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In the Matter of:

CITY COUNCIL MEETING  
CITY OF LONG BEACH.

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DATE: Tuesday, June 2, 2020  
TIME: 5:00 p.m. (via videoconference)

APPEARANCES: DAVID FRASER, City Clerk  
JOHN BENDO, City Council President  
KAREN MCINNIS, City Council VP  
MICHAEL DELURY, City Council Member  
SCOTT MANDEL, City Council Member  
ELIZABETH TRESTON, City Council Member  
DONNA GAYDEN, City Manager  
SIMONE FREEMAN, ESQ. Corporation Counsel  
JOHN MCNALLY, Exec. Assist to City Manager  
INNA REZNIK, City Comptroller  
RAYMOND FLAMMER, Tax Assessor  
JOHN MIRANDO, Dept. of Public Works Commissioner  
JOE FEBRIZIO: Dep. Commissioner of Public Works

DIGITALLY RECORDED PROCEEDING  
TRANSCRIBED BY: GINA T. GUMA

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[Audio, begins]

PRES. BENDO: It's a little bit of a busy night out tonight in Long Beach. You may be aware we have several Marches related to the George Floyd incident that are taking place this evening. We have had one incident take place in town already. We had a window broken at Five Guys on Park Avenue and Edwards. That person was immediately arrested. They don't know if that person was by themselves or whether they were affiliated with the March that was going on at the time. But we do have a sizeable amount of resources in right now from the County, police force from the State Police, as well as most of the Long Beach Police force is on duty at this time.

There is a March that is going on right now. We believe it is headed toward City Hall. Then we have heard that that one is going to go down and meet up with the other March that was planned to take place at 6 o'clock down at the boardwalk at Riverside. Our resources are deployed along the routes they are going to be taking as well as just making sure things stay quiet and go smoothly. That's basically the

update of where we are right now.

With that I guess the City Manager is working with the police right now so she is unavailable to be on the meeting, so we are not going to have a City Manager report tonight. This other issue right now that is going on right now is taking priority. That is one of the reasons we moved the meeting to this unusual time. We wanted to make sure we were done for the six o'clock March just to make sure in case our resources needed to be available and that we weren't tied up in the middle of a Council meeting.

With that, the other thing that will be a little different tonight as well is, for Good and Welfare, again the staff was fully absorbed today in preparing for what was going on today, so any Good and Welfare questions that we will receive for today are going to be---there will be written answers provided. They will be put up on the website and everybody will have access to those, just not the people listening in tonight. That was just a necessity again, because our resources were getting ready for today's activities. With that, I guess we can move on to the agenda.

MR. FRASER: Item one on the agenda

is a resolution authorizing the continued retention of Capital Market Advisors LLC.

PRES. BENDO: This is---Capital Markets is the city's financial advisor. They were brought in last year. Their contract is up. We are going to be renewing it. They were getting \$12,000.00 a month. It was paid for through the State Financial Restructuring Board. The city was not paying for it. Our City Manager has talked them down to \$10,000.00 a month and again this year, we expect this is going to be paid for by the State Financial Restructuring Board. These guys have been very integral to starting to develop to starting our financial turnaround. They are helping us, they are doing audits. They are helping us develop a long-range financial plan and a turnaround plan. They have been a pretty important component to the financial turnaround so we believe we need to keep them around. And again, we expect the state is going to pay for it again. With that, any questions from the Council?

Okay, I was not told of any questions being submitted by the public so on to the next item.

MR. FRASER: Item two is a resolution authorizing settlement of certiorari

proceedings. I have Ray Flammer available for the call and I will unmute him right now. Okay Ray, you are unmuted.

MR. FLAMMER: Good evening. Can you guys hear me?

MR. DELURY: Yes.

MR. FLAMMER: Yeah, okay. This is a tax certiorari settlement for Casablanca. It is an apartment building on 10 Franklin Boulevard and the boardwalk. It was slightly overvalued and this settles eight years with a three-year moratorium where they cannot file any grievances. It is a 9% reduction in assessed value and it won some cash refund of \$50,000.00.

It is an older apartment building built in 1926, originally as a hotel. It was converted to an apartment building around 1989 when it was renovated. It is an older building, so with older buildings, more expenses are to maintain the building and New York State law where all buildings like this are valued in use, so it is based on market rents not on what it would sell for on the open market. This settlement also is interest free and like I said, moving forward it is a three-year freeze. Any questions?

PRES. BENDO: Okay, it doesn't look

like there are any questions. I didn't receive any questions from the public so thank you Ray. We can move onto the next item.

MR. DELURY: Thank you Ray.

MR. FRASER: Okay, item number three is a resolution adopting the City of Long Beach floodplain management plan. I have Joe Febrizio and John Mirando on and I am going to unmute them right now.

Joe you are unmuted and John you are unmuted.

MR. MIRANDO: Okay, I am just going to give a quick overview and then Joe is going to pick up the rest since he was the key person pushing the string. Back last July, we decided not to---can you guys hear me alright because I am hearing a lot of echoing.

PRES. BENDO: We are hearing the echo too.

MS. TRESTON: Do you by chance have--on as well?

MR. MIRANDO: No. I just---hold on a second.

MR. FRASER: Hold on, I've muted...

MR. MIRANDO: Can you hear me now?

MR. FRASER: Yeah, it was echoing

through Joe's connection, so I just unmuted Joe's connection for right now.

MR. MIRANDO: Okay. So back in July of last summer, Nassau County decided not to renew their multi-jurisdictional hazard mitigation plan, in which the City was then informed by ISO, the Insurance Service Organization that we would lose our community rating system which affords us a class seven and a 15% reduction in homeowners flood insurance. We had to scramble and put together an RFP, hire a firm which we did, Tetra-Tech, and we formed a committee to develop the floodplain management plan for Long Beach plus to re-enumerate all our points that would be required to maintain our class seven.

We put a committee together that had involved people from city government and people from non-government. That committee worked very hard and I just want to take a minute and just thank the people that worked and served on the committee. From Economic Development, Patti Bourne and Rebecca Steiner. From Parks and Recreation, Joe Brand. From the Office of Emergency Management, Rich Corbett. Of course, Joe Febrizio from the Department of Public Works. Community Development, Tyler Huffman and Community

Development and Sustainability, Ryan McTiernan. From the Zoning Board of Appeals, Rocco Morelli and from the Building Department Rich Schuh, and from the Manager's Office at that time, Gordon Tepper. I would also like to thank Rita Butler from the Department of Public Works. She was the Recording Secretary for all our public meetings and all correspondence that went out.

Non-government representatives from the community - we had Scott Bochner from the Environmental Advisory Board. We had Ian Danby representing the Chamber of Commerce. We had Dr. Gallagher, Superintendent of Long Beach Schools. Scott Kemins who is an employee, represented the volunteer fire department. We couldn't have both- or we would lose points, so they recommended just using the Volunteer Fire Department Chief or Commissioner. From Westholme Walks Civic Association we had Tom Knag and from the insurance company, O'Toole Insurance, Ed O'Toole. A Developer, Anthony Rector and Kevin Riley who represented the Northeast Bay and Canal Civic Association and in addition, represented COAD. Leah Tozer representing Real Estate Agents. These people put in many meetings and many times and their help was really appreciated. Without



them we wouldn't have got there. But I do have to just thank two people in particular, Rich Schuh and Joe Febrizio who went above and beyond because it was getting to be touch and go at the end, and they pushed this thing through past the finish line. Once we pass this plan, we will have maintained our class seven and people in Long Beach will maintain their 15% reduction in flood insurance. At this point, I will turn it over to Joe to give you more specific details on the flood management plan.

(Feedback noise occurred)

MR. FRASER: Joe, we got a little bit of feedback there. (Feedback continues)

MR. FEBRIZIO: Hello?

MR. FRASER: Joe, are you there?

MR. FEBRIZIO: Yeah, I am there.

MR. FRASER: Okay, there we go. You had two connections going, that's why. Go ahead.

MR. FEBRIZIO: Okay, can you hear me now?

MR. FRASER: Yes.

MR. FEBRIZIO: Alright. Great. Yeah, so as John was saying, we received a call from the ISO Office at the Nassau County that the Multi-jurisdictional Hazard Mitigation plan had expired

and that was our pre-requisite for participation in the CRS program. So the only substitute for that participation in the county plan that would satisfy the prerequisite to the CRS program, was the adoption of either a repetitive loss area analysis or a floodplain management plan. Both of these would be --- well basically --- the short time frame, we opted to create the floodplain management plan, which is what the Council has before it this evening to vote on. It is important to note, again, by voting this is the last step we will maintain our class seven status in the CRS program which results in a 15% reduction of flood insurance premiums for all city residents. That equates to approximately \$1.5 million dollars annually or \$7.5 million dollars over the five year program time.

I've been asked the question many times, "what is a flood plan management plan"? It basically provides a mechanism to identify the best alternatives within the capabilities of a jurisdiction to reduce the risk associated with flooding. Again, short summary is like it has five major goals in associated that has different objectives. Goal number one for example, is to protect the city

infrastructure/environment from flooding. The objectives that go along with that though would be 1) to prevent backflow from --- by following things such as check valves, which we of course do. Also another objective is to enhance infrastructure to protect against a flood of 100 year flood event. Again, the way we do this in Long Beach is --- elevation. That is what we are doing in the two canals. It also identifies approximately 55 flood hazard mitigation initiatives that are in there. Some of the examples are to support the US Army Corp of Engineering, back their study. Obviously, maintaining our status in the CRS program. To maintain our website for pre-storm information. Maintain our dunes. Encourage the use of our storm water pumping stations. Essentially --- program that is basically going to be an invaluable tool for the city moving forward. I mean, that is just a quick summary. If you have any questions, it is online, the document. It has been there for some time now, the final document, and again, voting on this well is the last step. I will forward this hopefully tomorrow to the ISO and we will maintain our class seven status. Thank you.

PRES. BENDO: It helps if I unmute

before I talk. Okay, any questions from the Council? Okay, I think it is just like I said, I want to reiterate, even though both John and Joe said it, because of this, you are eligible for a 15% discount on your flood insurance so everybody listening to this and everybody in town that pays flood insurance, benefits from this. So with no questions, I also didn't get any questions from the public, we can move on to the next item.

MR. FRASER: Okay, Item number four is a resolution authorizing a budget amendment to the Community Development Fund for the 41<sup>st</sup> program year.

PRES. BENDO: Okay, so this is moving some Community Development Block Grant Fund money from the 41<sup>st</sup> year program. So it is moving it into City Hall, ADA, to make it compliant. It is pretty straight forward, that's it. Any questions from the Council? Okay. I didn't again, nothing from the public that I got, so we can move on to the next item.

MR. FRASER: And Item five is a resolution authorizing a budget amendment to the Community Development Fund for the 42<sup>nd</sup> year.

PRES. BENDO: Just like the last one, this is just moving some Community

Development Block Grant money from the 42<sup>nd</sup> year program. These are annual programs, so this is money from previous years that had not been utilized yet. So again, this is just moving it again. Any questions from the Council? Okay, I didn't get any questions from the public so we can move on.

MR. FRASER: Item six is a resolution authorizing the City Comptroller to accept and deposit a workforce reduction credit refund in the amount of \$27,983.00 from New York State Municipal Workers Compensation Alliance.

PRES. BENDO: Okay. Just like he just said, this is, we are getting a refund from the New York State Municipal Workers Compensation Alliance for just under \$28,000.00. So this is just us approving getting that refund and depositing it in the city's account. Any questions from the Council? Alright, didn't get any questions from the public so next item.

MR. FRASER: And finally Item seven is a resolution authorizing the award of a bid for the purchase of traffic signs.

PRES. BENDO: Okay, I don't know if John Mirando or Joe wanted to say anything about this. It is pretty straightforward with just

getting some traffic signs.

MR. FRASER: Let me unmute each of them. Joe you are unmuted and John you are unmuted.

MR. MIRANDO: These are, this is really done through the purchasing department and these are signs through the sign shop, that the sign shop needs, that really reports at this point, to the police department. Inspector Ryan used to take care of this. And this --- is only pay as needed, so it is just a different grouping of pricing for various sized signs.

PRES. BENDO: Okay, any questions from the Council?

MR. DELURY: It's not really a question. I just want to comment for Joe Febrizio that I did see the bid opening I think on Boyd. You had it online as a video and I just thought it was very professional and it was very clear. I want to thank you for that. That I did watch it and I liked it. That's it.

PRES. BENDO: Okay. Again, I didn't get any questions from the public that I was given, so I guess we can go on to the voting.

MR. FRASER: Okay. On to the voting portion.

Item one is a resolution authorizing the continued retention of Capital Markets Advisor LLC.

Who will introduce and move the adoption of this item? (Chatter) Hold on - who got that?

VP MCINNIS: Mike.

MS. TRESTON: Mike.

MR. FRASER: Mike, okay. And who seconded.

VP MCINNIS: I will.

MR. FRASER: Okay, thank you.

Voting. Councilmember Delury?

MR. DELURY: Yes.

MR. FRASER: Councilmember Mandel?

MR. MANDEL: Yes.

MR. FRASER: Councilmember Treston?

MS. TRESTON: Yes.

MR. FRASER: Vice President McInnis?

VP MCINNIS: Yes.

MR. FRASER: President Bendo?

PRES. BENDO: Yes.

MR. FRASER: Item two is a resolution authorizing settlement of certiorari proceedings. Who will introduce and move the adoption of this item?

MR. DELURY: I will.

MR. FRASER: Second?

PRES. BENDO: I will.

MR. FRASER: Voting. Councilmember  
Delury?

MR. DELURY: Yes.

MR. FRASER: Councilmember Mandel?

MR. MANDEL: Yes.

MR. FRASER: Councilmember Treston?

MS. TRESTON: Yes.

MR. FRASER: Vice President McInnis?

VP MCINNIS: Yes.

MR. FRASER: President Bendo?

PRES. BENDO: Yes.

MR. FRASER: Item three is a  
resolution adopting the City of Long Beach  
floodplain management plan. Who will introduce  
and move the adoption of this item?

MS. TRESTON: I will.

MR. FRASER: Second?

VP MCINNIS: I will.

MR. FRASER: Voting. Councilmember  
Delury?

MR. DELURY: Thank you everybody  
that worked on this. Rich Schuh, Joe Febrizio and  
all of the people that were named. I'm glad to



know there was a lot of community involvement and people. A lot of work and I'd be happy to vote yes.

MR. FRASER: Councilmember Mandel?

MR. MANDEL: I echo Councilmember Delury's statements, I vote yes.

MR. FRASER: Councilmember Treston?

MS. TRESTON: I echo the statements as well. I know how difficult it is to get the CRS rating. It's over 600 pages. They've put in extreme amount of hours and I am very appreciative on behalf of our residents and with that, I vote yes.

MR. FRASER: Vice President McInnis?

VP MCINNIS: Yes.

MR. FRASER: President Bendo?

PRES. BENDO: I would like to echo that also. Thank you to John and Joe and everyone who put all, and Richie Schuh and everybody who put all the hours into this. A lot of people in the city are going to benefit from it. Yes.

MR. FRASER: Item number four is a resolution authorizing a budget amendment for the Community Development Fund for the 41<sup>st</sup> program year. Who will introduce and move the adoption of this item?

MS. TRESTON: I will.

MR. FRASER: Second?

MR. DELURY: I will.

MR. FRASER: Voting. Councilmember

Delury?

MR. DELURY: Yes.

MR. FRASER: Councilmember Mandel?

MR. MANDEL: Yes.

MR. FRASER: Councilmember Treston?

MS. TRESTON: Yes.

MR. FRASER: Vice President McInnis?

VP MCINNIS: Yes.

MR. FRASER: President Bendo?

PRES. BENDO: Yes.

MR. FRASER: And item five is a resolution authorizing a budget amendment for the Community Development Fund for the 42<sup>nd</sup> year program. Who will introduce and move the adoption of this item?

VP MCINNIS: I will.

MR. FRASER: Second?

MR. DELURY: I will.

MR. FRASER: Voting. Councilmember

Delury?

MR. DELURY: Yes.

MR. FRASER: Councilmember Mandel?

MR. MANDEL: Yes.

MR. FRASER: Councilmember Treston?

MS. TRESTON: Yes.

MR. FRASER: Vice President McInnis?

VP MCINNIS: Yes.

MR. FRASER: President Bendo?

PRES. BENDO: Yes.

MR. FRASER: Item six is a resolution authorizing the City Comptroller to accept and deposit a workforce reduction credit refund in the amount of \$27,983.00 from New York State Municipal Worker Compensation Alliance. Who will introduce and move the adoption of this item?

VP MCINNIS: I will.

MR. FRASER: Second?

PRES. BENDO: I will.

MR. FRASER: Who was that?

MS. TRESTON: Bendo.

MR. FRASER: Oh. Okay. Voting.

Councilmember Delury?

MR. DELURY: I'd like to thank the City Comptroller and I'm happy to vote yes.

MR. FRASER: Councilmember Mandel?

MR. MANDEL: Yes.

MR. FRASER: Councilmember Treston?

MS. TRESTON: Yes.

MR. FRASER: Vice President McInnis?

VP MCINNIS: Yes.

MR. FRASER: President Bendo?

PRES. BENDO: Yes.

MR. FRASER: And finally item seven is a resolution authorizing the award of a bid for the purchase of traffic signs. Who will introduce and move the adoption of this item?

PRES. BENDO: I will.

MR. FRASER: Second?

VP MCINNIS: I will.

MR. FRASER: Voting. Councilmember Delury?

MR. DELURY: Yes.

MR. FRASER: Councilmember Mandel?

MR. MANDEL: Yes.

MR. FRASER: Councilmember Treston?

MS. TRESTON: Yes.

MR. FRASER: Vice President McInnis?

VP MCINNIS: Yes.

MR. FRASER: President Bendo?

PRES. BENDO: Yes.

MR. FRASER: Who will make a motion to close the meeting?

MS. TRESTON: I will but before we close, everyone just be safe and with that I vote

yes.

MR. FRASER: Haven't got to the voting yet (laughter). I still need a second. (laughter).

MR. DELURY: Second. (laughter)

MR. FRASER: Voting. Councilmember Delury?

MR. DELURY: Yes.

MR. FRASER: Councilmember Mandel?

MR. MANDEL: Yes.

MR. FRASER: Councilmember Treston?

MS. TRESTON: Yes.

MR. FRASER: Vice President McInnis?

VP MCINNIS: I just want to say something before, sorry guys. I know we talked about the protest before, but I want to also mention how deeply saddened and upset, probably the Council is, by the death of Mr. George Floyd at the hand of police brutality. This Council and the LBPD rank-and-file do not believe in this type of behavior and will not tolerate it in Long Beach. Nor will we tolerate a violence of any kind. Although we can always do better in Long Beach, I am proud of our diversity and that we can conduct peaceful protests, and that we can all respect and support each other. So please,

everyone be safe and considerate of each other and let's remember that a person died. And with that, I vote yes.

MR. FRASER: President Bendo?

PRES. BENDO: Yes. Okay, so as I said, Good and Welfare questions that were submitted, they will be answered in writing and posted online. And with that, thank you for joining us. We will see you in two weeks.

[Audio, concluded]

C E R T I F I C A T E

I, Gina T. Guma, certify that the foregoing transcript of City Council Meeting, City of Long Beach, was prepared using the available transcription equipment and to the best of my ability, is a true and accurate record of the recording.

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Gina T. Guma  
Acting Deputy City Clerk

Date: June 8, 2020