

SPECIAL MEETING OF THE BOARD OF TRUSTEES

OF THE VILLAGE OF ATLANTIC BEACH

SEPTEMBER 15, 2025

CALL TO ORDER

Meeting called to order at 6:00 pm

SALUTE TO THE FLAT

ROLL CALL

Present were: Mayor Barry M. Frohlinger  
Trustee Douglas Garczynski  
Trustee Laura Heller  
Trustee Peter Millius  
Trustee Joseph B. Pierantoni

Village Attorney Jared A. Kasschau  
Village Clerk Emily Siniscalchi

**The attached resolution presented by Mayor Frohlinger**

**RESOLUTION  
DETERMINING FOIL APPEAL**

ADJOURNMENT

At 6:20 PM Trustee Pierantoni made a motion to adjourn

Seconded by: Trustee Garczynski

Ayes: Mayor Frohlinger, Trustees Heller, Pierantoni, Millius, Garczynski



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Emily Siniscalchi, Village Clerk

**RESOLUTION**  
**DETERMINING FOIL APPEAL**

**WHEREAS**, on May 16, 2025, Sarah Greenwald of The Jewish Press (Applicant) submitted to the Village Clerk as Records Access Officer for the Village of Atlantic Beach a request pursuant to the Freedom of Information Law (FOIL), which is attached as **Exhibit A** (the "Request"); and,

**WHEREAS**, it is undisputed that the Village Clerk timely acknowledged receipt of the Request on May 16, 2025, and informed the Applicant on June 2, June 23, and July 18 that it was taking her longer than anticipated to respond to the Request given the amount of information sought, the recent Village Election, change in administration, staffing levels, and pending litigation; and

**WHEREAS**, the Village Clerk issued a response to the Request on August 9, 2025, that included specific responses to each item sought in the Request along with over 500 pages of documents and information that the Village Clerk identified as responsive to the Request. A copy of the Response without the accompanying document production is attached as **Exhibit B**; and

**WHEREAS**, Shlomo Greenwald of The Jewish Press filed a FOIL Appeal with the Village Clerk on August 29, 2025, which is attached as **Exhibit C** (the "Appeal") for determination by the Mayor and Board of Trustees of the Village of Atlantic Beach; and

**WHEREAS**, the Mayor and Board of Trustees of the Village of Atlantic Beach determines the Appeal as follows:

1. Request No. 1 – External Communications – The Village has received the email information from its IT vendor, which consists of 8,549 documents. There are 6,044 documents that "hit" on the search terms included in the Request. The cost of reviewing the information for purposes of culling information responsive to the request and redacting privileged, protected or otherwise exempt information from disclosure is estimated to be \$31,228. This amount was arrived at by estimating a review speed of 60 pages per hour, using an outside vendor's electronic review platform, multiplied by the Village Attorney's hourly rate of \$310 per hour. The Village Clerk is directed to inform the Applicant on or before September 19, 2025, of the cost of conducting such review before undertaking such work and to certify to the Applicant whether it is in possession of any text messages potentially responsive to the Request.
2. Request No. 2 – Final Determinations or Notices – § 89(3)(a) of the Public Officers law provides, in relevant part, "[u]pon payment of, or offer to pay, the fee prescribed therefor, the entity shall provide a copy of such record and certify the correctness of such copy if so requested, or as the case may be, shall certify that it does not have possession of such record or that such record cannot be found after diligent search." Applicant is seeking "a certification by part number that the Village has conducted a diligent search and produced all responsive records as required under FOIL". There is no legal requirement for the Village to produce the type of certificate that Applicant is seeking, however, to resolve this Appeal, the Village Clerk is directed to certify to the Applicant on or before September 19, 2025, whether there are any further documents responsive to the Request.

3. Request No. 3 – Records Disclosed in Litigation – The Village has reached out to Special Counsel who indicated that the information sought in the request is subject to a Confidentiality Stipulation and Proposed Protective Order, dated November 29, 2022, that was So-Ordered by United States Magistrate Judge Arlene R. Lindsay in the lawsuit captioned *Chabad Lubavitch of the Beaches, Inc. v. Incorporated Village of Atlantic Beach, et al.*; 2:22-cv-04141 E.D.N.Y. (Docket No. 68). Special Counsel provided the archived information to the Village Attorney, which consists of 27,106 documents. The cost of culling the archived information for purposes of determining whether the information is responsive to the request and redacting information protected by the Court Order or otherwise exempt from disclosure is estimated to be \$140,048. This amount was arrived at by estimating a review speed of 60 pages per hour, using an outside vendor’s electronic review platform, multiplied by the Village Attorney’s hourly rate of \$310 per hour. The Village Clerk is directed to inform the Applicant on or before September 19, 2025, of the cost of conducting such review before undertaking such work.
4. Request No. 4 – Legal Invoices and Attorney Costs – Contrary to the Appeal, the legal invoices produced by the Village Clerk include non-exempt information including the attorney names, payees, dates, time and amounts. The only portion of the legal invoices that appear to be redacted is the description of services. Notwithstanding the foregoing, the Village Clerk is directed to reconsider the redactions to the description of services to allow for the production of non-exempt information and produce that information to Applicant on or before September 19, 2025.
5. Request No. 5 – Public Relations Firms and Consultants – The only redaction to the information produced by the Village Clerk appears to be the omission of the Village’s checking account number and routing number, which are appropriately withheld under POL § 87(2)(i), as such that portion of the Appeal is denied. Notwithstanding the foregoing, the Village Clerk is directed to certify whether it possesses information responsive subpart (2) of the Request and to produce that information to the Applicant on or before September 19, 2025.
6. Request No. 6 – Resident Complaints and Petitions - § 89(3)(a) of the Public Officers law provides, in relevant part, “[u]pon payment of, or offer to pay, the fee prescribed therefor, the entity shall provide a copy of such record and certify the correctness of such copy if so requested, or as the case may be, shall certify that it does not have possession of such record or that such record cannot be found after diligent search.” Applicant is seeking “a certification by part number that the Village has conducted a diligent search and produced all responsive records as required under FOIL”. There is no legal requirement for the Village to produce the type of certificate that Applicant is seeking, however, to resolve this Appeal, the Village Clerk is directed to certify to the Applicant on or before September 19, 2025, whether there are any further documents responsive to the Request.
7. Request No. 7 – Public Messaging & Press Strategy – The Village Clerk is directed to reach out to Applicant, as expressly invited in the Appeal, on or before September 19, 2025, and request additional clarification with respect to the information being sought. Specifically, the last sentence of the request “[o]r strategy documents directing response to controversy surrounding Chabad, the tax, increase, or eminent domain proceedings” is plainly unintelligible.

Dated: September 15, 2025

Motion by: Trustee Garczynski  
Seconded by: Deputy Mayor Pierantoni  
Vote: Unanimously in favor

# **EXHIBIT A**

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**From:** Sara Greenwald <sarag@jewishpress.com>  
**Sent:** Thursday, May 15, 2025 7:44 PM  
**To:** Village Office <office@villageofatlanticbeach.com>  
**Cc:** Shlomo Cell <sgreenwald@jewishpress.com>  
**Subject:** FOIL Request – Chabad of the Beaches / 2025 Park Street

**Records Access Officer**

Village of Atlantic Beach  
65 The Plaza  
Atlantic Beach, NY 11509

**Re: FOIL Request – Chabad of the Beaches / 2025 Park Street**

Dear Records Access Officer:

Pursuant to the New York State Freedom of Information Law (Public Officers Law §§ 84–90), I request access to the following records created or received by the Village of Atlantic Beach from **January 1, 2021 to the present**, concerning **Chabad of the Beaches** and/or the property located at **2025 Park Street**:

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**1. External Communications**

All **emails or text messages exchanged between Village officials** (including the Mayor, Trustees, Village Attorney, or Village Clerk) and:

- outside legal counsel;
- media contacts or journalists;
- Nassau County officials;
- public relations or media consultants;
- residents or civic associations;
- First Liberty Institute or other counsel for Chabad;

that including but not limited to any of the following keywords:

“Chabad,” “2025 Park,” “synagogue,” “lifeguard center,” “Hasidic,” “Shul,” “Orthodox,” “Yeshiva,” “Shabbat,” “Minyan,” “Jewish center,” “zoning,” “variance,” “invasion,” “overrun,” “takeover,” “those people,” “they’re coming,” “problem,” “outreach,” “religious use,” or “traffic.”

This excludes purely internal deliberative communications among Village employees unless any were **shared with outside parties**.

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## 2. Final Determinations or Notices

- All **formal zoning or planning determinations**, decision letters, or denial notices relating to applications by Chabad;
  - All **resolutions and public statements** by the Village or its boards regarding the proposed eminent domain of 2025 Park Street.
- 

## 3. Records Disclosed in Litigation

Copies of all **emails, text messages, or other records produced to Chabad or its counsel** in any federal, state, or administrative proceeding including:

- the eminent domain action;
- zoning application disputes;
- RLUIPA or First Amendment claims.

This includes materials disclosed in **discovery, subpoena responses, or submitted as exhibits**.

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## 4. Legal Invoices and Attorney Costs

- All **Retainers, invoices and billing statements** submitted by legal counsel in connection with litigation, zoning issues, or any actions related to Chabad or 2025 Park Street;
- 

## 5. Public Relations Firms and Consultants

- Any **contracts, invoices, or payments** made by the Village to public relations firms, communications consultants, or crisis management firms that provided services related to:
  - Chabad of the Beaches;
  - Zoning applications or community opposition;
  - The Village’s response to media inquiries or litigation;

- Any **email communications with firms** that were ultimately not retained, concerning messaging, public sentiment, press strategy, or talking points.
- 

## 6. Resident Complaints and Petitions

Copies of **letters, emails, petitions, or complaints** submitted by members of the public or civic associations concerning:

- Chabad of the Beaches;
  - the use of 2025 Park Street;
  - concerns about religious groups, traffic, or property use;
  - requests to block zoning applications, variances, or permits.
- 

## 7. Public Messaging & Press Strategy

Any records containing:

- talking points,
  - draft press releases,
  - public statements,
  - responses to inquiries,
  - or strategy documents directing response to controversy surrounding Chabad, the tax increase, or the eminent domain proceedings.
- 

### Format and Delivery:

Please provide records in **electronic format** where possible (searchable PDF), and email them to this address.

If any portion of this request is denied, please identify the specific FOIL exemption claimed and explain the reason, pursuant to Public Officers Law § 89(4)(a). For any partially exempt documents, I request redacted versions with all non-exempt portions released.

Thank you for your attention to this matter.

Sincerely,  
*The Jewish Press*

# **EXHIBIT B**

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INCORPORATED

# Village of Atlantic Beach

BARRY M. FROHLINGER  
MAYOR

LAURA HELLER  
PETER MILLIUS  
JOSEPH B. PIERANTONI  
TRUSTEES

65 THE PLAZA  
P.O. BOX 189  
ATLANTIC BEACH, N.Y. 11509  
(516) 371-4600 FAX (516) 371-4631  
email: [office@villageofatlanticbeach.com](mailto:office@villageofatlanticbeach.com)  
[www.villageofatlanticbeach.com](http://www.villageofatlanticbeach.com)

HERBERT A. KLIBANOFF  
TREASURER  
EMILY SINISCALCHI  
VILLAGE CLERK

August 9, 2025

**VIA EMAIL ([sgreenwald@jewishpress.com](mailto:sgreenwald@jewishpress.com))**

Mr. Shlomo Greenwald  
3692 Bedford Avenue, Suite P2  
Brooklyn, New York 11229

Re: Your FOIL Request of May 16, 2025

Dear Mr. Greenwald:

This letter constitutes a determination of your FOIL request, dated May 16, 2025 (Enclosed), seeking the following information for the period from January 1, 2021 to the present, concerning Chabad of the Beaches and/or the property located at 2025 Park Street.

## 1. REQUEST NO. 1 - External Communications

All emails or text messages exchanged between Village officials (including the Mayor, Trustees, Village Attorney, or Village Clerk) and:

1. Outside legal counsel
2. Media contacts or journalists
3. Nassau county officials
4. Public relations or media consultants
5. Residents or civic associations
6. First Liberty Institute or other counsel for Chabad

That including but not limited to any of the following keywords:

“Chabad,” “2025 Park,” “synagogue,” “lifeguard center,” “Hasidic,” “Shul,” “Orthodox,” “Yeshiva,” “Shabbat,” “Minyan,” “Jewish center,” “zoning,” “variance,” “invasion,” “overrun,” “takeover,” “those people,” “they’re coming,” “problem,” “outreach,” “religious use,” or “traffic.”

This excludes purely internal deliberative communications among Village employees unless any were shared with outside parties.

RESPONSE TO REQUEST NO. 1

This request is denied to the extent it seeks information excepted from production including (a) communications protected under attorney-client privilege (see Public Officers Law § 87[2][a], CPLR 4503(a)(1)) and (b) inter-agency or intra-agency materials (see Public Officers Law § 87[2][g]).

Notwithstanding the foregoing, the Village is working with its outside IT vendor to search the Village's email server for information potentially responsive to this request (the Village is not in possession of any text messages) and will supplement this response to the extent responsive information is identified.

**2. REQUEST NO. 2 – Final Determinations or Notices**

- 1. All formal zoning or planning determinations, decision letters, or denial notices relating to applications by Chabad;**
- 2. All resolutions and public statements by the Village or its boards regarding the proposed eminent domain of 2025 Park Street.**

RESPONSE TO REQUEST NO. 2

Copies of the requested determinations are produced herewith as “Req. 2(1) – Building Inspector Determination” and “Req. 2(1) – BZA Determination”

Copies of the requested resolutions are produced herewith as “Req. 2(2) – BOT Minutes 12.13.2021”, “Req. 2(2) – BOT Minutes 01.10.2022”, “Req. 2(2) – 01.10.22 Public Hearing”, and “Req. 2(2) – BOT Minutes 01.08.2024”.

**3. REQUEST NO. 3 – Records Disclosed in Litigation**

**Copies of all emails, text messages, or other records produced to Chabad or its counsel in any federal, state, or administrative proceeding including:**

- 1. The eminent domain action;**
- 2. Zoning application disputes;**
- 3. RLUIPA or First Amendment claims**

**This includes materials disclosed in discovery, subpoena responses, or submitted as exhibits.**

RESPONSE TO REQUEST NO. 3

The Village is not in possession of the information requested. The information was compiled by special counsel to the Village.

4.

**REQUEST NO. 4 – Legal Invoices and Attorney Costs.**

1. **All retainers, invoices, and billing statements submitted by legal counsel in connection with litigation, zoning issues, or any actions related to Chabad or 2025 Park Street.**

RESPONSE TO REQUEST NO. 4

This request is denied to the extent it seeks information excepted from production including (a) communications protected under attorney-client privilege (see Public Officers Law § 87[2][a], CPLR 4503(a)(1)) and (b) inter-agency or intra-agency materials (see Public Officers Law § 87[2][g]).

Notwithstanding the foregoing, copies of the requested information with redactions are produced herewith as “Req. 4 – Engagement Letters\_Redacted” and “Req. 4 – Legal Invoices\_Redacted”.

**5. REQUEST NO. 5 – Public Relations Firms and Consultants**

1. **Any contracts, invoices, or payments made by the Village to public relations firms, communications consultants, or crisis management firms that provided services related to:**
  1. **Chabad of the Beaches**
  2. **Zoning applications or community opposition;**
  3. **The Village’s response to media inquires or litigation;**
2. **Any email communications with firms that were ultimately not retained, concerning messaging, public sentiment, press strategy or talking points.**

RESPONSE TO REQUEST NO. 5

This request is denied to the extent it seeks information excepted from production including (a) communications protected under attorney-client privilege (see Public Officers Law § 87[2][a], CPLR 4503(a)(1)) and (b) inter-agency or intra-agency materials (see Public Officers Law § 87[2][g]).

Notwithstanding the foregoing, copies of the requested information with redactions are produced herewith as “Req. 5 – ZE Consulting\_Redacted”

**6. REQUEST NO. 6 – Resident Complaints and Petitions**

**Copies of letters, emails, petitions, or complaints submitted by members of the public or civic associations concerning:**

1. **Chabad of the Beaches;**
2. **The use of 2025 Park Street;**
3. **Concerns about religious groups, traffic, or property use;**
4. **Requests to block zoning applications, variances, or permits.**

RESPONSE TO REQUEST NO. 6

Copies of the requested information are produced herewith as "Req. 6 – Public Comments".

**7. REQUEST NO. 7 – Public Messaging & Press Strategy**

**Any records containing:**

- 1. Talking points;**
- 2. Draft press releases;**
- 3. Public statements;**
- 4. Responses to inquiries;**
- 5. Or strategy documents directing response to controversy surrounding Chabad, the tax increase, or eminent domain proceedings.**

RESPONSE TO REQUEST NO. 7

This request is denied to the extent it does not reasonably define the information being sought and otherwise purports to seek information excepted from production including (a) communications protected under attorney-client privilege (see Public Officers Law § 87[2][a], CPLR 4503(a)(1)) and (b) inter-agency or intra-agency materials (see Public Officers Law § 87[2][g]).

You have 30 days from receipt of a denial of access to records to appeal to:

Board of Trustees of the Village of Atlantic Beach  
Records Appeals Officer  
65 The Plaza  
Atlantic Beach, NY 11509

Sincerely,



Emily Siniscalchi  
Village Clerk  
Records Access Officer

Encls. (as stated.)

# **EXHIBIT C**

August 28, 2025

RECEIVED

AUG 29 2025

Board of Trustees of the Village of Atlantic Beach  
FOIL Appeals Officer  
65 The Plaza  
Atlantic Beach, NY 11509  
**VIA OVERNIGHT FEDEX**

INC. VILLAGE OF ATLANTIC BEACH

Re: FOIL Appeal – Request Concerning Chabad of the Beaches / 2025 Park Street

Dear FOIL Appeals Officer:

Pursuant to Public Officers Law § 89(4)(a), I hereby appeal the Village Clerk's August 9, 2025 determination of my FOIL request dated May 16, 2025. The determination is improper for the following reasons:

### 1. Request No. 1 – External Communications

- Despite multiple follow-ups, no records have been produced to date. This is a constructive denial under FOIL, as no date certain has been provided.
- The Village must not limit its search to email servers. It is obligated to contact Trustees, the Mayor, and relevant staff directly, and to preserve/retrieve text messages, including those sent or received on Village-issued phones.
- The determination offers only a vague statement that an IT vendor is searching emails, but provides no certification of completeness, no description of steps taken, and no explanation for the lack of text message review.

### 2. Request No. 2 – Final Determinations or Notices

- While some determinations and minutes were provided, there is no certification that production is complete.
- FOIL requires disclosure of *all formats*, including meeting videos or recordings where available, which were not addressed.

### 3. Request No. 3 – Records Disclosed in Litigation

- The Village's claim that responsive documents are "not in its possession" because they were "compiled by special counsel" is improper.

- FOIL applies to records kept for the Village including by third parties. Case law makes clear that outsourcing maintenance/possession of records does not defeat FOIL obligations. The Village must obtain and produce copies.

#### **4. Request No. 4 – Legal Invoices and Attorney Costs**

- The invoices produced are almost entirely redacted, concealing even clearly non-exempt information such as attorney names, payees, dates, amounts, time, description of services and general subject matter. Such details are not privileged and must be disclosed.
- The Village also failed to provide a certification of completeness identifying what records exist but were withheld. FOIL requires a record-by-record explanation.

#### **5. Request No. 5 – Public Relations Firms and Consultants**

- All the redactions and withholding are inappropriate under FOIL.
- The single ZE Consulting document is completely redacted, with no disclosure of contract terms, amounts paid, or dates. Such information is not exempt.
- Subpart (2) of my request (communications with firms not retained) was entirely ignored, without explanation or certification.

#### **6. Request No. 6 – Resident Complaints and Petitions**

- The comments produced appear limited to a single combined packet. There is no indication that individual letters, emails, or complaints outside of formal hearing comments were searched for or produced.
- No certification of completeness was provided.

#### **7. Request No. 7 – Public Messaging & Press Strategy**

- The denial is internally inconsistent: it claims the request is not “reasonably described” while simultaneously asserting exemptions. If the request was too vague to identify records, the Village could not possibly know the records are exempt.
- FOIL requires a document-specific, fact-based exemption analysis. Blanket denials are improper. If clarification was truly needed, the Village should have reached out; I remain open to discussion.

## **General Deficiencies**

- FOIL does not permit withholding or redacting entire documents where non-exempt information exists.
- The Village must provide a particularized justification for each withholding and produce redacted versions where appropriate (§ 89(2)(c)(i)).
- For each category, the Village must also certify completeness of the search and describe the nature of every withheld record, along with the specific statutory basis for its exemption.

## **Relief Requested**

I respectfully request that the Board of Trustees:

1. Direct the Records Access Officer to conduct a complete, good faith search across all relevant officials and formats (including trustee phones, counsel records, and videos).
2. Order production of all information sought.
3. Provide an itemized index of withheld or redacted documents, with fact-specific explanations for each claimed exemption.
4. Provide a certification by part number that the Village has conducted a diligent search and produced all responsive records as required under FOIL.

Please treat this as a timely appeal under Public Officers Law § 89(4)(a).

Thank you for your attention.

Respectfully,  
Shlomo Greenwald  
Editor, The Jewish Press

Encl: FOIL Request and Determination

**From:** Sara Greenwald sarag@jewishpress.com  
**Subject:** FOIL Request – Chabad of the Beaches / 2025 Park Street  
**Date:** May 15, 2025 at 7:43 PM  
**To:** office@villageofatlanticbeach.com  
**Cc:** Shlomo Cell sgreenwald@jewishpress.com

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**Records Access Officer**

Village of Atlantic Beach  
65 The Plaza  
Atlantic Beach, NY 11509

**Re: FOIL Request – Chabad of the Beaches / 2025 Park Street**

Dear Records Access Officer:

Pursuant to the New York State Freedom of Information Law (Public Officers Law §§ 84–90), I request access to the following records created or received by the Village of Atlantic Beach from January 1, 2021 to the present, concerning Chabad of the Beaches and/or the property located at 2025 Park Street:

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- media contacts or journalists;
- Nassau County officials;
- public relations or media consultants
- residents or civic associations;
- First Liberty Institute or other counsel for Chabad;

that including but not limited to any of the following keywords:

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Copies of all emails, text messages, or other records produced to Chabad or its counsel in any federal, state, or administrative proceeding including:

- the eminent domain action;
- zoning application disputes;
- RLUIPA or First Amendment claims.

This includes materials disclosed in discovery, subpoena responses, or submitted as exhibits.

---

**4. Legal Invoices and Attorney Costs**

- All Retainers, Invoices and billing statements submitted by legal counsel in connection with litigation, zoning issues, or any actions related to Chabad or 2025 Park Street;
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**5. Public Relations Firms and Consultants**

- Any contracts, invoices, or payments made by the Village to public relations firms, communications consultants, or crisis management firms that provided services related to:

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  - Zoning applications or community opposition;
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## 7. Public Messaging & Press Strategy

Any records containing:

- talking points,
- draft press releases,
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- responses to inquiries,
- or strategy documents directing response to controversy surrounding Chabad, the tax increase, or the eminent domain proceedings.

---

## Format and Delivery:

Please provide records in **electronic format** where possible (searchable PDF), and email them to this address.

If any portion of this request is denied, please identify the specific FOIL exemption claimed and explain the reason, pursuant to Public Officers Law § 89(4)(a). For any partially exempt documents, I request redacted versions with all non-exempt portions released.

Thank you for your attention to this matter.

Sincerely,  
*The Jewish Press*



INCORPORATED

# Village of Atlantic Beach

BARRY M. FROHLINGER  
MAYOR

LAURA HELLER  
PETER MILLIUS  
JOSEPH B. PIERANTONI  
TRUSTEES

65 THE PLAZA  
P.O. BOX 189  
ATLANTIC BEACH, N.Y. 11509  
(516) 371-4600 FAX (516) 371-4631  
email [office@villageofatlanticbeach.com](mailto:office@villageofatlanticbeach.com)  
[www.villageofatlanticbeach.com](http://www.villageofatlanticbeach.com)

HERBERT A. KIBANOFF  
TREASURER  
EMILY SINISCALCHI  
VILLAGE CLERK

August 9, 2025

**VIA EMAIL ([sgreenwald@jewishpress.com](mailto:sgreenwald@jewishpress.com))**

Mr. Shlomo Greenwald  
3692 Bedford Avenue, Suite P2  
Brooklyn, New York 11229

Re: Your FOIL Request of May 16, 2025

Dear Mr. Greenwald:

This letter constitutes a determination of your FOIL request, dated May 16, 2025 (Enclosed), seeking the following information for the period from January 1, 2021 to the present, concerning Chabad of the Beaches and/or the property located at 2025 Park Street.

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**All emails or text messages exchanged between Village officials (including the Mayor, Trustees, Village Attorney, or Village Clerk) and:**

- 1. Outside legal counsel**
- 2. Media contacts or journalists**
- 3. Nassau county officials**
- 4. Public relations or media consultants**
- 5. Residents or civic associations**
- 6. First Liberty Institute or other counsel for Chabad**

**That including but not limited to any of the following keywords:**

**"Chabad," "2025 Park," "synagogue," "lifeguard center," "Hasidic," "Shul," "Orthodox," "Yeshiva," "Shabbat", "Minyan", "Jewish center", "zoning", "variance", "invasion", "overrun", "takeover", "those people", "they're coming", "problem", "outreach", "religious use", or "traffic."**

**This excludes purely internal deliberative communications among Village employees unless any were shared with outside parties.**

RESPONSE TO REQUEST NO. 1

This request is denied to the extent it seeks information excepted from production including (a) communications protected under attorney-client privilege (see Public Officers Law § 87[2][a], CPLR 4503(a)(1)) and (b) inter-agency or intra-agency materials (see Public Officers Law § 87[2][g]).

Notwithstanding the foregoing, the Village is working with its outside IT vendor to search the Village's email server for information potentially responsive to this request (the Village is not in possession of any text messages) and will supplement this response to the extent responsive information is identified.

**2. REQUEST NO. 2 – Final Determinations or Notices**

- 1. All formal zoning or planning determinations, decision letters, or denial notices relating to applications by Chabad;**
- 2. All resolutions and public statements by the Village or its boards regarding the proposed eminent domain of 2025 Park Street.**

RESPONSE TO REQUEST NO. 2

Copies of the requested determinations are produced herewith as "Req. 2(1) – Building Inspector Determination" and "Req. 2(1) – BZA Determination"

Copies of the requested resolutions are produced herewith as "Req. 2(2) – BOT Minutes 12.13.2021", "Req. 2(2) – BOT Minutes 01.10.2022", "Req. 2(2) – 01.10.22 Public Hearing", and "Req. 2(2) – BOT Minutes 01.08.2024".

**3. REQUEST NO. 3 – Records Disclosed in Litigation**

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- 1. The eminent domain action;**
- 2. Zoning application disputes;**
- 3. RLUIPA or First Amendment claims**

**This includes materials disclosed in discovery, subpoena responses, or submitted as exhibits.**

RESPONSE TO REQUEST NO. 3

The Village is not in possession of the information requested. The information was compiled by special counsel to the Village.

4.

**REQUEST NO. 4 – Legal Invoices and Attorney Costs.**

- 1. **All retainers, invoices, and billing statements submitted by legal counsel in connection with litigation, zoning issues, or any actions related to Chabad or 2025 Park Street.**

RESPONSE TO REQUEST NO. 4

This request is denied to the extent it seeks information excepted from production including (a) communications protected under attorney-client privilege (see Public Officers Law § 87[2][a], CPLR 4503(a)(1)) and (b) inter-agency or intra-agency materials (see Public Officers Law § 87[2][g]).

Notwithstanding the foregoing, copies of the requested information with redactions are produced herewith as “Req. 4 - Engagement Letters\_Redacted” and “Req. 4 - Legal Invoices\_Redacted”.

**5. REQUEST NO. 5 – Public Relations Firms and Consultants**

- 1. **Any contracts, invoices, or payments made by the Village to public relations firms, communications consultants, or crisis management firms that provided services related to:**
  - 1. **Chabad of the Beaches**
  - 2. **Zoning applications or community opposition;**
  - 3. **The Village’s response to media inquires or litigation;**
- 2. **Any email communications with firms that were ultimately not retained, concerning messaging, public sentiment, press strategy or talking points.**

RESPONSE TO REQUEST NO. 5

This request is denied to the extent it seeks information excepted from production including (a) communications protected under attorney-client privilege (see Public Officers Law § 87[2][a], CPLR 4503(a)(1)) and (b) inter-agency or intra-agency materials (see Public Officers Law § 87[2][g]).

Notwithstanding the foregoing, copies of the requested information with redactions are produced herewith as “Req. 5 - ZE Consulting\_Redacted”

**6. REQUEST NO. 6 – Resident Complaints and Petitions**

**Copies of letters, emails, petitions, or complaints submitted by members of the public or civic associations concerning:**

- 1. **Chabad of the Beaches;**
- 2. **The use of 2025 Park Street;**
- 3. **Concerns about religious groups, traffic, or property use;**
- 4. **Requests to block zoning applications, variances, or permits.**

RESPONSE TO REQUEST NO. 6

Copies of the requested information are produced herewith as "Req. 6 Public Comments".

**7. REQUEST NO. 7 – Public Messaging & Press Strategy**

**Any records containing:**

- 1. Talking points;**
- 2. Draft press releases;**
- 3. Public statements;**
- 4. Responses to inquiries;**
- 5. Or strategy documents directing response to controversy surrounding Chabad, the tax increase, or eminent domain proceedings.**

RESPONSE TO REQUEST NO. 7

This request is denied to the extent it does not reasonably define the information being sought and otherwise purports to seek information excepted from production including (a) communications protected under attorney-client privilege (see Public Officers Law § 87[2][a], CPLR 4503(a)(1)) and (b) inter-agency or intra-agency materials (see Public Officers Law § 87[2][g]).

You have 30 days from receipt of a denial of access to records to appeal to:

Board of Trustees of the Village of Atlantic Beach  
Records Appeals Officer  
65 The Plaza  
Atlantic Beach, NY 11509

Sincerely,



Emily Siniscalchi  
Village Clerk  
Records Access Officer

Encls. (as stated.)