council of the City of Long Beach was held on Tuesday, August 11<sup>th</sup>, 2020 at 7:00pm.

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

Corporation Counsel Simone Freeman and City Manager Donna Gayden were also present.

Because of the COVID-19 pandemic, public attendance was suspended for this meeting. The following notice was posted prior to the meeting:

In light of current health concerns and as per Gov. Cuomo's Executive Order 202.1 we are making the following changes for this Council Meeting:

- **Public attendance for this meeting will be suspended.** A live Stream of the meeting will be available on our YouTube channel. Please visit [longbeachny.gov/councilmeetings](http://longbeachny.gov/councilmeetings) for the link to our YouTube channel.
- If you have any questions about any of the agenda items, please email them in advance to [info@longbeachny.gov](mailto:info@longbeachny.gov) with CITY COUNCIL MEETING QUESTION in the subject line.
- Since there will be no public attendance for this meeting, there will not be any good and welfare during this meeting. If you have a concern, please email it to [info@longbeachny.gov](mailto:info@longbeachny.gov), or call (516) 431-1000

President Bendo welcomed everyone.

Council Member Delury thanked the Lifeguard crew and the Auxiliary Police Department for their hard work during the storm and throughout the pandemic.

President Bendo also thanked all the maintenance crews for their hard work with the cleanup after the storm.

City Manager's Report:

City Manager Gayden informed the audience that she would begin her report with a storm update by certain Department Heads. She asked that Commissioner Scott Kemins lead off.

Commissioner Kemins discussed the time line of the storm with information including the preparation and the collaboration of all departments that responded and worked throughout the storm. He noted that the OEM was opened early on the morning of the storm and was manned from 6:00am to later that evening dealing with all the fallen down trees, etc. Commissioner Kemins added that the Fire Department responded from 12pm until 6pm to calls that included 55 alarms within that 6 hour period, and in a 24 hour period, they responded to 91 alarms which included transformers and wires. He expressed his concern regarding PSEG's lack of communication regarding the outages and that there were still areas that needed to be addressed. Commissioner Kemins added that the city along with Nassau County and PSEG were working

together to get this rectified. He continued to commend all the departments for their hard work in maintaining our streets and making them safe for travel.

President Bendo noted that 91 calls in 24 hours meant that the Fire Department had responded to a call every 15 ½ minutes for 24 hours.

Commissioner Kemins again, commended everyone that stepped up to help keep the residents safe.

Council Member Treston thanked everyone.

City Manager Gayden then introduced Mr. Tommy Canner, Superintendent of Beach Maintenance to give his report.

Mr. Canner thanked the City Manager, City Council and Mr. McNally for their help in supplying his department with the materials needed to address the storm and its aftermath. He noted that due to the preparation meetings, his crew was ready and prepared. Mr. Canner also noted that there were 57 trees down in a four to six hour period. He added that within 24 hours, all streets were open and free for emergency vehicles. Mr. Canner thanked his staff for stepping up to the task as well as his fellow departments for their assistance. He addressed the fall-like atmosphere and the falling leaves and explained that this was due to the high winds burning the leaves and the saltwater intrusion. Mr. Canner noted that his department would continue to monitor and clean up broken branches, etc. He then moved on to discuss the Boardwalk and said that since the boardwalk was closed by 9pm, there had been less of a mess to clean up which allowed more time to focus on other things that needed attention such as the bench repairs and boards that needed repair. He thanked John Mirando and Joe Febrizio for getting the bathrooms open on New York Avenue and Neptune Blvd. so quickly, and added that a \$30,000.00 rental fee was saved by removing the temporary bathroom trailers. Mr. Canner concluded by speaking about the new equipment that was on the agenda for this meeting as well as their purpose and the importance of their use.

City Manager Gayden then introduced Commissioner John Mirando, DPW.

Commissioner Mirando followed up on the storm and its outages and commended the Operators at the Waste Water Plant and the Water Plant who were able to work through the storm to enable to continue to supply water to the residents. He also gave an update regarding the repairs of the retrofits for the lights on the boardwalk. Mr. Mirando gave an overview of how and why these lights needed repair. He explained that the contractor, Welsbach inspected most of the lights and determined that 45 fixtures needed to be removed due to safety issues. Commissioner Mirando noted that he put safety precautions in place and with the assistance of Beach Maintenance, protective barriers were built around the light fixtures in case any of the fixtures would fall in order to prevent public injury. He continued to note that the City met with an expert from Magnaflood, a lighting manufacturer who had provided the city with other lights to determine why the fixture connections failed. Mr. Mirando noted that they determined that it was a design error, and that after several meetings with Steinberg, they agreed to have their engineers develop a retrofit kit to correct the design and supply the city with the necessary equipment as well as paying the contractor, Welsbach, for the installation. He concluded with the continuous work being done by the contractor and noted that the completion of this project should be done sometime in early November.

Council Member Treston asked if there were floodlights on the boardwalk.

Commissioner Mirando responded that the he was referring to the lighting fixtures and that Magnaflood was the company that the city used to look at the design.

Vice President McInnis asked if there was a guarantee on the new equipment and if so, for how long.

Commissioner Mirando explained that the warranty on the lights expired about 1 year ago. He noted that he thought the city was fortunate enough to get Sternberg to live up to their reputation and replace the lights but that there was no further warranty going forward.

Mr. McNally asked Commissioner Mirando to speak about the lights that are up against apartment buildings that might be causing some disturbances towards those buildings.

Commissioner Mirando explained that the back half of the original fixtures facing the buildings were painted black in order to allow the light to just shine down to the boardwalk and not on the buildings. He also noted that the contractor would continue to paint the new fixtures black as they go along in an effort to prevent the light pollution from hitting the buildings.

City Manager Gayden then asked Police Commissioner, Phil Ragona to give his update.

Commissioner Ragona stated that in his years with the City, he had never seen better planning leading up to this type of a storm. He commended the City Manager, Assistant City Manager and the City Council for gathering all the Department Heads days before the storm. Commissioner Ragona spoke about the uniqueness of the City of Long Beach and the cohesiveness of all departments working together. He touched upon the numerous of calls that were responded to by the Police Department. Commissioner Ragona also spoke about the post storm calls from residents and the arrests that were made. He noted that extra police officers were put on schedule and spoke about then numerous violations that were issued by both police officers and special police officers. Commissioner Ragona also discussed the beach patrol and how well the enforcement has been. He commended the decision to close the beach at 8pm and the boardwalk at 9pm, and felt that the beach is well under control because of it.

City Manager Gayden introduced Executive Assistant, Mr. John McNally.

Mr. McNally thanked all the employees and noted that it was a pleasure to see everyone come together to address the storm and serve the residents. He gave a quick update on the Police Commissioner's interview process and that it would begin this upcoming weekend. Mr. McNally noted that there were 9 applicants and the team was looking forward to the process. He noted that each week, the lifeguards, central maintenance, police department and recreation department, along with the City Manager's office, sit down and review the beach and boardwalk policies as they relate to COVID restrictions and safety plans in place. Mr. McNally commended the new beach and boardwalk closure time and how effective it has been regarding the health and safety of our residents and visitors. He touched upon non-resident beach attendance on the weekends and was doubtful that there would be any changes made at this time. Mr. McNally also noted that a discussion was in effect regarding the bicycles on the boardwalk restrictions and there should be an announcement sometime that week. He concluded with the fact that Long Beach has flattened the curve on COVID 19 cases and encouraged everyone to continue social distancing, wearing masks and handwashing. Mr. McNally addressed the audience and encouraged everyone to shop locally and support the businesses in Long Beach during this very challenging time.

City Manager Gayden thanked everyone for their update and noted that although things moved smoothly through the storm, there would be a post-storm meeting held to discuss the outcomes and lessons that could be learned. She noted that the city is in the process of updating all the emergency preparedness plans in an effort to be prepared for any emergency that might come its way. Ms. Gayden reminded the public that City Hall was open for limited hours, Monday through Friday from 9am to 11am and 2pm to 4pm. She explained that all who entered city hall would have a temperature check, would be asked approximately 3 questions and asked to sign in before proceeding to the designated floor. Ms. Gayden concluded with the fact that she will continue to have department head updates, as she believes the city works as a team.

President Bendo *asked* Ms. Treston for a brief update on how the city was doing with the Census.

Councilmember Treston explained that the city was hovering about 57% and how it needed to be much higher. She also noted that the deadline changed from the end of October to the end of September. Ms. Treston advised the audience that there would be a big push from people who work for the census bureau who will be knocking on doors with ID's. She also noted that if anyone felt uncomfortable they could contact City Hall. Ms. Treston reminded the audience how important it was to complete the census so that Long Beach could get its rightful share.

President Bendo reminded the audience that less funding means it would have to be made up elsewhere.

Mr. McNally reminded everyone of the Census website address in the event they needed to complete their census – [my2020census.gov](http://my2020census.gov).

President Bendo strongly encouraged everyone to return their census so the city gets its fair share of the funding.

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

#1 – Approval of Minutes of Prior Meetings of July 13, 2020 and July 21, 2020.

Councilmember Mandel made a motion to approve the minutes of the prior meetings of July 13, 2020 and July 21, 2020 and was seconded by Councilmember Treston. The motion was approved by all five members.

#2 – Resolution Authorizing the City Manager to Execute and Enter into a Community Development Block Grant Subrecipient Agreement Between the City of Long Beach and the County of Nassau and to Amend the City's Budget

Ms. Patty Bourne, Director of Economic Development explained that the city's goal was to move the projects forward and to use the funds for current priorities such as mobi mats and the 5<sup>th</sup> floor city hall ADA bathrooms. She noted that she and her staff were working closely with the City Manager, John McNally and department heads on these priorities. Ms. Bourne continued to explain that the \$150,000.00 funding that was awarded to the city was to help with improvements in the area surrounding the LIRR station. She noted that residents expressed concerns about the area such as safety, health issues, bicycle parking, lack of pedestrian support and that the area in Kennedy Plaza was underutilized and could be utilized better. Ms. Bourne also noted that due to the efforts of Senator Todd Kaminsky, the railroad station in Long Beach will be included in the next MTA Long Island Railroad capital plan which means that the MTA LIRR has set aside funds in their capital plan for refurbishing. She gave a brief overview on the

application process that included speaking with residents from the North Park area as well as the business community folks and those who use Kennedy Plaza currently. Ms. Bourne concluded with announcing the several items that these funds would include.

Councilmember Delury asked about the improved lighting and wanted to know if the bicycle area and crosswalk area would be part of the lighting improvement.

Ms. Bourne spoke about the lighting and how important the crosswalks were on Park Avenue. She also noted how the crosswalks were utilized by children coming off the school buses and by pedestrians in general. Ms. Bourne noted that the team would be coming back to speak with the council members and others for input.

Vice President McInnis asked how much the grant was for that Senator Kaminsky was able to secure.

Ms. Bourne explained that there was a public announcement by the railroad, thanking the Senator for his efforts on behalf of Long Beach, and that they were going to do refurbishing which would be in the next capital plan. She noted that as soon as the funds were available, she would let the City Council know.

Councilmember Treston thanked everyone who participated in writing this grant. She asked if there was a timeframe with this project.

Ms. Bourne explained that once the resolution is passed by the City Council and the City Manager signs the contract, it then has to be approved by the Nassau County Legislature and be routed through the County routing process. She concluded by stating that the estimating timeframe would be 3 to 4 months and hoped to be able to start this process in the fall.

Mr. McNally noted that there was a question from the public on this item:

**Roy Lester** asked “what is the Transit Oriented Development Project Complete Streets initiative improvements surrounding Long Beach LIRR train station with specifics and what is the \$150,000.00 spent on with specifics please?”

Ms. Bourne explained that Complete Streets was legislation passed by the city as one of the first communities on Long Island and commits the city to developing any roadway improvements and not just looking at the needs of drivers, cars and trucks, but just as important, were pedestrians and bicyclists. She also noted that it also provides safe streets that work efficiently and move people where they need to go. Ms. Bourne concluded with the fact that this concept has become popular within the last 5 to 10 years, to develop appropriate economic development around train stations because they provide so many functions and made it more effective to have development in that area which will only help boost the business area and any other future potential development.

#3 – Resolution Authorizing the City Manager to Execute and Enter into a Community Development Block Grant Coronavirus Subrecipient Agreement Between the City of Long Beach and the County of Nassau and to Amend the City’s Budget

Ms. Patti Bourne, Director of Economic Development announced that the City was awarded a significant grant under the Federal Cares Act, which provided COVID related issues. She also noted that it was a bit challenging to apply for this funding since there wasn’t a very clear guide

that assisted the application. Ms. Bourne also gave an overview of the application process and how the awarded funds would be used and the areas involved.

President Bendo asked if the money for the Social Distancing Ambassadors would extend past Labor Day when the lifeguards go off duty.

Ms. Bourne did say that it could extend past Labor Day.

Mr. McNally announced that there were 2 questions submitted from the public.

**Roy Lester** asked “who are the social distancing ambassadors and what was their pay rate, where can they be found, and what was the criteria to be hired as one?” Also, “what are the PF&I city building health and safety upgrades specifically and how specifically is the money going to be spent?”

**Eileen Hession** asked “have they already been hired and how would I recognize one? How many Ambassadors are there and what is their hourly pay?”

Ms. Bourne explained that the Social Distancing Ambassadors were the Special Police Officers that we already knew, and who were doing a great job. She noted that they would be paid at whatever the current salary was that they were receiving, and it would be coordinated with the Beach Park Supervisor Joe Brand and Police Commissioner Phil Ragona. Ms. Bourne concluded with the fact that they would be assigned to the beach and the boardwalk as well as assisting where necessary.

Mr. McNally asked for clarification on how many could be hired.

Ms. Bourne responded that 10 young people could be hired and work approximately 14 hours per week.

Mr. McNally proceeded to reiterate Commissioner Ragona’s sentiments regarding the Special Police Officers and the possibilities and opportunities this role presents to them if they have any future desire to have a career in Law Enforcement.

Ms. Bourne added that the answer to the question regarding the criteria for hiring the Ambassadors was the same criteria in hiring the Special Police Officers.

#4 – Resolution Revising Resolution No. 47/20 to Add Certain Specific Language.

Commissioner Mirando explained that when the Council passed the resolution to adopt the local solid waste management plan for the next 10 years, and then submitted the plan to the NYS DEC, they asked to have additional wording in the resolution in order to approve the plan.

#5 – Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year.

City Manager, Donna M. Gayden explained that the funds were for the Police Department Secretary and it was a position that was needed. She added that no changes were made to the bottom line of the budget and nothing was added to the existing budget.

President Bendo pointed out that the city was not increasing spending, but moving it to where it actually was going to be spent.

Vice President McInnis asked where the payroll tax funds were reflected for this position and how much the benefits were per year as well as where those were reflected in the budget. City Manager, Donna M. Gayden explained that the payroll funds were already in the Police Department budget and this transfer was the additional money that was needed.

Mr. McNally noted that there were two questions from the public on this item.

**Eileen Hession** asked “Has there been a new hire? Why is this \$50,000.00 needed?”

**Roy Lester** asked “What caused the city to need \$50,000.00 more in police salaries?”

City Manager Gayden responded that it was for the hiring of the Police Commissioner Secretary. She also noted that the money came from within the budget and was just moved from one place to the other.

#6 - Resolution Authorizing the City Manager to Purchase a Caterpillar 299D2 XPS Compact Track Loader and a Caterpillar 962M-BR Wheel Loader Under New York State Contract

Mr. Canner, Superintendent of Beach Maintenance discussed this item earlier on in the meeting.

#7 - Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 901 West Beech Street (street floor), Long Beach, New York.

Re: Skincare and Home Goods Retail Store

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on August 18, 2020 at 7:00 p.m.

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

Council Member Mandel introduced and moved the adoption of the minutes from the July 13, 2020 and July 21, 2020 meetings, seconded by Ms. Treston, and it was approved with all five council members present voting in the affirmative.

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

(RES. #62/20)

Resolution Authorizing the City Manager to Execute and Enter into a Community Development Block Grant Subrecipient Agreement Between the City of Long Beach and the County of Nassau and to Amend the City’s Budget

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

(RES. #63/20)

Resolution Authorizing the City Manager to Execute and Enter into a Community Development Block Grant Coronavirus Subrecipient Agreement Between the City of Long Beach and the County of Nassau and to Amend the City’s Budget

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

(RES. #64/20)

Resolution Revising Resolution No. 47/20 to Add Certain Specific Language

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and was duly adopted by four affirmative votes. Council Member McInnis voted no.

(RES. #65/20)

Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year

Council Pres. Bendo 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. #66/20)

Resolution Authorizing the City Manager to Purchase a Caterpillar 299D2 XPS Compact Track Loader and a Caterpillar 962M-BR Wheel Loader Under New York State Contract

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

(RES. #67/20)

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 901 West Beech Street (street floor), Long Beach, New York.

Re: Skincare and Home Goods Retail Store

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

Dated: August 12, 2020

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David W. Fraser  
City Clerk