

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
DECEMBER 21, 2021

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 232 West Park Avenue (street floor), Long Beach, New York.

Re: Convenience Store

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 28 West Park Avenue, (second floor), Long Beach, New York.

Re: Yoga Studio

1. Approval of Minutes of Prior Meeting of November 17, 2021.
2. Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 232 West Park Avenue (street floor), Long Beach, New York.
Re: Convenience Store
3. Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 28 West Park Avenue, (second floor), Long Beach, New York.
Re: Yoga Studio
4. Local Law Amending Subpart C of Related Acts Relating to the Charter of the City of Long Beach Re: A Local Law Opting Out of Licensing and Establishing On-Site Cannabis Consumption Establishments within the City of Long Beach Pursuant to Cannabis Law §131.
5. Local Law Amending Subpart C of Related Acts Relating to the Charter of the City of Long Beach Re: A Local Law Opting Out of Licensing and Establishing Retail Cannabis Dispensaries within the City of Long Beach Pursuant to Cannabis Law §131.
6. Resolution Authorizing the City Manager to Amend the Agreement with Core BTS, a Partner of Cisco Systems.
7. Resolution Authorizing the City Manager to Purchase Additional User Licenses for the City's Microsoft Office 365 Software Services.
8. Resolution Authorizing Settlement of Certiorari Proceedings.

9. Resolution Authorizing the City Manager to Purchase Vehicles for the City's Sanitation Department through New York State Office of General Services Contracts.
10. Resolution Authorizing the City Manager to Amend the Agreement for Engineering Services Needed for the Decommissioning, Removal and Replacement of the City's Water Supply Standpipe.
11. Resolution Authorizing Transfer of Funds for the 2021-2022 Fiscal Year.
12. Resolution Authorizing Transfer of Funds for the 2021-2022 Fiscal Year.
13. Resolution Authorizing Budget Amendments to Community Development Budget Funds.
14. Resolution to Schedule a Special Meeting of the City Council on Saturday, January 1, 2022 at 1:00 p.m.
15. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 64 West Park Avenue (third floor), Long Beach, New York.
Re: Tattoo Studio

December 21, 2021

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Granting Waiver of Off-Street Parking Requirements
Re: Premises 232 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 232 West Park Avenue (street floor), Long Beach, New York (Section 59, Block 59, Lot 18), between Magnolia and Laurelton Boulevards, having frontage of less than 20 feet, on behalf of the owner Bingzhang Wang, 159 W. Fulton Street, Long Beach, New York 11561 to be used as a Convenience Store;

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 owner Bingzhang Wang, 159 W. Fulton Street, Long Beach, New York 11561 for exemption with respect to the requirements for off-street parking at premises 232 West Park Avenue (street 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 Convenience Store.

December 21, 2021

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Granting Waiver of Off-Street Parking Requirements
Re: Premises 28 West 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 28 West Park Avenue (second floor), Long Beach, New York (Section 59, Block 84, Lot 158) between Edwards and National Boulevards, having frontage of 20 feet, on behalf of the owner Sisters, Yaniv LLC, 15986 Mataro Bay Ct., Delray Beach, Florida 33446 to be used as a Yoga 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 Yaniv LLC, 15986 Mataro Bay Ct., Delray Beach, Florida 33446 for exemption with respect to the requirements for off-street parking at premises 28 West Park Avenue (second floor), having frontage of 20 feet, be and the same hereby is granted, only and during the time that such premises shall be used as a Yoga Studio.

December 21, 2021

Item No. 4
Local Law No.

The following Local Law was moved by
and seconded by :

Introductory No. 359
Introduced by:

CITY OF LONG BEACH

CHAPTER III LAWS OF 2021

A LOCAL LAW

AMENDING SUBPART C OF RELATED ACTS RELATING
TO THE CHARTER OF THE CITY OF LONG BEACH,
RE: A LOCAL LAW OPTING OUT OF LICENSING AND ESTABLISHING
ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN
THE CITY OF LONG BEACH PURSUANT TO CANNABIS LAW §131.

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

Section 1. Subpart C of Related Local Laws relating to the Charter of the City of
Long Beach, New York, enacted as Chapter 635 of the Laws of 1922, as heretofore amended,
shall be and the same is hereby amended to read as follows:

**“Article X. OPTING OUT OF LICENSING AND ESTABLISHING ON-SITE
CANNABIS CONSUMPTION ESTABLISHMENTS**

Section 86. Legislative Intent

It is the intent of this local law to opt the City of Long Beach out of hosting on-site
cannabis consumption establishments within its boundaries.

Section 87. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes
cities and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis
consumption establishments to locate and operate within their boundaries.

Section 88. Local Cannabis Retail Dispensary and On-Site Consumption Opt-Out

The City Council of the City of Long Beach, County of Nassau, hereby opts-out of
allowing on-site cannabis consumption establishments from locating and operating within the
boundaries of the City of Long Beach.

Section 89. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 90. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.”

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

December 21, 2021

Item No. 5
Local Law No.

The following Local Law was moved by
and seconded by :

Introductory No. 360
Introduced by:

CITY OF LONG BEACH

CHAPTER IV LAWS OF 2021

A LOCAL LAW

AMENDING SUBPART C OF RELATED ACTS RELATING
TO THE CHARTER OF THE CITY OF LONG BEACH,
RE: A LOCAL LAW OPTING OUT OF LICENSING AND ESTABLISHING
RETAIL CANNABIS DISPENSARIES WITHIN THE
CITY OF LONG BEACH PURSUANT TO CANNABIS LAW §131.

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

Section 1. Subpart C of Related Local Laws relating to the Charter of the City of
Long Beach, New York, enacted as Chapter 635 of the Laws of 1922, as heretofore amended,
shall be and the same is hereby amended to read as follows:

**“Article XI. OPTING OUT OF LICENSING AND ESTABLISHING RETAIL
CANNABIS DISPENSARIES.**

Section 94. Legislative Intent

It is the intent of this local law to opt the City of Long Beach out of hosting retail
cannabis dispensaries within its boundaries.

Section 95. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes
cities and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis
consumption establishments to locate and operate within their boundaries.

Section 96. Local Cannabis Retail Dispensary and On-Site Consumption Opt-Out

The City Council of the City of Long Beach, County of Nassau, hereby opts-out of
allowing retail cannabis dispensaries from locating and operating within the boundaries of the
City of Long Beach.

Section 97. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 98. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.”

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

December 21, 2021

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Amend the
Agreement with Core BTS, a Partner of Cisco Systems.

WHEREAS, pursuant to Resolution No. 129/21, duly adopted by the City Council
On August 17, 2021, the City entered into an agreement with Core BTS, 1393 Veterans
Memorial Hwy #408n, Hauppauge, NY 11788, a partner of Cisco Systems to convert our current
telephone system from an on-premises system to a cloud based system, in order to ensure that
there will be continual service in the event of an internet disruption or an emergency; and

WHEREAS, Cisco Systems is the City's current telephone system provider and is
the sole source for the items required for the conversion; and

WHEREAS, it is the desire of the City to amend the agreement to include WebEx
Calling Implementation Services Enterprise Agreement, which shall provide for more phones,
voicemail (which had been inadvertently excluded by the vendor) and professional services, at a
conversion cost of \$51,790;

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 amend the agreement with Core BTS, 1393
Veterans Memorial Hwy #408n, Hauppauge, NY 11788, a partner of Cisco Systems, to include
WebEx Calling Implementation Services Enterprise Agreement, contracted for a period of three
years, with a first year conversion cost of \$51,790. Funds in the amount of \$14,425.88 are
available in Account No. H1016.52339 (Info. Tech-Phone Upgrades) and funds in the amount of
\$37,364.12 are available in Account No. H1017.52339 (Info. Tech-Phone Upgrades).

December 21, 2021

Item No. 7
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase Additional
User Licenses for the City's Microsoft Office 365 Software Services.

WHEREAS, pursuant to Resolution No. 120/20, duly adopted by the City Council on December 15, 2020, the City purchased Microsoft Office 365 Software Services from Dell Marketing, L.P., One Dell Way, Round Rock, Texas 78682; and

WHEREAS, the Police Department added additional personnel who require user licenses, at an additional cost of \$2,718;

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 additional user licenses for the Microsoft Office 365 Software Services from Dell Marketing, L.P., One Dell Way, Round Rock, Texas 78682, at a cost of \$2,718. Funds are available in Account No. A1680.54411 (Information Technology-Software Licensing Fees) and funds are also available for future user licenses, on an as needed basis.

December 21, 2021

Item No. 8
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Settlement of Certiorari Proceedings.

WHEREAS, Board of Managers of Park Place Condominiums, represented by Cronin, Harris and Associates, P.C., 333 Earle Ovington Boulevard, Uniondale, New York 11553 has commenced an action in the Supreme Court, Nassau County against the City of Long Beach to compel a reduction in the assessed valuation of the property known as Section 59, Block 70, Lot 71, on the Land and Tax Map of the County of Nassau, and also known as 185 West Park Avenue for the fiscal years of 2018/19 through 2021/22; and

WHEREAS, the Tax Assessor of the City of Long Beach has reviewed petitioner's legal papers, the income and expenses for the subject property and after extensive negotiation has agreed to settle the certiorari proceedings for a lump sum payment of \$35,000 covering the fiscal years 2018/19 through 2021/22 and a reduction of the assessed valuation from \$483,555 to \$455,000 on condition that no grievance and/or petition be filed for the tax years 2022/2023, 2023/2024 and 2024/2025; and

WHEREAS, the Board of Assessors of the City of Long Beach has determined that the settlement, without further litigation, is in the best interests of the City of Long Beach;

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 and directed to enter into a stipulation settling the certiorari proceedings covering fiscal years 2018/19 through 2021/22 for a lump sum payment of \$35,000 and a reduction of the assessed valuation from \$483,555 to \$455,000 on condition that no grievance and/or petition be filed for the tax years 2022/2023, 2023/2024 and 2024/2025. Funds are available in Account No. A1930.54403 (Judgments and Claims).

December 21, 2021

Item No. 9
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase Vehicles
for the City's Sanitation Department through New York State
Office of General Services Contracts.

WHEREAS, pursuant to Resolution No. 156/21, duly adopted on November 3, 2021, the purchase of three new vehicles was authorized for the Sanitation Department to replace three that were twenty years old, but unfortunately those vehicles are no longer available; and

WHEREAS, Whitmoyer Ford, Inc., 1001 East Main Street, Mount Joy, PA 17552, an awarded vendor through New York State Office of General Services Contract #PC69160, has vehicles available; and

WHEREAS, the City desires to purchase one (1) Ford F-350 XL Crew Cab 4x4 8.0 Box 176 WB at a cost of \$48,800 and two (2) Ford F-350 XL Reg Crew Cab 4x4 8.0 Box 142 WB at a cost of \$44,800 each; and

WHEREAS, it is in the City's best financial interest to obtain financing for said pick-up trucks from a banking institution whose terms of lending will be deemed most advantageous by the City Comptroller, with an option to buy the three (3) pieces of equipment at the end of the lease term for the sum of one (\$1.00) dollar each;

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 one (1) Ford F-350 XL Crew Cab 4x4 8.0 Box 176 WB at a cost of \$48,800 and two (2) Ford F-350 XL Reg Crew Cab 4x4 8.0 Box 142 WB at a cost of \$44,800 each, for the City's Sanitation Department from Whitmoyer Ford, Inc., 1001 East Main Street, Mount Joy, PA 17552 through New York State Office of General Services Contract #PC69160, at a total cost of \$138,400; and be it further

RESOLVED, that the City Comptroller be and is hereby authorized to obtain financing from a banking institution whose terms of lending will be deemed most advantageous for the City, with an option to buy the three (3) vehicles the end of the lease term for the sum of one (\$1.00) dollar each. Funds will be available in Account No. A8160.54509 (Sanitation Department – Equipment Leases).

December 21, 2021

Item No. 10
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Amend the
Agreement for Engineering Services Needed for the Decommissioning,
Removal and Replacement of the City's Water Supply Standpipe.

WHEREAS, pursuant to Resolution No. 75/15, duly adopted on July 7, 2015, the City entered into an agreement with Dvirka & Bartilucci Consulting Engineers, 330 Crossways Park Drive, Woodbury, NY 11797 for engineering services to prepare a draft report summarizing the hydraulic analysis of the water distribution system, review the existing water distribution map, evaluate tank style alternatives, prepare a draft design report, including a cost estimate for recommended improvements, provide design and permitting services for the decommissioning, removal and replacement of the one million gallon water supply storage standpipe, located just east of the Water Purification Plant on Park Place; and

WHEREAS, the project was put on hold for several years due to site availability limitations; and

WHEREAS, a final location has been selected and the work is now proceeding without further delay, including but not limited to, new tank design preparation, the preparation of an application for grant funding from the Environmental Facilities Corporation, submission of the required forms to the Nassau County Department of Health and construction inspection services of the demolition of the existing standpipe, at an additional cost of \$74,000;

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 amend the agreement with Dvirka & Bartilucci Consulting Engineers, 330 Crossways Park Drive, Woodbury, NY 11797 for additional work required for the decommissioning, removal and replacement of the City's Water Supply Standpipe, at an additional cost of \$74,000. Funds are available in Account No. H2000.53045 (Standpipe Replacement).

December 21, 2021

Item No. 11
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Transfer of Funds for the
2021-2022 Fiscal Year.

WHEREAS, a transfer of funds is required for the Water Purification Department
to replenish their overtime budget for the remainder of the fiscal year;

NOW, THEREFORE, 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	\$15,296	
F8330.51103	Water Purification-Overtime Salaries		\$15,296

December 21, 2021

Item No. 12
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Transfer of Funds for the
2021-2022 Fiscal Year.

WHEREAS, a transfer of funds is required for the purchase of additional PPE
(masks and gloves) for City staff members, including the Police Department;

NOW, THEREFORE, be it

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

<u>Budget Code</u>	<u>Description</u>	<u>Transfer From:</u>	<u>Transfer To:</u>
A1990.54406	Contingency	\$2,520.00	
A1671.54502	Central Admin.-Safety Equipment		\$2,520.00

December 21, 2021

Item No. 13
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Budget Amendments to
Community Development Budget Funds.

BE IT RESOLVED, by the City Council of the City of Long Beach, New York,
that the following amendments to the Community Development Budgets be and are hereby
authorized:

COMMUNITY DEVELOPMENT FUND
COVID -19 45th Program Year

<u>Budget Code</u>	<u>Description</u>	<u>Transfer From:</u>	<u>Transfer To:</u>
S9000.54824	PS Social Distance Ambassadors	\$20,000	
S9000.54823	PS LB Public Library		\$20,000

December 21, 2021

Item No. 14
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution to Schedule a Special Meeting of the City Council
on Saturday, January 1, 2022 at 1:00 p.m.

WHEREAS, pursuant to Section 72 of the Charter of the City of Long Beach, the City Council desires to hold a Special Meeting on Saturday, January 1, 2022 at 1:00 p.m., at which time a Temporary President and a President of the City Council will be elected;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that a Special Meeting of the City Council shall be and the same is hereby scheduled for Saturday, January 1, 2022 at 1:00 p.m., to be held in the auditorium on the sixth floor of City Hall.

December 21, 2021

Item No. 15
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: 64 West Park Avenue (third 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 64 West Park Avenue (third floor), Long Beach, New York (Section 59, Block 84, Lot 8) between Edwards and National Boulevards, having frontage of 20 feet, on behalf of the owner MICCB, LLC, P.O. Box 408, Oceanside, New York 11572 to be used as a Tattoo Studio:

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that a public hearing will be had before this Council upon said application at City Hall, 1 West Chester Street, in the City of Long Beach, New York, on January 4, 2022 at 7:00 p.m. on that date; and be it further

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.