

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
NOVEMBER 8, 2023

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Electrical Code.

1. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Electrical Code.
2. Resolution Authorizing the Acting City Manager to Accept and Execute a Grant on Behalf of the City of Long Beach from the New York State Division of Criminal Justice Services and Authorizing Budget Amendment to the General Fund Budget.
3. Resolution Establishing Base Proportions in Accordance with Provisions of Article 19 of the Real Property Tax Law.
4. Resolution Authorizing Settlement of Certiorari Proceedings.
5. Resolution Authorizing the Acting City Manager to Enter into a Contract Amendment with Posilico/Bove JV.
6. Resolution Authorizing the Acting City Manager to Purchase Replacement Parts for Boardwalk Benches from the Sole Source Provider.
7. Resolution Authorizing the Acting City Manager to Purchase a Comprehensive Financial Subscription Service.
8. Resolution Authorizing the Acting City Manager to Purchase Three (3) 2023 Chevrolet Tahoe Sport Utility Vehicles for the Police Department.
9. Resolution Authorizing the Acting City Manager to Renew Barracuda Email Protection and Backup Cloud Services Software.
10. Resolution Authorizing Budget Amendment to the Capital Projects Fund Budget.
11. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 136 East Park Avenue (second floor), Long Beach, New York.

12. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 806 West Beech Street (street floor), Long Beach, New York.
13. Approval of Minutes of Prior Meeting of October 17, 2023.

November 8, 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: ELECTRICAL CODE.

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

Sec. 1. Chapter 10, Article III, Division 2, Section 10-43(a) 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. 10-43. Fees. (Electricians)

- (a) There shall be charged and collected by the city a fee of **five hundred and thirty dollars (\$530.00)** for each license issued under the provisions of this division, and thereafter, a fee of **four hundred dollars (\$400.00)** for each two-year renewal of such license, provided an application for each renewal, accompanied by the renewal fee, shall have been made prior to the expiration of the existing license.”

Sec. 2. This Ordinance shall take effect immediately.

November 8, 2023

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Accept
and Execute a Grant on Behalf of the City of Long Beach
from the New York State Division of Criminal Justice Services
and Authorizing Budget Amendment to the General Fund Budget.

WHEREAS, the City of Long Beach Police Department is in receipt of a Grant
Award Notice from the New York State (“NYS”) Division of Criminal Justice Services,
notifying the City of a grant award in the amount of \$50,000.00, contingent upon the completion
and submission, as applicable, of all contractual obligations as well as approval by the NYS
Division of Budget and execution of the grant contract by the NYS Office of the State
Comptroller; 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 grant funds; and

WHEREAS, a budget amendment is required to reflect the use of the
aforementioned grant funds;

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 and execute a grant with the New York State
Division of Criminal Justice Services (Contract #T103988) in the amount of \$50,000.00; and be
it further

RESOLVED, by the City Council of the City of Long Beach, New York, that the
following amendment to the fiscal year 2023-2024 General Fund Budget be and is hereby
authorized:

GENERAL FUND

Increase Estimated Revenues:	A10510		\$50,000.00
A0030.43389	State Aid and Other Public Safety	\$50,000.00	
Increase Appropriations:	A20960		\$50,000.00
A3120.52220	Machinery and Equipment	\$50,000.00	

November 8, 2023

Item No. 3
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 - 0.7300910397

Non-Homestead Base Proportion - 0.2699089603

Said base proportions shall apply to taxes levied on the 2023-2024 final assessment roll and to taxes levied on subsequent rolls until the Local Law adopting base proportions is amended or repealed.

November 8, 2023

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Settlement of Certiorari Proceedings.

WHEREAS, Sea View Gardens Corporation, represented by Schroder & Strom LLP, 114 Old Country Road, Suite 218, Mineola, New York 11501, has commenced an action in the Supreme Court of New York, Nassau County against the City of Long Beach to compel a reduction in the assessed valuation of the property known as Section 59, Block 88, Lot 6 on the Land and Tax Map of the County of Nassau, and also known as 65 West Broadway, Long Beach, New York for the fiscal years of 2015/16 through 2023/24; and

WHEREAS, the Tax Assessor and Corporation Counsel for the City of Long Beach have reviewed petitioner's legal papers, the income and expenses for the subject property and after extensive negotiation have agreed to settle the certiorari proceedings for a refund of \$74,000.00, to be made in two payments, with the first payment to be in the amount of \$25,000.00, to be paid by the City within ninety (90) days of service of the Order and Judgment and the second payment to be in the amount of \$49,000.00 to be paid by the City by September 1, 2024, covering the fiscal years 2015/16 through 2023/24, and a reduction of the assessed valuation from \$190,000.00 to \$136,000.00 on condition that no grievance and/or petition be filed for the tax years 2024/25, 2025/26 and 2026/27; and

WHEREAS, the Board of Assessors of the City of Long Beach has determined that the settlement, without further litigation, is in the best interests of the City of Long Beach;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Corporation Counsel be and he hereby is authorized and directed to enter into a stipulation with Sea View Gardens Corporation settling the certiorari proceedings covering fiscal years 2015/16 through 2023/24 for a refund of \$74,000.00, to be made in two payments, with the first payment to be in the amount of \$25,000.00, to be paid by the City within ninety (90) days of service of the Order and Judgment and the second payment to be in the amount of \$49,000.00 to be paid by the City by September 1, 2024, and a reduction of the assessed valuation from \$190,000.00 to \$136,000.00 on condition that no grievance and/or petition be filed for the tax years 2024/25, 2025/26 and 2026/27. Funds are available in Account No. A1930.54403 (Judgments and Claims) and will be available in future year budgets.

November 8, 2023

Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Enter into a
Contract Amendment with Posilico/Bove JV.

WHEREAS, on January 25, 2023, the City of Long Beach and Posilico/Bove JV, 1750 New Highway, Farmingdale, New York 11735 entered into an agreement for the work and services provided in a Request for Bid Proposals, Specifications, Contract Forms and Documents for the City of Long Beach Critical Infrastructure Project; and

WHEREAS, the City of Long Beach and Posilico/Bove JV desire to execute an amendment to the aforementioned agreement to amend bid specifications which will result in cost savings to the City;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Acting City Manager be and hereby is authorized to enter into a contract amendment agreement with Posilico/Bove JV, 1750 New Highway, Farmingdale, New York 11735 to amend the January 25, 2023 agreement between the City of Long Beach and Posilico/Bove JV for the work and services provided in a Request for Bid Proposals, Specifications, Contract Forms and Documents for the City of Long Beach Critical Infrastructure Project.

November 8, 2023

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Purchase
Replacement Parts for Boardwalk Benches from the Sole Source Provider.

WHEREAS, many of the City's boardwalk benches need repair and replacement parts to effectuate said repairs; and

WHEREAS, Site Specialists, 265 Post Avenue, Westbury, NY 11590 is the sole source provider on Long Island of the DuMor, Inc. parts needed to repair the boardwalk benches, at a cost of \$132,254.80;

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 purchase boardwalk bench replacement parts from Site Specialists, 265 Post Avenue, Westbury, NY 11590, the sole source provider on Long Island, at a cost of \$132,254.80. Funds in the amount of \$120,343.96 are available in Account No. H1023.53101 (City Buildings Rehab -Various) and funds in the amount of \$11,910.84 are available in Account No. H1018.52349 (Various Building Improvements).

November 8, 2023

Item No. 7
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Purchase a
Comprehensive Financial Subscription Service.

WHEREAS, the City's Comptroller and Acting City Manager desire to purchase a comprehensive financial subscription service as a comprehensive solution for all City departments to collaborate on the Operating and Capital budgets' development, create an interactive Digital Budget Book and provide real time transparency into the City's financial information; and

WHEREAS, the City desires to purchase a comprehensive financial subscription service, with specified options, at a cost of \$11,700.00 for the setup service fee, \$26,162.50 for the subscription fee covering the term of December 1, 2023 to June 30, 2024, \$44,850.00 for the subscription fee covering the term of July 1, 2024 to June 30, 2025, \$46,195.50 for the subscription fee covering the term of July 1, 2025 to June 30, 2026, and \$47,581.37 for the subscription fee covering the term of July 1, 2026 to June 30, 2027, from ClearGov, 2 Mill & Main, Suite 630, Maynard, MA 01754;

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 purchase a comprehensive financial subscription service, with specified options, for the City's Comptroller from ClearGov, 2 Mill & Main, Suite 630, Maynard, MA 01754 at a cost of \$11,700.00 for the setup service fee, \$26,162.50 for the subscription fee covering the term of December 1, 2023 to June 30, 2024, \$44,850.00 for the subscription fee covering the term of July 1, 2024 to June 30, 2025, \$46,195.50 for the subscription fee covering the term of July 1, 2025 to June 30, 2026, and \$47,581.37 for the subscription fee covering the term of July 1, 2026 to June 30, 2027. Funds in the amount of \$37,862.50 are available in Account No. A1210.54440 (City Manager – Contracted Services) for fiscal year 2023-2024, and additional funds will be available in future year budgets.

November 8, 2023

Item No. 8
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Purchase Three (3)
2023 Chevrolet Tahoe Sport Utility Vehicles for the Police Department.

WHEREAS, the Police Department desires to purchase three (3) 2023 Chevrolet Tahoe Sport Utility Vehicles to bring the Police Department's fleet closer to the number that it should maintain; and

WHEREAS, pursuant to New York's "piggybacking" law, Section 103(16) of the New York General Municipal Law, the City "may contract for such services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, as may required by such political subdivision or district therein through the use of a contract let by the United States of America or any agency thereof, any state or any other political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value in a manner consistent with this section and made available for use by other governmental entities"; and

WHEREAS, the City determined that the agreement between DeNooyer Chevrolet, Inc., 127 Wolf Road, Albany, New York 12205 and Fabius Fire District, P.O. Box 144, Fabius, New York 13063, dated September 7, 2022, ("Fabius Agreement") is for the same or similar services as the City desires from DeNooyer Chevrolet, Inc., is for the same or better pricing, and otherwise meets the criteria under Section 103(16) and the City's Purchasing Guidelines; and

WHEREAS, DeNooyer Chevrolet, Inc. agrees to enter into an agreement with the City under the terms and conditions that are the same or better than those set forth in the Fabius Agreement, except as expressly modified herein;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, that the Acting City Manager be and hereby is authorized to enter into an agreement to purchase three (3) 2023 Chevrolet Tahoe Sport Utility Vehicles through DeNooyer Chevrolet, Inc., 127 Wolf Road, Albany, New York 12205, at a cost of \$52,497.50 for each vehicle, for a total cost of \$157,492.50. Funds are available in Account No. H1024.52267 (Police Department-Vehicles).

November 8, 2023

Item No. 9
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Acting City Manager to Renew
Barracuda Email Protection and Backup Cloud Services Software.

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 Information Technology Department desires to renew Barracuda email protection and backup cloud services software; and

WHEREAS, GovConnection Inc., 732 Milford Road, Merrimack, New Hampshire 03054 is an awarded vendor through Sourcewell, affording the City favorable rates on the Barracuda email protection and backup cloud services software, at a total cost of \$38,637.00;

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 renew Barracuda email protection and backup cloud services software, for the City's Information Technology Department through Sourcewell service cooperative, Contract #081419-GVC from GovConnection Inc., 732 Milford Road, Merrimack, New Hampshire 03054 at a cost of \$38,637.00, for a term of one year. Funds are available in Account No. A1680.54445 (Information Technology-Maintenance Contracts).

The following Resolution was moved by
and seconded by :

Resolution Authorizing Budget Amendment to the
Capital Projects Fund Budget.

WHEREAS, the City of Long Beach and the County of Nassau are collaborating on the construction and reconstruction of improvements to the City of Long Beach’s Water Pollution Control Plant and South Shore Reclamation Facility (the “Project”) with an estimated cost of \$169,252,981; and

WHEREAS, as authorized in Ordinance 3078/23 of April 4, 2023, in anticipation of reimbursement as described below, such costs shall temporarily be financed, as needed, thru the New York State Environmental Facilities Corporation (the “EFC” Loan); and

WHEREAS, it is anticipated that the EFC Loan will be reimbursed by a combination of grants from the Federal Emergency Management Agency and the New York State Office of Resilient Homes (formerly Governor’s Office of Storm Recovery); and

WHEREAS, a tri-party escrow account was established with the Flagstar Bank N.A. and the County of Nassau to collect escrow funds from the aforementioned EFC loan, and disburse funds to the vendors involved in the Project; and

WHEREAS, a budget amendment to the Capital Fund Budget is required to reflect estimated revenues and appropriations for the aforementioned Project;

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 2023-2024 Capital Projects Fund Budget be and hereby authorized:

CAPITAL PROJECTS FUND

Increase Estimated Revenues:	H10510		\$169,252,981.00
H0030.42375	EFC Loan Debt Proceeds	\$165,759,695.00	
H0030.42380	EFC Grant Debt Proceeds	\$3,493,286.00	
Increase Estimated Appropriations:	H20960		\$169,252,981.00
H3024.53200	Sewer Consolidation	\$169,252,981.00	
Increase Estimated Revenues:	H10510		\$165,759,695.00
H0030.42385	GOSR Sewer Consolidation Grant	\$16,575,969.50	
H0040.42390	FEMA Sewer Consolidation Grant	\$149,183,735.50	
Increase Appropriations:	H20960		\$165,759,695.00
H9955.59906	Interfund Transfer Debt Service	\$165,759,695.00	

November 8, 2023

Item No. 11
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: 136 East Park Avenue (second 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 136 East Park Avenue (second floor), Long Beach, New York (Section 59, Block 110, Lot 16), between Riverside Boulevard and Long Beach Boulevard, having frontage 20 feet or less, on behalf of the owner 136 E Park Ave LLC, 935 Jewel Drive, Valley Stream, New York 11581 to be used as a pharmacy;

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 November 21, 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.

November 8, 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: 806 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 806 West Beech Street (street floor), Long Beach, New York (Section 59, Block 265, Lot 17), between California Street and New York Avenue, having frontage 20 feet or less, on behalf of the owner Cosmo Palmieri, 70 California Street, Long Beach, New York 11561 to be used as a medical staffing and tutoring agency;

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 November 21, 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.