

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
FEBRUARY 20, 2024

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 1024 West Beech Street (street floor), Long Beach, New York.

PUBLIC HEARING: Resolution Authorizing the Filing of an Application with the County of Nassau for the Purpose of Undertaking a Community Development Program, Under Title I of the Housing and Community Development Act of 1974, as Amended, and Title II of the National Affordable Housing Act of 1990, as Amended, for Inclusion in the City's Community Development Program for 2024-2025 (50th Year).

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

1. Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 1024 West Beech Street (street floor), Long Beach, New York.
2. Resolution Authorizing the Filing of an Application with the County of Nassau for the Purpose of Undertaking a Community Development Program, Under Title I of the Housing and Community Development Act of 1974, as Amended, and Title II of the National Affordable Housing Act of 1990, as Amended, for Inclusion in the City's Community Development Program for 2024-2025 (50th Year).
3. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Appendix A – Zoning.
4. Resolution Authorizing the Approval of a List of Eligible Volunteer Firefighters for 2023 Length of Service Award Program (LOSAP) Service Credit.
5. Resolution Authorizing the City Manager to Enter into an Agreement for Water/Sewer Testing with the Sole Bidder.
6. Resolution Authorizing the City Manager to Enter into an Agreement to Purchase a 6-Ton Slip-In-Hotbox Under a Sourcewell Contract.

7. Resolution Authorizing Budget Amendment to the Capital Projects Fund Budget.
8. Resolution Authorizing the City Manager to Withdraw Funds from an AIG American Pathway Annuity and Authorizing the City Comptroller to Purchase an Annuity Product from the National Life Insurance Company.
9. Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: City Officers.
10. Approval of Minutes of Prior Meeting of February 6, 2024.

February 20, 2024

Item No. 1
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Granting Waiver of Off-Street Parking Requirements
Re: Premises 1024 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 1024 West Beech Street (street floor), Long Beach, New York (Section 58, Block 107, Lot 1), between Kentucky Street and Indiana Avenue, having frontage 20 feet or less, on behalf of the owner Janet Chung Kim, 1024 West Beech Street, Long Beach, New York 11561 to be used as a bubble tea shop;

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 Janet Chung Kim, 1024 West Beech Street, Long Beach, New York 11561 for exemption with respect to the requirements for off-street parking at premises 1024 West Beech Street (street floor) Long Beach, New York, 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 bubble tea shop.

February 20, 2024

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Filing of an Application with the County of Nassau for the Purpose of Undertaking a Community Development Program, Under Title I of the Housing and Community Development Act of 1974, as Amended, and Title II of the National Affordable Housing Act of 1990, as Amended, for Inclusion in the City's Community Development Program for 2024-2025 (50th Year).

WHEREAS, the Secretary of the U.S. Department of Housing and Urban Development is authorized to make grants to states and other units of general local government to help finance Community Development and Housing Programs; and

WHEREAS, the U.S. Department of Housing and Urban Development requires various assurances that the City will comply in all respects with State and Federal Laws, Rules and Regulations; and

WHEREAS, a Public Hearing was held before the City Council on the 20th day of February, 2024 at which time all persons and representatives of organizations with significant social, economic and environmental interests were given an adequate opportunity to publicly present their views on and propose activities for said program;

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 execute and file an application on behalf of the City of Long Beach with the County of Nassau for the purpose of undertaking a Community Development and Housing Program for the 2024-2025 Program (50th Year); and be it further

RESOLVED, that the City Manager be and is hereby authorized to furnish such additional information as may be required in connection with the application, to execute appropriate assurances, and to comply in all respects with the State and Federal Laws, Rules and Regulations.

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, Section 9-112 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:

“Sec. 9-112. Minimum off-street parking space requirements for passenger motor vehicles in all
districts.

Off-street parking space shall be provided in connection with the erection, construction,
alteration, change of use, additional use, or additional business enterprise, of or within any
building or structure, in the following amounts:

...

(18) For general business, commercial and personal service establishments, the following:

a. Buildings or premises having a frontage of less than sixty-five (65) feet: One space for
each thousand (1,000) square feet of floor space contained within said buildings or
premises, plus such additional spaces as the building commissioner shall deem necessary
by reason of all the parking-generating factors involved.

b. Buildings or premises having a frontage of sixty-five (65) feet or more: One space for
each five hundred (500) square feet of floor space contained within said buildings or
premises, plus such additional spaces as the building commissioner shall deem necessary
by reason of all parking-generating factors involved.

c. Upon a showing by the owner of any building or premises having a frontage of twenty
(20) feet or less that the provisions of this subdivision cannot reasonably be complied
with because of location or unusual shape, physical condition or use, or where the
requirements of this section would lead to practical difficulty or unnecessary hardship,
the city council may, upon due application and public hearing, exempt such buildings or
premises from the provisions of this section. **The aforementioned exemption shall not
be required where a previous exemption has been granted by the City Council and
the change of use does not result in additional parking spaces being required
pursuant to Section 9-112 herein.**”

Section 2. This Ordinance shall take effect immediately.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Approval of a List of Eligible
Volunteer Firefighters for 2023 Length of Service Award
Program (LOSAP) Service Credit.

WHEREAS, the City Council of the City of Long Beach passed Resolution No. 291/93 on December 7, 1993, approving the establishment of a Service Award Program for the Volunteer Fire Department pursuant to Section 216 of the General Municipal Law, subject to public referendum; and

WHEREAS, a public referendum was held on February 8, 1994 by which the electorate of the City of Long Beach approved the establishment of the aforesaid Service Award Program; and

WHEREAS, pursuant to New York State General Municipal Law, Article 11-A, Section 217, one year of firefighting service must be credited under a service award program for each calendar year in which an active volunteer firefighter accumulates at least 50 points; and

WHEREAS, the LOSAP point system must include activities that are specified in the General Municipal Law, such as participation in department responses, training, drills, standbys, meetings and miscellaneous activities as defined in the law; and

WHEREAS, the following members of the Long Beach Volunteer Fire Department earned at least 50 points in 2023:

- | | | |
|------------------------|----------------------|--------------------|
| Babich, Marc | Bailey, Tristan | Biordi, Nicholas |
| Brecciano, Michael | Burkard, Robert | Camuti, Jillian |
| Corbett, Connor | Davis, Jeffrey | DelPrete, Robert |
| DiBari, Eileen | DiBari, Krystin | DiGiacomo, Richard |
| Ellmer, Raymond | Epstein, Cary | Field, Joseph |
| Foley, Connor | Gibaldi, Christopher | Glazer, Andrew |
| Glazer, Scott | Gomez, Xavier | Gopie, Haresh |
| Greenhill, Elizabeth | Grunther, Zach | Guerrisi, Matthew |
| Harris, Terrance | Herbert, George | Hocheiser, Brian |
| Hunt, Jonathan | Isaacs, Ralph | Jacobi, James |
| Kelly, James | Kemins, Scott | King, Danielle |
| Krzeminski, Alex | Lent, Connor | Leonard, Patrick |
| Llobell, Paul | Lovrich, Romano | Maiello, Anthony |
| Maldonado, Gavin | Malone, Paul | Marino, John |
| Mastracchio, Salvatore | Mazel, Lawrence | Mazziotti, Chris |
| Miah, Mohammad | Miller, Joesph | Nicpon, Francis |
| Norton, Ross | Oleynik, Sergey | Pennolino, Carla |
| Perez, Robert | Phelan, Bruce | Potter, Devon |
| Prophett, Herman | Quinnie, Devon | Ray, Deon |
| Ray, Hadrick | Reinhard, Theodore | Richards, Jack |
| Ross, Joe | Rubin, Charles | Russo, Ryan |
| Schwimmer, Joshua | Seiden, Paul | Shatri, Blerim |

Shuter, Yosef
Wachs, Michael
Walpole, Francis
Woolfe, David

Tuccillo, Robert
Wagner, David
Winakor, Mathew

Vais, Joseph
Waine, Steven
Wisnieski, Nema

NOW, THEREFORE, be it

RESOLVED, that the City Council of the City of Long Beach, New York hereby approves, pursuant to the requirements of the Service Award Program (LOSAP), the above list of individuals submitted and certified by the Commissioner of the Long Beach Fire Department, for participation in the 2023 Service Award Program (LOSAP).

February 20, 2024

Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into an
Agreement for Water/Sewer Testing with the Sole Bidder.

WHEREAS, after due advertisement therefore, one bid was received in the Office of the Commissioner of Public Works on February 5, 2024 for water and sewer testing services for the City's Water Treatment Plant and Water Pollution Control Plant; and

WHEREAS, Pace Analytical, 575 Broadhollow Road, Melville, New York 11747 was the sole bidder at a cost of \$68,893.00;

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 an agreement with Pace Analytical, 575 Broadhollow Road, Melville, New York 11747 for water and sewer testing services for the City's Water Treatment Plant and Water Pollution Control Plant, at a cost of \$68,893.00. Funds in the amount of \$45,895.00 are available in Account No. F8330.54440 (WPU – Contracted Services) and funds in the amount of \$22,998.00 are available in Account No. G8130.54440 (WPC – Contracted Services).

February 20, 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 to Purchase a 6-Ton Slip-In-Hotbox Under a
Sourcewell Contract.

WHEREAS, the City is a member of Sourcewell, a State of Minnesota local government agency and service cooperative that offers cooperative procurement solutions to government entities by combining the buying power of 50,000 government, education, and nonprofit organizations; and

WHEREAS, the Office of the Commissioner of Public Works identified a new Falcon 6-Ton Slip-In-Hotbox unit to replace the existing 2014 Falcon 4-ton Pull-Behind-Hotbox unit for the Street Maintenance Department, as the 2014 Falcon 4-ton Pull-Behind-Hotbox unit has outlived its useful life; and

WHEREAS, McGrath Municipal Equipment, LLC, P.O. Box 422, Springfield, New Jersey 07081-0422, an awarded vendor through Sourcewell, quoted the Falcon 6-Ton Slip-In-Hotbox unit, after trade-in of the 2014 Falcon 4-ton Pull-Behind-Hotbox unit, at a cost of \$53,870.00;

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 an agreement with McGrath Municipal Equipment, LLC, P.O. Box 422, Springfield, New Jersey 07081-0422 through Sourcewell service cooperative, Contract #052417-FRM, extended through Purchasing Cooperative of America PCA-OD-362-22, for the purchase of a Falcon 6-Ton Slip-In-Hotbox unit, after trade-in of a 2014 Falcon 4-ton Pull-Behind-Hotbox unit, at a cost of \$53,870.00. Funds are available in Account No. H1024.53114 (Street Maintenance Asphalt Hot Patcher).

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 \$1,853,752.96 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		\$1,853,752.96
H0040.44097	Federal Aid, Capital Projects	\$1,853,752.96	
Increase Appropriations:	H20960		\$1,853,752.96
H1021.52298	Flood Protection Infrastructure	\$1,853,752.96	

February 20, 2024

Item No. 8
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Withdraw Funds from an AIG American Pathway Annuity and Authorizing the City Comptroller to Purchase an Annuity Product from the National Life Insurance Company.

WHEREAS, the City of Long Beach desires to withdraw all of funds that are part of an American International Group (“AIG”) American Pathway seven (7) year annuity, worth an estimated \$396,704.42, and purchase a five (5) year fixed rate annuity product from National Life Insurance Company, at a cost of \$396,704.42, due to said annuity product’s favorable rate; and

WHEREAS, the City of Long Beach received an equity distribution from New York Service Award Fund – Exclusive, LP (“NY S.A.F.E.”) in the amount of \$265,457.84 and desires to purchase a five (5) year fixed rate annuity product from National Life Insurance Company, at a cost of \$265,457.84, together with the aforementioned \$396,704.42 amount, due to said annuity product’s favorable rate; and

WHEREAS, to purchase said annuity product, the City of Long Beach desires to designate City Comptroller Inna Reznik, in her official capacity as City Comptroller, as annuitant on its behalf, with the City being both the owner and beneficiary of the annuity;

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 withdraw funds that are part of an American International Group (“AIG”) American Pathway seven (7) year annuity, worth an estimated \$662,162.26; and be it further

RESOLVED, by the City Council of the City of Long Beach, New York, that the City Comptroller be and is hereby authorized to purchase a five (5) year fixed rate annuity product from National Life Insurance Company, at a cost of \$662,162.26.

February 20, 2024

Item No. 9
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: City Officers.

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

“A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF LONG
RE: CITY OFFICERS.”

(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 March 5,
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.

APPROVED:

City Manager – Daniel Creighton

APPROVED AS TO FORM & LEGALITY:

Corporation Counsel – Dennis M. Cohen

VOTING:

Council Member Bendo -

Council Member Lester -

Council Member Reinhart -

Vice President Fiumara -

President Finn -

Introductory No. 380
Introduced by:

CITY OF LONG BEACH

CHAPTER III

LAWS OF 2024

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF LONG
BEACH RE: CITY OFFICERS.

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

Sec. 1. Article 2, Section 19(3) 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. 19. Financial and ethical disclosure.

...

3. The annual statement of financial disclosure shall ~~contain the information and shall be~~ in the form as set forth ~~below~~: **by resolution of the City Council.**

(the remaining text of Article 2, Section 19[3] shall be deleted)

...

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