

**CALENDAR**  
**for**  
**REGULAR MEETING OF THE COUNCIL**  
**of the**  
**CITY OF LONG BEACH**  
**held**  
**DECEMBER 6, 2022**

---

**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: City Officers: Their General Powers and Duties.
2. Resolution Authorizing the City Manager to Amend the Agreement for Engineering Services for the Governor’s Office of Storm Recovery/City of Long Beach Drainage Improvements Project.
3. Resolution Authorizing the City Manager to Purchase One (1) 2023 Ford Police Interceptor Utility AWD Base Vehicle, Two (2) 2022 Ford F-150 Police Responder 4x4 5.5’ box 145” WB XL Vehicles and One (1) Polaris Ranger XP 1000 Premium Utility Terrain Vehicle for the City’s Police Department.
4. Resolution Authorizing Settlement of Certiorari Proceedings.
5. Resolution Authorizing the City Manager to Enter into an Inter-Municipal Agreement with the County of Nassau for the Providing of the Review of Tax Grievances for a Term of Five Tax Years, 2023/24 through and including 2027/28.
6. Resolution Authorizing the City Manager to Purchase an Office Trailer from the Lowest Responsible Bidder and to Amend the Budget.
7. Resolution Authorizing the City Manager to Enter into a Memorandum of Understanding with the Long Beach Police Foundation, Inc.

December 6, 2022

Item No. 1  
Local Law No.

The following Local Law was moved by  
and seconded by :

Introductory No. 374  
Introduced by:

CITY OF LONG BEACH

CHAPTER XV

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.

December 6, 2022

Item No. 2  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Amend the Agreement for Engineering Services for the Governor's Office of Storm Recovery/City of Long Beach Drainage Improvements Project.

WHEREAS, specific areas within Long Beach were identified by the New York Rising Community Reconstruction Program as chronic flood areas; and

WHEREAS, pursuant to Resolution No. 37/18, duly adopted by the City Council on April 3, 2018, the City entered into an agreement with D&B Engineers and Architects, PC, 330 Crossways Park Drive, Woodbury, New York 11797 for engineering services to address these chronic flood areas, to include survey, design and construction administration and inspection services; and

WHEREAS, additional work was required for the relocation of the back-up generator for the Tennessee Avenue Pump Station; additional construction administration/inspection services due to Covid delays and supply chain issues; and the relocation of a fiber optic cable servicing the south shore of Long Island, at a cost of \$197,040; and

WHEREAS, the general construction and electrical component of the Project are significantly under budget, allowing sufficient funding for this amendment;

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 current agreement with D&B Engineers and Architects, PC, 330 Crossways Park Drive, Woodbury, New York 11797 for additional engineering services for the Governor's Office of Storm Recovery/City of Long Beach Drainage Improvements Project, at a cost of \$197,040. Funds are available in Account No. H1022.52359 (Drainage Improvement Project).

December 6, 2022

Item No. 3  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Purchase One (1) 2023 Ford Police Interceptor Utility AWD Base Vehicle, Two (2) 2022 Ford F-150 Police Responder 4x4 5.5' box 145" WB XL Vehicles and One (1) Polaris Ranger XP 1000 Premium Utility Terrain Vehicle for the City's Police Department.

WHEREAS, the City's Police Department desires to purchase four (4) new vehicles to replace four (4) older vehicles that are at the end of their serviceable life; and

WHEREAS, the desired vehicles are as follows:

One (1) 2023 Ford Police Interceptor Utility AWD Base vehicle with police equipment and installation at a cost of \$56,551; and

One (1) 2022 Ford F-150 Police Responder 4x4 5.5' box 145" WB XL vehicle with police equipment and installation at a cost of \$60,451; and

One (1) 2022 Ford F-150 Police Responder 4x4 5.5' box 145" WB XL vehicle with police equipment (a prisoner transport partition) and installation at a cost of \$63,251; and

One (1) Polaris Ranger XP 1000 Premium Utility Terrain Vehicle with accessories at a cost of \$20,236; and

WHEREAS, Whitmoyer Ford, Inc., 1001 East Main Street, Mount Joy, PA 17552, an awarded vendor through New York State Office of General Services Contract #PC69160, has the Ford vehicles available; and

WHEREAS, Polaris Sales Inc., 2100 Highway 55, Medina, MN 55340, an awarded vendor through Sourcewell Contract #122220-PSI, has the Polaris vehicle available;

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 one (1) 2023 Ford Police Interceptor Utility AWD Base vehicle, two (2) Ford F-150 Police Responder vehicles for the City's Police Department from Whitmoyer Ford, Inc., 1001 East Main Street, Mount Joy, PA 17552 through New York State Office of General Services Contract #PC69160, at a total cost of \$180,253; and be it further

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and is hereby authorized to purchase one (1) Polaris Ranger XP 1000 Premium Utility Terrain Vehicle with accessories for the City's Police Department from Polaris Sales Inc., 2100 Highway 55, Medina, MN 55340, an awarded vendor through Sourcewell Contract #122220-PSI, at a total cost of \$20,236; and be it further

RESOLVED, that funds for the above vehicles totaling \$200,489 will be available in February 2023 pursuant to Bond Authorization #3069/22, approved by the City Council on October 18, 2022.

December 6, 2022

Item No. 4  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing Settlement of Certiorari Proceedings.

WHEREAS, Xander Corporation, represented by Herman Katz Cangemi Wilkes & Clyne, LLP, 538 Broad Hollow Road, Melville, New York 11747, has commenced an action in the Supreme Court, Nassau County against the City of Long Beach to compel a reduction in the assessed valuation of the property known as Section 59, Block 146, Lot 45 on the Land and Tax Map of the County of Nassau, and also known as 360 Shore Road, Long Beach, New York for the fiscal years of 2016/17 through 2022/23 and

WHEREAS, the Tax Assessor and Counsel for the City of Long Beach have reviewed petitioner's legal papers, the income and expenses for the subject property and after extensive negotiation has agreed to settle the certiorari proceedings for a lump sum payment of \$85,000 covering the fiscal years 2016/17 through 2022/23 and a reduction of the assessed valuation from \$735,000 to \$630,000 on condition that no grievance and/or petition be filed for the tax years 2023/24, 2024/25 and 2025/26; and

WHEREAS, the Board of Assessors of the City of Long Beach has determined that the settlement, without further litigation, is in the best interests of the City of Long Beach;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Corporation Counsel be and he hereby is authorized and directed to enter into a stipulation with Xander Corporation settling the certiorari proceedings covering fiscal years 2016/17 through 2022/23 for a lump sum payment of \$85,000.00 and a reduction of the assessed valuation from \$735,000 to \$630,000 on condition that no grievance and/or petition be filed for the tax years 2023/24, 2024/25 and 2025/26. Funds are available in Account No. A1930.54403 (Judgments and Claims).

December 6, 2022

Item No. 5  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Enter into an Inter-Municipal Agreement with the County of Nassau for the Providing of the Review of Tax Grievances for a Term of Five Tax Years, 2023/24 through and including 2027/28.

WHEREAS, pursuant to Resolution No. 48/20, duly adopted by the City Council on June 16, 2020, the City of Long Beach entered into an Inter-Municipal Agreement with the County of Nassau for the providing of the review of tax grievances for the 2021/22 tax year; and

WHEREAS, pursuant to Resolution No. 71/21, duly adopted by the City Council on April 20, 2021, the City of Long Beach entered into an Inter-Municipal Agreement with the County of Nassau for the providing of the review of tax grievances for the 2022/23 tax year; and

WHEREAS, it is the desire of the City and the County to enter into an Inter-Municipal Agreement for the providing of the review of tax grievances for a term of five tax years, 2023/24 through 2027/28, as well as representing the County in Small Claims Assessment Review hearings for tax years 2023/24 through 2027/28; and

WHEREAS, the City of Long Beach desires to enter into said Agreement with the County of Nassau as authorized by both Article 9, § 1 of the New York State Constitution and Article 5-G of the General Municipal Law of the State of New York; and

WHEREAS, Real Property Tax Law 523-b created the Assessment Review Commission (“ARC”) to hear tax grievances challenging the assessed valuations for commercial and residential properties located in Nassau County; and

WHEREAS, at times, Nassau County may determine that when an employee of ARC, the Nassau County Department of Assessment, an elected official and/or other County employees who elect to grieve their residential and/or commercial property, that those grievances should be reviewed by another municipal taxing authority within the County, specifically the City of Long Beach; and

WHEREAS, at times, the City of Long Beach may determine that when a City employee or elected official elects to grieve their residential and/or commercial property, that those grievances should be reviewed by another municipal taxing authority, specifically the County of Nassau: and

WHEREAS, pursuant to said Agreement, compensation for the services provided shall be received by either of the Parties as they perform services under the Agreement at a rate of \$95 per residential tax grievance for tax years 2023/24-2025/26 and at a rate of \$250 per hour with a maximum of 55 total hours for review, analysis and conferencing of commercial tax grievances; and

WHEREAS, pursuant to said Agreement, compensation for the services provided shall be received by either of the Parties as they perform services under the Agreement at a rate of \$100 per residential tax grievance for tax years 2026/27-2027/28 and at a rate of \$265 per hour with a maximum of 55 total hours for review, analysis and conferencing of commercial tax grievances; and

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and she hereby is authorized to enter into an Inter-Municipal Agreement with the County of Nassau for the above said services for tax years 2023/24 through 2027/28; and be it further

RESOLVED, that compensation for the services provided shall be received by either of the Parties as they perform services under the Agreement at a rate \$95 per residential tax grievance for tax years 2023/24-2025/26 and at a rate of \$250 per hour with a maximum of 55 hours total for review, analysis and conferencing of commercial tax grievances and a rate of \$100 per residential tax grievance for tax years 2026/27-2027/28 and at a rate of \$265 per hour with a maximum of 55 hours total for review, analysis and conferencing of commercial tax grievances.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Purchase  
an Office Trailer from the Lowest Responsible Bidder  
and to Amend the Budget.

WHEREAS, after due advertisement therefore, two bids were received in  
the Office of the City Purchasing Agent on Thursday, November 3, 2022 at 11:00 a.m. for the  
purchase of a Southeast Modular Manufacturing 12’x60’ Overall, 12’x56’ Box Office Trailer (or  
“approved equal”), for the City’s Fire Department; and

WHEREAS, Cassone Leasing, Inc., 1950 Lakeland Avenue, Ronkonkoma, New  
York 11795 was the lowest responsible bidder at a cost of \$85,818.00;

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 purchase a Cassone Model CO1260 office trailer for  
the City’s Fire Department from Cassone Leasing, Inc., 1950 Lakeland Avenue, Ronkonkoma,  
New York 11795, at a cost of \$85,818.00. Funds in the amount of \$7,843.00 are available in  
Account No. H1022.53101 (City Building Rehabilitation-Variou Locations) and funds in the  
amount of \$77,975.00 will be available in Account No. A3410.53101 (City Building Rehab  
Various)) after the following budget amendment appropriating a grant in the amount of  
\$77,975.00 that was awarded to the City for this purchase, is hereby authorized:

Increase Estimated Revenues: A10510		\$77,975.00
A0027.42706 Grants from Local Governments	\$77,975.00	
Increase Appropriations: A20960		\$77,975.00
A3410.53101 City Building Rehab Various	\$77,975.00	



December 6, 2022

Item No.  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Enter into a  
Memorandum of Understanding with the Long Beach Police  
Foundation, Inc.

WHEREAS, the mission of the City's Police Department is to serve and protect  
the residents of the City, providing safety and an improved quality of life throughout the City;  
and

WHEREAS, the Long Beach Police Foundation, Inc., P.O. Box 434, Massapequa  
Park, New York 11762, a not-for-profit corporation, desires to provide equipment and/or training  
to assist the Police Department with resources not available from the normal budgetary revenue  
streams and financially support programs that advance the relationship between the Department  
and the City's communities; and

WHEREAS, the Foundation shall be solely responsible for all fundraising in  
connection with its activities; shall conduct all fundraising according to best practices and within  
all applicable federal and state laws and the City shall have no obligation to provide funds to the  
Foundation for the purposes expressed in this Memorandum of Understanding:

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 enter into a Memorandum of Understanding with  
Long Beach Police Foundation, Inc., P.O. Box 434, Massapequa Park, New York 11762, a not-  
for-profit organization, to provide financial support to the operational and outreach components  
of the Long Beach Police Department's mission to serve and protect, through fundraising  
activities.