

Meeting #13

REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF ATLANTIC BEACH
65 THE PLAZA, ATLANTIC BEACH, NY 11509

NOVEMBER 13, 2023

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
Nathan Etrog
Village Attorney Dominick Minerva
Treasurer Herbert A. Klibanoff
Village Clerk Emily Siniscalchi

Absent: Trustee Patricia Beaumont

REPORTS

1.

- A. Police Activity Report – October 2023
Movers: 13 Aided cases: 8
- B. Atlantic Beach Rescue Report - Commissioner Nat Etrog
Report given and attached
- C. Park & Beach Commission Report - Chairman Nat Etrog
Report given and attached
- D. The Village Garden – Suzy Schneider
Report given and attached
- E. Beautification Report – Dolores Friedel
Report given and attached
- F. Sanitation Report -Allan Jacobs – nothing new to report

II. PUBLIC WORKS & BUILDING DEPARTMENT REPORT
– Supt. of Public Works Vincent Amoroso - Report given and attached

III. TREASURER'S REPORT – Treasurer Herbert A. Klibanoff
For the month of October 2023 – we had \$2,044,847.11 total cash available
Capital checking \$280,811.60; BZA Escrow \$21,606.89;
General Fund \$1,742,428.62

IV. LEGAL – Village Attorney Dominick Minerva
Requested executive session to discuss litigation & personnel

GOOD AND WELFARE

Residents had many questions and concerns regarding the lawsuit filed by the Chabad Lubavitch of the Beaches, Inc. against the Village.

Greenberg Traurig, LLP – Attorney Jim Miskiewicz and Kathy Cole represent the Village in a federal lawsuit by Chabad Lubavitch of the Beaches, Inc. – attached is public statement on settlement terms they presented. Any questions and concerns by the public were answered by the Attorney.

RESOLUTION – To approve the settlement agreement and release of claims in the matter of Chabad Lubavitch of the Beaches, Inc. v. the Incorporated Village of Atlantic Beach et. al, under docket number 2:22-cv-4141

Trustee Sullivan moved the adoption of the following:

RESOLVED, to approve the settlement agreement and release of claims in the matter of Chabad Lubavitch of the Beaches, Inc. v. the Incorporated Village of Atlantic Beach et. al, under docket number 2:22-cv-4141.

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

Ayes: Trustees Edward A. Sullivan
Linda L. Baessler
Nathan Etrog
Noes: Mayor George J. Pappas

RESOLUTION – Publish Legal Notice in the Nassau Herald to hold a Public Hearing on December 11, 2023 to amend the code of the Village of Atlantic Beach – Chapter 235, Vehicle & Traffic

Trustee Sullivan moved the adoption of the following:

RESOLVED, to publish Legal Notice in the Nassau Herald to hold a Public Hearing on December 11, 2023 to amend the Code of the Village of Atlantic Beach Chapter 235 – Vehicle & Traffic - Local Law 4-2023

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

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

RESOLUTION - Publish Legal Notice in the Nassau Herald to hold a Public Hearing on December 11, 2023 - Overriding the Tax Levy Limit Established in General Municipal Code §3-c

Trustee Sullivan moved the adoption of the following:

RESOLVED, to publish Legal Notice in the Nassau Herald to hold a Public Hearing on December 11, 2023 to amend the Code of the Village of Atlantic Beach Chapter 210 – Taxation - Local Law 5-2023

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
Nathan Etrog
Noes: None

RESOLUTION – Authorize the purchase of three (3) speed indicator devices from Elan City for the total sum of \$9,350.00 in accordance with their proposal dated October 24, 2023.

Trustee Baessler moved the adoption of the following:

RESOLVED, to purchase three (3) speed indicator devices from Elan City for the total sum of \$9,350 to be placed at the following locations:

- North side of Park Street westbound between Wayne and Yates Avenue
- North side of Park Street westbound between Ithaca and Hamilton Avenues
- South side of Park Street eastbound between Hamilton and Ithaca Avenues
-

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
Nathan Etrog

Noes: None

APPROVAL OF BILLS

Trustee Baessler moved the adoption of the following:

RESOLVED, that all bills are approved in the amount of \$101,854.32

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

Ayes: Mayor George J. Pappas
Trustees Edward A. Sullivan
Linda L. Baessler
Nathan Etrog

Noes: None

APPROVAL OF MINUTES - October 10, 2023 and October 28, 2023

Approval of October 10, 2023 Minutes were accepted as written by the Village Clerk

- Motion by Trustee Etrog - Seconded by Trustee Sullivan
- Ayes: Mayor Pappas, Trustees Sullivan, Baessler, Etrog

Approval of October 28, 2023 Minutes were accepted as written by the Village Clerk.

- Motion by Trustee Etrog, - Seconded by Trustee Sullivan
- Ayes: Mayor Pappas, Trustees Sullivan, Baessler, Etrog

DATE OF NEXT MEETING: Monday, December 11, 2023

At 8:45 PM Trustee Sullivan made a motion to adjourn the regular meeting and enter into executive session to discuss litigation and personnel; seconded by Trustee Baessler
Ayes: Mayor Pappas, Trustees Sullivan, Baessler, Etrog

At 8:55 PM Mayor Pappas made a motion to call the Executive Session to order.

EXECUTIVE SESSION

Present were:

Mayor George J. Pappas
Trustees Edward A. Sullivan
Linda L. Baessler
Nathan Etrog
Village Attorney Dominick Minerva

At 9:30 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 9:30 PM Mayor Pappas made a motion to adjourn.

The foregoing seconded by Trustee Etrog and moved by the following vote:

Ayes: Mayor George J. Pappas,
Trustees Sullivan, Baessler, Etrog

Emily Siniscalchi

Emily Siniscalchi, Village Clerk