

MINUTES OF THE
PUBLIC HEARING TO ADOPT
LOCAL LAW 7-2017 - PROPERTY TAX CAP
AND
REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF ATLANTIC BEACH
65 THE PLAZA, ATLANTIC BEACH, NY 11509

DECEMBER 11, 2017

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 Baessler
Danae A. Muddiman
Village Attorney Charles S. Kovit
Treasurer Herbert A. Klibanoff
Village Clerk Emily Siniscalchi

REPORTS

- I. A. Police Activity Report – November 2017 – read by Village Clerk
November report – 50 summonses issued
- B. Atlantic Beach Rescue/Fire Department Report - Nat Etrog
- 11 calls
- C. Beautification – Chairperson Dolores Friedel absent
- D. Sanitation Report – Commissioner Allan Jacobs - absent
- E. AB Cats - Report given by Trustee Baessler and attached
- II. STREETS AND BUILDING DEPARTMENT REPORT – Steve Cherson
Report given and attached
- III. TREASURER'S REPORT - Herbert A. Klibanoff
For the month of November, 2017 – we had a grand total of \$2,415,268.20 in
various bank accounts
(Total Capital account \$884,423.14; General Fund \$1,530,845.06)
- IV. LEGAL - Village Attorney Charles S. Kovit – nothing new to report
- V. TVASNAC - Carl Baessler - report given and attached

PUBLIC HEARING TO ADOPT LOCAL LAW 7-2017

At 8:00 PM Mayor Pappas said we will hold a Public Hearing to Adopt Local Law 7-2017 - Motion by: Trustee Sullivan - Seconded by: Trustee Muddiman

Mayor Pappas gave an overview of the local law.

Local Law 7-2017
CHAPTER 210- TAXATION
AMEND ARTICLE IV - §210.24 THRU §210.28
TO AUTHORIZE AN OVERRIDE OF THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW §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, 2018 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, 2018 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 Rubin moved the adoption of the following:

RESOLVED, to adopt Local Law 7-2017 to amend the Code of the Village of Atlantic Beach – Chapter 210 - Taxation - Article IV - §210.24 to §210.28 Property Tax Cap

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

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

Noes: None

At 8:05 PM Mayor Pappas made a motion to adjourn the public hearing and go back into the regular meeting.

GOOD AND WELFARE

Complaint received from resident about plastic bottles on the beach and asked if the village can follow like Long Beach and put a 5 cent fee on plastic bags. Mayor Pappas said the Board will consider it.

A resident asked about the local law that was passed on unlicensed vehicles and Mr. Cherson said we are in the process of notifying people before summonses are issued.

BOARD OF ZONING APPEALS

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.

Mayor Pappas moved the adoption of the following:

RESOLVED, to re-appoint Commissioner Anthony Siniscalchi to a 5-year term commencing January 1, 2018 – December 31, 2022 - Board of Zoning Appeals.

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

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

Noes: None

Trustee Baessler moved the adoption of the following:

RESOLVED, to re-appoint Commissioner Anthony Siniscalchi as Chairman for a one year term commencing January 1, 2018 – December 31, 2018 - Board of Zoning Appeals.

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

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

Noes: None

Chairman Siniscalchi was sworn in by Village Attorney Kovit.

OVERTIME FOR PUBLIC WORKS – WINTER SNOW REMOVAL

Trustee Muddiman moved the adoption of the following:

RESOLVED, that Public Works employees be paid time and one half when working over 40 hours for snow removal during the 2017/2018 winter season.

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

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

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 Sullivan and passed by the following vote:

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

Noes: None

Anker's Electric Contract - Street Lighting

Mr. Cherson said the current street lighting contract with Anker's Electric is \$759.29 per month (\$9,111.48 annually). Anker's Electric has now installed LED lights throughout the village and they have submitted a proposal based on a 36 month contract at a reduced rate of \$250.00 per month (\$3,000 annually). This will include no power, fuse, and fuse a holder and secondary connections. Also, emergency service for a hanging light during a vehicle accident. The only cost not involved is an overhead lighting transfer due to new utility pole at a cost of \$375.00 per each complete.

Trustee Rubin moved the adoption of the following:

RESOLVED, to extend the current contract with Anker's Electric for 36 months to maintain the LED street lights throughout the entire village at a reduced rate of \$250.00 per month (\$3,000 annually). Also, emergency service for a hanging light during a vehicle accident. The only cost not involved is an overhead lighting transfer due to a new utility pole at a cost of \$375.00 per each complete.

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

Ayes: Mayor George J. Pappas

Anker's Electric Contract - Street Lighting (Continued)

Trustees Edward A. Sullivan
Andrew J. Rubin
Linda Baessler
Danae A. Muddiman

Noes: None

APPROVAL OF BILLS

Trustee Baessler moved the adoption of the following:

RESOLVED, that all bills are approved in the amount of \$370,586.84.

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

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

Noes: None

APPROVAL/CORRECTION OF MINUTES

Minutes of November 13, 2017 were adopted as written by the Village Clerk.

Motion by: Mayor Pappas Seconded by: Trustee Rubin

Ayes: Mayor Pappas, Trustees Sullivan, Rubin, Baessler, Muddiman

DATE OF NEXT MEETING - Monday – January 8, 2018

At 8:15 PM Mayor Pappas made a motion to go into Executive Session to discuss legal matters.

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

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

Noes: None

EXECUTIVE SESSION

Present were: Mayor George J. Pappas
Trustees Edward A. Sullivan
Andrew J. Rubin
Linda Baessler
Danae A. Muddiman
Village Attorney Charles S. Kovit
Superintendent of Public Works Steven Cherson
Village Clerk Emily Siniscalchi

At 8:50 PM Mayor Pappas made a motion to adjourn the Executive Session and go into Open session seconded by Trustee Baessler and passed by the following vote:

EXECUTIVE SESSION (Continued)

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

Noes: None

ADJOURNMENT

At 8:50 PM Mayor Pappas made a motion to adjourn – seconded by Trustee Baessler and passed by the following vote:

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

Noes: None

Emily Siniscalchi

Emily Siniscalchi, Village Clerk