

**MINUTES OF THE 1158th MEETING OF THE
BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT
July 27th, 2022
Adopted on August 23, 2022**

The 1158th meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Kouros Torkan at 6:30 p.m. at the Village Hall of the Village of Kings Point, 32 Steppingstone Lane, Kings Point, New York 11024.

PRESENT: Kouros Torkan, Mayor
Hooshang Nematzadeh, Trustee
Tedi Kashinejad, Trustee
Ebi Victory, Trustee

ALSO PRESENT: Gomie Persaud, Village Clerk-Treasurer
Stephen G. Limmer, Esq., McLaughlin & Stern, LLP,
General Counsel

ABSENT: None

Mayor Kouros Torkan made the following appointments subject to the approval of the Board:

Hooshang Nematzadeh, Deputy Mayor – one-year term

Planning Board: Hooshang Nematzadeh, Chairman – one-year term (2023)
Mark Stumer, Member – five-year term (2027)
Michael Lamoretti – unexpired term of Mayor Kouros Torkan (2023)

Board of Zoning Appeals: Mike Nassimi, Chairman – one-year term
Mike Nassimi – Member five-year term (2027)

Architectural Review Board: one-year term (2023)

Mark Stumer, Chairman – one-year term
Harvey Gessin (Holdover not reappointed)
Bita Sassouni
Sandy Kamali
Tedi Kashinejad (Holdover not reappointed)

Landmarks Preservation Commission: three-year term (2025)

Mark Stumer, Chairman – one-year term
Mark Stumer, Member – Member three-year term (2025)

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Village Engineer: Newport Engineering, P.C.

Village Historian: Peter A. Aron – one-year term

Village Clerk/Treasurer: Gomie Persaud – two year term

Deputy Village Treasurer: Julia Yan - one year term

Clerk of the Village Justice Court: Rosemarie Onorato - one-year term

Superintendent of Building Department: Chris Aiossa - one-year term

Secretary of Architectural Review Board: Mario Melito (not reappointed –
Holdover)

**Secretary to Board of Appeals and Assistant Secretary to Architectural and
Preliminary Site Review Board:** Xiomara Mignott - one-year term

Secretary to Board of Trustees: Matilde Velez - one-year term

Official Village Newspaper: Great Neck News, alternate Great Neck Record

Official Depositories: JP Morgan Chase Bank, Hanover Community
Bank, IDB Bank, Sterling Bank.

Accountants and Auditors: R.S. Abrams & Company, LLP, Sattie, Levine &
Ciaccio, CPA's P.C.

Village Medical Doctor: Scott Coyne

Acting Village Justice: Michael Zimmerman

Upon motion by Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-78**, the Board unanimously approved the **Annual Appointments** as made by Mayor Kouros Torkan.

Mayor Kouros Torkan opened the public hearing on the **proposed contract with the Alert Engine, Hook & Ladder & Hose Company No. 1, Inc. for the furnishing of fire protection service** within the Village of Kings Point for the

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one-year period commencing June 1, 2022, and ending May 31, 2022, for the total sum of **\$1,143,534.00**. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee Hooshang Nematzadeh seconded by Trustee Ebi Victory, by resolution # **2022-79**, the Board unanimously approved the proposed contract. A copy of the contract is on file with the Village Clerk.

Mayor Kouros Torkan opened the public hearing on the **proposed Bill 11 of 2022**, amending subdivision 1 of subsection F, of §161-34.1, signs and certain lighting, of Chapter 161, Zoning, of the Code of the Village of Kings Point. No one asked to be heard and the mayor closed the public hearing. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2022-80**, the Board unanimously approved the proposed Bill as Local Law **11 of 2022**. A copy of the Local Law is on file with the Village Clerk.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2022-81** the Board unanimously approved the minutes as presented of the Board **of Trustees meeting** of June 21, 2022.

Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2022-82**, the Board unanimously accepted the **Building Department report** for the period of June 2022, showing the total fees deposited of **\$30,627.00** into the General Fund and **\$58,000.00** into the Trust Fund. Copies of the reports are on file with the Village Clerk.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-83**, the Board unanimously accepted the Village **Justice Court report** for the period of June 2022, showing the total fees and surcharges collected of **\$9,195.00**. A copy of the report is on file with the Village Clerk.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2022-84**, the Board unanimously approved the payment of **audited claims** as follows:

A.	General Fund:	\$ 675,248.51
B.	Trust Fund:	\$ 174,600.00

Copies of the abstract of claims are on file with the Village Clerk.

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Upon motion of Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-85**, the Board unanimously re-adopted the revised Village Investment Policy as amended on June 28, 2022, with the following designated depositories in Appendix A to said Policy:

**Appendix A
DESIGNATED DEPOSITORIES**

The banks and trust companies authorized for the deposit of monies up to the following maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>
1. JP Morgan Chase Bank	\$ 17,000,000.00
2. Hanover Community Bank	\$ 6,000,000.00
3. IDB Bank	
4. Sterling National Bank	

A copy of the Investment Policy is on file with the Village Clerk.

Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-86**, the Board unanimously re-adopted the Procurement Policy for the Village that had previously been adopted by resolution # **2010-8** on January 14, 2010, as modified to conform with the subsequent amendments to the General Municipal Law. A copy of the Procurement Policy is on file with the Village Clerk.

Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2022-87**, the Board unanimously approved the attendance of appropriate Village Personnel and Village Officials to attend the following conferences - New York State Magistrates and Court Clerks Association; New York State Conference of Mayors and Other Public Officials Fall Training School and Public Works Conferences. Employees attending the aforementioned training shall be reimbursed for their registration, meals, and travel, at a total sum not to exceed **\$1,500.00** per conference. Mileage reimbursement for private car use to officers and employees who are authorized to use their personal automobiles only when used outside of the Village on official business and approved by the Mayor, will be at a rate as authorized from time to time by the Internal Revenue Service as a business travel expense.

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Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Ebi Victory, by resolution # **2022-88**, the Board unanimously approved the following resolution:

Claims Payable Prior to Audit

WHEREAS, the Village Law provides that the Board may authorize payment in advance of audit of claims for certain recurring charges, and

WHEREAS, penalties may be incurred if these charges are not timely paid,

NOW, THEREFORE, BE IT RESOLVED, that the Board, as authorized by Village Law § 5-524(5) and (6) and the Opinion of the State Comptroller in Opinion 62-63, authorize the Treasurer to pay without prior audit the following claims and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board:

1. Fixed Salaries
2. Debt Service
3. Amounts becoming due upon lawful contracts for periods exceeding one year
4. Compensation for services of employees or officers regularly engaged by the Village at agreed wages by the hour, day, week, month, or year
5. Public Utilities Services (electric, gas, water, sewer, and telephone)
6. Postage
7. Freight and express charges
8. Obligations to the State created by legislation, such as for the State Health Plan and the State Retirement Plan

Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-89** the Board unanimously approved the appointment of Village Clerk-Treasurer Gomie Persaud as the Record Retention Officer, the Drug and Alcohol contact, the Harassment Complaint Officer, the Civil Service Officer, the Safety Officer, and authorized her to be a signatory for all of the Village bank accounts.

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Trustee Ebi Victory introduced **Bill No. 12A of 2022**, a local law amending Section 1, Subsection D of § 117-11, Performance of work by Village, assessment of costs, of Chapter 117, Property Maintenance, of the Code of the Village of Kings Point. Upon motion by Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-90**, the Board unanimously found that the adoption of **Bill No. 12A of 2022**, as a local law would not be an action as defined in 6 NYCRR Part 617 and would not have an adverse impact upon the environment if enacted, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 12A of 2022, a local law amending Section 1, Subsection D of § 117-11, Performance of work by Village, assessment of costs, of Chapter 117, Property Maintenance, of the Code of the Village of Kings Point, at a meeting of the Board to be held on **August 23, 2022, at 6:00 p.m.** A copy of the bill is on file with the Village Clerk.

Trustee Ebi Victory introduced **Bill No. 13A of 2022**, a local law amending Chapter 106, Noise, of the Code of the Village of Kings Point. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-91**, the Board unanimously found that the adoption of **Bill No. 13A of 2022**, as a local law would not be an action as defined in 6 NYCRR Part 617 and would not have an adverse impact upon the environment if enacted, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 13A of 2022, a local law amending Chapter 106, Noise, of the Code of the Village of Kings Point, at a meeting of the Board to be held on **August 23, 2022, at 6:00 p.m.** A copy of the bill is on file with the Village Clerk.

Trustee Ebi Victory introduced **Bill No. 14 of 2022**, a local law amending the definition of Floor Area in Section 1, Subsection C of the definition of Floor Area, in § 161-13, Definitions, of Chapter 161, Zoning, of the Code of the Village of Kings Point. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2022-92**, the Board unanimously found that the adoption of **Bill No. 14 of 2022**, as a local law would not be an action as defined in 6 NYCRR Part 617 and would not have an adverse impact upon the environment if enacted, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 14 of 2022, a local law amending the definition of Floor Area in Section 1, Subsection C of the definition of Floor Area, in § 161-13, Definitions, of Chapter 161, Zoning, of the Code of the Village of Kings Point, at a meeting of the Board to be held on **August 23, 2022, at 6:00 p.m.** A copy of the bill is on file with the Village Clerk.

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Mayor Kouros Torkan informed the Board that since a vacancy was created on the Board when he resigned as a Trustee, he has appointed Ira S. Nesenoff as a Trustee of the Village to fill that vacancy for the balance of his unexpired term. Although Board approval may not be required for the Mayor's appointment to fill the vacancy of an elected officer of the Village, he would like that approval. Upon motion by Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-93**, the Board unanimously approved Mayor Kouros Torkan's appointment of Ira S. Nesenoff as Trustee of the Village of Kings Point to fill the vacancy created by Kouros Torkan's resignation for the balance of his unexpired term.

The Village Clerk/Treasurer presented the contract proposals for the inspection, testing and maintenance of the automatic fire sprinkler systems in the Village Hall from Maccarone Plumbing, Inc, in the amount of \$2,250.00 per year and Stat Inspection Corp. in the amount of \$6,600.00. Upon motion of Trustee Hooshang Nematzadeh and seconded by Trustee Tedi Kashinejad, by resolution # **2022-94**, the Board unanimously approved the proposal from Maccarone Plumbing, Inc. in the amount of \$2,250.00 per year for the inspection, testing, and maintenance of the automatic fire sprinkler systems in the Village Hall. Copies of the proposals are on file with the Village Clerk.

Based upon the recommendation of Mayor Kouros Torkan, upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-95**, the Board authorized the engagement of Ronald Campbell as an independent contractor to assist the Department of Public Works during emergencies within the Village that requires the clearing of snow, removal of trees, or any emergencies due to storms to be paid at the rate of \$75.00 per hour.

Based upon the recommendation of Mayor Kouros Torkan, upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-96**, the Village Board authorized the retention of Leslie Carroll as an independent contractor to assist the Building Department in issuing violations and summonses for property owners that violate the Village Code, to be paid at the rate of \$30.00 per hour, for not to exceed 20 hours per week, primarily on weekends, as directed by the Superintendent of the Building Department.

Pursuant to Chapter 117, Property Maintenance, of the Village Code, Chris Aiossa, Superintendent of the Building Department, has advised the Board that the respective owners of the properties at **2 Dock Lane, 94 Wildwood Road, 201 West Shore Road and 10 Lighthouse Road** are in violation of the Property

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Maintenance Code of the Village and have failed to take the remedial action necessary to effect compliance with Chapter 117 within the prescribed time set forth in his notices of violation to those property owners. The Superintendent has requested that the Village engage a contractor to perform the remedial action necessary to effect compliance with Chapter 117 for each of the subject properties. Mayor Kouros Torkan advised the Board that he has received three proposals from Papiro Landscaping, Inc., a separate proposal for each of the three properties, to perform the remedial action necessary to effect compliance with Chapter 117 at such property. Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-97** the Board unanimously adopted a resolution pursuant to **Village Code §117-11**, authorizing Papiro Landscaping, Inc. to perform the remedial action necessary to effect compliance with Chapter 117 at **2 Dock Lane, 201 West Shore Road, 94 Wildwood Road, and 10 Lighthouse Road** as set forth in its following proposals:

2 Dock Lane: Proposal dated 7/06/2022, Estimate #4989, not to exceed \$21,500.00.

Proposal dated 7/20/22, Estimate #5001, not to exceed \$9,600.00.

201 West Shore Road: Proposal dated 7/6/22, Estimate # 59630, not to exceed \$9,200.00

94 Wildwood Road: Proposal dated 7/6/22, Estimate #4990, not to exceed \$3,300.00.

10 Lighthouse Road: Proposal dated 7/6/22, Estimate #4991, not to exceed \$1,650.00.

And directed the Village Clerk to take all necessary and appropriate actions to recoup the Village's costs and expenses in correcting the violations in accordance with Village Code §117-2(F); and, in the event within the next twelve-month period there is a second or any subsequent offense of chapter 117 of the Village Code on any of such properties, pursuant to §117-11(D) of the Village Code, it shall not be necessary for the Building Inspector to obtain the permission of the Board or the Mayor to effectuate compliance with Chapter 117, and the Clerk shall again, in such event, take all necessary and appropriate actions to recoup the Village's costs and expenses in correcting those violations in accordance with Village Code §117-11. Copies of the proposals are on file with the Village Clerk.

The Board reviewed the letter dated July 21, 2022, from Nelson & Pope, the

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Village Engineers, recommending a change order for additional work under the Village's 2022 Roadway Improvements Project with Stasi Industries. Upon motion of Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad, by resolution # **2022-98**, the Board unanimously approved the change order for an additional cost of **\$631,822.25**. A copy of the letter is on file with the Village Clerk.

Mayor Kouros Torkan announced that he had concluded his negotiations with the Highway Department and the Administrative staff with regard to their requested salary increases for the 2022/2023 fiscal year. The negotiations had commenced prior to June 1, 2022, with the understanding from the beginning of those negotiations that if they hadn't been concluded by June 1, 2022, the increases for the 2022/2023 fiscal year would be retroactive to June 1, 2022. Based upon those negotiations, the Mayor recommended a 3% salary increase for the 2022/2023 fiscal year. Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-99**, the Board unanimously approved the Mayor's recommended 3% salary increase for the Highway Department and the Administrative staff as of June 1, 2022, for the 2022/2023 fiscal year.

Upon motion of Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad, by resolution # **2022-100**, the Board unanimously authorized the proposal from Power DMS to provide with a software that can be used for scheduling time off payroll export and digital staffing board for a cost of not to exceed \$4,500.00 (cost of \$2,000.00 setup charge and \$2,500.00 annual subscription).

Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-101**, the Board unanimously agreed to establish a nonrefundable fee of \$1,000.00 for all rental permit applications within the Village.

The Board discussed giving non-union employees Juneteenth as a holiday if it occurs on a weekday and tabled the matter to a future date.

Mayor Kouros Torkan informed the Board that Zachary Lobodzic a longtime dedicated employee of the Department of Public Works has notified the Village Clerk that he will be retiring from the village effective August 12, 2022. The Mayor and Trustees expressed their gratitude and appreciation for Zachary's years of dedicated service to our Village and wished him the best of luck in his well-deserved retirement.

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Upon motion of Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-102**, the Board authorized the Village Clerk to coordinate with the Superintendent of Public Works and advertise for a Motor Equipment Operator to fill the vacancy that will be created by Zachary Lobodzic's retirement.

Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-103** the Board unanimously adopted the Drug and Alcohol-Free Policy for nonunion employees and authorized the Village Clerk to initiate the administration of all required tests. A copy of the policy is on file with the Village Clerk.

Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2022-104** the Board unanimously authorized GPS devices to be installed on all Village owned vehicles and instructed the Village Clerk to contact the vendor that the Village currently uses to add GPS devices to the vehicles that currently do not have GPS devices.

Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-105**, the Board unanimously adopted a requirement for a deposit of \$5,000.00 with all Architectural Review Board applications.

The Village Clerk presented the COVID-19 Policy that Paul Sweeney, the Village's labor attorney from Coughlin & Gerhart LLP, recommended. Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Ebi Victory, by resolution # **2022-106**, the Board unanimously adopted the COVID-19 Policy recommended by the labor attorneys at Coughlin & Gerhart, LLP. A copy of the policy is on file with the Village Clerk.

Upon motion of Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-107**, the Board unanimously adopted a revised resolution to hire Commercial Driver's License Permit Holders for employment in the Department of Public works with the agreement that they have one year to obtain a Commercial Driver's License.

Mayor Kouros Torkan advised the Trustees that in order to help assure a smooth transition in the Department of Public Works as Michael Moorehead retires after 32 years of service, he is delaying his appointment to the position of Superintendent of Public Works until December, during which time Michael Moorehead will remain in that position as a holdover and continue his

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responsibilities under his employment terms.

Upon motion of Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-108**, the Board unanimously accepted the proposal for Public Relations and Communication Services from ZE Creative Communications for a monthly retainer of \$3,500.00 and newsletter charges as set forth in more detail in the proposal, with the understanding that the acceptance is on a month-to-month basis cancellable on 30-days' notice after the first three months. A copy of the proposal is on file with the Village Clerk.

The Board tabled the application for an Off-Shore Structure for 10 Cove Lane Section 1, Block 132, Lot 416 and 417, because it is incomplete.

Mayor Kouros Torkan announced the next Board meeting would be held on August 23rd, 2022, at 6:00 p.m. at the Village Hall.
There being no further business to come before the Board, the Mayor adjourned the meeting at 8:20 p.m.

Gomie Persaud
Village Clerk/Treasurer