

Meeting # 2

PUBLIC HEARING TO ADOPT LOCAL LAW 1-2022 TO AMEND THE CODE OF
THE VILLAGE OF ATLANTIC BEACH
CHAPTER 210-16 – ARTICLE II
SENIOR CITIZENS TAX EXEMPTIONS
AND
REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF ATLANTIC BEACH
65 THE PLAZA, ATLANTIC BEACH, NY 11509

FEBRUARY 14, 2022

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
Andrew J. Rubin
Linda L. Baessler
Patricia Beaumont
Village Treasurer Herbert A. Klibanoff
Village Attorney Dominick Minerva
Village Clerk Emily Siniscalchi

REPORTS

1. A. Police Activity Report – December 2021 – Officer Saunders
Movers: 27 Parkers: 2 Crime Reports: 3
 - B. Atlantic Beach Rescue Report Commissioner Nat Etrog
Report given and attached
 - C. Park Commission Report - Chairman Nat Etrog
Report given and attached
 - D. The Village Garden – Chairperson Suzy Schneider
Report given and attached
 - E. Sanitation Report – nothing to report
 - F. Beautification Report – Dolores Friedel
Report given and attached
- II. PUBLIC WORKS & BUILDING DEPARTMENT REPORT – Vincent Amoroso
Report given and attached
- III. TREASURER’S REPORT – Treasurer Herbert A. Klibanoff
For the month of January 2022 – we had \$1,069,807.58 total cash available
Capital checking \$6,152.46; BZA Escrow \$26,220.37
General Fund \$1,037,434.75
- IV. LEGAL – Village Attorney Dominick Minerva – requested executive session
to discuss a matter of potential litigation

GOOD AND WELFARE

Residents had various questions and concerns:

- Lack of protection at dunes at Genesee
- Eldorado gate lock broken
- Gates not being locked at night
- Beginnings parking – makes it difficult to get out of driveway
Lives on Broome; people parking there also not by valet
- Park Street – speeding; light timing
- Gun shells on beach – was told probably washes up on beach from duck hunting
- Who is responsible for cleaning Putnam and Eldorado playgrounds;
No one cleaned street by tennis center
Mayor said the fence will be fixed by summer
Putnam playground – Vincent Amoroso said debris under the
sand is coming up because this was a road at one time
- Lot of plastic on beach – resident walked from Eldorado to East Atlantic Beach and picked
up –does not mind doing it – can anyone else help
- Redoing Park Street – Mayor Pappas said he will find out and report back at next meeting

At 8.25 PM Mayor Pappas called the following public hearing to order

Motion by: Trustee Sullivan Seconded by Trustee Baessler All ayes

Mayor Pappas gave an overview of the proposed Local Law

Public Hearing to Adopt Local Law 1-2022 Amend the Code of the Village of Atlantic Beach –
Article II – 210-1 Senior Citizen Tax Exemptions
LOCAL LAW 1-2022

<u>Annual Income</u>	<u>Percentage Assessed Valuation Exempt From Taxation</u>
\$29,000 or less	50%
\$29,001 - \$29,999	45%
\$30,000 - \$30,999	40%
\$31,000 - \$31,999	35%
\$32,000 - \$32,899	30%
\$32,900 - \$33,799	25%
\$33,800 - \$34,699	20%
\$34,700 - \$35,599	15%
\$35,600 - \$36,499	10%
\$36,500 - \$37,399	5%

Trustee Baessler moved the adoption of the following:

RESOLVED, to adopt Local Law 1-2022 to amend the Code of the Village of
Atlantic Beach – Article II – 210-1 Senior Citizen Exemptions

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

RESOLUTION – To Adopt the Determination and Findings Pursuant to Section 204 of the New York State Eminent Domain Procedure Law in connection with the acquisition of 2025 Park Street and 2035 Park Street

Trustee Sullivan moved the adoption of the following:

INCORPORATED VILLAGE OF ATLANTIC BEACH

Determination and Findings Pursuant To Section 204 of the New York State Eminent Domain Procedure Law

WHEREAS, the Incorporated Village of Atlantic Beach, (“Village”) proposed the acquisition by eminent domain of certain fee properties located at 2025 Park Street a/k/a Section 58, Block 60, Lots 5-9 and 2035 Park Street a/k/a Section 58, Block 60, Lots 1-4 in the Village of Atlantic Beach, State of New York (collectively, the “Subject Properties”) so that the Village may expand adjacent recreational facilities, create a community center with lifeguard beach operations, and create a community park with open space, seating, and landscaping; and

WHEREAS, the New York State Eminent Domain Procedure Law (“EDPL”) sets forth uniform procedures for condemnation of property interests; and

WHEREAS, under EDPL §§ 201 through 204, a public hearing is required to review the public use to be served by a proposed public project and the impact on the environment and residents of the locality where the project will be constructed; and

WHEREAS, the Village held a public hearing with respect to the proposed acquisition of the Subject Properties on January 10, 2022 at the Atlantic Beach Village Hall, and such hearing was held open until January 25, 2022 for the submission of written statements or other documents relating to the project. At the hearing, the public was provided with information concerning the public use, benefits, and purposes to be served by the project, the project location, the reasons for the selection of that location, and the general effect of the project on the environment and residents of the locality. The information was provided through oral remarks and written materials made available to the public at the hearing. The public had an opportunity to present oral or written statements and to submit other documents concerning the proposed project. All testimony, written materials, and comments received have been reviewed, made part of the record, and afforded full consideration.

NOW, THEREFORE, let it be known that the Village, pursuant to EDPL § 204, hereby determines and finds:

- 1) The Incorporated Village of Atlantic Beach, shall exercise its power of eminent domain to acquire title to the following:
 - A) a fee simple absolute interest in 2025 Park Street a/k/a Section 58, Block 60, Lots 5-9; and
 - B) a fee simple absolute interest in 2035 Park Street a/k/a Section 58, Block 60, Lots 1-4.
- 2) The Public Use and Benefit of acquiring the Subject Properties is to expand adjacent recreational facilities, create a community center with lifeguard beach operations, and create a community park with open space, seating and landscaping.

RESOLUTION – To Adopt the Determination and Findings Pursuant to Section 204 of the New York State Eminent Domain Procedure Law in connection with the acquisition of 2025 Park Street and 2035 Park Street (Continued)

- 3) The Village prepared and reviewed a Short Form Environmental Assessment Form in connection with the proposed project, as required by the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law, and associated regulations, including 6 NYCRR 617.1 et. seq. (“SEQRA”), and found that the proposed project will not result in a significant adverse impact on the environment or residents of the locality.

DETERMINATION

Based on due consideration of the record and the foregoing findings, the Incorporated Village of Atlantic Beach has determined that it should exercise its power of eminent domain to acquire the aforementioned Subject Properties so that the Village may expand adjacent recreational facilities, create a community center with lifeguard beach operations, and create a community park with open space, seating, and landscaping.

Copies of this Determination and Findings are available and will be forwarded without cost, upon written request sent to:

Emily Siniscalchi, Village Clerk
Inc. Village of Atlantic Beach
65 The Plaza
Atlantic Beach, NY 11509
Plaza65@aol.com

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

RESOLUTION – 2025 Park Street – Chabad Lubavitch of the Beaches, Inc.
Not-for-Profit Property Tax Exemption

Trustee Baessler moved the adoption of the following:

RESOLVED, to grant Not-for-Profit property tax exemption to
Chabad Lubavitch of the Beaches, Inc. – 2025 Park Street

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

RESOLUTION – Approve Contract with Timothy Lambert of Wellkraft Architectures for Plans Examination Services

Mayor Pappas said they interviewed many people for this position and Timothy Lambert is a good addition.

Trustee Rubin moved the adoption of the following:

RESOLVED, to approve contract with Timothy Lambert of Wellkraft Architectures for Plans Examination Services.

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

RESOLUTION – Appoint Timothy Lambert as Building and Safety Inspection Officer

Mayor Pappas said Timothy Lambert will be authorized to sign and issue building permits.

Trustee Sullivan moved the adoption of the following:

RESOLVED, to appoint Timothy Lambert as Building and Safety Inspection Officer

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
Patricia Beaumont

Noes: None

RESOLUTION: Beach Club Rental of Village Owned Property Along Ocean Boulevard - Fee for 2022

Trustee Baessler moved the adoption of the following:

RESOLVED, that the rental of the village owned property along Ocean Boulevard will remain at 70¢ per square foot for the 2022 season.

The foregoing was seconded 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

RESOLUTION: Coastal Erosion Hazard Area Law - Fee

Per Chapter 90 of the Code of the Village of Atlantic Beach – Coastal Erosion Hazard Area Law - all beach clubs and beach front property owners pay an annual fee to the village to conduct any grading, excavation or other soil disturbance.

Trustee Baessler moved the adoption of the following:

RESOLVED, that the fee will remain at \$100 for the 2022 season.

The foregoing was seconded 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

RESOLUTION: Gardener License Fee

Trustee Rubin moved the adoption of the following:

RESOLVED, that the gardener license fee will remain at \$100 per truck. trailer no charge. (all licenses expire on March 31st)

The foregoing was seconded 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

RESOLUTION: Garage/Tag Sale Fee

Trustee Baessler moved the adoption of the following:

RESOLVED, that the garage/tag sale fee will remain at \$25.

The foregoing was seconded 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

RESOLUTION: Overtime - Public Works Employees - Beach/Tractor 2022 Season

Trustee Sullivan moved the adoption of the following:

RESOLVED, that the 2022 beach season, Public Works employees be paid overtime after 40 hours for work performed over their normal work week grooming the beaches, including Saturday and Sunday.

The foregoing was seconded 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

RESOLUTION: VALET PARKING - FEE

Mayor Pappas said the village adopted a local law "Village Valet License Required". 2017 was the first year it was enforced and the fee was \$500 per location - January 1st thru December 31st.

Trustee Sullivan moved the adoption of the following:

RESOLVED, that the valet license fee for 2022 remain at \$500 per location-January 1st thru December 31st.

The foregoing was seconded Trustee Baessler 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

APPROVAL OF BILLS

Trustee Sullivan moved the adoption of the following:

RESOLVED, that all bills are approved in the amount of \$156,826.38

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

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

Noes: None

APPROVAL OF MINUTES

Motion made by Trustee Rubin and seconded by Trustee Sullivan that the Minutes of January 10, 2022 were accepted as written by the Village Clerk.

DATE OF NEXT MEETING: March 14, 2022

At 8:35 PM Trustee Sullivan made a motion to adjourn the regular meeting and to go into Executive Session to discuss legal matters

At 8:45 PM Mayor Pappas made a motion to call the Executive Session to order

EXECUTIVE SESSION

Present were:

Mayor George J. Pappas
Trustees Linda L. Baessler
Patricia Beaumont
Andrew J. Rubin
Edward A. Sullivan
Village Attorney Dominick Minerva
Village Clerk Emily Siniscalchi

At 9:15 PM Mayor Pappas made a motion to adjourn the Executive Session and go back to the regular meeting. Seconded by Trustee Baessler – all ayes

ADJOURNMENT

At 9:15 PM Mayor Pappas made a motion to adjourn

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

Emily Siniscalchi

Emily Siniscalchi, Village Clerk