

**CITY OF LONG BEACH  
NOTICE OF ESTOPPEL**

**NOTICE IS HEREBY GIVEN that the bond ordinance, which is published herewith, has been adopted by the Council of the City of Long Beach, Nassau County, New York, on October 18, 2022 and the validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which said City is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.**

**Dated: Long Beach, New York  
October 19, 2022**

**David W. Fraser  
City Clerk**

ORDINANCE AUTHORIZING FINANCING FOR VARIOUS CAPITAL PROJECTS IN AND FOR THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$11,296,749, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF ANY STATE OR FEDERAL AID EXPECTED TO BE RECEIVED IN CONNECTION THEREWITH, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$8,377,000 BONDS OF SAID CITY TO FINANCE A PORTION OF SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

BE IT ENACTED, by the Council of the City of Long Beach, Nassau County,  
New York, as follows:

Section 1. The City of Long Beach, Nassau County, New York (herein called the "City"), is hereby authorized to finance the costs of construction, acquisition or undertaking of the various capital projects as described in column A of Schedule I attached hereto and hereby made a part hereof, at the estimated maximum costs indicated in column B of such Schedule I. The total estimated cost of such projects, including preliminary costs and costs incidental thereto and to the financing thereof, is \$11,296,749 and said amount is hereby appropriated therefor. The plan of financing includes (i) the

expenditure of State and Federal aid expected to be received in connection with such projects as described in column C of such Schedule I, (ii) the issuance of serial bonds previously issued by the City for the project noted in Schedule I, (iii) the issuance of not to exceed \$8,377,000 bonds of the City to finance said appropriation, and (iv) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any amounts received by the City from the United States of America and/or the State of New York are hereby authorized to be expended towards the cost of the applicable specific objects or purposes, classes of objects or purposes or combinations of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$8,377,000 are hereby authorized to be issued in the respective principal amounts indicated in column D of Schedule I for each of the respective objects or purposes indicated in column A of such Schedule I, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance the appropriation referred to herein.

Section 3. The respective periods of probable usefulness of the specific objects or purposes and classes of objects or purposes as referenced in column A of the attached Schedule I, for which said bonds are authorized are to be issued, within the limitations of §11.00 a. of the Law, are set forth in column E of the attached Schedule I.

Section 4. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond

anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. This Ordinance, shall take effect immediately and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in full, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in the official newspaper of the City for such publication.

<b>SCHEDULE I</b>				
<b><u>2023 CHART OF COMPONENTS</u></b>				
<b><u>A</u></b>	<b><u>B</u></b>	<b><u>C</u></b>	<b><u>D</u></b>	<b><u>E</u></b>
<b><u>Project Name</u></b>	<b><u>Estimated Maximum Cost</u></b>	<b><u>Grant/Prior Bond Funding</u></b>	<b><u>Bond Authorization</u></b>	<b><u>PPU</u></b>
Road Overlays	\$898,549	\$498,549	\$400,000	15
Curb/Sidewalk Rehabilitation - City Wide	\$100,000	\$-0-	\$100,000	10
Park Avenue Resiliency – Additional Costs	\$2,550,000	\$1,275,000/\$600,000*	\$675,000	15
Road Reconstruction	\$800,000	\$-0-	\$800,000	15
Sand Screening for Boardwalk Dune	\$300,000	\$-0-	\$300,000	15
Canal - Dredging	\$150,000	\$-0-	\$150,000	5
Auto Vehicle Location System	\$97,000	\$-0-	\$97,000	10
Fire Department - Keltron Software/Alarm Panel	\$40,000	\$-0-	\$40,000	10
FD - Command Post/Floodlight Vehicle/Ambulance	\$350,000	\$-0-	\$350,000	20
PD-City wide security (CCTV, Access Control, Internet/Recording)	\$185,000	\$-0-	\$185,000	10
Police Department -	\$280,000	\$-0-	\$280,000	5

Vehicles (3)				
City Hall Façade Rehabilitation	\$250,000	\$-0-	\$250,000	15
Office of Emergency Mgmt(OEM Expansion)	\$750,000	\$-0-	\$750,000	15
Ice Arena Bathroom Rehabilitation	\$500,000	\$500,000	\$500,000	15
Rehabilitation of Central Garage	\$1,546,200	\$546,200	\$1,000,000	25
City Building Rehabilitation - Various Locations	\$150,000	\$-0-	\$150,000	15
Fencing - Various	\$100,000	\$-0-	\$100,000	5
Playgrounds	\$1,000,000	\$-0-	\$1,000,000	15
Fixed Assets Management System(FRB)	\$50,000	\$50,000	\$50,000	10
Time Management Software (FRB)	\$200,000	\$200,000	\$200,000	5
Sewer Upgrades	\$600,000	\$-0-	\$600,000	40
Supply Well Replacement	\$300,000	\$-0-	\$300,000	40
Various Plant Improvements	\$100,000	\$-0-	\$100,000	40
<b>Total - All Funds</b>	<b>\$11,296,749</b>		<b>\$ 8,377,000</b>	
<b>*Previously authorized and included in a prior issue.</b>				