

**CITY OF LONG BEACH
MINUTES OF A MEETING
OF THE COMMON COUNCIL
HELD AUGUST 20, 2024**

A meeting of the City Council of the City of Long Beach was held on Tuesday August 20, 2024.

Present were Council Pres. Finn and Council Members Bendo, Fiumara, Lester, and Reinhart.

Corporation Counsel Frank Dikranis and Assistant City Manager Philip Ragona were also present.

Deputy City Manager, Philip L. Ragona gave the City Manager's report. He noted the following upcoming events that would be taking place:

- Beach Concert – Wednesday, 8/21 - 7pm - **Latino Night** – Edwards Blvd. Beach
- Free Movie Night – Saturday – “**Barbie**” – Grand Blvd. Beach
- LB Historical Society – Arts & Crafts Festival – Saturday & Sunday
- Beach Concert – Wednesday, 8/28 – **Foreign Journey Tribute Band** – Lincoln Blvd. Beach
- McAvoy Labor Day 5-mile Labor Day Race – Monday, 9/2 – 8am – Laurelton Blvd. Boardwalk
- Labor Day Monday, 6pm – Official Lifeguard Whistle ending the Summer Season

Mr. Ragona commended the Sanitation Department for their quick response to an incident that occurred on Friday, 8/16, while some of the sanitation crews were working their regular hours on East Broadway. He noted that a fire started on the back of the truck that was caused by a gasoline can that was placed out with regular trash. Mr. Ragona stated that gasoline should not be thrown out with regular trash. He then commended both Terrance Harris who is also a volunteer Firefighter and Superintendent of Sanitation, Devin Parker who went above and beyond their duties and in doing so, saved the one-month-old sanitation truck valued at \$250,000.00. The Deputy City Manager thanked the sanitation department for their commitment hard work they perform every day.

The public hearings were held

PUBLIC HEARING: Local Law Correcting Local Law V/24: Amending the Charter of the City of Long Beach Re: City Officers; Their General Powers and Duties.

Mr. Ragona explained that this item was approved by the City Council at the July 16, 2024 meeting but was in need of correcting a typographical error.

PUBLIC HEARING: Amendatory Bond Ordinance of the City of Long Beach, New York, Amending and Restating Bond Ordinance Adopted April 4, 2023.

The Deputy City Manager explained that this would amend the bond ordinance associated with the Sewer Consolidation project.

Commissioner of Public Works, Joe Febrizio gave a summary on the amendment.

Council President Finn asked for clarity on the borrowing portion of the bond.

Mr. Febrizio responded to Mr. Finn's questions.

Council Member Lester asked about the revenue to the city and rent determination.

Commissioner Febrizio responded to Mr. Lester's questions.

Council Vice President Fiumara asked if the rates would be equivalent to other municipalities in the county.

Mr. Febrizio responded to Mr. Fiumara's questions.

Council Member Reinhart asked about a timeline on the ruling.

Commissioner Febrizio replied that he thought within a year.

Daniel Schafer (30 W Beech St) – asked for clarity on how the payments were being made.

Mr. Febrizio replied to Mr. Schafer's questions.

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

The Deputy City Manager noted that this was an amendment to the transient rental properties' ordinance.

Commissioner of Buildings, Scott Kemins explained that short term rentals are illegal in the City of Long Beach with several cases currently in the city court system. He spoke about the many complaints that residents have made, and how this ordinance would help continue enforcement of the law and maintain the quality of life for residents of Long Beach.

Council President Finn noted that the word transient was another name for Air-b-n-b.

Mr. Kemins gave a definition of short-term rentals and summer rentals. He spoke about how short-term rentals negatively impacts the residents of Long Beach.

Council Member Lester asked if there was data indicating the complaints made regarding transient rentals.

Commissioner Kemins replied to Mr. Lester's questions noting some of the complaints that have been made.

Mr. Lester also asked about the rental of driveways being illegal.

Mr. Kemins noted that it was illegal, and it certainly would not help the parking problems in the city.

Council Vice President Fiumara noted there were many different dynamics involved in this topic and was looking forward to hearing from the public on this item.

Commissioner Kemins added that the City of Long Beach modeled this code from the City of Glen Cove and the Village of Freeport and noted that this is not just a Long Beach issue.

Mr. Bendo noted that he went online to Airbnb and VRBO and the number of rental properties available in Long Beach were 147. He continued to discuss how this is a complicated topic that impacts the city in many ways.

Council President Finn added that this is why the hearing would remain open so that the residents and public would have a chance to speak on the topic.

Janine Laskas (527 W Penn St) – spoke in favor of Airbnb’s. She continued to speak about the tax increases in Long Beach over the past several years and other issues that are infringing on residents.

Tyler Radford (E Walnut St) – spoke in favor of Airbnb.

Mr. Finn recognized the need for data to help recognize the negative and positive impact of this topic.

Mr. Fiumara also mentioned that there were many sides to this topic and recognized some of the positive aspects and why it was important to keep the hearing open in order to hear from as many residents as possible. He also mentioned conducting a work session on this topic.

Janine Laskas (527 W Penn St) – suggested reaching out to Airbnb to speak to them about how they are working with other communities.

Joanne Lyons (25 New Hampshire St) – spoke in favor of Airbnb and commended Airbnb for the policies they have in place.

Joe Centenni (E Walnut St) – spoke in favor of short-term rentals and shared some ideas to consider as responsible hosts.

Mr. Austin (W Beech St) – spoke in favor of short-term rentals and asked about the data that proves there is a threat to the health and safety of the residents of Long Beach.

Council President Finn noted that there is data available that will be made available, and this resolution was prepared because of issues that have been stated earlier.

A discussion continued regarding the definition of transient rentals vs. the laws in place.

Michelle Greenstein (Nevada Ave) – spoke in favor of Airbnb.

John Ferry (E Walnut St) – spoke in favor of Airbnb.

Candy McLaughlin (21 New York Ave) – spoke in favor of Airbnb. She also spoke about the Long Beach Hotel not having rooms available and how the Alegria was too expensive for people to stay at.

Jackie Sinerelli – (E. Walnut St) – Spoke in favor of Airbnb.

President Finn noted the importance of the need for data and agreed with Mr. Fiumara about conducting a work session in the near future.

Mr. Lester asked for clarity on the code.

Mr. Frank Dikranis, Corporation Counsel responded to Mr. Lester.

Jennifer Krawl – (Walnut Street) – asked for clarity of the law regarding short term rentals.

Allison Blanchette – (Long Beach) – asked about the revenue the city should be collecting from the hotels in town.

Tax Assessor, Ray Flammer replied that there is revenue received through the hotel occupancy tax, i.e., food and beverage tax, which is paid to the state who in turn sends the city its share.

Vice President Fiumara asked about hotel tax vs. resort tax and noted that the City of Long Beach had not been approved by Albany to collect.

Mr. Flammer replied that the city collects it differently (through a segment tax) unlike Nassau and Suffolk County.

Council President Finn recognized the potential of collecting revenue via Airbnb and noted the importance of how the city would need to go about regulating it.

Ms. Blanchette suggested reaching out to other counties that are already partnering with Airbnb. She also expressed her concern regarding the data in question and how it is very subjective.

Council Vice President Fiumara noted that the city council was here to listen to the community and work together for solutions.

Jim Kirklin – (Riverside Blvd.) – spoke in favor of Airbnb's.

Pres. Finn made a motion to keep the hearing open. It was seconded by Mr. Lester and was passed unanimously.

PUBLIC HEARING: Local Law Amending the Charter of the City of Long Beach Re: Apportionment of City Assessment and City Taxes.

Mr. Ragona noted that this item allows the Tax Assessor to establish the assessed values and tax liability of units subdivided within a building and creates a “fine” structure for doing so as referenced in item #5.

Mr. Flammer, Tax Assessor explained that this resolution gives him the authority to follow the state law that will give the City authority to split the tax bill amongst divided units. He gave the example of when the condos that are under construction are sold, the new owners would have an official document of what their tax liability is.

The calendar items were read by the City Clerk

#1 – Local Law Correcting Local Law V/24: Amending the Charter of the City of Long Beach
Re: City Officers; Their General Powers and Duties

#2 – Amendatory Bond Ordinance of the City of Long Beach, New York, Amending and
Restating Bond Ordinance Adopted April 4, 2023

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

Before the voting portion, Pres Finn made a motion to table this item. It was seconded by Mr.
Lester and was carried unanimously.

#4 – Local Law Amending the Charter of the City of Long Beach Re: Apportionment of City
Assessment and City Taxes

#5 – Resolution Setting Fees for Certificates and Memorandums of Apportionment

The Deputy City Manager noted that this item was connected to Item #4 and sets the fees for
certificates of apportionment at \$100 per unit except for one- and two-family homes.

Mr. Flammer explained that this service would be provided to Developers who are building
Condos and would provide them with the certificate of memorandum of apportionment so that
when they sell the properties, the new owner would pay the proper tax liability.

#6 – Resolution Authorizing Settlement of Certiorari Proceedings

Mr. Ragona noted that this resolution would resolve a certiorari claim at \$400,000.00.

Mr. Flammer added that this was a certiorari settlement with 425 National Blvd. and settles the
seven years of certiorari claims.

Council Member Lester asked when the grievances were made.

Mr. Flammer responded to Mr. Lester's question.

Janine Laskas (527 W Penn St) – asked about the basis of the grievances.

Mr. Flammer responded to Ms. Laskas questions.

Corporation Counsel, Frank Dikranis noted that it was important to understand that this was an
ongoing open negotiation to settle, therefore discussion on this item should be limited.

#7 – Resolution Authorizing the City Manager to Purchase Calcium Hypochlorite Chlorine
Tablets for the Water Purification Control Plant

Commissioner of Public Works, Joe Febrizio explained the reason and purpose for this
resolution. He continued to breakdown the cost and usage of the tablets.

Council Member Lester asked about the product/tablets.

Mr. Febrizio responded to Mr. Lester's question and invited Mr. Mike Flammer, Assistant Superintendent of the Water Plant to join him.

Mr. Lester asked how long the city was using the tablets.

Mr. Febrizio explained the dangers in using chlorine gas, which was the reason they switched to using tablets that are much safer and an easier application for the employees.

Mr. Lester also asked about the machinery used to put in the tablets.

Mr. Mike Flammer responded to Mr. Lester's question.

Mr. Fiumara asked if there were any product left over from last year.

Mr. Febrizio replied that there was.

Daniel Schafer (30 W Beech St) – asked if they could increase the amount purchased in an effort to save on the increase in price from year to year.

Mr. M. Flammer replied that there is an expiration date on the product and there was only a certain amount that could be stored for a certain amount of time.

Joanne Lyons (25 New Hampshire St) – asked if it would be worthwhile to pay the shipping cost if it meant getting it from another vendor at a lower cost.

Mr. M. Flammer replied that there were several reasons why they use this company, i.e., they are based in Yaphank and if the city had an emergency, and couldn't get anything shipped from the warehouse, they do keep some on hand at the facility and they had driven chemicals to the city's plant in the past. He added that as far as getting it from somewhere out of state, shipping would be extremely expensive.

#8 – Resolution Authorizing the City Manager to Purchase Fire Department System Support Software from the Sole Source Provider

The Deputy City Manager explained that this resolution would allow the city to purchase fire department dispatching software. He described how the product would be used.

Council Member Lester asked what the cost for this item was last year and what operating system was used with this item.

Fire Commissioner Joe Miller responded to Mr. Lester's question.

Council Member Bendo asked about the payment schedule.

Commissioner Miller replied to Mr. Bendo's question.

Council Member Reinhart noted that many other municipalities use the same vendor.

Commissioner Miller confirmed.

#9 – Resolution Authorizing the City Manager to Purchase Personal Safety Systems for the Fire Department

Mr. Ragona noted that this resolution allowed the city to purchase new bailout systems for the Fire Department which is necessary for personal safety.

Mr. Bendo asked about the life expectancy for this item.

Commissioner Miller replied – the life expectancy was around 10 years. He added that only Class A firefighters would be receiving this item since they are the ones entering a fire structure and those who stay on the outside of a fire structure do not require one. Mr. Miller also noted that this gear is part of their PPE (Personal Protective Equipment) and is mandated by the state.

#10 – Resolution Declaring Temporary Moratorium on Acceptance and/or Granting of Subdivisions in the City of Long Beach

The Deputy City Manager explained that this item allows the city to temporarily stop granting subdivisions for six months while setting up a Planning Board that will address subdivisions in the future and was approved by the Nassau County Planning Board Commission.

Council Member Reinhart asked about when the Planning Board would be formed.

Mr. Ragona replied that it should be happening very soon.

Ms. Patti Bourne, Director of Economic Development noted that this was a priority and spoke about the importance of following all guidelines.

#11 – Resolution to Cancel the Regular Council Meeting Scheduled for September 17, 2024

The Deputy City Manager explained that since some of the Council Members and the City Manager, City Clerk and City Comptroller, would be attending the annual NYCOM (New York Council of Mayors) meeting and training seminar that week, the council meeting scheduled for 9/17/2024 would be cancelled.

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

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on September 3, 2024, 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: Building Code, Housing and Property Rehabilitation and Conservation Code and Appendix A Zoning

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on September 3, 2024 at 7:00 p.m.

#14 – Approval of Minutes of Prior Meeting of August 6, 2024

Council Member Bendo made a motion to approve the minutes. It was seconded by Mr. Lester and was carried unanimously.

The voting portion of the meeting was then begun.

Council Member Reinhart introduced and moved the adoption of the following local law, seconded by Mr. Fiumara, and it was duly adopted, all five council members present voting in the affirmative.

(L.L. #VI/24)

Local Law Correcting Local Law V/24: Amending the Charter of the City of Long Beach
Re: City Officers; Their General Powers and Duties.

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

(ORD. #3094/24)

Amendatory Bond Ordinance of the City of Long Beach, New York, Amending and
Restating Bond Ordinance Adopted April 4, 2023

Council Member Reinhart introduced and moved the adoption of the following local law, seconded by Mr. Fiumara, and it was duly adopted, all five council members present voting in the affirmative.

(L.L. #VI/24)

Local Law Amending the Charter of the City of Long Beach Re: Apportionment of City
Assessment and City Taxes

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

(RES. #120/24)

Resolution Setting Fees for Certificates and Memorandums of Apportionment

Council Member Reinhart introduced and moved the adoption of the following resolution, seconded by Mr. Fiumara, and it was duly by four affirmative votes. Council Member Lester voted no.

(RES. #121/24)

Resolution Authorizing Settlement of Certiorari Proceedings

Council Member Fiumara introduced and moved the adoption of the following resolution, seconded by Mr. Bendo, and it was duly by four affirmative votes. Council Member Lester voted no.

(RES. #122/24)

Resolution Authorizing the City Manager to Purchase Calcium Hypochlorite Chlorine
Tablets for the Water Purification Control Plant

Council Member Reinhart introduced and moved the adoption of the following resolution, seconded by Mr. Bendo, and it was duly by four affirmative votes. Council Member Lester voted no.

(RES. #123/24)

Resolution Authorizing the City Manager to Purchase Fire Department System Support Software from the Sole Source Provider

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

(RES. #124/24)

Resolution Authorizing the City Manager to Purchase Personal Safety Systems for the Fire Department

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

(RES. #125/24)

Resolution Declaring Temporary Moratorium on Acceptance and/or Granting of Subdivisions in the City of Long Beach

Council Pres. Finn introduced and moved the adoption of the following resolution, seconded by Mr. Fiumara, and it was duly by four affirmative votes. Council Member Lester voted no.

(RES. #126/24)

Resolution to Cancel the Regular Council Meeting Scheduled for September 17, 2024

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

(RES. #127/24)

Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Emergency Ambulance Services

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

(RES. #128/24)

Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Building Code, Housing and Property Rehabilitation and Conservation Code and Appendix A Zoning

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

Dated: August 21, 2024

David W. Fraser
City Clerk

Good and Welfare

Jeanie Gillespie

Daniel Schafer - 30 W Beech St –

Spoke about Air Bnbs

Spoke about infrastructure / roads and suggested looking at the Cornell roads program

Jackie Odem

Thanked the staff for assistance with an event at the MLK center