

**CITY OF LONG BEACH  
MINUTES OF THE REGULAR MEETING  
OF THE COMMON COUNCIL  
HELD DECEMBER 7, 2021**

A regular meeting of the City Council of the City of Long Beach was held on Tuesday, December 7, 2021.

Present were Council President Bendo and Council Members Delury, Mandel, McInnis and Treston.

Corporation Counsel Richard Berrios and City Manager Donna Gayden were also present.

Council Member Treston acknowledge the Long Beach Bulldogs on winning the Nassau County Championship.

Council Vice President McInnis announced that she and Council President Bendo went on a tour of the Sewer and Water Plants thanks to Commissioner Joe Febrizio of Public Works and the CSEA members of the Water and Sewer Plants. She recognized their hard work and thanked them for their professionalism and support and their efforts in keeping the city running.

City Manager Donna M. Gayden then announced Commissioner Richard Corbett of the LB Fire Department.

Commissioner Corbett spoke about the donation that was made by the Drew Barrymore Show in recognition of the first career female Firefighter, Catherine Lewis.

Council Member Mandel thanked Commissioner Corbett for his years of service to the city and wished him luck in his new role as Deputy Commissioner of the Nassau County Office of Emergency Management (OEM).

Commissioner Corbett thanked everyone for their support of his 32 years of service to the City of Long Beach.

Ms. Gayden then introduced Mr. John McNally, Director of Public Works to give his update.

Mr. McNally gave his update on COVID.

**The public hearings were held**

**PUBLIC HEARING:** Local Law Amending Subpart C of Related Acts Relating to the Charter of the City of Long Beach Re: A Local Law Opting Out of Licensing and Establishing On-Site Cannabis Consumption Establishments within the City of Long Beach Pursuant to Cannabis Law §131.

**PUBLIC HEARING:** Local Law Amending Subpart C of Related Acts Relating to the Charter of the City of Long Beach Re: A Local Law Opting Out of Licensing and Establishing Retail Cannabis Dispensaries within the City of Long Beach Pursuant to Cannabis Law §131.

*Editor's Note: Both hearings were called at once*

Thomas Clancy – Spoke in favor of Opting In to the provisions of the Cannabis Law

Brooke Dower – Spoke in favor of Opting Out to the provisions of the Cannabis Law

Lance Levy – Spoke in favor of Opting In to the provisions of the Cannabis Law

Josh Barshack – Spoke in favor of Opting In to the provisions of the Cannabis Law

Michael Moore – Spoke in favor of Opting In to the provisions of the Cannabis Law

Melissa Gibson – Spoke in favor of Opting In to the provisions of the Cannabis Law

Sara Dower – Spoke in favor of Opting Out to the provisions of the Cannabis Law

Roy Lester – Spoke in favor of Opting Out to the provisions of the Cannabis Law. He also wanted to see a voter referendum on this.

Judi Vining – Spoke in favor of Opting Out to the provisions of the Cannabis Law

Brendan Healy (Public Safety Commission) – Spoke in favor of Opting Out to the provisions of the Cannabis Law

Jill Rector – Spoke in favor of Opting Out to the provisions of the Cannabis Law

Carmine Fiore – Spoke in favor of Opting In to the provisions of the Cannabis Law

Chris Lester – Spoke in favor of Opting Out to the provisions of the Cannabis Law

Tina Posterli – Spoke in favor of Opting Out to the provisions of the Cannabis Law

Helen Alessi (Long Beach Latino Civic Assn) – Asked for all of the information on this topic on the City's website made available in Spanish. Spoke in favor of Opting Out to the provisions of the Cannabis Law

Crystal Lake – Asked that if dispensaries are allowed that they be located in the central business district, and not in the North Park neighborhood.

Joe Miccio – Spoke in favor of Opting Out to the provisions of the Cannabis Law

Dr. Pamela Banks – Spoke in favor of Opting Out to the provisions of the Cannabis Law

Council Vice President announced that if anyone had any further information with any other facts regarding these hearings to please send an email to [citymanager@longbeachny.gov](mailto:citymanager@longbeachny.gov)

### **The calendar items were read by the City Clerk**

#1 – Approval of Minutes of Prior Meetings of November 3, 2021 and November 16, 2021

Council Member Mandel made a motion to approve the minutes. It was seconded by Ms. Treston and was carried unanimously.

#2 – Resolution Authorizing the City Manager to Accept a Donation from The Drew Barrymore Show and Burke Décor.

This donation was made in recognition of the first female paid firefighter, Catherine Lewis.

#3 – Resolution Authorizing the City Manager to Amend the City’s Agreement with ShotSpotter, Inc. and to Transfer Funds.

Police Commissioner Ron Walsh explained the reason for the amendment to this agreement.

Council President Bendo asked about data on the impact of the shot spotter program.

Commissioner Walsh noted that he would gather the data that is available and did mention that since the Shot Spotter program had been initiated, the incidents of gunfire had reduced over the past five years.

Roy Lester (72 Boyd St) – Questioned the cost

Brendan Healy – Spoke in favor of the item

#4 – A” Resolution Authorizing the City Manager to Amend the Agreement with Core BTS, a Partner of Cisco Systems” was taken off the calendar

#5 – Resolution Authorizing Transfer of Funds for the 2021-2022 Fiscal Year

Public Works Commissioner, Joe Febrizio explained the reason for the transfer.

Council Member Delury asked about the budget adjustment.

Council Vice President McInnis questioned the reason for the adjustment and the budget process. She also asked about the special events analysis that she had asked for.

Ms. Gayden cleared up some of the questions regarding this transfer and also noted that the departments were working on producing the special events analysis.

Commissioner Febrizio assured the council that this will not affect any other work that needs to be completed throughout the city.

#6 – Resolution Authorizing Budget Amendment to the General Fund Budget.

Commissioner Febrizio explained the reason for this amendment and that the city would be reimbursed by the Governor’s Office of Storm Recovery drainage improvements project.

#7 – Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 28 West Park Avenue (second floor), Long Beach, New York.

Re: Yoga Studio.

This item was for publication only and a hearing will be held on December 21, 2021 at 7:00 pm.

#8 – Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 232 West Park Avenue (street floor), Long Beach, New York.

Re: Convenience Store.

This item was for publication only and a hearing will be held on December 21, 2021 at 7:00pm.

**ADDED BY UNANIMOUS CONSENT**

#9 – Resolution Authorizing Settlement of Claims.

Corporation Counsel Rich Berrios described the reason for this resolution which included four separate claim settlements.

Roy Lester (72 Boyd St) – questioned the age of the claims and the lack of notification to the public.

**The voting portion of the meeting was then begun.**

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. #181/21)

Resolution Authorizing the City Manager to Accept a Donation from The Drew Barrymore Show and Burke Décor.

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

(RES. #182/21)

Resolution Authorizing the City Manager to Amend the City's Agreement with ShotSpotter, Inc. and to Transfer Funds.

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

(RES. #183/21)

Resolution Authorizing Transfer of Funds for the 2021-2022 Fiscal Year

Council Member Pres. Bendo introduced and moved the adoption of the following resolution, seconded by Mr. Mandel, and it was duly adopted by four affirmative votes. Council Member Delury abstained.

(RES. #184/21)

Resolution Authorizing Budget Amendment to the General Fund Budget.

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

(RES. #185/21)

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 28 West Park Avenue (second floor), Long Beach, New York.

Re: Yoga Studio.

Council Member Mandel 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. #186/21)

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 232 West Park Avenue (street floor), Long Beach, New York.

Re: Convenience Store.

Council Member Delury introduced and moved the adoption of the following resolution, seconded by Ms. Treston and it was duly adopted by four affirmative votes. Council Member Delury abstained.

(RES. #187/21)

Resolution Authorizing Settlement of Claims.

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

Dated: December 8, 2021

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David W. Fraser  
City Clerk

**Good and Welfare**

James Hodge – 95 E Fulton St

Spoke about the budget and CDBG funding and the recent closure of the Emergency Room

Joe Miccio – Michigan St

Spoke about the Atlantic Beach Bridge toll

Kevin Mac – Syosset, NY

Spoke about the Police Commissioner Ron Walsh

Roy Lester – 72 Boyd St

Spoke about the voting on the calendar, having a referendum for opting in to the Cannabis law provisions, transcripts, zoom meetings and the recent work session on beach revenues

Judi Vining – 410 E Broadway 3V

Spoke about opting out of the Cannabis law provisions

Eileen Hession – 516 W Beech St

Spoke about the recent work session on beach revenues