

MINUTES OF THE PUBLIC HEARING ON
LOCAL LAW 3-2020 - CHAPTER 210 - TAXATION
AND
REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF ATLANTIC BEACH
65 THE PLAZA, ATLANTIC BEACH, NY 11509

DECEMBER 14, 2020

CALL TO ORDER

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

Mayor Pappas welcomed everyone for logging on and wished everyone a Happy Hanukkah, Merry Christmas and Happy New Year – stay safe

ROLL CALL

Present in the village hall were:

Mayor George J. Pappas
Trustees Edward A. Sullivan
Linda L. Baessler
Village Attorney Dominick Minerva
Superintendent of Public Works/Building Inspector
Steven Cherson
Village Clerk Emily Siniscalchi

ZOOM: Trustee Andrew J. Rubin

Mayor Pappas said the Board received a letter from Danae Muddiman resigning as Trustee. Mayor Pappas accepts her resignation.

Mayor Pappas announced that Danae Muddiman will be appointed an alternate Commissioner for the Board of Zoning Appeals 1/1/2021 to 12/31/2021

Motion by: Trustee Baessler Seconded by: Trustee Sullivan

All ayes

Mayor Pappas is recommending Patricia Beaumont to replace the seat vacated by Danae Muddiman for the remainder of her term. (June 2021)

Motion by: Trustee Sullivan Seconded by: Trustee Baessler

All Ayes

Patricia Beaumont was sworn in as Trustee by Village Attorney Minerva.

REPORTS

I. . PUBLIC WORKS & BUILDING DEPARTMENT REPORT - Steve Cherson
BUILDINGS: Month of November – 26 building applications
PERMITS ISSUED: Non-structural 15; structural 1; plumbing 1;
S/P 2; solar 3; oil tank 1; C of C 13

PUBLIC WORKS: boardwalk closed in the area of the New
York Beach Club; road work on Ocean Boulevard
Between The Plaza and Dutchess Boulevard

II. LEGAL - Village Attorney Dominick Minerva
Nothing new to report – but recommends executive session after
meeting to discuss personnel matter

III. POLICE REPORT - Mayor Pappas read the report for the month of November
Movers: 44 Parkers: 10 Crime Reports: 7

At 7:50 PM Mayor Pappas called the following Public Hearing to order.
Motion by: Trustee Sullivan Seconded by: Trustee Baessler All Ayes

LOCAL LAW 3-2020 - PUBLIC HEARING TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH - CHAPTER 210 - TAXATION - ARTICLE IV - SECTION 210.24 OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL CODE §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, 2021 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, 2020 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 Sullivan moved the adoption of the following:

RESOLVED, to adopt Local Law 3-2020 to amend the Code of the Village of Atlantic Beach Chapter 210 - Taxation - Article IV - Section 210.24 Overriding the tax levy limit established by General Municipal Code §3-C.

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
 Patricia Beaumont

Noes: None

At 7:55 PM Mayor Pappas made a motion to adjourn the public hearing and go back into the regular meeting. Seconded by Trustee Rubin - All Ayes

GOOGLE QUESTIONS AND CONCERNS

Residents were able to submit questions/concerns/comments on the Village Google form. The Google form allows residents to have an equal opportunity to have a voice and have the questions/concerns answered. Mayor Pappas read and answered them.

QUESTION:

Please enlighten us about the tent on the tennis facility property. What is it's purpose? Was it put up by the tennis center or the Village? And will it stay there?

ANSWER:

The tent was put up by the vendor; will be there from November thru March; The Board had to give permission prior to the meeting. The following resolution is being adopted:

QUESTION:

Can you please give us an update on plans to deter speeding on Park Street and other streets in the village? Please included explanation of the Park Street reconstruction project – which parts will be done first, what will that involve and what is the timeline?

ANSWER:

There is undercover surveillance; considering speed bumps; looking into Purchasing radar gun for car that patrols the village; timing of lights

QUESTION:

Any way to get the boards on our boardwalk as beautiful as the ones in Long Beach? What would it take to do so, can we fundraise?

ANSWER:

Steve Cherson said they have been working on the boardwalk at the New York Beach Club, replacing pilings, girders and decking, extending bike lane

PUBLISH LEGAL NOTICE IN THE NASSAU HERALD TO HOLD A PUBLIC HEARING ON JANUARY 11, 2021 TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH – CHAPTER 235-Vehicle & Traffic §235-64 – ANGLE PARKING

Steve Cherson explained the proposed local law:

Ocean Boulevard: Angle parking -- Center ---Plaza to Dutchess

Trustee Beaumont moved the adoption of the following:

RESOLVED, to publish legal notice in the Nassau Herald to hold a Public Hearing on January 11, 2021 to amend the Code of the Village of Atlantic Beach – Chapter 235—Vehicle & Traffic §235-64 – Angle Parking

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

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

Noes: None

LOT LINE ADJUSTMENT – 1920 & 1930 BAY BOULEVARD

Superintendent of Public Works/Building Inspector Steve Cherson presented the lot line adjustment.

He said the owner of 1930 Bay Boulevard wants to purchase Section 58, Block 79, Lot 37 (3.02' x 100') – 1920 Bay Boulevard from previous owner and combine with his property.

Trustee Baessler moved the adoption of the following:

RESOLVED, to grant lot line adjustment for 1920 & 1930 Bay Boulevard.

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

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

Noes: None

201 BERMUDA STREET – INSTALLATION OF NEW 8 PILE BOAT LIFT

Superintendent of Public Works/Building Inspector Steve Cherson said the owner of 201 Bermuda Street filed an application with the NYS DEC to install the 8 pile boat lift. NYS DEC objects to granting application unless Village of Atlantic Beach approves.

Trustee Sullivan moved the adoption of the following:

RESOLVED, to deny installation of new 8 pile boat lift.

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

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

Noes: None

TENTS: AB TENNIS CENTER; DINOS VILLA MARE; BEGINNINGS

TENNIS CENTER TENT

Trustee Sullivan moved that permission has been given for the tennis center to put up the tent for the period November thru March.

Seconded by: Trustee Baessler All Ayes

DINO'S VILLA MARE AND BEGINNINGS

Board unanimously accepted tents for Dinos Villa Mare and Beginnings based on height and Fire Marshal approval.

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 Sullivan moved the adoption of the following:

RESOLVED, to appoint Commissioner Allan Jacobs to a five year term commencing January 1, 2021 - December 31, 2025

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

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

Noes: None

Chairman - 1 year term

Trustee Beaumont moved the adoption of the following:

RESOLVED, to re-appoint Commissioner Anthony Siniscalchi as Chairman for a one year term commencing January 1, 2021 – December 31, 2021 - Board of Zoning Appeals.

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

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

Noes: None

Appoint Alternate Commissioner

Alternate Commissioner – Steven Lassoff - one year term commencing
January 1, 2021 – December 31, 2021

Motion by: Trustee Rubin Seconded by: Trustee Baessler
All ayes

Alternate Commissioner – Danae A. Muddiman -- one year term commencing
January 1, 2021 – December 31, 2021

Motion by Trustee Baessler Seconded by: Trustee Sullivan
All Ayes

OVERTIME FOR PUBLIC WORKS - WINTER SNOW REMOVAL

Trustee Sullivan moved the adoption of the following:

RESOLVED, that public works employees be paid time and one half - over 40 hours - for snow removal during the 2020/2021 winter season.

The foregoing was seconded by Trustee Beaumont and moved by the following vote:

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

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 Beaumont and moved by the following vote:

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

Noes: None

APPROVAL OF BILLS

Trustee Sullivan moved the adoption of the following:

RESOLVED, that all bills are approved in the amount of \$149,422.28

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

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

Noes: None

APPROVAL OF MINUTES

Motion made by Trustee Sullivan and seconded by Trustee Baessler that the Minutes of November 9, 2020- were accepted as written by the Village Clerk -

Ayes: Mayor Pappas, Trustees Sullivan, Baessler, Rubin

DATE OF NEXT MEETING - Monday, January 11, 2021

ADJOURNMENT

At 8:20 PM Mayor Pappas made a motion to adjourn.

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

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

Noes: None

Emily Siniscalchi, Village Clerk