

January 21, 2025

Item No. 1

Local Law No. I/2025

The following Local Law was moved by Pres. Finn  
and seconded by Mr. Reinhart :

Introductory No. 387  
Introduced by: Pres. Finn

## CITY OF LONG BEACH

### CHAPTER I LAWS OF 2025

#### A LOCAL LAW

#### AMENDING THE CHARTER OF THE CITY OF LONG BEACH RE: PLANNING BOARD.

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

Section 1. Article 2, Section 8 and Section 11, 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. 8. City officers enumerated.**

The officers of the City shall be five Councilpersons (including a President of the Council), a City Manager, a City Treasurer, a Tax Assessor and two Associate Tax Assessors, a City Clerk, a Corporation Counsel, a Commissioner of Public Works, one or more Deputy Commissioners, a Building Commissioner (also known as **Commissioner of Buildings and Property Conservation**), a City Engineer, a Fire Commissioner, a Police Commissioner, a Commissioner of Public Safety, one or more City Marshals, one or more Superintendents of Departments, three members of a Civil Service Commission, so many Commissioners of Deeds as may be deemed necessary by the Council, and such other appointive officers as may be established by law, local law or ordinance. The Council may provide for the holding of two or more such offices by the same person, except that no Councilperson, members of the Civil Service Commission, or member of a City Planning ~~Commission~~ **Board** may hold any other office under the city government for which a salary may be paid.

**Sec. 11. Appointive city officers enumerated; by whom appointed; their term of office.**

...

C. The City Council may provide for the holding of two (2) or more such offices by the same person, except that no member of the Civil Service Commission, or member of a City Planning ~~Commission~~ **Board** may hold any other office under the city government for which a salary may be paid. Any appointed official or employee may perform duties in one or more departments as the City Council may designate.”

...

Section 2. Chapter 635 of the Laws of 1922, constituting the Charter of the City of Long Beach, New York, as amended, shall be and it hereby is further amended by repealing, revoking and rescinding all of Article 9 entitled “DEPARTMENT OF CITY PLANNING AND DEVELOPMENT”, and substituting in its place and stead a new Article 9 entitled “PLANNING BOARD” to read as follows:

**“ARTICLE 9. PLANNING BOARD.**

**Sec. 131. Established.**

Pursuant to Section 27 of Article 3 of the General City Law of the State of New York there is hereby created in the City a Planning Board. It is the intent of this local law to establish a collaborative process with checks and balances by which the City Manager and the City Council appoint and remove such members. The City Council finds that it is in the City’s best interests to establish an appointment process which is designed to fill vacancies to the extent practicable.

**Sec. 132 Appointments; term of office; vacancies.**

The City’s Planning Board shall consist of seven (7) members. Each member shall be appointed by the City Manager, subject to the City Council’s approval. Effective January 1, 2025, appointments to the Planning Board shall be as follows: two (2) members for a term of one year; two (2) members for a term of two (2) years; and three (3) members for a term of three years. Thereafter, the term of office of members shall be three (3) years. All terms shall commence on the date of the first City Council meeting in January of the year appointed and terminate on December 31st of the last year of the member’s term. Any such appointment shall be filed with the city clerk within (30) days.

Members shall receive such salary as is fixed by the City Council. An appointment to a vacancy occurring prior to the expiration of a member’s term shall be for the remainder of the unexpired term. Any member may be removed by the City Manager in accordance with General City Law § 27, subject to the City Council’s approval. At least forty-five (45) days prior to the expiration of any given member’s term, the City Manager shall present to the City Council candidates to fill said vacancies. In the event any vacancy is not filled by the end of that forty-five (45) day period, the City Council may make an appointment to fill said vacancy.

**Sec 133. Chairman.**

The board shall elect from its own number, by a vote of the majority of its members, a chairman of the board who shall preside at all meetings of the board and shall have such other powers, duties, and responsibilities as the board shall prescribe. The chairman shall serve as such for the term of the board which elected said chairman, subject, however, to the right of the board by a vote of a majority of its members to change its chairman at any time.

**Sec 134. Training**

- (1) All members of the Planning Board, including alternate members, shall complete at a minimum, four (4) hours of training each year designed to enable such members to more effectively carry out their duties. Training received by a member in excess of the four (4) hours in any one (1) year may be carried over by the member into succeeding years in order to meet the requirements of this section.
- (2) Such training may include, but not be limited to, training provided by a municipality, regional or county planning office or commission, county planning federation, state agency, statewide municipal association, law school, college, bar association, qualified attorneys or other similar entity or person.
- (3) Training may be provided in a variety of formats, including but not limited to, electronic media, video, distance learning and traditional classroom learning.
- (4) Proof of such attendance shall be filed by member in the City Clerk's office by December 31 of each year of service.
- (5) To be eligible for reappointment to such board, such member shall have completed the required training. The training required by this Section may be waived or modified by resolution of the City Council when, in the judgment of the Council, it is in the best interest of the City to do so.
- (6) No decision or action of a Board shall be voided or declared invalid because of a failure to comply with the training requirements of this Section.
- (7) The failure of any Board Member, or alternate member, to comply with the foregoing training and education requirements shall be grounds for removal by the City Council after a public hearing and an opportunity to be heard. Such cause for removal shall be in addition to and not in derogation of any other grounds provided by law.”

Section 3. Article 17, Section 330, 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. 330. Environmental Quality Review Act.**

...

**6. Definitions.**

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f. "Determination of Consistency" means a notice prepared by **the Long Beach Planning Department Board** or other appropriate agency and filed with the Clerk of the City of Long Beach, which notice shall contain:

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**m. "Planning Department Board" is the City of Long Beach Planning Department Board.**

...

7. *Environmental Review Procedures.*

a. *Environmental Administration.* The City Manager shall appoint an Environmental Administrator who shall be delegated the authority to coordinate among City agencies the procedures of the New York State Environmental Quality Review Act. The appointment must be made in writing and filed with the City Clerk. In the absence of any such appointment by the City Manager, ~~the Planning Director or the Building Commissioner~~ **Commissioner of Buildings and Property Conservation** of the City shall be appointed to serve as the Environmental Administrator.

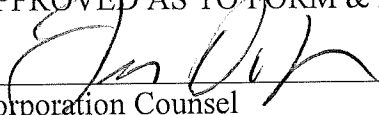
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Sec. 4. This Local Law shall take effect immediately upon being filed in the Office of the New York Secretary of State.

APPROVED:

  
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City Manager

APPROVED AS TO FORM & LEGALITY:

  
\_\_\_\_\_  
Corporation Counsel

VOTING:

Council Member Bendo - AYE  
Council Member Lester - AYE  
Council Member Reinhart - AYE  
Vice President Fiumara - AYE  
President Finn - AYE