

**CALENDAR**  
**for**  
**REGULAR MEETING OF THE COUNCIL**  
**of the**  
**CITY OF LONG BEACH**  
**held**  
**NOVEMBER 15, 2022**

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

**PUBLIC HEARING:** Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Housing and Property Rehabilitation and Conservation Code: Mortgage-in-Default Registry.

**PUBLIC HEARING:** Local Law Amending the Charter of the City of Long Beach Re: City Officers: Their General Powers and Duties.

1. Local Law Amending the Charter of the City of Long Beach Re: Zoning Board of Appeals.
2. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Housing and Property Rehabilitation and Conservation Code: Mortgage-in-Default Registry.
3. Local Law Amending the Charter of the City of Long Beach Re: City Officers: Their General Powers and Duties.
4. Resolution Authorizing the City Manager to Amend an Inter-Municipal Cooperation Agreement with the County of Nassau to Receive Funding for the Purchase of an Office Trailer and Related Items.
5. Resolution Authorizing the City Manager to Purchase Hardware and Services to Upgrade the City's Barracuda Backup Server.
6. Resolution Authorizing the City Manager to Upgrade and Purchase Email Protection Services.
7. Approval of Minutes of Prior Meetings of October 18, 2022 and November 1, 2022.

November 15, 2022

Item No. 1  
Local Law No.

The following Local Law was moved by  
and seconded by :

Introductory No. 372  
Introduced by:

CITY OF LONG BEACH

CHAPTER XIII LAWS OF 2022

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF  
LONG BEACH RE: ZONING BOARD OF APPEALS.

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

Section 1. Subpart A, Article 9A, Section 140 of the Charter of the City of Long Beach, New York as set forth in Chapter 635 of the Laws of 1922 as enacted as Local Law No. 4 of 1989, amended by Local Law No. 2 of 2004 and amended by Local Law No. 5 of 2022, shall be and the same is hereby amended to read as follows:

“ARTICLE 9A. ZONING BOARD OF APPEALS

Sec. 140. Composition; compensation; appointments; term of office; vacancies.

Following the initial establishment of the City’s Zoning Board of Appeals and subsequent to its members serving their initial staggered terms, it is the intent of this local law to **reset the terms of office for all members of the Zoning Board of Appeals and to establish a collaborative process with checks and balances by which the City Manager and the City Council appoint and remove such members.** The City Council finds that it is in the City’s best interests to establish an appointment process which is designed to fill vacancies and reduce holdover appointments to the extent practicable.

The City’s Zoning Board of Appeals shall consist of seven (7) members. Each member shall be appointed by the City Manager, subject to the City Council’s approval. **Effective January 1, 2023, appointments to the Zoning Board of Appeals shall be as follows: two (2) members for a term of one year; two (2) members for a term of two (2) years; and three (3) members for a term of three years. Thereafter, the term of office of members shall be three (3) years. All terms shall commence on the date of the first City Council meeting in January of the year appointed and terminate on December 31<sup>st</sup> of the last year of the member’s term.**

**Members shall receive such salary as is fixed by the City Council. An appointment to a vacancy occurring prior to the expiration of a member’s term shall be for the remainder of the unexpired term. Appointments or re-appointments made during a holdover shall be for the period prescribed in Public Officer’s Law § 4.** Any member may be removed by the City Manager in accordance with applicable law, subject to the City Council’s

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approval. At least forty-five (45) days prior to the expiration of any given member's term, the City Manager shall present to the City Council candidates to fill said vacancies. In the event any vacancy is not filled by the end of that forty-five (45) day period, the City Council may make an appointment to fill said vacancy.”

Section 2. This Local Law shall take effect immediately upon being filed in the Office of the New York Secretary of State.

The following Ordinance was moved by  
and seconded by :

ORDINANCE TO AMEND THE CODE OF ORDINANCES  
OF THE CITY OF LONG BEACH RE: HOUSING AND  
PROPERTY REHABILITATION AND CONSERVATION  
CODE: MORTGAGE-IN-DEFAULT REGISTRY.

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

Sec.1. Chapter 13, Article II, Section 13-29(d)(4) of the Code of Ordinances of  
the City of Long Beach, shall be and the same is hereby amended to read as follows:

“Sec. 13-29. Mortgage-in-Default Registry.

...

(d) *Registration of real property with mortgage-in-default.*

...

(4) An annual non-refundable registration fee in the amount of **\$1000** per  
property shall accompany the mortgage-in-default registration form(s).  
Subsequent annual registrations of defaulted properties and fees in the  
amount of **\$1000** are due within ten (10) days of the expiration of the  
previous registration.”

Sec. 2. This Ordinance shall take effect immediately.

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Item No. 3  
Local Law No.

The following Local Law was moved by  
and seconded by :

Introductory No. 373  
Introduced by:

CITY OF LONG BEACH

CHAPTER XIV

LAWS OF 2022

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF LONG  
BEACH RE: CITY OFFICERS: THEIR GENERAL POWERS AND DUTIES.

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

Sec. 1. Article 3, Section 20.3(a) of the Charter of the City of Long Beach, New York as  
set forth in Chapter 635 of the Laws of 1922, as heretofore amended, shall be and the same is  
hereby amended to read as follows:

“Sec. 20. City Manager

...

3. (a) Notwithstanding any provision of this Charter or any ordinance, the City Council  
may enter into **written employment agreements with the City Manager, the  
Corporation Counsel, the City Comptroller, the Police Commissioner and the  
Commissioner of Public Works** for a term not to exceed three years and upon such  
terms and conditions as the City Council shall agree.”

Sec. 2. This Local Law shall take effect immediately upon being filed in the Office of  
the New York Secretary of State.

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Item No. 4  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Amend an  
Inter-Municipal Cooperation Agreement with the County  
of Nassau to Receive Funding for the Purchase of an Office  
Trailer and Related Items.

WHEREAS, the City of Long Beach and the County of Nassau entered into an  
Inter-Municipal Cooperation Agreement, pursuant to Resolution No. 86/21, duly adopted by the  
City Council on May 18, 2021 and executed on behalf of the County on November 9, 2021,  
Contract #CFCE21000012; and

WHEREAS, pursuant to said Original Agreement, the County agreed to provide  
funding to reimburse the City in the amount of \$35,400.00 for a Project to purchase an office  
trailer and related items; and

WHEREAS, the City has requested an increase to the original funds for the  
Project, in the amount of \$42,575.00, so that the total funding that the County shall provide to  
the City for the Project, pursuant to the original Agreement, shall be \$77,975.00; and

WHEREAS, it is desirable for the City and the County to undertake the Project as  
authorized by Article 5-G of the General Municipal Law of the State of New York and to amend  
the Original Inter-Municipal Cooperation Agreement;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the  
City Manager be and is hereby authorized to amend the Inter-Municipal Cooperation Agreement  
with the County of Nassau for the above said Project; and be it further

RESOLVED, that the City Council adopts this resolution making a SEQRA  
environmental determination that the proposed amendment to the Original Inter-Municipal  
Cooperation Agreement and Project will not have a significant effect on the environment and  
issues a negative declaration.

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Item No. 5  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Purchase  
Hardware and Services to Upgrade the City's Barracuda  
Backup Server.

WHEREAS, the City desires to purchase hardware and services to upgrade the  
City's Barracuda Backup Server, which is currently reaching its capacity; and

WHEREAS, the hardware and services to be purchased are: Barracuda Backup  
Server 790; unlimited Cloud Storage for the 790 which allows for the replication all the data on  
the appliance to the cloud and provides for disaster recovery; energizer updates to keep the  
appliance current and up-to-date; and instant replacement of the device at no additional cost if  
the device were to fail completely at any point in time; and

WHEREAS, the City is a member of Sourcewell, a State of Minnesota local  
government agency and service cooperative that offers cooperative procurement solutions to  
government entities by combining the buying power of 50,000 government, education, and  
nonprofit organizations; and

WHEREAS, GovConnection, Inc. DBA Connection, 732 Milford Road,  
Merrimack, NH 03054 is the awarded vendor through Sourcewell Contract RFP #081419, at a  
cost of \$24,621.00;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the  
City Manager be and is hereby authorized to purchase hardware and services to upgrade the  
City's Barracuda Backup Server from GovConnection, Inc. DBA Connection, 732 Milford Road,  
Merrimack, NH 03054, an awarded vendor through Sourcewell service cooperative, Contract  
RFP #081419, at cost of \$24,621.00. Funds are available in Account No. A1680.52220  
(Information Technology-Machinery and Equipment).

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Item No. 6  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Upgrade and  
Purchase Email Protection Services.

WHEREAS, the City desires to upgrade our current Barracuda email protection services in order to provide timely incident response and security awareness training, enabling users to recognize the latest phishing techniques and help prevent attacks from spreading throughout the City's network; and

WHEREAS, by upgrading to the Premium Plus protection, we would add features that would greatly enhance our ability to avoid or respond to any security incidents with precision and speed, protecting the City against the most advanced email borne threats; and

WHEREAS, the City is a member of Sourcewell, a State of Minnesota local government agency and service cooperative that offers cooperative procurement solutions to government entities by combining the buying power of 50,000 government, education, and nonprofit organizations; and

WHEREAS, GovConnection, Inc. DBA Connection, 732 Milford Road, Merrimack, NH 03054 is the awarded vendor through Sourcewell Contract RFP #081419 for said upgrade, at a cost of \$22,491.00;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and is hereby authorized to purchase and upgrade the City's Barracuda email protection services plan from GovConnection, Inc. DBA Connection, 732 Milford Road, Merrimack, NH 03054, an awarded vendor through Sourcewell service cooperative, Contract RFP #081419, at cost of \$22,491.00. Funds are available in Account No. A1680.54445 (Information Technology-Maintenance Contracts).