

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
SEPTEMBER 1, 2020

PUBLIC HEARING: 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.

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 901 West Beech Street (street floor), Long Beach, New York.

Re: Skincare and Home Goods Retail Store

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 240 West Park Avenue (street floor), Long Beach, New York.

Re: Personal Training Studio

1. Approval of Minutes of Prior Meeting of August 11, 2020.
2. Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 901 West Beech Street (street floor), Long Beach, New York.
Re: Skincare and Home Goods Retail Store
3. Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 240 West Park Avenue (street floor), Long Beach, New York.
Re: Personal Training Studio
4. Resolution Authorizing the City Manager to Enter into an Agreement for Water/Sewer Testing at the Water Treatment Plant with the Sole Responsible Bidder.
5. Resolution Authorizing the City Manager to Enter into an Agreement for the Demolition and Removal of the 1.0 Million Gallon Park Place Standpipe with the Lowest Responsible Bidder.

6. Resolution Appointing a Treasurer for the City of Long Beach.
7. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 28 West Park Avenue (second floor), Long Beach, New York.
RE: 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 1, 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 901 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 901 West Beech Street (street floor), Long Beach, New York (Section 59, Block 235, Lot 26), between Wyoming Avenue and Wisconsin Street, having frontage of 20 feet, on behalf of the owner Beech Street LB LLC, PO Box 130, Wantagh, New York 11793 to be used as a Skincare and Home Goods Retail Store;

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 owner Beech Street LB LLC, PO Box 130, Wantagh, New York 11793 for exemption with respect to the requirements for off-street parking at premises 901 West Beech Street (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 Skincare and Home Goods Retail Store.

September 1, 2020

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Granting Waiver of Off-Street Parking Requirements
Re: Premises 240 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 240 West Park Avenue (street floor), Long Beach, New York (Section 59, Block 59, Lot 14), between Magnolia and Laurelton Boulevards, having frontage of 20 feet, on behalf of the owner 242 W. Park Ave. Corp., 66-20 247th Street, Douglaston, NY 11362 to be used as a Personal Training Studio;

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 owner 242 W. Park Ave. Corp., 66-20 247th Street, Douglaston, NY 11362 for exemption with respect to the requirements for off-street parking at premises 240 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 Personal Training Studio.

September 1, 2020

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into an
Agreement for Water/Sewer Testing at the Water Treatment
Plant with the Sole Responsible Bidder.

WHEREAS, after due advertising therefore, one bid was received in the Office of the City Purchasing Agent on Thursday, August 20, 2020 at 11:00 a.m. for the testing of water/ sewer at the City's Water Treatment Plant for a period of one year as per specifications on file in the Office of the City Purchasing Agent; and

WHEREAS, Pace Analytical Services, 575 Broad Hollow Road, Melville, New York 11747 the provider of this service since 2009, was the sole responsible bidder at a total cost of \$65,535.00;

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 enter into an agreement with Pace Analytical Services, 575 Broad Hollow Road, Melville, New York 11747 for the testing of water/sewer at the City's Water Treatment Plant for a period of one year, at a total cost of \$65,535.00. Funds in the amount of \$41,905.00 for water testing are available in Account No. F8330.54440 (Water Treatment Plant – Contracted Services) and funds in the amount of \$23,630.00 for sewer testing are available in Account No. G8130.54440 (Water Pollution-Contracted Services).

September 1, 2020

Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into an
Agreement for the Demolition and Removal of the 1.0 Million
Gallon Park Place Standpipe with the Lowest Responsible Bidder.

WHEREAS, after due advertisement therefore, seven bids were received in the
Office of the Commissioner of Public Works on August 13, 2020 for the demolition and removal
of the 1.0 Million Gallon Park Place Standpipe located at the corner of Park Place and Riverside
Boulevard, as this structure was built in 1910 and has outlived it's useful life; and

WHEREAS, the contractor will furnish all equipment, materials and other items
needed for the demolition and removal of the existing elevated water storage tank, in accordance
with plans and specifications on file in the Office of the Commissioner of Public Works; and

WHEREAS, the City's consulting engineer, D&B Engineers & Architects, P.C.,
met with the lowest bidder, and after a review of the bid documents, has recommended that the
contract be awarded Wargo Enterprises, Inc., 5055 Havens Road, Akron, New York 14001, the
lowest responsible bidder, at a cost of \$498,745.00;

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 enter into an agreement with Wargo Enterprises,
Inc., 5055 Havens Road, Akron, New York 14001, for the demolition and removal of the 1.0
Million Gallon Park Place Standpipe located at the corner of Park Place and Riverside
Boulevard, at a cost of \$498,745.00. Funds are available in Account No. H2000.52123 (Water
Storage Tank 1mg).

September 1, 2020

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Appointing a Treasurer for the City of Long Beach.

WHEREAS, Section 20 of the Charter of the City of Long Beach provides that the City Manager shall be the chief executive officer with specific powers and duties conferred upon him/her by state and local laws; and

WHEREAS, Section 11 of the Charter of the City of Long Beach provides the authority to the City Manager to appoint a City Treasurer; and

WHEREAS, Section 21 of the Charter of the City of Long Beach provides that the City Treasurer shall be a fiscal officer of the city and shall perform such duties incident to his/her office as the council may require; and

WHEREAS, Section 8 of the Charter of the City of Long Beach provides that the City Council may provide for the holding of two or more such offices by the same person;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 8 of the Charter of the City of Long Beach, New York, the City Council appoints the City Manager, Donna M. Gayden, who is hereby authorized to hold more than one office, as the City Treasurer of the City of Long Beach, effective immediately.

September 1, 2020

Item No. 7
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: 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 Edwards and National Boulevards, having frontage of 20 feet, on behalf of the owner Sisters, Yaniv LLC, 38 Woodward Street, Roslyn Heights, New York 11577 to be used as an Early Learning Education Center:

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 September 15, 2020 at 7:00 p.m. on that date; and be it further

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.