

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
OCTOBER 6, 2022

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 220 West Park Avenue, (street floor), Long Beach, New York.

Re: Coffee Shop with a Golf Simulator

PUBLIC HEARING: Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.

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1. Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 220 West Park Avenue, (street floor), Long Beach, New York.
Re: Coffee Shop with a Golf Simulator
2. Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.
3. Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.
4. Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.
5. Local Law Amending the Charter of the City of Long Beach Re: Assessment; Levy; Collection of Taxes.
6. Resolution Authorizing a Correction of Error Appearing on the 2022/23 Assessment/Tax Rolls of the City of Long Beach.
7. Resolution Authorizing Transfer of Funds for the 2022-2023 Fiscal Year.

8. Resolution Authorizing the City Manager to Accept Funds from the New York State Municipal Workers' Compensation Alliance.
9. Resolution Authorizing the City Manager to Purchase Desktop Computers for Various City Departments through New York State Office of General Services.
10. Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Miscellaneous Provisions.
11. Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: City Officers.
12. Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: City Officers.
13. Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for Various Capital Projects in and for the City, Stating the Estimated Total Cost Thereof is \$11,296,749, Appropriating Said Amount Therefor, Including the Expenditure of Any State or Federal Aid Expected to be Received in Connection Therewith, and Authorizing the Issuance of Not to Exceed \$8,377,000 Bonds of Said City to Finance a Portion of Said Appropriation; and Further Authorizing Any Amounts Received from the United States of America and/or the State of New York to be Expended Towards the Cost of Certain of Such Capital Projects as Indicated Herein, or Redemption of any Notes and Bonds Issued Therefor or to be Budgeted as an Offset to the Taxes for Payment of the Principal of and Interest on Said Notes and Bonds.
14. Approval of Minutes of Prior Meeting of September 6, 2022.

October 6, 2022

Item No. 1
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Granting Waiver of Off-Street Parking Requirements
Re: Premises 220 West 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 220 West Park Avenue (street floor), Long Beach, New York (Section 59, Block 59, Lot 25) between Magnolia and Laurelton Boulevards, having frontage of 20 feet, on behalf of the owner Long Beach West LLC, 48E Old Country Road, Mineola, New York 11501 to be used as a Coffee Shop with a Golf Simulator:

WHEREAS, a Public Hearing was held on this date;

NOW, THEREFORE, after due deliberation, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the application of the owner Long Beach West LLC, 48E Old Country Road, Mineola, New York 11501 for exemption with respect to the requirements for off-street parking at premises 220 West Park Avenue (street floor), having frontage of 20 feet, be and the same hereby is granted, only and during the time that such premises shall be used as a Coffee Shop with a Golf Simulator.

October 6, 2022

Item No. 2
Local Law No.

The following Local Law was moved by
and seconded by :

Introductory No. 365
Introduced by:

CITY OF LONG BEACH

CHAPTER VI LAWS OF 2022

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: ASSESSMENT; LEVY; COLLECTION OF TAXES

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

Sec. 1. Article 6, Section 104-b(1) and (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 and added to read as follows:

“Sec. 104-b. Exemption for persons who are sixty-five years of age or over.

1. Pursuant to the provisions of Section 467 of the Real Property Tax Law of the State of
New York, as amended and as therein provided, real property owned by one (1) or more
persons, each of whom is sixty-five (65) years of age or over, or real property owned by
spouses, one (1) **of** whom is sixty-five (65) years of age or over, shall be exempt from
taxation, which exemption shall be computed after all other partial exemptions allowed
by law have been subtracted from the total amount assessed, to the extent set forth in the
following schedule:

TABLE INSET:

| <u>Annual Income</u> | <u>Percentage Assessed Valuation Exemption from Taxation</u> |
|--|--|
| Less than \$35,000 | 50 |
| \$35,000 but less than \$36,000 | 45 |
| \$36,000 but less than \$37,000 | 40 |
| \$37,000 but less than \$38,000 | 35 |
| \$38,000 but less than \$38,900 | 30 |
| \$38,900 but less than \$39,800 | 25 |
| \$39,800 but less than \$40,700 | 20 |
| \$40,700 but less than \$41,600 | 15 |
| \$41,600 but less than \$42,500 | 10 |
| \$42,500 but less than \$43,400 | 5 |

2. No exemption shall be granted if the income of the owner or the combined income of the owners of the property exceeds the sum of **forty-three thousand three hundred ninety-nine dollars and ninety-nine cents (\$43,399.99)**. The income of the owner or the combined income of the owners of the property shall be calculated in accordance with Section 467 of the Real Property Tax Law of the State of New York, and any such income shall be offset by **the owners' combined medical and prescription drug expenses actually paid by the owner or owners and not reimbursed or paid for by insurance or other non-owner.**”

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

October 6, 2022

Item No. 3
Local Law No.

The following Local Law was moved by
and seconded by :
Introductory No. 366
Introduced by:

CITY OF LONG BEACH

CHAPTER VII LAWS OF 2022

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: ASSESSMENT; LEVY; COLLECTION OF TAXES

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

Sec. 1. Article 6, Section 104-d 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 and added to read as follows:

“Sec. 104-d. Exemptions for persons with disabilities and limited incomes.

...

2. The income of the owner or the combined incomes of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall be as follows: no more than twenty-seven thousand dollars (\$27,000.00) for the income tax year ending December 31, 2007; no more than twenty-eight thousand dollars (\$28,000.00) for the income tax year ending December 31, 2008; and no more than twenty-nine thousand dollars (\$29,000.00) for the income tax year ending December 31, 2009; **and commencing with the income tax year ending on December 31, 2021, the combined income of the owners shall be no more than thirty-seven thousand dollars (\$37,000.00).**”

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

October 6, 2022

Item No. 4
Local Law No.

The following Local Law was moved by
and seconded by :

Introductory No. 367
Introduced by:

CITY OF LONG BEACH

CHAPTER VIII LAWS OF 2022

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: ASSESSMENT; LEVY; COLLECTION OF TAXES

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

Sec. 1. Article 6, Section 104-f 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 added to Article 6 to read as follows:

“Sec. 104-f. Opt-Out of Real Property Tax Law §487 Exemption.

The tax exemption made available by Real Property Tax Law §487 shall not be applicable within the boundaries of the City of Long Beach with respect to any solar or wind energy system, farm waste energy system, micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment and electric energy storage system, or fuel-flexible linear generator electric generating system, constructed subsequent to the passage of this Local Law, or any other energy system eligible for the real property tax exemption pursuant to §487 of the Real Property Tax Law.”

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

October 6, 2022

Item No. 5
Local Law No.

The following Local Law was moved by
and seconded by :

Introductory No. 368
Introduced by:

CITY OF LONG BEACH

CHAPTER IX LAWS OF 2022

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: ASSESSMENT; LEVY; COLLECTION OF TAXES

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

Sec. 1. Article 6, Section 103-b of the Charter of the City of Long Beach, New York as set forth in Chapter 635 of the Laws of 1922, as enacted as Local Law No. 2 of 1985, shall be and the same is hereby repealed, revoked and rescinded, and the following Section 103-b is hereby adopted and enacted in the place and stead of said Section, to read as follows:

“Sec. 103-b. Reduction of exemption of certain real property from taxation.

- 1. Pursuant to Real Property Tax Law Section 485-b, real property constructed, altered, installed or improved subsequent to the first day of January, two thousand twenty three (2023) for the purpose of commercial, business or industrial activity shall be exempt from taxation to the extent hereinafter provided.**
- 2. Such real property shall be exempt for a period of one year to the extent of fifty per centum of the increase in assessed value thereof attributable to such construction, alteration, installation or improvement and for an additional period of nine years provided, however, that the extent of such exemption shall be decreased by five per centum each year during such additional period of nine years and such exemption shall be computed with respect to the "exemption base." The exemption base shall be the increase in assessed value as determined in the initial year of such ten year period, following the filing of an original application, except as provided in subparagraphs (b) through (e).**
 - (a) In any year in which a change in the level of assessment of fifteen percent or more is certified for a final assessment roll pursuant to the rules of the state board, the exemption base shall be multiplied by a fraction, the numerator of which shall be the total assessed value of the parcel on such final assessment roll (after accounting for any physical or quantity changes to the parcel since the immediately preceding assessment roll), and the denominator of which shall be the total assessed value of the parcel on the immediately preceding final assessment roll. The result shall be the new exemption base. The exemption shall**

thereupon be recomputed to take into account the new exemption base, notwithstanding the fact that the assessor receives the certification of the change in level of assessment after the completion, verification and filing of the final assessment roll. In the event the assessor does not have custody of the roll when such certification is received, the assessor shall certify the recomputed exemption to the local officers having custody and control of the roll, and such local officers are hereby directed and authorized to enter the recomputed exemption certified by the assessor on the roll. The assessor shall give written notice of such recomputed exemption to the property owner, who may, if he or she believes that the exemption was recomputed incorrectly, apply for a correction in the manner provided by Title Three of Article 5 of the New York State Real Property Tax Law for the correction of clerical errors.

(b) The following table shall illustrate the computation of the tax exemption:

| Year of exemption | Percentage of exemption |
|-------------------|-------------------------|
| 1 | 50 |
| 2 | 45 |
| 3 | 40 |
| 4 | 35 |
| 5 | 30 |
| 6 | 25 |
| 7 | 20 |
| 8 | 15 |
| 9 | 10 |
| 10 | 5 |

(c) No such exemption shall be granted unless:

1. such construction, alteration, installation or improvement was commenced subsequent to the first day of January, two thousand twenty three (2023);
2. the cost of such construction, alteration, installation or improvement exceeds the sum of ten thousand dollars;
3. such construction, alteration, installation or improvement is completed as may be evidenced by a certificate of occupancy or other appropriate documentation as provided by the owner.

(d) For purposes of this section the terms construction, alteration, installation and improvement shall not include ordinary maintenance and repairs.

(e) No such exemption shall be granted concurrent with or subsequent to any other real property tax exemption granted to the same improvements to real property, except, where during the period of such previous exemption, payments in lieu of taxes or other payments were made to the local government in an amount that would have been equal to or greater than the amount of real property taxes that would have been paid on such improvements had such property been granted an exemption pursuant to this section. In such case, an exemption shall be granted for a number of years equal to the ten year

exemption granted pursuant to this section less the number of years the property would have been previously exempt from real property taxes.

- 3. Such exemption shall be granted only upon application by the owner of such real property on a form prescribed by the New York State Office of Real Property Tax Services. Such application shall be filed with the Assessor on or before the December 1st (the taxable status date) and within one year from the date of completion of such construction, alteration, installation or improvement.**
- 4. If the assessor is satisfied that the applicant is entitled to an exemption pursuant to this section, he or she shall approve the application and such real property shall thereafter be exempt from taxation as herein provided commencing with the assessment roll prepared after the taxable status date referred to in subdivision three of this section. The assessed value of any exemption granted pursuant to this section shall be entered by the assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.**
- 5. The provisions of this section shall apply to real property used primarily for the buying, selling, storing or developing goods or services, the manufacture or assembly of goods or the processing of raw materials. This section shall not apply to property used primarily for the furnishing of dwelling space or accommodations to either residents or transients other than hotels or motels.**
- 6. In the event that real property granted an exemption pursuant to this section ceases to be used primarily for eligible purposes, the exemption granted pursuant to this section shall cease.”**

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

October 6, 2022

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing a Correction of Error Appearing on
the 2022/23 Assessment/Tax Rolls of the City of Long Beach.

WHEREAS, the property known as Section 58, Block 104, Lot 8 on the Land and
Tax Map of the County of Nassau, also known as 40 Connecticut Avenue, Long Beach, New
York, appears upon the assessment/tax rolls of the City of Long Beach; and

WHEREAS, the City's Tax Assessor identified a clerical error that exists on the
assessment/tax rolls for the above said property which must be corrected; and

WHEREAS, the Tax Assessor recommends that a refund in the amount of \$605
be directed to the owner of said property; and

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, correction of
errors must be authorized by the governing body, which is the City Council;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
Tax Assessor of the City of Long Beach is hereby authorized and directed to correct the 2022/23
assessment/tax rolls and to refund the owner of the property known as Section 58, Block 104,
Lot 8 on the Land and Tax Map of the County of Nassau, also known as 40 Connecticut Avenue,
Long Beach, New York, the amount of \$605, to refund the amount of taxes erroneously received.
Funds are available in Account No. A1930.54404 (Judiciary Claims Other).

October 6, 2022

Item No. 7
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 required in order to move one (1) employee
from part-time status to full-time status within the Tax Assessor's Department;

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> |
|---------------------------|---------------------------------|----------------------------------|--------------------------------|
| A1355.51102 | Tax Assessor-Temporary Salaries | \$19,500 | |
| A1355.54453 | Consultants | \$11,950 | |
| A1355.51101 | Tax Assessor-Regular Salaries | | \$31,450 |

October 6, 2022

Item No. 8
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Accept
Funds from the New York State Municipal Workers'
Compensation Alliance.

WHEREAS, the City of Long Beach is a member of the New York State
Municipal Workers' Compensation Alliance (Comp Alliance), a not-for-profit workers'
compensation group self-insurance program for municipalities and school districts, with a focus
on improving workplace safety and providing stable funding for its members; and

WHEREAS, in appreciation of its members, Comp Alliance is distributing a
portion of its surplus to its members; and

WHEREAS, this monetary award reflects a recognition by the Comp Alliance
Board of Trustees of fiscal challenges faced by municipalities and provides a benefit of
municipal cooperation by returning funds to local governments and schools; and

WHEREAS, Comp Alliance has advised the City that we are receiving a Member
Loyalty Award in the amount of \$41,186.00;

NOW, THEREFORE, be it

RESOVLED, by the City Council of the City of Long Beach, New York that the
City Manager be and is hereby authorized to accept a Member Loyalty Award in the amount of
\$41,186.00 from the New York State Workers' Compensation Alliance (Comp Alliance), to be
deposited into the City's General Fund.

October 6, 2022

Item No. 9
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase
Desktop Computers for Various City Departments through
New York State Office of General Services.

WHEREAS, the City desires to replace 33 desktop computers that have aged and will repurpose some of the older computers to be used on a part-time basis; and

WHEREAS, Dell Marketing LP, One Dell Way, Round Rock, Texas 78682 is an awarded vendor through New York State Office of General Services, Information Technology Umbrella Contract #PM20820 at a cost of \$879.86 each, at a total cost of \$29,035.38;

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 33 desktop computers, at a cost of \$879.86 each, at a total cost of \$29,035.38, for various City departments, from Dell Marketing LP, One Dell Way, Round Rock, Texas 78682 through New York State Office of General Services, Information Technology Umbrella Contract #PM20820. Funds are available in Account No. A1680.52220 (Information Technology-Equipment).

October 6, 2022

Item No. 10
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: Miscellaneous Provisions.

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: MISCELLANEOUS PROVISIONS

(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 October
18, 2022 at 7:00 p.m.; and be it further

RESOLVED, that the City Clerk be and he 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. 369
Introduced by:

CITY OF LONG BEACH

CHAPTER X LAWS OF 2022

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: MISCELLANEOUS PROVISIONS

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

Section 1. Subpart A, Article 13 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, is hereby further amended by adding to said Article 13 a new Section to be designated as “Sec. 258. Liability of the city in certain actions.”, and to read as follows:

“Sec. 258. Liability of the city in certain actions.

Except as provided otherwise in this Charter no action shall be maintained against the City of Long Beach upon or arising out of a contract of the City of Long Beach unless the same shall be commenced within one year after the cause of action therefor shall have accrued, nor unless a written verified claim shall have been filed with the City of Long Beach Corporation Counsel within ninety days after the cause of action shall have accrued, and no other action shall be maintained against the City of Long Beach unless the same shall be commenced within one year after the cause of action therefor shall have accrued, nor unless a notice of claim shall have been made and served in compliance with section fifty-e of the general municipal law. The omission to present a claim or to commence an action thereon within the respective periods of time above stated applicable to such claim, shall be a bar to any claim or action therefor against the City of Long Beach; but no action shall be brought upon any such claim until forty days have elapsed after the filing of the claim in the office of the City of Long Beach Corporation Counsel. The ninety-day period in which to file a verified claim, for claims arising out of a contract of the City of Long Beach and all other actions against the City of Long Beach, is a condition precedent rather than a statute of limitations, and thus, the period may not be tolled or extended. Any action against the City of Long Beach must affirmatively allege and prove compliance with this section. Nothing herein contained shall be held to revive any claim or cause barred by any requirement or statute of limitations nor waive any limitation applicable to any claim or cause of action against the City of Long Beach.”

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

October 6, 2022

Item No. 11
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 Officers.

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 OFFICERS

(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 October
18, 2022 at 7:00 p.m.; and be it further

RESOLVED, that the City Clerk be and he 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. 370
Introduced by:

CITY OF LONG BEACH

CHAPTER XI LAWS OF 2022

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: CITY OFFICERS

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

Section 1. Subpart A, Article 2, Section 8 of the Charter of the City of Long Beach, New York as set forth in Chapter 635 of the Laws of 1922, as enacted as Local Law No. 5 of 1922 and amended by Local Law No.1 of 1946, Local Law No.1 of 1949, Local Law No.1 of 1950, Local Law No.1 of 1956, Local Law No.1 of 2001 and Local Law No.1 of 2004, shall be and the same is hereby amended to read as follows,

“Sec. 8. City officers enumerated.

The officers of the City shall be five Councilpersons (including a **President** of the Council), a **City Manager**, a **City Treasurer**, a **Tax Assessor** and two **Associate Tax Assessors**, a **City Clerk**, a **Corporation Counsel**, a **Commissioner of Public Works**, one or more **Deputy Commissioners**, a **Building Commissioner**, a **City Engineer**, a **Fire Commissioner**, a **Police Commissioner**, a **Commissioner of Public Safety**, one or more **City Marshals**, one or more **Superintendents of Departments**, three members of a **Civil Service Commission**, so many **Commissioners of Deeds** as may be deemed necessary by the Council, and such other appointive officers as may be established by law, local law or ordinance. The Council may provide for the holding of two or more such offices by the same person, except that no Councilperson, members of the **Civil Service Commission**, or member of a **City Planning Commission** may hold any other office under the city government for which a salary may be paid.”

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

October 6, 2022

Item No. 12
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 Officers.

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 OFFICERS

(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 October
18, 2022 at 7:00 p.m.; and be it further

RESOLVED, that the City Clerk be and he 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. 371
Introduced by:

CITY OF LONG BEACH

CHAPTER XII

LAWS OF 2022

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF
LONG BEACH RE: CITY OFFICERS

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

Section 1. Subpart A, Article 2, Section 11 of the Charter of the City of Long Beach, New York as set forth in Chapter 635 of the Laws of 1922 as enacted as Local Law No. 2 of 1922 and amended by Local Law No. 1 of 1924 and Local Law No. 5 of 1933, shall be and the same is hereby repealed, revoked and rescinded, and the following Section 11 is hereby adopted and enacted in the place and stead of said Section, to read as follows:

“Sec. 11. Appointive City officers enumerated; by whom appointed; their term of office.

- A. The appointive officers of the City of Long Beach shall be a City Manager, a City Treasurer, a Corporation Counsel, a City Comptroller, one Fire Commissioner, a Tax Assessor and two (2) Associate Tax Assessors, a City Clerk, a Commissioner of Public Works, and one or more Deputy Commissioner(s) of Public Works who may also be Superintendent(s) of Public Works, a Building Commissioner, a Police Commissioner, one Commissioner of Public Safety, one or more City Marshals, a City Engineer, one or more Superintendents of Departments, three (3) members of a Civil Service Commission, as many Commissioners of Deeds as may be deemed necessary by the City Council, and such other appointive officers as may be established by law, local law or ordinance. All such officers shall be appointed by the City Manager upon the confirmation of the City Council, except that the City Manager shall be appointed by the City Council.**

- B. Any officer or employee appointed as herein provided may be removed by the City Manager, except that the City Manager may be removed by the City Council in accordance with Section Twenty of the Charter, or as otherwise provided by applicable law. All appointive officers shall serve for an indefinite term except as otherwise provided by state law.**

- C. The City Council may provide for the holding of two (2) or more such offices by the same person, except that no member of the Civil Service Commission, or member of a City Planning Commission may hold any other office under the city government for which a salary may be paid. Any appointed official or employee may perform duties in one or more departments as the City Council may designate.**

- D. The head of each department, and each other officer appointed by the City Manager as the single head of an office, shall appoint their subordinates only with the approval of the City Manager. The City Manager may appoint a Police Commissioner and the Police Commissioner shall appoint, with the approval of the City Manager, as many regular and special patrolmen as the City Council determines to be necessary for the proper protection of the City of Long Beach.**

- E. The City Manager may appoint a Commissioner of Public Safety and as many subordinate employees and officers as the City Council may determine to be necessary for the proper protection of the City of Long Beach. Appointments of such city officers made by the City Manager must be confirmed by a majority vote of the City Council. All appointive officers shall serve for an indefinite term except as otherwise provided by state law.**

- F. Subject to confirmation by the City Council, the City Manager may combine two (2) or more of the city departments as are charged with the preservation of the public health, safety, and welfare, and place them under the jurisdiction of the Commissioner of Public Safety whose duty it shall be to supervise and administer said departments.”**

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

October 6, 2022

Item No. 13
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for Various Capital Projects in and for the City, Stating the Estimated Total Cost Thereof is \$11,296,749, Appropriating Said Amount Therefor, Including the Expenditure of Any State or Federal Aid Expected to be Received in Connection Therewith, and Authorizing the Issuance of Not to Exceed \$8,377,000 Bonds of Said City to Finance a Portion of Said Appropriation; and Further Authorizing Any Amounts Received from the United States of America and/or the State of New York to be Expended Towards the Cost of Certain of Such Capital Projects as Indicated Herein, or Redemption of any Notes and Bonds Issued Therefor or to be Budgeted as an Offset to the Taxes for Payment of the Principal of and Interest on Said Notes and Bonds.

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

“BOND ORDINANCE DATED OCTOBER 18, 2022.

ORDINANCE AUTHORIZING FINANCING FOR VARIOUS CAPITAL PROJECTS IN AND FOR THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$11,296,749, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF ANY STATE OR FEDERAL AID EXPECTED TO BE RECEIVED IN CONNECTION THEREWITH, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$8,377,000 BONDS OF SAID CITY TO FINANCE A PORTION OF SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.”

(See Proposed Ordinance)

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 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, in the City of Long Beach, New York, on October 18, 2022 at 7:00 p.m. on that day.

ORDINANCE AUTHORIZING FINANCING FOR VARIOUS CAPITAL PROJECTS IN AND FOR THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$11,296,749, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF ANY STATE OR FEDERAL AID EXPECTED TO BE RECEIVED IN CONNECTION THEREWITH, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$8,377,000 BONDS OF SAID CITY TO FINANCE A PORTION OF SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

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

Section 1. The City of Long Beach, Nassau County, New York (herein called the “City”), is hereby authorized to finance the costs of construction, acquisition or undertaking of the various capital projects as described in column A of Schedule I attached hereto and hereby made a part hereof, at the estimated maximum costs indicated in column B of such Schedule I. The total estimated cost of such projects, including preliminary costs and costs incidental thereto and to the financing thereof, is \$11,296,749 and said amount is hereby appropriated therefor. The plan of financing includes (i) the expenditure of State and Federal aid expected to be received in connection with such projects as described in column C of such Schedule I, (ii) the issuance of serial bonds previously issued by the City for the project noted in Schedule I, (iii) the issuance of not to exceed \$8,377,000 bonds of the City to finance said appropriation, and (iv) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any amounts received by the City from the United States of America and/or the State of New York are hereby authorized to be expended towards the cost of the applicable specific objects or purposes, classes of objects or purposes or combinations of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$8,377,000 are hereby authorized to be issued in the respective principal amounts indicated in column D of Schedule I for each of the respective objects or purposes indicated in column A of such Schedule I, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called “Law”), to finance the appropriation referred to herein.

Section 3. The respective periods of probable usefulness of the specific objects or purposes and classes of objects or purposes as referenced in column A of the attached Schedule I, for which said bonds are authorized are to be issued, within the limitations of §11.00 a. of the Law, are set forth in column E of the attached Schedule I.

Section 4. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

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Section 8. This Ordinance, shall take effect immediately and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in full, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in the official newspaper of the City for such publication.

SCHEDULE I
2023 CHART OF COMPONENTS

| A | B | C | D | E |
|--|-----------------------------------|-------------------------------------|---------------------------|------------|
| Project Name | Estimated Maximum Cost | Grant/Prior Bond Funding | Bond Authorization | PPU |
| Road Overlays | \$898,549 | \$498,549 | \$400,000 | 15 |
| Curb/Sidewalk Rehabilitation - City Wide | \$100,000 | \$-0- | \$100,000 | 10 |
| Park Avenue Resiliency – Additional Costs | \$2,550,000 | \$1,275,000/\$600,000* | \$675,000 | 15 |
| Road Reconstruction | \$800,000 | \$-0- | \$800,000 | 15 |
| Sand Screening for Boardwalk Dune | \$300,000 | \$-0- | \$300,000 | 15 |
| Canal - Dredging | \$150,000 | \$-0- | \$150,000 | 5 |
| Auto Vehicle Location System | \$97,000 | \$-0- | \$97,000 | 10 |
| Fire Department - Keltron Software/Alarm Panel | \$40,000 | \$-0- | \$40,000 | 10 |
| FD - Command Post/Floodlight Vehicle/Ambulance | \$350,00 | \$-0- | \$350,000 | 20 |
| PD-City wide security (CCTV, Access Control, Internet/Recording) | \$185,000 | \$-0- | \$185,000 | 10 |
| Police Department - Vehicles (3) | \$280,000 | \$-0- | \$280,000 | 5 |
| City Hall Façade Rehabilitation | \$250,000 | \$-0- | \$250,000 | 15 |
| Office of Emergency Mgmt(OEM Expansion) | \$750,000 | \$-0- | \$750,000 | 15 |
| Ice Arena Bathroom Rehabilitation | \$500,000 | \$500,000 | \$500,000 | 15 |
| Rehabilitation of Central Garage | \$1,546,200 | \$546,200 | \$1,000,000 | 25 |
| City Building Rehabilitation - Various Locations | \$150,000 | \$-0- | \$150,000 | 15 |
| Fencing - Various | \$100,000 | \$-0- | \$100,000 | 5 |
| Playgrounds | \$1,000,000 | \$-0- | \$1,000,000 | 15 |
| Fixed Assets Management System(FRB) | \$50,000 | \$50,000 | \$50,000 | 10 |
| Time Management Software (FRB) | \$200,000 | \$200,000 | \$200,000 | 5 |
| Sewer Upgrades | \$600,000 | \$-0- | \$600,000 | 40 |
| Supply Well Replacement | \$300,000 | \$-0- | \$300,000 | 40 |
| Various Plant Improvements | \$100,000 | \$-0- | \$100,000 | 40 |
| Total - All Funds | \$11,296,749 | | \$ 8,377,000 | |
| *Previously authorized and included in a prior issue. | | | | |