

**CITY OF LONG BEACH
MINUTES OF THE REGULAR MEETING
OF THE COMMON COUNCIL
HELD OCTOBER 20TH, 2020**

A regular meeting of the City Council of the City of Long Beach was held on Tuesday, October 20th, 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.

City Manager Gayden began her report by inviting DPW Commissioner John Mirando to give his update.

Commissioner Mirando reported on the potential sale of the garage property on Long Beach Blvd. and the relocation of the transfer station. He noted that a phase I environmental assessment for the site had been scheduled. Mr. Mirando also noted that in order to complete the phase I assessment, an information and document review would be conducted and gave an overview of what that would entail. He anticipated this assessment to be completed by November 6, 2020. Commissioner Mirando also gave a quick update on the Edwards Blvd. project and reported that the contractor had started his mobilization, and that the drainage system portion of the project was scheduled for the end of the week.

Council President Bendo asked if there would be an assessment conducted on the transfer station for the garage as well.

Commissioner Mirando replied that the city would be doing the assessment on the transfer property where the garage would be re-located, and added that it would be the buyer's responsibility to do the assessment on the actual garage property.

Ms. Gayden then introduced Gabrielle Manara to speak on the current water bills.

Ms. Manara, Supervisor of Water Billing gave a brief overview of the increase in the water and sewer bills. She added that it has caused some concern and explained how the summer usage was included in the current billing cycle that covered consumption from the beginning of June to the beginning of September. Ms. Manara also added that it was normal to see an increase during the October billing cycle. She indicated that this is something that comes up each year and the possibility of some of the extra usage could be due to COVID 19, and the fact that more people were home during this time. Ms. Manara concluded by saying that there was no need of concern regarding the possibility of something being wrong regarding the increases.

Council Member Delury asked if it was ever determined that the increase could be due to a possible leak.

Ms. Manara replied that there have been calls where people have had leaks and if the bill was abnormally high, she would reach out to inform people during the month of the meter readings of that possibility. She also indicate that during this particular billing cycle, it is most likely that it is because of the extra usage due to the summertime months.

City Manager Gayden then introduced Mr. John McNally to give his update.

Mr. McNally reminded everyone that the hours for the beach and boardwalk were back to normal but did make note that the restrictions could be re-instated should it be necessary. He also gave an update on available data regarding the COVID 19 cases for Long Beach and reminded residents to remember to wear their masks and follow all other protocols. Mr. McNally touched upon the bike lanes on Broadway and informed everyone that the restriping and replacing of the lanes will begin once the resurfacing of Broadway was completed. He also announced that an RFP had been issued for electronic beach pass sales and is anticipating a response from bidders within the next month or so. Lastly, Mr. McNally reminded everyone that in collaboration with the Chamber of Commerce and the Arts Council, the citywide Beyond the Beach and Fall Celebration would be held this weekend and he was encouraged by the response thus far.

Council President Bendo asked if there would be a map on-line in order to assist residents to follow the businesses and homes that would be participating in the Halloween decorating event.

Mr. McNally replied that there would be a map on the city's website and the chamber's website for those who want to follow the event.

Council Vice President McInnis thanked Mr. McNally and the Chamber for the hard work that went into planning this event.

Mr. McNally acknowledged all the volunteers at the Chamber of Commerce and the Arts Council for their efforts and support throughout the planning of the event.

Council Member Delury acknowledged the Chamber's website and the good job they did promoting the event.

City Manager Gayden then asked Acting Police Commissioner Ragona to give his report.

Acting Police Commissioner Phil Ragona spoke about the bike lanes and announced that thanks to Patti Bourne and Tyler Huffman, a grant was secured to restripe the bike lanes along Broadway. He noted the importance for the city to follow the uniform guide for traffic direction. Acting Police Commissioner Ragona also noted that he reached out to those who are bicycle enthusiasts' and would be coordinating with them as the project progresses. Acting Commissioner Ragona then proceeded to say that he received a number of calls regarding abandoned bicycles throughout the city, especially at the railroad station. He noted that most of the bikes parked at the LIRR were being moved daily. Acting Commissioner Ragona proceeded to say that warning tags were issued to the abandoned bikes and if not removed within two days, would be placed in the impound lot until someone came to claim them.

Ms. Gayden then announced that Council Member Treston would like to speak.

Council Member Treston wanted to remind everyone that Nassau County had the mitigation plan on their website and that their comment period ended at the end of this month. She encouraged everyone to visit the website NassauCountyNY.gov for more information and to share comments.

City Manager Gayden concluded by thanking all those who applied to the City's Boards and Commissions, and that the interviewing process was still in effect. She also noted that those who applied should be hearing form the City Manager's office by the end of the week or beginning of next week.

The calendar items were read by the City Clerk

#1 – Approval of Minutes of Prior Meeting of September 1 and September 15, 2020.

Pres. Bendo made a motion for the approval of minutes. It was seconded by Ms. Treston and was carried unanimously.

#2 – Resolution Authorizing the City Manager to Amend the Agreement for Architectural/Engineering Design Services for the City of Long Beach Bulkheading-North Shore Project and to Amend the Budget.

DPW Commissioner John Miranda spoke about the increase in costs for the North Shore Bulkhead project that was approved by the Governor's Office of Storm Recovery in the amount of \$43,099.13. He added that the city did not have to lay out any money and the funds came directly from GOSR. Mr. Miranda gave examples of why the cost had changed and since the city is the one who holds the purchase order, this item needed approval.

Roy Lester (72 Boyd St) – asked why the costs were being increased, and asked how much the original contract was for.

Commissioner Mirando replied that in addition to the several change orders that are unexpected while under construction, the costs for their Engineers and those who work for them increase. He then gave an example of a recent change order. Mr. Mirando did not have the original contract cost information available, and asked Mr. Lester to contact him in the office.

#3 – Resolution Authorizing the City Manager to Enter into a Contract for Street Lighting Maintenance and Repair with the Lowest Responsible Bidder

Commissioner John Mirando informed the council that the current street lighting contract had run out and a new bid was issued. He announced that the winning bid went to Trenchless Incorporated and the necessary reference checks were conducted with very good recommendations. Commissioner Mirando gave a breakdown of the contract costs and spoke about the possibility of saving a significant amount of money over the next two years, due to a grant received by NYPA (New York Power Authority).

Council President Bendo asked how much the city was paying, and wanted to know if this was the same amount the city was paying Welsbach.

Commissioner Mirando replied that the monthly maintenance fee was less than Welsbach with a savings of \$8,000.00 a month.

Council Member Delury asked if Welsbach bid on this portion again, and asked about ability of seeing a street light outage before a resident would make a call.

Commissioner Mirando replied that Welsbach's came in significantly higher than last time. He also stated that as far as the technology portion of the project was not part of this contract but part of the NYPA grant that the city currently has.

Council Vice President McInnis referred to the exit clauses of the contract and asked if Commissioner Mirando and his staff were comfortable with them.

Commissioner Mirando replied yes.

Council Member Treston asked if this contract would have any effect to the boardwalk lights and the contract that city has with Welsbach.

Commissioner Mirando replied no and explained that city took care of the lights and not Welsbach. He added that Welsbach was paid directly by the manufacturer of the lights to replace the light connections, and it had no effect on the boardwalk.

Roy Lester (72 Boyd St) – Asked if there was a fixed fee for just the work provided and if the city would get money back if no repairs were needed.

Commissioner Mirando explained that there was a fixed fee for the monthly maintenance which is included, and noted the different types of repairs that could take place. He also added that the city does not get money back but only pays for what it uses.

Mr. Lester asked why the city didn't do all this work in-house.

Commissioner Miranda noted that there are not enough trained electricians or the proper equipment to do this type of work.

#4 – Resolution Authorizing the City Manager to Accept Funds from the New York State Municipal Workers’ Compensation Alliance

Corporation Counsel Simone Freeman explained that along with other municipalities, the city of Long Beach received a membership loyalty award for the amount of \$44,786.00, in appreciation of the NYS Municipal Workers’ Compensation Alliance,

Council Vice President McInnis asked if the calculation of this award was based on the fact that the city’s workforce decreased.

Ms. Freeman replied that in comparison with the previous check received, she believed that it was based on the calculation of the city’s workforce. She also believed that this check was also based on the long-term membership, claims, and how things were processed. Ms. Freeman added that she did think it might be a bit more due to COVID as well.

Council President Bendo recalled that last year, the city received \$20,000.00.

Ms. Freeman replied yes, and that she believed it was slightly higher than last year due to COVID.

City Manager Gayden noted that it is higher because of COVID, but the city should receive money every year when there is a certain surplus.

Council Vice President McInnis asked what account number this surplus would be credited to.

City Manager Gayden replied that she would get that information and the surplus would go back into the general fund. She added that she would send the information to the entire council.

Roy Lester (72 Boyd St) – asked what the city paid into alliance last year and if there was a formula to this process.

Ms. Gayden replied that she would look up the information and get back to him.

#5 – Resolution Authorizing Amendments to the Urban Development Fund Budget Years 2016, 2017, 2018, 2019 and 2020

Ms. Patti Bourne, Director of Economic Development gave an overview of Urban Development funds and how they were disbursed. She explained that the amendments being considered were consistent with prior amendments to this fund. Ms. Bourne gave a breakdown of the funds according to the years and how they would be disbursed, which included the City Hall elevators.

Council Vice President McInnis noted that she was not familiar with this fund and wasn’t comfortable voting on it at that time. She asked that this item be tabled until she had a full understanding of the item.

Council member McInnis made a motion to table this item. There was no second and the motion failed.

Council President Bendo noted that only one elevator had been working for quite some time, and there was a need to have this elevator repaired.

City Manager Gayden suggested that at the next council work session, Ms. Bourne could perhaps speak about Urban Development and how funds become available.

Council Member Delury asked Ms. Bourne if these funds were part of the city's budget?

The City Comptroller, Inna Reznik explained that revenues and expenses that pertain to the Urban Development grant were not part of the operating funds of the city, and it would not be part of the presentation of the city budget. She added that it should be a separate item resolution for when the urban development grant is budgeted. Ms. Reznik also noted that it was a restricted fund that is maintained separately and what was being presented were funds received from prior years that were not yet spent. She concluded that in order to spend the money towards the elevator repair, the reallocation of funds would need to be approved.

Kathleen O'Leary – asked if some of the money for 2020 could be used to put in a handicapped accessible door to City Hall.

Council President Bendo informed Ms. O'Leary that a handicapped accessible door already existed at city hall and described its location.

Ms. O'Leary also asked if the 2020 funds could be allocated to other senior programs.

Ms. Gayden asked Ms. Bourne for clarity on the grant amount. She noted that the funds went towards salaries, contractor services and temporary salaries. The City Manager also added that the funds would be going towards other senior programs and not just virtual senior services.

Ms. Bourne also mentioned the other programs and repairs the funds would support.

Commissioner John Mirando added that the handicapped accessible door was put in place temporarily and there was a design in progress for a \$1 million hazard mitigation project that was being funded by FEMA, to re-do the entire first floor of City Hall which would allow for more improvements on accessibility.

#6 – Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year

City Comptroller, Ms. Reznik stated that this resolution was to increase the budget in regular salary lines and explained that there were two conversions from part time positions to full-time positions and explained why this was the appropriate action to take.

Council Member Delury asked for clarity regarding the conversion of the positions and transfer of the funds.

Ms. Reznik explained that the position that was terminated was at about 40% higher than the new positions that were being converted.

Council Vice President McInnis commended Mr. Gregg Scott and the City Manager for this recommendation and thought it showed real leadership and a real concern for employees, and

congratulated the new full time employees. She asked Ms. Reznik for the amount the city would save in part time expenses.

Ms. Reznik noted that there would be a savings of \$40,000.00 on an annual basis in part time expenses.

A discussion ensued between Council Vice President McInnis and Ms. Reznik regarding the savings vs. the expense with the analysis of the resolution. Ms. McInnis noted that this transition is actually saving the City money and Ms. Reznik indicated that the increase for this transition would be \$5,400.00.

City Manager Gayden said that she would look further into this and that one of the reasons the savings was not mentioned was because a study of how many employees are part time was being conducted, and she is waiting to see if any more conversions could take place this year.

Council Vice President McInnis made a statement for the record that she would like to see departmental costs which includes payroll taxes and benefits within one department instead of a lump sum for each union category (CSEA, Fire, Police), because it made analyzing these types of costs difficult.

Roy Lester (72 Boyd St) – agreed with Ms. McInnis regarding seeing the benefits within the departments and did not see how money was being saved. He also asked if this would affect overtime.

Ms. Gayden replied that at this time the city was looking at the conversions but wanted Mr. Lester to know that she would be looking at everything as a whole. She also noted that the city had to get control of the overtime and she would probably be able to answer his questions regarding the overtime sometime next month.

Mr. Lester agreed that the conversion was a great idea and was happy to hear that the part time employees were given full time status. He continued to ask about the supplies and materials line that the money is coming from and questioned why this line more than doubled from last year.

City Manager Gayden responded that she could not tell him about prior years' budgets that she and the Comptroller were not part of, but this year, she held each department accountable for their own budget. She also noted that because there were reductions in every departments' budget, she believed they looked at things more realistically.

Mr. Lester continued to ask how the line doubled and yet there was an extra \$5,400.00 in that line.

Ms. Gayden explained that if the department came in under what they budgeted for, then there would be a savings.

Council President Bendo also added that in previous years, budgets were underestimated when it came to expenses, and the budget this year was focused on more realistic spending.

Council Member Delury added that this was consistent through every line item and if money wasn't needed at the time, then it goes back. He also thanked Mr. Lester for going through all

the line items and asking questions and wanted him to know that this is what the City Council and City Manager is focusing on.

Mr. Lester did reply that he always looked at the numbers in prior years, but at least he was now getting answers.

Commissioner John Mirando added that he believed the additional money in the materials and supplies line for sanitation was for the purchase of about \$25,000 to \$30,000.00 worth of garbage pails for the West End to replace some of the street cans. He noted that he believed that this purchase would now be part of a capital assistance grant that was received from Senator Kaminsky, and may be part of the reason there is a savings.

Ms. Gayden thanked Commissioner Mirando and noted that she believed that he was correct and would verify it.

#7 – Resolution to Schedule a Special Meeting of the City Council on Thursday, October 29, 2020.

City Manager Gayden explained that the purpose of the meeting would be to review and approve policies.

Council Member Delury noted that there was a lot of data included in the policies and that was why a special meeting was being scheduled. He also added that if Mr. Lester wanted to see the policies ahead of time, he should know it is a very lengthy read.

Ms. Gayden added that this was a lengthy read and that they had been working on these policies with CMA for quite some time. She explained that they had gone through all types of reviews so that they are appropriate policies for government and a municipality. She noted that for people who would want to ask questions about any of the policies, a list of all of the policies would be available shortly. Ms. Gayden reminded the council that if they had questions, to please get them to her as soon as possible in order to get them answered in a timely manner.

The voting portion of the meeting was then begun.

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

(RES. #88/20)

Resolution Authorizing the City Manager to Amend the Agreement for Architectural/Engineering Design Services for the City of Long Beach Bulk Heading-North Shore Project and to Amend the Budget

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. #89/20)

Resolution Authorizing the City Manager to Enter into a Contract for Street Lighting Maintenance and Repair with the Lowest Responsible Bidder

Council Member Delury 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. #90/20)

Resolution Authorizing the City Manager to Accept Funds from the New York State Municipal Workers' Compensation Alliance

Council Pres. Bendo introduced and moved the adoption of the following resolution, seconded by Ms. Treston, and it was duly adopted by four affirmative votes. Council Member McInnis voted no.

(RES. #91/20)

Resolution Authorizing Amendments to the Urban Development Fund Budget Years 2016, 2017, 2018, 2019 and 2020

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

(RES. #92/20)

Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year

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. #93/20)

Resolution to Schedule a Special Meeting of the City Council on Thursday, October 29, 2020

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

Dated: October 21, 2020

David W. Fraser
City Clerk

Good and Welfare

Roy Lester – 72 Boyd St

Spoke about parking, moving funds/personnel from the Beach Maintenance department and how it affects overtime and about bike lanes

Kathleen O’Leary

Spoke about the proposed sale of the City Garage

Eileen Hession

Spoke about the MLK Center, beach erosion and the development of the former hospital site by South Nassau Comm.

Judi Vining

Spoke about CBD stores, the social host law and a mask wearing mandate

Leah Tozer

Spoke about bringing in a vendor to run the Ice Arena