

**CITY OF LONG BEACH
MINUTES OF A MEETING
OF THE COMMON COUNCIL
HELD SEPTEMBER 20, 2022**

A meeting of the City Council of the City of Long Beach was held on Tuesday, September 20, 2022.

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

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

City Manager, Donna M. Gayden introduced Ms. Pattie Bourne, Director of Economic Development to give her update.

Ms. Bourne spoke about the purpose and role of the Economic Development and Planning Department.

Ms. Gayden then asked Mr. Gregg Scott, Director of Operations in charge of the City Garage and Russell Mascoll from Information Technology to give an update. Commissioner Joe Febrizio of Department of Public Works introduced Gregg Scott and Russell Mascoll and described their roles.

Mr. Mascoll discussed the new fuel logging procedure system that was being set up at the Central Garage. He also noted the 3 new computers that were installed to increase productivity for the mechanics and a new fleet management system.

Council President McInnis asked about the installation and use of the Fleet Management system.

Mr. Mascoll noted how the system was used and how long the system had been in place.

Council Member Lester asked about the financial savings involved with the new system.

Ms. Gayden noted that those figures were not available at that time. She continued to speak about the efficiencies of the system.

Council Member Bendo asked about the fleet management system and the inventory of parts.

Mr. Mascoll explained that they were looking into adding that option to the system.

The City Manager then asked Corporation Counsel, Rich Berrios to give his update.

Mr. Berrios gave an update on the Long Island Railroad proposal involving the North Shore Infrastructure project.

Council Member Bendo asked about grant deadlines.

Ms. Gayden then asked Mr. John McNally, Director of Public Relations to give his update.

Mr. McNally announced that on Thursday, September 22, 2022, City Hall would be closed to the public from 9am to 11am due to the safety training that was being presented to all City Hall staff members. He did note that the building would be open to all those needing to go the city court.

Council President McInnis asked for a forecast of potential savings and cuts for the first quarter of the 2023 fiscal year.

The public hearings were held

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 60 West Park Avenue, (second floor), Long Beach, New York.

Re: Escape Room

Mr. Daniels, owner of the business expressed his wish to bringing something new to Long Beach. He then proceeded to describe what an Escape Room was.

Council President McInnis asked about the days and hours of operation, how many employees would be present and if there would be any deliveries made.

Mr. Daniels replied that it would be open from Wednesday through Sunday from 3pm to 11pm. He added that there would be a total of 2 employees and deliveries would be very rare.

Council Member Bendo asked if clues changed after each operation.

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 220 West Park Avenue, (street floor), Long Beach, New York.

Re: Coffee Shop with a Golf Simulator

This hearing was called twice, however the owner of the business was not present. See the motion listed under item two (2) of the calendar.

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Motor Vehicles and Traffic.

Police Commissioner, Ron Walsh explained the reason and purpose for this amendment.

Council Member Lester asked about the inconsistency of how this law is implemented.

Commissioner Walsh gave an explanation on how the process worked.

Council Member Lester also asked about a specific chapter in the law.

Corporation Counsel, Rich Berrios noted a typo in the chapter Mr. Lester was referring to and recommended the correction be made.

Mr. Lester asked about the scofflaw procedure.

Commissioner Walsh responded to Mr. Lester's question.

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach
Re: Automatic Alarm Systems.

Police Commissioner, Ron Walsh spoke about the city's automatic alarm systems and the purpose for the amendment.

Council Member Lester asked for clarity and the definition of the alarm system.

Commissioner Walsh explained how the alarm system worked.

Mr. Berrios then directed Mr. Lester to the that section of the code.

Kathleen O'Leary – Asked if the alarm fees were consistent with Nassau County?

Commissioner Walsh described the city's fees and how they were followed.

PUBLIC HEARING: Local Law Amending the Charter of the City of Long Beach Re: Zoning Board of Appeals.

Corporation Counsel, Rich Berrios gave a background on the how the Zoning Board of Appeals was established and spoke about the amendment to the charter regarding the procedure of appointing and re-appointing members.

Council Member Lester asked about the hold-over clause in regards to the public officer's law.

Mr. Berrios explained the procedure.

The calendar items were read by the City Clerk

#1 – Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 60 West Park Avenue, (second floor), Long Beach, New York.
Re: Escape Room

A hearing was held on this item.

#2 – Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 220 West Park Avenue, (street floor), Long Beach, New York.
Re: Coffee Shop with a Golf Simulator

Pres. McInnis made a motion to table this item and re-notice the public hearing for the next meeting (October 6, 2022 at 7pm). It was seconded by Ms. Treston and was carried unanimously.

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

#3 – Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Motor Vehicles and Traffic.

A hearing was held on this item.

Council Pres. McInnis mad a motion to change the label in the ordinance from (a) (1) to (a) (5). It was seconded by Ms. Treston and was carried unanimously.

#4 – Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Automatic Alarm Systems.

A hearing was held on this item.

#5 – Local Law Amending the Charter of the City of Long Beach Re: Zoning Board of Appeals.

A hearing was held on this item.

#6 – Resolution Concurring With the Long Beach Local Development Corporation’s Recommendation to Dissolve the Long Beach Local Development Corporation.

Corporation Counsel, Rich Berrios gave a brief background on the Long Beach Local Development Corporation and explained the reason for the dissolution.

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

Council Pres. McInnis made a motion to add a 5th WHEREAS clause as follows: “WHEREAS, pursuant to the terms of the proposed agreement with the Bonadio Group, the quoted fees for the performance of auditing services related to the Long Beach Local Development Corporation (“LBLDC”) shall only apply for the work actually performed by the Bonadio Group (*i.e.*, if the LBLDC is dissolved, then the City shall only be responsible for fees associated the services performed for the required LBLDC audits through the effective date of dissolution);” It was seconded by Ms. Treston and was carried unanimously.

City Comptroller, Inna Reznik spoke about the importance of retaining The Bonadio Group as the city’s Independent Auditors.

#8 – Resolution Authorizing the City Manager to Enter into an Agreement for Public Relations Consulting Services for the City of Long Beach.

John McNally, Director of Public Relations spoke in favor of “Life is Sweet Media” as the City’s Public Relations Consulting Services.

Michelle Knox – asked about the process of payment for this vendor

#9 – Resolution Reappointing a Civil Service Commission Member for the City of Long Beach.

Mr. Berrios read the resolution to reappoint Ms. Susan Mackston Solomon to the Civil Service Commission for a term of six years effective June 1, 2022.

Council Member Bendo noted that by law, this commission must have at least one political party member from both the democrat and republican party serving on this commission.

Council Member Lester asked how long Ms. Solomon has served on the Civil Service Commission. He also asked how the terms were determined.

Mr. Berrios added that it was Ms. Solomon's third term serving on the Civil Service Commission. He also spoke about the length of the terms.

Eileen Hession – Asked if they were compensated for serving on the board.

Mr. Berrios responded that there was no compensation for this board.

#10 – Resolution Confirming the Appointment of a Member to the Zoning Board of Appeals of the City of Long Beach.

Council Pres. McInnis made a motion to remove and replace all of the 2nd WHEREAS clause as follows:

“WHEREAS, pursuant to Section 140 of the Charter of the City of Long Beach, Mr. Leis' term of office shall commence on September 21, 2022 and expire August 15, 2023, representing the remainder of Ms. Rechner's expired carry-over term;” It was seconded by Ms. Treston and was carried unanimously.

#11 – Resolution Authorizing the City Manager to Approve a Purchase Order for the Replacement of the Rusted Undercarriage of Beach Maintenance Truck 939C.

Public Works Commissioner, Joe Febrizio explained the purpose and importance for the repair of the Beach Maintenance Truck.

Council Member Bendo noted that this purchase came with a 12 month guarantee.

Council President McInnis asked how long this repair would extend the truck's useful life.

Mr. Febrizio noted he would get back to her with that information.

#12 – Resolution Authorizing the City Manager to Enter into an Agreement for Construction Services for the Transit Oriented Development Project.

Council Pres. McInnis made a motion to remove “in A1620.54444.” and replace it with the following:

“will be available in A1490.54440 (Public Works – Contracted Services) after the following transfer of funds is hereby authorized:

<u>Budget Code</u>	<u>Description</u>	<u>Transfer From:</u>	<u>Transfer To:</u>
A1990.54406	Contingency	\$66,556	
A1490.54440	Public Works – Contracted Services		\$66,556”

It was seconded by Mr. Lester and was carried unanimously.

Council President McInnis asked if the transfer was a temporary transfer.

Commissioner Febrizio replied that it was.

City Manager, Donna M. Gayden added that the city was anticipating grant money in October for this cost.

#13 – Resolution Authorizing the City Manager to Enter into an Agreement for Water/Sewer Testing at the Water Treatment Plant with the Sole Responsible Bidder.

Mr. Febrizio recommended that this agreement be awarded.

Council Member Lester asked about the procedure and how often the water was tested.

Commissioner Febrizio spoke about how the testing was scheduled and noted that there were additional testing chemicals added to the bid. He also added that these tests were required by the Department of Health and NYS Department of Environmental Conservation.

A discussion continued regarding the testing.

Council Member Lester questioned the lack of bids for this particular item.

Mr. Berrios spoke about how the procurement process as a whole has become a statewide problem.

#14 – Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.

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

#15 – Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.

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

#16 – Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.

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

#17 – Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.

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

#18 – Approval of Minutes of Prior Meeting of August 2, 2022 and August 16, 2022

Council Member Bendo made a motion to approve the minutes. It was seconded by Pres. McInnis and was approved unanimously.

ADDED BY UNANIMOUS CONSENT

#19 – Resolution Recognizing National Suicide Prevention Month and Designating September 22, 2022 as Veterans Suicide Awareness and Remembrance Day

Council President McInnis gave the background and reason why this resolution was being presented. She spoke in favor of this item.

#20 – Resolution to Reschedule the First Regular Council Meeting of October for Thursday, October 6, 2022

City Clerk, Dave Fraser noted that due to the fact that the Yom Kippur holiday would begin at sundown the night of the regularly scheduled meeting, as in past practice, the meeting would be moved to the next available business day that city hall would be open which was Thursday, October 6, 2022.

The voting portion of the meeting was then begun.

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

(RES. #151/22)

Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 60 West Park Avenue, (second floor), Long Beach, New York.

Re: Escape Room

Council Pres McInnis introduced and moved the adoption of the following ordinance (as amended), seconded by Mr. Bendo, and it was duly adopted, all four council members present voting in the affirmative.

(ORD. #3067/22)

Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Motor Vehicles and Traffic.

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

(ORD. #3068/22)

Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Automatic Alarm Systems.

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

(L.L. #V/22)

Local Law Amending the Charter of the City of Long Beach Re: Zoning Board of Appeals.

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

(RES. #152/22)

Resolution Concurring With the Long Beach Local Development Corporation's Recommendation to Dissolve the Long Beach Local Development Corporation.

Council Pres. McInnis introduced and moved the adoption of the following resolution (as amended), seconded by Ms. Treston, and it was duly adopted, all four council members present voting in the affirmative.

(RES. #153/22)

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

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

(RES. #154/22)

Resolution Authorizing the City Manager to Enter into an Agreement for Public Relations Consulting Services for the City of Long Beach.

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Pres. McInnis, and it was duly adopted by three affirmative votes. Council Member Lester abstained.

(RES. #155/22)

Resolution Reappointing a Civil Service Commission Member for the City of Long Beach.

Council Member Lester introduced and moved the adoption of the following resolution (as amended), seconded by Mr. Bendo, and it was duly adopted, all four council members present voting in the affirmative.

(RES. #156/22)

Resolution Confirming the Appointment of a Member to the Zoning Board of Appeals of the City of Long Beach.

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

(RES. #157/22)

Resolution Authorizing the City Manager to Approve a Purchase Order for the Replacement of the Rusted Undercarriage of Beach Maintenance Truck 939C.

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

(RES. #158/22)

Resolution Authorizing the City Manager to Enter into an Agreement for Construction Services for the Transit Oriented Development Project.

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

(RES. #159/22)

Resolution Authorizing the City Manager to Enter into an Agreement for Water/Sewer Testing at the Water Treatment Plant with the Sole Responsible Bidder.

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

(RES. #160/22)

Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.

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

(RES. #161/22)

Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.

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

(RES. #162/22)

Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.

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

(RES. #163/22)

Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.

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

(RES. #164/22)

Resolution Recognizing National Suicide Prevention Month and Designating September 22, 2022 as Veterans Suicide Awareness and Remembrance Day

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

(RES. #165/22)

Resolution to Reschedule the First Regular Council Meeting of October for Thursday, October 6, 2022

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

Dated: September 21, 2022

David W. Fraser
City Clerk

Good and Welfare

Beryl Solomon Jackowitz – 128 W Penn St	Spoke in support of the city opting-in to allow the retail sale of cannabis
Crystal Lake – 206 E Market St	Spoke about the north shore critical infrastructure project
Judi Vining	Spoke against opting-in to allow the retail sale of cannabis