

MINUTES OF THE
PUBLIC HEARING TO ADOPT
LOCAL LAW 7-2018 - PROPERTY TAX CAP
AND
REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF ATLANTIC BEACH
65 THE PLAZA, ATLANTIC BEACH, NY 11509

DECEMBER 10, 2018

CALL TO ORDER

Deputy Mayor Sullivan called the meeting to order at 7:45 PM.

SALUTE TO THE FLAG

ROLL CALL

Present were:

Deputy Mayor/Trustee Edward A. Sullivan
Trustees Andrew J. Rubin
Linda Baessler
Danae A. Muddiman
Village Attorney Charles S. Kovit
Treasurer Herbert A. Klibanoff
Village Clerk Emily Siniscalchi

Absent: Mayor George J. Pappas EXCUSED

REPORTS

- I. A. Police Activity Report – November 2018 – given by Lt. Cutrone
November report – 53 summonses issued - movers
- B. Atlantic Beach Rescue/Fire Department Report - Nat Etrog
- 17 aided calls; 4 mutual aid calls; they are always looking
volunteers;
- C. The Village Garden - Suzy Schneider - report given - attached
"A Community Garden for the Residents of Atlantic Beach"
- D. Beautification – Chairperson Dolores Friedel absent
Village Attorney Kovit read her report - nothing new to report;
sweatshirts on sale in the village office
- E. Sanitation Report – Commissioner Allan Jacobs - absent
Village Attorney Kovit read report - one complaint on
Erie Avenue and it was taken care of.
- F. AB Cats - Report given by Laurie Levine - attached
- II. STREETS AND BUILDING DEPARTMENT REPORT – Steve Cherson - absent
Village Attorney Kovit read Steve Cherson's report - attached
- III. TREASURER'S REPORT - Herbert A. Klibanoff
For the month of November, 2018 – we had a grand total of \$1,935,587.93 in
various bank accounts
(Total Capital account \$492,258.00; General Fund \$1,443,329.93)
- IV. LEGAL - Village Attorney Charles S. Kovit – nothing new to report
- V. TVASNAC - Carl Baessler - report given and attached

PUBLIC HEARING TO ADOPT LOCAL LAW 7-2018

At 8:00 PM Deputy Mayor Sullivan called the Public Hearing to order to Adopt Local Law 7-2018 - Motion by: Trustee Rubin - Seconded by: Trustee Muddiman

An overview of the local law was given and any questions answered.

Local Law 7-2018
CHAPTER 210- TAXATION
AMEND ARTICLE IV - §210.24 THRU §210.28
TO AUTHORIZE AN OVERRIDE OF THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW §3-C
VILLAGE OF ATLANTIC BEACH - COUNTY OF NASSAU

A local law to amend Chapter 210 of the Code of the Village of Atlantic Beach – Taxation Article IV- Section 210.24 to authorize an override of the tax levy limit established in General Municipal Law §3-c

Section 210.24. Legislative Intent

It is the intent of this local law to allow the Village of Atlantic Beach to adopt a budget for the fiscal year commencing June 1, 2019 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 210.25. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 210.26. Tax Levy Limit Override

The Board of Trustees of the Village of Atlantic Beach, County of Nassau, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2019 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 210.27. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 210.28. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

Trustee Rubin moved the adoption of the following:

RESOLVED, to adopt Local Law 7-2019 to amend the Code of the Village of Atlantic Beach – Chapter 210 - Taxation - Article IV - §210.24 to §210.28
Property Tax Cap

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

Ayes: Deputy Mayor Edward A. Sullivan
Trustees Andrew J. Rubin
Linda Baessler
Danae A. Muddiman
Noes: None

At 8:05 PM Deputy Mayor Sullivan made a motion to adjourn the public hearing and go back into the regular meeting.

GOOD AND WELFARE

Residents had questions and concerns and the Board said they will look into them:

- Boardwalk lighting - boards broken, nails popping
- Lights on Rescue Road out - very dark
- Large hole north of Bay Boulevard on Acapulco Street
- Sidewalk broken on Hamilton - who is responsible

BOARD OF ZONING APPEALS - Chairman, Commissioner, Alternate Commissioner

APPOINT TERMS OF BOARD OF ZONING APPEALS

Our zoning board will be in existence since January 2003 - the five-member board with the title of Commissioner has terms that end each year – starting with a five-year term to one-year term. In addition, the Board of Trustees must adopt a resolution annually naming one Commissioner as Chairman and the Alternate Commissioner must be appointed annually.

Commissioner - 5 year term

Trustee Baessler moved the adoption of the following:

RESOLVED, to re-appoint Commissioner George Cornish to a five year term commencing January 1, 2019 - December 31, 2023

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

Ayes: Deputy Mayor Edward A. Sullivan
Trustees Andrew J. Rubin
Linda Baessler
Danae A. Muddiman

Noes: None

Chairman - 1 year term

Deputy Mayor Sullivan moved the adoption of the following:

RESOLVED, to re-appoint Commissioner Anthony Siniscalchi as Chairman for a one year term commencing January 1, 2019 – December 31, 2019 - Board of Zoning Appeals.

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

Ayes: Deputy Mayor Edward A. Sullivan
Trustees Andrew J. Rubin
Linda Baessler
Danae A. Muddiman

Noes: None

BOARD OF ZONING APPEALS - Chairman, Commissioner, Alternate Commissioner
(Continued)

Alternate Commissioner - 1 year term

Trustee Rubin moved the adoption of the following:

RESOLVED, to re-appoint Alternate Commissioner Steve Samuels to a one year term commencing January 1, 2019 - December 31, 2019

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

Ayes: Deputy Mayor Edward A. Sullivan
Trustees Andrew J. Rubin
Linda Baessler
Danae A. Muddiman

Noes: None

OVERTIME FOR PUBLIC WORKS – WINTER SNOW REMOVAL

Trustee Baessler moved the adoption of the following:

RESOLVED, that Public Works employees be paid time and one half when working over 40 hours for snow removal during the 2018/2019 winter season.

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

Ayes: Deputy Mayor Edward A. Sullivan
Trustees Andrew J. Rubin
Linda Baessler
Danae A. Muddiman

Noes: None

HIRE TOWING COMPANY TO REMOVE CARS ILLEGALLY PARKED DURING
SNOWSTORMS, EMERGENCIES OR AS NEEDED

Trustee Baessler moved the adoption of the following:

RESOLVED, to hire Burnside Avenue Garage, 686 Burnside Avenue, Inwood, NY to remove cars parked illegally during snowstorms, emergencies or as needed.

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

Ayes: Deputy Mayor Edward A. Sullivan
Trustees Andrew J. Rubin
Linda Baessler
Danae A. Muddiman

Noes: None

APPROVAL OF BILLS

Deputy Mayor Sullivan moved the adoption of the following:

RESOLVED, that all bills are approved in the amount of \$25,963.55.

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

Ayes: Deputy Mayor Edward A. Sullivan
Trustees Andrew J. Rubin
Linda Baessler
Danae A. Muddiman

Noes: None

APPROVAL/CORRECTION OF MINUTES

Minutes of November 19, 2018 were adopted as written by the Village Clerk.

Motion by: Trustee Rubin Seconded by: Deputy Mayor Sullivan
Ayes: Deputy Mayor Sullivan, Trustees Rubin, Baessler, Muddiman

DATE OF NEXT MEETING - Monday – January 14, 2019

At 8:20 PM Deputy Mayor Sullivan made a motion adjourn

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

Ayes: Deputy Mayor Edward A. Sullivan
Trustees Andrew J. Rubin
Linda Baessler
Danae A. Muddiman

Noes: None

Emily Siniscalchi, Village Clerk