

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
JANUARY 21, 2025

PUBLIC HEARING: Local Law Amending the Charter of the City of Long Beach Re: Planning Board.

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Planning and Zoning Generally.

1. Local Law Amending the Charter of the City of Long Beach Re: Planning Board.
2. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Planning and Zoning Generally.
3. Resolution Authorizing the City Manager to Enter into New Agreements for the Continued Operation of Beach Concessions in the City of Long Beach.
4. Resolution Authorizing the City Manager to Enter into an Inter-Municipal Agreement for Automatic Aid to the Atlantic Beach Fire District.
5. Resolution Authorizing the City Manager to Enter into a Contract for On-Call Professional Construction Inspection Services with the Most Responsible Bidder.
6. Resolution Authorizing Transfer of Funds for the 2024-2025 Fiscal Year.

January 21, 2025

Item No. 1
Local Law No.

The following Local Law was moved by
and seconded by :

Introductory No. 387
Introduced by:

CITY OF LONG BEACH

CHAPTER I LAWS OF 2025

A LOCAL LAW

AMENDING THE CHARTER OF THE CITY OF LONG BEACH RE: PLANNING BOARD.

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

Section 1. Article 2, Section 8 and 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 heretofore amended, 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 (also known as **Commissioner of Buildings and Property Conservation**), 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~~ **Board** may hold any other office under the city government for which a salary may be paid.

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

...

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~~ **Board** 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.”

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Section 2. Chapter 635 of the Laws of 1922, constituting the Charter of the City of Long Beach, New York, as amended, shall be and it hereby is further amended by repealing, revoking and rescinding all of Article 9 entitled “DEPARTMENT OF CITY PLANNING AND DEVELOPMENT”, and substituting in its place and stead a new Article 9 entitled “PLANNING BOARD” to read as follows:

“ARTICLE 9. PLANNING BOARD.

Sec. 131. Established.

Pursuant to Section 27 of Article 3 of the General City Law of the State of New York there is hereby created in the City a Planning Board. It is the intent of this local law to establish a collaborative process with checks and balances by which the City Manager and the City Council appoint and remove such members. The City Council finds that it is in the City’s best interests to establish an appointment process which is designed to fill vacancies to the extent practicable.

Sec. 132 Appointments; term of office; vacancies.

The City’s Planning Board shall consist of seven (7) members. Each member shall be appointed by the City Manager, subject to the City Council’s approval. Effective January 1, 2025, appointments to the Planning Board shall be as follows: two (2) members for a term of one year; two (2) members for a term of two (2) years; and three (3) members for a term of three years. Thereafter, the term of office of members shall be three (3) years. All terms shall commence on the date of the first City Council meeting in January of the year appointed and terminate on December 31st of the last year of the member’s term. Any such appointment shall be filed with the city clerk within (30) days.

Members shall receive such salary as is fixed by the City Council. An appointment to a vacancy occurring prior to the expiration of a member’s term shall be for the remainder of the unexpired term. Any member may be removed by the City Manager in accordance with General City Law § 27, subject to the City Council’s approval. At least forty-five (45) days prior to the expiration of any given member’s term, the City Manager shall present to the City Council candidates to fill said vacancies. In the event any vacancy is not filled by the end of that forty-five (45) day period, the City Council may make an appointment to fill said vacancy.

Sec 133. Chairman.

The board shall elect from its own number, by a vote of the majority of its members, a chairman of the board who shall preside at all meetings of the board and shall have such other powers, duties, and responsibilities as the board shall prescribe. The chairman shall serve as such for the term of the board which elected said chairman, subject, however, to the right of the board by a vote of a majority of its members to change its chairman at any time.

Sec 134. Training

- (1) All members of the Planning Board, including alternate members, shall complete at a minimum, four (4) hours of training each year designed to enable such members to more effectively carry out their duties. Training received by a member in excess of the four (4) hours in any one (1) year may be carried over by the member into succeeding years in order to meet the requirements of this section.
- (2) Such training may include, but not be limited to, training provided by a municipality, regional or county planning office or commission, county planning federation, state agency, statewide municipal association, law school, college, bar association, qualified attorneys or other similar entity or person.
- (3) Training may be provided in a variety of formats, including but not limited to, electronic media, video, distance learning and traditional classroom learning.
- (4) Proof of such attendance shall be filed by member in the City Clerk's office by December 31 of each year of service.
- (5) To be eligible for reappointment to such board, such member shall have completed the required training. The training required by this Section may be waived or modified by resolution of the City Council when, in the judgment of the Council, it is in the best interest of the City to do so.
- (6) No decision or action of a Board shall be voided or declared invalid because of a failure to comply with the training requirements of this Section.
- (7) The failure of any Board Member, or alternate member, to comply with the foregoing training and education requirements shall be grounds for removal by the City Council after a public hearing and an opportunity to be heard. Such cause for removal shall be in addition to and not in derogation of any other grounds provided by law.”

Section 3. Article 17, Section 330, 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. 330. Environmental Quality Review Act.

...

6. Definitions.

...

f. "Determination of Consistency" means a notice prepared by **the Long Beach Planning Department Board** or other appropriate agency and filed with the Clerk of the City of Long Beach, which notice shall contain:

...

m. "**Planning Department Board**" is the City of Long Beach **Planning Department Board**.

...

7. Environmental Review Procedures.

a. *Environmental Administration.* The City Manager shall appoint an Environmental Administrator who shall be delegated the authority to coordinate among City agencies the procedures of the New York State Environmental Quality Review Act. The appointment must be made in writing and filed with the City Clerk. In the absence of any such appointment by the City Manager, ~~the Planning Director or the Building Commissioner~~ **Commissioner of Buildings and Property Conservation** of the City shall be appointed to serve as the Environmental Administrator.

...

Sec. 4. This Local Law shall take effect immediately upon being filed in the Office of the New York Secretary of State.

The following Ordinance was moved by
and seconded by :

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF
THE CITY OF LONG BEACH RE: PLANNING AND ZONING
GENERALLY.

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

Sec. 1. Chapter 7, Article II, Division 3, Section 7-40 of the Code of Ordinances
of the City of Long Beach, as heretofore amended, as heretofore amended, shall be and the same
is hereby repealed, revoked and rescinded, and Chapter 7, Article II, Division 3, Section 7-49,
Section 7-50 and Section 7-51 of the Code of Ordinances of the City of Long Beach, as
heretofore amended, shall be and the same is hereby added to and amended to read as follows:

“Sec. 7-49. Site plan approval.

- (a) A site plan for the entire lot shall be approved by the Planning Board, in conjunction with the following:
 - 1) New construction three or more dwelling units on one lot.
 - 2) Enlargement of a structure with three or more dwelling units by more than 25% in gross square footage.
 - 3) A nonresidential use or structure or a group of uses or structures.
 - 4) New mixed use and renovations.
 - 5) Subdivision
- (b) Prior to submission of a site plan application to the Planning Board, the building permit shall be submitted and reviewed by the Commissioner of Buildings and Property Conservation, and where applicable, the applicant shall be referred to the Planning Board through a referral letter.
- (c) In the case of a site plan application requiring a zoning variance, the site shall be subject to a preliminary review by the Planning Board prior to action on said application by the Zoning Board of Appeals. Building permits issued pursuant to a variance shall be in accordance with conditions established by the Zoning Board of Appeals
- (d) Upon receipt by the Planning Board of said proposed site plan, it shall cause a public hearing to be held to consider the approval of the site plan.
- (e) The Planning Board shall approve or disapprove the said site plan and set forth its reasons for the action taken by it.
- (f) The Planning Board may require as a condition of approval such modifications of a site plan and/or permit as it deems necessary to ensure compliance with the spirit as well as the letter of this chapter.
- (g) The Commissioner of Buildings and Property Conservation shall issue no building permit for such purpose without first obtaining the said approval of the site plan by the planning board. In all cases where approval of the site plan by the planning board is given, the

owner shall proceed to obtain his building permit for such purpose within a period of nine (9) months from the effective date of the approval of said site plan. In the event the owner fails to proceed with obtaining said building permit within said nine (9) month period, the approval of said site plan by the Planning Board shall automatically terminate and be deemed cancelled and annulled without notice to the owners, unless an extension has been granted by the Planning Board.

- (h) No building permit or certificate of occupancy shall be issued for development or use of such property except in conformity with the approved site development plan. In addition, the Planning Board may authorize such development to be undertaken in stages, provided that each stage and any combination of stages would, upon completion, constitute an appropriate development of the site.
- (i) Upon a finding by the Planning Board that, due to special conditions peculiar to a site, certain of the information normally required as part of the site development plan is inappropriate or unnecessary or that strict compliance with said requirements may cause extraordinary and unnecessary hardships, the Planning Board may vary or waive such requirements wherever, in the opinion of the Planning Board, such variance or waiver will not be detrimental to the public health, safety or general welfare or have the effect of nullifying the intent and purpose of the site plan submission, the Official Zoning Map, the Comprehensive Plan or this chapter.
- (j) When an application before the Planning Board for approval of a site plan involves property that is within 500 feet of an adjacent municipality, as defined in § 239-m of the General Municipal Law, the Planning Board shall give notice to the adjacent municipality by mail or electronic transmission to the clerk of the adjacent municipality at least 10 days prior to any hearing. Such adjacent municipality may appear and be heard.

Sec. 7-50. Objectives of site plan review.

In considering and acting upon site plans, the Planning Board shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and the residents of the immediate neighborhood in particular and may prescribe appropriate conditions and safeguards as may be required in order that the result of its action may, to the maximum extent possible, further the expressed intent of this chapter and the accomplishment of the following objectives in particular:

- (a) *Traffic access.* All proposed traffic access ways are adequate in number, width, grade, alignment and visibility, are located in proper relationship with intersections, pedestrian crossings and places of public assembly and are in conformance with overall traffic safety considerations.
- (b) *Interior circulation and parking.* Adequate off-street parking and loading spaces are provided to satisfy the parking needs of the proposed uses on site and the interior circulation system is adequate to provide convenient access to such spaces consistent with pedestrian safety.

(c) *Landscaping and screening.* All required recreation, parking, service and similar areas are screened, at all seasons of the year, from view of adjacent residential districts and streets and the landscaping of the site is in character with that generally prevailing in the neighborhood and enhances the character of the City.

(d) *Existing development and Comprehensive Plan.* The development proposed is at a scale and density consistent with existing development and with the Comprehensive Plan of the City of Long Beach.

(e) *Natural features.* Due regard shall be paid to all natural features on and adjacent to the site, including but not limited to water bodies, drainage courses, wetlands, marshes, dunes, bluffs, beaches, escarpments, woodlands, large trees, unique plant and wildlife habitat and flood hazard areas.

(f) *Cultural features.* Due regard shall be paid to all cultural features on and adjacent to the site, including but not limited to archaeological and paleontological remains, old trails, historic buildings and sites and agricultural fields.

(g) *Pavement.* All plazas and other paved areas intended for use by pedestrians shall use such pavement and plant materials so as to encourage their use by pedestrians during all seasons of the year and prevent the creation of vast expanses of pavement.

(h) *Lighting.* All outdoor lighting is of such nature and so arranged as to preclude the projection of direct light and glare onto adjoining properties and streets.

(i) *Facades.* Building facades shall be compatible with the surrounding area in scale, color, style and material.

(j) *Drainage.* The drainage system and layout proposal will afford an adequate solution to any drainage problems.

(k) *Public utilities.* The plans for water supply and sewage disposal are adequate.

(l) *Public address or sound system.* Any sound or public-address system shall be such that no sound from a system shall be audible on adjoining properties or on the adjacent street.

(m) *Energy conservation.* The site plan and building design shall maximize the conservation of energy.

(n) *Architecture.* Architecture shall comply with the purposes and criteria set forth in Article XIV of this chapter.

Sec. 7-51. Site plan application and review.

(a). ***Submission.*** A complete site plan application shall consist of:

- (1) A completed site plan application form, including, but not limited to:
 - a. The name of the person interested in the proposed construction as owner, contractor for the furnishing of labor, materials, money or other service in furtherance of the enterprise.
 - b. Affidavit setting forth the existence or non-existence of any restrictive covenant running with the land as set forth in said site plan. The Affidavit should include details regarding the provisions of any deeds, covenants or restrictions affecting the kind of improvements allowed or prohibited upon the premises.
 - c. A complete list of the names and addresses of the owners of all of the lands within a radius of one hundred fifty (150) feet of the property affected by the application.
- (2) A site plan review fee.
- (3) An environmental assessment form, Part 1, where required by Section 330, Environmental Quality Review Act, of the Charter of the City of Long Beach.
- (4) A site plan.
- (5) Twelve (12) sets of drawings, which may be blueprints, checklist, application form, and supporting documents, and all required forms as prescribed by the Planning Board shall be filed with the Secretary to the Planning Board at least 22 days prior to a scheduled meeting of the Planning Board.
- (6) A digital copy of all application materials in a format determined, and changed as needed, by the City Clerk.

(b) ***Fee.***

- (1) A fee schedule shall be established, and changed as needed, by resolution of the City Council. A copy of the fee schedule is on file with the Office of the City Clerk.
- (2) In addition to the above required fee, the Planning Board may require the payment of out-of-pocket expenses incurred by the City in studies and/or by retainer of expert advisors related to the hearing, review and determination of such application. To impose such additional fee, the Planning Board must provide the applicant with written notice of its intent to conduct such studies and/or retain expert advisors. Said notice shall describe the need, scope and cost estimate of the work to be completed.

(c) ***Site plan.*** The applicant shall cause a site plan map at a minimum scale of one inch equals 40 feet to be prepared by an architect, landscape architect, civil engineer or surveyor. The site plan shall include those of the elements listed herein which are appropriate to the proposed development or uses as indicated by the Building Commissioner. This information, in total, shall constitute the site plan:

(1) *Legal data.*

- a. The name and address of the owner of record.
- b. The name and address of the person, firm or organization preparing the map, sealed with the applicable New York State license seal and signature.
- c. The date, North arrow and written and graphic scale.
- d. The property description shall be prepared by a licensed surveyor or civil engineer. The site plan may reference a land surveyor's map or base reference map. All distances shall be in feet and hundredths of a foot. All angles shall be given to the nearest 10 seconds or closer. The error of closure shall not exceed one in 10,000
- e. The locations, names and existing widths of adjacent streets and curblines.
- f. The location and owners of all adjoining lands, as shown on the latest tax records.
- g. The location, width and purpose of all existing and proposed easements, setbacks, reservations and areas dedicated to the public use within or adjoining the property.
- h. A complete outline of existing easements, deed restrictions or covenants applying to the property.
- i. Existing zoning.

(2) *Natural features.*

- a. Existing contours with intervals of two feet or less referred to a datum satisfactory to the Planning Board. In addition, spot elevations will be required where contour elevations are less than two feet on the site.
- b. The approximate boundaries of any areas subject to flooding or stormwater overflows.
- c. The location of existing natural features enumerated in Section 7-50(e) and any other significant existing natural features.
- d. The location of any existing cultural features enumerated in Section 7-50(f) and any other significant cultural features.

(3) *Existing structures and utilities.*

- a. Outlines of all structures and location of all uses not requiring structures.
- b. Paved areas, including parking areas, sidewalks and vehicular access between the site and public streets.
- c. Locations, dimensions, grades and flow direction of any existing culverts or waterlines, as well as other underground and aboveground utilities within and adjacent to the property.
- d. Other existing development, including fences, landscaping and screening
- e. The location, zoning and use of all buildings and structures within 250 feet of the boundary of the subject property.

(4) *Proposed development.*

- a. The location of proposed buildings or structural improvements, indicating setbacks from all property lines and horizontal distances from existing structures.
- b. The location and design of all uses not requiring structures, such as off-street parking and loading areas and pedestrian circulation. Parking calculations shall be shown.
- c. The location, direction, power and time of use for any proposed outdoor lighting or public-address systems.
- d. The location and plans for any outdoor signs which must be in accordance with applicable sign regulations
- e. Grading and drainage plans shall be based on a rainstorm retention volume of three inches total, including two inches minimum within leaching structures and one inch in ponding or a combination thereof; drainage calculations, contours and spot grade elevations to be shown.
- f. Landscaping, buffering and street tree plans, including material size, quantity and location. A list of plantings shall also be shown.
- g. The location of water and sewer mains, electrical service and cablevision installations, location of water valves and hydrants and/or any alternate means of water supply and sewage disposal and treatment.
- h. An indication that all storage areas for materials, vehicles, supplies, products or equipment shall be located in either a side or rear yard in compliance with this chapter and that such areas are adequately fenced or screened.
- i. If the site plan only indicates a first stage, a supplementary plan shall indicate ultimate development.

- j. The location of any fire hydrant, cistern, well or other fire-protection device.
 - k. Any other information deemed by the Planning Board to be necessary to determine conformity of the site plan with the spirit and intent of this chapter, specifically including any such information necessary to allow the Board of Architectural Review to provide a timely approval as provided in § 7-254 of this chapter.
- (5) Unless waived by the Planning Board, plans for all required improvements must be submitted by a professional engineer or licensed architect or, if appropriate, a registered landscape architect. Installation of such improvements must be under the direct supervision of a registered architect or licensed engineer.

(d). ***Public hearings.***

- (1) *Scheduling*: The Planning Board shall conduct a public hearing within sixty-two days from the day a Site Plan Application is deemed complete under this section. The Planning Board shall fix a time and place for a public hearing thereon.
- (2) *Notice*. The notices required by this section shall set forth the general nature of the application and the date, hour and place fixed by the Planning Board for a hearing thereon. Notice shall be given thereof as follows:
 - a. By publishing a notice thereof once in a newspaper of general circulation published in the city. The publication shall appear not less than six (6) days nor more than fourteen (14) days before the date set for the hearing.
 - b. By mailing a notice thereof to the Building Commissioner, and to each member of the city council.
 - c. Sign posting. A sign as prescribed in the Planning Board's rules and regulations shall be posted by applicant along all street frontages of the subject site at least 7 days prior to the hearing date. The applicant shall file with the Planning Board a duly sworn affidavit attesting that such notification was completed.
 - d. The applicant shall prepare a notice addressed to owners, within a radius of one hundred fifty (150) feet of property affected by the application, signed by the applicant, identifying the property affected thereby, and setting forth the general nature of the application and the date, hour and place fixed by the Planning Board for a hearing thereon, and shall present such notices to the Secretary of the Planning Board for mailing not less than ten (10) nor more than twenty (20) days before the date set for the hearing upon the application, together with the cost of mailing the notices by certified mail, return receipt requested, to the owners of all properties abutting the property affected, and by regular mail to all other owners within the affected radius. The Secretary of the Planning Board shall thereupon forthwith mail the notices and place on file an affidavit of the mailing.

- (3) *Filing*: All required affidavits shall be filed not less than nine days prior to the date of the public hearing.”

Sec. 2. Chapter 7, Article XIV, Section 7-252 and Section 7-257 of the Code of Ordinances of the City of Long Beach shall be and the same is hereby repealed, revoked and rescinded in its entirety. Section 7-251, Section 7-253, Section 7-255 and Section 7-256 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. 7-251. Creation of board.

The Planning Board will act as the Board of Architectural Review.

...

Sec. 7-253. Referrals to the board

- (a) Promptly after receiving plans and an application for a building permit for the **new construction or the substantial improvement of any building or structure as defined in Sec. 7-225 (d) of this Code**, the ~~building commissioner~~ **Commissioner of Buildings and Property Conservation** shall transmit to each member of the Board of Architectural Review a copy of such plans and application.
- (b) Applications must be accompanied by plans showing all elevations of new structures and all affected elevations in the case of additions or alterations. When required by the building commissioner or by the Board of Architectural Review, a site plan shall be submitted showing both existing and proposed contours at five-foot intervals, all existing trees with a trunk diameter of four (4) inches or more at a point three (3) feet above the ground level and whether such trees shall remain or be removed, and/or other topographical features.
- (c) It shall be unlawful for any owner, tenant or occupant of any existing or proposed building to install any roll-up or rolling metal shutters, doors or grille doors therein or thereon, unless and until a written application shall be made to the ~~building commissioner~~ **Commissioner of Buildings and Property Conservation** and approved by him after referral of such application to the Board of Architectural Review.

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Sec. 7-255. Failure to act

The ~~building commissioner~~ **Commissioner of Buildings and Property Conservation** shall refuse any building permit application disapproved as provided in section 7-254. If the Board of Architectural Review shall fail to approve or disapprove any application referred to it under section 7-253 within thirty (30) days of the date of referral of such application to it, the application shall be considered to have been approved unless the applicant shall have agreed to an extension of time.

Sec. 7-256. Appeal.

Any applicant aggrieved by the action of the Board of Architectural Review in disapproving a building permit application, and of the ~~building commissioner~~ **Commissioner of Buildings and Property Conservation** in denying such permit because of such disapproval, may request the board to make formal findings of fact. In the event of such a request, the board of Architectural Review shall make such findings of fact within fifteen (15) days after the request is filed in the city clerk's office, shall thereafter provide the applicant with an opportunity to answer the findings by the submission of formal proof, and shall reconsider the application on the basis of such answer. If the application is disapproved after such reconsideration, the applicant may bring a proceeding to review in the manner provided by Article 78 of the Civil Practice Law and Rules in a court of record on the ground that such action is illegal, in whole or in part. Such proceeding must be commenced within thirty (30) days after the filing in the Office of the City Clerk of the decision after reconsideration”

Sec.3. Chapter 7, Article XVI, Section 7-272 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. 7-272. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

...

Commission. Refers to the ~~architectural review board~~ **Planning Board** which shall assume the powers and duties of, and also be known as, the landmarks preservation commission.”

Sec. 4. Chapter 20, Article I, of the Code of Ordinances of the City of Long Beach to be entitled “PLANNING BOARD” is hereby enacted to read as follows, and Section 20-1, Section 20-2, Section 20-3, Section 20-4 and Section 20-5 are hereby enacted and shall read as follows:

“Sec. 20-1. Meetings; records.

- (a) The Planning Board shall meet regularly in city hall on the first Thursday of each month at 7:00 pm or as scheduled by the board. When the time for any such regular meeting falls on a holiday or New Year's Eve, the meeting shall be held at the same hour on the next Thursday which is not a holiday. A regular meeting may be adjourned to any hour and day certain, prior to the next regular meeting with notice in accordance with applicable law. If there are no items brought before the board, the chairman may cancel the meeting for that particular month.

- (b) All meetings of the Planning Board shall be open to the public. To constitute a meeting a majority or quorum of the Planning Board must be in attendance.
- (c) The Planning Board shall keep minutes of its proceedings showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact, and shall also keep records of its examinations and other official actions. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Planning Board shall be made by motion or resolution and immediately be filed in the office of the building commissioner and city clerk and shall be a public record within two weeks of the meeting. Such decision shall be made within 62 days of the date from when the hearing is closed.
- (d) At any meeting of the Planning Board, upon motion of any member, duly seconded and approved by the concurring vote of four (4) members of the board, the board may hold one or more special meetings at a time and place to be designated in and by said motion, to hear and determine, upon due notice and publication, any pending applications and any additional business that may arise, with the same force and effect in all respects as if such hearings and determinations were had at a regular meeting of the board.

Sec. 20-2. Promulgation of rules and regulations.

The Planning Board shall adopt from time to time such rules and regulations as it may deem necessary for its procedure in accordance with General City Law § 27.

Sec. 20-3. Powers and duties generally.

The Planning Board, except as otherwise restricted by this Code or the charter of the city, after notice and hearing, may conduct the following:

- a. Site plan review and approval
- b. Subdivision review and approval
- c. Review and approval of temporary and conditional permits for commercial, mixed uses, residential multiple dwellings with three or more units; special exception permits; special use permits
- d. *Architectural review and approval*; the Planning Board will also act as the Board of Architectural review
- e. Recommendations regarding changes to zoning and the Official Zoning Map
- f. Recommendations regarding changes to the Comprehensive Plan
- g. Recommendations regarding use/area variances

Sec. 20-4. Applications to the board.

Prior to submission to the Planning Board, the building permit shall be submitted and reviewed by the building commissioner, and where applicable, referred to the Planning Board through a referral letter.

Sec. 20-5. Application fees.

There shall be a fee payable upon the filing of a Planning Board application pursuant to this article, as follows:

New Multiple Dwelling.	\$2,000.00
Multiple Dwelling Alteration	\$1,500.00
New Commercial.	\$1,500.00
Commercial Alteration	\$1,000.00
New Mixed Use.	\$1,000.00
Subdivision	\$300.00

The optional service of preparation of a Key Map, inclusive of a list of affected property owners and mailing labels, shall be \$400.00.”

Sec. 5. Chapter 20, Article IV of the Code of Ordinances of the City of Long Beach to be entitled “SUBDIVISION OF LAND” is hereby enacted to read as follows, and Section 20-50, Section 20-51, Section 20-52, Section 20-53, Section 20-54, Section 20-55, Section 20-56 and Section 20-57 are hereby enacted and shall read as follows:

“ARTICLE IV. SUBDIVISION OF LAND**Sec. 20-50. Authority of Planning Board to Approve Plats.**

The Planning Board of the City of Long Beach is hereby authorized and empowered to approve plats for subdivisions within the limits of said City.

Sec. 20-51. Policy.

It is declared to be the policy of the Long Beach Planning Board to consider land subdivision plats as part of a plan for the orderly, efficient and economical development of the City. This means, among other things, that land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace; that proper provision shall be made for drainage, water supply, sewage and other needed improvements; that all proposed lots shall be so laid out and of such size as to be in harmony with the development pattern of the neighboring properties; to maintain the character of the community; that the proposed streets shall comprise a convenient system conforming to the Official Map and shall be properly related to the proposals shown on such portions of the Comprehensive Plan as may be in existence at any time and shall be of such width, grade and location as to accommodate the prospective traffic, to afford adequate light and air, to facilitate fire protection and to provide access of fire-fighting and/or emergency service equipment to buildings; and that proper provision shall be made for open spaces for parks and playgrounds.

Sec. 20-52. Definitions.

For the purpose of these regulations, certain words used herein are defined as follows:

Lot: Any plot, tract or parcel of land occupied or intended to be occupied by one (1) or more principal buildings and accessory buildings and uses, including such yards or open spaces as are arranged or designed to be used in connection with such buildings.

Planning Board: The Planning Board of the City of Long Beach.

Subdivision: The division of any parcel of land into two or more lots, plots, sites or other divisions of land for immediate or future transfer or for building development.

Subdivision Plat: The final map or drawing on which the applicant's plan of subdivision is presented to the Planning Board for approval and which, if approved, shall be submitted by the applicant to the County Clerk for recording.

Sec. 20-53. Procedure for Subdivisions.

(a) *Application and fee.*

- (1) All applications shall also conform to the requirements listed within this section.
- (2) All applications for plat approval for subdivisions shall be accompanied by a fee as set forth from time to time by the City Council and on file with City Clerk.
- (3) In addition to the above-required fee, the Planning Board may require the payment of out-of-pocket expenses incurred by the City in studies and/or by retainer of expert advisors related to the hearing, review and determination of such application. To impose such additional fee, the Planning Board must provide the applicant with written notice of its intent to conduct such studies and/or retain expert advisors. Said notice shall describe the need, scope and cost estimate of the work to be completed.

(b) *Application Submission Requirements.*

- (1) Twelve copies of the subdivision plat, checklist, application form, and supporting documents, and all required forms as prescribed by the Planning Board shall be filed with the Secretary to the Planning Board at least 22 days prior to a scheduled meeting of the Planning Board.
- (2) The submission shall be inspected by the Secretary to the Planning Board to determine whether or not the application meets the submission requirements
- (3) If the Secretary to the Planning Board determines that the application does not meet the submission requirements, the Secretary to the Planning Board shall immediately notify the applicant of these discrepancies and shall direct the applicant to submit the required information.

- (4) No application shall be placed on the agenda of any Planning Board meeting until the application has been deemed to meet the submission requirements by the Secretary to the Planning Board.
- (5) The Building Commissioner shall review each such application and the plat to which it relates prior to the date of the meeting of the Planning Board at which such application is to be considered and, at such meeting, shall report to the Planning Board as to compliance of such application and plan with applicable requirements of law and with these regulations.
- (c) *SEQRA review required.* All subdivision applications shall be subject to environmental quality review by the Planning Board in accordance with the provisions of this chapter, the State Environmental Quality Review Act, and other applicable laws and regulations.
- (d) *Completed application:* A subdivision plat application is considered complete when, after all submission application requirements are met, the lead agency has filed, pursuant to SEQRA, either: A negative declaration (or a conditioned negative declaration) or A notice of completion of the draft environmental impact statement (DEIS).
- (e) *Public Hearing:* The Planning Board shall conduct schedule a public hearing within sixty-two (62) days from the day a plat application is deemed complete under this section. The Planning Board shall fix a time and place for a public hearing thereon.
 - (1) *Public hearings for subdivision plats requiring an environmental impact statement:*

For any hearing for a subdivision requiring an environmental impact statement (EIS), the public hearing shall be opened within sixty-two (62) days of declaring the DEIS complete and acceptable for public circulation and review and the filing of a complete application by the applicant. A complete application shall include the DEIS to be considered and all data required and all fees shall be paid. A coordinated review of the subdivision and the DEIS shall be required in accordance with the procedures outlined in the state environmental quality review regulations, 6 NYCCR Part 617. Notice shall be given thereof as follows:

 - (a) Said hearing shall be advertised in a newspaper of general circulation in the City, and posted on the City of Long Beach's website, not less than fourteen days before such hearing.
 - (b) The applicant shall prepare a notice addressed to owners, within a radius of one hundred fifty (150) feet of property affected by the application, signed by the applicant, identifying the property affected thereby, and setting forth the general nature of the application and the date, hour and place fixed by the Planning Board for a hearing thereon, and shall present such notices to the Secretary to the Planning Board for mailing not less than ten (10) nor more than twenty (20) days before the date set for the hearing upon the application,

together with the cost of mailing the notices by certified mail, return receipt requested, to the owners of all properties abutting the property affected, and by regular mail to all other owners within the affected radius. The Secretary to of the Planning Board shall thereupon forthwith mail the notices and place on file an affidavit of the mailing by mailing a notice thereof to the building commissioner, and to each member of the city council.

- (c) For lots within 500 feet of a municipal boundary, notice shall be mailed in the above-prescribed form to the clerk of the adjacent municipality
- (d) At least one poster, not less than twenty-four (24) inches by eighteen (18) inches in size, must be conspicuously posted along each street frontage of the property which is the subject of the application at least seven (7) days prior to the date set for the public hearing before the Planning Board. Such poster shall contain the following information printed in a legible manner:
 - (1) A brief explanation of the proposed subdivision requested.
 - (2) That a public hearing will be held before the Planning Board at a specified date, and the time and place with regard to the proposed hearing. Said poster must remain in place until the public hearing has been held and must be removed not later than seven (7) days thereafter. The applicant or applicant's agent shall verify that said poster is still in place on a daily basis, and shall promptly replace said poster should it be removed or damaged. The applicant shall file with the Planning Board a duly sworn affidavit attesting that such notification was completed not less than seven (7) days prior to the date of the public hearing.
- (2) *Public hearing for subdivision plats not requiring an environmental impact statement:*

A public hearing shall be scheduled by the Planning Board within 62 days after it has received a complete application, it has determined that no environmental impact statement is required, and all associated fees have been paid. Notice shall be given thereof as follows:

 - (a) Said hearing shall be advertised in a newspaper of general circulation in the City not less than six days no more than 14 days before such hearing.
 - (b) The applicant shall prepare a notice addressed to owners, within a radius of one hundred fifty (150) feet of property affected by the application, signed by the applicant, identifying the property affected thereby, and setting forth the general nature of the application and the date, hour and place fixed by the Planning Board for a hearing thereon, and shall present such notices to the Secretary of the Planning Board for mailing not less than ten (10) nor more

than twenty (20) days before the date set for the hearing upon the application, together with the cost of mailing the notices by certified mail, return receipt requested, to the owners of all properties abutting the property affected, and by regular mail to all other owners within the affected radius. The Secretary of the Planning Board shall thereupon forthwith mail the notices and place on file an affidavit of the mailing by mailing a notice thereof to the Building Commissioner, and to the Secretary to the Planning Board.

- (c) For lots within 500 feet of a municipal boundary, notice shall be mailed in the above-prescribed form to the clerk of the adjacent municipality.
- (d) At least one poster, not less than twenty-four (24) inches by eighteen (18) inches in size, must be conspicuously posted along each street frontage of the property which is the subject of the application at least seven (7) days prior to the date set for the public hearing before the Planning Board. Such poster shall contain the following information printed in a legible manner:
 - (1) A brief explanation of the proposed subdivision requested.
 - (2) That a public hearing will be held before the Planning Board at a specified date, and the time and place with regard to the proposed hearing. Said poster must remain in place until the public hearing has been held and must be removed not later than seven (7) days thereafter. The applicant or applicant's agent shall verify that said poster is still in place on a daily basis, and shall promptly replace said poster should it be removed or damaged. The applicant shall file with the Planning Board a duly sworn affidavit attesting that such notification was completed not less than seven (7) days prior to the date of the public hearing.

Sec. 20-54. Submission Requirements.

- (a) All plat plans for subdivisions submitted to the Planning Board for approval shall be prepared by and bear the name, license number and seal of a professional engineer or land surveyor licensed to practice in the State of New York.
- (b) The subdivision plat application shall include the following information:
 - (1) A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.
 - (2) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of the tract shall also be located on the ground and marked by monuments as approved by the City Engineer, and shall be referenced and shown on the plat.

- (3) Contours of existing and proposed surfaces with intervals of two feet or less. Where the terrain is unusually flat or unusually steep the Planning Board may require a smaller contour interval or permit a greater contour interval. The existing topography shall be drawn from an actual survey certified by a licensed land surveyor. Contours for existing surfaces shall be extended to cover an area 200 feet beyond the boundaries of the parcel to be subdivided. Said topographic survey shall contain details concerning cutting and filling as necessary to accomplish plans of development. The Planning Board at its discretion may require the subdivider to submit eight-inch-by-ten-inch photographs adequately depicting the topography.
- (4) All on-site sanitation and water supply facilities designed to meet the minimum specification of the State Departments of Health and Environmental Conservation and a note to this effect shall be stated on the plat and signed by a licensed engineer
- (5) Storm drainage plan.
- (6) Proposed subdivision name, name of the municipality and county in which it is located.
- (7) The date, North point, map scale, name and address of record owner and subdivider.
- (8) The section, block and lot number and the zoning district.
- (9) Plats to be filed shall be 36 inches by 48 inches.
- (10) The section, block and lot numbers and names of all owners of record of all parcels of property located within a radius of 150 feet measured from all points of the subject property lines.
- (11) A letter of water availability to serve the subdivision, obtained from the Commissioner of Public Works.
- (12) A statement that the plan is in compliance or not in compliance with the Zoning Code.
- (13) Stormwater pollution prevention plan. A stormwater pollution prevention plan consistent with the requirements of Chapter 25, Art. 6. entitled "Stormwater Management," of the City of Long Beach Code of Ordinances, and with the terms of preliminary plan approval, shall be required for final subdivision plat approval. The SWPPP shall meet the performance and design criteria and standards in Chapter 25, Art. 6. The approved subdivision plat shall be consistent with the provisions of this Chapter 25, Art. 6.

Sec. 20-55. Standards for consideration of applications.

In considering applications for the subdivision of land, the Planning Board shall be guided by the following standards, which standards shall be considered to be minimum requirements and shall be waived by the Planning Board only under circumstances set forth in §20-56.

- (a) In granting or withholding approval of such a subdivision plat, the Planning Board will consider:
- (1) Whether there is adequate provision and access for a separate sewer connection and a separate water service line to each principal building to be erected on such lots, block or sites.
 - (2) Method whereby such lots, blocks or sites are proposed to be drained.
 - (3) The property shall be such that it can safely be used for the building purposes contemplated by the plan without danger to health or peril from fire, flood or other menace, taking into consideration its location, elevation, grade and drainage.
 - (4) Whether there is any reasonable basis for assuming that a street will later be opened adjacent to any part of such lot and, if so, whether the proposed use might interfere with any such street or result in any noncompliance with the provisions of the Zoning Code in the event any such street is later opened.
 - (5) Whether the proposed use will be in harmony with the general purposes and intent of the Zoning Code and consistent with the public health, safety and the general welfare.
 - (6) Monuments, curbs, gutters, water mains, sanitary sewers, storm drains, street and other paving, streetlights and other improvements, including, if required by the Planning Board, sidewalks and street trees, fire hydrants, fire alarms and fire alarm cables, shall be installed, all in accordance with these regulations and standards and with specifications and procedures acceptable to the appropriate departments of the city.
 - (7) A storm drainage system shall be provided adequate to dispose of all stormwater from the property and to protect other property owners from any damage from such stormwater and so designed as not to cause silting or clogging of existing city storm drains.
 - (8) The Planning Board shall, wherever possible, require the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, watercourses and falls, beaches, historic spots, vistas and similar irreplaceable assets. In general, all trees on the site except those within proposed building sites, and for a distance of 10 feet therefrom, shall be preserved.

Sec. 20-56. Waivers and Modifications.

- (a) Where the Planning Board finds that extraordinary and unnecessary hardships may result from strict compliance with these regulations, it may vary said regulations so that substantial justice may be done and the public interest secured, provided that such variations will not have the effect of nullifying the intent and purpose of the Official Map and the Comprehensive Plan or the Zoning law.
- (b) In granting waivers and modifications, the Planning Board shall require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

Sec. 20-57. Action on and Filing of Subdivision Plat.

- (a) The Planning Board shall, within 30 days from the date of the filing of the findings statement for a subdivision requiring an EIS, or within 62 days of the close of the public hearing for a subdivision not requiring an EIS, approve, approve with modifications or disapprove the subdivision plat
- (b) Approval or disapproval of a waiver of filing requirements takes place simultaneously. Any approved subdivision for which map filing requirements have been waived shall be recorded with the City Clerk along with any conditions of approval attached thereto.
- (c) Upon compliance by the applicant with the requirements of Sections 20-53 and 20-54 hereof, the Chairman and Secretary of the Planning Board are authorized to sign the statement on the plat plan. The subdivision plat is now ready for filing in the Division of Land Records, Nassau County, New York. Section 32 of the General City Law requires the plan to be filed within ninety (90) days of the date of the resolution of the Planning Board approving the plan. The law allows the Planning Board to extend this time for two (2) periods of ninety (90) days each. The subdivision plan must be filed for the approval of the Planning Board to become effective.
- (d) Approval of a subdivision plat subject to conditions set forth by the Planning Board in its resolution shall constitute a conditional approval of the plat. Conditional approval does not qualify the final plat for recording. At the time of the resolution conditionally approving the plat, the Planning Board must empower a duly authorized officer of the Planning Board to sign the plat upon completion of the requirements stated in the resolution.

- (e). No changes, erasures, modifications or revisions shall be made in any subdivision plat after approval has been given by the Board and endorsed, in writing, on the plat, unless said plat is first resubmitted to the Board. In the event that any such subdivision plat is recorded without complying with this requirement, the same shall be considered null and void, and the Board shall institute proceedings to have the plat stricken from the records of the County Clerk. Minor modifications may be approved by the Board without the necessity of a formal review procedure under these regulations. In such instances public hearing and fees required by this chapter shall be waived.”

Sec. 6. Chapter 20, Article III of the Code of Ordinances of the City of Long Beach previously known as “ADVISORY BOARD TO THE DEPARTMENT OF CITY PLANNING AND DEVELOPMENT” is hereby renamed to “LAND USE ADVISORY BOARD” and is hereby enacted to read as follows, and Section 20-29 and Section 20-30, are hereby enacted and shall read as follows:

“ARTICLE III. LAND USE ADVISORY BOARD

Sec. 20-29. Created; composition.

An advisory board to the ~~department of city planning and development~~ **Zoning Board and Planning Board** is hereby created to consist of eleven (11) members to be appointed by the city manager and to serve at the will of the city manager and without compensation.

Sec. 20-30. Duties and functions.

The ~~planning advisory board~~ **Land Use Advisory Board** shall have the following duties and functions:

- (a) To study and report and recommend to ~~the department of city planning and development~~ **the Zoning Board and Planning Board** on all matters referred to it by ~~the director of the department of city planning and development~~ **Commissioner of Buildings and Property Conservation** or by the city council or by the city manager. The chairman of such committee shall be appointed by the city manager.
- (b) To promote public interest in and understanding in the physical development of ~~the City of Long Beach and in all matters falling within the authority of the department of city planning and development~~ City of Long Beach’s land and natural resources.
- (c) To meet ~~not less than once a month~~ **as needed** and at such other times as called for by the ~~director of the department of city planning and development~~ **Commissioner of Buildings and Property Conservation** and to keep a record of its activities and meetings, resolutions, findings and determinations.

Sec. 7. Appendix A, Sections 9-105, 9-105.1, 9-105.2, 9-105.3, 9-105.4, 9-105.5, 9-105.6 and 9-105.7 of the Code of Ordinances of the City of Long Beach, New York, as heretofore amended, shall be and the same is hereby amended and added to, to read as follows:

“Sec. 9-105. Residence A District.

...

(j) In the event that an existing building or structure prevents the subdivision of the plot of ground on which it stands into two (2) or more legal building plots, neither such existing building or structure, nor any part thereof, may be demolished nor destroyed to accomplish the subdivision of said plot of land into two (2) or more legal building plots **without approval of the Planning Board.**

Sec. 9-105.1. Residence B District.

...

(j) In the event that an existing building or structure prevents the subdivision of the plot of ground on which it stands into two (2) or more legal building plots, neither such existing building or structure, nor any part thereof, may be demolished nor destroyed to accomplish the subdivision of said plot of land into two (2) or more legal building plots **without approval of the Planning Board.**

Sec. 9-105.2. Residence C District.

...

(j) In the event that an existing building or structure prevents the subdivision of the plot of ground on which it stands into two (2) or more legal building plots, neither such existing building or structure, nor any part thereof, may be demolished nor destroyed to accomplish the subdivision of said plot of land into two (2) or more legal building plots **without approval of the Planning Board.**

...

Sec. 9-105.3. Residence D District.

...

(j) In the event that an existing building or structure prevents the subdivision of the plot of ground on which it stands into two (2) or more legal building plots, neither such existing building or structure, nor any part thereof, may be demolished nor destroyed to accomplish the subdivision of said plot of land into two (2) or more legal building plots **without approval of the Planning Board.**

...

Sec. 9-105.4. Residence DD District.

...

(j) In the event that an existing building or structure prevents the subdivision of the plot of ground on which it stands into two (2) or more legal building plots, neither such existing building or structure, nor any part thereof, may be demolished nor destroyed to accomplish the subdivision of said plot of land into two (2) or more legal building plots **without approval of the Planning Board.**

...

Sec. 9-105.5. Residence E District.

...

(k) In the event that an existing building or structure prevents the subdivision of the plot of ground on which it stands into two (2) or more legal building plots, neither such existing building or structure, nor any part thereof, may be demolished nor destroyed to accomplish the subdivision of said plot of land into two (2) or more legal building plots **without approval of the Planning Board.**

...

Sec. 9-105.7. Residence F District

...

(j) In the event that an existing building or structure prevents the subdivision of the plot of ground on which it stands into two (2) or more legal building plots, neither such existing building or structure, nor any part thereof, may be demolished nor destroyed to accomplish the subdivision of said plot of land into two (2) or more legal building plots **without approval of the Planning Board.**

...

Sec. 8. This Ordinance shall take effect immediately.

January 21, 2025

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into
New Agreements for the Continued Operation of Beach
Concessions in the City of Long Beach.

WHEREAS, pursuant to Resolution No. 33/16 and Resolution No. 102/19, the City Council authorized the City Manager to enter into agreements for the operation of beach concessions located on or about Ocean Beach Park that provide food, refreshments and other services to the public; and

WHEREAS, the City desires to enter into new agreements with the current operators of the concessions on or about Ocean Beach Park, for the continued operation of beach concessions located on or about Ocean Beach Park, as the beach concessions have been beneficial to the City and the public, and the terms of many of the agreements entered into pursuant to Resolution No. 33/16 and Resolution No. 102/19 are now nearing expiration;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and he hereby is authorized to enter into new agreements with the current operators of the beach concessions located on or about Ocean Beach Park, for the continued operation of beach concessions located on or about Ocean Beach Park that provide food, refreshments and other services to the public, that were previously authorized and are presently authorized to do so pursuant to Resolution No. 33/16 and Resolution No. 102/19, and aforesaid new agreements shall contain such consideration, terms, conditions and provisions as the City Manager shall deem reasonable, necessary and proper; and be it further

RESOLVED, that the City Council, as Lead Agency for the City of Long Beach, hereby adopts this Resolution and determines that the entering into of new agreements with the current operators of the beach concessions located on or about Ocean Beach Park, for the continued operation of beach concessions located on or about Ocean Beach Park that provide food, refreshments and other services to the public, that were previously authorized and are presently authorized to do so pursuant to Resolution No. 33/16 and Resolution No. 102/19, constitutes a Type II action pursuant to SEQRA and the City of Long Beach Environmental Quality Review Act and therefore requires no further review in accordance with SEQRA 6 NYCRR § 617.5.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into an
Inter-Municipal Agreement for Automatic Aid to the Atlantic
Beach Fire District.

WHEREAS, a proposal was received by the City of Long Beach from the Atlantic Beach Fire District, 1 Rescue Road, P.O. Box 95, Atlantic Beach, New York 11509, for an Inter-Municipal Agreement for the rendering of certain fire protection and rescue services including, but not limited to, aiding victims and supplemental ambulance transportation by the Long Beach Fire Department within the Atlantic Beach Fire District, for an annual fee to be paid to the City of Long Beach; and

WHEREAS, the City desires to enter into said Inter-Municipal Agreement with the Atlantic Beach Fire District for the rendering of certain fire protection and rescue services including, but not limited to, aiding victims and supplemental ambulance transportation by the Long Beach Fire Department within the Atlantic Beach Fire District, for a period of five years, commencing January 1, 2025 and through December 31, 2029, with the option to of an additional five year extension from January 1, 2030 through December 31, 2034 upon mutual consent of the parties;

NOW, THEREFORE, be it

RESOLVED, that the proposed Inter-Municipal Agreement constitutes an unlisted action under SEQRA, and it is hereby determined that the proposed Inter-Municipal Agreement will not have a significant effect on the environment and issues a negative declaration; and be it further

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and he hereby is authorized to enter into an Inter-Municipal Agreement with the Atlantic Beach Fire District, 1 Rescue Road, P.O. Box 95, Atlantic Beach, New York 11509 for the rendering of certain fire protection and rescue services including, but not limited to, aiding victims and supplemental ambulance transportation by the Long Beach Fire Department within the Atlantic Beach Fire District as set forth in the Agreement, for a period of five years, commencing January 1, 2025, through December 31, 2029, for an annual fee to be paid to the City of Long Beach, with the option to of an additional five year extension from January 1, 2030 through December 31, 2034 upon mutual consent of the parties.

January 21, 2025

Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into a
Contract for On-Call Professional Construction Inspection
Services with the Most Responsible Bidder.

WHEREAS, after due advertisement therefore, ten (10) bids were received in the Office of the Commissioner of Public Works on December 5, 2024 for on-call construction inspection services on an as-needed basis for various ongoing Department of Public Works projects; and

WHEREAS, said services shall include being at the construction site at all times that work is being performed, deliveries are received, or contractor(s) are on site, as well as maintaining detailed field inspection records, including reports, job diaries, photographs, detailed procedures, etc.; and

WHEREAS, L.K. McLean Associates, D.P.C., 437 South Country Road, Brookhaven, New York 11719 was the most responsible bidder, which will provide the best overall value to the City, at a cost not to exceed \$122,200.00 for up to 180 days of services;

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 a contract with L.K. McLean Associates, D.P.C., 437 South Country Road, Brookhaven, New York 11719 for on-call construction inspection services on an as-needed basis, at a cost not to exceed \$122,200.00 for up to 180 days of services. Funds are available in Account No. H1025.52249 (Road Reconstruction).

January 21, 2025

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Transfer of Funds for the
2024-2025 Fiscal Year.

WHEREAS, a transfer of funds is needed to cover the salary increase of a
Corporation Counsel employee;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
following transfer of funds be and are hereby authorized for the 2024-2025 Fiscal Year:

<u>Budget Code</u>	<u>Description</u>	<u>Transfer From:</u>	<u>Transfer To:</u>
A1420.51102	Corporation Counsel – Temporary Salaries	\$12,700.00	
A1420.51101	Corporation Counsel – Regular Salaries		\$12,700.00