

**CITY OF LONG BEACH  
MINUTES OF A MEETING  
OF THE COMMON COUNCIL  
HELD DECEMBER 20, 2022**

A meeting of the City Council of the City of Long Beach was held on Tuesday, December 20, 2022.

Present were Council Pres. McInnis and Council Members Bendo, Lester, Posterli and Treston.

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

Inspector Richard DePalma presented Special Police Officer, Alyssa Gentile with a commendation for her involvement and professionalism pertaining to two recent incidents.

The City Manager, Donna M. Gayden introduced the Safety Committee Chairperson, Terrence Harris and Vice Chairperson, Rob McKay. She proceeded to thank former Assemblyman Harvey Weisenberg for his generous donation of purchasing AEDs (Automated External Defibrillators) to be placed throughout the city's workplace.

Ms. Gayden then began her City Manager's report by thanking the entire City of Long Beach workforce for their hard work throughout the year of 2022. She continued to recognize the employee dedication and professionalism. Ms. Gayden then extended her appreciation to all and wished everyone a happy holiday.

Council Vice President Elizabeth Treston recognized Ms. Crystal Lake for her contribution to the wellbeing of the City of Long Beach. She presented her with a bouquet of flowers.

Council Member Roy Lester gave an update on the Nassau County Bridge Authority and the changes affecting the toll at the Atlantic Beach Bridge.

President Council Karen McInnis read a letter addressed to the City Manager and the City Council from the Long Beach Housing Authority. She then addressed the topic of the tables and chairs on the boardwalk.

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

*Editor's Note: Items 8, 9 and 10 were called first out of order, and all at the same time.*

#1 – Resolution Acknowledging the Voluntary Recognition of the CSEA as the Exclusive Representative of the City of Long Beach Permanent Part-Time Employees for the Purposes of Collective Bargaining and Authorizing the City Manager to Enter into a Memorandum of Understanding with the CSEA Long Beach Part-Timer Unit.

Corporation Counsel, Rich Berrios discussed how this item evolved and the nature of this agreement. He then invited Mr. John Mooney, President of the CSEA to say a few words.

Mr. Mooney thanked Mr. Berrios and the City Manager for their contribution to the outcome of this agreement. He continued to speak in favor of this item. Mr. Mooney also recognized all CSEA members in attendance.

Council Member Bendo spoke in support of this item.

James Hodge (95 E Fulton St) – Spoke in favor of the item

Legislator Denise Ford– Spoke in favor of the item

Mary Volosevich – Spoke in favor of the item

#2 – Resolution Authorizing the City Manager to Enter into a Contract for the Rehabilitation of the Magnolia Boulevard Playground and Leroy Conyers Park with the Lowest Responsible Bidder

Commissioner Joe Febrizio spoke about the bidding process and described the items being purchased and installed at the parks. He continued to explain the total cost of the project and spoke about the funding and grant money that was included to pay for this project.

Council Member Lester asked if the parks would need to be closed during the repairs. He also asked about the continuous environmental wear and tear on the equipment.

Mr. Febrizio stated that the parks will remain open. He also added that unfortunately, this type of equipment is designed to last for 10 to 12 years but needs to be replaced at some point.

City Manager, Donna M. Gayden noted that the \$1 million dollar grant that was being used to help offset the cost was attained by former Senator Todd Kaminsky.

Council Member Posterli asked about plans for equipment replacement in the other parks throughout the city.

Mr. Febrizio replied that they would be looking more closely in a proactive way to monitor the equipment in the playgrounds.

Linda Giles– Spoke about a hazardous condition at Pacific Playground

#3 – Resolution Authorizing the City Manager to Enter into a Contract to Replace the Existing Secondary Digester Cover and for Odor Control for the City’s Wastewater Treatment Plant

Commissioner Febrizio spoke about the bids received and the purpose and reason for this project.

Council Member Bendo questioned the cost of this project. He also asked about the timeline of the project.

Mr. Febrizio described the cost of this project and the timeline involved. He continued to speak about the requirements necessary by the DEC.

Council Member Lester asked about the current cost of hauling.

Commissioner Febrizio described the cost of the hauling and how this project would be a cost saving.

Council Member Bendo addressed the audience regarding the equipment used at the Water Treatment Plant.

Dan Creighton – Spoke in favor of this project. He also asked that the city do a better job with outreach when it comes to the bidding process.

#4 – Resolution Authorizing Budget Amendment to the General Fund Budget

Mr. Berrios explained the reason for this amendment.

#5 – Resolution Authorizing the City Manager to Enter into a Contract for Emergency Sanitary Sewer Replacement on Roosevelt Boulevard between East Park Avenue and East Chester Street from the Lowest Responsible Bidder.

Mr. Febrizio spoke about the bidding process and the contractor chosen for this project. He noted the funding and importance of this project.

Council President McInnis asked Commissioner Febrizio to give an overall assessment of the city's sanitary sewer process.

Commissioner Febrizio gave the system a fair to poor grade. He noted that this system is aged, and the city only replaced a small percentage of sections over the years. Mr. Febrizio added that it is a costly job and suggests that the city gets out of the sewer business.

Council Member Posterli asked about the funding and when the work would commence.

Mr. Febrizio described the timeframe involved.

#6 – Resolution Authorizing the City Manager to Enter into a License Agreement with the Long Island Rail Road Company for the Northshore Critical Infrastructure Project.

Mr. Berrios updated the public regarding the agreement.

Commissioner Febrizio commended Mr. Berrios and his staff for the time spent on solidifying this agreement. He proceeded to express his support in moving forward with the project. Mr. Febrizio also thanked Mr. Hodge and Ms. Lake for their input and his staff for their hard work. He then went on to speak about the cost and work involved in beginning and completing the project.

James Hodge (95 E Fulton St) – Spoke in favor of the item

Crystal Lake (206 E Market St) – Spoke in favor of the item

#7 – Resolution Authorizing the City Manager to Enter into Agreements for General Construction, Electrical Construction and Engineering Services for the Northshore Critical Infrastructure Protection Project

#8 – Resolution Authorizing the City Manager to Accept a Donation from Nettie Says, Inc

Ms. Treston acknowledged a donation made by Nettie Says, Inc. who donated 2 adaptive swings for the city's playgrounds.

James Hodge (95 E Fulton St) – Spoke in favor of this item

#9 – Resolution Authorizing the City Manager to Accept a Donation for the City of Long Beach from Harvey Weisenberg.

The City Manager spoke on this item at the beginning of the meeting.

James Hodge (95 E Fulton St) – Spoke in favor of this item.

#10 – Resolution Authorizing the City Manager to Accept a Charitable Donation.

James Hodge (95 E Fulton St) – Spoke in favor of this item.

The City Manager noted that this charitable donation was from the New York Police Foundation who are donating 120 winter hats estimated at \$550.00.

Council Member Posterli made a motion to block vote items 8, 9 and 10 in the affirmative. It was seconded by Pres, McInnis and was passed unanimously

#11 – A “Resolution Authorizing Annual Allocation of Community Development Funds for the 48th Program Year” was taken off the calendar

#12 – A “Resolution Authorizing Amendments to the Urban Development Fund Budget Years 2021, 2022 and 2023” was taken off the calendar

#13 – Resolution Authorizing the Readopting of the Grant Financial, Capital Budget, Debt Management, Donation, Expenditures, Fund Balance, and Vehicle Usage Policies for the City of Long Beach.

Mr. Berrios explained that these policies were reviewed to see if there were any reasons for updating them. He added that there were no recommended changes at this time and the city will continue to review and evaluate policies moving forward.

#14 – A “Resolution Confirming the Appointment of Members to the Zoning Board of Appeals of the City of Long Beach” was taken off the calendar

#15 – Resolution Authorizing Publication for Public Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Flood Damage Prevention.

This item is for publication only and a hearing will be held on January 3, 2023 at 7:00pm.

#16 – Approval of Minutes of Prior Meetings of November 15, 2022 and December 6, 2022

Council Member Bendo made a motion to approve the minutes. It was seconded by Ms. Posterli and was approved unanimously.

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

Council Member Posterli 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. #191/22)

Resolution Acknowledging the Voluntary Recognition of the CSEA as the Exclusive Representative of the City of Long Beach Permanent Part-Time Employees for the Purposes of Collective Bargaining and Authorizing the City Manager to Enter into a Memorandum of Understanding with the CSEA Long Beach Part-Timer Unit

Council Member Lester 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. #192/22)

Resolution Authorizing the City Manager to Enter into a Contract for the Rehabilitation of the Magnolia Boulevard Playground and Leroy Conyers Park with the Lowest Responsible Bidder

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

(RES. #193/22)

Resolution Authorizing the City Manager to Enter into a Contract to Replace the Existing Secondary Digester Cover and for Odor Control for the City's Wastewater Treatment Plant

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

(RES. #194/22)

Resolution Authorizing Budget Amendment to the General Fund Budget

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

(RES. #195/22)

Resolution Authorizing the City Manager to Enter into a Contract for Emergency Sanitary Sewer Replacement on Roosevelt Boulevard between East Park Avenue and East Chester Street from the Lowest Responsible Bidder.

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

(RES. #196/22)

Resolution Authorizing the City Manager to Enter into a License Agreement with the Long Island Rail Road Company for the Northshore Critical Infrastructure Project.

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

(RES. #197/22)

Resolution Authorizing the City Manager to Enter into Agreements for General Construction, Electrical Construction and Engineering Services for the Northshore Critical Infrastructure Protection Project

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

(RES. #198/22)

Resolution Authorizing the City Manager to Accept a Donation from Nettie Says, Inc

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

(RES. #199/22)

Resolution Authorizing the City Manager to Accept a Donation for the City of Long Beach from Harvey Weisenberg.

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

(RES. #200/22)

Resolution Authorizing the City Manager to Accept a Charitable Donation.

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

(RES. #201/22)

Resolution Authorizing the Readopting of the Grant Financial, Capital Budget, Debt Management, Donation, Expenditures, Fund Balance, and Vehicle Usage Policies for the City of Long Beach.

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

(RES. #202/22)

Resolution Authorizing Publication for Public Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Flood Damage Prevention.

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

Dated: December 21, 2022

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David W. Fraser  
City Clerk

### Good and Welfare

Seth Patton – 233 W Fulton St	Spoke about the City’s request to the boardwalk concessions to remove their tables from the boardwalk (Riptides)
Mary Diamond – 185 President Pl, Island Park, NY	Spoke about the City’s request to the boardwalk concessions to remove their tables from the boardwalk (Riptides)
David Kushner – 436 W Fulton St	Spoke in support of the City opting in to allow the sale of cannabis
Beryl Jackowitz – 128 W Penn St	Spoke in support of the City opting in to allow the sale of cannabis
Frank Pecdraco – 25 W Broadway	Spoke about the City’s request to the boardwalk concessions to remove their tables from the boardwalk (Riptides)
Crystal Lake – 206 E Market St	Spoke about the North Shore Infrastructure Project
Kevin Heller – 635 E Walnut St	Spoke about the City’s request to the boardwalk concessions to remove their tables from the boardwalk (Riptides)
Dan Creighton	Spoke about the North Shore Infrastructure Project, the CSEA and the City’s request to the boardwalk concessions to remove their tables from the boardwalk (Riptides)
John McQuade – 573 Magnolia Blvd	Spoke about the City’s request to the boardwalk concessions to remove their tables from the boardwalk (Riptides) and in support of the City opting in to allow the sale of cannabis
Brian Braddish – 740 W Bay Dr	Spoke about the City’s request to the boardwalk concessions to remove their tables from the boardwalk (Riptides)
James Hodge – 95 E Fulton St	Spoke about the City’s request to the boardwalk concessions to remove their tables from the boardwalk (Riptides)
Dennis Kelly – 435 W Fulton St	Spoke about the City’s request to the boardwalk concessions to remove their tables from the boardwalk (Riptides)
Ron Paganini – 62 Harmon St	Spoke about the City’s request to the boardwalk concessions to remove their tables from the boardwalk (Riptides), and about issues at the City Garage
Steve Candon – 10 W Beech St	Spoke about the City’s request to the boardwalk concessions to remove their tables from the boardwalk (Riptides) and in support of the City opting in to allow the sale of



David Zelinger – 7 Kirkwood St	cannabis Spoke in support of the City opting in to allow the sale of cannabis
Kevin Braddish – 740 W Bay Dr	Spoke about the City’s request to the boardwalk concessions to remove their tables from the boardwalk (Riptides)
Jeana Johnston – 117 W Penn St	Spoke in support of the City opting in to allow the sale of cannabis
Anne Flomenhaft – 10 Franklin Blvd	Spoke in support of the City opting in to allow the sale of cannabis
Rita & Pat Bohan – 2 E Beech St	Spoke in support of the City opting in to allow the sale of cannabis