

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
AUGUST 6, 2019

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 14 East Park Avenue, (second floor), Long Beach, New York.

Re: Tattoo Studio

1. Resolution Electing a Temporary President of the City Council of the City of Long Beach.
2. Resolution Electing a President of the City Council of the City of Long Beach.
3. Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 14 East Park Avenue, (second floor), Long Beach, New York.
Re: Tattoo Studio
4. Resolution Authorizing the Acting 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.
5. Resolution Authorizing Transfer of Funds for the 2019-2020 Fiscal Year.
6. Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for Various Capital Projects In and For the City of Long Beach, Nassau County, New York, Stating the Estimated Total Cost Thereof is \$20,510,441, Appropriating Said Amount Therefor, Including the Expenditure of \$12,000,041 Expected to be Received in State or Federal Aid, Authorizing the Issuance of Not to Exceed \$20,510,441 Bonds of Said City to Finance Said Appropriation; and Further Authorizing Any Amounts Received from the United States of America and/or The State of New York to be Expended Toward the Cost of Certain of Such Capital Projects as Indicated Herein, or Redemption of any Notes and Bonds Issued Therefor or to be Budgeted as an Offset to the Taxes For Payment of the Principal of and Interest on Said Notes and Bonds.

7. Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for Improvements to the Park Place Water Treatment Plant, Stating the Estimated Total Cost Thereof is \$800,000, Appropriating Said Amount for Such Purpose, and Authorizing the Issuance of \$800,000 Bonds to Finance Said Appropriation and the Expenditure of City Water Rate Charges and Up to \$800,000 Grant Funds Expected to be Received from the State of New York to be Expended Towards the Cost of Said Object or Purpose or Redemption of the City's Obligations Issued Therefor, or to be Budgeted as an Offset to Taxes for the Payment of the Principal of and Interest on Said Bonds.

8. Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for Replacement of the City's Elevated Water Storage Tank, Stating the Estimated Total Cost Thereof is \$9,240,540, Appropriating \$9,000,000 for Such Purpose and Authorizing the Issuance of \$9,000,000 Bonds to Finance Said Appropriation of \$240,540 to be Appropriated in the Future, and the Expenditure of City Water Rate Charges and up to \$3,000,000 Grant Funds Expected to be Received from the State of New York to be Expended Towards the Cost of Said Object or Purpose or Redemption of the City's Obligations Issued Therefor, or to be Budgeted as an Offset to Taxes for the Payment of the Principal of and Interest on Said Bonds.

August 6, 2019

Item No. 1
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Electing a Temporary President of the City Council
of the City of Long Beach.

RESOLVED, by the City Council of the City of Long Beach, New York
that be and is hereby elected Temporary President of the City Council
of the City of Long Beach.

This Resolution shall be effective immediately.

August 6, 2019

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Electing a President of the City Council
of the City of Long Beach.

RESOLVED, by the City Council of the City of Long Beach, New York
that be and is hereby elected President of the City Council of the City of
Long Beach.

This Resolution shall be effective immediately.

August 6, 2019

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Granting Waiver of Off-Street Parking Requirements Re:
Premises 14 East Park Avenue, (second 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 14 East Park Avenue (second floor), Long Beach, New York (Section 59, Block 97, Lot 7), between Edwards and Riverside Boulevards, having frontage of less than 20 feet, on behalf of the owner George Babayev, 64-15 110th Street, Forest Hills, New York 11375 to be used as a Tattoo Studio;

WHEREAS, a Public Hearing was held on this date;

NOW, THEREFORE, after due deliberation, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the application of the owner George Babayev, 64-15 110th Street, Forest Hills, New York 11375 for exemption with respect to the requirements for off-street parking at premises 14 East Park Avenue (second floor), having frontage of less than 20 feet, be and the same hereby is granted, only and during the time that such premises shall be used as a Tattoo Studio.

August 6, 2019

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting 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, two bids were received in the
Office of the City Purchasing Agent on Thursday, August 1, 2019 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
Acting City Manager be and he hereby is 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 6, 2019

Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Transfer of Funds for the
2019-2020 Fiscal Year.

BE IT RESOLVED, by the City Council of the City of Long Beach, New York
that the following transfer of Water Funds be and are hereby authorized:

<u>Budget Code</u>	<u>Description</u>	<u>Transfer From:</u>	<u>Transfer To:</u>
F8330.51101	Water Purification Regular Salaries	\$27,000.00	
F8330.51102	Water Purification Temporary Salaries		\$27,000.00

August 6, 2019

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for Various Capital Projects In and For the City of Long Beach, Nassau County, New York, Stating the Estimated Total Cost Thereof is \$20,510,441, Appropriating Said Amount Therefor, Including the Expenditure of \$12,000,041 Expected to be Received in State or Federal Aid, Authorizing the Issuance of Not to Exceed \$20,510,441 Bonds of Said City to Finance Said Appropriation; and Further Authorizing Any Amounts Received from the United States of America and/or The State of New York to be Expended Toward the Cost of Certain of Such Capital Projects as Indicated Herein, or Redemption of any Notes And Bonds Issued Therefor or to be Budgeted as an Offset to the Taxes For Payment of the Principal of and Interest on Said Notes and Bonds.

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

“BOND ORDINANCE DATED AUGUST 20, 2019.

AN ORDINANCE AUTHORIZING FINANCING FOR VARIOUS CAPITAL PROJECTS IN AND FOR THE CITY OF LONG BEACH, NASSAU COUNTY, NEW YORK, STATING THE ESTIMATED TOTAL COST THEREOF IS \$20,510,441, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF \$12,000,041 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$20,510,441 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION; AND FURHTER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARD THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.”

(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 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, in the City of Long Beach, New York, on August 20, 2019 at 7:00 p.m. on that day.

AN ORDINANCE AUTHORIZING FINANCING FOR VARIOUS CAPITAL PROJECTS IN AND FOR THE CITY OF LONG BEACH, NASSAU COUNTY, NEW YORK, STATING THE ESTIMATED TOTAL COST THEREOF IS \$20,510,441, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF \$12,000,041 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$20,510,441 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARD THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

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

Section 1. The City of Long Beach, Nassau County, New York (herein called the "City"), is hereby authorized to finance the costs of construction, acquisition or undertaking of the various capital projects as described in column B of Schedule I attached hereto and hereby made a part hereof, at the estimated maximum costs indicated in column C of such Schedule I. The total estimated cost of such projects, including preliminary costs and costs incidental thereto and to the financing thereof, is \$20,510,441 and said amount is hereby appropriated therefor. The plan of financing includes the expenditure of \$12,000,041 in State and Federal aid and/or revenues from special assessments on applicable homeowners expected to be received in the amounts indicated in column D of such Schedule I, the issuance of not to exceed \$20,510,441 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any amounts received by the City from the United States of America and/or the State of New York and/or revenues from special assessments on applicable homeowners are hereby authorized to be expended toward the cost of the applicable specific objects or purposes, classes of objects or purposes or combinations of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$20,510,441 are hereby authorized to be issued in the respective principal amounts indicated in Column C of such Schedule I for each of the respective objects or purposes indicated in Column B of such Schedule I, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance the appropriation referred to herein.

Section 3. The respective periods of probable usefulness of the specific objects or purposes, classes of objects or purposes and combinations as referenced in column H of the attached Schedule I, for which said bonds are authorized are to be issued, within the limitations of §11.00 a. of the Law, are set forth in columns F and G of the attached Schedule I.

Section 4. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication,

- (c) or such obligations are authorized in violation of the provisions of the constitution.

Section 8. This Bond Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in summary, together with a notice in substantially the form prescribed by §81.00 of the Law in the official newspaper of said City for such publication.

SCHEDULE I

A	B	C	D	E	F	G	H	I
Category	Project Name	Total EMC/Bond Authorization	2020 Non City Funding	Project Type	PPU	LFL Paragraph	Specific Class & Combination	SEGRA TYPE
GENERAL FUND								
Roads	Roadway Reconstruction - Various(Designed)	\$ 400,000.00	\$ -	Reconstruction	15	Par. 20	C	Type II
Roads	Road Overlays	\$ 200,000.00	\$ 200,000.00	Reconstruction	15	Par. 20	C	Type II
Roads	Curb/Sidewalk Rehabilitation - City Wide	\$ 150,000.00	\$ -	Reconstruction	10	Par. 24	C	Type II
Roads	Edwards Avenue	\$ 2,063,000.00	\$ 1,063,000.00	Design/Reconstruction	15	Par. 20	S	Type II
Roads	Streetscaping	\$ 33,000.00	\$ -	Design/Reconstruction	10	Par. 90	COMBO	Type II
	Total - Roads and Drainage	\$ 2,846,000.00	\$ 1,263,000.00					
Shoreline	Various Public Bulkhead Replacement	\$ 1,500,000.00	\$ -	Design/Reconstruction	30	Par. 94	COMBO	UNLISTED
Shoreline	Sand Screening for Boardwalk Dune	\$ 265,000.00	\$ 100,000.00	Equipment	5	Par. 35	S	Type II
	Total - Shoreline	\$ 1,765,000.00	\$ 100,000.00					
Transportation	Transit Support Vehicles (2)	\$ 47,500.00	\$ 42,750.00	Equipment	3	Par. 77	C	Type II
Transportation	Security Cameras at Garage & Station	\$ 35,000.00	\$ 31,500.00	Equipment	5	Par. 32	C	Type II
Transportation	Bus Replacement (2)	\$ 50,000.00	\$ 45,000.00	Motor Vehicle	5	Par. 29	C	Type II
Transportation	Paratransit Bus Replacement (3)	\$ 210,000.00	\$ 189,000.00	Equipment	5	Par. 89	COMBO	Type II
Transportation	Bus Shelters	\$ 275,000.00	\$ 247,500.00	Equipment	5	Par. 32	C	Type II
Transportation	Bus Stop Lighting	\$ 10,000.00	\$ 9,000.00	Equipment	5	Par. 32	C	Type II
	Total - Transportation	\$ 627,500.00	\$ 564,750.00					
Public Safety	Fire Department - Automatic Defibrillators	\$ 12,000.00	\$ -	Equipment	5	Par. 32	C	Type II
Public Safety	Fire Department - Portable Radio's	\$ 40,000.00	\$ -	Equipment	5	Par. 32	C	Type II
Public Safety	Fire Department - Replacement SCBA's	\$ 165,000.00	\$ -	Equipment	5	Par. 32	C	Type II
Public Safety	Police - Upgrade Dispatch Center & Prison Cells	\$ 40,000.00	\$ -	Reconstruction	15	Par. 12(a)2	S	Type II
Public Safety	Police Department - Vehicles (2)	\$ 135,000.00	\$ -	Vehicles	3	Par. 77	C	Type II
Public Safety	Police Department - Signage Material	\$ 15,000.00	\$ -	Equipment	5	Par. 32	C	Type II
Public Safety	Police Department - Equipment (Various)	\$ 20,000.00	\$ -	Equipment	5	Par. 32	C	Type II
Public Safety	Police Department - ESLAG Vehicle LPR Unit	\$ 18,150.00	\$ -	Vehicles	3	Par. 77	C	Type II
Public Safety	Impact RMS - Mobile Ticketing Intergration/Scanners	\$ 92,000.00	\$ -	Equipment	5	Par. 32	C	Type II
	Total - Public Safety	\$ 537,150.00	\$ -					
Buildings	City Hall - New Elevators	\$ 100,000.00	\$ 100,000.00	Reconstruction	15	Par. 12(a)(2)	S	Type II
Buildings	City Hall - Various Improvements	\$ 125,000.00	\$ -	Design/Reconstruction	15	Par. 12(a)(2)	S	Type II
Buildings	Establishment of Office of Emergency Mgmt	\$ 184,973.00	\$ 184,973.00	Reconstruction/Equipment	15	Par. 12(a)(2)	S	Type II
Buildings	Recreation - Various Improvements	\$ 50,000.00	\$ -	Design/Reconstruction	15	Par. 12(a)(2)	S	Type II
Buildings	Magnolia Senior Center Improvements	\$ 70,000.00	\$ -	Design/Reconstruction	15	Par. 12(a)(2)	S	Type II
Buildings	West End Firehouse Bathroom Renovation	\$ 92,000.00	\$ -	Design/Reconstruction	15	Par. 12(a)(2)	S	Type II
Buildings	Reconstruction of Beach Comfort Stations & LG HQ	\$ 1,150,000.00	\$ -	Design/Reconstruction	15	Par. 19(c)	C	UNLISTED
Buildings	Rehabilitation of Central Garage	\$ 546,200.00	\$ 546,200.00	Design/Reconstruction	15	Par. 12(a)(2)	S	UNLISTED
Buildings	FEMA HMP Buildings Projects	\$ 3,948,718.00	\$ 3,948,718.00	Design/Reconstruction	15	Par. 12(a)(2)	C	UNLISTED
	Total - Buildings	\$ 6,266,891.00	\$ 4,779,891.00					
Grounds	Tree Inventory	\$ 25,000.00	\$ 25,000.00	Study	5	Par. 62(2nd)	S	Type II
Grounds	Fencing - Various	\$ 30,000.00	\$ -	Construction	5	Par. 35	C	Type II
	Total - Grounds	\$ 55,000.00	\$ 25,000.00					
Parks	Roller Rink - New Scoreboard/Netting	\$ 24,000.00	\$ -	Equipment	5	Par. 35	S	Type II
	Total - Parks	\$ 24,000.00	\$ -					
Equipment	Recreation - New Tractor and Mower	\$ 11,500.00	\$ -	Equipment	5	Par. 32	S	Type II
Equipment	Machinery/Equipment - DPW- Heavy Duty	\$ 175,000.00	\$ -	Equipment	15	Par. 28	C	Type II
	Total Equipment	\$ 186,500.00	\$ -					
Various	Consulting Services for Design	\$ 90,000.00	\$ -	Design	5	Par. 62(2nd)	S	Type II
Various	Sandy Recovery Services	\$ 20,000.00	\$ -	Design	5	Par. 62(2nd)	S	Type II
	Total - Various	\$ 110,000.00	\$ -					
Technology	City Wide Cameras	\$ 40,000.00	\$ -	Equipment	5	Par. 32	C	Type II
Technology	Radio System Upgrade	\$ 20,000.00	\$ -	Equipment	5	Par. 32	C	Type II
Technology	Assessment Software Upgrade	\$ 50,000.00	\$ -	Equipment/Consultant	5	Par. 35	C	Type II
Technology	Copier & Printer Replacements	\$ 10,000.00	\$ -	Equipment	5	Par. 32	C	Type II
Technology	Computer Replacements	\$ 20,000.00	\$ -	Equipment	5	Par. 32	C	Type II
Technology	Server Room Racks/UPS/AC	\$ 65,000.00	\$ -	Equipment	5	Par. 32	C	Type II
Technology	Fire Department Server	\$ 20,000.00	\$ -	Equipment	5	Par. 32	S	Type II
	Total - Technology	\$ 225,000.00	\$ -					
	Total General Funds	\$ 12,643,041.00	\$ 6,732,641.00					
F&G FUNDS								
Sewer	WWTP - Misc. Bldg Repairs	\$ 430,000.00	\$ -	Reconstruction	15	Par. 12(a)(2)	S	Type II
Sewer	Replace Sludge Removal Pump	\$ 20,000.00	\$ -	Equipment	30	Par. 4	S	Type II
Sewer	WWTP - Pump Replacement	\$ 130,000.00	\$ -	Equipment	30	Par. 4	C	Type II
Sewer	Sewer Upgrades	\$ 200,000.00	\$ -	Reconstruction	40	Par. 4	C	Type II
Sewer	Sewer Main Lining	\$ 100,000.00	\$ -	Design/Reconstruction	40	Par. 4	S	Type II
Sewer	WWTP HMP	\$ 4,016,400.00	\$ 4,016,400.00	Design/Reconstruction	40	Par. 4	S	UNLISTED
	Total - Sewer Fund	\$ 4,896,400.00	\$ 4,016,400.00					
Water	Elevated Tank Replacement	\$ 500,000.00	\$ -	Design/Reconstruction	40	Par. 1	S	Type II
Water	Various Plant Improvements	\$ 50,000.00	\$ -	Reconstruction	40	Par. 1	S	Type II
Water	System Upgrades - Various	\$ 800,000.00	\$ -	Reconstruction	40	Par. 1	C	Type II
Water	Water Distribution - Equipment/Vehicles	\$ 70,000.00	\$ -	Equipment	5	Par. 89	COMBO	Type II
Water	Hydrant & Water Service Replacement	\$ 300,000.00	\$ -	Reconstruction	15	Par. 1	C	Type II
Water	Lead Water Service Replacement	\$ 611,000.00	\$ 611,000.00	Reconstruction	40	Par. 1	S	Type II
Water	Water Purification Plant HMP	\$ 640,000.00	\$ 640,000.00	Design/reconstruction	40	Par. 1	S	UNLISTED
	Total - Water Fund	\$ 2,971,000.00	\$ 1,251,000.00					
	Total - All Funds	\$ 20,510,441.00	\$ 12,000,041.00					

August 6, 2019

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 Improvements to the Park Place Water Treatment Plant, Stating the Estimated Total Cost Thereof is \$800,000, Appropriating Said Amount for Such Purpose, and Authorizing the Issuance of \$800,000 Bonds to Finance Said Appropriation and the Expenditure of City Water Rate Charges and Up to \$800,000 Grant Funds Expected to be Received from the State of New York to be Expended Towards the Cost of Said Object or Purpose or Redemption of the City's Obligations Issued Therefor, or to be Budgeted as an Offset to Taxes for the Payment of the Principal of and Interest on Said Bonds.

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

“BOND ORDINANCE DATED AUGUST 20, 2019.

ORDINANCE AUTHORIZING FINANCING FOR IMPROVEMENTS TO THE PARK PLACE WATER TREATMENT PLANT, STATING THE ESTIMATED TOTAL COST THEREOF IS \$800,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$800,000 BONDS TO FINANCE SAID APPROPRIATION AND THE EXPENDITURE OF CITY WATER RATE CHARGES AND UP TO \$800,000 GRANT FUNDS EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE CITY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

(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 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, in the City of Long Beach, New York, on August 20, 2019 at 7:00 p.m. on that day.

ORDINANCE AUTHORIZING FINANCING FOR IMPROVEMENTS TO THE PARK PLACE WATER TREATMENT PLANT, STATING THE ESTIMATED TOTAL COST THEREOF IS \$800,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$800,000 BONDS TO FINANCE SAID APPROPRIATION AND THE EXPENDITURE OF CITY WATER RATE CHARGES AND UP TO \$800,000 GRANT FUNDS EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE CITY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

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

Section 1. Based upon the review of this action and preparation of an environmental assessment form by H2M Architects & Engineers, Melville, New York (herein called "H2M"), the City Council hereby determines that the specific object or purpose authorized to be financed pursuant to this resolution constitutes a Type II Action pursuant to the State Environmental Quality Review Act ("SEQRA") regulations 6 CRR-New York 617.5(c)(2); and requires no further proceedings under SEQRA.

Section 2. The City of Long Beach, Nassau County, New York (herein called the "City"), is hereby authorized to finance the cost of improvements to the Park Place Water Treatment Plant, including retractable fabric covering for the water treatment tanks, all as more particularly described in section 4.1 of the engineering report dated July 30, 2019 and prepared by H2M. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$800,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of not to exceed \$800,000 bonds of the City, and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, the levy and collection of taxes on all the taxable real property in the City to pay the principal of and interest on said bonds and notes, and application of City water rate charges and up to \$800,000 expected to be received from the State of New York to be expended towards the cost of the project thereof or redemption of the bonds or notes issued therefor or to be budgeted as an offset to the taxes to be levied and collected for the payment of such principal and interest.

Section 3. Bonds of the City in the aggregate principal amount of \$800,000 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 4. The period of probable usefulness of the specific object or purpose for which said \$800,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 85-e of the Law, is forty (40) years.

Section 5. 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 6. 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 7. 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 8. 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

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. 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 6, 2019

Item No. 8
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for Replacement of the City's Elevated Water Storage Tank, Stating the Estimated Total Cost Thereof is \$9,240,540, Appropriating \$9,000,000 for Such Purpose and Authorizing the Issuance of \$9,000,000 Bonds to Finance Said Appropriation of \$240,540 to be Appropriated in the Future, and the Expenditure of City Water Rate Charges and up to \$3,000,000 Grant Funds Expected to be Received from the State of New York to be Expended Towards the Cost of Said Object or Purpose or Redemption of the City's Obligations Issued Therefor, or to be Budgeted as an Offset to Taxes for the Payment of the Principal of and Interest on Said Bonds.

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

“BOND ORDINANCE DATED AUGUST 20, 2019.

ORDINANCE AUTHORIZING FINANCING FOR REPLACEMENT OF THE CITY'S ELEVATED WATER STORAGE TANK, STATING THE ESTIMATED TOTAL COST THEREOF IS \$9,240,540, APPROPRIATING \$9,000,000 FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF \$9,000,000 BONDS TO FINANCE SAID APPROPRIATION OF \$240,540 TO BE APPROPRIATED IN THE FUTURE, AND THE EXPENDITURE OF CITY WATER RATE CHARGES AND UP TO \$3,000,000 GRANT FUNDS EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE CITY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

(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 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, in the City of Long Beach, New York, on August 20, 2019 at 7:00 p.m. on that day.

ORDINANCE AUTHORIZING FINANCING FOR REPLACEMENT OF THE CITY'S ELEVATED WATER STORAGE TANK, STATING THE ESTIMATED TOTAL COST THEREOF IS \$9,240,540, APPROPRIATING \$9,000,000 FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF \$9,000,000 BONDS TO FINANCE SAID APPROPRIATION OF \$240,540 TO BE APPROPRIATED IN THE FUTURE, AND THE EXPENDITURE OF CITY WATER RATE CHARGES AND UP TO \$3,000,000 GRANT FUNDS EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE CITY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

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

Section 1. Based upon the review of this action and preparation of an environmental assessment form by D&B Engineers and Architects, P.C., Woodbury, New York (herein called "D&B"), the City Council hereby determines that the specific object or purpose authorized to be financed pursuant to this resolution constitutes a Type II Action pursuant to the State Environmental Quality Review Act ("SEQRA") regulations 6 CRR-New York 617.5(c)(2); and requires no further proceedings under SEQRA.

Section 2. The City of Long Beach, Nassau County, New York (herein called the "City"), is hereby authorized to finance the cost of replacement of the City's elevated water storage tank, all as more particularly described in the engineering report dated August 2019 and prepared by D&B. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$9,240,540 and \$9,000,000 is hereby appropriated therefor. The plan of financing includes the issuance of not to exceed \$9,000,000 bonds of the City, and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, the levy and collection of taxes on all the taxable real property in the City to pay the principal of and interest on said bonds and notes, application of \$240,540 to be appropriated in the future, and expenditure of City water rate charges and up to \$3,000,000 expected to be received from the State of New York to be expended towards the cost of the project thereof or redemption of the bonds or notes issued therefor or to be budgeted as an offset to the taxes to be levied and collected for the payment of such principal and interest.

Section 3. Bonds of the City in the aggregate principal amount of \$9,000,000 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 4. The period of probable usefulness of the specific object or purpose for which said \$9,000,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 85-e of the Law, is forty (40) years.

Section 5. 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 6. 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 7. 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 8. 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

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. 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.