

MINUTES OF THE PUBLIC HEARING TO ADOPT LOCAL LAW 1-2017  
TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH  
CHAPTER 250 ZONING - ARTICLE VII - MARINE RECREATION  
AND  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF ATLANTIC BEACH  
65 THE PLAZA, ATLANTIC BEACH, NY 11509

FEBRUARY 13, 2017

CALL TO ORDER

At 7:45 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

MOMENT OF SILENCE FOR JUSTINE ZIMMERMAN WHO PASSED AWAY ON JANUARY 25TH

Mayor Pappas said this is a great loss to the village  
Dolores Friedel said she was one of the most marvelous people she knew, loved working  
with her and will deeply miss her.

REPORTS

- I. A. Police Activity Report – January 2017  
Report made by Lt. Rothenberg
- B. Atlantic Beach Rescue/Long Beach Fire Department Report -  
No report received
- C. Beautification Report – Chairperson Dolores Friedel  
They are arranging to do ordering for the Spring sale
- D. Sanitation – Alan Jacobs - absent - no report
- II. PUBLIC WORKS & BUILDING DEPARTMENT REPORT – Steve Cherson report  
given and attached
- III. TREASURER'S REPORT – Herbert A. Klibanoff  
As of January 31, 2017- General Fund \$1,407,741.41;  
Capital Account \$3,535,134.03; or a total of \$4,942,875.44
- IV. LEGAL – Village Attorney Charles S. Kovit - nothing to report
- V. TVASNAC - Carl Baessler  
Next meeting February 27th; he mentioned the article in Newsday  
regarding the runway construction - he said there will be extra air noise  
but are not major runways

PUBLIC HEARING ADOPT LOCAL LAW 1-2017 TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH CHAPTER 250 ZONING - ARTICLE VIII - MR - Marine Recreation Districts §250-73 - Accessory Uses and §250-88 - Fees

Mayor Pappas called the public hearing to order at 7:55 PM

At the beginning of the Public Hearing Mr. Kovit said that the Board had received a local determination letter from the Nassau County Planning Commission with respect to the Marine Recreation and Fee amendments. Mr. Kovit and Mr. Cherson described the amendments, explaining that they were going to tighten up the restrictions on accessory uses at Marine Recreation beach clubs. Essentially, all accessory uses will be subject to a special exception requirement from the Board of Zoning Appeals. Additionally, the building inspector will make the original determination as to whether a particular use qualifies as an accessory use, by being "customarily incidental" to the primary use of the premises as a beach club. Further, the new language clarifies that for each accessory use at a beach club, there will be separate and cumulative compliance with off street parking standards. As to fees, the new language will specifically require reimbursement of the village for its out-of-pocket expenses incurred in connection with public hearings before the Board of Zoning appeals and/or Board of Trustees. At the end of the hearing the Board adopted a motion declaring itself as lead agency and issuing a negative declaration of environmental significance under "SEQRA", as to both amendments.

Trustee Rubin moved the adoption of the following:

RESOLVED, to adopt Local Law 1-2017 to amend the Code of the Village of Atlantic Beach Chapter 250 Zoning - Article VII - MR - Marine Recreation Districts §250-73 Accessory Uses and §250-88 Fees.

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

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

Noes: None

RESOLUTION: SEQRA

Trustee Sullivan moved the adoption of the following:

RESOLVED, to adopt a resolution setting forth a negative declaration of environmental significance in the adoption of Local Law 1-2017.

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

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

Noes: None

RESOLUTION: INCREASE FEES FOR BOARD OF ZONING APPEALS

The Code of the Village of Atlantic Beach - Chapter §250-88 - Fees: For any application which necessitates a public hearing before the Board of Trustees or the Board of Zoning Appeals, there shall be an application fee, plus legal costs, stenographer costs and all other out-of-pocket expenses, actually incurred by the Village, as set forth from time to time by resolution of the Board of Trustees

Trustee Sullivan moved the adoption of the following:

RESOLVED, to increase fees

Residential BZA application fee: \$ 500  
Deposit for residential expenses: \$ 500  
Commercial BZA application: \$1,000  
Deposit for commercial expenses: \$1,000

Any applicant requesting a continuance will be required to make a deposit for additional expenses as stated above.

Any deposits that have money remaining will be refunded and if there isn't sufficient funds applicant will be billed

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

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

Noes: None

At 8:10 PM the Public Hearing was adjourned and went back into the regular meeting.

RESOLUTION: Code of the Village of Atlantic Beach - Article II, Excavations  
§200-6 Permit required; deposit

Superintendent of Public Works Steve Cherson said there are a lot of street openings being done by the utilities.

Mayor Pappas moved the adoption of the following:

RESOLVED, to increase street opening permit fees as follows:  
\$500 - up to 48 sq. ft. \$ 3 sq. ft. (thereafter)  
plus: \$10 sq. ft. refundable restoration

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

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

Noes: None

AWARD BID - 2017 ROADWORK PROJECT

Three sealed bids were received and opened on Friday, February 10th at 10 am by Supt. of Public Works Cherson and Village Clerk Emily Slniscalchi

<u>Company Name</u>	<u>Amount of Bid</u>
- Thomas Novelli Contracting Corp.	\$2,163,800
- United Paving Corporation	\$2,165,425
- A.I.I. Allen Industries, Inc.	\$2,418,390

Superintendent of Public Works Cherson said the roadwork will be done on Ocean Boulevard from Dutchess Boulevard to Putnam Boulevard and the project will start next week.

Trustee Baessler moved the adoption of the following:

RESOLVED, to award bid for the 2017 Roadwork Project to the lowest responsible bidder - Thomas Novelli Contracting Corp. in the amount of \$2,163,800.

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

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

Noes: None

RESOLUTION -PUBLISH LEGAL NOTICE IN THE NASSAU HERALD TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH-ARTICLE XV §250-108 - PROHIBITED AND RESTRICTED USES

O. Tiered or Multi-level parking shall be prohibited in all use districts throughout the Village of Atlantic Beach. This shall be understood to include prohibition of parking structure, and/or structures that support uses elevated above required parking areas.

Trustee Baessler moved the adoption of the following:

RESOLVED, to public Legal Notice in the Nassau Herald to amend the Code of the Village of Atlantic Beach, Article XV -§250-108 - Prohibited and Restricted Uses - to hold a public hearing at the Regular Meeting of the Board of Trustees on March 13, 2017.

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

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

Noes: None

REQUEST FOR PROPOSAL (RFP) - TO REPLACE EXISTING STREET LIGHTING WITH LED LAMPS AND NEW LIGHT POLES WITH LED LIGHTING FOR BOARDWALK

Mayor Pappas said we received one bid - not prepared to award tonight  
TABLE TO THE MARCH MEETING

ATLANTIC BEACH TENNIS CENTER - 2017 SEASON

Trustee Rubin moved the adoption of the following:

RESOLVED to execute the agreement with Shabir Mohamed for the 2017 tennis season - license fee \$30,000 - April 1, 2017 to October 31, 2017. (same fee as 2016)

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

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

GOOD AND WELFARE

Resident Joel Greenberg had a question about the parking at the Boardwalk Bagel.

APPROVAL OF BILLS

Trustee Sullivan moved the adoption of the following:

RESOLVED, that all bills are approved in the amount of \$126,297.03.

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 Rubin and seconded by Trustee Sullivan that the Minutes of January 9, 2017 were accepted as written by the Village Clerk.

DATE OF NEXT MEETING – March 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