

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
AUGUST 18, 2020

1. Resolution Authorizing the City Manager to Enter into an Agreement for the Construction of the Downtown to the Boardwalk-Resilient Connectivity Project along Edwards Boulevard and to Amend the Budget.
- OFF CALENDAR 2. Resolution Authorizing the City Manager to Purchase Waste Receptacles, Liners and Lids from the Lowest Responsible Bidders and to Amend the Budget.
3. Resolution Authorizing the City Manager to Enter into a Contract for the Removal of Accumulations of Grit and Grease from the Water Pollution Control Plant with the Lowest Responsible Bidder.
4. Resolution Authorizing the City Manager to Accept and Execute a Grant on Behalf of the City of Long Beach from the New York State Department of Health.
5. Resolution Authorizing the City Manager to Accept and Execute a Grant on Behalf of the City of Long Beach from the New York State Department of Environmental Conservation and to Amend the Budget.
6. Resolution Authorizing the City Council to Enter into a Contract Memorializing the City Manager's Employment.
7. Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for the Cost of Fiscal Year 2020-2021 Separation Payments To or For the Benefit of Employees of the City Upon Separation from Employment, Stating the Estimated Total Cost Thereof is \$2,700,000, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$2,700,000 Bonds of Said City to Finance Said Appropriation.

8. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 901 West Beech Street (street floor), Long Beach, New York.
Re: Skincare and Home Gods Retail Store

9. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 240 West Park Avenue (street floor), Long Beach, New York.
Re: Personal Training Studio

August 18, 2020

Item No. 1
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into an Agreement for the Construction of the Downtown to the Boardwalk-Resilient Connectivity Project along Edwards Boulevard and to Amend the Budget.

WHEREAS, pursuant to Resolution No.111/15, duly adopted by the City Council on October 20, 2015, the City executed a Federal Aid and State Marchiselli Program Agreement wherein the NYS Department of Transportation approved a Transportation Improvement Program Project to assist the City with the construction of pedestrian and bicycle safety improvements, streetscape and green infrastructure enhancements along Edwards Boulevard, to connect the Long Beach Railroad to the Long Beach Boardwalk, as part of our New York State Department of Transportation TAP Award Project, P.I.N. 0760.97; and

WHEREAS, the NYSDOT has sent the City an Award Concurrence email, stating that the City will be reimbursed for the full amount of the Federal Share in the amount of \$1,064,000; and

WHEREAS, the Project was divided into three phases: preliminary design, final design, and construction/inspection; and

WHEREAS, after due advertisement therefore, nine (9) bids were received in the Office of Public Works on June 6, 2020, for phase three, construction/inspection of the Project, to include, but not be limited to, the installation of curbs, sidewalks, high visibility crosswalks, NYSDOT and ADA compliant handicap ramps, bike lanes, drainage improvements, new traffic signs and pavement markings; and

WHEREAS, A.I.I. Allen Industries, Inc., 510 Broadway, Amityville, New York 11710 was the lowest responsible bidder at a cost of \$2,066,000;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and he hereby is authorized to enter into a contract with A.I.I. Allen Industries, Inc., 510 Broadway, Amityville, New York 11710 for construction/inspection services for the Downtown to the Boardwalk-Resilient Connectivity Project, at a cost of \$2,066,000. Funds are available in Account No. H1021.53093 after the following budget amendment is hereby authorized:

Increase Estimated Revenues: H 10510		\$3,130,000
H0040.44097 Federal Aid, Capital Projects	\$1,064,000	
H0050.45711 Serial Bonds	\$2,066,000	
 Increase Appropriations: H/V 20960		 \$3,130,000
H1021.53093 Resilient Connectivity Project	\$2,066,000	
V9710.56000 Serial Bonds Principal	\$1,064,000	

August 18, 2020

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase Waste
Receptacles, Liners and Lids from the Lowest Responsible Bidders
and to Amend the Budget.

WHEREAS, after due advertisement therefore, three bids were received in the
Office of the City Purchasing Agent on Thursday, August 6, 2020 at 11:30 a.m. for the purchase
of waste receptacles, liners and lids on an “as needed” basis; and

WHEREAS, as per specifications on file in the Office of the City Purchasing
Agent, Wassau Tile Inc., PO Box 1520, Wausau, WI 54402 and Con Serve Co., 103 Illinois
Street, Sidney, NE 69162 were the lowest responsible bidders depending upon the specific items
needed; and

WHEREAS, the City desires to purchase 45 waste receptacles and 10 additional
lids at this time, with grant funds in the amount of \$25,000, obtained for the City by Senator
Todd Kaminsky;

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 waste receptacles, liners and lids on an “as
needed” basis for a period of one (1) year with the option to renew for two additional one (1)
year periods at the same pricing. Funds in the amount of \$25,000 will be available in Account
No. A8160.54469 (Sanitation-Miscellaneous) after the following budget amendment is hereby
authorized and funds for future purchases will be available in the 2021-2022 City budget.

Increase Estimated Revenues: A10510	\$25,000.00
A0030.42770 State Aid- Other Unclassified Revenue	\$25,000.00

Increase Appropriations: A20960	\$25,000.00
A8160.54469 Sanitation - Miscellaneous	\$25,000.00

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Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into a
Contract for the Removal of Accumulations of Grit and Grease
from the Water Pollution Control Plant with the Lowest Responsible Bidder.

WHEREAS, after due advertisement therefore, three bids were received in the
Office of the City Purchasing Agent on Thursday, August 6, 2020 at 11:00 a.m. for the removal
of accumulations of grit and grease from the Water Pollution Control Plant on an “as needed”
basis; and

WHEREAS, Tully Environmental, Inc., 127-50 Northern Blvd., Flushing, New
York 11368 was the lowest responsible bidder as per specifications, for a cost of \$1,200 per pull
for a 6yd. container of grit and grease;

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 Tully Environmental, Inc.,
127-50 Northern Blvd., Flushing, New York 11368 for the removal of grit and grease from the
Water Pollution Control Plant on an “as needed” basis for a period of one (1) year with the
option to renew for an additional one (1) year period at a cost of \$1,200 per pull for a 6yd.
container. Funds are available in Account No. G8130.54440 (Contracted Services).

August 18, 2020

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Accept and Execute
a Grant on Behalf of the City of Long Beach from the New York State
Department of Health.

WHEREAS, New York's Clean Water Infrastructure Act of 2017 amended the
Public Health Law to require the Department of Health to institute a Lead Service Line
Replacement Program to provide municipalities with grant funds to facilitate the replacement of
lead water service lines from the public water main to the residence; and

WHEREAS, the City of Long Beach has been notified of the approval of a grant
in the amount of \$611,363 (Contract #DOH01-C34393GG-3450000) to be administered by the
New York State Department of Health; and

WHEREAS, the City will identify the presence of a lead service line and will
work with the homeowner to coordinate the replacement of the lead service line, at no cost to
both the homeowner and the City, and the City will then submit project related vouchers/invoices
to the State for reimbursement on a quarterly basis, for the work performed that quarter; and

WHEREAS, it is the hope and expectation that the City will be able to complete
approximately 139 replacements throughout the City by February 2023;

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 accept and execute a grant for \$611,363 with the
New York State Department of Health (Contract #DOH01-C34393GG-3450000) to be used for
the replacement of lead water service lines from the public water main to residences, at no cost to
both the homeowner and the City. Funds for the work will be available in various Water
Department lines, and funds received for reimbursement will be placed in Account No.
F0030.43989 (Water Fund - State Aid, Other Home & Community).

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Accept and Execute
a Grant on Behalf of the City of Long Beach from the New York State
Department of Environmental Conservation and to Amend the Budget.

WHEREAS, the Environmental Protection Act in 1993 created the Environmental
Protection Fund (EPF), a continuing source of funds dedicated to environmental projects,
including programs such as the Municipal Waste Reduction and Recycling (MWRR) State
Assistance Grant program to help municipalities meet environmental goals and mandates; and

WHEREAS, the EPF allows the Department of Environmental Conservation
(DEC) to provide MWRR funding to local governments for waste reduction and recycling
projects to assist municipalities in expanding local waste reduction and recycling programs, and
increase participation in those programs; and

WHEREAS, under this grant opportunity, the MWRR State Assistance Grant
Program can help fund the costs of Recycling Education, Coordination, Planning and Promotion
Eligible projects, which hope to enhance municipal recycling through activities that coordinate
recycling activities as well as encourage participation in local recycling programs; and

WHEREAS, the City of Long Beach has been notified of the approval of a grant
in the maximum amount of \$40,780 (Contract #DEC01-T00919GG-3350000), allowing the City
to decide how much of the award it will use, as the City is obligated to match the amount;

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 accept and execute a grant for \$40,780 with the
New York State Department of Environmental Conservation (Contract#DEC01-T00919GG-
3350000) to be used to expand recycling programs and to increase public education through such
things as mailers and signage, as well as provide salary funds for the Recycling Coordinator.
Funds for the City’s match will come from Account No. A6410.54469 (Publicity Miscellaneous)
after the following budget amendment is authorized:

Increase Estimated Revenues:	A10510	\$40,780.00
A0030.42770 State Aid- Other Unclassified Revenue		\$40,780.00
Increase Appropriations:	A20960	\$40,780.00
A6410.54469 Publicity – Miscellaneous		\$40,780.00

August 18, 2020

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Council to Enter into a
Contract Memorializing the City Manager's Employment.

RESOLVED, that pursuant to Article 3, Section 20.3(a) of the Charter of the City of Long Beach, the City Council is hereby authorized to enter into an employment contract with Donna Gayden, who was duly appointed as City Manager by the City Council on February 27, 2020 pursuant to Resolution No. 15/20, for a term of one year, commencing September 1, 2020 through August 31, 2021, at an annual salary of \$190,000.00, together with such other terms and conditions as the City Council shall deem appropriate.

August 18, 2020

Item No. 7
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of an Ordinance
Authorizing Financing for the Cost of Fiscal Year 2020-2021
Separation Payments To or For the Benefit of Employees of the City
Upon Separation from Employment, Stating the Estimated Total Cost
Thereof is \$2,700,000, Appropriating Said Amount Therefor, and
Authorizing the Issuance of Not to Exceed \$2,700,000 Bonds of Said
City to Finance Said Appropriation.

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

“BOND ORDINANCE DATED SEPTEMBER 1, 2020.

ORDINANCE AUTHORIZING FINANCING FOR THE COST
OF FISCAL YEAR 2020-2021 SEPARATION PAYMENTS TO
OR FOR THE BENEFIT OF EMPLOYEES OF THE CITY
UPON SEPARATION FROM EMPLOYMENT, STATING THE
ESTIMATED TOTAL COST THEREOF IS \$2,700,000,
APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF NOT TO EXCEED
\$2,700,000 BONDS OF SAID CITY TO FINANCE SAID
APPROPRIATION.”

(See Proposed Ordinance)

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 the full text of said Ordinance; and be it further

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 Ordinance, on September
1, 2020 at 7:00 p.m.; and be it further

RESOLVED, that due to public health and safety concerns related to COVID-19,
the City Council may not be meeting in-person. In accordance with the Governor’s Executive
Order 202.1, the September 1, 2020 City Council meeting and this hearing may be held via
videoconferencing; and be it further

RESOLVED, the public will be given an opportunity to observe and participate in
the virtual meeting by registering for the hearing at longbeachny.gov/councilmeetings.

BOND ORDINANCE AUTHORIZING FINANCING FOR THE COST OF FISCAL YEAR 2020-2021 SEPARATION PAYMENTS TO OR FOR THE BENEFIT OF EMPLOYEES OF THE CITY UPON SEPARATION FROM EMPLOYMENT, STATING THE ESTIMATED TOTAL COST THEREOF IS \$2,700,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,700,000 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION.

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 cost of fiscal year 2020-2021 separation payments to or for the benefit of employees of the City upon separation from employment, pursuant to Chapter 258 of the 2012 Laws of New York, at the estimated maximum cost of \$2,700,000 and as detailed in the attached exhibit. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$2,700,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of not to exceed \$2,700,000 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.

Section 2. Bonds of the City in the aggregate principal amount of \$2,700,000 are hereby authorized to be issued 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 period of probable usefulness of the specific object or purpose for which said \$2,700,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 85-e of the Law, is five (5) years.

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.

August 18, 2020

Item No. 8
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 901 West Beech Street (street floor), Long Beach, New York.

WHEREAS, there has been presented to this Council an application pursuant to Section 9-112(18)(c) of Appendix A (Zoning Law) of the Long Beach Code of Ordinances, for waiver of off-street parking requirements for the premises located at 901 West Beech Street (street floor), Long Beach, New York (Section 59, Block 235, Lot 26) between Wyoming Avenue and Wisconsin Street, having frontage of 20 feet, on behalf of the owner Beech Street LB LLC, PO Box 130, Wantagh, New York 11793 to be used as a Skincare and Home Goods Retail Store;

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 Ordinance, on September 1, 2020 at 7:00 p.m.; and be it further

RESOLVED, that due to public health and safety concerns related to COVID-19, the City Council may not be meeting in-person. In accordance with the Governor's Executive Order 202.1, the September 1, 2020 City Council meeting and this hearing may be held via videoconferencing; and be it further

RESOLVED, the public will be given an opportunity to observe and participate in the virtual meeting by registering for the hearing at longbeachny.gov/councilmeetings.

RESOLVED, that the City Clerk be and he hereby is authorized to cause a notice of said hearing to be published in the official newspaper of the City of Long Beach.

August 18, 2020

Item No. 9
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 240 West Park Avenue (street floor), Long Beach, New York.

WHEREAS, there has been presented to this Council an application pursuant to Section 9-112(18)(c) of Appendix A (Zoning Law) of the Long Beach Code of Ordinances, for waiver of off-street parking requirements for the premises located at 240 West Park Avenue (street floor), Long Beach, New York (Section 59, Block 59, Lot 14) between Magnolia and Laurelton Boulevards, having frontage of 20 feet, on behalf of the owner 242 W. Park Ave. Corp., 66-20 247th Street, Douglaston, NY 11362 to be used as a Personal Training Studio;

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 Ordinance, on September 1, 2020 at 7:00 p.m.; and be it further

RESOLVED, that due to public health and safety concerns related to COVID-19, the City Council may not be meeting in-person. In accordance with the Governor's Executive Order 202.1, the September 1, 2020 City Council meeting and this hearing may be held via videoconferencing; and be it further

RESOLVED, the public will be given an opportunity to observe and participate in the virtual meeting by registering for the hearing at longbeachny.gov/councilmeetings.

RESOLVED, that the City Clerk be and he hereby is authorized to cause a notice of said hearing to be published in the official newspaper of the City of Long Beach.