

MINUTES OF THE PUBLIC HEARING
TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH
AND
REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF ATLANTIC BEACH
65 THE PLAZA, ATLANTIC BEACH, NY 11509

SEPTEMBER 11, 2017

CALL TO ORDER

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

SALUTE TO THE FLAG

9/11 MOMENT OF SILENCE

ROLL CALL

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

Absent: Trustee Edward A. Sullivan EXCUSED

REPORTS

- I. A. Police Activity Report - August 2017 – report given by Sgt. Lorenzo
36 summonses issued for the month of August
- B. Atlantic Beach Rescue/Long Beach Fire Department Report
Report given by Nat Etrog
33 aided - children, adults, water rescues; training with
EMT's at Eldorado Beach
- C. Sanitation Report – Commissioner Allan Jacobs
No complaints - everything OK
- D. Beautification – Chairperson Dolores Etrog -absent
Her report read by Village Clerk
Hoping to plant on Ocean; will be selling hats at
fall festival - welcome volunteers
- II. PUBLIC WORKS & BUILDING DEPARTMENT REPORT – Steve Cherson
report given and filed
- III. TREASURER'S REPORT – Herbert A. Klibanoff
As of August 31, 2017 we had \$3,222,675.72 total cash available
General Fund \$2,087,397.66 Capital Checking \$1,135,278.06;
- V. LEGAL - Village Attorney Charles S. Kovit – nothing to report

At 8:00 PM Mayor Pappas called the Public Hearing to order.

- N. No person shall be in physical possession of a lighted cigarette, cigar or pipe on the boardwalk or beach areas of the Village of Atlantic Beach as defined in this Chapter. The requirement shall be in addition to all other

LOCAL LAW 4-2017: Chapter 65 - Beaches, Boardwalks and Recreation Areas-
Prohibited Acts: Smoke Free Beach (Continued)

applicable smoking-related regulations enacted by any other level of government with jurisdiction, and shall not be construed as making anything legal which would otherwise be unlawful under regulations. This prohibition shall not include any battery-operated e-cigarette or similar electronic device which does not burn tobacco.

Motion by: Trustee Rubin Seconded by: Trustee Baessler
Ayes: Mayor Pappas, Trustees Baessler, Muddiman, Rubin
Noes: None

LOCAL LAW 5-2017:

Chapter 200 - STREETS AND SIDEWALKS

Article I - Construction, Repair and Maintenance

§ 200-4 Concrete construction required; exceptions.

A. Curbs and sidewalks on streets or other public rights-of-way shall be constructed of concrete.

B. The Board of Trustees may permit curbs to be constructed of materials other than concrete if it is deemed that the proposed construction is safe and will not provide a hazard to the public and can be kept clean and maintained.

C. Any sidewalk, curb, apron or gutter to be replaced or repaired by the Village or its agents shall be constructed of concrete regardless of the material previously approved by permit. Property owners that want in-kind material replaced shall be responsible for the cost, except sidewalks shall remain concrete.

D. Construction requirements to install.

(1) One-course sidewalks to a minimum four thousand (4000) psi shall be cast between forms and constructed to a minimum thickness of four (4) inches, except at commercial area sidewalks, in which case the sidewalk shall be five (5) inches thick. Any sidewalks under traffic-bearing areas, such as a drop curb, apron and a driveway or parking lot, shall be six (6) inches thick, and reinforced with galvanized 6x6-W1.4 W1.4 WWM. Concrete aprons at drop curbs shall be 4000 psi, six (6) inches thick, and reinforced with galvanized 6x6-W1.4 W1.4 WWM. All sidewalks shall be a minimum of four (4) feet wide. All or as approved by the Building Inspector. All handicap drop curb ramps shall be installed as per ANSI 117.1 standards.

(2) One-course curbs shall be cast between forms at four thousand (4000) psi strength and shall have the following dimensions: six (6) inches across the top, eight (8) inches across the bottom, and not less than 18 inches in depth. The top of the curb shall be pitched toward the street and six (6) inches above the gutter/street grade or water line grade. The back of curb shall be vertical and the face of curb shall have a batter of two (2) inches in 18 inches toward the street. At driveways, the top of curb shall be dropped to within 3/4 inch to 1 1/4 inches of the gutter/street grade or water line grade. New drop curbs/curb cuts shall be a minimum of two (2) feet away from property lines and a maximum of 20 feet wide. #5 rebar continuous except through expansion joint. All or as approved by the building inspector.

(3) Expansion joints. The curbs, gutters and combined curbs and gutters shall be cut into sections not longer than twenty (20) feet and shall be provided with one-half-inch expansion joints every fifty (50) feet at the ends of all curves.

Article II: Excavations

200-6.1 Construction requirements to restore.

A. Openings on Newly Constructed or Resurfaced Roads.

No excavation shall be permitted on any newly constructed or resurfaced highway for a period of not less than five years. This subsection does not include any excavation on the right-of-way abutting said newly constructed or resurfaced highway. Should such an opening be required for emergency purposes, permission must be obtained from the Building Department and restoration plans reviewed and approved by the Superintendant of Public Works

B. Restorations.

(1) All restorations shall be cut back a minimum of twelve (12) inches on each side of the excavation as necessary to avoid ragged edges on the restored area. The area

LOCAL LAW 5-2017: Chapter 200 - Streets and Sidewalks
(Continued)

to be restored shall be increased as necessary to avoid residual strips of existing pavement of less than three (3) feet in the smaller dimension.

(2) Work must commence within thirty (30) days from the date of the permit and be satisfactorily restored within ninety (90) days thereafter unless otherwise extended, in writing, by Public Works Department.

C. Construction Requirements

All procedures and materials shall be in conformance with the latest edition of the Nassau County Specifications for Construction of Highways and Bridges and the Nassau County Traffic Signal Specifications as prepared by the Nassau County Department of Public Works.

D. Pavement Restoration Specifications.

(1) Bituminous-type pavement

(a) One and one-half (1 1/2) inches minimum compacted asphalt concrete Type 1A, Item 36SS, two (2) inches minimum compacted dense-graded base course asphalt concrete Item 36DX-M, Five (5) inches minimum compacted dense-graded aggregate base course Item 398 (RCA), all edges of restored pavement shall be sealed with hot asphalt cement a maximum width of two and one-half (2 1/2) inches.

(2) Concrete pavement

(a) Where existing pavement is reinforced or contains joint supports, the removal of the pavement shall be performed in such a manner as to allow projection of six (6) inches of the reinforcement and the undisturbed joint supports into the replacement area. If such is not feasible, the permittee shall indicate proposed corrective measures for approval by the Commissioner. Replacement concrete shall be Type II and entrained with additives such as will assure compressive strength cores of four thousand five hundred (4000) pounds per square inch in forty-eight (48) hours. The concrete shall be of the same thickness as the adjacent undisturbed concrete. With the approval of the Building Department, asphalt concrete base may be used as a replacement for adjacent concrete base on longitudinal cuts only. Where asphalt concrete is used, it shall be two (2) inches thicker than the concrete it replaces.

1. Longitudinal openings

- a. The entire panel width must be removed and replaced. Ends of panels must be saw cut if not at a transverse joint.
- b. In no case shall any portion of the existing panel that is less than six (6) feet from a transverse joint be left in place.
- c. When concrete base panels with asphalt overlays are to be removed, the asphalt shall be cut back a minimum of six (6) inches onto the adjacent panels to provide a smooth vertical edge.

2. Transverse openings

- a. Transverse openings shall be saw-cut ninety degrees (90°) to the longitudinal joints.
- b. Pavement replacement shall be a minimum of two (2) feet on both sides of the trench and a total minimum of six (6) feet wide by the width of the panel.
- c. In no case shall any portion of the existing panel that is less than six (6) feet in length from a transverse joint of existing crack be left in place.
- d. Where openings are skewed across the pavement, the concrete replacement must be carried straight across each panel and not staggered.

Motion by: Trustee Muddiman

Seconded by: Trustee Rubin

Ayes: Mayor Pappas, Trustees Baessler, Muddiman, Rubin

Noes: None

RESOLVED, that the building inspector is hereby authorized to take any and all actions authorized and in compliance with Chapters 165 and 185 of the Village

RESOLUTION - 101 Flamingo Street - Victoria Libbey Simao

(Continued)

Code with respect to the property at 101 Flamingo Street, including but not limited to removal of bamboo, and to charge a lien against such property to recover the full cost thereof, to be levied and collected in the same manner as Village taxes.

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

Ayes: Mayor George J. Pappas
Trustees Linda L. Baessler
Andrew J. Rubin
Danae A. Muddiman

Noes: None

RESOLUTION - 64 Eldorado Street - No Parking Signs

Letter received from owners at 64 Eldorado Street stating the No Parking sign was placed in front of their house - and prior was no sign at all - they feel it a hardship they cannot park in front of their home.

Mayor Pappas moved the adoption of the following:

RESOLVED, to move the No Parking Any Time sign on the east side of Eldorado Street 120' north from the intersection of Pacific Boulevard and Eldorado Street.

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

Ayes: Mayor George J. Pappas
Trustees Linda L. Baessler
Andrew J. Rubin
Danae A. Muddiman

Noes: None

GOOD AND WELFARE

Resident asked if we can get more one-way signs on Bay Boulevard - people driving wrong way - especially on Putnam Boulevard.
Mayor Pappas said he will discuss this.

Resident said construction is allowed 6 days a week in winter and 5 days in summer, unfair that you have to have noise on Saturday.

Resident said that Catalina beach club had their valet parkers park on the side streets- Mayor Pappas said next year we will tell the Valet parking company to use the parking lots first then the streets.

Resident said she took pictures of over 12 dangerously deep pot holes on the street and Mayor Pappas said he will look into it.

Resident asked about bamboo rules - Attorney Kovit said it is illegal and not grandfathered.

APPROVAL OF BILLS

Trustee Rubin moved the adoption of the following:

RESOLVED, that bills be paid in the amount of \$10,139.24

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

Ayes: Mayor George J. Pappas
Trustees Linda Baessler
Andrew J. Rubin
Danae A. Muddiman

Noes: None

APPROVAL OF MINUTES

The minutes of August 14, 2017 were accepted as written by the Village Clerk

Motion by: Trustee Muddiman Seconded by: Trustee Baessler

All ayes

DATE OF NEXT MEETING – October 16, 2017 (October 9 Columbus Day Holiday
(village hall closed))

ADJOURNMENT

At 9:20 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 Linda Baessler
Danae A. Muddiman
Andrew J. Rubin

Noes: None

Emily Siniscalchi

Emily Siniscalchi, Village Clerk