

**CITY OF LONG BEACH
MINUTES OF A MEETING
OF THE COMMON COUNCIL
HELD SEPTEMBER 26, 2023**

A meeting of the City Council of the City of Long Beach was held on Tuesday September 26, 2023.

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

Corporation Counsel Dennis Cohen and Acting City Manager Ronald Walsh were also present.

The calendar items were read by the City Clerk

#1 – Resolution Ratifying a Collective Bargaining Agreement Between the Patrolman’s Benevolent Association of the City of Long Beach and the City of Long Beach

Acting City Manager, Ronald J. Walsh, Jr., spoke about the steps that were taken to finalize the PBA’s (Patrolman’s Benevolent Association) contract. He then gave a power point presentation outlining the terms and conditions that were in the contract.

Council Member Lester asked about the Line of Duty Sick leave portion of the contract.

Mr. Walsh explained and answered Mr. Lester’s question.

Council Member Lester asked about the Employees Off Duty Notification.

Mr. Walsh responded to Mr. Lester’s question.

Mr. Lester recognized the length of time it took to reach this agreement and thanked Mr. Walsh and the PBA for their efforts.

Acting City Manager Walsh also thanked the PBA for working together with the city in reaching this agreement.

Council Member Posterli thanked the Police Commissioner and the PBA for the hard work that went into the contract.

Council Vice President Treston also noted the time and effort that went into the agreement and thanked all involved.

Mr. Lester added that the City of Long Beach was rated the top 25 safest cities in the nation and noted that it was due to the efforts of the PBA.

Sean Oneill (Long Beach CSEA) – Spoke in support of the contract and asked for the council’s affirmative vote.

Benny Berlin (95 E Fulton St) – Spoke in favor of the PBA contract and commended Police Commissioner Walsh and the Police Department for the security measures that went into making his congregation feel safe during Yom Kippur.

Philip Boxgrove (Chabad of the Beaches) – Spoke in favor of the PBA contract and commended Police Commissioner Walsh and the Police Department for the safety measures that went into making him and his congregation feel safe during Yom Kippur.

Ron Paganini (62 Harmon St) – asked about the Police overtime and raises moving forward.

Mr. Walsh responded to Mr. Paganini's questions.

Neil Vogel (Temple Emanuel) – Spoke in favor of the PBA contract and commended Police Commissioner Walsh and the Police Department for the safety measures that went into making his Synagogue feel safe on Yom Kippur and throughout the year.

Rabbi Benjamin Silver (Young Israel) – Spoke on behalf of the Jewish Community and spoke in favor of the PBA contract. He also commended Police Commissioner Walsh and the police department for the safety measures that went into making his Synagogue feel safe on Yom Kippur and throughout the year.

James Hodge (95 E Fulton St) – Spoke in favor of the PBA contract and thanked all those involved.

Rocco Walsh (President, Long Beach PBA) – thanked the City Council for their support and Commissioner Walsh for the hours spent with the PBA in ratifying this contract.

Council President Bendo thanked the PBA and the Police Commissioner for finalizing this agreement.

#2 – Resolution Authorizing the Acting City Manager to Purchase Body Cameras and Tasers for the City Under a Sourcewell Contract

The Acting City Manager gave a description of the equipment being purchased and what it will be used for. He noted that grant money was received to help offset the cost of this purchase.

Council Member Lester added that he read somewhere that Body Cameras saved cities money when it came to legal fees, etc. and asked Commissioner Walsh if he had any statistical data he could share.

Mr. Walsh replied that he did not have statistics but had read similar articles. He also added that this information was presented by the three (3) Body Worn Camera manufacturers that were interviewed and noted that it also saved the city from frivolous complaints as well.

#3 – Resolution Authorizing the City Council to Enter into an Employment Contract with the Police Commissioner.

Corporation Counsel, Dennis Cohen spoke in part about the contract.

Council Member Posterli stated that she did not want this item on the agenda in the first place and felt that due to the proximity of the upcoming election, the timing just wasn't right.

Council Member Lester respectfully disagreed with Ms. Posterli. He also noted that back in January, the council voted to give 3 contracts, one for the Corporation Counsel, one for the City Comptroller and one for the Police Commissioner, and all but the Police Commissioner's contract was granted. Mr. Lester pointed out that if a new administration decided to replace Mr. Walsh they would have to pay him out the 4 months noted in the contract, but the city would still be ahead because for the past 9 months, Mr. Walsh had been serving two roles without compensation, and the cost savings in the difference of the salary between the City Manager's position and the Commissioner's position for the past 9 months was approximately \$17,000.00. He also noted that Acting City Manager Walsh was promised this contract once the PBA contract was completed. Mr. Lester continued to speak about the cost savings in the contract and added that Mr. Walsh was the second lowest paid Police Commissioner in Nassau County.

Council Vice President Treston stated that she never promised anyone anything and described the procedure on how items get on the agenda. She also spoke about the toxicity and falsehoods of social media. Ms. Treston added that she wanted to make it clear that her intentions were not to obstruct progress or stifle collaboration, nor did she want to dismiss the good work of the Police Commissioner, and it had nothing to do with politics.

Kathleen Sullivan – spoke in opposition to this item. She also spoke about an occurrence that took place at a prior meeting.

Mike Reinhart (11 Dalton St) – spoke about prior council meetings where there were questions regarding a City Manager's search. He noted that Council President Bendo referenced that since the election was close, it was not the right time. He continued to speak in opposition to this item and felt that it should wait until after the election in the event the city decided to move in a different direction.

Council President Bendo responded by correcting Mr. Reinhart's comment and stated that what he meant was that the timing of the City Manager's search was very important and that there should not be finalist candidates in the June/July timeframe because you can't hire someone just before an election. He also stated that the timing was such that they needed to find finalists to be available around or after the election, which was why they were waiting to start the search.

Jennifer Sarafin (107 Neptune Blvd) – was pleased about the PBA contract and continued to speak about the City Manager's search. She asked about previous Police Commissioner contracts and expressed her concern that in this contract, the only person who can terminate the police commissioner is the city manager. Ms. Sarafin went on to say that she felt there was a conflict of interest with the contract since Mr. Walsh is both the Acting City Manager and Police Commissioner. She expressed her opposition to this item and suggested that the termination terms be re-written until the city has a permanent City Manager.

Council Member Bendo recalled that the previous Police Commissioner may have had a contract, but he couldn't be totally sure.

Council Member Lester replied that the idea of giving contracts started in July in an effort to retain qualified people. He also noted that the city council could at any given time appoint an Acting City Manager in the event they wanted to terminate the Police Commissioner's contract.

Brendan Finn (114 Grand Blvd) – asked Ms. Treston if she was in favor of this resolution.

Ms. Treston replied that she felt the items should not be on the agenda.

Mr. Finn noted that the council had many months to present the Police Commissioner's contract and felt it wasn't right to do so until after the election, regardless of who may win the election.

Council Member Lester reminded everyone that if you make a promise, you fulfill the promise. He did note that unfortunately, it took 2 years to get the PBA contract done, and once it was completed, other than Ms. Treston, the rest of the council told Mr. Walsh that he would get his contract.

Tim Kramer (361 E Broadway) – Spoke in opposition to this item being on the agenda and felt it should wait until after the election. He also suggested this item be tabled. Mr. Kramer then spoke about an occurrence that took place at a prior meeting.

Mr. Walsh spoke about the occurrence that had taken place at the prior council meeting.

Joe Miccio – spoke in favor of the PBA contract and spoke in opposition of the Police Commissioner's contract being placed on the agenda before the next election.

Council Member Lester reiterated the termination clause in the contract noting that the next council could terminate him with a 4 month penalty. He also noted that he received many emails from residents stating what a good job Commissioner Walsh does as Police Commissioner.

Mr. Miccio added that he had an objection to the contract due to a confidential matter that when it presents itself, would be a conflict of interest and therefore it would be unethical for the council to vote on the Police Commissioner's contract at this time.

Christina Kramer – echoed everyone who spoke before her and thanked Ms. Posterli for speaking up about her position on the agenda item. She also noted that it would have been nice to see some of the police officers present in support of the PBA contract.

Council Member Lester reminded Ms. Kramer that the PBA President did speak on behalf of the department.

Ms. Kramer also spoke about prior agenda items and added that she didn't feel that one person was able to give the adequate time needed for two key positions, and that Mr. Walsh should pick one or the other. She then stated that for all the reasons she stated, this item should be tabled.

The Acting City Manager gave an update on the prior agenda items that Ms. Kramer was referring to.

Jackie Odem – Spoke in favor of signing the Police Commissioner's contract. She spoke about the vetting process that led to hiring Commissioner Walsh. Ms. Odem also stated that Mr. Walsh had proven himself as a "die hard" cop and should not continue as Acting City Manager but be placed back in the position of Police Commissioner where he has proven himself and shown his capability. She concluded by stating that she hoped the council would make the right decision and not let politics influence them.

Denise Ford (Ohio Ave) – expressed her concern regarding people serving in “Acting” positions. Ms. Ford added that there was a need to bring back stability to Long Beach and to make sure people are not placed in acting positions for too long. She continued to speak about the importance of good government and placing qualified people in the right positions.

James Hodge (95 E Fulton St) – spoke in opposition of this item. He noted that it was too close to the election to be signing contracts and expressed his confidence that the newly elected members would do the right thing.

Alan Langer (429 E Olive St) – spoke in favor of this item. Mr. Langer noted that the city is better off now than it was a few years ago thanks to Commissioner Walsh. He continued to speak about the rise in hate crimes and the importance of continuing to keep crime down and hoped that the council would extend Commissioner Walsh his contract.

Rabbi Benjamin Silver – spoke in favor of granting Commissioner Walsh his contract. He added that Commissioner Walsh has done a fantastic job and saved the city a lot of money with the new PBA contract. Rabbi Silver continued to speak highly of Commissioner Walsh and encouraged the Council to vote yes on his contract.

#4 – Resolution Authorizing Corrections to the 2023 City of Long Beach Comprehensive Plan

Acting City Manager Walsh explained that this resolution was a modification to the Comprehensive Plan due to some of the changes that were requested by residents.

Crystal Lake (206 E Market St) – spoke of the importance that city moved forward and shared some background information regarding the North Park area.

#5 – Resolution Authorizing Transfer of Funds for the 2023-2024 Fiscal Year.

Mr. Walsh explained that this item was for the Fire Department to pay for firefighters to attend the academy to be trained as paramedics.

#6 – Resolution Authorizing the Acting City Manager to Enter into an Agreement for the Performance of Physical Exams

The Acting City Manager explained that each year, firefighters, both professional and volunteers, are required to have a medical examination and this resolution would fund that requirement.

#7 – Resolution Authorizing the Retention of Consulting Services

Council President Bendo explained that this would allow the city to enter into a contract with an executive search firm to commence the formal search for a permanent city manager.

Council Vice President Treston noted the importance of doing a search for a city manager and continued to read a statement.

Brendan Finn (114 Grand Blvd) – questioned the time it took to begin a city manager’s search. Mr. Bendo noted that no person would take a job during an election period, and it was announced and stated previously that the intention was to start the search to create a pool of

finalist candidates shortly after the election, and then the elected council members could decide if they would like to utilize that pool of candidates or not.

Mr. Finn questioned the reason that the city council did not search for a City Manager for the past 10 months.

Council President Bendo explained that the council was acting on the advice of the search professional who indicated that nobody would feel safe taking a job during an election period.

Pat Mulaney – questioned the cost to the city regarding the City Manager search.

A discussion continued regarding this item.

Denise Ford (Ohio Ave) – asked the City Council to take a step back and think about who they want to run the city. She suggested advertising to help attract qualified candidates and felt that many would apply. Ms. Ford added that it shouldn't cost the taxpayer money to hire a city manager and that they should trust themselves and not an outside firm to find the right person.

Council Member Posterli noted that a very comprehensive and extensive job description had been put together and the council has been very involved in the process.

Council Vice President Treston asked Legislator Ford to let them know if she knew anyone that might be interested in the City Manager's position.

Mr. Bendo commented on hiring local people vs. hiring non-local people.

Jennifer Sarafin (107 Neptune Blvd) – expressed her disappointment about just hearing about the search for a City Manager. She claimed that she had been asking about this for quite a while.

Council President Bendo replied that this had been discussed numerous times at prior city council meetings.

Council Vice President Treston explained the council's reasoning for starting the search now.

Council President Bendo also described what professional search firms did to help find qualified candidates.

Alexis Pace (660 E Olive St) – expressed her opinion and how important it was that the city council support whoever the City Manager will be.

James Hodge (95 E Fulton St) – expressed the urgency in selecting a city manager because it isn't right or fair that one person be working in several positions no matter how good they are. He added that they could not dedicate the time needed in each position. Mr. Hodge also expressed his opinion about having a Long Beach person serve as City Manager.

#8 – Resolution Authorizing the Acting City Manager to Enter into an Agreement for the Management of the Mortgage-in-Default Registry

Mr. Walsh explained that this contract would replace the prior registry company that was now in default.

Mr. Ray Flammer, Tax Assessor noted that he, Joe Lupo, Assistant Corporation Counsel and the Commissioner of the Building Department, Scott Kemins met with this company and were impressed with their experience.

Mr. Lester asked about how many houses were in the registry at the present time.

Mr. Flammer replied that there were about 50 to 100 registered homes.

#9 – Resolution Authorizing the Acting City Manager to Retain Residential Fencing Corporation to Erect Fencing for a Proposed Dog Park

The Acting City Manager reminded the audience about closing the Dog Park due to the critical infrastructure project and this would allow for a temporary replacement during that time.

Commissioner Joe Febrizio of Public Works explained and described the layout and work involved.

Ms. Posterli asked for clarification of the timing of the closing of the current dog park and the opening of the temporary one.

Mr. Febrizio explained the timeframe involved.

Council Member Posterli also asked about the possibility of permanently keeping the temporary dog park in addition to the original one.

Commissioner Febrizio noted that it was a very good possibility and would like to see that happen.

Council Member Lester asked about the amount of fencing needed for this project.

Mr. Bendo replied that it was 195 feet.

#10 – Resolution Authorizing the Acting City Manager to Enter into a Contract for Asphalt Overlay Work at Various Locations Throughout the City on an “As-Needed” Basis with the Lowest Responsible Bidder

Mr. Febrizio described the bidding process that was involved and recommended they move forward with this contract.

#11 – Approval of Minutes of Prior Meetings of September 5, 2023

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

The voting portion of the meeting was then begun.

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

(RES. #173/23)

Resolution Ratifying a Collective Bargaining Agreement Between the Patrolman's Benevolent Association of the City of Long Beach and the City of Long Beach

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

(RES. #174/23)

Resolution Authorizing the Acting City Manager to Purchase Body Cameras and Tasers for the City Under a Sourcewell Contract

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and it was defeated with only two council members present voting in the affirmative. Council Members Posterli and Treston Voted No.

(DEFEATED)

Resolution Authorizing the City Council to Enter into an Employment Contract with the Police Commissioner

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

(RES. #175/23)

Resolution Authorizing Corrections to the 2023 City of Long Beach Comprehensive Plan

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

(RES. #176/23)

Resolution Authorizing Transfer of Funds for the 2023-2024 Fiscal Year

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

(RES. #177/23)

Resolution Authorizing the Acting City Manager to Enter into an Agreement for the Performance of Physical Exams

Council Pres. 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. #178/23)

Resolution Authorizing the Retention of Consulting Services

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

(RES. #179/23)

Resolution Authorizing the Acting City Manager to Enter into an Agreement for the Management of the Mortgage-in-Default Registry

Council Member Posterli 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. #180/22)

Resolution Authorizing the Acting City Manager to Retain Residential Fencing Corporation to Erect Fencing for a Proposed Dog Park

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

(RES. #181/23)

Resolution Authorizing the Acting City Manager to Enter into a Contract for Asphalt Overlay Work at Various Locations Throughout the City on an "As-Needed" Basis with the Lowest Responsible Bidder

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

Dated: September 27, 2023

David W. Fraser
City Clerk

Good and Welfare

Brendan Finn – 114 Grand Blvd	Spoke about item #3
Denise Ford – 36 Ohio Ave	Spoke about item #3 and the use of Nassau County PD's Special Victims Unit
Ron Paganini – 62 Harmon St	Spoke about taxes
Judi Vining – 410 E Broadway	Spoke about parking and Long Beach Aware
Jennifer Sarafin – 107 Neptune Blvd	Spoke about the Wind Farm project
Tim Kramer – 361 E Broadway	Spoke about item #3
Christina Kramer	Spoke about the Wind Farm project
James Hodge – 95 E Fulton St	Spoke about democracy
Crystal Lake – 206 E Market St	Spoke about working together
Brittany Littlejohn – 465 Lafayette Blvd	Spoke about item #3