

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
MAY 2, 2023

PUBLIC HEARING: For the purpose of giving citizens an adequate opportunity to publicly present their views on the General Summary of the Proposed Budget for the year July 1, 2023 through June 30, 2024.

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Various Fines and Fees.

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

1. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Various Fines and Fees.
2. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Motor Vehicles and Traffic.
3. Resolution Authorizing the Acting City Manager to Renew the Enterprise Resource Planning Agreement for the City's MUNIS System.
4. Resolution Authorizing the Acting City Manager to Accept a Charitable Donation.
5. Resolution Authorizing the Acting City Manager to Accept a Grant for an Afterschool Program.
6. Resolution Authorizing Budget Amendment to the General Fund Budget.
7. Resolution Authorizing Budget Amendment to the Capital Projects Fund Budget.
8. Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year.
9. Resolution Authorizing the Acting City Manager to Increase the Amount of a Previously Authorized Purchase Order.

10. Resolution Authorizing the Acting City Manager to Enter Into an Agreement to Furnish and Install Bus Shelters.
11. Resolution Authorizing the Acting City Manager to Withdraw Funds from an AIG American Pathway Annuity and Authorizing the City Comptroller to Purchase an Annuity Product from the National Life Insurance Company.
12. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises:
Re: 966 West Beech Street (street floor), Long Beach,
New York.
13. Resolution Authorizing Publication for Hearing of a Local Law Amending Subpart C of Related Acts Relating to the Charter of the City of Long Beach Re: A Local Law to Override the Tax Levy Limit Established in General Municipal Law § 3-c.
14. Approval of Minutes of Prior Meeting of April 18, 2023.

May 2, 2023

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: VARIOUS FINES AND FEES.**

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

Sec.1. Chapters 3, 5, 7, 9, 14, 15, 18, 20, 21, 22 and 24 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:

“Chapter 3 ADVERTISING, SIGNS AND POSTING BILLS

ARTICLE I. SIGNS

Sec. 3-8. Permit procedure.

...

(d) Each applicant for a permit required by this section, before being granted the permit, shall pay to the city treasurer the following annual permit fee for each sign:

(1) For a permit required by this section to erect or maintain a sign or for the renewal of any such permit, the fee shall be **seventy five dollars (\$75.00)**.

...

Chapter 5 ANIMALS AND FOWL

ARTICLE III. DOGS

DIVISION 2. LICENSING AND IDENTIFICATION

Sec. 5-31. Dog license; application; fees.

...

(c) The annual fee for each dog license issued shall be:

(1) **Fourteen dollars (\$14.00)** for each spayed or neutered dog. In the case of an altered dog, every application shall be accompanied by a certificate signed by a licensed veterinarian showing that the dog has been spayed or neutered, except that such certificate of affidavit is not required if same is already on file with the City Clerk. In lieu of the spay or neuter certificate an owner may present a statement certified by a licensed veterinarian stating that he or she has examined the dog and found that because of old age or other reason, the life of the dog would be endangered by spaying or neutering. In such case, the license fee for the dog shall be the same as an altered dog.

(2) **Twenty-two dollars (\$22.00)** for each un-spayed or un-neutered dog.

Chapter 7 BUILDING CODE

ARTICLE II. ADMINISTRATION AND ENFORCEMENT*

DIVISION 1.

Sec. 7-20. Fees for permits and certificates generally.

(a) *Estimated cost.* As used in this section 7-20, the term "estimated cost" shall mean the amount of money that would ordinarily be expended for good, safe construction in the erection of the complete building or structure or in the alteration thereof, exclusive of interior decoration.

(b) *Applications for building permits.*

(1) The application fee for building permits for all new buildings and structures, and alterations of existing buildings and structures, and for temporary structures, roofing, siding, driveways,

fences, sidewalks, etc., shall be **\$175.00** for the first \$1,000.00 estimated cost of construction, plus **\$18.00** for each additional \$1,000.00 estimated cost of construction or any part thereof.

(2) In addition to the application fees required to be paid for a building permit as set forth in the foregoing paragraph (1), each applicant for a building permit for construction of a new building or structure, or for the alteration or rehabilitation of an existing multiple dwelling, the estimated cost of which exceeds \$25,000.00, shall pay to the building commissioner an additional sum equal to the aforesaid application fee for the building permit, which additional sum shall be held by the city comptroller in a separate capital improvement fund for the expansion, improvement, construction and maintenance of new and existing parks, playgrounds, recreational facilities and other public works.

(c) *Applications for certificates of occupancy.* The application fee for a certificate of occupancy shall be as follows:

- (1) **\$250.00** for any new one-family house or two-family house.

...

(d) *Applications for use and change of use permits.* The application fee for a use permit or a change of use permit shall be **\$100.00**.

...

Sec. 7-22. Same--Permit fees.

The following is the schedule of the fees for permits for the installation of central heating and/or central air conditioning units:

...

(b) *New installations:*

The fee for the initial installation of a gas, oil or other type of central heating or central air conditioning unit shall be **\$90.00** for the first \$1,000.00 cost of installation, plus **\$10.00** for each additional \$1,000.00 cost of installation, or part thereof.

Sec. 7-41. Fees, deposit and other requirements for demolition permit.

(a) The fee for a demolition permit shall be paid at the time the application is filed, as follows: **Three hundred dollars (\$300.00)** for a one-family or two-family house; and for all other structures, five hundred dollars (\$500.00) plus four dollars (\$4.00) for each one hundred (100) square feet of floor area in excess of twenty-five hundred (2500) square feet, not to exceed the total sum of one thousand dollars (\$1000.00). However, no demolition fee is required if the demolition is a necessary part of an alteration for which a permit has been issued.

...

(e) In the event that the demolition shall not be duly and satisfactorily completed, and the failure of the permittee to comply with the requirements of the commissioner, the commissioner may cause such deficiencies to be corrected and the cost thereof shall be paid out of the aforesaid sum of **four hundred fifty dollars (\$450.00)** deposited with the commissioner and the balance of such deposit shall be returned to the permittee upon the issuance of the certificate of approval.

Sec. 7-46. Permits to expire if work not commenced or completed within time limitation.

...

(f) The fee required for each extension request submitted for review shall be twenty-five (25) per cent of the total fees charged for the issuance of such permit, but shall not be less than seventy-five dollars (\$75.00) nor exceed **two thousand five hundred dollars (\$2,500.00)**. The required fee shall be paid upon filing the application for an extension

permit. Any fees paid for an extension shall be nonrefundable and shall not be applicable to, nor deductible from, any other fees associated with such permit.

Sec. 7-243. Application for permit.

...

(e) A filing fee in the amount of **one hundred dollars (\$100.00)** shall accompany each application for a permit hereunder.

...

(g) A permit issued for a roll-off container or a dumpster under this article shall expire **four (4)** weeks from the date of its issuance, and may be extended for an additional thirty (30) days upon written application therefor and compliance with all of the requirements of this section.

...

Sec. 9-112.2. Application fee for the filing of a waiver of off-street parking space requirements.

The application fee for the filing of a waiver of off-street parking space requirements pursuant to section 9-112 of this appendix, shall be **seventy five dollars (\$75.00)**.

...

**Chapter 14 LICENSES AND BUSINESS REGULATIONS
ARTICLE II. LICENSING PROCEDURE GENERALLY**

Sec. 14-15. Occupational licenses and fees generally.

In addition to any other occupation or business required by this Code or other ordinance of the city to be licensed, the following occupations or businesses shall be licensed pursuant to this article, and the fees prescribed for the license by this section shall be paid:

A

- AMBULANCE AND AMBULETTE SERVICE: Per vehicle . . . **\$135.00**
- AUCTIONEERS . . . **\$390.00**
- AUTO BODY AND MACHINE REPAIRS . . . **\$135.00**
- AUTOMOTIVE EQUIPMENT . . . **\$135.00**

B

- BAKERS . . . **\$165.00**
- BAR OR TAVERN (**no food served**) . . . **\$230.00**
- BARBERSHOPS AND BEAUTY PARLORS . . . **\$135.00**
- BICYCLES: Sales, rental and/or repairs . . . **\$165.00**
- BUTCHERS . . . **\$165.00**

C

- CAMERAS AND SUPPLIES . . . **\$135.00**
- CAR SALES: New and used . . . **\$390.00**
- CATERERS . . . **\$225.00**
- CONTRACTORS:
 - General . . . **\$265.00**
 - Demolition and excavation . . . **\$265.00**
 - Carting / Refuse compactors . . . **\$265.00**
 - Home improvement . . . **\$200.00**
 - HVAC contractors . . . **\$200.00**
 - All other residential contractors . . . **\$200.00**
 - All other commercial contractors . . . **\$305.00**

D

DAIRIES AND MILK DEALERS . . . **\$305.00**
DANCE STUDIOS . . . **\$135.00**
DELICATESSEN . . . **\$200.00**
DRIVING SCHOOLS . . . **\$135.00**
DRY CLEANERS . . . **\$165.00**

E

ELECTROLYSIS TECHNICIANS . . . **\$135.00**
ELECTRONICS OR APPLIANCE STORES . . . **\$165.00**
EMPLOYMENT AGENCIES . . . **\$165.00**
EXTERMINATORS . . . **\$200.00**

F

FIRE EQUIPMENT . . . **\$200.00**
FISH MARKETS . . . **\$165.00**
FISHING STATIONS . . . **\$135.00**
FLOWER SHOPS . . . **\$165.00**
FRUITS AND VEGETABLES, only . . . **\$135.00**

FUEL OIL:

 Burner service . . . **\$200.00**
 For each extra truck . . . **\$40.00**

FUEL OIL:

 Delivery . . . **\$265.00**
 For each extra truck . . . **\$40.00**

FURNITURE (retail or used) and HOME FURNISHINGS . . . **\$230.00**

FURRIERS . . . **\$230.00**

G

GARAGES, GASOLINE AND SERVICE STATIONS . . . **\$200.00**
GARDENERS . . . **\$200.00**
GARDEN SUPPLY . . . **\$135.00**
GIFT AND BOUTIQUE SHOPS . . . **\$135.00**
GLAZIERS . . . **\$135.00**
GRINDERS: Per vehicle . . . **\$135.00**

H

HARDWARE STORES . . . **\$200.00**

HEALTH OR FITNESS CLUB OR SPA:

 Up to 2,500 square feet . . . **\$230.00**
 2,500 to 5,000 square feet . . . **\$455.00**
 Over 5,000 square feet . . . **\$825.00**

HOSPITAL & SURGICAL SUPPLIES: Including rehabilitation equipment . . . **\$185.00**

HOTELS:

 Per room . . . **\$40.00**
 Maximum charge . . . **\$6,200.00**

I

ICE CREAM DISTRIBUTORS . . . **\$485.00**

 Each vehicle . . . **\$275.00**

ICE CREAM FOUNTAIN AND CONFECTIONERY . . . **\$165.00**

J

JEWELERS . . . **\$135.00**

JOBBER AND WHOLESALE . . . \$150.00

L

LAUNDRIES AND LAUNDERETTES . . . \$165.00

LIQUOR STORES . . . \$165.00

LOCKSMITHS . . . \$200.00

LUMBERYARDS:

Lumber . . . **\$150.00**

Hardware . . . **\$150.00**

LUNCHEONETTES . . . \$200.00

M

MANUFACTURING AND WAREHOUSES:

Up to 2,500 square feet . . . **\$200.00**

2,500 to 5,000 square feet . . . **\$390.00**

Over 5,000 square feet . . . **\$795.00**

MARKETS AND SUPERMARKETS: Including DRUGSTORES AND SUPERDRUGS:

Under 2,500 square feet . . . **\$305.00**

2,500 to 5,000 square feet . . . **\$685.00**

Over 5,000 square feet . . . **\$1,210.00**

MASSEURS, each . . . \$165.00

MOVIE THEATRES:

Under 1,000 seats . . . **\$620.00**

1,000 seats and over . . . **\$1,210.00**

MOVING, STORAGE & PACKAGE DELIVERY SERVICE: Per vehicle . . . \$135.00

MUSIC SHOPS . . . \$135.00

N

NAIL SALON . . . \$165.00

NEWS STANDS . . . \$215.00

NURSING HOMES:

Per room . . . **\$40.00**

Maximum charge . . . **\$6,200.00**

O

OFFICE . . . \$165.00

P

PAINT AND WALLPAPER SHOPS . . . \$135.00

PARKING LOTS (That do not charge a fee for parking) . . . \$215.00

PARKING LOTS (That do charge a fee for parking: hourly, daily, weekly, monthly, or yearly fee, or any derivative thereof) . . . \$55.00 per space

PHOTOGRAPHY . . . \$135.00

PRINTING . . . \$135.00

R

REFRESHMENT STANDS AND SNACK BARS . . . \$165.00

RESTAURANTS:

No liquor . . . **\$165.00**

With service bar . . . **\$305.00**

With bar with stools . . . **\$455.00**

Drive-in . . . **\$380.00**

S

SHOE REPAIR . . . \$135.00

SMOKE/VAPE SHOP....\$165.00

SURF SHOP . . . \$165.00

T

TATTOO PARLOR . . . \$165.00

TAXI COOPERATIVES: Per group . . . \$135.00

TELEPHONE ANSWERING SERVICES . . . \$135.00

TRAVEL AGENCY . . . \$135.00

V

VARIETY AND COMBINATION HARD GOOD STORES . . . \$240.00

W

WASTE FAT COLLECTORS . . . \$200.00

WEARING APPAREL . . . \$135.00

Any person engaged in a business not specifically defined herein shall pay a mercantile license fee of **one hundred fifty (\$150.00)** dollars. Where any premises are used for more than one of the businesses required to be licensed, a fee shall be paid for the primary business as established herein plus the appropriate fee for each additional category.

Any licensee conducting business from a vehicle shall affix a mercantile license to each vehicle used. Mercantile licenses may be obtained upon payment of the license fee, from the city clerk, and shall be permanently attached to the rear of each vehicle by licensee for inspection purposes.

The fees for all licenses issued for two (2) years shall be double those fees listed above.

Sec. 14-39. Late Fees.

Any licensee who fails to properly file his application for renewal prior to its expiration shall be required to pay a late fee of **thirty dollars (\$30.00)**.

Sec. 14-114. When license required; fee; approval of application to operate certain businesses.

No person shall engage in any of the following businesses without first obtaining a license therefor and paying the fee designated:

...
NIGHTCLUBS OR SUPPER CLUBS . . . \$620.00

**Chapter 15 MOTOR VEHICLES AND TRAFFIC
ARTICLE VI. MOTOR VEHICLES
DIVISION 2. IMMOBILIZATION AND REMOVAL OF ILLEGALLY PARKED
VEHICLES**

Sec. 15-212. Procedure for Redemption; Release; Charges

...
(b) Charges for Removal.

...
(4) Inside storage charges shall be at the rate of **forty five dollars (\$45.00)** for each twenty-four (24) hours or part thereof.

...

(c) Charges for Immobilization.

(1) An owner or other person entitled to possession of an immobilized vehicle pursuant to this division shall pay a **two hundred and seventy dollar (\$270.00)** immobilization charge to the City of Long Beach.

...

Chapter 18 PARKS AND RECREATION
ARTICLE II. OCEAN BEACH PARK
DIVISION 1. GENERALLY

Sec. 18-17. Entrances.

(a) No person shall be permitted to enter upon the Ocean Beach Park except through regular entrances provided by the city.

(b) The provisions of subsection (a) shall not apply to hotels, apartment houses, apartment hotels and bathhouses adjacent to the park which may, upon application and the payment of charges provided in this section, have separate entrances which shall be supervised and maintained by the city and through which persons residing in such hotels, apartment houses and apartment hotels or persons using the facilities of such bathhouses may enter upon the park on the payment of the admittance charges as prescribed by this article. However, no separate entrance shall be permitted unless the owner or lessee of such hotel, apartment house, apartment hotel or bathhouse shall on or before the first day of July in each year pay to the city a sum of money equal to **ten thousand dollars (\$10,000)**.

...

Chapter 20 PLANNING AND ZONING GENERALLY
ARTICLE II. ZONING BOARD OF APPEALS

Sec. 20-18. Application fees.

There shall be a fee payable upon the filing of an application pursuant to this article, as follows:

Appeal from an administrative decision	\$200.00
Special exception	\$180.00
Variance--Residential Renovation.	\$300.00
Variance-New One Family	\$650.00
Variance-New Two Family	\$900.00
Variance--Commercial	\$300.00
Variance-New Commercial	\$1,500.00
Variance-Commercial Alteration	\$600.00
Variance-New Multiple Dwelling	\$1,750.00
Variance--Off-street parking only	\$300.00
Variance-Fences	\$200.00
Variance-Cellular Sites	\$1,000.00
Temporary permit	\$300.00

...

Chapter 21 PLUMBING CODE
ARTICLE II. ADMINISTRATION AND ENFORCEMENT
DIVISION 2. PLUMBING PERMITS

Sec. 21-26. Application; fees.

A permit required by this division may be obtained upon written application therefor by the person authorized to do the work pursuant to this chapter, accompanied by the plans and specifications provided for in this division and upon payment to the building department of the following fees:

- (a) For a permit to install any new plumbing or drainage work in a building or structure, or to extend or alter any existing plumbing or drainage work, the fee shall be a minimum of **one hundred dollars (\$100.00)** for up to five (5) fixtures, plus **twelve dollars (\$12.00)** additional for each fixture over five (5).

...

**Chapter 22 POLICE
ARTICLE I. IN GENERAL**

Sec. 22-4. Fees for accident reports and other police records.

Any person applying in person or by mail for a copy or copies of police accident **reports shall pay a fee of twenty-five dollars (\$25.00)**. Other records available to the public from the police department shall pay a fee of twenty-five cents (\$0.25) per page, or the actual cost of reproducing a record; and if such copies are requested to be certified by the city, then a charge of twenty dollars (\$20.00) shall be added. All such fees shall be paid by cash, money order, bank cashier's check or certified check, and shall be turned over to the city comptroller's office by the police department.

Sec. 22-5. Fees for fingerprinting individuals for licensing purposes.

Any person applying to the police department to be fingerprinted shall pay a fee of **twenty-five dollars (\$25.00)** for each set of prints processed. Such fee shall be paid at the time of processing by cash, money order, bank check or certified check, and shall be turned over to the city's comptroller's office by the police department.

...

**Chapter 24 VEHICLES FOR HIRE
ARTICLE II. TAXICABS AND CONTRACT TRANSPORTERS
DIVISION 2. TAXICAB LICENSES**

Sec. 24-51. Fees; license period.

(a) The annual fee for a license, sometimes referred to as a medallion, issued pursuant to this division, shall be **two hundred dollars (\$200.00)** for each vehicle owned by the same person, firm or corporation. Each license issued pursuant to this division shall expire on the last day of February next succeeding the date of issuance thereof. An application for renewal must be filed at least fourteen (14) days before its expiration, and if not so filed, the renewal fee for such license shall be **three hundred dollars (\$300.00)**.

(b) The fee for replacing a license, or medallion, lost before the end of the licensing period, shall be twenty five dollars (\$25.00).

(c) The fee for replacement of a licensed vehicle by another vehicle owned by the same licensee shall be twenty five dollars (\$25.00).

**ARTICLE III. TOWING CARS
DIVISION 1. GENERALLY**

Sec. 24-78. Towing charges.

...

(b) When moving or removing a disabled motor vehicle from a ditch, field, ocean, channel, canal, creek, or from deep snow, mud, gravel or sand, an additional charge of forty five dollars (\$45.00) per half-hour, not to exceed a maximum charge of **two hundred dollars (\$200.00)**, shall be allowed on a time basis. All other charges must be shown on the authorization of towing form before a signature is obtained. A copy showing such extra charges must be given to the vehicle owner or person in charge of the vehicle before the vehicle is towed from the scene.
...

Sec. 2. This Ordinance shall take effect July 1, 2023.

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 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:

**“Chapter 15 MOTOR VEHICLES AND TRAFFIC
ARTICLE II. ADMINISTRATION AND ENFORCEMENT
DIVISION 1. GENERALLY**

Sec. 15-22. Procedure for Redemption; Release; Charges

- (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) or by imprisonment for not more than fifteen (15) days or by both such fine and imprisonment.
- (b) **Pursuant to Section 15-39 of this Chapter, in addition to any fine imposed in accordance with Section 15-22(a), the graduated surcharges/penalties for failure to answer a traffic summons alleging a violation of this Chapter shall be imposed as follows, except as otherwise provided by the Vehicle and Traffic Law of the State of New York:**
 - (1) **Ten dollars (\$10.00) for failure to pay or answer summons within thirty (30) calendar days of issuance; and**
 - (2) **an additional thirty dollars (\$30.00) for failure to pay or answer summons within sixty (60) calendar days of issuance; and**
 - (3) **an additional sixty dollars (\$60.00) for failure to pay or answer summons within eighty (80) calendar days of issuance.**

...

Sec. 15-39. Failure to comply with traffic summons attached to parked vehicle.

- (a) If a violator of the restrictions on stopping, standing or parking under the traffic laws, city ordinances or the traffic provisions of this Code does not appear in response to a traffic summons affixed to his motor vehicle, the city court or its traffic violations bureau shall send the owner of the motor vehicle to which the traffic summons was affixed, a citation informing him of the violation and warning him that in the event such citation is disregarded for a period of five (5) days, a warrant of arrest **may** be issued.

- (b) **If a violator of the restrictions on stopping, standing or parking under the traffic laws, city ordinances or the traffic provisions of this Code does not appear in response to a traffic summons affixed to his or her motor vehicle within eighty (80) calendar days of issuance, the City shall send a notice to the owner of the motor vehicle via United States Postal Service certified mail, return receipt requested, informing them of the violation and warning that in the event such notice is disregarded and the traffic summons remain unanswered or unpaid for a period of one hundred (100) calendar days from the date of issuance, the City shall make application to the city court for a civil judgment against the owner, after which judgment the City may pursue collection efforts in accordance with applicable federal and state law.”**

Sec. 2. This Ordinance shall take effect immediately.

May 2, 2023

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Renew the
Enterprise Resource Planning Agreement for the City's MUNIS System.

WHEREAS, the City desires to renew the Enterprise Resource Planning ("ERP")
Agreement with Tyler Technologies, Inc., 370 U.S. Route 1, Falmouth, Maine 04105 for all
hardware, software maintenance, upgrades and backups to be performed by MUNIS; and

WHEREAS, the City Comptroller's Office, Civil Service Department, Payroll
Department and Purchasing Department have successfully used the MUNIS system since 1991
and the City desires to renew said agreement for an additional year, at an annual rate of
\$97,541.94;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
Acting City Manager be and he hereby is authorized to renew the Enterprise Resource Planning
Agreement for the City's MUNIS system with Tyler Technologies, Inc., 370 U.S. Route 1,
Falmouth, Maine 04105 for an additional year, at a cost of \$97,541.94, and annually thereafter as
deemed necessary, subject to available funding, upon City Council approval. Funds are presently
available in Account No. A1680.54445 (Maintenance Contracts).

May 2, 2023

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Accept a
Charitable Donation.

WHEREAS, it is the desire of Long Beach Police Foundation, Inc., P.O. Box 434,
Massapequa Park, New York 11762, to donate a tent, valued at \$2,089.00 to the City of Long
Beach Police Department; 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
Acting City Manager is hereby authorized to accept the donation of a tent, valued at \$2,089.00,
from the Long Beach Police Foundation, Inc., P.O. Box 434, Massapequa Park, New York
11762, to be used by the City of Long Beach Police Department.

May 2, 2023

Item No.5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Accept a
Grant for an Afterschool Program.

WHEREAS, the City of Long Beach Council for the Arts has been awarded a grant of \$2,500.00 from the New York State Council on the Arts, facilitated through the Huntington Arts Council, for an afterschool program called “Mural Makers”; and

WHEREAS, “Mural Makers” is a program in which Long Beach Middle School and Long Beach High School students will design and create a mural at the Long Beach Recreation Center; 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 accept said grant;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the Acting City Manager be and is hereby authorized to accept the grant, on behalf of the Long Beach Council for the Arts, of \$2,500.00 from the New York State Council on the Arts, facilitated through the Huntington Arts Council, for an afterschool program called the “Mural Makers” for Long Beach Middle School and Long Beach High School students to design and create a mural at the Long Beach Recreation Center.

May 2, 2023

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Budget Amendment to the
General Fund Budget.

WHEREAS, the City of Long Beach Council for the Arts has been awarded a grant of \$2,500.00 from the New York State Council on the Arts, facilitated through the Huntington Arts Council, for an afterschool program called “Mural Makers”; and

WHEREAS, “Mural Makers” is a program in which Long Beach Middle School and Long Beach High School students will design and create a mural at the Long Beach Recreation Center; and

WHEREAS, funds from said grant are to be used for purchasing various materials for “Mural Makers”;

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		\$2,500
A0027.42705 Gifts and Donations		\$2,500	
Increase Appropriations:	A20960		\$2,500
A7010.54410 Arts Council-Supplies & Materials		\$2,500	

May 2, 2023

Item No. 7
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Budget Amendment to the
Capital Projects Fund Budget.

WHEREAS, the Dormitory Authority of the State of New York (“DASNY”) awarded a grant in the amount of \$1,000,000.00 to the City of Long Beach; and

WHEREAS, funds from said grant are to be used to pay the balance of the rehabilitation of the Magnolia Boulevard Playground and Leroy Conyers Park, as well as for renovations for the Pacific Boulevard Playground and Sherman Brown Park; and

WHEREAS, \$645,406.25 was expended from the established capital project H1023.52057 – Playgrounds, and subsequently reimbursed by DASNY and now is available for further playground related work and can be utilized in the capital project H1023.52057 – Playgrounds; and

WHEREAS, the Capital Projects Fund budget must reflect the receipt of grant revenue for the portion of said grant funds, in the amount of \$645,406.25, and amend revenue and expense budgets in the Capital Projects Fund accordingly;

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:	H10510		\$645,406.25
H0030.43810 State Aid, Rec/Playgrounds		\$645,406.25	
Increase Appropriations:	H20960		\$645,406.25
H1023.52057 Playgrounds		\$645,406.25	

May 2, 2023

Item No. 8
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 needed to fund the Central Garage's operations
through June 30, 2023;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
following transfer of funds be and are hereby authorized:

<u>Budget Code</u>	<u>Description</u>	<u>Transfer From:</u>	<u>Transfer To:</u>
A1990.54406	Contingency	\$256,647.18	
A1640.54415	Vehicle Fuel		\$150,000.00
A1640.54499	Vehicle Repair		\$106,647.18

May 2, 2023

Item No. 9
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Increase
the Amount of a Previously Authorized Purchase Order.

WHEREAS, pursuant to Resolution No. 53/22, duly adopted on May 3, 2022, the City entered into a contract with Tully Environmental, Inc., 127-50 Northern Boulevard, Flushing, New York 11368 for the transport of undigested sludge from the City's Wastewater Treatment Plant, to a licensed facility permitted to accept the product until the plant digester was repaired; and

WHEREAS, the contract covered an initial six (6) month term at a value \$624,000; and

WHEREAS, the transport of undigested sludge exceeded the current authorized contract amount by \$64,800.00;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Acting City Manager be and is hereby authorized to increase the previously authorized purchase order for Tully Environmental, Inc., 127-50 Northern Boulevard, Flushing, New York 11368 at an additional cost of \$64,800.00. Funds are available in Account No. H3023.52222 (Wastewater Treatment Plant Construction).

May 2, 2023

Item No. 10
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Enter Into
an Agreement to Furnish and Install Bus Shelters.

WHEREAS, after due advertisement therefore, bids were received in the Office of
the City Purchasing Agent on April 13, 2023 at 11:00 a.m. to furnish and install thirteen bus
shelters as per specifications on file in the Office of the City Purchasing Agent; and

WHEREAS, Keys Fence and Gate, LLC, 9 Gateway Drive, Bay Shore, New York
11706 was the lowest responsible bidder for the purchase and installation of bus shelters as per
specifications on file, for a cost of \$242,000.00;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
Acting City Manager be and he hereby is authorized to enter into an agreement to furnish and
install thirteen bus shelters from Keys Fence and Gate, LLC, 9 Gateway Drive, Bay Shore, New
York 11706 as per specifications on file in the Office of the City Purchasing Agent, for a cost of
\$242,000.00. Funds are available in Account No. H1020.52233 (Replace Bus Shelters).

May 2, 2023

Item No. 11
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Withdraw Funds
from an AIG American Pathway Annuity and Authorizing the City Comptroller
to Purchase an Annuity Product from the National Life Insurance Company.

WHEREAS, the City of Long Beach desires to withdraw 20% of funds that are
part of an American International Group (“AIG”) American Pathway seven (7) year annuity,
worth an estimated \$97,954.05, and purchase a five (5) year fixed rate annuity product from
National Life Insurance Company, at a cost of \$100,000.00, due to said annuity product’s
favorable rate; and

WHEREAS, to purchase said annuity product, the City of Long Beach desires to
designate City Comptroller Inna Reznik, in her official capacity as City Comptroller, as
annuitant on its behalf, with the City being both the owner and beneficiary of the annuity;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the
Acting City Manager be and is hereby authorized to withdraw 20% of funds that are part of an
American International Group (“AIG”) American Pathway seven (7) year annuity, worth an
estimated \$97,954.05; and be it further

RESOLVED, by the City Council of the City of Long Beach, New York, that the
City Comptroller be and is hereby authorized to and purchase a five (5) year fixed rate annuity
product from National Life Insurance Company, at a cost of \$100,000.00.

May 2, 2023

Item No. 12
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, Lots 1 and 2), between Minnesota
Avenue and New Hampshire Street, having frontage of less than 20 feet, on behalf of the owner
Long Beach Realty Corp., 104-18 Metropolitan Avenue, Forest Hills, New York 11375 to be
used as a coffee shop and kava cafe;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that a
public hearing will be had before this Council upon said application at City Hall, 1 West Chester
Street, in the City of Long Beach, New York, on May 16, 2023 at 7:00 p.m. on that date; and be
it further

RESOLVED, that the City Clerk be and is hereby authorized to cause a notice of
said hearing to be published in the official newspaper of the City of Long Beach.

May 2, 2023

Item No. 13
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of a Local Law
Amending Subpart C of Related Acts Relating to the Charter of
the City of Long Beach Re: A Local Law to Override the Tax Levy
Limit Established in General Municipal Law § 3-c.

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

“A LOCAL LAW

AMENDING SUBPART C OF RELATED ACTS RELATING
TO THE CHARTER OF THE CITY OF LONG BEACH,
RE: A LOCAL LAW TO OVERRRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c.”

(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 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 said Ordinance shall be on the calendar for public hearing at a
meeting of the City Council to be held at City Hall, 1 West Chester Street, Long Beach, New
York, on May 16, 2023 at 7:00 p.m. on that day.

Introductory No. 376
Introduced by:

CITY OF LONG BEACH

CHAPTER III LAWS OF 2023

A LOCAL LAW

AMENDING SUBPART C OF RELATED ACTS RELATING
TO THE CHARTER OF THE CITY OF LONG BEACH,
RE: A LOCAL LAW TO OVERRRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c.

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

Section 1. Subpart C 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, as heretofore amended, shall be and the same is hereby amended to read as follows:

“Article IX. Override of the Tax Levy Limit Established in General Municipal Law § 3-c.

Sec. 80. Legislative Intent.

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the City of Long Beach, County of Nassau, pursuant to General Municipal Law § 3-c, and to allow the City of Long Beach to adopt a City budget for the Fiscal Year 2023-2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Sec. 81. Authority.

This Local Law is adopted pursuant to subdivision 5 of the General Municipal Law § 3-c, which expressly authorizes the City Council to override the tax levy limit by the adoption of a Local Law approved by vote of sixty percent (60%) of the City Council.

Sec. 82. Tax Levy Limit Override.

The City Council of the City of Long Beach, County of Nassau, is hereby authorized to adopt a budget for the Fiscal Year 2023-2024 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Sec. 83. Severability.

If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any

May 2, 2023

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court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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.”

Sec. 2. This Local Law shall take effect immediately upon being filed in the Office of the New York Secretary of State.