

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

SEPTEMBER 12, 2022

CALL TO ORDER

Mayor Pappas called the meeting to order at 7:45 PM

SALUTE TO THE FLAG

There was a moment of silence for family and friends of 911

ROLL CALL

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
Treasurer Herbert A. Klibanoff

REPORTS

1. A. Police Activity Report – August 2022 - read by Village Clerk
Movers: 40 Parkers: 23 Crime Reports: 9
 - B. Atlantic Beach Rescue Report Commissioner Nat Etrog
Report given and attached
 - C. Park Commission Report - Chairman Nat Etrog
Report given and attached
 - D. Beach Manager – Steve Moregnlander
Report read by Nat Etrog and attached
 - E. The Village Garden – Suzy Schneider
"A Community Garden for the Residents of Atlantic Beach"
Report given and attached
 - F. AB Cats – no report
 - G. Beautification Report – Dolores Friedel
Report given and attached
 - H. Sanitation Report -Allan Jacobs -no complaints, running smoothly
- II. PUBLIC WORKS & BUILDING DEPARTMENT REPORT – Vincent Amoroso
Report given and attached
- III. TREASURER'S REPORT – Treasurer Herbert A. Klibanoff
For the month of August 2022 – we had \$2,262,022.76 total cash available
Capital checking \$6,155.48; BZA Escrow \$43,779.20
General Fund \$2,212,088.08

REPORTS (continued)

IV. LEGAL – Village Attorney Dominick Minerva reported that the Village has acquired title to the real property known as 2035 Park Street through Eminent Domain and that the Vesting Order has been filed with the Nassau County Clerk. He also reported that a preliminary injunction was issued by the Federal District Court with regard to the acquisition of 2025 Park Street by Eminent Domain and that proceeding will be on hold pending the outcome of the Federal Litigation.

GOOD AND WELFARE

Residents had various questions and concerns:

- Sidewalk on Park between Ithaca and Jefferson – south side have been replaced at the property owners expense per Vincent Amoroso
- Bay Boulevard road in bad condition
- Atlantic Beach Bridge – sign says new improvement – Mayor Pappas said they are looking into Easy Pass – but yearly decals can still be purchased, not sure of fee; Toll plaza will not be taken down
- Eminent Domain questions – Village Attorney Minerva said the Board cannot discuss legal strategy in open session in response to questions from the public;
- How will residents be kept up to date on Eminent Domain – Mayor Pappas said he will send out letter soon
- Residents sought clarification if the Village now owned 2035 Park Street. Village Attorney Minerva clarified that the Village has acquired title to 2035 Park Street and the advanced payment agreement on the agenda related to the payment for the property.
- The public inquired as to how the advance payment would be paid and the Board indicated that they would bond the acquisition cost.

VILLAGE EVENTS

- * PHARMACEUTICAL TAKE BACK DAY – Saturday, October 22, 2022 - 10 AM – 1 PM at Village Hall - prescription drug take back day aims to provide a safe, convenient and responsible means of disposing of prescription drugs, while also educating the general public about the potential for abuse of medications
- * NARCOM TRAINING- Tuesday, October 25, 2022 – 7 PM at the Village Hall
- * LIBERTY WATER – setting up date for them to come to the village hall

RESOLUTION – Winters Bros. Waste Systems – CPI Adjusted Rate

Mayor Pappas said the disposal agreement the Village has with Winters Bros. allows for an annual price adjustment based on the consumer price index (CPI) and the average cost of disposal experienced by the company. The disposal agreement has a maximum allowed price adjustment of 5%. The current published CPI for July, for the Garbage and Trash Collection is 5.2%. Winters Bros. is adjusting the rate 3.5% - the new disposal rate effective August 20, 2022 is \$99.32 per ton.

Trustee Sullivan moved the adoption of the following:

RESOLVED, Winters Bros. adjusting the CPI rate to 3.5% effective August 20, 2022 at \$99.32 per ton.

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

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

Noes: None

RESOLUTION – Appoint Mayor George J. Pappas as the records appeal

Trustee Rubin moved the adoption of the following:

RESOLVED, to appoint Mayor George J. Pappas as the records appeal officer pursuant to Freedom of Information Law.

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

Ayes: Mayor George J. Pappas
Trustees Linda L. Baessler
Patricia Beaumont
Andrew J. Rubin
Edward A. Sullivan
Noes: None

RESOLUTION – Approve Advanced Payment Agreement between the Inc. Village of Atlantic Beach and M.A. Salazar, Inc. and authorize Mayor George J. Pappas and/or the Law Firm of Goldstein, Rikon, Rikon & Levi, P.C. to execute same

Trustee Sullivan moved the adoption of the following:

RESOLVED, to Approve Advanced Payment Agreement between the Inc. Village of Atlantic Beach and M.A. Salazar, Inc. and authorize Mayor George J. Pappas and/or the Law Firm of Goldstein, Rikon, Rikon & Levi, P.C. to execute same

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

Ayes: Mayor George J. Pappas
Trustees Linda L. Baessler
Patricia Beaumont
Andrew J. Rubin
Edward A. Sullivan
Noes: None

RESOLUTION – To authorize the purchase of a street sweeper from the New York State Bid

Superintendent of Public Works Vincent Amoroso explained the State Contract and the purchase price is \$209,240.00; financed amount \$244,659.00 – finance over 5 years with annual payment of \$48,931.00 – first payment June 9, 2023

Trustee Beaumont moved the adoption of the following:

RESOLVED, to approve the purchase of the street sweeper from the NY State Contract.

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

Ayes: Mayor George J. Pappas
Trustees Linda L. Baessler
Patricia Beaumont
Andrew J. Rubin
Edward A. Sullivan
Noes: None

Trustee Sullivan moved the adoption of the following:

RESOLVED, that all bills are approved in the amount of \$165,055.92

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

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

Noes: None

APPROVAL OF MINUTES

Motion made by Trustee Rubin and seconded by Trustee Beaumont that the Minutes of August 8, 2022 were accepted as written by the Village Clerk.

Ayes: Trustees Baessler, Beaumont, Rubin Sullivan
Abstain: Mayor George J. Pappas

DATE OF NEXT MEETING: Tuesday, October 11, 2022 (Monday, October 10 holiday)

At 8:25 PM Trustee Baessler made a motion to adjourn the regular meeting and to go into Executive Session to discuss legal matters -- All Ayes

At 8:30 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
Treasurer Herbert A. Klibanoff

At 8:45 PM Trustee Sullivan made a motion to adjourn the Executive Session and go back to the regular meeting. Seconded by Trustee Baessler – all ayes

ADJOURNMENT

At 8:45 PM Mayor Pappas made a motion to adjourn

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

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

Emily Siniscalchi

Emily Siniscalchi, Village Clerk