

DRAFT

PUBLIC HEARINGS AND
REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF ATLANTIC BEACH
FEBRUARY 9, 2026

CALL TO ORDER

Meeting called to order at 7:30 PM

SALUTE TO THE FLAG

ROLL CALL

Present were: Mayor Barry M. Frohlinger
Deputy Mayor Joseph B. Pierantoni
Trustee Laura Heller
Trustee Douglas Garczynski
Trustee Peter Millius
Village Attorney Jared Kasschau
Superintendent Vincent Amoroso
Village Clerk Emily Siniscalchi

Absent: Treasurer Herbert A. Klibanoff EXCUSED

At 7:35 PM Trustee Heller made a motion to open the Public Hearing
Seconded by Trustee Garczynski; Ayes: Mayor Frohlinger, Deputy Mayor Pierantoni,
Trustees Heller, Garczynski, Millius

PUBLIC HEARING
TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH
CHAPTER 250 – SPECIAL EXCEPTION PERMIT PROCEDURES
AND STANDARDS APPLICABLE TO EDUCATIONAL AND RELIGIOUS USES

Motion to adjourn to the March 9, 2026 meeting pending further review.

Motion by: Trustee Heller Seconded by: Deputy Mayor Pierantoni
Ayes: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski
Oppose: Trustee Millius

At 7:40 PM Public Hearing opened

Motion by: Trustee Garczynski Seconded by: Deputy Mayor Pierantoni
Ayes: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski, Millius

There was a motion to close the public hearing at this point

Motion by Deputy Mayor Pierantoni to determine that the Board is the lead agency with respect to SEQRA, that the proposed action, adoption of a law providing for a tax exemption, is an Unlisted Action under SEQRA and, after reviewing applicable environmental considerations, determines that the proposed action is not likely to have a significant adverse environmental impact.

Seconded by: Mayor Frohlinger

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

PUBLIC HEARING TO ADOPT LOCAL LAW 1-2026 - AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH CHAPTER 210, ARTICLE II SENIOR CITIZEN REAL PROPERTY TAX EXEMPTION BY INCREASING THE MAXIMUM INCOME ELIGIBILITY

BE IT ENACTED by the Board of Trustees of Village of Atlantic Beach, County of Nassau, State of New York, as follows:

Section 1. Amendment of Chapter 210, Article II, Section 16
Chapter 210, Article II, Section 16 "Exemptions granted" is hereby amended in its entirety to read as follows:

§ 210-16 Exemptions granted.

A. Commencing with the assessment roll for 2026 and thereafter, real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife or by domestic partners, one of whom is 65 years of age or over, shall be exempt from Village of Atlantic Beach taxes only to the extent of the following percentages of the assessed valuation thereof:

Annual Income	Percentage of Assessed Valuation Exempt from Village Taxation
\$50,000 or less	50%
\$50,001 to \$50,999	45%
\$51,000 to \$51,999	40%
\$52,000 to \$52,999	35%
\$53,000 to \$53,899	30%
\$53,900 to \$54,799	25%
\$54,800 to \$55,699	20%
\$55,700 to \$56,599	15%
\$56,600 to \$57,499	10%
\$57,500 to \$58,399	5%
\$58,400 or greater	0%

B. This exemption applies only to Village taxes and is computed after all other partial exemptions allowed by law have been subtracted from the total amount assessed and shall be applicable to the assessment roll for the taxable year immediately following application for exemption.

C. An exemption granted to property owned by spouses or domestic partners, one of whom is 65 years of age or over, shall continue for the surviving spouse or partner if the survivor is at least 65 years of age.

Section 2. Amendment of Chapter 210, Article II, Section 17
Chapter 210, Article II, Section 17 "Exceptions" is hereby amended in its entirety to read as follows:

§ 210-17 Application Procedures

A. Applications shall be made on forms prescribed by the New York State Board of Real Property Services and furnished by the Nassau County Department of Assessment. Applications must be filed with the Nassau County Department of Assessment on or before the date established by the Nassau County Department of Assessment for senior citizen exemption applications.

PUBLIC HEARING TO ADOPT LOCAL LAW 1-2026 - AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH CHAPTER 210, ARTICLE II SENIOR CITIZEN REAL PROPERTY TAX EXEMPTION BY INCREASING THE MAXIMUM INCOME ELIGIBILITY

(Continued)

B. Applicants must submit:

1. Proof of age
2. Proof of income for the income tax year immediately preceding the date of application
3. Proof of property ownership and legal residence
4. Such other information as required by the application forms

C. Exemptions must be renewed annually by filing a new application with the Nassau County Department of Assessment on or before the taxable status date.

Section 3. Amendment of Chapter 210, Article II, Section 18
Chapter 210, Article II, Section 18 "Application; filing contents" is hereby amended in its entirety to read as follows:

§ 210-18 Eligibility Requirements

No exemption shall be granted unless:

A. The income of the owner or combined income of the owners does not exceed \$58,399 for the income tax year immediately preceding the date of application. Where title is vested in either husband or wife or in domestic partners, their combined income may not exceed this sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for exhaustion or wear and tear of real or personal property held for the production of income.

B. Title to the property has been vested in the owner(s) for at least 24 consecutive months prior to the date of making application for exemption.

C. The property is used exclusively for residential purposes.

D. The property is the legal residence of and is occupied in whole or in part by the owner or by all of the owners of the property.

Section 4. Amendment of Chapter 210, Article II, Section 19
Chapter 210, Article II, Section 19 "Notification; mailing of application" is hereby amended in its entirety to read as follows:

§ 210-19 Administration

- A. Applications for exemption shall be processed and determined by the Nassau County Department of Assessment in accordance with the provisions of Real Property Tax Law § 467 and applicable regulations.
- B. The Village Clerk is authorized to provide information to residents regarding the availability of this exemption and to assist residents in obtaining application forms from the Nassau County Department of Assessment, but shall have no authority to accept, process, or determine applications for exemption.

PUBLIC HEARING TO ADOPT LOCAL LAW 1-2026 - AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH CHAPTER 210, ARTICLE II SENIOR CITIZEN REAL PROPERTY TAX EXEMPTION BY INCREASING THE MAXIMUM INCOME ELIGIBILITY

(Continued)

C. At least 60 days prior to the application deadline established by the Nassau County Department of Assessment, the Nassau County Assessor shall mail to each person who was granted an exemption pursuant to this article on the latest completed assessment roll an application form and a notice that such application must be filed on or before the deadline and must be approved in order for the exemption to be granted. Failure to mail any such application form and notice or the failure of such person to receive the same shall not prevent the levy, collection, and enforcement of the payment of taxes on property owned by such person.

D. Applicants may appeal determinations made by the Nassau County Department of Assessment in accordance with the procedures set forth in Article 7 of the Real Property Tax Law.

Section 5. Amendment of Chapter 210, Article II, Section 20
Chapter 210, Article II, Section 20 "Penalties for offenses" is hereby amended in its entirety to read as follows:

§ 210-20 Penalties for False Statements

Any person convicted of having made any willful false statement in the application for such exemption shall be punishable by a fine of not more than \$100 dollars and shall be disqualified from further exemption for a period of five years. Where an exemption has been granted on the basis of false or erroneous information, all taxes from which the property was exempted shall be levied and assessed against the property, and shall be due and owing immediately, together with interest as provided by law.

GRANTED: Local Law 1-2026

Motion by: Deputy Mayor Pierantoni Seconded by: Trustee Heller

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

REPORTS

- I.
 - A. Police Activity Report – January 2026 -- Police Officer Knight-Honeywell
Movers: 18 Parkers: 0 Aided Cases: 11
Criminal Mischief: - 0
 - B. Atlantic Beach Rescue Report - Deputy Chief Anthony Rivelli
Office of Emergency Management
- Reports attached
 - C. Park Commission Report - Chairman Nat Etrog – attached
 - D. The Village Garden – Anita Geier
The Garden committee and volunteers, are excited to begin seed planting in March. We are always looking for volunteers, no experience necessary. You can sign up using the garden tab on the Atlantic Beach website. It looks like a new design is coming soon.
 - E. Beautification Report – Dolores Friedel absent, report given by Susan Jaffee
Report attached
 - F. AB Cats – Beth Brenner – nothing to report
 - G. TVASNAC – Carl Baessler - January meeting cancelled due to weather;
next meeting 2 weeks from tonight
- II. PUBLIC WORKS & BUILDING DEPARTMENT REPORT – Vincent Amoroso
Report attached
- III. CODE ENFORCEMENT REPORT – Vincent Amoroso - Report attached

**RESOLUTION REQUESTING AN AMENDMENT TO THE NEW YORK STATE TAX LAW TO
AUTHORIZE THE VILLAGE TO IMPOSE A HOTEL, MOTEL, AND BEACH CLUB TAX**

WHEREAS, the Village of Atlantic Beach finds and determines that Village residents would benefit from increased revenue generated by imposing a hotel, motel, and beach club tax, and

WHEREAS, the Village finds that the provision and cost of community services are impacted by visitor traffic, and

WHEREAS, the statutory authority to impose such a hotel, motel, and beach club tax must be granted by the New York Legislature upon introduction and passage of an amendment to Article 29 of the New York State Tax Law, specifically Subpart A, titled, "Taxes Administered by Cities, Counties and School Districts," of Part 1, "Authority to Imposes Taxes", and

WHEREAS, in order to effectuate said amendment, the Board of Trustees must make a request in the form of a resolution to Hon. Patricia Canzoneri-Fitzpatrick, New York State Senator for the 9th District, which includes the Village of Atlantic Beach.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees authorizes the Mayor to make such request to Senator Fitzpatrick, by forwarding a true copy of this Resolution to her requesting that a new subsection of section 1202 be added to Part I, of Subpart A of Article 29, in a form substantially similar to the form attached hereto, to authorize the Village of Atlantic Beach to draft a local law imposing a hotel, motel, and beach club tax in the Village of Atlantic Beach.

GRANTED:

Motion by: Trustee Garczynski

Seconded by: Deputy Mayor Pierantoni

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

**RESOLUTION REQUESTING AN AMENDMENT TO THE NEW YORK STATE TAX LAW TO
AUTHORIZE THE VILLAGE TO IMPOSE A HOTEL, MOTEL, AND BEACH CLUB TAX**

(Continued)

For Village of Atlantic Beach

Proposed New York Tax Law § 1202-___

- (1) Notwithstanding any other provisions of law to the contrary, the village of Atlantic Beach, in the county of Nassau, is hereby authorized and empowered to adopt and amend local laws imposing in such village a tax, in addition to any other tax authorized and imposed pursuant to this article such as the legislature has or would have the power and authority to impose upon persons occupying hotel, motel rooms or beach clubs in such village. For the purposes of this section, the term "hotel" or "motel" shall mean and include any facility consisting of rentable units and providing lodging on an overnight basis and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities. The term "beach club" shall mean a facility formed, organized or operated by any person, firm or corporation, located on or contiguous to an ocean beach, permitting sunbathing, swimming and other allied recreation activities, including such uses operated by a hotel, cooperative complex or other entity. The rates of such tax shall not exceed three percent of the per diem rental rate for each room or beach club facility, provided however, that such tax shall not be applicable to a permanent resident of a hotel or motel. For the purposes of this section the term "permanent resident" shall mean a person occupying any room or rooms in a hotel or motel for at least ninety consecutive days.

**RESOLUTION REQUESTING AN AMENDMENT TO THE NEW YORK STATE TAX LAW TO
AUTHORIZE THE VILLAGE TO IMPOSE A HOTEL, MOTEL, AND BEACH CLUB TAX**

(Continued)

- (2) Such tax may be collected and administered by the chief fiscal officer of the village of Atlantic Beach by such means and in such manner as other taxes which are now collected and administered by such officer or as otherwise may be provided by such local law.
- (3) Such local laws may provide that any tax imposed shall be paid by the person liable therefor to the owner of the hotel, motel room or beach club occupied or to the person entitled to be paid the rent or charge for the hotel, motel room or beach club occupied for and on account of the village of Atlantic Beach imposing the tax and that such owner or person entitled to be paid the rent or charge shall be liable for the collection and payment of the tax; and that such owner or person entitled to be paid the rent or charge shall have the same right in respect to collecting the tax from the person occupying the hotel, motel room or beach club, or in respect to nonpayment of the tax by the person occupying the hotel, motel room or beach club, as if the tax were a part of the rent or charge and payable at the same time as the rent or charge; provided, however, that the chief fiscal officer of the village, specified in such local law, shall be joined as a party in any action or proceeding brought to collect the tax by the owner or by the person entitled to be paid the rent or charge.
- (4) Such local laws may provide for the filing of returns and the payment of the tax on a monthly basis or on the basis of any longer or shorter period of time.
- (5) This section shall not authorize the imposition of such tax upon any transaction, by or with any of the following in accordance with section twelve hundred thirty of this article:
 - a. The state of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the Dominion of Canada), improvement district or other political subdivision of the state;
 - b. The United States of America, insofar as it is immune from taxation; or
 - c. Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.
- (6) Any final determination of the amount of any tax payable under this section shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the civil practice law and rules if application therefor is made to the supreme court within thirty days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the civil practice law and rules shall not be instituted unless:

RESOLUTION REQUESTING AN AMENDMENT TO THE NEW YORK STATE TAX LAW TO AUTHORIZE THE VILLAGE TO IMPOSE A HOTEL, MOTEL, AND BEACH CLUB TAX

(Continued)

- a. The amount of any tax sought to be reviewed, with such interest and penalties thereon as may be provided for by local law shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of financial services of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or
 - b. At the option of the petitioner such undertaking may be in a sum sufficient to cover the taxes, interests and penalties stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interest or penalties as a condition precedent to the application.
- (7) Where any tax imposed pursuant to this section shall have been erroneously, illegally or unconstitutionally collected and application for the refund thereof duly made to the proper fiscal officer or officers, and such officer or officers shall have made a determination denying such refund, such determination shall be reviewable by a proceeding under article seventy-eight of the civil practice law and rules, provided, however, that such proceeding is instituted within thirty days after the giving of the notice of such denial, that a final determination of tax due was not previously made, and that an undertaking is filed with the proper fiscal officer or officers in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.
- (8) Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return, provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.
- (9) All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of the village of Atlantic Beach and shall be credited to and deposited in the general fund of the village. Such revenues may be used for any lawful purpose.
- (10) If any provision of this section or the application thereof to any person or circumstance shall be held invalid, the remainder of this section and the application of such provision to other persons or circumstances shall not be affected thereby.

RESOLUTION – UPDATE OF FEE SCHEDULES, DECAL EFFECTIVE DATE, GARDENERS, PARKING LOTS, APARTMENTS, HOME RULE

Beach Club parking lot fee	\$1.95 per square foot
Parking lot license nonresidential per location:	
- Under 10,000 sq. ft. -\$975; - Over 10,000 sq. ft - \$1,460; -Over 25,000 sq. ft. -\$1,680	
Coastal Erosion Management	\$525 per location
Gardeners	No change
Handicapped parking violation	No change
Garage sale	No change

GRANTED

Motion by: Trustee Garczynskii Seconded by: Mayor Frohlinger

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

RESOLUTION –ESTABLISHING THE EFFECTIVE DATE FOR VEHICLE DECAL DISPLAY AS OF MAY 15, 2026

WHEREAS, it is necessary to establish a uniform date by which all vehicles must display the decal for the licensing period beginning 2026;

NOW, THEREFORE, BE IT RESOLVED, the effective date for the display of the Village vehicle decal for 2026 licensing period shall be May 15, 2026.

GRANTED

Motion by: Deputy Mayor Pierantoni Seconded by: Trustee Garczynski
Ayes: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski, Millius

RESOLUTION – OVERTIME – PUBLIC WORKS EMPLOYEES – BEACHES/TRACTOR 2026 SEASON

RESOLVED, that the 2026 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.

GRANTED

Motion by: Trustee Garczynski Seconded by: Deputy Mayor Pierantoni
Ayes: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski
Abstain: Trustee Millius

RESOLUTION –AUTHORIZING THE BOARD OF TRUSTEES OF THE VILLAGE OF ATLANTIC BEACH, NEW YORK, AUTHORIZING THE VILLAGE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH TOWN WEB FOR THE REDESIGN AND MAINTENANCE OF THE OFFICIAL MUNICIPAL WEBSITE

WHEREAS, the Village of ATLANTIC BEACH (“Village”) maintains an official municipal website for the purpose of disseminating information to the public and conducting village business in an efficient and transparent manner, and

WHEREAS, TOWN WEB, has submitted a proposal for the redesign and development of the Village’s official website; and

WHEREAS, the Village has reviewed said proposal, finds the terms acceptable, and deems the Consultant to be qualified to perform the required services;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Atlantic Beach as follow:

1. The Board hereby authorized the Village Mayor to execute, on behalf of the Village the Professional Services Agreement with Town Web Design, LLC, in substantially the form presented to the Board, for a total contract amount of \$2,790 per annum for years.

GRANTED

Motion by: Trustee Garczynski Seconded by: Mayor Frohlinger
Ayes: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski, Millius

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF ATLANTIC BEACH, NEW YORK,
AUTHORIZING THE VILLAGE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT
WITH FBS FOR PARKING MANAGEMENT SOLUTIONS**

WHEREAS, the efficient management, enforcement and operations of our Village parking code is essential to public safety of the Village; and

WHEREAS, FBS a provider of parking management services (the "Contractor"), has submitted a proposal, which has been reviewed and deemed acceptable by the Village Board; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Atlantic Beach as follows:

The Mayor is hereby authorized and directed to execute, on behalf of the Village, an Agreement with FBS for professional parking management services,

Effective Date: This resolution shall take effect immediately

GRANTED

Motion by: Deputy Mayor Pierantoni Seconded by: Trustee Garczynski
Ayes: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski, Millius

**RESOLUTION – PUBLISH LEGAL NOTICE IN THE NASSAU HERALD TO HOLD A PUBLIC HEARING
ON MARCH 9, 2026 – AMEND CHAPTER 153, SECTION 2 – NUMBER OF VEHICLES RESTRICTED;
PARKING LICENSE**

GRANTED

Motion by: Trustee Garczynski Seconded by: Mayor Frohlinger
Ayes: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski, Millius

APPROVAL OF BILLS

RESOLVED, all bills are approved in the amount of \$415,311.81

GRANTED

Motion by: Trustee Garczynski Seconded by: Deputy Mayor Pierantoni
AYES: Mayor Frohlinger, Deputy Mayor Pierantoni,
Trustees Heller, Garczynski, Millius

APPROVAL OF MINUTES –January 12, 2026

Motion to approve and accept the minutes of January 12, 2026 as written by the Village Clerk

GRANTED

Motion by: Trustee Garczynski Seconded by: Mayor Frohlinger
Ayes: Mayor Frohlinger, Deputy Mayor Pierantoni,
Trustees Heller, Garczynski, Millius

DATE OF NEXT MEETING - Monday, March 9, 2026 - 7:30 PM

ADJOURNMENT - 9:05 PM

Motion to adjourn

Motion by; Deputy Mayor Pierantoni Seconded by: Trustee Garczynski
Ayes: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski, Mill

Emily Siniscalchi, Village Clerk