

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

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**PUBLIC HEARING:** Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Ocean Beach Park.

**PUBLIC HEARING:** Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Personnel Code.

**PUBLIC HEARING:** Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Motor Vehicles and Traffic.

**PUBLIC HEARING:** Local Law Amending the Charter of the City of Long Beach Re: City Officers; Their General Powers and Duties.

1. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Ocean Beach Park.
2. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Personnel Code.
3. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Motor Vehicles and Traffic.
4. Local Law Amending the Charter of the City of Long Beach Re: City Officers; Their General Powers and Duties.
5. Resolution Authorizing the City Manager to Accept a Charitable Donation.
6. Resolution Authorizing the City Manager to Purchase Towels and Tissues from the Lowest Responsible Bidders.
7. Resolution Authorizing the City Manager to Issue a Purchase Order for the Supply, Transport and Delivery of Concrete from the Most Responsible Bidder.
8. Resolution Authorizing the City Manager to Purchase a 2023 Chevrolet Silverado Under a Franklin County Contract.

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City Council Agenda

9. Approval of Minutes of Prior Meeting of July 2, 2024.

July 16, 2024

Item No. 1  
Ordinance No.

The following Ordinance was moved by  
and seconded by :

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

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

Sec.1. Chapter 18, Article II, Division II, Section 18-32 of the Code of  
Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby  
amended to read as follows:

“Sec. 18-32. Hours of operation.

No person or persons shall be permitted in or upon the Ocean Beach Park for any purpose  
between the hours of 11:00 p.m. and 5:00 a.m., except employees engaged in the operation of the  
park. This prohibition shall not apply to the boardwalk, but shall apply to the beach under the  
boardwalk. **The Police Commissioner or City Manager may modify this schedule by filing a  
memorandum in the office of the City Clerk setting forth a modified schedule. A schedule  
modification memorandum filed with the City Clerk may apply to the boardwalk if stated  
in said memorandum. In an emergency, for the preservation of public peace, health or  
safety, the City Manager or Police Commissioner may order a modified schedule before  
filing a schedule modification memorandum, so long as a schedule modification  
memorandum is filed with the City Clerk as soon as practicable. A schedule modification  
memorandum filed with the City Clerk may be amended or revoked by a majority vote of  
the City Council.”**

Sec. 2. This Ordinance shall take effect immediately.

July 16, 2024

Item No. 2  
Ordinance No.

The following Ordinance was moved by  
and seconded by :

ORDINANCE TO AMEND THE CODE OF ORDINANCES  
OF THE CITY OF LONG BEACH RE: PERSONNEL CODE.

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

Sec.1. Chapter 19, Article II, Sections 19-19 (A), 19-19 (B), 19-19 (C) and 19-19 (I) of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby amended, to read as follows:

“ARTICLE II. VACATIONS, SICK LEAVES AND SIMILAR BENEFITS.

...

Sec. 19-19. Benefits.

The following benefits are hereby conferred upon all full-time exempt employees in the following manner:

A. *Holidays, personal, bereavement and funeral days.* All holidays, personal time, bereavement time and funeral days guaranteed to civil service employees, exclusive of police and fire departments, **set forth** under the collective bargaining agreement between the City of Long Beach and Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, City of Long Beach Unit #7569-00, Nassau County Municipal Employees Local 882 ~~effective July 1, 1994 to June 30, 1998~~ **then in effect** (hereinafter referred to as the "Collective Bargaining Agreement") and any ~~future~~ amendment thereof, shall be extended to exempt employees.

B. *Sick leave entitlement.* All exempt employees shall accrue sick leave time at the rate of one and one-quarter (1 1/4) days per month. **Except as set forth in Section 19-20 herein, upon termination of employment, exempt employees shall be entitled to payment paid in cash for the same number of accumulated their unused sick days at the rate of thirty (30) percent of the total number of days accrued, multiplied by the rate of pay at the time of termination. No payment in excess of thirty (30) percent of the total number of days accrued, multiplied by the rate of pay at the time of termination may be made without City Council approval and no payment of unused sick time may be made until separation from City employment.**

C. *Maternity Parental leave, health care plan, and life insurance.* Exempt employees shall be entitled to the same ~~maternity parental~~ **maternity parental** leave, hospitalization, major medical and prescription, dental and optical plans, life insurance, accidental death and dismemberment and disability insurance available to civil service employees pursuant to the collective bargaining agreement then in effect. Exempt employees shall be responsible for ten (10%) percent of their annual health care premium, to be paid with pre-tax dollars, to be deducted from their bi-weekly paycheck.

...

I. *Vacations.* Exempt employees shall be entitled to the same vacations available to civil service employees pursuant to the collective bargaining agreement then in effect. ~~However, no exempt employee shall accrue or carry into the succeeding year more than fifty vacation days unless for good cause shown, Only the City Council shall may authorize such an increased~~

**vacation accrual and accumulation amount.** Permission to exceed ~~fifty (50) days~~ **the vacation accrual and accumulation amount set forth in the collective bargaining agreement then in effect** shall be required for each year the exempt employee seeks to accrue **and accumulate** more **vacation time** than ~~fifty (50) vacation days~~ **the collective bargaining agreement then in effect sets forth. Excess vacation credit not utilized by an exempt employee prior to December 31<sup>st</sup> of the existing year shall be transferred to the employee's accumulated sick leave in the same manner as set forth in the collective bargaining agreement then in effect.** In no event will an employee be entitled to cash equivalent of more **vacation time** than ~~fifty (50) vacation days~~ **is set forth in the collective bargaining agreement then in effect** at the time of his/her termination, resignation, or other leaving from city employment **without City Council approval. In no event will an employee be permitted to receive payment of unused vacation accruals prior to separation from City employment in any manner that is not set forth in the collective bargaining agreement then in effect.**

...”

Sec. 2. This Ordinance shall take effect immediately.

July 16, 2024

Item No. 3  
Ordinance No.

The following Ordinance was moved by  
and seconded by :

ORDINANCE TO AMEND THE CODE OF ORDINANCES  
OF THE CITY OF LONG BEACH RE: MOTOR VEHICLES  
AND TRAFFIC.

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

Sec.1. Chapter 15, Article I, Section 15-5 (b) and Chapter 15, Article II, Division  
I, Section 15-22 of the Code of Ordinances of the City of Long Beach, as heretofore amended,  
shall be and the same are hereby amended to read as follows:

“Sec. 15-5. Uses of vehicles, bicycles and tricycles on pedestrian ways.

...

(B) Any person violating any of the provisions of this section shall be liable for each  
offense to a fine of not less than ~~two dollars (\$2.00)~~ **fifty dollars (\$50.00)** nor more than ~~two  
hundred fifty dollars (\$250.00)~~ **five hundred dollars (\$500.00)**, or imprisonment for not more  
than fifteen (15) days, or both.

...

Sec. 15-22. General penalty for violation of chapter.

(a) Except as otherwise expressly provided for in this chapter of by the Vehicle and  
Traffic Law of the State of New York, every person convicted of a traffic infraction for a  
violation of any provision of this chapter which is not a violation of any provision of the  
Vehicle and Traffic Law of the State of New York shall be punished by a fine of up to  
five hundred dollars (\$500), **but not less than fifty dollars (\$50)**, or by imprisonment for  
not more than fifteen (15) days or by both such fine and imprisonment.

...”

Sec. 2. This Ordinance shall take effect immediately.

July 16, 2024

Item No. 4  
Local Law No.

The following Local Law was moved by  
and seconded by :

Introductory No. 382  
Introduced by:

CITY OF LONG BEACH

CHAPTER V LAWS OF 2024

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF LONG  
BEACH RE: CITY OFFICERS; THEIR GENERAL POWERS AND DUTIES.

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

Sec. 1. Article 3, Section 21 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. 21. City treasurer; tax collector.

The city treasurer shall be a fiscal officer of the city and shall perform such duties incident to ~~his~~ **their** office as the council may require. ~~He~~ **They** shall keep an office at such place as the council shall provide and designate, which shall be kept open each day in the year, except Sundays and legal holidays, from nine o'clock in the forenoon until four o'clock in the afternoon, except between the hours of twelve and one o'clock, and at such other hours as the council may from time to time direct. ~~He~~ **They** shall keep separate accounts of the different funds of the city and shall not pay out any money chargeable to any fund in excess of the amount standing on ~~his~~ **their** books to the credit of such fund, unless the council has by resolution transferred an amount in one fund to another fund and ~~he~~ **they** shall not knowingly pay money from any fund which is not properly chargeable thereto. The city treasurer shall before the first meeting of the council in each month file with the city clerk a report showing in detail the total expenditures and receipts of city moneys during the next preceding calendar month, a summary statement of the receipts and expenditures of city moneys during that portion of the current fiscal year expiring with the last day of such preceding month, and the balance at the end of such month standing to the credit of the city funds. Such statement shall be in such form as shall be prescribed from time to time by the council. Before entering upon the duties of ~~his~~ **their** office and within fifteen days after ~~he~~ **they** shall have received official notice of ~~his~~ **their** election the city treasurer shall execute and file an official bond with two or more sureties, or of some solvent surety company, in such penal sum as may be fixed by the council in accordance with section fourteen of the General Construction Law and sections eleven, twelve and thirteen of the Public Officers Law; and for omission so to do ~~he~~ **they** shall be subject to the penalties and liabilities prescribed by section eighteen hundred and twenty of the Penal Law, and sections thirteen, fifteen and thirty of the Public Officers Law. Such bond shall be approved by the council with the certificate of the city clerk of such approval endorsed therein, and the bond so endorsed shall be filed and recorded in the clerk's office of the County of Nassau in the same manner as the official bond of town

collectors, and in the event of default on the part of said treasurer such bond shall be a lien on all property owned by ~~him~~ **them** at the time of such default together with all the costs and charges which may accrue upon the prosecution thereof; such bond shall continue in full force until the council shall by resolution declare that such bond is satisfied, and a copy of such resolution duly certified by the city clerk may be filed and recorded in the office of said city clerk and shall operate to discharge the same and the lien thereof from record. A true copy of such bond and certificate shall be filed in the city clerk's office. The city treasurer shall be the tax collector of the city with all the powers and duties hereinafter enumerated. **Effective August 1, 2024, the City Comptroller shall act as treasurer of the city, and all powers, duties, functions and responsibilities of the treasurer shall be assumed by the City Comptroller as the sole fiscal officer of the city. Any and all references to the city treasurer in the Charter and Code of Ordinances of the City of Long Beach shall be construed to mean the City Comptroller acting as treasurer of the city on and after August 1, 2024.**”

Sec. 2. Article 3, Section 27 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. 27. City comptroller.

The office of city comptroller is hereby created as an appointive office in the City of Long Beach. The city comptroller shall be the chief fiscal officer of the city.

1. *Duties:* It shall be the duty of the city comptroller:

...

**f. To act as treasurer, with all powers, duties, functions and responsibilities of the treasurer of the city, effective August 1, 2024. Any and all references to the city treasurer in the Charter and Code of Ordinances of the City of Long Beach shall be construed to mean the City Comptroller acting as treasurer of the city on and after August 1, 2024.**

**e. To perform such other duties pertaining to the financial records of the city as may be directed by the council, the city manager or by any law or by any fiscal officer of the state authorized so to do by law.**

...”

Sec. 3. This Local Law shall take effect immediately upon being filed in the Office of the New York Secretary of State.



July 16, 2024

Item No. 5  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to  
Accept a Charitable Donation.

WHEREAS, it is the desire of the organizers of the Squadsorial Roller Hockey  
Tournament, to donate an electronic scoreboard to the City of Long Beach Recreation  
Department, to be used at the City Recreation Center Roller Hockey Rink, worth an estimated  
\$9,905.00; and

WHEREAS, the City of Long Beach is a Municipal Corporation and pursuant to  
Section 3 of the Charter of the City of Long Beach, the City may take by gift, grant, bequest and  
devise said donation;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the  
City Manager is hereby authorized to accept the donation of an electronic scoreboard, to be given  
to the City of Long Beach Recreation Department.

July 16, 2024

Item No. 6  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Purchase  
Towels and Tissues from the Lowest Responsible Bidders.

WHEREAS, after due advertising therefore, bids were received in the Office of the City Purchasing on Thursday, June 27, 2024 at 11:00 a.m. for the purchase of towels and tissues for use throughout the City, as well as the replacement of dispensers as needed at no additional cost to the City, as per specifications on file in the Office of the City Purchasing Agent and the following named firms were the lowest responsible bidders in each instance;

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 from the following lowest responsible bidders in accordance with specifications on file in the Office of the City Purchasing Agent, on an “as needed” basis for a period of one year, towels and tissue, as per bid:

APPCO Paper & Plastics Corp., 3949 Austin Boulevard, Island Park, New York 11558 – Georgia Pacific 7-7/8” wide, 1,150 feet long Kraft Rolled Towels “or equal” at a cost of \$19.89 per case; and

Imperial Bag & Paper Co., 225 Route 1 & 9, South Jersey City, New Jersey 07306 – Captiva 2-Ply Junior Jumbo Toilet Tissue “or equal” at a cost of \$15.21 per case and Nibroc White Facial Tissue “or equal” at a cost of \$15.65 per case; and

United Sales USA Corp., 185 30<sup>th</sup> Street, Brooklyn, New York 11232 – Sunshine MFW Multifold Towels “or equal” at a cost of \$17.67 per case and Nittany Ultra Roll Tissue 12 Jumbo Roll 1-Ply Toilet Tissue “or equal” at a cost of \$21.50 per case; and

J & F Supply of Long Island, Inc., P.O. Box 881, Long Beach, New York 11561 – Elegant 2-Ply Rolled Paper Towels “or equal” at a cost of \$18.00 per case, Kruger White Swan C-Fold Towels “or equal” 10” x 13” at a cost of \$19.50 per case, and Georgia Pacific 3,000 sheets, 1-Ply Toilet Tissue 5-3/4” wide “or equal” at a cost of \$37.10 per case;

Funds are available in Fiscal Year 2024-2025 in Accounts A1620.54410 (Municipal Building Supplies & Materials), A3410.54410 (Fire Department Supplies & Materials), A7140.54410 (Rec Supplies & Materials), A7141.54410 (Arena Supplies & Materials), A8172.54410 (Beach Maintenance Supplies & Materials), F8330.54410 (WPU Supplies & Materials) and G8130.54410 (WPC Supplies & Materials).

July 16, 2024

Item No. 7  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Issue a  
Purchase Order for the Supply, Transport and Delivery  
of Concrete from the Most Responsible Bidder.

WHEREAS, after due advertisement therefore, two bids were received in the  
Office of the City Purchasing Agent on Thursday, June 27, 2024 at 11:00 a.m. for the supply,  
transport and delivery of concrete on an “as needed” basis for a period of one year; and

WHEREAS, Universal Ready Mix, 197 Atlantic Avenue, Garden City Park, New  
York 11090 was the most responsible bidder meeting the needs for the City for the supply,  
transport and delivery of concrete for a cost of \$95.00 per cubic yard for 3500 PSI strength,  
\$128.00 per cubic yard for Nassau County Class A, \$95.00 per cubic yard for New York State  
Calcium Chloride Concrete and an additional \$15.00 per cubic yard for Winter Concrete (11/15-  
3/31), \$200.00 per cubic yard for Short Loads under 6 cubic yards and \$10.00 per cubic yard for  
Concrete Accelerator;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the  
City Manager be and hereby is authorized to purchase concrete, as listed above, from Universal  
Ready Mix, 197 Atlantic Avenue, Garden City Park, New York 11090 including the supply,  
transport and delivery of same, on an “as needed” basis for a period of one year. Funds are  
available in Account No. A8170.54449 (Highway/Street Maintenance-Masonry Repairs).

July 16, 2024

Item No. 8  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Authorizing the City Manager to Purchase  
a 2023 Chevrolet Silverado Under a Franklin County  
Contract.

WHEREAS, the Fire Department desires to purchase one (1) 2023 Chevrolet Silverado to replace its primary Water Rescue Pickup Truck, a vehicle presently used as part of the City's fleet, that has outlived its useful life; and

WHEREAS, pursuant to New York's "piggybacking" law, Section 103(16) of the New York General Municipal Law, the City "may contract for such services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, as may required by such political subdivision or district therein through the use of a contract let by the United States of America or any agency thereof, any state or any other political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value in a manner consistent with this section and made available for use by other governmental entities"; and

WHEREAS, the City determined that the agreement between DeNooyer Chevrolet, 127 Wolf Road, Albany, New York 12205 and Franklin County 355 West Main Street, Suite 456, Malone, New York 12953-1826, dated September 18, 2023, ("Franklin Agreement") is for the same or similar services as the City desires from DeNooyer Chevrolet, is for the same or better pricing, and otherwise meets the criteria under Section 103(16) and the City's Purchasing Guidelines; and

WHEREAS, DeNooyer Chevrolet agrees to enter into an agreement with the City under the terms and conditions that are the same or better than those set forth in the Franklin Agreement, except as expressly modified herein;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, that the City Manager be and hereby is authorized to enter into an agreement to purchase one (1) 2023 Chevrolet Silverado from DeNooyer Chevrolet, 127 Wolf Road, Albany, New York 12205, at a cost of \$68,205.00. Funds are available in Account No. H1023.52167 (Fire Department-Ambulance).