

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
MARCH 16, 2021

1. Approval of Minutes of Prior Meetings of January 5, 2021 and January 19, 2021.
2. Resolution Authorizing the City Manager to Execute a Modification Agreement for the Flood Protection for Major Critical Infrastructure Project for the City of Long Beach.
3. Resolution Authorizing Budget Amendment to the Capital Fund Budget.
4. Resolution Authorizing the City Manager to Enter into Two Agreements for General Construction Services and Electrical Construction Services for the Long Beach Drainage Improvements Project.
5. Resolution Authorizing the City Manager to Enter into an Agreement for Engineering Services in Conjunction with the Installation of a Potable Water Well (No.19) and Well House.
6. Resolution Authorizing the City Manager to Enter into an Agreement for Rehabilitation of the Long Beach Bus Garage and the Commuter Parking Facility.
7. Resolution Authorizing the Adoption of a Police Reform Plan Pursuant to New York State Executive Order 203 for the City of Long Beach.
8. Resolution Authorizing the City Manager to Enter into a Contract with the Lawrence-Cedarhurst Fire Department for the Performance of Fire Alarm Dispatching Services.
9. Resolution Authorizing the City Manager to Enter into a Memorandum of Agreement with the Long Beach Professional Fire Fighters Association.
10. Resolution Designating a City Council Member to Serve on the Board of Fire Commissioners.

11. Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year.
12. Resolution Authorizing Transfer of Funds for the 2020-2021 Fiscal Year.
13. Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: City Physician and Health Officer.
14. Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Police Surgeon and City Physician.
15. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 58A East Park Avenue (street floor), Long Beach, New York.
Re: Online Apparel Business

March 16, 2021

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Execute a
Modification Agreement for the Flood Protection for Major
Critical Infrastructure Project for the City of Long Beach.

WHEREAS, as a result of Superstorm Sandy, critical infrastructure, such as the City's Water Purification Plant, the Wastewater Treatment Plant, Electrical and Gas Substations, suffered considerable damage due to the severe tide surges and extreme flooding; and

WHEREAS, pursuant to Resolution No. 104/14, duly adopted by the City Council on August 5, 2014, the City, in an effort to protect this infrastructure filed a Hazard Mitigation Grant Application with the State of New York for funding for this Project, which was awarded to the City, and the City began the engineering phase (Phase I) of the Project for the installation of flood protection infrastructure along the northern waterfront of the City; and

WHEREAS, throughout the years since the initial resolution, the City adopted numerous resolutions, submitted numerous applications for funding, and modified and expanded the scope of the Project; and

WHEREAS, the City was originally awarded Federal funding in the amount of \$20,060,327 for the Project; and

WHEREAS, the Project costs including general construction, electrical construction, design, construction administration, inspection administration, Long Island Rail Road costs etc., exceeded the original budget for the Project by \$13,500,068; and

WHEREAS, the City requested additional funds and established justification for those additional funds and for the necessary budget modifications; and

WHEREAS, in April of 2020, the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA), reviewed the New York State Department of Homeland Security and Emergency Services request, seeking a Phase II funding re-allocation and budget modification for the Hazard Mitigation Grant Program Project, increasing the overall budget for the Project by \$13,500,068; and

WHEREAS, a prerequisite for the increase to be funded involved Nassau County adopting a Hazard Mitigation Plan (which had expired), and the City then adopting said Plan, which the City did pursuant to Resolution 14/21 on January 19, 2021; and

WHEREAS, the City was notified by FEMA on February 24, 2021, that funding for the Flood Protection for Major Critical Infrastructure Project, Phase II, had been increased and that the Federal share awarded for the Project would be \$33,560,395, funding the entire project at no cost to the City; and

WHEREAS, the key components of the Project are as follows:

1. 2300 linear feet of cantilever steel bulkhead to stabilize the shoreline, prevent erosion and mitigate flooding;
2. Construct a storm water pump station at Riverside Blvd. and the Bay to mitigate flooding;
3. Demolition of the abandoned gun range;
4. Replace all utilities on Water Street including Water and Sewer infrastructure; and
5. Repave Water Street;

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 modify Contract No. C000713 with the New York State Division of Homeland Security and Emergency Services, for Phase II of the Flood Protection for Major Critical Infrastructure Project, accepting the revised total contract value of \$33,560,395.

March 16, 2021

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Budget Amendment to the
Capital Fund Budget.

WHEREAS, in 2013, the Governor’s Community Reconstruction Plan (CRP) initiative earmarked nearly \$22 million dollars for Long Beach to receive resiliency projects and called on the community for their input as to the areas they wanted to see addressed; and

WHEREAS, pursuant to the above, the Governor’s Office of Storm Recovery (GOSR) approved a Drainage Improvement Project for the City of Long Beach, addressing three areas that are prone to chronic flooding; and

WHEREAS, the funding commitment required for the entire project is therefore \$7,039,408.75; and

WHEREAS, funding in the amount of \$5,972,140.37 is available at no cost to the City, through GOSR’s New York Rising Community Reconstruction Program (NYRCRP) and is contingent upon approval by GOSR and will be paid directly to the contractors; and

WHEREAS, an amendment to the Capital Budget Fund for the remaining \$1,067,268.38 contingency (not to exceed) will require an amendment to 2020-2021 Capital Budget as follows:

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 2020-2021 Capital Fund Budget be and is hereby authorized:

CAPITAL FUND

Increase Estimated Revenues:	H10510		\$1,067,268.38
H0050.45712	Serial Bonds Sewer Funds	\$1,067,268.38	
Increase Appropriations:	H20960		\$1,067,268.38
H1021.52278	Drainage Improvements Project	\$1,067,268.38	

March 16, 2021

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into Two
Agreements for General Construction Services and Electrical
Construction Services for the Long Beach Drainage Improvements
Project.

WHEREAS, in 2012 Superstorm Sandy devastated the northern shore of Long Beach as the storm surge from Reynolds Channel swept over the shoreline, damaging homes, businesses and critical City facilities, necessitating the need for a Drainage Improvements Project; and

WHEREAS, pursuant to Resolution No. 37/18, duly adopted on April 3, 2018, the City entered into an agreement for engineering services to address chronic flood areas within the City, to include survey, design and construction administration and inspection services; and

WHEREAS, on Thursday, February 4, 2021, the City received five bids for the General Construction component and four bids for the Electrical Construction component of the Drainage Improvements Project to address three areas in Long Beach that are prone to chronic flooding; and

WHEREAS, the three locations to be addressed are as follows:

1. West Park between New York and Nevada Avenue - As part of this project, the City's first storm water pump station will be constructed. During extreme tidal and rainfall events, the new pump station will force water that accumulates in the project area into Reynolds Channel;
2. National Blvd. south of Park Avenue – A complete subsurface storm water system will be installed on this thoroughfare to alleviate flooding during storm events; and
3. Intersection of Riverside Blvd. and East Pine Street – additional drainage structures will be installed to alleviate flooding; and

WHEREAS, J.R. Cruz Corporation, 675 Line Road, Aberdeen, NJ 07747, was the lowest responsible bidder for the general construction component at a cost of \$6,101,562.50 and Hinck Electrical Construction, 75 Orville Drive, Bohemia, New York 11711 was the lowest responsible bidder for the electrical construction component at a cost of \$577,900; and

WHEREAS, the funding commitment required for the entire project is \$7,039,408.75 and funding in the amount of \$5,972,140.37 is available at no cost to the City, through the Governor's Office of Storm Recovery (GOSR) New York Rising Community Reconstruction Program (NYRCRP), contingent upon approval by GOSR and will be paid to the above contractors; and

WHEREAS, the balance or commitment of the City required to award the project is \$1,067,268.38 which is comprised of funds associated with "Construction" in the amount of \$427,322.13 and "Contingency" in the amount of \$639,946.25; and

WHEREAS, the remaining \$1,067,268.38, contingency and the construction amount is addressed in the Capital Plan Budget Amendment resolution included in this Agenda, to fund the construction, and if there is a need, the contingency portion of this project in the amount of \$1,067,268.38; and

WHEREAS, the City will borrow funds pursuant to the Bond Ordinance No. 2098/15, as this project satisfies criteria in that Ordinance, “Authorizing Financing for the Cost of Extraordinary Expenses Resulting From Superstorm Sandy, Stating the Estimated Total Cost Thereof Is \$10,000,000, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$10,000,000 Bonds of Said City to Finance Said Appropriation” and there is remaining \$7,140,000.00 authorized and unissued funds pertaining to this Ordinance;

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 agreements with J.R. Cruz Corporation, 675 Line Road, Aberdeen, NJ 07747, for the general construction component of the Drainage Improvement Project, at a cost of \$6,101,562.50 and Hinck Electrical Construction, 75 Orville Drive, Bohemia, New York 11711 for the electrical construction component at a cost of \$577,900; and be it further

RESOLVED, that funding in the amount of \$5,972,140.37 is available at no cost to the City, and that funding in the amount of \$1,067,268.38 (not to exceed) for the above general and electrical construction and contingency, will be funded by borrowing based on Ordinance No. 2098/15 - Authorizing Financing for the Cost of Extraordinary Expenses Resulting from Superstorm Sandy.

March 16, 2021

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 Engineering Services in Conjunction with the
Installation of a Potable Water Well (No.19) and Well House.

WHEREAS, after due advertisement therefore, three proposals were received in the Office of Public Works on December 18, 2020 for engineering services to provide design and potential construction administration and on-site inspection services for the installation of a potable water Well No. 19 and Well House; and

WHEREAS, recently Well No. 16 collapsed and it is necessary to replace this well to maintain viable water supply for the City; and

WHEREAS, the three proposals were scored and evaluated for expertise, experience, understanding of the project and scheduling availability and based upon the overall score, H2M Architects and Engineers, 538 Broad Hollow Road, Melville, New York 11747 submitted the proposal that best meets the City's needs and has a long history of working with the City, specifically in regard to projects involving the Water Purification Plant and it was also the lowest proposal fee submitted, at a cost of \$131,000;

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 H2M Architects and Engineers, 538 Broad Hollow Road, Melville, New York 11747 for engineering services to provide design and potential construction administration and on-site inspection services for the installation of a potable water Well No. 19 and Well Hose on the site of the Water Purification Plant, at a cost of \$131,000. Funds are available in Account No. H2021.52325 (Installation of Well No. 19).

March 16, 2021

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into an
Agreement for Rehabilitation of the Long Beach Bus Garage
and the Commuter Parking Facility.

WHEREAS, after due advertisement therefore, ten bids were received in the
Office of Public Works on February 18, 2021 for the rehabilitation of the Long Beach bus garage
and the commuter parking facility, to include concrete repairs, architectural repairs,
waterproofing and a full replacement of the fire sprinkler dry standpipe system; and

WHEREAS, the City's engineering consultants reviewed the bids and checked the
references in the bid documents and recommended awarding the project to the lowest responsible
bidder, Carl Walker Construction, Inc., 935 Vista Drive, Pittsburgh, PA 15205, at a cost of
\$729,285.00;

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 a contract with Carl Walker Construction,
Inc., 935 Vista Drive, Pittsburgh, PA 15205 for the rehabilitation of the Long Beach bus garage
and the commuter parking facility, at a cost of \$729,285.00. Funds in the amount of \$565,800
are available in Account No. H1019.52364 (Bus Station Rehabilitation) and funds in the amount
of \$163,485 are available in Account No. H1021.52364 (Bus Station Rehabilitation).

March 16, 2021

Item No. 7
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Adoption of a Police Reform Plan
Pursuant to New York State Executive Order 203 for the City
of Long Beach.

WHEREAS, in accordance with the mandates of Executive Order 203, issued on June 12, 2020, and guidance provided by the State, the City of Long Beach and the Long Beach Police Department have developed a plan for police reform within the City; and

WHEREAS, the plan was developed after a review of police deployments, strategies, policies, procedures and practices through consultation with community stakeholders; and

WHEREAS, the City established the Commissioner's Board on Police Reform, wherein the Department and a cross-section of community stakeholders advanced an in depth dialogue concerning the issues at hand; and

WHEREAS, the Police Department and the City are in the process of creating a new team of active and civic minded community members to become members of the "Long Beach Crisis Prevention and Post Intervention Team" (CPPIT); and

WHEREAS, the forums, meetings and discussions held with residents and community stakeholders provided the City and the LBPD with a comprehensive review of pertinent department policies, as well as valuable information which the City and LBPD considered and included in this plan; and

WHEREAS, with community input, the LBPD has made modifications to its policies and procedures, reflecting the City's and LBPD's commitment to serving all the people of our community equally and fairly;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the Police Reform Plan is hereby adopted; and be it further

RESOLVED, that this Police Reform Plan is intended to be a living document, and that the Police Commissioner and the City Manager shall regularly review the Police Reform Plan, revise the plan as necessary, and present such material revisions, if any, to the City Council for approval on at least a biennial basis.

March 16, 2021

Item No. 8
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into a
Contract with the Lawrence-Cedarhurst Fire Department for
the Performance of Fire Alarm Dispatching Services.

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 enter into a contract with the Lawrence-Cedarhurst Fire Department, Inc., 75 Washington Avenue, Lawrence, New York 11559 to provide fire alarm dispatch services, for a period of five (5) years, commencing January 1, 2021 and ending December 31, 2025 at an annual fee of \$19,024 for the first year; \$19,024 for the second year; \$19,214 for the third year; \$19,433 for the fourth year and \$19,627 for the fifth year; and be it further

RESOLVED, that the agreement shall contain such other provisions as the City Manager shall deem proper and advisable.

March 16, 2021

Item No. 9
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into a
Memorandum of Agreement with the Long Beach Professional
Fire Fighters Association.

WHEREAS, the City of Long Beach (“City”) and the Long Beach Professional
Fire Fighters Association (“LBPF”) are parties to an expired Collective Bargaining Agreement
with an effective term of July 1, 2004 through June 30, 2010 (“CBA”); and

WHEREAS, by operation of law and by virtue of Article 14 of the New York
Civil Service Law, the terms and conditions of the CBA continue in effect until the Parties
negotiate a successor agreement; and

WHEREAS, the Parties have commenced negotiating the terms and conditions of
a successor to the CBA; and

WHEREAS, there is currently an active eligible list for the title/position of
firefighter; and

WHEREAS, the City and LBPF wish to hire new firefighters in time for the
upcoming March 2021 Career Fire Academy class in Westchester County, New York; and

WHEREAS, the Parties agree that the negotiation of terms and conditions for
newly hired employees is a crucial first step in negotiating a successor CBA; and

WHEREAS, following extensive negotiations the Parties have reached an
agreement in principle, the terms of which will be included in this Memorandum of Agreement;
and

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 enter into a Memorandum of Agreement with the
Long Beach Professional Fire Fighters Association; and be it further

RESOLVED, that this Memorandum of Agreement represents the full and entire
understanding and accord between the Parties with regard to the subject matter hereof and
supersedes all prior agreements (whether written or oral) of the Parties relating to the subject
matter of this Memorandum of Agreement; and be it further

RESOLVED, that said Agreement shall contain such other terms and conditions
as the City Manager shall deem proper.

March 16, 2021

Item No. 10
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Designating a City Council Member to
Serve on the Board of Fire Commissioners.

WHEREAS, the City Council of the City of Long Beach wishes to designate one of its members to serve on the City's Board of Fire Commissioners, in accordance with Chapter 11, Article IV, Section 11-70(d) of the City's Code of Ordinances;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that City Councilman Michael DeLury is hereby designated to serve on the City's Board of Fire Commissioners.

March 16, 2021

Item No. 11
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Transfer of Funds for the
2020-2021 Fiscal Year.

WHEREAS, funds are needed for a video inspection of Well No. 11; a 2020
Annual Water Supply Report and the purchase of chemicals, necessitating the transfers below;

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>
F1990.54406	Contingency	\$20,000.00	
F8330.54440	Water Purification-Contracted Services		\$10,000.00
F8330.54416	Water Purification-Chemicals		\$10,000.00

March 16, 2021

Item No. 12
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Transfer of Funds for the
2020-2021 Fiscal Year.

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	\$36,721	
A1380.54423	Fiscal Agent Fees Bond & Note Issue		\$36,721
A1990.54406	Contingency	\$20,000	
A1315.51101	City Comptroller Regular Salaries		\$20,000
A1990.54406	Contingency	\$150,569	
A1420.54453	Corp Counsel Consultants		\$150,569
A1990.54406	Contingency	\$10,000	
A1315.54453	City Comptroller Contracted Services		\$10,000
A1990.54406	Contingency	\$89,664	
A5142.51103	Snow Removal Overtime		\$89,664

March 16, 2021

Item No. 13
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 Physician and Health Officer.

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

“A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: CITY PHYSICIAN AND HEALTH OFFICER”.

(See Local Law Attached)

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, 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; and be it further

RESOLVED, that due to public health and safety concerns related to COVID-19,
the City Council may not be meeting in-person. In accordance with the Governor’s Executive
Order 202.60, the April 6, 2021 City Council meeting and this hearing may be held via
videoconferencing; and be it further

RESOLVED, the public will be given an opportunity to observe and participate in
the virtual meeting by registering for the hearing at longbeachny.gov/councilmeetings.

Introductory No. 357
Introduced by:

CITY OF LONG BEACH

CHAPTER I LAWS OF 2021

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: CITY PHYSICIANN AND HEALTH OFFICER.

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

Sec. 1. Article 3, Section 25 and Article 4, Section 64 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 are hereby amended to read as follows:

“Sec. 25. City physician and health officer.

The city physician shall be the health officer of the city. **The city physician** shall have all the powers and be subject to all the duties provided by ordinance of the council and by the Public Health Law.”

...

“Sec. 64. Payment of salary, medical and hospital expenses of policemen with injuries or illness incurred in performance of duties.

Any **sworn police officer** in the police department of the City of Long Beach appointed from a competitive civil service list who is injured in the performance of duties or who is taken sick as a result of the performance of **duty** so as to necessitate medical or other lawful remedial treatment, shall be paid by the City of Long Beach the full amount of **his/her** regular salary or wages until **his/her** disability arising therefrom has ceased, and, in addition, the City of Long Beach shall be liable for all medical treatment and hospital care furnished during such disability. Provided, however, and notwithstanding the foregoing provisions of this section, the city physician may attend any such injured or sick **sworn police officer**, from time to time, for the purpose of providing medical, surgical or other treatment, or for making inspections, and the City of Long Beach shall not be liable for salary or wages payable to such **sworn police officer**, or for the cost of medical or hospital care or treatment furnished, after such date as the city physician shall certify that such injured or sick **sworn police officer** has recovered and is physically able to perform his regular duties **of** the department. Any injured or sick **sworn police officer** who shall refuse to accept such medical treatment or shall refuse to permit medical inspections as herein authorized, shall be deemed to have waived the rights under this section in respect to medical expenses incurred or salary or wages payable after such refusal.

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Item No. 13
Resolution No.

Notwithstanding any provision of law contrary thereto contained herein or elsewhere, a cause of action shall accrue to the City of Long Beach for reimbursement in such sum or sums actually paid as a salary or wages and/or for medical or hospital treatment as against any third party against whom a **sworn police officer** shall have a cause of action for the injuries sustained.”

Sec. 2. This Ordinance shall take effect immediately.

March 16, 2021

Item No. 14
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of an
Ordinance to Amend the Code of Ordinances of the City
of Long Beach Re: Police Surgeon and City Physician.

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

“ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: POLICE SURGEON
AND CITY PHYSICIAN.”

(See Ordinance Attached)

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the
City Clerk shall cause to be published in the official newspaper of the City of Long Beach the
title, and a summary or the full text of said Ordinance; and be it further

RESOLVED, that due to public health and safety concerns related to COVID-19,
the City Council may not be meeting in-person. In accordance with the Governor’s Executive
Order 202.60, the April 6, 2021 City Council meeting and this hearing may be held via
videoconferencing; and be it further

RESOLVED, the public will be given an opportunity to observe and participate in
the virtual meeting by registering for the hearing at longbeachny.gov/councilmeetings.

ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: POLICE SURGEON
AND CITY PHYSICIAN.

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

Sec. 1. Chapter 2, Article III, Division 3 Section 14-212 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. 2-75. Office created; appointment.

There is hereby created the office of police surgeon and city physician, who shall be appointed by the City Manager pursuant to the rules of civil service **and shall serve at the pleasure of the City Manager.**

Sec. 2-76. Compensation.

The police surgeon and city physician shall receive an annual salary to be fixed by the council.

Sec. 2-77. Duties.

The police surgeon and city physician shall have the following duties:

(a) *As police surgeon.* The police surgeon shall be the chief surgeon of the police department. **The police surgeon** shall direct and conduct physical examinations of candidates for appointment, of probationary **sworn police officers** immediately preceding the expiration of their probationary period, of applicants for reinstatement to the uniformed force, and shall conduct **regularly scheduled** physical examinations of convalescents and partially disabled **sworn police officers** assigned to light duty **or otherwise unavailable for full-duty**. **The police surgeon may** render surgical and medical care and aid to any member of the department whenever required. **Upon request from the City Manager or the Commissioner of Police, the police surgeon shall certify to the City Manager as to the physical condition and fitness of the members of the police force, and shall generally do and perform such other services in connection with this office as may be required by the City Manager or the Commissioner of Police. The police surgeon shall conduct** examinations in connection with all applications for retirement based upon alleged permanent physical or mental disability, **serve** as a police department witness **in court as required in connection with the discharge of the duties of this office, and interview and examine all cases referred by the City Manager. The police surgeon** shall be responsible for the maintenance of a sickness and disability record of each **sworn officer** of the police department, and shall examine into and make a written report on all cases referred by the City Manager **or the Commissioner of Police** involving disciplinary action against any member of the police force. The police surgeon shall be **available for duty upon the City Manager’s or the Commissioner of Police’s reasonable request.**

(b) *As city physician.* The city physician shall direct and conduct physical examinations of all city employees, other than **sworn officers** of the police department, when so directed by the City Manager. **The city physician** shall interview and examine all cases referred by the City Manager or the Corporation Counsel. **The city physician** shall generally do and perform such other services in connection with **this** office as may be required by the City Manager.”

Sec. 2. This Ordinance shall take effect immediately.

March 16, 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: 58A East 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 58A East Park Avenue (street floor), Long Beach, New York (Section 59, Block 97, Lot 25) between Edwards and Riverside Boulevards, having frontage of less than 20 feet, on behalf of the owner 58 Park Ave. Corp., c/o Amedeo Oliviero, 215 Regent Drive, Lido Beach, New York 11561 to be used as an Online Apparel Business;

NOW, THEREFORE, be it

RESOLVED, that due to public health and safety concerns related to COVID-19, the City Council may not be meeting in-person. In accordance with the Governor's Executive Order 202.60, the April 6, 2021 City Council meeting and this hearing may be held via videoconferencing; and be it further

RESOLVED, the public will be given an opportunity to observe and participate in the virtual meeting by registering for the hearing at longbeachny.gov/councilmeetings.

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.