

Meeting # 2

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

FEBRUARY 12, 2024

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

REPORTS

1. A. Police Activity Report – January 2024 – read by Village Clerk  
Movers: 41 Parkers: 0 Aided: 4  
Larceny Auto: 1 incident
  - 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. AB Cats – Beth Brenner -- Report given and attached
  - F. Beautification Report – Dolores Friedel -- Report read by Trustee Etrog
- 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 2024– we had \$1,329,994.62 total cash available  
Capital checking \$277,422.24; BZA Escrow \$24,612.17  
General Fund \$1,027,960.21
  - IV. LEGAL – Village Attorney Dominick Minerva –  
He explained the two Local Laws for consideration; requested that the Board enter into executive session to discuss litigation and personnel matters.

At 8:05 PM Trustee Beaumont made a motion to open the public hearing  
Seconded by Trustee Sullivan – all ayes

**PUBLIC HEARING TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH  
CHAPTER 191-3 – STORAGE UNITS (PODS) - LOCAL LAW 2-2024**

Village Attorney Minerva presented the following Local Law and answered any questions from the residents

**Local Law No:   2   of the year 2024 changed to 2**  
Village of Atlantic Beach, County of Nassau

A Local Law to Amend the Code of the Incorporated Village of Atlantic Beach Chapter 191 entitled "Storage Units" to replace section 191-3 entitled "Penalties for offenses" with a new section 191-3 entitled "License required; expiration of permit; late filing fee; application information" to add a license requirement for companies that rent and deliver portable on-demand storage units (PODS) and to renumber the existing section 191-3 to section 191-4 entitled "Penalties for offenses" and amend same.

Be it enacted by the Board of Trustees of the Incorporated Village of Atlantic Beach as follows:

Section 1. Section 191-3 is hereby replaced with the following language:

191-3. License required; expiration of permit, late filing fee; application information.

- A. All portable on-demand storage unit (PODS) rental companies must be licensed in the Village. Permits have a term of two years from issuance, but in no event shall any resolution establish a term of more than four years. The fee shall be set forth from time to time by resolution by the Board of Trustees. There will be a ten-day grace period or the license will be subject to a late filing fee.
- B. The following information is required to be submitted with the application:
  - (1) The name and address of the applicant;
  - (2) If the applicant operates under a trade name;
  - (3) The name, address and telephone number of where the applicant or person in charge may be contacted 24 hours a day;
  - (4) General liability, workers compensation and disability insurance certificates must be provided naming the Village as certificate holder and with respect to the general liability policy, as additional insured.

[Added 2-12-2024 by L.L. No. -2024]

Section 2. Section 191-3 is hereby renumbered as Section 191-4 and amended with the following language:

191-4 Penalties for offenses.

- A. A violation of this chapter shall, upon conviction, be punishable by a fine of \$1,000 per month for any month or part of a month that a permit has not been obtained for an enclosed container or portable on-demand storage unit.
- B. Any person or entity committing an offense against section 191-3 of this chapter or failing to comply therewith, or with any of the requirements thereof, shall be guilty of a violation punishable by and subject to a fine of not more than \$500.00 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment, for each such violation upon conviction.
- C. The continuation of a violation of any provision of section 191-3 of this chapter shall be deemed a separate violation for each successive week, and such person or entity may be punished for each such separate violation.

**PUBLIC HEARING TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH  
CHAPTER 191-3 – STORAGE UNITS (PODS) - LOCAL LAW 2-2024 (Continued)**

[Amended 2-12-2024 by L.L. No. -2024]

Section 3. Full Force & Effect.

Except as hereinabove amended, Chapter 191 shall remain in full force and effect.

Section 4. Repealer.

All ordinances, local laws or resolutions, or parts of ordinances, local laws or resolutions of the Incorporated Village of Atlantic Beach inconsistent with the provisions of this local law are hereby repealed, provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this local law shall be in addition to other legislation regulating and governing the subject matter covered by this local law.

Section 5. Severability.

If any section, paragraph, subdivision or provision of this local law shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this local law as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

Section 6. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of the State of New York.

Motion by: Trustee Sullivan  
All Ayes GRANTED

Seconded by: Trustee Baessler

**PUBLIC HEARING TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH  
CHAPTER 250-95 ARTICLE XII – BOARD OF ZONING APPEALS MEMBERSHIP –  
LOCAL LAW -2024**

Village of Atlantic Beach, County of Nassau

Village Attorney Minerva presented the following proposed Local Law -  
Many residents had questions and concerns about granting this local law –

A Local Law to Amend the Code of the Incorporated Village of Atlantic Beach  
Chapter 250-95 – Article XIII – entitled “Board of Zoning Appeals” Membership: Rules of  
procedure; powers and duties

A2. Residency

1.

Notwithstanding any other provision of law to the contrary, with the consent of the Board of Trustees, a member of the Board of Appeals shall not be required to be a resident of the Village of Atlantic Beach but shall be a resident of Nassau County.

This local law shall take effect immediately upon filing with the Secretary of the State of New York

Motion by: Trustee Sullivan

Seconded by: Trustee Baessler

All ayes ----- TABLE LOCAL LAW -2024 TO CONTINUE AT THE MARCH 11, 2024 MEETING

GOOD AND WELFARE

Residents had various questions and concerns:

- Speed lights on Park Street: Superintendent of Public Works said we installed three speed calming devices on Park Street and will be monitoring the traffic patterns and will share the results once available
- Eminent Domain-Chabad Settlement;
- Extend an invitation to Nassau County Executive Blakeman to attend a village meeting  
Mayor Pappas said he will contact him

RESOLUTION: Gardener License Fee

Trustee Baessler 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 Etrog and passed by the following vote:

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

Noes: None

RESOLUTION: Garage/Tag Sale Fee

Trustee Sullivan moved the adoption of the following:

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

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

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

Noes: None

RESOLUTION: Overtime - Public Works Employees - Beach/Tractor 2024 Season

Trustee Etrog moved the adoption of the following:

RESOLVED, that the 2024 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 Baessler and passed by the following vote:

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

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 Sullivan moved the adoption of the following:

RESOLVED, that the fee will remain at \$100 for the 2024 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  
Patricia Beaumont  
Nathan Etrog

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 2024 remain at \$500 per location- January 1st thru December 31st.

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

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

Noes: None

RESOLUTION: Beach Club Rental of Village Owned Property Along Ocean Boulevard - Fee for 2024

Trustee Beaumont moved the adoption of the following:

RESOLVED, that the rental of the village owned property along Ocean Boulevard is raised to \$1.00 per square foot for the 2024 season.  
(raised from 70¢ per square foot)

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

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

Noes: None

APPROVAL OF BILLS

Trustee Sullivan moved the adoption of the following:

RESOLVED, that all bills are approved in the amount of \$422,139.89

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

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

Noes: None

APPROVAL OF MINUTES

December 11, 2023 Minutes were accepted as written by the Village Clerk:

Motion made by Trustee Sullivan and seconded by Trustee Baessler

Ayes: Trustee Sullivan, Baessler and Etrog

Abstain: Mayor Pappas, Trustee Beaumont

January 8, 2024 Minutes were accepted as written by the Village Clerk:

Motion made by Trustee Beaumont and seconded by Trustee Etrog

Ayes: Mayor Pappas, Trustees Sullivan, Beaumont and Etrog

Abstain: Trustee Baessler

DATE OF NEXT MEETING: March 11, 2024

At 8:35 PM Trustee Baessler made a motion to adjourn the regular meeting and to go into Executive Session to discuss litigation and personnel matters – seconded by Trustee Beaumont – all ayes

EXECUTIVE SESSION

Present were:

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

At 9:00 PM Mayor Pappas made a motion to adjourn the Executive Session and go back to the regular meeting. Seconded by Trustee Sullivan – all ayes

ADJOURNMENT

At 9:00 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  
Patricia Beaumont  
Nathan Etrog

Noes: None



Emily Siniscalchi, Village Clerk

# Nassau County



# Police Department

BRUCE A. BLAKEMAN  
COUNTY EXECUTIVE

1490 Franklin Avenue  
Mineola, New York 11501  
(516) 573-8800

PATRICK J. RYDER  
COMMISSIONER

Fourth Precinct  
1699 Broadway  
Hewlett, New York 11557

February 1, 2024

Honorable Mayor and Board of Trustees  
Incorporated Village of Atlantic Beach  
65 The Plaza  
Atlantic Beach, New York 11509

Dear Mayor Pappas:

Shown below is the Police Report for the month of January 2024:

AIDED CASES:  
Total Aided: 4

BURGLARY RESIDENCE:  
None

BURGLARY BUSINESS  
None

ROBBERY  
None

LARCENY AUTO  
(1) Incident

LARCENY (other than auto)  
None

CRIMINAL MISCHIEF  
None

MOVERS: 41

PARKERS: None

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent Boden".

Vincent Boden  
Inspector  
Commanding Officer  
Fourth Precinct

**FEBRUARY 12, 2024**

**ATLANTIC BEACH RESCUE SQUAD REPORT – COMMISSIONER NAT ETROG**

**PARKS AND BEACH COMMISSION - CHAIRMAN COMMISSIONER NAT ETROG**

**Atlantic Beach Rescue Squad:**

During the month of January the Atlantic Beach Rescue Squad responded to 13 aided cases, 9 in Atlantic Beach, 1 mutual aid to Long Beach, 1 in East Atlantic Beach, 1 standby for a house fire in Lawrence/Cedarhurst and a water rescue of two duck hunters in swamped boat in Crooked Creek, back of Lawrence. CPR course for Professional Rescuers was conducted in-house for ABRU members.

**Parks and Beaches Commission:**

The National Drowning Prevention Alliance is holding its seven day annual conference in Reno Nevada. Themes will include the dissemination of the recently issued United States National Water Safety Action Plan on which we participated.

The Surfrider Foundation issued its annual 2023 State of the Beach Report which included a New York State section. Discussion included a statement that New York continues to be a leader in climate change planning and in 2023 the State passed several bills to plan for sea level rise and extreme weather events, a bill that requires a sea level rise mitigation and adaptation plan for cities with a population of one million and a bill to incentivize nature-based solutions.

Respectfully submitted,

Nat Etrog,

Trustee

Fire Commissioner

Chairman, Parks and Beaches Commission

Sent from my iPhone

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The Village Garden  
February 12, 2024

Report  
Submitted by Suzy Schneider

**We're entering our sixth season in the community garden and hoping to enjoy another bountiful season.**

**As we have for every garden season, we grow all our flowers, herbs, and vegetable crops for the community garden and for our annual plant sale from seed. Our plants are robust, hearty, and high yielding.**

**This year, we are looking to host the sale, Friday, May 10<sup>th</sup> and Saturday, May 11<sup>th</sup> Plant Sale from seed.**

**Seed starting under the grow lights gets underway in a few weeks. If you would like to volunteer, let me know. It's fun, enlightening, and always a good thing to know how to grow your own pesticide-free food.**

**This year, we plan to continue to make weekly and bi-weekly donations of fresh produce to neighbors in need at the Long Beach Soup Kitchen**

**Hosting our Annual Plant Sale in May and our July Garlic and Shallot Festival.**

**We also hope to bring more environmental and gardening presentations to the community and perhaps some field trips to nearby nature preserves and environmental centers, including Idlewild Park Preserve and Arverne East.**

**The garden is a 11 month a year volunteer endeavor. We welcome new volunteers of all ages – No experience required and you can volunteer as little or as often as you like.**

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Atlantic Beach Cats Report December-January 2024

Due to the cold weather trapping is always slow. Hopefully the upcoming kitten season will have no litters.

We are already planning our yearly plant sale. The sale this year will be held Thursday afternoon May 9 and all day Friday May 10 right before Mothers Day.

Beth H. Brenner  
February 10,2024

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**BEAUTIFICATION REPORT – DOLORES FRIEDEL (Report read by Trustee Etrog)**

**February 12, 2024**

**There are new nylon lined jackets, full zip hooded warm sweatshirts and hats for sale in the Village office.**

**We are beginning the design and ordering process for the Spring and Summer season.**

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BUILDING AND PUBLIC WORKS REPORT February 12, 2024  
Vincent Amoroso

PUBLIC WORKS

The continued FULL closure of the boardwalk at Cayuga to Fulton, eliminating the ability to go from end to end remains in place. There is signage posted at the top of the three ramps. All three ramps are still open.

We have completed the construction of the bike lane from Cayuga thru Erie Blvd. The next phase of boardwalk construction is the complete replacement of decking in the area currently under repair which should be completed by mid -to -late March.

Some minor road patching in various locations has been completed, with other more permanent re surfacing/patching to take place this spring.

The Coronado and Daytona Street paving project has been completed and sprinkler repairs and grass seeding will take place in the spring.

We've installed the three speed calming devices on Park Street and will be monitoring the traffic patterns and will share the results once available.

BUILDING DEPARTMENT

Permits:

8- Non-Structural

15- Structural

7-Plumbing

3- Dumpsters

1-Street opening

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TREASURER'S REPORT FOR THE MONTH ENDING JANUARY 31, 2024

CHASE-REGULAR CHECKING ACCOUNT	\$ 1,002,840.44
CHASE-PAYROLL ACCOUNT	\$ 25,119.77
CHASE-INVESTOR'S CHOICE BZA ESCROW	\$ 24,612.17
CHASE-CAPITAL ACCOUNT CHECKING ACCOUNT	<u>\$ 277,422.24</u>
<b>TOTAL</b>	<u><b>\$ 1,329,994.62</b></u>
CERTIFICATES OF DEPOSIT	<u>\$ 0.00</u>
<b>TOTAL ON HAND</b>	<u><b>\$ 1,329,994.62</b></u>

CAPITAL CHECKING	\$277,422.24
BZA ESCROW	<u>24,612.17</u>
SUB-TOTAL	302,034.41
GENERAL FUND	<u>1,027,960.21</u>

TOTAL CASH AVAILABLE \$ 1,329,994.62

CAPITAL CHECKING ANALYSIS

01.01.2024 BALANCE	\$ 277,233.39
INTEREST FOR PERIOD	188.85
CHECKS WRITTEN	<u>0.00</u>
01.31.2024 BALANCE	<u>\$ 277,422.24</u>

BZA ESCROW ANALYSIS

01.01.2024 BALANCE	\$23,595.07
DEPOSITS	1,000.00
CHECKS WRITTEN	0.00
INTEREST FOR PERIOD	<u>17.10</u>

01.31.2024 BALANCE \$24,612.17

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**Signatures for approval  
of bills to be paid**

Board of Trustees meeting on Monday, Feb. 12, 2024

Mayor George J. Pappas

GP

Deputy Mayor/Trustee Edward Sullivan

[Signature]

Trustee Nathan Etrog

N. Etrog

Trustee Linda Baessler

L.B.

Trustee Patricia Beaumont

GP

**Report Total**

**\$422,143.89**

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**Bills to be approved and paid at Monday, February 12, 2024 Board of Trustees meeting:**

Document No.	Name	Effective Date	Department Code	GL Code	Amount
11048	Guardian Fire Protection	2/12/2024	1620	64120	186.00
1533	Final Elements Studio, LLC	2/12/2024	1010	64102	233.66
172993406	Uline	2/12/2024	7140	64121	360.81
220955	Eartheasy Sustainable Living Inc.	2/12/2024	8510	64404	1,799.00
23921	R&C Rubbish Removal, Inc.	2/12/2024	7140	64121	9,500.00
2840265-2023-12-01	Office of the State Comptroller	2/12/2024	1110	64015	358.00
3318651673	Pitney Bowes Global Financial Servies, LLC	2/12/2024	1010	64101	81.15
44635	Anker's Electric Service Inc.	2/12/2024	5182	64070	250.00
603	Employee Benefits Division	2/12/2024	9000	58060	17,329.57
95266	Satty, Levine & Ciacco, CPAs, P.C.	2/12/2024	1320	64500	8,836.66
Feb 2024 A WB	Winters Bros.	2/12/2024	8160	64450	20,833.33
Feb 2024 A WB	Winters Bros.	2/12/2024	8160	64461	747.20
	Total Winters Bros.				21,580.53
Feb 2024 ADP	ADP, Inc.	2/12/2024	1680	64020	<u>666.33</u>
Feb 2024 Atlaz	Atlaz International	2/12/2024	1410	64470	162.41
Feb 2024 Atlaz	Atlaz International	2/12/2024	3620	62500	<u>150.00</u>
	Total Atlaz Int'l				312.41
Feb 2024 BelMar	Bel-Mar Oil Co.	2/12/2024	7140	64160	549.88
Feb 2024 CM	Centre Millwork	2/12/2024	5110	64130	117.38
Feb 2024 CM	Centre Millwork	2/12/2024	5110	64100	224.83
Feb 2024 CM	Centre Millwork	2/12/2024	7140	64121	<u>5,143.09</u>
	Total Centre Millwork				5,485.30
Feb 2024 DC	Denise Carroll	2/12/2024	1110	64440	100.00
Feb 2024 GSC	America's Gardening Resource Inc.	2/12/2024	8510	64404	1,713.33
Feb 2024 HOT	House of Tires & Auto Service	2/12/2024	3120	62500	209.61
Feb 2024 HOT	House of Tires & Auto Service	2/12/2024	5142	64100	<u>695.35</u>
	Total House of Tires				904.96
Feb 2024 Liberty	Liberty	2/12/2024	1620	64220	664.28
Feb 2024 MD	Minerva & D'Agostino P.C.	2/12/2024	1010	64600	125.00
Feb 2024 MD	Minerva & D'Agostino P.C.	2/12/2024	1420	64001	<u>3,000.00</u>
	Total Minerva & D'Agostino PC				3,125.00
Feb 2024 OIS	Oceanside Iron & Steel Supply	2/12/2024	5110	64130	1,400.00
Feb 2024 Optimum	Optimum	2/12/2024	1110	64200	100.22
Feb 2024 Optimum	Optimum	2/12/2024	1620	64200	<u>655.77</u>
	Total Optimum				755.99
Feb 2024 PB	Patricia Beaumont	2/12/2024	7140	64405	164.43
Feb 2024 RC	Richner Communications, Inc.	2/12/2024		13000	867.00
Feb 2024 RC	Richner Communications, Inc.	2/12/2024	1450	64400	105.00
Feb 2024 RC	Richner Communications, Inc.	2/12/2024	1620	64400	<u>210.00</u>
	Total Richner Comm. Inc.				1,182.00

Incorporated Village of Atlantic Beach  
Unposted General Ledger Transactions

Feb 2024 WB	Winters Bros. Recycling of Long Island, LLC	2/12/2024	8160	64460	5,171.73
INV-NG48	Stasi Industries	2/12/2024	5110	64490	232,510.15
LC-93563	Lawrence Supply, Inc.	2/12/2024	1620	64100	23.76
WH137693	Malvese Equipment Co.	2/12/2024	5110	64470	1,574.79
WH137693	Malvese Equipment Co.	2/12/2024	7140	64410	<u>900.00</u>
	Total Malvese Equipment Co.				2,474.79

**Report Total**

**317,719.72**

**Bills already paid, to be approved:**

Check Number	Vendor Name	Effective Date	Check Amount
9191	Anker's Electric Service Inc.	1/19/2024	250.00
9192	De Lage Landen Financial Services	1/19/2024	159.81
9193	Denise Carroll	1/19/2024	100.00
9194	National Grid	1/19/2024	772.69
9195	Employee Benefits Division	1/19/2024	17,329.57
9196	Optimum	1/19/2024	757.01
9197	Wex Bank	1/19/2024	850.22
9198	Wright National Flood Insurance Co.	1/19/2024	6,614.00
9199	Elan City, Inc.	1/29/2024	9,350.00
9200	Greenberg Traurig, LLP	1/29/2024	13,900.00
9201	Inter County Exterminators	1/29/2024	158.00
9202	J. Creation	1/29/2024	625.00
9203	Jeanine C. Driscoll, Receiver of Taxes	1/29/2024	47,772.66
9204	Principal Life Insurance Co.	1/29/2024	2,421.34
9205	Ready Refresh by Nestle	1/29/2024	106.59
9206	Verizon Wireless	1/29/2024	195.89
9207	TD Card Services	2/6/2024	3,003.46
9208	TD Card Services	2/6/2024	<u>57.93</u>

**Report Total** **104,424.17**

**Total - to be approved and paid** **104,424.17**

**Total - to be approved** **317,719.72**

**Report Total** **422,143.89**