

Meeting # 1

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF ATLANTIC BEACH  
65 THE PLAZA, ATLANTIC BEACH, NY 11509

JANUARY 9, 2017

CALL TO ORDER

At 7:50 PM Mayor Pappas called the meeting to order.

SALUTE TO THE FLAG - led by Mayor Pappas

ROLL CALL

Present were: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Linda Baessler  
Andrew J. Rubin  
Village Attorney Charles S. Kovit  
Village Clerk Emily Siniscalchi  
Treasurer Herbert A. Klibanoff

Absent: Trustee Danae A. Muddiman - Excused

REPORTS

- I. A. Police Activity Report – December 2016 read by Mayor Pappas
- B. Atlantic Beach Rescue/Long Beach Fire Department Report -  
No report received
- C. Beautification Report – Chairperson Dolores Friedel - absent  
Her report given by Village Clerk - nothing new to report
- D. Sanitation – Alan Jacobs - absent - his report given by Village Clerk  
no complaints - working smoothly
- E. Atlantic Beach Cats – report given by Beth Brenner -absent - report given  
by Laurie Levine - copy attached
- II. PUBLIC WORKS & BUILDING DEPARTMENT REPORT – Steve Cherson report  
given and attached
- III. TREASURER'S REPORT – Herbert A. Klibanoff  
As of December 31, 2016- General Fund \$1,693,021.35;  
Capital Account \$3,978,100.79; for a total of \$5,671,122.14
- IV. LEGAL – Village Attorney Charles S. Kovit - nothing to report

GOOD AND WELFARE - None

RESOLUTION – SETTING DATE OF VILLAGE ELECTION AS JUNE 20, 2017 AND OFFICES TO BE  
FILLED AND TERMS THEREOF – TWO TRUSTEES FOR TWO YEAR TERMS AND ONE  
VILLAGE JUSTICE FOR FOUR YEAR TERM

Trustee Baessler moved the adoption of the following:

RESOLUTION – SETTING DATE OF VILLAGE ELECTION AS JUNE 20, 2017 AND OFFICES TO BE FILLED AND TERMS THEREOF – TWO TRUSTEES FOR TWO YEAR TERMS AND ONE VILLAGE JUSTICE FOR FOUR YEAR TERM (Continued)

RESOLVED, 1-that the General Village Election of the Village of Atlantic Beach shall be held on Tuesday, June 20, 2017 and that the office to be filled and the terms thereof are as follows:

- 1- Two (2) Trustees for two year term; One (1) Village Justice for four year term
- 2- that the Village Clerk is ordered and directed to cause a copy of this Resolution to be published in the Nassau Herald;
- 3 – that this Resolution shall take effect immediately.

The foregoing was seconded by Trustee Sullivan and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler

Noes: None

RESOLUTION - EXPANDING RESIDENCY REQUIREMENTS FOR ELECTION INSPECTORS

Trustee Rubin moved the adoption of the following:

RESOLVED, to expand the residency requirements to the county for the position of election inspector.

The foregoing was seconded by Trustee Baessler and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler

Noes: None

RESOLUTION - RECOVERY OF UNPAID TAXES FOR FISCAL YEAR BEGINNING JUNE 1, 2016

Trustee Baessler moved the adoption of the following:

WHEREBY, from the account of unpaid taxes heretofore returned by the Village Clerk of the Village of Atlantic Beach, New York to this Board for the fiscal year beginning June 1, 2016 the taxes remain due and unpaid after due notice and demand on each of the property owners for the payment of said taxes, and

WHEREAS, no action has been commenced to recover said unpaid taxes and no sale on account of said unpaid taxes had heretofore been held, pursuant to law;

NOW THEREFORE BE IT RESOLVED, that such unpaid taxes shall be collected by the sale for taxes, as provided in Section 1452 of the Real Property Tax Law of the State of New York, that a copy of this resolution, duly certified by the clerk, public auction at a place in said Village to be designated by the said Village Treasurer, to discharge the taxes, fees, interest charges aforesaid, which may be due thereon at the time of such

RESOLUTION - RECOVERY OF UNPAID TAXES FOR FISCAL YEAR BEGINNING JUNE 1, 2016  
(Continued)

sale and that said Village Treasurer, at the time and place specified in said Notice proceed with the sale of said real estate upon which such taxes are unpaid as above set forth and continue the same from day to day until the sale is completed; and it is further

RESOLVED, that in all cases where no bid shall be made on a lot or parcel of land so offered for sale, for an amount sufficient to pay the said taxes, fees, interest and charges, the said premises shall be deemed to have been sold and purchased by the said Village of Atlantic Beach, New York

The foregoing was seconded by Trustee Sullivan and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler

Noes: None

RESOLUTION – NOTIFICATION OF DELINQUENT TAX OWNERS – LIST OF UNPAID TAXES – 2016/2017

CERTIFICATION BY THE BOARD OF TRUSTEES

Trustee Sullivan moved the adoption of the following:

RESOLVED, that the Board members compared the list of unpaid taxes for the fiscal year beginning June 1, 2016 to the current assessment roll, found same in order.

RESOLVED, the Village Clerk submitted the attached list of unpaid taxes for the fiscal year beginning June 1, 2016 (with 11% penalty) - \$18,395.75; unpaid public works - none; unpaid 70¢ rental of village owned property - none; All within Section 58-

Village Clerk was instructed to prepare duplicate tax bills with interest and penalties computed to January 31, 2017 and mail same together with letter calling for payment to each of the delinquent owners.

The foregoing was seconded Trustee Rubin and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler

Noes: None

BEACH CLUB RENTAL OF VILLAGE OWNED PROPERTY ALONG OCEAN BOULEVARD for FEE FOR 2017 -

Trustee Baessler moved the adoption of the following:

RESOLVED, that the rental of the village owned property along Ocean Boulevard will remain at 70¢ per square foot for the 2017 season.

BEACH CLUB RENTAL OF VILLAGE OWNED PROPERTY ALONG OCEAN BOULEVARD  
for FEE FOR 2017 (Continued)

The foregoing was seconded Trustee Sullivan and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler  
Noes: None

COASTAL EROSION HAZARD AREA LAW – FEE

Per Chapter 90 of the Code of the Village of Atlantic Beach – Coastal Erosion Hazard Area Law - all beach clubs and beach front property owners pay an annual fee to the village to conduct any grading, excavation or other soil disturbance.

Trustee Sullivan moved the adoption of the following:

RESOLVED, that the fee will remain at \$100 for the 2017 season.

The foregoing was seconded Trustee Baessler and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler  
Noes: None

VAB PARKING STICKER – 2017 SEASON

Trustee Baessler moved the adoption of the following:

RESOLVED, the VAB parking sticker fee for the 2017 season will be raised to \$350 from \$300.

The foregoing was seconded Trustee Sullivan and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler  
Noes: None

GARDENER LICENSE FEE

Trustee Rubin moved the adoption of the following:

RESOLVED, that the gardener license fee remain at \$75 per truck – trailer no charge.

The foregoing was seconded Trustee Baessler and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler  
Noes: None

RESOLUTION - To Approve Subdivision, 81 Vernon Avenue - Gail Propp

The subdivision was approved by the Zoning Board of Appeals - after their approval the application goes before the Board of Trustees since they act as the Planning Board.

Gail Propp submitted an application to subdivide her property into 2 parcels. On December 15, 2016 the application went before the Zoning Board of Appeals and was approved. The relief the applicant is seeking is from Article V - C Residence District - Section 250-114 - Subdivision into undersized or substandard lots. It shall be unlawful and deemed a violation of this chapter for the owner of a parcel of property to subdivide the same, either by sale, devise, gift, or otherwise into small plots which would result in the creation of one or more undersized or substandard size plots.  
Proposed lot A - 5099.89 square feet; Proposed new lot B - 8243.78 square feet.

Trustee Baessler moved the adoption of the following:

RESOLVED, to approve the subdivision of Gail Propp, 81 Vernon Avenue.  
Nassau County Assessors will issue new tax lot numbers for said lots.

The foregoing was seconded Trustee Rubin and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler

Noes: None

RESOLUTION - To Approve Lot Line Adjustment -71 Montgomery LLC and 81 Montgomery,  
John & Leslie Capobianco

Building Inspector Cherson explained the proposed resolution. Two applications were received, one to maintain a single family dwelling on a larger parcel and a second application to maintain a single family dwelling on a lesser lot as follows:

- the owner of 71 Montgomery Boulevard is seeking to reduce an area to the north side of the property by 6.68'x44 (430.54 S.F.) and the area will become part of 81 Montgomery Boulevard.
- 81 Montgomery Boulevard - John and Leslie Capobianco (VAB#16-11-4632)
  - Existing lot coverage 7348.2 S.F. -Proposed lot coverage 7779 S.F.
- 71 Montgomery Boulevard, 71 Montgomery LLC (VAB#16-11-4631)
  - Existing lot coverage 6660 S.F. -Proposed lot coverage 6229.22 S.F.

The applications will not require any variances = only approval by the Board of Trustees.

Trustee Sullivan moved the adoption of the following:

RESOLVED, that the subdivision to approve lot line adjustment for 71 Montgomery Boulevard and 81 Montgomery Boulevard is approved.

The foregoing was seconded Trustee Rubin and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler

Noes: None

RESOLUTION - Publish Legal Notice in the Nassau Herald to Hold a Public Hearing on February 13, 2017 -Request for Proposal (RFP) - to Replace Street Lighting with LED Street Lighting and New Light Poles on the Boardwalk

Trustee Baessler moved the adoption of the following:

RESOLVED, to publish Legal Notice in the Nassau Herald to hold a Public Hearing on February 13, 2017 Request for Proposal (RFP) to replace street lighting with LED street lighting and new light poles on the boardwalk.

The foregoing was seconded Trustee Rubin and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler  
Noes: None

RESOLUTION - Publish Legal Notice in the Nassau Herald to hold a Public Hearing on February 13, 2017 to amend the Code of the Village of Atlantic Beach -Chapter 250, Article VIII - Zoning - Marine Recreation District and §250-88 Fees

Trustee Rubin moved the adoption of the following:

RESOLVED, to publish Legal Notice in the Nassau Herald to hold a Public Hearing on February 13, 2017 to amend Chapter 250, Article VIII - Zoning - Marine Recreation District and §250-88 fees.

The foregoing was seconded Trustee Baessler and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler  
Noes: None

RESOLUTION - Publish Legal Notice in the Nassau Herald to hold a Public Hearing on February 13, 2017 to go to Bid for the Second Phase of Roadwork Project - Ocean Boulevard

Superintendent of Public Works Cherson explained the second phase of the proposed roadwork project on Ocean Boulevard.

Trustee Rubin moved the adoption of the following:

RESOLVED, to publish legal notice in the Nassau Herald to go out to bid for the 2017 roadwork project on Ocean Boulevard.  
All bids to be received by February 10, 2017 and publicly opened and read aloud and awarded as soon thereafter as practical.

The foregoing was seconded Trustee Sullivan and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler  
Noes: None

APPROVAL OF BILLS

Trustee Sullivan moved the adoption of the following:

RESOLVED, that all bills are approved in the amount of \$481,770.16

The foregoing was seconded Trustee Baessler and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler

Noes: None

APPROVAL OF MINUTES

Motion made by Trustee Sullivan and seconded by Trustee Baessler that the Minutes of December 12, 2016 were accepted as written by the Village Clerk.

DATE OF NEXT MEETING – February 13, 2017

ADJOURNMENT

At 8:30 PM Mayor Pappas made a motion to adjourn.

The foregoing was seconded by Trustee Baessler and passed by the following vote:

Ayes: Mayor George J. Pappas  
Trustees Edward A. Sullivan  
Andrew J. Rubin  
Linda Baessler

Noes: None

*Emily Siniscalchi*

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Emily Siniscalchi, Village Clerk