

AGENDA

ANNUAL ORGANIZATIONAL MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF ATLANTIC BEACH

65 THE PLAZA, ATLANTIC BEACH, NY 11509

JULY 7, 2025 7:30 PM

OATH OF OFFICE TO BE ADMINISTERED TO NEWLY ELECTED OFFICIALS

- Trustee Laura Heller
- Trustee Joseph B. Pierantoni

- Village Justice Michael C. Meyerson

Re-Appoint the following:

- Hon. Alison J. Lewis, Associate Village Justice
- Village Attorney Jared Kasschau
- Village Clerk Emily Siniscalchi
- Village Treasurer Herbert A. Klibanoff, Esq.
- Registrar - Emily Siniscalchi -
- Deputy Registrar - Donna Stone

1. CALL TO ORDER
2. SALUTE TO THE FLAG
3. ROLL CALL
4. STATEMENT BY BOARD OF TRUSTEES
5. REPORTS
 - I.
 - A. Police Activity Report - June 2025
 - B. Atlantic Beach Rescue – Commissioner Nat Etrog
 - C. Park & Beach Commissioner – Chairman Nat Etrog
 - D. Chief Lifeguard – Dan Majikas
 - E. Beach Manager – Mike Sorrentino
 - F. The Village Garden – Chairperson Suzy Schneider
 - G. AB Cats -Beth Brenner
 - H. Beautification Report - Chairperson Dolores Friedel
 - I. Sanitation – Allan Jacobs
 - II. PUBLIC WORKS AND BUILDING DEPARTMENT REPORT – Vincent Amoroso
 - III. CODE ENFORCEMENT REPORT – Vincent Amoroso
 - III. TREASURER'S REPORT - Treasurer Herbert A. Klibanoff
 - IV. VILLAGE ATTORNEY – Jared Kasschau

6. CERTIFICATE OF ELECTION
7. RESOLUTION – Designate Official Newspaper
8. RESOLUTION – Payments Made in Advance of Audit
9. RESOLUTION – To Designate 2026 Annual Meeting Date – July 13, 2026
10. RESOLUTION – To Designate Regular Meeting Dates
11. RESOLUTION – Sidewalk Cafes
12. RESOLUTION – Grant Application – Justice Court Assistance Program –
2024-2025 Grant Cycle up to \$30,000 – Install new carpeting in the court room
13. GOOD AND WELFARE
14. APPROVAL OF BILLS
15. APPROVAL OF MINUTES
16. DATE OF NEXT MEETING – August 11, 2025
17. ADJOURNMENT

WEBSITE: villageofatlanticbeach.com

RESOLUTIONS – July 7, 2025

6.

CERTIFICATE OF ELECTION

Certificate of Election for the Village election held on June 17, 2025 showed the following votes cast:

Trustee Joseph B. Pierantoni	- Total votes - 372
Trustee Laura Heller	- Total votes – 257
Village Justice Michael C. Meyerson	
	-Total votes - 377

7.

RESOLUTION – DESIGNATE OFFICIAL NEWSPAPER

Motion by:	Seconded by:
Ayes:	Noes:

RESOLVED, that the Nassau Herald is hereby designated the official newspaper of the Village of Atlantic Beach

8.

RESOLUTION – Payments Made in Advance of Audit

Motion by:	Seconded by:
Ayes:	Noes:

RESOLVED, that the Village Clerk and Village Treasurer to make payments in advance of audit of claims for utilities, insurances, sanitation, postage, freight and express charges, replenishment of petty cash. All such claims are to be presented at the next Regular meeting for audit.

9.

RESOLUTION – TO DESIGNATE 2026 ANNUAL MEETING DATE

Motion by:	Seconded by:
Ayes:	Noes:

RESOLVED, that July 13, 2026 is hereby designated as the Annual Organizational meeting of the Village Board of Trustees.

10.

RESOLUTION – TO DESIGNATE REGULAR MEETING DATES

Motion by:	Seconded by:
Ayes:	Noes:

RESOLVED, that monthly meetings of the Board be held on the 2nd Monday of each month during the current fiscal year.

11.
RESOLUTION – Sidewalk Cafes

Motion by:	Seconded by:
Ayes:	Noes:

12.
RESOLUTION – Grant Application – Justice Court Assistance Program –
2024-2025 Grant Cycle up to \$30,000 – Install new carpeting in the court room

Motion by:	Seconded by:
Ayes:	Noes:

13.
APPROVAL OF BILLS

Motion by:	Seconded by:
Ayes:	Noes:

14. APPROVAL OF MINUTES - June 9, 2025

Motion by:	Seconded by:
Ayes:	Noes:

RESOLUTION AUTHORIZING TEMPORARY SIDEWALK CAFE PERMITS FOR 2025

WHEREAS, Village Code Chapter 180 prohibits Sidewalk Cafes except in certain circumstances as set forth in Chapter 180, and

WHEREAS, the Board of Trustees seeks to provide, on a seasonal basis for 2025, for the controlled utilization of certain outdoor spaces for dining activities, and

WHEREAS, in providing for such controlled utilization, there will be significant benefits to the residents who desire to eat outdoors, and

WHEREAS, the Board finds that it is in the public interest to provide an opportunity for such establishments to provide Sidewalk Cafe spaces, on conditions which balance the public interest in maintaining the quality of life in the community, preserving the public health, safety and welfare of the community, and protecting the users, owners and occupants of surrounding properties, including residential properties, and

WHEREAS, this resolution is adopted to provide a licensing procedure which would balance these needs and desires, encourage the orderly use of property and encourage the revitalization of these popular uses, and

WHEREAS, this resolution is intended to temporarily allow lawfully existing restaurants and food service establishments a means to enlarge or expand their operations outdoors during the period of time this resolution is in effect,

NOW, THEREFORE, be it resolved that

1. For the period of the adoption of this resolution through December 31, 2025, the Board waives the prohibition provided in Chapter 180 with respect to Sidewalk Cafes and provides herein a license procedure for establishments seeking to utilize outdoor dining space in accordance with the conditions herein and any license issued to a particular establishment.
2. With respect to lawfully existing food service establishments that have a liquor license, notwithstanding any provision in the Code of the Village of Atlantic Beach to the contrary, the maximum number of indoor and outdoor seats shall be permitted in the same total amount as if the combined seating area was entirely indoors.

3. Any license issued pursuant to this resolution for Sidewalk Cafe use shall permit outdoor dining solely on property generally recognized as property for use as a Sidewalk Cafe.
4. Any license issued pursuant to this resolution for Sidewalk Cafe use shall be deemed to be a revocable license, which may be revoked by the Board at any time, pursuant to procedures provided in this resolution.
5. Every food service establishment that wishes to utilize its outdoor area for dining under this Sidewalk Café Resolution must file a written request with the Village and obtain a license from the Building Inspector as provided in this resolution within 21 days of the passing of this Resolution. Such license may be issued as provided herein, without any requirement that the applicant obtain any site plan, zoning variance, conditional use permit, or other approval from the Village or any of its boards or agencies, except as otherwise provided in this resolution.
6. All such Sidewalk Cafe use must comply with applicable public assembly, accessibility and fire safety regulations and all applicable federal, state, county and Village laws, rules, orders, codes and regulations, as well as the seating capacity set forth in paragraph 2 where applicable.
7. No license may be issued unless it is first determined by the Building Inspector that the Sidewalk Cafe use will not create a hazard, a sight distance obstruction for motor vehicle operators, nor unduly impede pedestrian traffic, and if located in a parking lot, shall include barriers intended to safely separate the seating areas from motor vehicle traffic.
8. The written request for Sidewalk Cafe use shall include the name of the establishment, a site plan or other diagram clearly depicting the location of the outdoor dining, proposed table and chair locations and number, proof of insurance, fee for such license as determined from time to time by the Board, and if alcohol is to be sold outdoors, a valid license or permit from the New York State Liquor Authority.
9. Upon submission of a written request, the Building Inspector shall consider the application, and if the Building Inspector finds that the proposed use complies with this resolution and any other applicable requirements of law may approve the license.

10. Prior to issuing any license, the Building Inspector may seek input from the Board of Trustees regarding whether to approve the license or impose conditions upon license issuance.

11. Any such license shall be subject to the following conditions and any other conditions imposed by the Building Inspector:

- a. Sidewalk Cafe use shall be operated in compliance with all applicable federal, state, county and Village laws, rules, orders, regulations, ordinances, and codes, and with all applicable permits and licenses or other approvals issued by any other governmental agency, unless specifically provided otherwise in the license.
- b. No food may be cooked or prepared in any area used for outdoor seating. All food and beverages shall be dispensed from the interior of the establishment and there shall be no outdoor bar or service counter.
- c. Permits shall be obtained for all structures erected in furtherance of or in relation to an outdoor dining use as may otherwise be required by law, and in compliance with all applicable fire, safety and building codes.
- d. Where necessary, wind screens shall be provided to contain any loose objects that may otherwise be carried off site by the wind.
- e. Alcohol may only be served in conjunction with food that is otherwise available for purchase without alcohol. All businesses serving alcoholic beverages must be in compliance with all state laws and regulations, including those of the New York State Liquor Authority.
- f. The authorized hours of service shall be stated in the license; provided, however, that service shall not be permitted later than 10:00 p.m..
- g. Smoking and/or vaping is not permitted in any outdoor dining areas.
- h. The premises on which the Sidewalk Cafe service is to be offered must have a valid certificate of occupancy and a public assembly license or place of assembly license, as applicable.
- i. There shall be no sound amplification, public address system, televisions or live entertainment permitted in any outdoor dining area.

12. Each license issued pursuant to this resolution may be revoked, or suspended in whole or in part, by the Building Inspector or the Board of Trustees at any time upon a determination of a violation of law or of any terms or conditions applicable to the license.

13. Any person aggrieved by the suspension or revocation of, or denial of or refusal to renew, any license or permit pursuant to this Resolution, or any condition imposed by the Building Inspector in issuing or enforcing any license or permit, may appeal to the Village Board of Trustees, in writing, within 10 days after notice of any such suspension, revocation or denial. The Board of Trustees shall consider and determine any such appeal expeditiously. Filing of an appeal pursuant to this section shall not constitute or create a stay of the determination being appealed. Any person seeking such a stay shall make written application to the Building Inspector, who may, in the exercise of discretion, grant such stay, with or without conditions, and determine the duration of such stay, provided that no such period shall extend beyond the date the Board of Trustees issues a decision on any appeal. A decision of the Board of Trustees with respect to any appeal may reverse, affirm, or modify the Building Inspector's determination being appealed and in doing so may impose any reasonable conditions which, in the sole discretion of the Board, may be appropriate.

14. This resolution permits outdoor dining only until December 31, 2025.

The fee schedule for Sidewalk Café shall be based upon the number of Sidewalk Café seats requested by the dining establishment as follows:

- a. Up to 12 seats: \$40 per seat.
- b. More than 12 seats and less than 18 seats; \$80 per seat.
- c. More than 18 seats: \$120 per seat.
- d. Fees are due upfront and must be paid by August 15, 2025 to avoid late payment fee of 5%.