

**CITY OF LONG BEACH
MINUTES OF A MEETING
OF THE COMMON COUNCIL
HELD AUGUST 16, 2022**

A meeting of the City Council of the City of Long Beach was held on Tuesday, August 16, 2022.

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

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

Several certificates of recognition were presented.

Council President McInnis asked for a moment of silence in honor and memory of Captain, Michael Fisher of the Island Park Fire Department.

The public hearing was held

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach
Re: Building Code and Appendix A of the Zoning Code

Corporation Counsel, Rich Berrios introduced Carrie O’Farrell, a consultant from Nelson, Pope and Voorhis and Bob Spolzino of Abrams Fensterman to give a presentation in reference to the public hearing regarding the proposed new overlay zone from National Blvd. to Lincoln Blvd., bounded by Broadway and Shore Road respectively.

Eileen Hession (516 W Beech St) – expressed her concern about the number of buildings, parking, affordable housing, and increase in population.

Jim Kirklin – asked about the length of the setbacks of the buildings.

Crystal Lake – asked about the percentage of affordable housing opportunity.

All questions and concerns were addressed by Ms. O’Farrell.

The calendar item were read by the City Clerk

#1 – Resolution Declaring the City Council of the City of Long Beach Lead Agency for the Amendment of its Code of Ordinances Including its Zoning Map and Code, as Well as Creating a Community Benefits Bonus Policy, Declaring Said Projects to Constitute Type I Actions, and Adopting Negative Declarations.

Mr. Berrios recommended an amendment be made to this resolution.

Ms. Treston made a motion to change on page two in the SEQRA – NEGATIVE DECLARATION, in the “Location” section, to remove all language therein and change as follows:

“Existing Residence-Business A (RBA) District, bounded by the boardwalk to the south, Broadway to the north, National Boulevard to the west, and Long Beach Boulevard to the east in

the City of Long Beach, Nassau County, New York. The proposed action would extend the RBA District two blocks eastward to include the area between Long Beach Boulevard and Lincoln Boulevard which is currently in the Residence L District.” It was seconded by Mr. Bendo and was carried unanimously.

Mr. Berrios continued to review the declaration.

#2 – Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Building Code and Appendix A of the Zoning Code.

A hearing had been held on this item already.

#3 – Resolution Establishing and Adopting a Community Benefit Bonuses and Funds Policy for the Residence-Business A District.

Corporation Counsel, Rich Berrios explained the purpose of this resolution.

Council Member Bendo asked about the distance and height of the setback.

Ms. O’Farrell addressed Mr. Bendo’s question.

Council Member Lester also asked for clarity on the street level vs. the first story of the building.

Council President McInnis also asked for clarity on this topic.

#4 – Resolution Authorizing the City Manager to Enter into a Contract for the Reconstruction of Doyle Street between East Chester and Pine Streets with the Lowest Responsible Bidder.

Commissioner of Public Works, Joe Febrizio gave an overview of this resolution.

Council Member Lester asked about where the street light poles would be placed.

Council Member Bendo expressed his concern regarding the quality of the light poles.

Commissioner Febrizio addressed both Mr. Lester and Mr. Bendo’s questions.

Pres. McInnis made a motion to go into executive session to consult with counsel. It was seconded by Ms. Treston and was carried unanimously.

Pres. McInnis made a motion to block vote and move items one, two and three. It was seconded by Ms. Treston and was carried by four affirmative votes. Council Member Lester Voted no.

#5 – Resolution Authorizing the City Manager to Enter into a Lease Agreement to Rent Space on City Owned Property to Improve Wireless Service in the City.

Mr. Berrios spoke to the resolution and the terms of the rental agreement.

Council Member Lester asked about the services being provided.

Corporation Counsel, Rich Berrios responded to Mr. Lester’s question.

Council Member Posterli asked about the quality of the service in the event of a storm such as Hurricane Sandy.

Mr. Berrios addressed Ms. Posterli's question.

Council Member Bendo asked about the auto renewals.

Mr. Berrios suggested going into executive session since this topic would be part of negotiations. He was able to speak to some portion of the agreement.

#6 – Resolution Authorizing Procedures for Member Videoconferencing Pursuant to Public Officers Law § 103-a.

Corporation Counsel, Rich Berrios explained that this resolution provided the procedures for compliance of state law under the Public Officers Law.

Council Member Lester asked for clarification on item 7 of the procedure.

Mr. Berrios responded to Mr. Lester.

#7 – Resolution Authorizing the Purchase of Computers and Printers for the City's Police Patrol Vehicles from the Sole Source Provider.

Police Commissioner Ron Walsh noted how the computers would be used to complete the project. He also added that these were the only computers that would work with the current network.

#8 – Resolution Authorizing the City Manager to Purchase an Inter-Operable Video Management and Integrated Surveillance System through New York State Office of General Services Contracts for Various Locations Throughout the City

Commissioner Walsh spoke about the close circuit television cameras that will be installed at the Recreation Center, Gazebo, Senior Center, and Ice Arena for security purposes.

#9 – Resolution Authorizing the City Manager to Purchase an Inter-Operable Video Management and Integrated Surveillance System through New York State Office of General Services Contracts for the Bus Station and the LIRR Parking Facility.

Mr. Walsh spoke to the 27 cameras that would be installed throughout the LIRR parking garage that would replace all cameras that are currently not working and not viewable from the Police Department.

Eileen Hession (516 W Beech St) – asked about the LIRR paying for some of the cost. She was also pleased to hear that the cameras were being installed for safety reasons.

Commissioner Walsh explained that the parking garage is owned and operated by the city of Long Beach.

#10 – Resolution Authorizing the Continued Retention of The Bonadio Group as Independent Auditors for Fiscal Years Ending June 30, 2022, 2023 and 2024.

City Comptroller Inna Reznik explained the purpose for retaining the Bonadio Group. She continued to outline their services.

City Manager, Donna M. Gayden added that one of the components to this audit was for the non-profit arm of the city which would in turn allow the city to get additional monies that it would otherwise not be able to apply for.

Council Member Bendo asked for clarification as to the cost of the audit to the city.

A discussion ensued regarding the purpose for this audit and the Local Development Corporation (LDC).

Director of Economic Development, Patti Bourne explained the role of the LDC.

A lengthy discussion ensued regarding the LDC's continuation or its dissolve.

Eileen Hession (516 W Beech St) – spoke on the cost to the city for the LDC.

Council Member Bendo made a motion to table this item. It was seconded by Mr. Lester and carried by four affirmative votes. Council Pres. McInnis voted no.

#11 – Resolution Authorizing Payment for Thomson Reuters Westlaw Services.

Mr. Berrios explained that this was for the annual payment to the Westlaw Web Service used for the day-to-day and legal research for the city.

Council Member Lester asked how many users were included in this service.

Mr. Berrios replied that there were four users provided to the Corporation Counsel Department.

Council Member Bendo asked if this was a contract.

Mr. Berrios replied that it was.

#12 – Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year.

Parks and Recreation Commissioner, Joe Brand explained the purpose for this transfer.

#13 – Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year.

Commissioner Brand spoke to the importance of this transfer to repair the Zamboni for the Ice Arena before the season begins.

Council President McInnis asked about the age of the Zamboni and if it outlived its useful life.

Mr. Brand noted that this Zamboni should be fine for another 5 to 6 years.

Council Member Lester asked about the funding being used for this purpose.

Commissioner Brand broke down the funding process.

#14 – Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year.

Ms. Reznik spoke about the purpose for this transfer to fund the unallocated insurance line.

Council President McInnis asked if this would be the conclusion of moving funds to this account.

Ms. Reznik noted that she could not answer that question since there was equipment that had been ordered that would be funded by the leases, and once delivered, they would have to be insured.

#15 – Resolution Authorizing a Budget Amendment and a Transfer of Funds for the 2022-2023 Fiscal Year.

Ms. Patti Bourne, Director of Economic Development described the purpose for this amendment and transfer of funds. She noted that these funds would be used for the purpose of a community painting project at the Recreation Center.

Council Member Bendo asked about the type of paint that would be used for the ground.

Ms. Bourne replied that the paint being used was appropriate for the ground.

Council Member Lester asked about the “in-kind” funding.

Ms. Bourne explained the format and amount of the “in-kind” funding.

#16 – Resolution Authorizing a Budget Amendment to the Community Development Fund for the 44th Program Year.

Ms. Monique Powell, Director of Community Development gave an update on a new program that required this amendment. She then spoke about the new program “Long Beach Rise”.

#17 – Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 301 West Park Avenue (street floor), Long Beach, New York.

Re: Convenience Store

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on September 6, 2022 at 7:00 p.m.

#18 – Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Administration.

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on September 6, 2022 at 7:00 p.m.

#19 – Approval of Minutes of Prior Meetings of June 21, 2022 and July 5, 2022.

ADDED BY UNANIMOUS CONSENT

#20 – Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Zoning Board of Appeals.

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on September 6, 2022 at 7:00 p.m

#21 – Resolution Authorizing the City Manager to Accept a Financial Contribution to Refurbish the City's Ice Arena.

Commissioner Joe Brand thanked the Council for adding this item to the agenda and spoke about the meeting that was held to discuss the financial contribution by the NY Rangers for the possibility of renaming rights of the facility after Emile Francis. He added that this contribution would ultimately help with the repairs that were needed to refurbish the building.

Mr. Berrios clarified that it would be a sponsorship for one year.

Mr. Brand added that in discussion with the NY Rangers and within the agreement, there is the opportunity for further discussion to continue efforts. He noted that the NY Rangers' have been a wonderful partner in programming and support and how instrumental they had been through Hurricane Sandy in providing funding that got the necessary compressors and equipment that got the building back up and running.

Council Member Lester asked about how the renaming of the Arena would work.

Mr. Berrios asked Mr. Brand to elaborate on what the city would be receiving from the NY Rangers.

Mr. Brand explained that this would be the renaming rights of the building for a one-year period. He noted that the Rangers would provide all the artwork and decoration to use for the sign that would go on the front of the building and the sign for the interior of the building.

Council Member Bendo asked about the distribution of the monies and what it included.

Council Member Lester questioned the urgency in getting this done.

Commissioner Brand replied that the purpose was to get the work done before the hockey season started. He also spoke to the agreement process.

The City Manager also noted that the initial agreement was \$20,000.00 less than what it is. She added that after Mr. Brand went back and spoke with the Rangers, it was increased to \$45,000.00 for one year.

The voting portion of the meeting was then begun.

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

(RES. #118/22)

Resolution Declaring the City Council of the City of Long Beach Lead Agency for the Amendment of its Code of Ordinances Including its Zoning Map and Code, as Well as Creating a Community Benefits Bonus Policy, Declaring Said Projects to Constitute Type I Actions, and Adopting Negative Declarations.

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

(ORD. #3066/22)

Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Building Code and Appendix A of the Zoning Code.

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

(RES. #119/22)

Resolution Establishing and Adopting a Community Benefit Bonuses and Funds Policy for the Residence-Business A District.

Council Member Treston 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. #120/22)

Resolution Authorizing the City Manager to Enter into a Contract for the Reconstruction of Doyle Street between East Chester and Pine Streets with the Lowest Responsible Bidder.

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

(RES. #121/22)

Resolution Authorizing the City Manager to Enter into a Lease Agreement to Rent Space on City Owned Property to Improve Wireless Service in the City.

Council Member Treston 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. #122/22)

Resolution Authorizing Procedures for Member Videoconferencing Pursuant to Public Officers Law § 103-a.

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

(RES. #123/22)

Resolution Authorizing the Purchase of Computers and Printers for the City's Police Patrol Vehicles from the Sole Source Provider.

Council Pres. 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. #124/22)

Resolution Authorizing the City Manager to Purchase an Inter-Operable Video Management and Integrated Surveillance System through New York State Office of General Services Contracts for Various Locations Throughout the City

Council Member Bendo 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. #125/22)

Resolution Authorizing the City Manager to Purchase an Inter-Operable Video Management and Integrated Surveillance System through New York State Office of General Services Contracts for the Bus Station and the LIRR Parking Facility.

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

(RES. #126/22)

Resolution Authorizing Payment for Thomson Reuters Westlaw Services.

Council Member Bendo 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. #127/22)

Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year.

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

(RES. #128/22)

Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year.

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

(RES. #129/22)

Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year.

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

(RES. #130/22)

Resolution Authorizing a Budget Amendment and a Transfer of Funds for the 2022-2023 Fiscal Year.

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

(RES. #131/22)

Resolution Authorizing a Budget Amendment to the Community Development Fund for the 44th Program Year.

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

(RES. #132/22)

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 301 West Park Avenue (street floor), Long Beach, New York.
Re: Convenience Store

There was no introduction for the adoption of the following resolution, therefore the item failed.

(FAILED)

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

Council Member Lester 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. #133/22)

Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Zoning Board of Appeals.

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

(RES. #134/22)

Resolution Authorizing the City Manager to Accept a Financial Contribution to Refurbish the City's Ice Arena.

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

Dated: August 17, 2022

David W. Fraser
City Clerk

Good and Welfare

Eileen Hession - 516 W Beech St

Spoke about trash on the beach and the HALB property

Crystal Lake – 206 E Market St

Spoke about the community benefit program, Transco gas pipeline, north shore critical infrastructure and the continuity of issues spanning different City Councils