

**DRAFT**

MINUTES OF THE PUBLIC HEARING TO AMEND THE CODE OF THE  
VILLAGE OF ATLANTIC BEACH  
- CHAPTER 205 - SWIMMING POOLS & HOT TUBS  
-CHAPTER 250-84 SWIMMING POOL  
AND  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF ATLANTIC BEACH  
65 THE PLAZA, ATLANTIC BEACH, NY 11509

OCTOBER 15, 2018

CALL TO ORDER

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


SALUTE TO THE FLAG

ROLL CALL

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

Village Attorney Charles S. Kovit  
Village Treasurer Herbert A. Klibanoff  
Village Clerk Emily Siniscalchi

Absent: Trustee Danae Muddiman EXCUSED

 **FALL FESTIVAL - Sunday, October 21, 2018 - Mayor Pappas said we will have food/petting zoo/pony ride/crafts/live music -- we are asking for members of our community to become sponsors by donating to help cover expenses for our festival**

REPORTS

- I. A. Police Activity Report - September 2018 – report given by Sgt. Johnson  
62 summonses issued for the month of September  
Parkers: 2 Movers: 61
- B. Atlantic Beach Rescue/Long Beach Fire Department Report  
Report given by Nat Etrog  
Season slowing down - 19 calls in a month; they now have an infrared Drone camera, always need volunteers
- C. Sanitation Report – Commissioner Allan Jacobs - absent  
His report - No complaints - everything running smoothly
- D. Beautification – Chairperson Dolores Etrog  
They ordered sweatshirt jackets to sell at the Fall Festival - looking for volunteers
- E. AB Cats - Beth Brenner  
Report given - attached  
It is 20 years since the AB Cat program was started
- II. PUBLIC WORKS & BUILDING DEPARTMENT REPORT - Steve Cherson  
report given and filed
- III. PARKS & BEACHES - Nat Etrog  
Nat said the end of the season dinner at Villa Mare for the Parks & Beach Commissioners was a great night

REPORTS (Continued)

- IV. TREASURER'S REPORT – Herbert A. Klibanoff  
For the month of September, 2018 – we had \$2,275,135.29 total cash available General Fund \$1,773,959.67; Capital Checking \$501,175.62
- V. LEGAL - Village Attorney Charles S. Kovit  
Noting new to report
- VI. TVASNAC - Carl Baessler - absent

At 8:05 PM Mayor Pappas called the following Public Hearings to order.

Motion by: Trustee Edward A. Sullivan Seconded by Trustee Linda L. Baessler  
All Ayes

**RESOLUTION -SEQRA**

Mayor Pappas moved the adoption of the following:

RESOLVED, to declare a negative declaration of environmental significance for the proposed local law, as established in the environmental assessment form prepared and signed by the Building Inspector, in the village office file.

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

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

Noes: None

**PUBLIC HEARING TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH**

**LOCAL LAW 4-2018: Chapter 205 Swimming Pools & Hot Tubs**  
Chapter 250 Zoning: 250-84 Swimming Pools

Building Inspector Steve Cherson gave an overview of the proposed local law.

Chapter 205. Swimming Pools and Hot Tubs

§ 205-4. Fences and gates.

A. Every swimming pool or hot tub heretofore or hereafter constructed or maintained, except an indoor swimming pool or indoor hot tub, shall be enclosed with a good quality wood or link wire fence five feet minimum in height, six feet maximum. Said fence is to be properly screened with shrubs and plants.

A.1 Properties on Reynolds Channel shall be permitted to have fence enclosures four feet minimum adjacent to the waterway and those portions purchased from the Town of Hempstead or by Town of Hempstead boundary agreement.

Article XI. Swimming Pools

§ 250-84. Conditions for installation and maintenance.

A. No outdoor swimming pool shall be installed or maintained unless:

(1) Such pool is installed wholly in the rear yard of the premises.

(2) There shall be erected and maintained a swimming pool fence enclosing the portion of the area upon which such pool shall be installed. Such fence shall be either a chain-link, wrought iron, plastic or quality timber fence in accordance with the following specifications:

**PUBLIC HEARING TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH  
LOCAL LAW 4-2018 - Continued**

---

(a) Chain-link fence. Said fence shall extend from the ground to a height of not less than five feet, with top and bottom rail, posts spaced not more than eight feet on center and set to extend three feet below grade, in an eight-inch-diameter concrete footing. Chain-link fabric shall be galvanized steel, two-inch mesh No. 9 wire. The fabric shall be fastened to posts and rails so that the bottom of the mesh is not more than one inch above grade. Fabric shall be fastened securely to posts and rails by means of wire clips not more than 30 inches on center.

(b) Timber fence. Said fence shall extend from the ground to a height of not less than five feet, with two horizontal rails on the pool side. Posts shall be spaced not more than eight feet on center and set to extend four feet below grade. The frame design shall produce a rigid structure. Fabric coverings and/or fence panels shall be securely mounted and fastened to the frame and shall be not more than one inch above the grade. All fence materials shall be the No. 1 grade of the type used or chosen.

(c) Properties on Reynolds Channel shall be permitted to have fence enclosures four feet minimum adjacent to the waterway and those portions purchased from the Town of Hempstead or by Town of Hempstead boundary agreement.

Residents were given an opportunity to be heard and any questions answered.

Trustee Sullivan moved the adoption of the following:

RESOLVED, to adopt Local Law 4-2018 to amend the Code of the Village of Atlantic Beach - Chapter 205 Swimming Pools & Hot Tubs and Chapter 250 Zoning: 250-84 Swimming Pools

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

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

Noes: None

**RESOLUTION - Award Bid - 2018 Road improvement Program - Albany Boulevard**

Three sealed bids were received and opened on Friday, October 5, 2018 at 10:00 AM by Supt. of Public Works Cherson and Village Clerk Emily Siniscalchi  
SEALED BIDS RECEIVED FROM:

- A.I.I. Allen Industries, Inc.	\$ 228,245
- Thomas Novelli Contracting Corp.	\$ 241,155
- Graci Paving Associates	\$292,770

Superintendent of Public Works Cherson said the roadwork will be done on Albany Boulevard from Park Street to Ocean Boulevard.

Trustee Sullivan moved the adoption of the following:

RESOLVED, to award bid for the 2018 Road Improvement Program - Albany Boulevard between Park Street and Ocean Boulevard to the lowest responsible bidder - A.I.I. Allen Industries, Inc. in the amount of \$228,245.

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

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

Noes: None

**RESOLUTION - Publish Legal Notice in Nassau Herald to Hold a Public Hearing  
to Amend the Code of the Village of Atlantic Beach**

Trustee Sullivan moved the adoption of the following:

RESOLVED, to publish Legal Notice in the Nassau Herald to hold a public hearing on November 19, 2018 to amend the Code of the Village of Atlantic Beach Chapter 168 - Public Highways and Places and Chapter 250 to include wireless telecommunications facilities.

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

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

**RESOLUTION - Publish Legal Notice in Nassau Herald to Hold a Public Hearing  
to Amend the Code of the Village of Atlantic Beach**

Trustee Baessler moved the adoption of the following:

RESOLVED, to publish Legal Notice in the Nassau Herald to hold a public hearing on November 19, 2018 to amend the Code of the Village of Atlantic Beach Chapter 235-31 Parking, Standing and Stopping

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

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

**GOOD AND WELFARE**

Residents had questions:

Plastic Bag local law:

Village Attorney Kovit explained that the ordinance has a provision by which if a bag does not have the appropriate seal indicating that it is recyclable, then it will be presumed to violate the ordinance  
Resident said Newsday is using recyclable bags and we should notify everyone.

Fall Festival: Janice Sweet said she needs one to 2 volunteers and to contact her or the village clerk

**COMMUNITY GARDEN**

Resident Suzy Schneider said in the Spring we are opening a community garden at the tennis center - growing vegetables, herbs, flowers, etc. Will have workshops, meetings, etc.

**APPROVAL OF BILLS**

Mayor Pappas moved the adoption of the following:

RESOLVED, that bills be paid in the amount of \$90,547.75.

**APPROVAL OF BILLS (Continued)**

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

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

Noes: None

**APPROVAL OF MINUTES**

The minutes of September 10, 2018 were accepted as written by the Village Clerk  
Motion by: Trustee Rubin    Seconded by: Trustee Sullivan    All Ayes

**DATE OF NEXT MEETING** – November 19, 2018 (November 12 Veterans Day holiday)

**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  
Linda L. Baessler  
Andrew J. Rubin

Noes: None

---

Emily Siniscalchi, Village Clerk