

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
MAY 7, 2019

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, 2019 through June 30, 2020.

PUBLIC HEARING: 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.

1. 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.
2. Resolution Establishing Base Proportions in Accordance with Provisions of Article 19 of the Real Property Tax Law.
3. Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Water and Water Distribution.
4. Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Sewer Rents.

May 7, 2019

Item No. 1
Local Law No.

The following Local Law was moved by
and seconded by :

Introductory No. 355
Introduced by:

CITY OF LONG BEACH

CHAPTER I LAWS OF 2019

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 2019-
2020 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 2019-2020 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 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.

May 7, 2019

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Establishing Base Proportions in Accordance
with Provisions of Article 19 of the Real Property Tax Law.

WHEREAS, on October 16, 1990, the City of Long Beach amended Article 6 of Chapter 635 of the Laws of 1922, by adding at the end of said Section 103 a new subsection, which was numbered subsection 5, and which reads as follows:

“5. The provisions of Real Property Tax Law, Section 1903 concerning homestead base proportions, are hereby adopted.”

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach that the Homestead Base Proportions shall be as follows:

Homestead Base Proportion - 0.74237684

Non-Homestead Base Proportion - 0.25762316

Said base proportions shall apply to taxes levied on the 2019-2020 final assessment roll and to taxes levied on subsequent rolls until the Local Law adopting base proportions is amended or repealed.

May 7, 2019

Item No. 3
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: Water and Water Distribution.

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: WATER AND WATER
DISTRIBUTION.”

(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 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 21, 2019 at 7:00 p.m. on that day.

ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF LONG BEACH RE: WATER AND WATER
DISTRIBUTION.

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

Sec.1. Chapter 25, Article II, Division 2, Section 25-26 (a) and (b) 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:

“Sec. 25-26. Water charges and sewer rents.

(a) *Water rates:*

- (1) On and after **July 1, 2019**, the charge for water furnished by the city shall be **four dollars and fifty cents (\$4.50)** for each one thousand (1,000) gallons used or consumed upon each parcel of real estate in the city, as recorded by water meters or as estimated by the water/sewer administration at the city's discretion, and bills shall be rendered on the basis of said rate and shall be billed quarterly.
- (2) A minimum charge per quarter will be based on twelve thousand (12,000) gallons and a fee of **fifty three dollars and ninety-eight cent (\$53.98)**.
- (3) The following rates are applied to water usage per quarter:

<u>Usage:</u>	<u>Water Rate:</u>
12,001-150,000 gallons	\$4.81
150,001--300,000 gallons	\$4.89
300,001--600,000 gallons	\$5.11
600,001 and above	\$5.61

(b) *Charges for firematic systems:* On or after **July 1, 2019**, the charges for firematic systems shall be billed quarterly in advance, shall be due and payable when billed and entered, and shall be computed as follows:

Size of Firematic Supply	Monthly Charge
Up to and including 2”	\$110.49
Over 2” but not over 3”	\$202.17
Over 4”	\$711.55
Each standpipe not connected to a firematic system	\$212.14”

Sec. 2. This Ordinance shall take effect immediately.

May 7, 2019

Item No. 4
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: Sewer Rents.

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: SEWER RENTS”.

(See Local Law Attached)

NOW, THEREFORE, be it

RESOLVED, that a public hearing shall be had before this Council at City Hall, 1
West Chester Street, Long Beach, New York, concerning the aforesaid Local Law, on May 21,
2019 at 7:00 p.m.; and be it further

RESOLVED, 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.

Introductory No. 356
Introduced by:

CITY OF LONG BEACH

CHAPTER II LAWS OF 2019

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: SEWER RENTS.

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

Sec. 1. Article 6, Section 122(b)(2) 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. 122. Sewer rents.

(a) *Sewer system, defined.* As used in this section, the term sewer system shall mean and include the sewers, manholes, intercepting sewers, sewage pumping, treatment and disposal works, and any other plants, works or equipment and accessories, which are used or useful in connection with the collection, treatment or disposal of sewage and waste, and which are owned, operated or maintained by the city as part of the public sewer system. This definition is intended to include the sewer system both within and without the city.

(b) *Imposition and computation of sewer rents.*

1. In addition to any other fees or charges provided by law, the owner of any parcel of real property connected with the sewer system, including but not limited to real property connected with the sewer system by means of a private sewer or drain emptying into the sewer system, shall pay a sewer rent for the use of the sewer system.

2. Sewer rents applicable to premises within city limits. On and after July 1, 1975, the annual sewer rent for real property located within the city limits is hereby fixed at an amount equal to sixty-seven (67) per cent of the water charges and rents for any such real property.

On and after July 1, 1976, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to eighty-four (84) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof.

On and after July 1, 1978, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to seventy-five (75) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 1978.

On and after July 1, 1989, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to one hundred (100) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 1989.

On and after July 1, 2016, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to one hundred eight (108) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 2016.

On and after July 1, 2017, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to one hundred fifteen (115) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 2017.

On and after July 1, 2018, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to one hundred twenty (120) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 2018.

On and after July 1, 2019, the sewer rents for real property located within the city limits is hereby fixed at an amount equal to one hundred twenty five (125) per cent of the water charges for any such real property, to be billed and paid simultaneously with such water charges and to bear like penalties for nonpayment thereof, and bills shall be rendered on the basis of said rate on and after October 1, 2019.”

...

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