

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 December 15, 2020 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
December 16, 2020**

**David W. Fraser
City Clerk**

ORDINANCE AUTHORIZING FINANCING FOR VARIOUS CAPITAL PROJECTS IN AND FOR THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$6,330,000, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF \$1,450,000 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$4,880,000 BONDS OF SAID CITY TO FINANCE THE BALANCE 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 B of Schedule I attached hereto and hereby made a part hereof, at the estimated maximum costs indicated in column C of such Schedule I. The total estimated cost of such projects, including preliminary costs and costs incidental thereto and to the financing thereof, is \$6,330,000

and said amount is hereby appropriated therefor. The plan of financing includes the expenditure of \$1,450,000 in State and Federal aid expected to be received in the amounts indicated in column E such Schedule I, the issuance of not to exceed \$4,880,000 bonds of the City to finance said appropriation, and 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 \$4,880,000 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 B 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 I 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 G 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 such obligations are authorized in violation of the provisions of the constitution.

Section 8. This ordinance, which takes effect immediately upon the final passage thereof, shall be published in summary form in the official newspaper of said City, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.”

A complete copy of the Bond Ordinance summarized above shall be available for public inspection during normal business hours at the office of the City Clerk, in Long Beach, New York, or online at <http://www.longbeachny.gov/councilmeetings>.

SCHEDULE I

A Category	B Project Name	C Estimated Maximum Cost	D Bond Authorization	E Grant Funding	F Project Type	G PP U	H LFL Paragraph	I Specific, Classes & Combination	SEQR A TYPE
GENERAL FUND									
Roads	Roadway Reconstruction - Various(Designed)	\$ 520,000.00	\$ 520,000.00	\$ -	Reconstruction	15	Par. 20	C	TYPE II
Roads	Road Overlays	\$ 400,000.00	\$ 200,000.00	\$ 200,000.00	Reconstruction	15	Par. 20	C	TYPE II
Roads	Park Avenue Resiliency	\$ 1,500,000.00	\$ 250,000.00	1,250,000.00	Design/Reconstruction	15	Par. 20	S	UNLISTED
	Total - Roads	\$ 2,420,000.00		\$ 1,450,000.00					
Transportation	Bus Station Rehabilitation	\$ 500,000.00	\$ 500,000.00		Construction	15	Par. 12(a)(2)	S	TYPE II
	Total - Transportation	\$ 500,000.00		\$ -					
Buildings	City Hall Façade Rehabilitation	750,000.00	750,000.00	\$ -	Design/Construction	15	Par. 12(a)(2)	S	TYPE II
	Total - Buildings	\$ 750,000.00		\$ -					
	Total General Funds	\$ 3,670,000.00		\$ 1,450,000.00					
F & G FUNDS									
Sewer	WWTP - Misc. Bldg Repairs	320,000.00	320,000.00	\$ -	Construction	15	Par. 12(a)(2)	S	TYPE II
Sewer	Sewer System Upgrades-Compliance	\$ 190,000.00	\$ 190,000.00	\$ -	Engineering	5	Par. 62(2nd)	S	TYPE II
Sewer	Sewer Upgrades	\$ 600,000.00	\$ 600,000.00	\$ -	Construction	40	Par. 4	C	TYPE II
	Total - Sewer Fund	\$ 1,110,000.00		\$ -					
Water	Park Place WTP/Cover Separation Tanks	\$ 200,000.00	\$ 200,000.00	\$ -	Design/Reconstruction	40	Par. 1	C	TYPE II
Water	Installation of Well #19	\$ 150,000.00	\$ 150,000.00	\$ -	Design/Reconstruction	40	Par. 1	S	TYPE II
Water	System Upgrades - Various	\$ 1,000,000.00	\$ 1,000,000.00	\$ -	Construction	40	Par. 1	C	TYPE II
Water	Hydrant & Water Service	\$ 200,000.00	\$ 200,000.00		Construction	15	Par. 1	C	TYPE II

	Replacement								II
	Total - Water Fund	\$ 1,550,000.00		\$ -					
	Total - All Funds	\$ 6,330,000.00	\$ 4,880,000.00	\$ 1,450,000.00					