

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
MARCH 1, 2022

1. Approval of Minutes of Prior Meeting of February 15, 2022.
2. Transmittal of a Certificate to the City Council by the City Clerk.
3. Resolution Authorizing the City Manager to Purchase Bunker Gear for the Long Beach Fire Department Under New York State Contract.
4. Resolution Authorizing the Approval of a List of Eligible Volunteer Firefighters for 2021 Length of Service Award Program (LOSAP) Service Credit.
5. Resolution Authorizing the City Manager to Purchase Two Police Utility Vehicles for the City Under a Sourcewell Contract.
6. 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 2022-2023 (48th Year).
7. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 966 West Beech Street (street floor), Long Beach, New York.
Re: Retail Convenience Store

CERTIFICATE FROM THE CITY CLERK OF THE CITY OF LONG BEACH, NEW YORK TO THE CITY COUNCIL OF THE CITY OF LONG BEACH, NEW YORK

I, DAVID FRASER, City Clerk of the City of Long Beach, County of Nassau, State of New York, HEREBY ATTEST and CERTIFY as follows:

- 1) The New York State Law Chapter 92 of the Laws of 2021 known as “the marijuana regulation and taxation act” (“MRTA”) permits municipalities to opt-out of the MRTA’s requirements so long as the municipality adopts a local law opting out before December 31, 2022;
- 2) On December 27, 2021 the City Council passed Local Law II/22 titled as: Local Law Amending Subpart C of Related Acts Relating to the Charter of the City of Long Beach Re: A Local Law Opting Out of Licensing and Establishing Retail Cannabis Dispensaries within the City of Long Beach Pursuant to Cannabis Law §131 (“City Opt-Out Legislation”);
- 3) The MRTA further provides that the local laws passed by municipalities to opt-out are subject to permissive referenda in accordance with New York Municipal Home Rule Law (“MHRL”);
- 4) The MHRL provides that a permissive referendum may be triggered if an appropriate petition is filed with the City Clerk within 45 days of the adoption of the City’s Opt-Out Legislation;
- 5) On February 4, 2022 petitions were filed in the Office of the City Clerk calling for a permissive referendum to allow for adult use cannabis retail dispensaries;
- 6) The MHRL requires that a petition must be signed by a number of qualified voters (*i.e.*, an individual who is currently registered to vote and was also registered to vote during the previous general election) equal to at least 10% of the total number of votes cast for governor at the last gubernatorial election in the City;
- 7) Per Nassau County Board of Elections, the total number of votes cast in the City for governor at the last gubernatorial election was 12,613;
- 8) The Nassau County Board of Elections provided my office with a roll of qualified voters;
- 9) My office has thoroughly examined the petitions, cross-referenced those petitions with the information provided by the Nassau County Board of Elections, and I hereby make the following findings:
 - a. The petitions submitted purport to contain the names and signatures of 718 individuals;
 - b. The petitions were fastened together in four separate packets;
 - c. Of those 718 individuals identified in the petitions, only 391 were valid;
 - d. The pages in the petitions were not numbered;
 - e. On two of the four petitions, no volume numbers were indicated on the cover pages; and
 - f. On the other two petitions, the cover page only indicated a total of two volume numbers rather than a total of four.

ACCORDINGLY, based on the above, I further certify and attest that the petitions submitted do not comply with the law’s requirements regarding permissive referenda.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City as of the 1st day of March, 2022

(SEAL)

City Clerk

March 1, 2022

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase
Bunker Gear for the Long Beach Fire Department Under
New York State Contract.

WHEREAS, pursuant to State of New York Office of General Services Contract #PC67939, municipalities of the State are given the opportunity to purchase Fire Department bunker gear from designated dealers at favorable prices; and

WHEREAS, bunker gear is necessary safety equipment used to protect members of the Long Beach Fire Department when fighting fires or encountering other types of hazardous environments; and

WHEREAS, the Fire Department needs to replace bunker gear that has outlived its useful life and is in need of twenty-five (25) bunker gear sets, specifically a jacket, pants, helmet and boots; and

WHEREAS, Hi Tech Fire and Safety, Inc., 158 Allen Blvd., Farmingdale, New York 11735 is an awarded vendor under New York State OGS Contract #PC67939, affording the City favorable rates at a cost of \$4,036.81 per set, for a total cost of \$100,920.25;

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 twenty-five (25) bunker gear sets, specifically a jacket, pants, helmet and boots, at a cost of \$4,036.81 per set, for a total cost of \$100,920.25 from Hi Tech Fire and Safety, Inc., 158 Allen Blvd., Farmingdale, New York 11735 as per New York State OGS Contract #PC67939. Funds are available in Account No. A3410.54502 (Fire Protection-Safety Equipment).

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Approval of a List of Eligible
Volunteer Firefighters for 2021 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 2021:

Babich, Marc	Bailey, Tristan	Biordi, Nicholas
Brecciano, Michael	Burkard, Robert	Corbett, Richard
Cuevas, Elizabeth	Davis, Jeffrey	DelPrete, Robert
Diamond, Lina	DiBari, Krystin	DiGiacomo, Richard
Ellmer, Raymond	Epstein, Cary	Field, Joseph
Foley, Connor	Glazer, Andrew	Glazer, Scott
Gomez, Xavier	Gopie, Haresh	Grossman, Peter
Grunther, Zach	Harris, Terrence	Herbert, George
Hocheiser, Brian	Hollingshead, Keith	Horowitz, Ralph
Jacobi, James	Kelly, James	Kemins, Scott
King, Danielle	Krause, Catherine	Krysinski, Neil
Lent, Connor	Leonard, Patrick	Levitt, Jordan
Llewellyn, Craig	Llobell, Paul	Lovrich, Romano
Maldonado, Gavin	Malone, Paul	Marino, John
Mastracchio, Salvatore	Mazziotti, Chris	McLoughlin, Austin
McQuade, Edmund	Miah, Mohammad	Miller, Joseph
Nipcon, Francis	Norton, Ross	Notholt, William
Oleynik, Sergey	Perez, Robert	Phelan, Bruce

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Potter, Devon	Powers, Brian	Prophett, Herman
Quinnie, Devon	Ray, Deon	Ray, Hadrick
Reinhard, Theodore	Rivera, David	Ross, Joe
Rubin, Charles	Russo, Ryan	Salinas, Patricia
Scarfone, Mark	Schwimmer, Joshua	Seiden, Paul
Tuccillo, Joseph	Tuccillo, Ralph	Tuccillo, Robert
Vargas, Luis	Wachs, Michael	Wagner, David
Waine, Steven	Winakor, Mathew	Woolfe, David
Zucker, Erik		

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 2021 Service Award Program (LOSAP).

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Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase Two
Police Utility Vehicles for the City 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 City's Police Department desires to purchase and use in the 2022 summer season, two (2) Polaris Ranger XP 1000 vehicles with specified options, to replace two (2) that are nearing the end of their useful lives; and

WHEREAS, Polaris Sales Inc., 2100 Highway 55, Medina, Minnesota 55340 is an awarded vendor through Sourcewell, affording the City favorable rates on the two (2) Polaris Ranger XP 1000s, with specified options, at a total cost of \$37,379.12;

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 two (2) Polaris Ranger XP 1000 vehicles with specified options for the City's Police Department through Sourcewell service cooperative, Contract #122220-PSI, from Polaris Sales Inc., 2100 Highway 55, Medina, Minnesota 55340, at total cost of \$37,379.12. Funds are available in Account No. H1022.52267 (Public Safety-Vehicles).

March 1, 2022

Item No. 6
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 2022-2023 (48th 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;

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 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 2022-2023 Program (48th Year); and be it further

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

RESOLVED, that the City Clerk shall cause to be published in the official newspaper of the City of Long Beach, a notice of Public Hearing which may be held at City Hall, 1 West Chester Street, Long Beach, New York on March 15, 2022 at 7:00 p.m.; 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 and in accordance with Chapter 417 of the Laws of 2021, the City Council meeting and this hearing may be held via videoconferencing and a transcript will be provided at a later date; and be it further

RESOLVED, all persons and representatives of organizations with significant social, economic and environmental interests will be given an opportunity to present their views on and propose activities for said program and observe and participate in the virtual meeting by registering for the hearing at longbeachny.gov/councilmeetings.

March 1, 2022

Item No. 7
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: 966 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 966 West Beech Street (street floor), Long Beach, New York (Section 59, Block 252, Lot 1) between Minnesota Avenue and New Hampshire Street, having frontage of 20 feet, on behalf of the owner Jeff A Farkas, 104-18 Metropolitan Avenue, Forest Hills, New York 11375 to be used as a Retail Convenience Store;

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 Chapter 417 of the Laws of 2021 and the 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.