

PUBLIC HEARING AND
REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF ATLANTIC BEACH
NOVEMBER 10, 2025

CALL TO ORDER

Meeting called to order at 7:34 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
Village Clerk Emily Siniscalchi
Superintendent Vincent Amoroso
Absent: Herbert A. Klibanoff -- Excused

VETERANS'S DAY RECOGNITION

MOMENT OF SILENCE – Passing of Mary Quinn, Court Clerk

At 7:40 PM Public Hearing opened

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

**LOCAL LAW 3-2025
TO AMEND THE CODE OF THE VILLAGE OF ATLANTIC BEACH
SECTION 15, ARTICLE I – CODE OF ETHICS AND SECTION 15, ARTICLE 11 BOARD OF ETHICS**

LOCAL LAW ATTACHED

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

7:45 PM Public Hearing adjourned

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

At 7:46 PM Public Hearing opened

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

**LOCAL LAW 4-2025
AUTHORIZING THE USE OF VIDEO CONFERENCING FOR
MEETINGS OF PUBLIC BODIES OF THE VILLAGE OF ATLANTIC BEACH**

LOCAL LAW ATTACHED

8:00 PM Public Hearing adjourned

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

At 8:02 PM Public Hearing opened

Motion by: Trustee Garczynski Seconded by: Deputy Mayor Pierantoni
Ayes: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski
Abstain: Trustee 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 December 10, 2025 meeting

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

REPORTS

- I. A. Police Activity Report – October 2025 -- Police Officer Dileonardo
 Movers: 28 Parkers: 1 Aided Cases: 7
 PO Dileonardo answered any concerns/questions from the residents;
 E-bikes – a child younger than 16 the police cannot issue a ticket
- B. Atlantic Beach Rescue Report – Deputy Chief Anthony Rivelli
 - Report attached
- C. Park Commission Report - Chairman Nat Etrog – Report attached
- D. The Village Garden – Chairperson Suzy Schneider – report attached
- E. Beautification Report – Dolores Friedel - Absent
- F. AB Cats – Beth Brenner - Report attached
- G. TVASNAC – Carl Baessler – Report attached

- II. PUBLIC WORKS & BUILDING DEPARTMENT REPORT – Vincent Amoroso
 -report attached

- III. CODE ENFORCEMENT REPORT – Vincent Amoroso – nothing to report

- IV. TREASURER’S REPORT – Treasurer Herbert A. Klibanoff – ABSENT
 For the month of October 2025–
 we had \$2,386,174.93 total cash available
 Capital checking \$254,611.75; BZA Escrow \$56,079.61
 General Fund \$2,075,483.57

**RESOLUTION – Publish Legal Notice in the Nassau Herald to hold a Public Hearing on
December 8, 2025 – Overriding the Tax Levy Limit Established in General Code
Municipal Law §3-c**

GRANTED

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

RESOLUTION – Establishing an Office of Emergency Management for the Village of Atlantic Beach

WHEREAS, the Village of Atlantic Beach recognizes the need to prepare for, respond to, and recover from natural and man-made disasters and emergencies that may threaten the health, safety, and welfare of its residents; and

WHEREAS, the Village is located in a coastal area subject to hurricanes, nor'easters, flooding, and other natural hazards that require coordinated emergency planning and response; and

WHEREAS, New York State Executive Law Article 2-B authorizes and encourages municipalities to establish offices of emergency management to coordinate disaster preparedness and response activities; and

WHEREAS, the establishment of an Office of Emergency Management will enhance the Village's ability to protect life and property, coordinate with county, state, and federal emergency management agencies, and ensure continuity of essential government services during emergencies; and

WHEREAS, the Board of Trustees finds it to be in the best interest of the Village and its residents to establish such an office;

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

Section 1: Establishment

There is hereby established within the Village of Atlantic Beach an Office of Emergency Management (hereinafter "OEM").

Section 2: Purpose and Functions

The Office of Emergency Management shall have the following purposes and functions:

- A. To develop, maintain, and coordinate the Village's comprehensive emergency management plan in accordance with federal, state, and local requirements;
- B. To coordinate emergency preparedness, response, recovery, and mitigation activities within the Village;
- C. To serve as the primary liaison with Nassau County Office of Emergency Management, New York State Division of Homeland Security and Emergency Services, and federal emergency management agencies;
- D. To coordinate training and exercises for Village personnel and volunteers involved in emergency response;
- E. To maintain the Village's Emergency Operations Center and ensure its operational readiness;
- F. To develop and maintain mutual aid agreements with neighboring municipalities;
- G. To coordinate public education and outreach regarding emergency preparedness;
- H. To maintain inventories of emergency resources and equipment;
- I. To coordinate the Village's participation in the National Incident Management System (NIMS) and Incident Command System (ICS);
- J. To perform such other duties as may be assigned by the Mayor or Board of Trustees.

Section 3: Director of Emergency Management

- A. The Board of Trustees shall appoint a Director of Emergency Management who shall serve a term of one official year.
- B. The Director shall be responsible for the overall administration and operation of the Office of Emergency Management.
- C. The Director shall report to the Mayor and Board of Trustees.
- D. The Director shall have the authority to activate the Village's emergency operations plan and coordinate emergency response activities in accordance with applicable laws and regulations.

RESOLUTION – Establishing an Office of Emergency Management for the Village of Atlantic Beach (Continued)

Section 4: Staff

The Director may utilize Village employees, with the approval of the Mayor, to assist in carrying out emergency management functions.

Section 5: Effective Date

This resolution shall take effect immediately upon adoption.

GRANTED:

MOTION BY: Trustee Heller

SECONDED BY: Deputy Mayor Pierantoni

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

APPOINTMENT - Director of Emergency Management

APPOINTMENT OF ANTHONY RIVELLI AS DIRECTOR OF EMERGENCY MANAGEMENT

WHEREAS, the Village of Atlantic Beach Board of Trustees has established an Office of Emergency Management (OEM) pursuant to a resolution adopted on November 10th, 2025; and

WHEREAS, Section 3 of the aforementioned resolution provides for the appointment of a Director of Emergency Management by the Board of Trustees to be responsible for the overall administration and operation of the OEM;

NOW, THEREFORE, the Board of Trustees of the Village of Atlantic Beach do hereby appoint ANTHONY RIVELLI to the position of Director of Emergency Management for the Village of Atlantic Beach who shall serve a term of one official year, which ends at noon on July 6, 2026.

FURTHERMORE, the Board hereby directs the Village Clerk to notify ANTHONY RIVELLI of his appointment in accordance with § 3-312(6) of the Village Law.

MOTION BY: Trustee Millius

SECONDED BY: Trustee Garczynski

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

RESOLUTION – Accepting Gifts Village of Atlantic Beach

Purpose

This policy establishes procedures for accepting gifts, donations, and bequests to the Village to ensure compliance with New York law and protect the public interest.

Authority

All gifts must be accepted by resolution of the Board of Trustees in accordance with New York Village Law § 1-102.

Acceptable Gifts

The Village may accept real and personal property as permitted by law, including:

- Cash and securities
- Real property (land, buildings, easements)
- Personal property (equipment, vehicles, artwork)
- Services and in-kind contributions
- Bequests and planned gifts

RESOLUTION – Accepting Gifts Village of Atlantic Beach
(Continued)

Review Process

Initial Review: The Village Clerk shall review all gift offers and forward them to the Board of Trustees.

Considerations: Before acceptance, the Board shall evaluate:

- Whether the gift serves a valid public purpose
- Any restrictions or conditions attached to the gift
- Ongoing maintenance, operational, or administrative costs
- Legal, environmental, or financial liabilities
- Compliance with applicable laws and regulations

Unrestricted vs. Restricted:

- Unrestricted gifts may be used for any lawful Village purpose
- Restricted gifts must specify a clear, acceptable purpose

Approval: Gifts with an estimated value of \$1,000 or less may be accepted by simple majority vote. Gifts with an estimated value exceeding \$1,000 require approval by resolution. Gifts of real property require approval by resolution following a public hearing. The Village reserves the right to reject any gift(s) at its sole discretion.

Prohibited Gifts

The Village shall not accept gifts that:

- Create a conflict of interest or appearance of impropriety as determined by the Village Board of Ethics.
- Impose unreasonable restrictions inconsistent with Village operations
- Require expenditures disproportionate to the gift's value
- Violate federal, state, or local law

Acknowledgment

The Village Clerk shall provide written acknowledgment of all accepted gifts stating the date and description of the gift (but not the value for non-cash gifts).

Records

All gifts shall be recorded in Village financial records and reported annually in accordance with New York accounting requirements.

GRANTED

MOTION BY: Trustee Heller

SECONDED BY: Mayor Frohlinger

AYES: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski

ABSTAIN: Trustee Millius

RESOLUTION – Authorizing the Board of Zoning Appeals Annual Training

WHEREAS, each member of the Board of Zoning Appeals (BZA) is to complete at least four (4) hours of annual training pursuant to Village Law §7-712, and

WHEREAS, such training must be approved by the Board of Trustees and the Board of Trustees is desirous of assuring that each BZA member completes the required training,

NOW, THEREFORE, BE IT RESOLVED that the following training activities are pre-approved for BZA members upon filing certification annually with the Village Clerk of proof or evidence of such training:

1. Planning and zoning related training sessions offered by the New York State Department of State, Office of the State Comptroller, Department of Health, Department of Environmental Conservation, and the Tug Hill Commission.

2. Planning and zoning related training sessions offered by the Suffolk County Village Officials Association, Nassau County Village Officials Association, Long Island Village Clerks and Treasurers Association, Long Island Land Use & Sustainable Development Law Institute, Association of Towns, New York Conference of Mayors, the Association of Counties, the New York Planning Federation, and the American Planning Association.

3. Planning and zoning training programs offered by the New York Municipal Insurance Reciprocal, Pace University and Land Use Law Center, and the Lincoln Institute of Land Use Policy.

4. Planning and zoning sessions and courses offered by universities and colleges such as Hofstra University, Touro University Law School, and Albany Law School.

5. Planning and zoning related sessions presented at the annual Tug Hill Commission Local Government Conference.

6. Sessions on planning and zoning offered by the Suffolk County Planning Commission and Nassau County Planning Commission.

7. Sessions on planning and zoning provided by the Village Attorney or counsel to the BZA.

8. Attendance at any of the aforesaid sessions can be via electronic media, video, on line, distance learning and traditional classroom training, and

BE IT FURTHER RESOLVED that other training activities may be approved on a case-by-case basis by the Board of Trustees upon the request of any BZA member.

GRANTED

MOTION BY: Trustee Garczynski

SECONDED BY: Deputy Mayor Pierantoni

AYES: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski

ABSTAIN: Trustee Millius

MOTIONS – Curb Cut Auditors Lawyer

CURB CUT - 141 Cayuga Avenue

The property owner submitted a request months ago for the installation of a curb cut
Approved – applicant is authorized to proceed with curb cuts not to exceed 37 feet in total

GRANTED

MOTION BY: Mayor Frohlinger

SECONDED BY: Trustee Heller

AYES: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski

ABSTAIN: Trustee Millius

MOTIONS (Continued)

AUDITORS
Engage Satty Levine

The Mayor the authority to Execute Engagement letter October 20, 2025 with Satty Levine for professional services in our annual audit in the amount of \$27,305 a slight reduction from their original request and elimination of our need to get property appraisals on Village properties along with waiving a requirement by auditor to hire an actuary.

GRANTED

MOTION BY: Mayor Frohlinger

SECONDED BY: Trustee Heller

AYES: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski

ABSTAIN: Trustee Millius

LAWYER

Molon granting the Mayor the authority to Execute Engagement letter dated October 27, 2025 with Milone Law Firm PLCC for professional services in relation to our insurance claims against Tokio Marine.

GRANTED

MOTION BY: Trustee Heller

SECONDED BY: Trustee Garczynski

AYES: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski

ABSTAIN: Trustee Millius

GOOD AND WELFARE

Residents had various questions and concerns

- Fishing hook on beach dangerous to birds
- Newly formed playground group

- Charles Hammerman stated he wanted to clarify comments regarding playground development because of rumors that had been going around the community and a statement was read (statement attached)

ATLANTIC BEACH – 100TH CENTENNIAL

Mayor Frohlinger said Steve Mahler will chair this event

APPROVAL OF BILLS

RESOLVED, all bills are approved in the amount of \$196,920.24

GRANTED

MOTION BY: Mayor Frohlinger

SECONDED BY: Trustee Heller

AYES: Mayor Frohlinger, Deputy Mayor Pierantoni, Trustees Heller, Garczynski

ABSTAIN: Trustee Millius

APPROVAL OF MINUTES – October 9, 2025

Motion to approve and accept the minutes of October 9, 2025 as written by the Village Clerk

GRANTED

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

DATE OF NEXT MEETING - Monday, December 8, 2025 - 7:30 PM

ADJOURNMENT - 9:20 PM

Motion to adjourn

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



Emily Siniscalchi, Village Clerk

Nassau County



Police Department

BRUCE A. BLAKEMAN
COUNTY EXECUTIVE

1490 Franklin Avenue
Mineola, New York 11501
(516) 573-8800

PATRICK J. RYDER
COMMISSIONER

Fourth Precinct
1699 Broadway
Hewlett, New York 11557

November 3, 2025

Honorable Mayor and Board of Trustees
Incorporated Village of Atlantic Beach
65 The Plaza
Atlantic Beach, New York 11509

Shown below is the Police Report for the month of October 2025

AIDED CASES:

Total Aided: 7

BURGLARY RESIDENCE:

None

BURGLARY BUSINESS

None

ROBBERY

None

LARCENY AUTO

None

LARCENY (other than auto)

None

CRIMINAL MISCHIEF

None

MOVERS: 28

PARKERS: 1

Sincerely,


Daniel Ciaccio
Inspector
Commanding Officer
Fourth Precinct

NOVEMBER 10, 2025

ANTHONY RIVELLI REPORTS

Rescue- the squad currently has 45 members and is operating very efficiently. We have one of the fastest response time around and are called upon by our neighbors frequently. With that being said a second ambulance was acquired and should be here soon.

The squad had several high profile incidents recently including a deck collapse and car that ejected off the bridge into a lower lot. Our drone program is going well, thank you Gio's restaurant for donating two state of the art drones.

Office of Emergency Mgmt-

I'd like to thank the village board and Mayor for forming our Office. It will be made official by end of meeting. We plan to develop a strategy and plan in the event of situations that arise in the village such as severe weather, power outages and highly attended events.

We have a great committee and look to bring on other volunteers. Current committee consists of various walks of life from fire, police, legal and industrial jobs. It is myself, Scott Zelanatz, David Woolfe, Nat Etrog, Joseph Montilli, Robert Goner and Daniel Hamelburg. We plan to hit the ground running in 2026.

See you later

Anthony Rivelli
Asst Chief AB Rescue
Director of OEM VAB

Parks and Beaches Commission

The Government Shutdown, although coming to an end imminently, has had deleterious effects upon several critical federal agencies including NOAA, EPA, CEC and FEMA. Function such as clean water and hazardous waste monitoring were discontinued for the entire shutdown period. Restoration of these operations will take time before returning to full and much needed capacity.

Many residents will embark upon winter vacations to warm climates where swimming in lakes, oceans and rivers are common. Many vacation spots even here in the U.S.A. and especially in Caribbean locations have varied regulations regarding lifeguard coverage and often have none. It is critical to learn about the conditions prior to swimming as especially ocean conditions can be highly challenging and dangerous without lifeguard supervision. Please follow all safety precautions especially while on vacation.

The United States National Water Safety Action Plan (USNWSAP) has entered second year of operations countrywide with significant success. In our Village we have discussed the Five Levels of Protection with lifeguards and residents emphasizing swim competence, learning CPR, identification of Water Watchers and use of PFDs.

Plastic pollution and legislation to control manufacturing and use continues to be critical and is strongly supported by the Ocean Conservancy, Surfrider Foundation and National Drowning Prevention Alliance. Please visit these websites to request legislative support for appropriate bills and legislation.

MyCoastNY has added a site for tracking litter in addition to its widely utilized site for flooding and shoreline activities. Please visit their website for additional information.

Lastly we continue to urge legislators to support the United States Lifeguard Association's Concurrent Resolution 27 that mandates the recognition of open water lifeguards as official First Responders or Emergency Response Providers (ERPs).

Thank you and respectfully submitted,

Nat Etrog

Chairman, Parks and Beaches Commission

Commissioner, Atlantic Beach Fire District

T.V.A.S.N.A.C.

As I have mentioned previously, the TVASNAC Committee, along with counsel, has sought records from the Port Authority pertaining to some of their noise recorders, in particular, in the Franklin Square area. It is our belief that certain neighborhoods are being unfairly abused with air-noise, by both frequency and altitude. As frequency goes, the 22's, or the runways that receive aircraft that fly over Brookville Blvd. and land across 878/Rockaway Blvd, get the lions share of traffic on a monthly basis. Also, the planes are flying lower than necessary. Commercial jet aircraft descend at a rate of 3.1 degrees. This is due to the fact that should an airplane lose power, it can still glide to the airport runway. The further away from the runway, the greater the altitude. It is our contention that if that ratio was increased just a bit to 4 degrees or possibly higher, it would give the aircraft a greater safety margin and lessen the noise impact on the ground. The further from the airport, the greater the altitude. We have requested communications from the FAA as to why this is not done.

Atlantic Beach is a departure-only area, so we are affected when there are onshore breezes, such as in the summertime. Jet aircraft gain altitude at the rate of about 400 feet per mile. Since we are about 5 miles from the end of 13 right, most planes are at an altitude of 1800 to 2,000 feet as they pass over us. Nowadays the bulk of departures are over Jamaica Bay and the Rockaways. When TVASNAC was formed, most of the departures were over us. The Port Authority and FAA found the new configuration to be more efficient, especially when they add in the Bay runway for departures.

The next TVASNAC meeting will be held two weeks from tonight at 7 PM at Town Hall in Hempstead. Anyone wishing to attend is welcome.

Regards,



Carl Baessler

TVASNAC Rep.

Atlantic Beach Cats Report
September & October 2025

The last two months have been quiet. There haven't been any stray unneutered cats seen in the village. We are very lucky since there have been hundreds of cats up for adoption on the island and Queens. Our volunteers are very diligent, and everyone is always looking out for stray cats. Atlantic Beach Cats was formed over 30 years ago. The method of TNR is a proven mission to reduce feral cat population humanely.

With the holiday around the corner don't forget us in writing a check that is tax deductible for Atlantic Beach Cats. It is greatly appreciated.

Thank you.

Beth H. Brenner

Nov. 10,2025

BUILDING AND PUBLIC WORKS REPORT November 10, 2025
Vincent Amoroso

PUBLIC WORKS

The 2025 Road Improvement Project for Bermuda St. is nearing completion. The project has taken slightly less time than anticipated, but the paving is complete and punch list items should be done in the coming weeks. We recognize the inconvenience the project has caused, but once completed it will be very big improvement.

We have completed approx. 460 lf of bike lane construction and will be proceeding with replacing the decking in the areas adjacent to the new bike lane. We have also removed and replaced a structural girder under the boardwalk in this area.

There continues to be FULL closure of the boardwalk from just east of the Nassau to Putnam Blvd, eliminating the ability utilize the Putnam ramp. The Plaza & Genesee ramps remain open.

BUILDING DEPARTMENT

Permits:

3- Non-Structural

6- Structural

4- Plumbing

1- Street Opening

3- Dumpsters

CODE ENFORCEMENT

Village Code Enforcement has written 78 tickets for the month of October and 10 Village Ordinance Summonses.

TREASURER'S REPORT FOR THE MONTH ENDING OCTOBER 31, 2025

CHASE-REGULAR CHECKING ACCOUNT*	\$ 933,191.73
CHASE-PAYROLL ACCOUNT	\$ 5,555.74
CHASE-INVESTOR'S CHOICE BZA ESCROW	\$ 56,079.61
CHASE-CAPITAL ACCOUNT CHECKING ACCOUNT	<u>\$ 254,611.76</u>
TOTAL CHASE	<u>\$ 1,249,438.84</u>
NYCLASS**	<u>\$ 1,136,736.09</u>
TOTAL ON HAND	<u>\$ 2,386,174.93</u>

*INTEREST \$ 498.39
 **INTEREST \$ 5,213.58

	10/31/2025	10/31/2024
CAPITAL CHECKING	\$ 254,611.75	\$ 253,086.68
BZA ESCROW	<u>56,079.61</u>	<u>31,564.23</u>
SUB-TOTAL	310,691.36	284,650.91
GENERAL FUND	<u>\$2,075,483.57</u>	<u>\$1,881,555.45</u>
TOTAL CASH AVAILABLE	<u>\$2,386,174.93</u>	<u>\$2,166,206.36</u>

CAPITAL CHECKING ANALYSIS

10.01.2025 BALANCE	\$ 254,493.64
INTEREST FOR PERIOD	118.12
CHECKS WRITTEN	<u>0.00</u>
10.31.2025 BALANCE	<u>\$ 254,611.76</u>

BZA ESCROW ANALYSIS

10.01.2025 BALANCE	\$ 54,303.15
DEPOSITS	1,750.00
TRANSFER TO REG CKG	0.00
CHECKS WRITTEN	0.00
INTEREST FOR PERIOD	<u>26.46</u>
10.31.2025 BALANCE	<u>\$ 56,079.61</u>

AMNESTY COLLECTIONS
PROGRAM TO DATE \$3,950.00

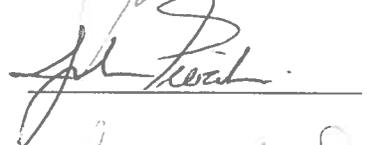
**Signatures for approval
of bills to be paid**

Board of Trustees meeting on Monday, Nov. 10th, 2025

Mayor Barry Frohlinger



Deputy Mayor Joseph Pierantoni



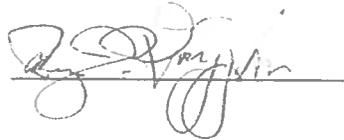
Trustee Laura Heller



Trustee Peter Millius



Trustee Douglas Garczynski



Report Total

\$ 196,920.24

Incorporated Village of Atlantic Beach
 Check/Voucher Register - check register
 From 10/29/2025 Through 10/29/2025

Bills to be approved:

Check Number	Vendor Name	Effective Date	Check Amount
10229	De Lage Landen Financial Services	10/29/2025	188.58
10230	Denise Carroll	10/29/2025	200.00
10231	Ford Motor Credit Company LLC	10/29/2025	20,705.66
10232	JP Morgan Chase	10/29/2025	1,689.08
10233	Katie Sullivan	10/29/2025	200.00
10234	Liberty	10/29/2025	794.75
10235	Minuteman Press of Rockville Centre	10/29/2025	50.00
10236	NCBA	10/29/2025	395.00
10237	National Grid	10/29/2025	92.48
10238	Northeastern Carpentry Services	10/29/2025	15,000.00
10239	NYSSOMFO	10/29/2025	100.00
10240	Optimum	10/29/2025	886.00
10241	Principal Life Insurance Co.	10/29/2025	1,235.78
10242	R & W Engineers, P.C.	10/29/2025	4,000.00
10243	R&C Rubbish Removal, Inc.	10/29/2025	9,500.00
10244	TD Card Services	10/29/2025	86.32
10245	TD Card Services	10/29/2025	396.27
10246	Verizon Wireless	10/29/2025	<u>244.88</u>

Report Total **55,764.80**

To be approved and paid **141,155.44**

To be approved **55,764.80**

Report Total **196,920.24**

Incorporated Village of Atlantic Beach

Check/Voucher Register - check register

111025 - 111025

11300 - Cash Chase Regular Checking - 3734

From 11/10/2025 Through 11/10/2025

<u>Check Number</u>	<u>Vendor Name</u>	<u>Effective Date</u>	<u>Check Amount</u>
10247	ADP, Inc.	11/10/2025	838.43
10248	Atlaz International	11/10/2025	406.99
10249	Centre Millwork	11/10/2025	45,146.17
10250	Edmunds GovTech	11/10/2025	4,712.62
10251	Final Elements Studio, LLC	11/10/2025	245.00
10252	Garden Gallery	11/10/2025	125.86
10253	H. Barber & Sons	11/10/2025	525.23
10254	Harris Beach PLLC	11/10/2025	21,685.23
10255	House of Tires & Auto Service	11/10/2025	598.73
10256	Joanne Piscione	11/10/2025	55.00
10257	Lowe's	11/10/2025	222.30
10258	Mac's Uniforms	11/10/2025	158.90
10259	Moritt Hock & Hamroff, LLP	11/10/2025	3,685.51
10260	MV Sport	11/10/2025	1,134.87
10261	Nassau County Treasurer	11/10/2025	560.79
10279	National Metal Industries	11/10/2025	60.00
10280	National Maintenance Supplies	11/10/2025	209.13
10281	Northeastern Carpentry Services	11/10/2025	12,000.00
10282	NYS Employees' Health Insurance ...	11/10/2025	12,653.72
10283	Optimum	11/10/2025	886.00
10284	Proskauer Rose LLP	11/10/2025	9,435.37
10285	PSEG Long Island	11/10/2025	2,090.61
10286	R&C Rubbish Removal, Inc.	11/10/2025	9,500.00
10287	Richner Communications, Inc.	11/10/2025	754.70
10288	Site Specialists Ltd	11/10/2025	3,348.00
10289	Town of Hempstead	11/10/2025	479.00
10290	Top Key Court Reporting, Inc.	11/10/2025	325.00
10291	Uline	11/10/2025	176.10
10292	United States Bronze	11/10/2025	132.00
10293	Wex Bank	11/10/2025	903.77
10294	Williamson Law Book Co.	11/10/2025	726.19
10295	Winters Bros Waste Systems of Lo	11/10/2025	7,374.22
		Total 11300 - Cash Chase Regular Checking - 3734	141,155.44
Report Total			141,155.44

A Local Law to amend Chapter 15, "Ethics," of the Code of the Village of Atlantic Beach

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

Section 1. Legislative Intent and Purpose.

The Board of Trustees finds it necessary and appropriate to amend Chapter 15 of the Village Code to strengthen the existing Code of Ethics and reestablish a Board of Ethics. The purpose of this amendment is to enhance public trust, avoid conflicts of interest or the appearance thereof, and provide clearer guidance to all Village officers and employees in the performance of their duties.

Section 2. Amendment of Chapter 15 Article I, Section 1.

Chapter 15, Article I, Section 1 "Purpose", is hereby amended in its entirety to read as follows:

§ 15-1 Purpose.

- A. The Board of Trustees of the Village of Atlantic Beach recognizes that it must establish high standards of ethical conduct for officers, elected and appointed board, commission and committee members and employees of the Village so as to promote public confidence in the integrity of local government. Officers and employees of the Village of Atlantic Beach hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The Village of Atlantic Beach recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This Code of Ethics of the Village of Atlantic Beach establishes those standards.
- B. This Code of Ethics is enacted pursuant to § 806 of the General Municipal Law and § 10 of the Municipal Home Rule Law. Officers and employees of the Village of Atlantic Beach must comply with the provisions of the Code of Ethics, as well as the conflict of interest standards prescribed by Article 18 of the General Municipal Law. This Code of Ethics is in addition to the standards contained in Article 18 and is not intended to authorize any conduct prohibited by Article 18 of the General Municipal Law.

Section 3. Amendment of Chapter 15 Article I, Section 2.

Chapter 15, Article I, Section 2 “Definitions”, is hereby amended in its entirety to read as follows:

§ 15-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

- A. “Board” means the governing board of a municipality and any municipal administrative board (e.g. planning board, zoning board of appeals), commission, or other agency or body comprised of two or more municipal officers or employees.
- B. “Code” means this code of ethics.
- C. “Interest” means a direct or indirect financial or material benefit but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5% of the organization’s outstanding stock.
- D. “Municipality” means the Village of Atlantic Beach. The word “municipal” refers to the municipality.
- E. “Municipal officer or employee” means a paid or unpaid officer or employee of the Village of Atlantic Beach, including, but not limited to, elected officers, members of any of the municipality’s governing board, any of its administrative boards (e.g., Planning Board, Zoning Board of Appeals, Board of Trustees, Board of Ethics), commissions, committees, agencies, department heads and others who work in a similar capacity.
- F. “Relative” means a spouse, domestic partner, parent, step-parent, sibling (including half sibling), step-sibling, sibling’s spouse, child, step-child, uncle, aunt, nephew, niece, first cousin, or household member of a municipal officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

Section 4. Amendment of Chapter 15 Article I, Section 3.

Chapter 15, Article I, Section 3 "Standards of Conduct", is hereby amended in its entirety to read as follows:

§ 15-3 Standards of conduct.

- A. Every municipal officer or employee must endeavor to pursue a course of conduct consistent with the declaration of policy and other provisions of this chapter and strive to act so as not to raise reasonable suspicion among the public that the municipal officer or employee may or is likely to be engaged in conduct that is in violation of the public's confidence and trust. The specific prohibitions set forth herein are not necessarily an exclusive list of provisions regarding the ethical conduct of municipal officers or employees.

A municipal officer or employee must not use the municipal office or employee's official position or office, or take or fail to take any discretionary action, in a manner which the municipal officer or employee knows, or has reason to know, may result in a personal financial benefit for any of the following persons:

- 1) Any municipal officer or employee;
 - 2) Any municipal officer's or employee's employer (other than the Village);
 - 3) A municipal officer's or employee's relative;
 - 4) Any person or business entity that is a customer or client of the municipal officer or employee; or
 - 5) Any business entity in which the municipal officer or employee or a relative of the municipal officer or employee has a financial or pecuniary interest or serves as an employee, officer, or director, whether compensated or not compensated, or of which the municipal officer or employee or the municipal officer or employee's relative own 5% or greater of the outstanding stock or has authority to decide upon dispensing grants or other monetary benefits.
- B. A municipal officer or employee with the authority, either individually or as a member of a board, commission, or other village agency, to conduct inspections or issue permits or other Village approvals is not permitted to:
- 1) Engage in a business activity or have a financial interest in any business entity that conducts such inspections or applies for or assists in applications for such Municipality permits as a regular and significant part of its business; or

- 2) Conduct any inspection or issue any permit with respect to an application in which the municipal officer or employee's outside employer or business has been involved.
- C. Misuse of authority. A municipal officer or employee must not use or attempt to use the municipal officer or employee's official position to secure unwarranted privileges or exemptions for the municipal officer or employee or others.
- D. Discrimination. A municipal officer or employee must not:
- 1) Discriminate or cause involuntary segregation, directly or indirectly, based on age, race, creed, color, religion, ethnicity, national origin, alienage or citizenship, familial status, marital status, military status, sex, gender identity or expression, sexual orientation, lawful source of income, status as a victim of domestic violence, or disability or allow the preceding to be factors affecting recruitment, selection, placement, assignment, compensation or promotion of any Village officer, member of any agency, or employee.
 - 2) Permit, directly or indirectly, the use of any Village property, equipment or services by any person, business entity or any other group which directly or indirectly discriminates as set forth in Subsection **D. 1)** above.
 - 3) Knowingly allow, cause, or enable the Village to have any financial or business dealings with any business entity or organization which discriminates as set forth in Subsection **D. 1)** above.

Section 5. Amendment of Chapter 15 Article I, Section 4.

Chapter 15, Article I, Section 4 "Filing of Claim", is hereby amended in its entirety to read as follows:

§ 15-4 Prohibition on use of municipal position for personal or private gain.

- A. No municipal officer or employee shall use his or her municipal position or official powers and duties to secure a financial or material benefit for himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.
- B. This Section 15-4 shall not prohibit a municipal officer or employee from:
 - 1) Voting to approve the municipality's annual budget;
 - 2) Receiving lawful compensation for services as a municipal officer or employee;

- 3) Receiving payment or reimbursement for actual and necessary expenses reasonably incurred in the performance of official duty;
- 4) Receiving payments under a lawful municipal contract;
- 5) Using municipal personnel, vehicles, equipment, materials, supplies or property for any purpose pursuant to law; or
- 6) Performing a ministerial function that does not require the exercise of discretion.

Section 6. Amendment of Chapter 15 Article I, Section 5.

Chapter 15, Article I, Section 5 “Distribution”, is hereby amended in its entirety to read as follows:

§ 15-5 Treatment of public.

All municipal officers and employees shall treat all members of the public, whether a person, firm or corporation, or other organization without special advantage in carrying out his or her official duties.

Section 7. Amendment of Chapter 15 Article I, Section 6.

Chapter 15, Article I, Section 6 “Penalties for offenses”, is hereby amended in its entirety to read as follows:

§ 15-6 Disclosure of interest in legislation and other matters.

- A. Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a Board, and disposition of the matter could result in a direct or indirect financial or material benefit to himself or herself, a relative, or any private organization in which he or she is deemed to have an interest, the municipal officer or employee shall disclose in writing the nature of the interest.
- B. The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee, or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.
- C. In the case of a person serving in an elective office, the disclosure shall be filed with the Board of Trustees. In all other cases, the disclosure shall be filed with the person’s supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the municipal officer, employee or board having the power to appoint to the person’s position.

- 1) In the event that a person is serving as a member of any municipal Board, then a copy of such disclosure shall be filed with the Board. Any disclosure made to any Board shall be made publicly available at a meeting of the Board and must be included in the minutes of the meeting.

Section 8. Amendment of Chapter 15 Article I, Section 7.

Chapter 15, Article I, Section 7 “Penalties for offenses”, is hereby amended to create a new § 15-7 to read as follows:

§ 15-7 Investments in conflict with official duties.

- A. No municipal officer or employee may acquire the following investments:
 - 1) Investments that can be reasonably expected to require more than sporadic recusal and abstention under § 15-10 of this code; or
 - 2) Investments that would otherwise impair the person’s independence of judgment in the exercise or performance of his or her official powers and duties.
- B. This section does not prohibit a municipal officer or employee from acquiring or disposing of any other investments such as the following assets:
 - 1) Real property located within the municipality that is a residence for the municipal officer or employee;
 - 2) Less than five percent of the stock of a publicly traded corporation;
 - 3) Bonds or notes issued by the municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

Section 9. Amendment of Chapter 15 Article I, Section 8.

Chapter 15, Article I, Section 8 “Establishment”, is hereby amended to create a new § 15-8 to read as follows:

§ 15-8 Private Employment in conflict with official duties.

- A. No municipal officer or employee, during his or her tenure as a municipal officer or employee, may engage in any private employment, including the rendition of any business, commercial, professional or other types of services, when the employment:

- 1) Can be reasonably expected to require more than sporadic recusal and abstention pursuant to § 15-10 of this code;
- 2) Can be reasonably expected to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee;
- 3) Violates section 805-a(1)(c) or (d) of the General Municipal Law; or
- 4) Requires representation of a person or organization other than the municipality in connection with litigation, negotiations or any other matter to which the municipality is a party.

Section 10. Amendment of Chapter 15, Article II.

The existing § 15-7, “Establishment” and § 15-8 “Powers and duties” are hereby repealed.

Section 11. Amendment of Chapter 15, Article I.

Chapter 15, Article I, is hereby amended by adding nine new sections, to be designated as §15-9, § 15-10, § 15-11, § 15-12, § 15-13, § 15-14, § 15-15, § 15-16, and § 15-17 to read as follows:

§ 15-9 Future employment.

- A. No municipal officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal officer or employee, either individually or as a member of a board, while the matter is pending or within one year following final disposition of the matter.
- B. No municipal officer or employee, for the two-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the municipal office, board, department or comparable organizational unit for which he or she serves.
- C. No municipal officer or employee, at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

D. This section does not prohibit a municipal officer or employee from:

- 1) Representing him or herself, or his or her spouse or minor children, before the Village of Atlantic Beach, or any officer, administrative board, commission or other agency of the municipality, in connection with any personal matter that does not arise from or involve a business, commercial or professional activity;
- 2) Asserting a claim against the municipality on his or her own behalf, or on behalf of his or her spouse or minor children, in connection with any personal matter that does not arise from or involve a business, commercial or professional activity.
- 3) Appearing before the Village of Atlantic Beach Justice Court on behalf of private citizens.

§ 15-10. Recusal and abstention.

- A. No municipal officer or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it, when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.
- B. In the event that this section 15-10 prohibits a municipal officer or employee from exercising or performing a power or duty:
 - 1) If the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board; or
 - 2) If the power or duty that is vested in a municipal officer individually, then the power or duty shall be exercised or performed by his or her deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function.
 - 3) If the power or duty is vested in a municipal employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty.
- C. This code's prohibition on use of a municipal position (§ 15-3), disclosure requirements (§ 15-6), and requirements relating to recusal and abstention (§ 15-10), shall not apply with respect to the following matters:
 - 1) adoption of the municipality's annual budget;

- 2) any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:
 - a. all municipal officers or employees;
 - b. all residents or taxpayers of the municipality or an area of the municipality; or
 - c. the general public; or
 - d. any matter that does not require the exercise of discretion.

D. Recusal and abstention shall not be required with respect to any matter:

- 1) Which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by § 15-10 of this code;
- 2) Which comes before a municipal officer when the officer would be prohibited from acting by § 15-10 of this code and the matter cannot be lawfully delegated to another person.

§ 15-11. Interests in contracts.

- A. No municipal officer or employee may have an interest in a contract that is prohibited by § 801 of the General Municipal Law.
- B. Every municipal officer and employee shall disclose interests in contracts with the municipality at the time and in the manner required by § 803 of the General Municipal Law.

§ 15-12. Use of municipal resources.

- A. Municipal resources shall be used for lawful municipal purposes. Municipal resources include, but are not limited to, municipal personnel, and the municipality's money, vehicles, equipment, materials, supplies or other property.
- B. No municipal officer or employee may use or permit the use of municipal resources for personal or private purposes, but this provision shall not be construed as prohibiting:
 - 1) Any use of municipal resources authorized by law or municipal policy;
 - 2) The use of municipal resources for personal or private purposes when provided to a municipal officer or employee as part of his or her compensation;
or

- 3) The occasional and incidental use during the business day of municipal telephones and computers for necessary personal matters such as family care and changes in work schedule.
- C. No municipal officer or employee shall cause the municipality to spend more than is reasonably necessary for transportation, meals or lodging in connection with official travel.

§ 15-13. Nepotism.

- A. No municipal officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the municipality or a municipal board.
- B. No municipal officer or employee may supervise a relative in the performance of the relative's official powers or duties.
- C. Any employee whose employment by the Village began prior to November 10th, 2025, is exempt from § 15-13.
- D. In exceptional circumstances, the limitations set forth in § 15-13 may be waived, provided such exception is approved in advance by a formal vote of the Board of Trustees.

§ 15-14. Political solicitations.

- A. No municipal officer or employee shall directly or indirectly compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.
- B. No municipal officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any municipal officer or employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.
- C. No municipal officer or employee shall use municipal resources for any political campaign or political activity.

§ 15-15. Confidential information.

No municipal officer or employee who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his or her official powers and duties.

§ 15-16. Gifts.

- A. No municipal officer or employee shall solicit, accept or receive a gift in violation of section 805-a(1)(a) of the General Municipal Law as interpreted in this section.
 - B. No municipal officer or employee may directly or indirectly solicit any gift.
 - C. No municipal officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of seventy-five dollars or more when:
 - 1) The gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his or her official powers or duties;
 - 2) The gift could reasonably be expected to influence the officer or employee in the exercise or performance of his or her official powers or duties; or
 - 3) The gift is intended as a reward for any official action on the part of the officer or employee.
 - D. For purposes of this section, a “gift” includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift’s fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed seventy-five dollars must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.
 - E. Presumption.
 - 1) A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.
 - 2) A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding twelve months.
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F. This section does not prohibit any other gift, including:

- 1) Gifts made to the municipality;
- 2) Gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a municipal officer or employee, is the primary motivating factor for the gift;
- 3) Gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;
- 4) Unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;
- 5) Awards and plaques having a value of seventy-five dollars or less which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community; or
- 6) Meals and refreshments provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants;
- 7) Complimentary attendance, food and beverage offered by the sponsor of an event that is widely attended or was in good faith intended to be widely attended, when attendance at the event is related to the municipal officer or employee's duties and responsibilities as a public official or village employee or allows the municipal officer or employee to perform a ceremonial function appropriate to the municipal officer's or employee's position;
- 8) Political contributions that are subject to disclosure and not otherwise prohibited by law.

§ 15-17. Annual financial disclosure.

- A. Within thirty days after taking office, or announcing candidacy for office, and no later than July 15 of each year thereafter, all municipal officers and employees shall file with the Village Clerk a financial disclosure statement.
 - B. The financial disclosure statement will be in the form approved, from time to time, by the Board of Ethics.
 - C. Notwithstanding §15-17 A above, within 30 days of a material change in the information provided in the annual financial disclosure statement or an acquisition or disposition of rental property in the Village, the municipal officer or employee will amend such annual financial disclosure statement to reflect such information. Amendments to annual disclosure statements will be noticed concurrently to the Board of Ethics for a §15-7 A review.
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Section 12. Amendment of Chapter 15, Article II.

Chapter 15, Article II, is hereby amended by adding nine new sections, to be designated as §15-18, § 15-19, § 15-20, § 15-21, § 15-22, and § 15-23 to read as follows:

§ 15-18. Board of Ethics.

A. There is hereby established a board of ethics for the municipality. The board of ethics shall consist of five members. The members of such board of ethics shall be appointed by the Board of Trustees, receive no salary or compensation for their services as members of the board of ethics, and shall serve three-year terms that are hereby staggered. Initial appointments shall be made as follows: two members shall be appointed for an initial term of one year, two members shall be appointed for an initial term of two years, and one member shall be appointed for an initial term of three years. Subsequent appointments for all vacancies shall be for the full three-year term.

B. Qualification of Board members.

- 1) All members of the Board of Ethics must be residents of the municipality.
- 2) The members of the Board of Ethics should be qualified by temperament and experience to carry out the duties and responsibilities of the Board.
- 3) No member of the Board of Ethics shall be a committee person or hold office in a partisan political organization or hold elective office in the Village of Atlantic Beach.
- 4) No officer or employee of the Village of Atlantic Beach is eligible to serve on the Board of Ethics.

C. Powers and duties of the Board of Ethics.

- 1) The Board of Ethics shall select its own Chairperson from within the Board for a one-year term. The Chairperson or a majority of the Board of Ethics may call a meeting of the Board of Ethics, and the Board of Ethics must meet at least quarterly.
- 2) To prescribe and promulgate rules and regulations governing its own internal organization and procedures in a manner not inconsistent with this section or state or federal law.
- 3) To review lists of municipal officials and disclosure statements pursuant to §15-17 of the Village of Atlantic Beach Code of Ethics.
- 4) To conduct investigations pursuant to § 15-19 of the Village of Atlantic Beach Code of Ethics.

- 5) To conduct hearings, recommend disciplinary action and initiate appropriate actions and proceeding pursuant to §§ 15-19 and 15-20 of the Village of Atlantic Beach Code of Ethics.
- 6) To issue advisory opinions pursuant to § 15-21 of the Village of Atlantic Beach Code of Ethics.
- 7) To provide ethics training and education to Village officers and employees on the provisions of the Village of Atlantic Beach Code of Ethics and Article 18 of the General Municipal Law.
- 8) The Ethics Board of the Village of Atlantic Beach may act only with respect to officers and employees of the municipality and persons having business dealing with the municipality. The termination of a Village officer's or employee's term of office or employment with the Village shall not affect the jurisdiction of the Village Board of Ethics with respect to requirements imposed by this chapter on current and former Village officers or employees to the extent permitted by law.
- 9) The Village Board of Ethics may refer any matter within its jurisdiction to the County Ethics Board in its discretion.
- 10) A member of the Board of Ethics may be removed from office by a minimum of four votes of the Board of Trustees for failure to fulfill the duties of the office or for violation of this chapter. The Board of Trustees must give the Board member written notice and an opportunity to reply. The reply must be received within two weeks of the written notice.
- 11) The Board of Ethics must prepare an annual report to the Board of Trustees on its activities and recommend changes to the Village Ethics Law.

§ 15-19. Complaints and investigations.

- A. Upon receipt of a form duly sworn by the person requesting an investigation of an alleged violation of this chapter or upon the Board determining on its own initiative that a violation of this chapter may exist, the Board of Ethics shall have the power and duty to conduct any investigation necessary to carry out the provisions of this section. In conducting any such investigation, the Board may administer oaths or affirmations, subpoena witnesses and compel their attendance and require the production of any books or records which it may deem relevant or material. The form to be utilized in requesting an investigation of an alleged violation of this chapter shall be the form available in the office of the Village Clerk.
- B. The Village Board of Ethics investigation shall be confidential until such time that a final determination of the Village Board of Ethics has been made. Thereafter the Village Board of Ethics shall state, in writing, its disposition of every sworn

complaint it receives and of every investigation it conducts and shall set forth the reasons for the disposition to the Board of Trustees. Any findings of violations of this chapter or other applicable law shall be served upon the subject of the investigation within seven days of any such findings of violations and such violations shall be made a public record and shall be indexed and maintained on file by the Village Clerk.

§ 15-20. Enforcement.

- A. Any municipal officer or employee who violates this code may be censured, fined, suspended or removed from office or employment in the manner provided by law.
- B. Damages. The Board of Ethics may recommend to the Board of Trustees that the Village initiate an action in the Supreme Court of the State of New York to recover damages arising from the violation of this chapter.
- C. Civil forfeiture. The Board of Ethics may recommend to the Board of Trustees that the Village initiate an action or special proceeding, as appropriate, in the Supreme Court of the State of New York to obtain civil forfeiture of any proceeds arising from the violation of this chapter.
- D. Debarment. The Ethics Board may recommend to the Board of Trustees that any person or business entity which violates this chapter be debarred from transacting business with the Village.
- E. Injunctive relief. The Board of Ethics may recommend to the Board of Trustees that the Village initiate an action or special proceeding, as appropriate, in the Supreme Court of the State of New York for injunctive relief to enjoin a violation of this chapter or to compel compliance with this chapter.
- F. Prosecutions. The Board of Ethics may recommend to the Board of Trustees that the Village refer to the appropriate prosecutor possible criminal violations of this chapter.

§ 15-21. Confidential ethics advisory opinions.

- A. The Board of Ethics shall render confidential advisory opinions only to officers and employees of the Village of Atlantic Beach with respect to Article 18 of the General Municipal Law and this Code of Ethics.
 - B. If a municipal officer or employee is in doubt regarding any particular conduct or issue, the municipal officer or employee may request guidance from the Board of Ethics who shall, in their discretion, prepare an advisory opinion, based on a thorough review of the facts and applicable law.
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- C. The Board's opinion is to be based solely on the facts presented in the request or subsequently submitted in a written signed document. The opinion will be rendered in writing to the requester as expeditiously as is practicable, with special attention to the time requirements of a given case.
- D. An officer or employee of the municipality whose conduct or action is the subject of an advisory opinion will not be subject to penalties or sanctions by virtue of acting, or failing to act, due to a reasonable reliance on the opinion, unless material facts were omitted or misstated in the material submitted by the requester.
- E. The Board of Ethics will maintain a confidential indexed file of all advisory opinions issued by the Board.

§ 15-22. Posting and distribution.

- A. The Village Clerk must promptly cause a copy of this code, and a copy of any amendment to this code, to be posted publicly and conspicuously in each building under the municipality's control. The code must be posted within ten days following the date on which the code takes effect. An amendment to the code must be posted within ten days following the date on which the amendment takes effect.
- B. The Village Clerk must promptly cause a copy of this code, including any amendments to this code to be distributed to every person who is or becomes an officer or employee of the Village of Atlantic Beach.
- C. Every municipal officer or employee who receives a copy of this code or an amendment to the code must acknowledge such receipt in writing. Such acknowledgments must be filed with the Village Clerk who must maintain such acknowledgments as a public record.
- D. The failure to post this Code of Ethics or an amendment to the code does not affect either the applicability or enforceability of the code or amendment. The failure of a municipal officer or employee to receive a copy of the Code of Ethics or an amendment to the code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the code or of the amendment to the code.

§ 15-23. Biennial ethics training.

- A. All officers and employees of the Village of Atlantic Beach and members of the Village of Atlantic Beach Board of Ethics must complete an initial ethics training seminar within one (1) year of the effective date of this amendment. Thereafter, all such individuals must complete ethics training on a biennial basis. Ethics training will be provided at the direction of the Village Board, in conjunction with the Board of Ethics.

- B. Ethics training shall be provided by qualified professionals proficient in municipal ethics and will be designed to keep recipients knowledgeable of current standards and issues in municipal ethics.
- C. The training seminar will be made available each year.
- D. Scheduling and records documenting compliance with this section will be performed and maintained by the Village Clerk.

ADOPTED November 10, 2025

A Local Law Authorizing the use of Videoconferencing for Meetings of Public Bodies of the Village of Atlantic Beach

BE IT ENACTED by The Board of Trustees of the Village of Atlantic Beach, County of Nassau, State of New York, the Village Code of the Village of Atlantic Beach is hereby amended by adding a new Chapter ___ entitled “**Videoconferencing of Meetings of Public Bodies,**” to read as follows:

Chapter ___. Videoconferencing of Meetings of Public Bodies

Section 1. Legislative intent.

It is the intent of this chapter to authorize all public bodies of the Village of Atlantic Beach to conduct meetings consistent with the videoconferencing provisions of Public Officers Law § 103-a, the provisions of this chapter, and the videoconferencing policies adopted by the Village Board of Trustees.

Section 2. Statutory authority.

This chapter is adopted pursuant to Public Officers Law § 103-a, which expressly authorizes the Board of Trustees to adopt local legislation, authorizing the use of videoconferencing.

Section 3. Definitions.

As used in this chapter, the following terms shall have the meaning indicated:

FREEDOM OF INFORMATION LAW — Public Officers Law Article 6.

MINUTES — The minutes of a meeting as defined in Public Officers Law Article 7.

OPEN MEETINGS LAW — Public Officers Law Article 7.

PRESENT AT A MEETING — Physically present at a meeting location, or present by videoconference, except where otherwise provided in this resolution.

PUBLIC BODY — Any public body of the Village of Atlantic Beach, as defined in Public Officers Law Article 7.

PUBLIC MEETING — Any meeting of a public body which is required to be open to the public pursuant to the Open Meetings Law, but not including any portion of such meeting from which the public may be excluded as permitted by law.

VIDEOCONFERENCING — A means of conducting a meeting of a public body as authorized by Public Officers Law Article 7.

Section 4. Use of videoconferencing for meetings of public bodies.

All public bodies of the Village of Atlantic Beach are authorized to use videoconferencing when conducting meetings of such public bodies, subject to the following:

A. A quorum of the members of the public body must be physically present at the meeting in one or more physical locations at which members of the public are permitted to attend the meeting. Members of the public body who are not present at a physical location at which members of the public are permitted to attend shall not be included in determining whether there is a quorum of the body present, but may participate and vote if a quorum of members are physically present at one or more locations open to public attendance.

B. In order to participate in, and vote at, a videoconference meeting, members of the public body must be physically present at one or more of the meeting location(s) at which the public is permitted to attend in person, except that a member of the public body may attend, participate and vote without being physically present where such member is unable to be physically present due to extraordinary circumstances. Any member participating in a meeting of a public body without being physically present shall not be included in any quorum of the public body, unless expressly otherwise provided by law.

(1) "Extraordinary circumstances" as used in this resolution shall mean and include any disability or illness, caregiving responsibilities, or any significant or unexpected factor or event that precludes a member of the public body from being physically present at such meeting.

(2) The existence of extraordinary circumstances in any instance may be approved by the presiding officer of the public body, and only after a written request from the member claiming such circumstances. No such written request shall be approved unless received by the presiding officer and the clerk of the public body by mail, personal delivery, or electronic mail at least 72 hours prior to the scheduled time for the meeting. The approval of any such request shall be given no later than 4 hours prior to the scheduled time for the meeting, and shall be given to the member requesting such approval and the other members of the public body by personal delivery or electronic mail as expeditiously as feasible under the circumstances.

(a) Notwithstanding the provisions of this section, where a written request to approve an extraordinary circumstance demonstrates that the extraordinary circumstance claimed by any member of a public body first arose, or the member of the public body first became aware of such circumstance, no more than 72 hours prior to the scheduled time for the meeting, the presiding office of such body may grant a

written approval for such member to attend and participate. Copies of such written request and approval shall be filed with the clerk of the body, and the details announced at the meeting.

C. Except in the case of executive sessions conducted pursuant to Public Officers Law § 105, or as otherwise expressly provided by law, members of the public body present and participating at a meeting by videoconference must be able to be heard, seen, and identified at all times while such member is present, including but not limited to any motions, proposals, resolutions, and any other matter discussed or voted upon. Except in the case where excused by the presiding officer for good cause, each member of the body participating by videoconference from a location not open to the public shall be identified by such member's full first and last name appearing on their videoconferencing screen.

D. The minutes of meetings conducted in whole or in part by videoconferencing shall include which, if any, members of the public body participated using videoconferencing technologies.

E. Any public meeting at which videoconferencing is used shall be recorded, and such recordings shall be posted to or linked on the Village website within five business days after the close of the meeting, and remain so posted to or linked on the website for a minimum of five years thereafter. Transcriptions of any such recordings shall be available upon request pursuant to the Freedom of Information Law, and any person requesting such transcription shall be responsible to pay or reimburse the Village for copies of such transcriptions as permitted by the Freedom of Information Law.

F. The public notice for any meeting at which videoconferencing will be used for attendance and participation of one or more members of the public body shall be given as provided in the Open Meetings Law, and shall include the following information in addition to any other information required by law:

- (1) A statement that videoconferencing will be used.
 - (2) The physical locations where any member of the public body will be physically present or attending by videoconferencing and where the public is permitted to attend in person, but not including any location at which a member of the public body is attending under extraordinary circumstances.
 - (3) Any other locations, including electronic link information, where members of the public may attend in person, or view and/or participate in such meeting via videoconference.
 - (4) The date and time, and location (physical or electronic), at which documents and records for the meeting will be posted or available as required by law.
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G. Except with respect to portions of any meeting from which the public may be excluded, members of the public shall be permitted to view the video broadcast of any meeting using videoconferencing simultaneously when the meeting is conducted. This provision shall not be construed to require video broadcasting of any meeting where not required by law.

H. At any meeting or portion of a meeting at which public comment or participation is authorized, or required by law, members of the public shall be able to participate in the proceedings using videoconference technologies in real time and with the same opportunities for public participation or testimony as in-person participation or testimony.

Section 5. Emergency meetings

Each public body may conduct meetings entirely by videoconference, with no in-person requirement, provided that:

A. A state of emergency has been declared by the Governor of the State of New York pursuant to Executive Law § 28, or

B. A local state of emergency has been declared by the Chief Executive Officer of the Village pursuant to Executive Law § 24, and the presiding officer of the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in-person meeting.

C. Whenever a public body invokes the emergency exception as defined in this section, and takes action at such meeting without allowing members of the public to be physically present, at the next succeeding meeting of the public body at which the public is permitted to attend, the public body shall acknowledge the previous such emergency meeting(s) and summarize any action(s) taken thereat. Minutes of each emergency meeting shall be made available pursuant to the requirements of Public Officers Law § 106.

ADOPTED: 11-10-2025

NOTICE

PUBLIC HEARINGS

AND

**REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF ATLANTIC BEACH**

MONDAY, NOVEMBER 10, 2025

7:30 PM

65 THE PLAZA, ATLANTIC BEACH, NY
