

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
APRIL 16, 2024

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Appendix A – Zoning.

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Zoning Board of Appeals.

1. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Appendix A – Zoning.
2. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Zoning Board of Appeals.
3. Resolution Authorizing Settlement with Goodman-Marks Associates, Inc.
4. Resolution Authorizing Settlement of Actions Brought by Robert Agostisi and the City of Long Beach.
5. Resolution Authorizing the City Manager to Purchase Time & Attendance Management Software.
6. Resolution Authorizing the City Manager to Enter into an Agreement for Consulting Services.
7. Resolution Appointing a Member to the Board of Ethics of the City of Long Beach.
8. Resolution Confirming the Appointment of Members to the Zoning Board of Appeals of the City of Long Beach.
9. Resolution Authorizing the City Manager to Purchase Sodium Hypochlorite from the Lowest Responsible Bidder.
10. Resolution Authorizing Budget Amendment to the Capital Projects Fund Budget.

11. Resolution Authorizing the City Manager to Enter into a Contract for Masonry Work at Various Locations Throughout the City of Long Beach on an “As-Needed” Basis with the Lowest Responsible Bidder.
12. Resolution Authorizing the City Manager to Purchase Bunker Gear for the Long Beach Fire Department Under New York State Contract.
13. Resolution Fixing and Providing for the 2024 Season of the Ocean Beach Park.
14. Resolution Authorizing Publication of the General Summary of the Capital Improvement Program for the Next Five Years, and Authorizing Publication of the General Summary of the Proposed Budget for Year July 1, 2024 through June 30, 2025, and Notice of Public Hearings Thereon.
15. Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Ocean Beach Park.
16. Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Water and Water Distribution.
17. Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Sewer Rents.
18. Approval of Minutes of Prior Meeting of April 2, 2024.

April 16, 2024

Item No. 1
Ordinance No.

The following Ordinance was moved by
and seconded by :

ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: APPENDIX A – ZONING.

BE IT ENACTED, by the City Council of the City of Long Beach, New York, as follows:

Sec.1. Appendix A of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same are hereby added to and amended to read as follows:

“APPENDIX A ZONING

...

Sec. 9-104. Definitions.

...

Lot, depth of: The average distance from the **property line abutting the street line** to the rear lot line, measured in the average general direction of the sidelines of the lot.

Lot, rear line: The lot line opposite the **property line abutting the street line**, or in the case of a corner lot, the lot line elected by the owner, provided that it be indicated on the plans filed with the building commissioner as provided hereafter.

...

Stepback: For any multiple dwelling or mixed use development building proposed within twenty (20) feet of the property line **abutting the street** ~~along the street line~~ in the Residence-Business A District, the fourth story and all stories above must be set back a minimum of fifteen (15) feet from the front of the building along the street frontage, as recommended by the Commissioner of Buildings and approved by the City Council.

...

Sec. 9-105. Residence A District.

...

(c) Front yard. There shall be a front yard, the depth of which shall be at least twenty (20) feet back ~~of street line~~ **from the property line abutting the street**. In case of a corner lot, a front yard shall be required on each street on which the lot abuts.

...

Sec. 9-105.1. Residence B District.

...

(c) Front yard. There shall be a front yard, the depth of which shall be at least twenty (20) feet back ~~of street line~~ **from the property line abutting the street**. In case of a corner lot, a front yard shall be required on each street on which the lot abuts.

...

Sec. 9-105.2. Residence C District.

...

(c) Front yard. There shall be a front yard, the depth of which shall be at least twenty (20) feet back ~~of street line~~ **from the property line abutting the street**. In case of a corner lot, a front yard shall be required on each street on which the lot abuts.

...

Sec. 9-105.3. Residence D District.

...

(c) Front yard. There shall be a front yard, the depth of which shall be at least fifteen (15) feet back ~~of street line~~ **from the property line abutting the street**. In case of a corner lot, a front yard shall be required on each street on which the lot abuts.

Sec. 9-105.4. Residence DD District

...

(c) Front yard. There shall be a front yard, the depth of which shall be at least ten (10) feet back ~~of the street line~~ **from the property line abutting the street**. In case of a corner lot, the front yard shall be required on each street on which the lot abuts. This, however, shall not prohibit the erection and maintenance of an open porch in such front yard, provided that the same be erected not closer to the ~~front line~~ **property line abutting the street** than ~~three (3) feet~~ **one (1) foot**. **In the event that the front yard should contain an open porch, support beams for said open porch must not be closer to the property line abutting the street than three (3) feet.**

...

(m) Due to the impact of Superstorm Sandy, all structural elevations of pre-existing one or two family buildings and/or one or two family dwellings, that existed or exist in substantially the same dimensions, size, shape, form and use during or immediately prior to October 29, 2012, shall comply with all applicable zoning requirements of the City of Long Beach Zoning Code of Ordinances except as specifically modified herein:

(1) Front yard. There shall be a front yard, the depth of which shall be at least ten (10) feet back ~~of the street line~~ **from the property line abutting the street**. In case of a corner lot, the front yard shall be required on each street on which the lot abuts. This, however, shall not prohibit the erection and maintenance of an open porch in such front yard, provided that the same be erected not closer to the ~~front line~~ **property line abutting the street** than one (1) foot.

...

Sec. 9-105.5. Residence E District

...

(c) Front yard. There shall be a front yard, the depth of which shall be at least ten (10) feet back ~~of the street line~~ **from the property line abutting the street**. In case of a corner lot, the front yard shall be required on each street on which the lot abuts. This, however, shall not prohibit the erection and maintenance of an open porch in such front yard, provided that the same be erected not closer to the ~~front line~~ **property line abutting the street** than ~~three (3) feet~~ **one (1) foot**. **In the event that the front yard should contain an open porch, support beams for said open porch must not be closer to the property line abutting the street than three (3) feet.**

...

(o) Due to the impact of Superstorm Sandy, all structural elevations of pre-existing one or two family buildings and/or one or two family dwellings, that existed or exist in substantially the same dimensions, size, shape, form and use during or immediately prior to October 29, 2012, shall comply with all applicable zoning requirements of the City of Long Beach Zoning Code of Ordinances except as specifically modified herein:

(1) Front yard. There shall be a front yard, the depth of which shall be at least ten (10) feet back ~~of the street line~~ **from the property line abutting the street**. In case of a corner lot, the front yard shall be required on each street on which the lot abuts. This, however, shall not prohibit the erection and maintenance of an open porch in such front yard, provided that the same be erected not closer to the ~~front line~~ **property line abutting the street** than one (1) foot.

...

Sec. 9-105.6. Residence EE District.

...

(c) Front yard. There shall be a front yard, the depth of which shall be at least five (5) feet back ~~of street line~~ **from the property line abutting the street**. In case of a corner lot, a front yard shall be required on each street on which the lot abuts.

...

Sec. 9-105.7. Residence F District.

...

(c) Front yard. There shall be a front yard, the depth of which shall be at least twenty (20) feet back ~~of street line~~ **from the property line abutting the street**. In case of a corner lot, a front yard shall be required on each street on which the lot abuts.

...

Sec. 9-105.8. Residence FF District.

...

(c) Front yard. There shall be a front yard, the depth of which shall be at least five (5) feet back ~~of street line~~ **from the property line abutting the street**. In case of a corner lot, a front yard shall be required on each street on which the lot abuts.

...

Sec. 9-105.11. Residence J District.

...

(e) Front yard. There shall be a front yard, the depth of which shall be at least ten (10) feet back ~~of street line~~ **from the property line abutting the street**. In case of a corner lot, a front yard shall be required on each street on which the lot abuts.

...

Sec. 9-105.12. Residence K District.

...

(e) Front yard. There shall be a front yard, the depth of which shall be at least ten (10) feet back ~~of street line~~ **from the property line abutting the street**, or where the property fronts on the Ocean Beach Park, the depth of which shall be at least twenty (20) feet from the property line. In case of a corner lot, a front yard shall be required on each street on which the lot abuts.

...

Sec. 9-105.13. Residence L District.

...

(e) Front yard. There shall be a front yard, the depth of which shall be at least ten (10) feet back ~~of street line~~ **from the property line abutting the street**, or where the property fronts on the Ocean Beach Park, the depth of which shall be at least twenty (20) feet from the property line. In case of a corner lot, a front yard shall be required on each street on which the lot abuts. In the event the property line abuts on the Ocean Beach Park and a street, or is a through lot abutting two (2) streets, a front yard shall be required on each. Front yards shall be defined as those yards abutting the Ocean Beach Park, Shore Road, and Broadway.

...

Sec. 9-105.14. Residence-Business A District.

...

(d) *Step back*. For any multiple dwelling or mixed use development building proposed within twenty (20) feet ~~of the property line along the street line~~ **from the property line abutting the street**, the fourth story and all stories above fronting the ~~street line~~ **property line abutting the street or a public sidewalk**, inclusive of stories utilized for parking, must be set back a minimum fifteen (15) feet from the front of the building.

...

(g) *Front yard.* There shall be a front yard the depth of which shall be at least ten (10) feet from the ~~street line~~ **property line abutting the street** or where the property fronts on the Ocean Beach Park, the depth of which shall be at least twenty (20) feet from the property line. In case of a corner lot, the front yard shall be required on each street on which the lot abuts. In the event the property line abuts on the Ocean Beach Park and a street, or is a through lot abutting two (2) streets, a front yard shall be required on each. Front yards shall be defined as those yards abutting the Ocean Beach Park, Shore Road, and Broadway. As to multiple dwelling or mixed use developments located adjacent to Ocean Beach Park, if significant portions of the lot area, as recommended by the Commissioner of Buildings and determined by the City Council of the City of Long Beach, are used to provide "public areas," adjacent to, and at or above the existing Boardwalk level: the required front yard, where the property fronts Ocean Beach Park, may be reduced to zero (0) feet. For purposes of this provision, public areas shall be defined as parks, plazas, playgrounds, walkways, and other recreational areas and open spaces; significant viewsheds; and other features where the public is directly or indirectly drawn to visit or permitted to congregate within the mixed use development. In accordance with the requirements of the Community Benefit Bonus Program, front yards may be reduced, as recommended by the Commissioner of Buildings and approved by the City Council, based upon consideration of compatibility of adjacent buildings and structures, current setbacks of existing buildings in the area, vehicle and pedestrian access, visual access, lighting, drainage and utilities, public safety, whether reduced setbacks would fulfill the intent and purpose of this article.

..."

Section 2. This Ordinance shall take effect immediately

The following Ordinance was moved by
and seconded by :

ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: ZONING BOARD OF
APPEALS.

BE IT ENACTED, by the City Council of the City of Long Beach, New York, as
follows:

Sec.1. Chapter 20, Article II, Section 20-18 of the Code of Ordinances of the
City of Long Beach, shall be and the same is hereby amended to read as follows:

“Sec. 20-18. Application fees.

There shall be a fee payable upon the filing of an application pursuant to this article, as
follows:

Appeal from an Administrative Decision/Subdivision	\$300.00
Conditional/Temporary Variance, including Renewal . .	\$300.00
Special exception	\$180.00
Variance--Residential Renovation.	\$300.00
Variance-New One Family	\$650.00
Variance-New Two Family	\$900.00
Variance--Commercial	\$300.00
Variance-New Commercial	\$1,500.00
Variance-Commercial Alteration	\$1,000.00
Variance-New Multiple Dwelling	\$2,000.00
Variance--Off-street parking only	\$300.00
Variance-Fences	\$300.00
Variance-Cellular Sites	\$1,000.00
Temporary permit	\$300.00
Key Map Service	\$400.00

Sec. 2. This Ordinance shall take effect immediately.

April 16, 2024

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Settlement with Goodman-Marks Associates, Inc.

WHEREAS, the City entered into an agreement with Goodman-Marks Associates, Inc. to provide consulting services; and

WHEREAS, a dispute arose regarding the agreement; and

WHEREAS, after mediation, the Office of the Corporation Counsel obtained a settlement offer of \$500,000.00, to be paid to the City to settle all claims, on March 19, 2024;

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 to settle the above referenced matter for the sum of \$500,000.00 to be paid to the City of Long Beach within ninety days of full execution of the Settlement Agreement, in settlement of all claims of the City of Long Beach.

April 16, 2024

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Settlement of Actions Brought
by Robert Agostisi and the City of Long Beach.

WHEREAS, two actions currently exist in various courts in which Robert Agostisi and the City of Long Beach are parties (“pending litigation”), inclusive of *City of Long Beach v. Robert Agostisi* (Suffolk County Supreme Court Index No. 002684/2020) and *Robert Agostisi v. John Bendo, Scott Mandel, John McNally, Michael Delury, Karen McInnis, Elizabeth Treston and City of Long Beach* (United States District Court, Eastern District of New York Docket No.: 21-cv-7182 [NJC] [SIL]); and

WHEREAS, Robert Agostisi and the City of Long Beach desire to settle the pending litigation;

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 to settle all claims, demands and pending litigation in which Robert Agostisi and the City of Long Beach are parties, inclusive of *City of Long Beach v. Robert Agostisi* (Suffolk County Supreme Court Index No. 002684/2020) and *Robert Agostisi v. John Bendo, Scott Mandel, John McNally, Michael Delury, Karen McInnis, Elizabeth Treston and City of Long Beach* (United States District Court, Eastern District of New York Docket No.: 21-cv-7182 [NJC] [SIL]).

April 16, 2024

Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase
Time & Attendance Management Software.

WHEREAS, the City Manager desires to purchase time and attendance
management software to supplement the City's recordkeeping process; and

WHEREAS, the City desires to purchase time and attendance management
software, with specified options, at a cost of \$51,900.00, from Tyler Technologies, Inc., One
Tyler Drive, Yarmouth, ME 04096;

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 time and attendance management software,
with specified options, from Tyler Technologies, Inc., One Tyler Drive, Yarmouth, ME 04096 at a
cost of \$51,900.00. Funds are available in Account No. H1023.53107 (Time Management
Software [FRB]).

April 16, 2024

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter
into an Agreement for Consulting Services.

WHEREAS, the City of Long Beach 2022-2032 Comprehensive Plan, adopted on August 1, 2023 pursuant to Resolution No. 156/23, recommends the creation of a Planning Board with clearly defined roles and responsibilities, to provide for and guide the orderly growth and development of the community, while undertaking the administrative and regulatory roles of reviewing of site plans, special use permits, and subdivision plans; and

WHEREAS, the City of Long Beach desires to retain the professional services of Pace Land Use Law Center, a department of Pace Law School, 78 North Broadway, White Plains, New York 10603 to assist in the development of a Planning Board for the City of Long Beach, for a term of seven months, commencing May 1, 2024 and terminating December 31, 2024, at an hourly rate not to exceed \$126.00, and a total cost not to exceed \$45,000.00;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager may retain Pace Land Use Law Center, a department of Pace Law School, 78 North Broadway, White Plains, New York 10603 to assist in the development of a planning board for the City of Long Beach, for a term of seven months, commencing May 1, 2024 and terminating December 31, 2024, at an hourly rate not to exceed \$126.00, and total cost not to exceed \$45,000.00. Funds in the amount of \$15,000.00 are available in Account No. A1420.54453 (Corporation Counsel-Consultants); and additional funding will be available in the 2024-2025 fiscal year budget.

April 16, 2024

Item No. 7
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Appointing a Member to the Board of
Ethics of the City of Long Beach.

WHEREAS, pursuant to Article 2, Section 18 of the Charter of the City of Long Beach, a Board of Ethics consisting of five (5) appointed members is appointed by the City Council; and

WHEREAS, the City Council desires to appoint a member to the Board of Ethics of the City of Long Beach; and

WHEREAS, said newly appointed member of the Board of Ethics shall serve at the pleasure of the City Council; shall reside in the City of Long Beach; and shall serve without compensation; and

WHEREAS, the Board shall render advisory opinions with respect to Article 18 of the General Municipal Law and the City's Code of Ethics and all requests for opinions must be submitted to the Board in writing;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that John McQuade is hereby appointed as a member of the Board of Ethics of the City of Long Beach and Felicia Smith Solomon is hereby removed as members of the Board of Ethics of the City of Long Beach.

April 16, 2024

Item No. 8
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Confirming the Appointment of Members to
the Zoning Board of Appeals of the City of Long Beach.

WHEREAS, pursuant to Section 140 of the Charter of the City of Long Beach,
the City Manager has appointed the following people to the Zoning Board of Appeals of the City
of Long Beach for the following terms of office, subject to the confirmation of the City Council:

Michael Markowitz, for a three-year term, to serve for the remainder of the term that
commenced January 1, 2024 and expires December 31, 2026, without compensation;

Rocco Morelli, for a two-year term, to serve for the remainder of the term that
commenced January 1, 2024 and expires December 31, 2025, without compensation;

Wanda Brooks, for a two-year term, to serve for the remainder of the term that
commenced January 1, 2024 and expires December 31, 2025, without compensation;

Barry Alton, for a one-year term, to serve for the remainder of the term that commenced
January 1, 2024 and expires December 31, 2024, without compensation;

Vincent Leis, for a one-year term, to serve for the remainder of the term that commenced
January 1, 2024 and expires December 31, 2024, without compensation;

NOW, THEREFORE, be it

RESOLVED, that the City Council of the City of Long Beach, New York hereby
confirms the City Manager's appointment of the following people to the Zoning Board of
Appeals of the City of Long Beach for the following terms of office:

Michael Markowitz, for a three-year term, to serve for the remainder of the term that
commenced January 1, 2024 and expires December 31, 2026, without compensation;

Rocco Morelli, for a two-year term, to serve for the remainder of the term that
commenced January 1, 2024 and expires December 31, 2025, without compensation;

Wanda Brooks, for a two-year term, to serve for the remainder of the term that
commenced January 1, 2024 and expires December 31, 2025, without compensation;

Barry Alton, for a one-year term, to serve for the remainder of the term that commenced
January 1, 2024 and expires December 31, 2024, without compensation;

Vincent Leis, for a one-year term, to serve for the remainder of the term that commenced
January 1, 2024 and expires December 31, 2024, without compensation;

April 16, 2024

Item No. 9
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase
Sodium Hypochlorite from the Lowest Responsible Bidder.

WHEREAS, after due advertising therefore, four (4) bids were received in the Office of the City Purchasing Agent on Thursday, April 11, 2024 at 11:00 a.m. for the purchase of sodium hypochlorite to be used at the Water Pollution Control Plant; and

WHEREAS, JCI Jones Chemical, 103 River Street, Warwick, New York 10990 was the lowest responsible bidder at a cost of \$2.149 per gallon;

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 Sodium Hypochlorite from JCI Jones Chemical, 103 River Street, Warwick, New York 10990, for a period of two years, with the option to renew for an additional year, at a cost of \$2.149 per gallon, for approximately 70,000 gallons per year. Funds in the amount of \$6,020.00 are available for the remainder of fiscal year 2024 in Account No. G8130.54416 (Water Pollution Control - Chemicals) and funds will be made available in fiscal year 2025 in Account No. G8130.54416 (Water Pollution Control - Chemicals).

April 16, 2024

Item No. 10
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Budget Amendment to the
Capital Projects Fund Budget.

WHEREAS, on December 20, 2022 the City was awarded \$39,139,237.81 under
the FEMA 404 Hazard Mitigation Program for the work required under the North Shore Critical
Infrastructure Protection Project; and

WHEREAS, work has commenced and the City requested and received remittance in the
amount of \$2,775,244.55 from New York Division of Homeland Security and Emergency Services
("DHSES"); and

WHEREAS, the Capital Projects Fund Budget must be amended to increase
budgeted revenue and expense amounts in the Capital Projects Fund pertaining to the North
Shore Critical Infrastructure Protection Project;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the
following amendment to the fiscal year 2023-2024 Capital Projects Fund Budget be and is
hereby authorized:

CAPITAL PROJECTS FUND

Increase Estimated Revenues:	H10510		\$2,775,244.55
H0030.43097	State Aid, Capital Projects	\$2,775,244.55	
Increase Appropriations:	H20960		\$2,775,244.55
H1021.52298	Flood Protection Infrastructure	\$2,775,244.55	

April 16, 2024

Item No. 11
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into a Contract for Masonry Work at Various Locations Throughout the City of Long Beach on an “As-Needed” Basis with the Lowest Responsible Bidder.

WHEREAS, after due advertisement therefore, four bids were received in the Office of the Commissioner of Public Works on March 28, 2024 for “as-needed” concrete work and asphalt installations at quantities and at unit prices in accordance with plans and specifications on file in the Office of the Commissioner of Public Works, which fall outside the normal scope and availability of the City’s in-house staff; and

WHEREAS, said work shall include, but not be limited to, 4” sidewalks at a unit price of \$9.50 per square foot; 6” sidewalk ramps at a unit price of \$20.00 per square foot; 6” driveway ramps at a unit price of \$18.00 per square foot and the excavation and restoration of roadways at a unit price of \$5.00 per square foot; and

WHEREAS, A.S.V./Benny Construction Corporation, 220 Madison Avenue, Garden City Park, New York 11040 was the lowest responsible bidder at the above stated unit prices;

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 contract with A.S.V./Benny Construction Corporation, 220 Madison Avenue, Garden City Park, New York 11040 for “as-needed” masonry work at unit prices in accordance with specifications on file in the Office of the Commissioner of Public Works, for a period of one year, with an option for a one year extension upon the same terms and conditions, at a cost not to exceed \$249,925.00. Funds are available in the current fiscal year and in the proposed 2025 budget in Account No. A8170.54449 (Street Maintenance-Masonry Repairs).

April 16, 2024

Item No. 12
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase
Bunker Gear for the Long Beach Fire Department Under
New York State Contract.

WHEREAS, pursuant to State of New York Office of General Services Contract #PC67939, municipalities of the State are given the opportunity to purchase Fire Department bunker gear from designated dealers at favorable prices; and

WHEREAS, bunker gear is necessary safety equipment used to protect members of the Long Beach Fire Department when fighting fires or encountering other types of hazardous environments; and

WHEREAS, the Fire Department needs to replace bunker gear that has outlived its useful life and needs ten (10) bunker gear sets, inclusive of jackets, pants, helmets, gloves and boots; and

WHEREAS, Hi Tech Fire and Safety, Inc., 158 Allen Blvd., Suite A, Farmingdale, New York 11735 is an awarded vendor under New York State OGS Contract #PC67939, affording the City favorable rates for the aforementioned bunker gear sets, for a total cost of \$36,373.54;

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 ten (10) bunker gear sets, inclusive of jackets, pants, helmets, gloves and boots, for a total cost of \$36,373.54 from Hi Tech Fire and Safety, Inc., 158 Allen Blvd., Suite A, Farmingdale, New York 11735 as per New York State OGS Contract #PC67939. Funds are available in the amount of \$36,373.54 in Account No. S9928.54513 (PF&I 48th Yr. – Fire Station Upgrades) made available through a Community Development Block Grant.

April 16, 2024

Item No. 13
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Fixing and Providing for the 2024 Season of
the Ocean Beach Park.

BE IT RESOLVED, by the City Council of the City of Long Beach, New York that pursuant to the authority conferred by Section 18-29 of the Code of Ordinances of the City of Long Beach, the season of the Ocean Beach Park for and during the calendar year for 2024 be and the same hereby is fixed and determined to be as follows, in place and stead for the period provided in and by said Section 18-29.

Saturday, May 25, 2024; Sunday, May 26, 2024 and Monday,
May 27, 2024;

Saturday, June 1, 2024; Sunday, June 2, 2024;

Saturday, June 8, 2024; Sunday, June 9, 2024;

Saturday, June 15, 2024; Sunday, June 16, 2024; Wednesday, June 19, 2024;

Saturday, June 22, 2024; Sunday, June 23, 2024;

Beginning Thursday, June 27, 2024, every day to and including Labor Day,
Monday, September 2, 2024.

April 16, 2024

Item No. 14
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication of the General Summary
of the Capital Improvement Program for the Next Five Years,
and Authorizing Publication of the General Summary
of the Proposed Budget for Year July 1, 2024 through June
30, 2025, and Notice of Public Hearings Thereon.

BE IT RESOLVED, by the City Council of the City of Long Beach, New York that the General Summary of the proposed Capital Improvement Program for the five-year period July 1, 2024 to June 30, 2029, inclusive, be published in the official newspaper of the City of Long Beach, together with a Notice of Public Hearing on said Capital Improvement Program, to be held at City Hall, 1 West Chester Street, in the City of Long Beach, New York, on Tuesday, May 21, 2024 at 7:00 p.m. on that day, pursuant to Section 101-d of the City Charter. Copies of said Capital Improvement Program will be made available for inspection on or before April 19, 2024 by the public at the Office of the City Clerk, daily on business days between the hours of 10:00 a.m. and 3:00 p.m., prior to said hearing. An electronic version of the Capital Improvement Program will be made available on the City's official website www.longbeachny.gov; and

BE IT RESOLVED, by the City Council of the City of Long Beach, New York that the City Clerk is hereby authorized and directed to publish in the official newspaper of the City of Long Beach a General Summary of the Proposed Budget for Year July 1, 2024 through June 30, 2025, together with a notice calling for public hearings on such budget to be held on Tuesday, May 7, 2024 and Tuesday, May 21, 2024, at 7:00 p.m., at City Hall, 1 West Chester Street, in the City of Long Beach, New York. Copies of the submitted budget and budget message, and all supporting schedules, will be available for inspection on or before April 19, 2024 by the public at the Office of the City Clerk, daily on business days between the hours of 10:00 a.m. and 3:00 p.m., prior to said hearings. An electronic version of the budget and message will be available on the City's official website www.longbeachny.gov.

April 16, 2024

Item No. 15
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of an
Ordinance to Amend the Code of Ordinances of the City
of Long Beach Re: Ocean Beach Park.

WHEREAS, there has been presented to this Council the following proposed
Ordinance:

“ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: OCEAN BEACH PARK.”
(See Ordinance Attached)

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the
City Clerk shall cause to be published in the official newspaper of the City of Long Beach the
title, and a summary or the full text of said Ordinance; and be it further

RESOLVED, that said Ordinance shall be on the calendar for public hearing at a
meeting of the City Council to be held at City Hall, 1 West Chester Street, Long Beach, New
York, on May 7, 2024 at 7:00 p.m. on that day.

ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: ADMISSION CHARGES
FOR OCEAN BEACH PARK.

BE IT ENACTED, by the City Council of the City of Long Beach, New York, as follows:

Sec.1. Chapter 18, Article II, Division II, Section 18-34 of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby amended to read as follows:

“Sec. 18-34. When bathing permitted.

No person shall bathe, wade or swim in any waters adjacent to the Ocean Beach Park except between the hours of ~~9:00 a.m. and 6:00 p.m.~~, **prescribed by the Chief of Lifeguards or City Manager in a memorandum on file in the office of the City Clerk and posted on the City’s website, and only when lifeguards are on duty**, during the beach park season.”

Sec. 2. This Ordinance shall take effect immediately.

April 16, 2024

Item No. 16
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of an
Ordinance to Amend the Code of Ordinances of the City
of Long Beach Re: Water and Water Distribution.

WHEREAS, there has been presented to this Council the following proposed
Ordinance:

“ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: WATER AND WATER
DISTRIBUTION.”

(See Ordinance Attached)

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the
City Clerk shall cause to be published in the official newspaper of the City of Long Beach the
title, and a summary or the full text of said Ordinance; and be it further

RESOLVED, that said Ordinance shall be on the calendar for public hearing at a
meeting of the City Council to be held at City Hall, 1 West Chester Street, Long Beach, New
York, on May 7, 2024 at 7:00 p.m. on that day.

ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: WATER AND WATER
DISTRIBUTION.

BE IT ENACTED, by the City Council of the City of Long Beach, New York, as follows:

Sec.1. Chapter 25, Article II, Division 2, Section 25-26 (a) and (b) of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same are hereby amended, to read as follows:

“Sec. 25-26. Water charges and sewer rents.

(a) *Water rates:*

- (1) On and after July 1, ~~2021~~ **2024**, the charge for water furnished by the city shall be ~~four dollars and sixty eight cents (\$4.68)~~ **five dollars and eighty five cents (\$5.85)** for each one thousand (1,000) gallons used or consumed upon each parcel of real estate in the city, as recorded by water meters or as estimated by the water/sewer administration at the city's discretion, and bills shall be rendered on the basis of said rate and shall be billed quarterly.
- (2) A minimum charge per quarter will be based on twelve thousand (12,000) gallons and a fee of ~~fifty six dollars and sixteen cents (\$56.16)~~ **seventy dollars and twenty cents (\$70.20)**.
- (3) The following rates are applied to water usage per quarter:

<u>Usage:</u>	<u>Water Rate:</u>
12,001-150,000 gallons	\$5.00 \$6.25
150,001--300,000 gallons	\$5.09 \$6.36
300,001--600,000 gallons	\$5.31 \$6.64
600,001 and above	\$5.83 \$7.29

(b) *Charges for firematic systems:* On or after July 1, ~~2019~~ **2024**, the charges for firematic systems shall be billed quarterly in advance, shall be due and payable when billed and entered, and shall be computed as follows:

Size of Firematic Supply	Monthly Charge
Up to and including 2”	\$114.91 \$143.64
Over 2” but not over 3”	\$202.17 \$252.71
Over 4”	\$740.01 \$925.01
Each standpipe not connected to a firematic system	\$220.63 \$275.79

...”

Sec. 2. This Ordinance shall take effect immediately.

April 16, 2024

Item No. 17
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of a Local Law
Amending the Charter of the City of Long Beach Re: Sewer Rents.

WHEREAS, there has been presented to this Council the following proposed
Local Law:

“A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: SEWER RENTS”.

(See Local Law Attached)

NOW, THEREFORE, be it

RESOLVED, that a public hearing shall be had before this Council at City Hall, 1
West Chester Street, Long Beach, New York, concerning the aforesaid Local Law, on May 7,
2024 at 7:00 p.m.; and be it further

RESOLVED, that the City Clerk be and hereby is authorized and directed to
cause a notice of said hearing to be published in the official newspaper of the City of Long
Beach, containing the title of such proposed Local Law and an explanatory statement thereof.

Introductory No. 381
Introduced by:

CITY OF LONG BEACH

CHAPTER IV LAWS OF 2024

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: SEWER RENTS.

BE IT ENACTED, by the City Council of the City of Long Beach, New York as follows:

Sec. 1. Article 6, Section 122(b)(2) 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. 122. Sewer rents.

(a) *Sewer system, defined.* As used in this section, the term sewer system shall mean and include the sewers, manholes, intercepting sewers, sewage pumping, treatment and disposal works, and any other plants, works or equipment and accessories, which are used or useful in connection with the collection, treatment or disposal of sewage and waste, and which are owned, operated or maintained by the city as part of the public sewer system. This definition is intended to include the sewer system both within and without the city.

(b) *Imposition and computation of sewer rents.*

1. In addition to any other fees or charges provided by law, the owner of any parcel of real property connected with the sewer system, including but not limited to real property connected with the sewer system by means of a private sewer or drain emptying into the sewer system, shall pay a sewer rent for the use of the sewer system.

2. Sewer rents applicable to premises within city limits. On and after July 1, 1975, the annual sewer rent for real property located within the city limits is hereby fixed at an amount equal to sixty-seven (67) per cent of the water charges and rents for any such real property.

...

On and after July 1, 2019, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to one hundred thirty (130) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 2019.

On and after July 1, 2024, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to ninety (90) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 2024.

...”

Sec. 2. This Local Law shall take effect immediately upon being filed in the Office of the New York Secretary of State.