

**CALENDAR**

**for**

**REGULAR MEETING OF THE COUNCIL**

**of the**

**CITY OF LONG BEACH**

**held**

**SEPTEMBER 15, 2020**

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**PUBLIC HEARING:** Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 28 West Park Avenue (second floor), Long Beach, New York.

RE: Early Learning Education Center

1. Approval of Minutes of Prior Meeting of August 18, 2020.
2. Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 28 West Park Avenue (second floor), Long Beach, New York.  
RE: Early Learning Education Center
3. Ordinance Authorizing Financing for the Cost of Fiscal Year 2020-2021 Separation Payments To or For the Benefit of Employees of the City Upon Separation from Employment, Stating the Estimated Total Cost Thereof is \$2,700,000, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$2,700,000 Bonds of Said City to Finance Said Appropriation.
4. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 6 West Park Avenue (street floor), Long Beach, New York.  
Re: Health Products Retail Store

September 15, 2020

Item No. 2  
Resolution No.

The following Resolution was moved by  
and seconded by :

Resolution Granting Waiver of Off-Street Parking Requirements  
Re: Premises 28 West 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 28 West Park Avenue (second floor), Long Beach, New York (Section 59, Block 84, Lot 158), between National and Edwards Boulevards, having frontage of 20 feet, on behalf of the owners Sisters, Yaniv LLC, 38 Woodward Street, Roslyn Heights, New York 11577 to be used as an Early Learning Education Center:

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 owners Sisters, Yaniv LLC, 38 Woodward Street, Roslyn Heights, New York 11577 for exemption with respect to the requirements for off-street parking at premises 28 West Park Avenue (second floor), having frontage of 20 feet, be and the same hereby is granted, only and during the time that such premises shall be used an Early Learning Education Center.

The following Ordinance was moved by  
and seconded by :

BOND ORDINANCE AUTHORIZING FINANCING FOR THE COST OF FISCAL YEAR 2020-2021 SEPARATION PAYMENTS TO OR FOR THE BENEFIT OF EMPLOYEES OF THE CITY UPON SEPARATION FROM EMPLOYMENT, STATING THE ESTIMATED TOTAL COST THEREOF IS \$2,700,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,700,000 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION.

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 cost of fiscal year 2020-2021 separation payments to or for the benefit of employees of the City upon separation from employment, pursuant to Chapter 258 of the 2012 Laws of New York, at the estimated maximum cost of \$2,700,000 and as detailed in the attached exhibit. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$2,700,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of not to exceed \$2,700,000 bonds of the City to finance said appropriation, and 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.

Section 2. Bonds of the City in the aggregate principal amount of \$2,700,000 are hereby authorized to be issued 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 period of probable usefulness of the specific object or purpose for which said \$2,700,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 85-e of the Law, is five (5) years.

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 such obligations are authorized in violation of the provisions of the constitution.

Section 8. This ordinance, which takes effect immediately upon the final passage thereof, shall be published in summary form in the official newspaper of said City, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.



September 15, 2020

Item No. 4  
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: 6 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 6 West Park Avenue (street floor), Long Beach, New York (Section 59, Block 97, Lot 1) between Edwards and National Boulevards, having frontage of less than 20 feet, on behalf of the owner West Park Realty LLC, 377 Park Avenue South, New York, New York 10016 to be used for a Health Products Retail Store:

NOW, THEREFORE, be it

RESOLVED, that due to public health and safety concerns related to COVID-19, the City Council may not be meeting in-person. In accordance with the Governor's Executive Order 202.60, the October 6, 2020 City Council meeting and this hearing may be held via videoconferencing; and be it further

RESOLVED, the public will be given an opportunity to observe and participate in the virtual meeting by registering for the hearing at [longbeachny.gov/councilmeetings](http://longbeachny.gov/councilmeetings).

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