

**CITY OF LONG BEACH
MINUTES OF THE REGULAR MEETING
OF THE COMMON COUNCIL
HELD SEPTEMBER 15th, 2020**

A regular meeting of the City Council of the City of Long Beach was held on Tuesday, September 15th, 2020.

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 for the link to our YouTube channel.
- Anyone wishing to directly participate in the meeting was provided with a link to the Zoom meeting

Council President Bendo welcomed everyone.

City Manager Donna M. Gayden announced that she had some department heads present that would speak and then introduced Ms. Robin Lynch, Secretary to Civil Service/Zoning Board Secretary/Zoning Board Secretary.

Ms. Lynch announced that the upcoming hearing for the Hebrew Academy of Long Beach would be taking place on Tuesday, September 29, 2020 at 6pm and stated that there would be no vote taken at that time. She discussed the reasons for the meeting and shared the information on how to access, join and participate at the meeting via zoom. Ms. Lynch also instructed those who wished to participate at the meeting, would need to pre-register by September 29th at 3pm. Ms. Lynch added that the draft environmental impact statement could be viewed or downloaded from the city's website. She instructed that all comments be sent to the Zoning Board of Appeals via email or in writing, and for those received thus far have been posted to the website. Ms. Lynch concluded by explaining the timeline and application process.

Council President Bendo asked for clarification that public input at the meeting on September 29th and any subsequent hearings thereafter would be allowed.

Ms. Lynch replied in the affirmative.

Council Vice President McInnis asked about the Zoning Board of Appeals members whose terms have expired and how this might affect the schedule if new members were to be appointed. Ms. Lynch referred the question to Corporation Counsel, Simone Freeman.

Ms. Freeman felt that it could have an impact on the schedule due to the fact that a new member would need time to review and become familiar with the documents, and it would depend on how quickly the board would be able to do that.

Council Vice President McInnis expressed that if there were new appointments made, they would deserve adequate time to review the documents and a new board member should not feel rushed into making a decision.

Council Member Treston asked for clarification of the zoning board meeting in regards to the public being able to speak about the environmental impact study or the plan as a whole.

Ms. Lynch replied in the affirmative.

City Manager Gayden added that as new members were appointed to the Zoning Board of Appeals, the goal would be to bring them up to speed and give them the adequate time they needed to make a professional decision on how to move forward.

Council Member Delury noted that since the water consumption and sewer did not have the IDA's approval of the Engel Berman project, he asked Ms. Lynch if the applicant would update their draft environmental impact statement to include the possible consumption of another project. He also noted that the current information was not incorporated into the draft environmental impact statement.

Ms. Lynch stated that when the public comment closes on October 9th, the Zoning Board would be sending the applicant their comments and concerns regarding the water.

Council Member Delury then asked for clarification on when the vote would actually take place.

Ms. Lynch replied that based on the preliminary estimated timeframe, the earliest would be March of 2021 and that it could go later than that.

City Manager Gayden then introduced Commissioner John Mirando to give his update.

Commissioner Mirando gave a quick update on monies received from FEMA and gave a thorough review of all the monies approved for Super Storm Sandy. He gave a complete breakdown on all federal and state monies received related to projects and repairs that were required to get up and running from Sandy. Commissioner Mirando thanked his staff for their hard work in getting these projects designed and for the completion and preparing the large amount of paperwork that goes into it all.

City Manager Gayden thanked Commissioner Mirando and his staff.

Council President Bendo asked Commissioner Mirando to forward this information to the Council Members.

Council Member Delury asked about the FEMA money and if any of it had to do with the Central Garage.

Commissioner Mirando replied yes and noted that \$650,000.00 was approved for the garage and was designated to a new drainage system to help with the flooding that occurs there. He did note that this project was put on hold in case the city ended up moving the garage. Commissioner Mirando also stated that if this money was not utilized for the city garage, it would not be able to be repurposed and would need to be returned to FEMA.

Council Member Treston asked if state funding meant GOSR funding.

Commissioner Mirando replied that this funding was separate from GOSR and explained the reimbursement process.

City Manager Gayden then introduced Ms. Inna Reznik, City Comptroller to give her update.

Ms. Reznik gave a quick summary and status update on the City Comptroller's Office and its duties. She spoke about the Finance Review Board report and the budget process, and the importance of providing timely and accurate information to the City Manager and City Council in order to assist them in managing the city. Ms. Reznik touched upon some of the reports that she submits and spoke about improving transparency to the public by providing financial documents to the city's website. She continued to discuss the goals and responsibilities of the City Comptroller's Office and its efforts to improve operations. .

Council Vice President McInnis commended Ms. Reznik on her thorough explanation and thanked her staff for their hard work and professionalism. She also commended City Manager Gayden for her abilities and for putting the residents first.

City Manager Gayden thanked Ms. Reznik and her staff and noted how hard they have been working on the city finances and the continued monitoring of the budget. She concluded with her appreciation of the hard work Ms. Reznik and her staff perform.

City Manager Gayden introduced Mr. Joe Brand, Acting Superintendent of Recreation to give his department update.

Mr. Brand gave his update regarding Parks and Recreation. He noted that the Pool and Weight room were up and running for members only and reservations were mandatory. Mr. Brand also

noted that the before and after care programs, as well as the sandbox and pre-k programs started and things were moving along smoothly. He touched upon some of the active and new additional programs. Mr. Brand spoke about the Ice Arena and noted that it was ready to go. He also touched upon the billing process for the before and after care program and noted the improvements that must take place in order to run a successful program. Mr. Brand continued to address some questions and concerns that he received.

Council Member Mandel asked Mr. Brand to speak about how parents could access the applications for the before and after care program and how payments could be made.

Mr. Brand explained the process and directed residents to the City's website.

Council Member Delury asked about the parental sign-in process for the before and after care program and its internal controls.

Mr. Brand explained the sign-in process and spoke about the COVID protocols that were put in place.

City Manager Gayden then introduced Ms. Simone Freeman, Corporation Counsel to give her department update.

Ms. Freeman gave an update and recap regarding the MLK Center, Inc. She noted that discussions were ongoing regarding the re-opening plan. Ms. Freeman also noted that site safety plans for different activities were complicated and that different site safety plans still needed to be developed. She mentioned that the city was working on developing a new lease with MLK Center, Inc. and that there had not been a lease for two decades, and that MLK had not been paying rent for quite some time. Ms. Freeman concluded by stating that the city was still waiting for the necessary financial information and site safety plans that have been requested.

City Manager Gayden stated that she wanted everyone to know that the City was not trying to move MLK out of the building, which was why the city was trying to work on a lease with the MLK.

City Manager Gayden then introduced Mr. John McNally, Executive Assistant to the City Manager for his update.

Mr. McNally gave an update on upcoming events and how under the circumstances of COVID, the city could still move forward with some of these events. He then gave a description of the events and for further information, he asked the viewers to visit the city's website.

The Public Hearings were held

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

RE: Early Learning Education Center

Council President Bendo asked the business owner, Mr. Timothy Kanhai to describe his business.

Mr. Kanhai described his business as an early learning center for ages 1 through 5 with three sessions of 2 ½ hour increments. The hours of operation would be 8am to 10:30am, 11am to 1:30pm and 2pm to 4:30pm. Mr. Kanhai stated that there would be a maximum of 15 children, which is allowable by the CDC, and there would be ½ hour breaks enabling them to sanitize the area.

Council President Bendo asked if this was for pre-school aged children.

Mr. Kanhai replied yes, ages 1 through 5. He added that they would be catering to children with needs as well, and would be providing a sensory room with therapists.

Council President Bendo asked what the hours of operation would be and how many employees would be on premise.

Mr. Kanhai replied 8am to 4pm, Monday through Friday with four employees, 3 part time and 1 full time.

Vice President McInnis asked Mr. Kanhai to tell the council about himself and how long he has been in Long Beach.

Mr. Kanhai spoke about his family and his residence in Long Beach.

Ms. Treston addressed Mr. Kanhai and commended the sensory integrated classes, and thanked him for his service as a Veteran.

The calendar items were read by the City Clerk

#1 – Approval of Minutes of Prior Meeting of August 18, 2020.

#2 – Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 28 West Park Avenue (second floor), Long Beach, New York.

RE: Early Learning Education Center.

#3 – Ordinance Authorizing Financing for the Cost of Fiscal Year 2020-2021 Separation Payments To or For the Benefit of Employees of the City Upon Separation from Employment, Stating the Estimated Total Cost Thereof is \$2,700,000, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$2,700,000 Bonds of Said City to Finance Said Appropriation.

Pres. Bendo indicated that the Public Hearing was held for this item during the last meeting and asked for any additional questions.

Robert Anders - raised his hand, but did not speak. He posted in the chat a question “Why are you selecting the maturity you are?”

Comptroller Inna Reznik answered that the city needs to follow municipal finance law and it dictates 5 years.

Mr. Delury asked Mr. Fraser if we ask the person where they in Long Beach?

Mr. Fraser answered that at the very least, we need their name but it is up to them if they want to reveal an address.

Pres. Bendo closed the hearing.

#4 – Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 6 West Park Avenue (street floor), Long Beach, New York.

Re: Health Products Retail Store

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on October 6, 2020 at 7:00 p.m.

Due to public health and safety concerns related to COVID-19, the City Council may not be meeting in-person. In accordance with the Governor’s Executive Order 202.1, the September 15, 2020 City Council meeting may be held via videoconferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live.

The public will be given an opportunity to observe and participate in the virtual meeting by registering for the hearing at longbeachny.gov/councilmeetings.

The voting portion of the meeting was then begun.

Council Pres Bendo introduced and moved the adoption of the minutes from the August 18, 2020 meeting, seconded by Ms. Treston, and it was approved with all five council members present voting in the affirmative.

Council Member McInnis 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. #82/20)

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

RE: Early Learning Education Center

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

(ORD. #3038/20)

Ordinance Authorizing Financing for the Cost of Fiscal Year 2020-2021 Separation Payments To or For the Benefit of Employees of the City Upon Separation from Employment, Stating the Estimated Total Cost Thereof is \$2,700,000, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$2,700,000 Bonds of Said City to Finance Said Appropriation

Council Member Treston 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. #83/20)

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 6 West Park Avenue (street floor), Long Beach, New York.

Re: Health Products Retail Store

There being no further business before the Council, Council Member McInnis 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: September 16, 2020

David W. Fraser
City Clerk

Good and Welfare

Ellen Wiewel

Spoke about keeping the boardwalk open

Roy Lester

Spoke about having the boardwalk open at night and had questions about the bond ordinance

James Lynch

Spoke about the gates that were installed on the boardwalk

Dina Fiore

Spoke about the upcoming Zoning Board hearing for the former Hebrew Academy site