

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
JULY 19, 2022

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

PUBLIC HEARING: Local Law Amending Subpart A of Related Acts Relating to the Charter of the City of Long Beach Re: Authorization to Conduct Public Meetings Using Videoconference Technology.

1. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Ocean Beach Park.
2. Local Law Amending Subpart A of Related Acts Relating to the Charter of the City of Long Beach Re: Authorization to Conduct Public Meetings Using Videoconference Technology.
3. Resolution Authorizing the City Manager to Issue a Purchase Order for the Supply, Transport and Delivery of Concrete from the Most Responsible Bidder.
4. Resolution Authorizing the City Manager to Purchase Beach Mobi-Mats from the Sole Source Provider.
5. Resolution Authorizing Budget Amendment to the General Fund Budget.
6. Resolution Authorizing Budget Amendment to the General Fund Budget.
7. Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year.
8. Resolution Ratifying the Contract for a Fireworks Display to Celebrate the 4th of July.

9. Resolution Authorizing the City Manager to Enter into a Contract for Emergency Sanitary Sewer Replacement at West Park Avenue (Northside) between Grand Boulevard and New York Avenue with the Sole Responsible Bidder.
10. Approval of Minutes of Prior City Council Meeting of June 7, 2022.

July 19, 2022

Item No.
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 2, Section 18-46 of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby repealed, revoked and rescinded, and the following Section 18-46 is hereby adopted and enacted in the place and stead of said Section, to read as follows:

“Sec. 18-46. Inline skates, roller skates and skateboards on the boardwalk of the Ocean Beach Park.

- (a) **Skateboarding on the boardwalk is prohibited at all times.**
- (b) **Inline skating and roller skating on the boardwalk is permitted in the center lane (*i.e.*, bicycle lane) only.**
- (c) **No person shall inline skate or roller skate at a speed greater than is reasonable and prudent under the conditions, and having regard to the actual and potential hazards then existing.”**

Sec. 2. This Ordinance shall take effect immediately.

July 19, 2022

Item No.
Local Law No.

The following Local Law was moved by
and seconded by :

Introductory No. 363
Introduced by:

CITY OF LONG BEACH

CHAPTER IV LAWS OF 2022

A LOCAL LAW

AMENDING SUBPART A OF RELATED ACTS RELATING
TO THE CHARTER OF THE CITY OF LONG BEACH,
RE: AUTHORIZATION TO CONDUCT PUBLIC
MEETINGS USING VIDEOCONFERENCE TECHNOLOGY

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

Section 1. Subpart A 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, shall be amended to add
Article 19 to said Subpart A and the same is hereby added to and amended to read as follows:

**“ARTICLE 19. AUTHORIZATION TO CONDUCT PUBLIC MEETINGS
USING VIDEOCONFERENCE TECHNOLOGY**

Section 350. Legislative Intent

**It is the intent of this local law to authorize the City of Long Beach to conduct various
meetings consistent with the videoconferencing provisions of Public Officers Law § 103-a
and the videoconferencing polices adopted by the City Council.**

Section 351. Authority

**This local law is adopted pursuant to Public Officers Law § 103-a, which expressly
authorizes the City Council to adopt local legislation, authorizing the use of
videoconferencing.**

Section 352. Videoconferencing for Public Meetings

**The City Council of the City of Long Beach hereby authorizes the City’s use of
videoconferencing when conducting meetings of all of its public bodies who are otherwise
subject to the requirements of Article 7 of the Public Officers Law, also known as the Open
Meetings Law, subject to the following:**

- 1. A quorum of the members are physically present at the meeting in one or more physical
locations at which members of the public may attend the meeting.**

2. Members are physically present at the meeting location(s) at which the public can attend in person unless a member is unable to be physically present due to extraordinary circumstances:

- a. Extraordinary circumstances is defined to include any disability or illness, caregiving responsibilities, or any significant or unexpected factor or event that precludes the member's physical attendance at such meeting.**
- b. Extraordinary circumstances must be certified by email or other written means to the City Clerk by the member in accordance with the City's videoconferencing policies and procedures and not less than 72 hours prior to any meeting.**

3. Except in the case of executive sessions conducted pursuant to Public Officers Law § 105, members must be able to be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon.

4. The minutes of meetings involving videoconferencing must include which, if any, members that participated using videoconferencing technologies.

- a. Such minutes must be made available to the public pursuant to Public Officers Law § 106.**
- b. Any meeting that uses videoconferencing must be recorded and such recordings must be posted to or linked on the City's website within five business days of the meeting. The recordings must remain available for a minimum of five years thereafter and recordings must be transcribed upon request.**

5. The public notice for any meeting involving videoconferencing must:

- a. Inform the public that:**
 - i. videoconferencing will or may be used,**
 - ii. where members of the public can view and/or participate in such meeting via videoconference, and**
 - iii. where required documents and records will be posted or available; and**
- b. Identify the physical location(s) where members will be physically present at the meeting and where members of the public can attend the meeting in person.**

6. Members of the public are able to view the video broadcast of any meeting using videoconferencing simultaneously when the meeting is conducted. Additionally, at meetings where public comment or participation is authorized, members of the public are able to participate in the proceedings using videoconference technologies in real time and with the same opportunities for public participation or testimony as in-person participation or testimony.

7. The City's public bodies may conduct meetings entirely by videoconference, with no in-person requirement, provided that:

- a. A state of emergency is declared by the Governor of the State of New York pursuant to Executive Law § 28, or**
- b. A local state of emergency for the City is declared by the City Manager and/or the Nassau County Executive pursuant to Executive Law § 24, and the City Council determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in-person meeting.**

8. Whenever a Public Body invokes the emergency exception as defined in paragraph 7 and takes action at such meeting without allowing members of the public to be physically present, the Public Body must acknowledge the previous meeting(s) and summarize any action(s) taken thereat at the next immediate meeting where the public is allowed to attend. The Public Body must produce minutes of such emergency meetings pursuant to the requirements of Public Officers Law § 106.

Section 353. 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 2. This local law shall take effect immediately upon filing with the Secretary of State.

July 19, 2022

Item No.
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 9, 2022 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, ELM Transit Mix, 483 Grand Boulevard, Westbury, New York
11590 was the most responsible bidder meeting the needs for the City for the supply, transport
and delivery of concrete for a cost of \$141.00 per cubic yard for 3500 PSI strength, \$147.50 per
cubic yard for Nassau County Class A, \$275.00 per cubic yard for New York State Calcium
Chloride Concrete and an additional \$6.00 per cubic yard for Winter Concrete (11/15-3/31),
\$175.00 per cubic yard for short loads under 6 cubic yards and \$24.00 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 ELM
Transit Mix, 483 Grand Boulevard, Westbury, New York 11590 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 19, 2022

Item No.
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase Beach
Mobi-Mats from the Sole Source Provider.

WHEREAS, the City's Beach Maintenance Department is in need of eleven new
Mobi-Mats to replace ones that are no longer useable; and

WHEREAS, Mobi-Mats improve access onto the beach for beachgoers by
providing a nonslip semi-rigid and stable rollout pathway; and

WHEREAS, Deschamps Mat Systems Inc., 218 Little Falls Road, Cedar Grove,
NJ 07009 is the sole source provider, at a cost of \$24,958.10;

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 eleven new Mobi-Mats from Deschamps
Mat Systems Inc., 218 Little Falls Road, Cedar Grove, NJ 07009, the sole source provider, at a
cost of \$24,958.10. Funds are available in Account No. A8172.52243 (Beach Maintenance -
Boardwalk Handicap Access).

July 19, 2022

Item No.
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Budget Amendment to the
General Fund Budget.

WHEREAS, pursuant to Resolution No. 68/21, a charitable donation in the
amount of \$300,000 was given to the City of Long Beach by John A. Carbona; and

WHEREAS, the City desires to purchase for the Lifeguards, two Tow Boards, one
Last Chance Tail and two sets of Carabiners, at a total cost of \$6,060.00; and

WHEREAS, all of the above purchases are made in accordance with
Mr. Carbona’s donative intent and the City’s Procurement Policy; and

WHEREAS, such purchases require a budget amendment which reflect the use
and transfer of such donated funds;

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 2022-2023 General Fund Budget be and is hereby
authorized:

GENERAL FUND

Increase Estimated Revenues:	A10510		\$6,060.00
A0027.42705	Gifts and Donations	\$6,060.00	
Increase Appropriations:	A20960		\$6,060.00
A7186.52220	Lifeguards, Machinery and Equipment	\$6,060.00	

AND, be it further

RESOLVED, that the remaining \$103,940 shall continue to be reserved for future
Lifeguard Departmental operations.

July 19, 2022

Item No.
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Budget Amendment to the
General Fund Budget.

WHEREAS, the fiscal year 2023 budget in Contractual Services account in the City’s Celebrations department was amended/increased by \$50,000 due to unanticipated sponsorship revenue received after the fiscal year 2023 budget was adopted; and

WHEREAS, the City’s projected unallocated insurance expenses will exceed the original budget adopted due to actual premiums being higher than estimated for fiscal year 2023 purposes; and

WHEREAS, a transfer is required in order to properly align available budgets with anticipated City expenses received;

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 2022-2023 General Fund Budget be and is hereby authorized:

GENERAL FUND

Increase Estimated Revenues:	A10510		\$50,000
A7550.54440 Celebrations		\$50,000	
Increase Appropriations:	A20960		\$50,000
A1910.54402 Unallocated Insurance		\$50,000	

July 19, 2022

Item No.
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Transfer of Funds for the
2022-2023 Fiscal Year.

WHEREAS, a transfer of funds is required in order to align budgets and operating expenses of the City's Sanitation and Street Maintenance Departments and to properly reflect fulltime payroll expenses for these departments;

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>
A8170.51101	Street Maintenance – Regular Salaries	\$84,963.50	
A8160.51101	Sanitation – Regular Salaries		\$84,963.50

July 19, 2022

Item No.
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Ratifying the Contract for a Fireworks Display
to Celebrate the 4th of July.

WHEREAS, the City of Long Beach held a fireworks display as part of
the 4th of July celebration on Friday, July 8, 2022, for the pleasure and enjoyment of the residents
and visitors to the City; and

WHEREAS, Santore's World Famous Fireworks, LLC, 846 Stillwater Bridge
Road, Schaghticoke, New York 12154 designed, produced and conducted the fireworks display
at a cost of \$40,000; and

WHEREAS, the City received sponsorship money from The Breeze at Long
Beach, LLC and Isla Blu at Long Beach LLC, 300 Jericho Turnpike, Jericho, New York 11753
for the cost of the fireworks display;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
action of the City Manager to enter into an agreement with Santore's World Famous Fireworks,
LLC, 846 Stillwater Bridge Road, Schaghticoke, NY 12154 for the July 8, 2022 fireworks
display, at a cost of \$40,000, is hereby ratified and approved. The sponsorship monies are
available in Account No. A7550.54440 (Celebration-Contracted Services).

July 19, 2022

Item No.
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into a Contract for Emergency Sanitary Sewer Replacement at West Park Avenue (Northside) between Grand Boulevard and New York Avenue with the Sole Responsible Bidder.

WHEREAS, emergency replacement is required at West Park Avenue (northside) between Grand Boulevard and New York Avenue, due to the collapse of sections of the sanitary sewer; and

WHEREAS, one bid was received in the Office of the Commissioner of Public Works on Thursday, July 14, 2022 for the furnishing and installation of approximately 100 linear feet of sanitary sewer pipe; and

WHEREAS, Thomas Novelli Contracting, Inc., 41 Sarah Drive, Farmingdale, New York 11735 was the sole responsible bidder at a cost of \$200,000;

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 enter into a contract with Thomas Novelli Contracting, Inc., 41 Sarah Drive, Farmingdale, New York 11735 for emergency sanitary sewer replacement on West Park Avenue between Grand Boulevard and New York Avenue, at a cost of \$200,000. Funds in the amount of \$1,689.85 are available in Account No. H3018.52278 (Sewer Upgrades City Wide), funds in the amount of \$27,750.61 are available in Account No. H3019.52278 (Sewer Upgrades City Wide), funds in the amount of \$107,000 are available in Account No. H3021.52278 (Sewer Upgrades City Wide) and funds in the amount of \$63,559.54 are available in Account No. H3022.52278 (Sewer Upgrades City Wide).