

MINUTES OF THE 1140th MEETING
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT
May 13, 2021
Adopted on June 15, 2021

The 1140th meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Michael C. Kalnick at 6:15 p.m. on May 13, 2021, at the Village Hall of the Village of Kings Point, 32 Steppingstone Lane, Kings Point, New York 11024.

PRESENT: Michael C. Kalnick, Mayor
David Harounian, Deputy Mayor
Kouros Torkan, Trustee
Ira Nesenoff, Trustee

ALSO PRESENT: Gomie Persaud, Village Clerk-Treasurer
Stephen Limmer, Esq., McLaughlin & Stern, LLP,
Chris Aiossa Superintendent of the Building
Department
Michael Moorehead, Superintendent of Public Works
George Banville, Police Commissioner

ABSENT: Hooshang Nematzadeh, Trustee

Mayor Michael C. Kalnick opened the public hearing on the **proposed Bill 3A of 2021**, a local law to amend Chapter 161, Zoning, of the Code of the Village of Kings Point to regulate Playground Equipment. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee Kouros Torkan, seconded by Trustee David Harounian, by resolution # **2021-71**, the Board unanimously approved the proposed Bill as Local Law 9 of 2021. A copy of the Local Law is attached to these minutes and is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on the **proposed Bill 4A of 2021**, a local law to amend Chapter 147, Trees, of the Code of the Village of Kings Point with regard to replacement trees and penalties. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee Ira Nesenoff, seconded by Trustee David Harounian, by resolution # **2021-72**, the Board unanimously approved the proposed Bill as Local Law 10 of 2021. A copy of the Local Law is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on the **proposed Bill 5A of 2021**, a local law to amend §84-24, Penalties for offenses, of Chapter 84, Fire Prevention and Building Construction, 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 Kouros Torkan, seconded by Trustee Ira Nesenoff, by resolution #

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2021-73, the Board unanimously approved the proposed Bill as Local Law 11 of 2021. A copy of the Local Law is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on the **proposed Bill 6C of 2021**, a local law to amend Chapter 161, Zoning of the Code of the Village of Kings Point with regard to greenhouses, fences, and offshore structures. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee David Harounian, seconded by Trustee Ira Nesenoff, by resolution # **2021-74**, the Board unanimously approved the proposed Bill as Local Law 12 of 2021. A copy of the Local Law is attached to these minutes and on file with the Village Clerk.

Upon motion by Trustee David Harounian, seconded by Trustee Ira Nesenoff, by resolution # **2021-75**, the Board unanimously approved the minutes as presented of the **Board of Trustees meeting** of April 14, 2021.

Upon motion by Trustee David Harounian, seconded by Trustee Kouros Torkan, by resolution # **2021-76**, the Board unanimously approved the payment of **audited claims** as follows:

a. General Fund:	\$ 478,831.20
b. Trust Fund:	\$ 10,350.00
c. Capital Fund:	\$ 55,000.00

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

Upon motion by Trustee Ira Nesenoff, seconded by Trustee David Harounian, by resolution # **2021-77**, the Board unanimously accepted the **Building Department report** for the period of April 2021, showing the total fees deposited of **\$36,200.00** into the General Fund and **\$13,800.00** into the Trust Fund. A copy of the report is on file with the Village Clerk.

Upon motion by Trustee Kouros Torkan, seconded by Trustee David Harounian, by resolution # **2021-78**, the Board unanimously accepted the **Village Justice Court report** for the period of April 2021, showing the total fees and surcharges deposited of **\$15,223.00** into the General Fund. A copy of the report is on file with the Village Clerk.

Village Clerk-Treasurer Gomie Persaud informed the Board that she had received the proposed fire protection contract from **Alert Engine, Hook and Ladder and Hose Company No.1, Inc.** for the period June 1, 2021, through May 31, 2022.

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Upon motion by Trustee David Harounian, seconded by Trustee Ira Nesenoff, by resolution # **2021-79**, the Board unanimously set a public hearing for the approval of the proposed contract for June 15, 2021, at 9:00 p.m. at the Village Hall, and directed Village Clerk-Treasurer Gomie Persaud to have a legal notice of the proposed public hearing published in the Village's official newspaper. Clerk. A copy of the proposed contract is on file with the Village Clerk.

The Board reviewed the proposal, by e-mail dated May 3, 2021, from Total Technology Solutions, for the June 1, 2021 to May 31, 2022 fiscal year. Upon motion by Trustee Kouros Torkan, seconded by Trustee Ira Nesenoff, by resolution # **2021-80**, the Board unanimously approved the proposal from Total Technology Solutions for the June 1, 2021 to May 31, 2022, fiscal year in accordance with its proposal by letter dated May 3, 2019, in the amount of **\$142,600 for technical services including annual cloud back up, total cloud server hosting, disaster recovery, LPR video camera service with 24x7 support, monthly monitoring of all workstations and 24/7 support service and maintenance of village website.** A copy of the letter is on file with the Village Clerk.

Trustee David Harounian offered the following resolution # **2021-81** and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF KINGS POINT,
NEW YORK, ADOPTED MAY 13, 2021, AUTHORIZING THE
ACQUISITION OF EQUIPMENT FOR USE BY THE
DEPARTMENT OF PUBLIC WORKS, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$690,000,
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
AND AUTHORIZING THE ISSUANCE OF BONDS IN THE
PRINCIPAL AMOUNT OF NOT TO EXCEED \$690,000 TO
FINANCE SAID APPROPRIATION

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THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT, IN
THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable
vote of not less than two-thirds of all the members of said Board of Trustees) AS
FOLLOWS:

Section 1. The Village of Kings Point, in the County of Nassau, New York (herein called the “Village”), is hereby authorized to acquire equipment for use by the Department of Public Works. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$690,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of not to exceed \$690,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$690,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

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(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the

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amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in “*The Great Neck News*,” a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF KINGS POINT, NEW YORK

PLEASE TAKE NOTICE that on May 13, 2021, the Board of Trustees of the Village of Kings Point, in the County of Nassau, New York, adopted a bond resolution entitled:

“Bond Resolution of the Village of Kings Point, New York, adopted May 13, 2021, authorizing the acquisition of equipment for use by the Department of Public Works, stating the estimated maximum cost thereof is \$690,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$690,000 to finance said appropriation,”

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an abstract of such bond resolution, concisely stating the purpose and effect

thereof, being as follows:

FIRST: AUTHORIZING said Village to acquire equipment for use by the Department of Public Works; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$690,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of not to exceed \$690,000 bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of not to exceed \$690,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: May 13, 2021

Gomie Persaud
Village Clerk

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Section 8. The Village Clerk is hereby authorized and directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

* * *

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES:	Mayor	Michael C. Kalnick
	Trustee	David Harounian
	Trustee	Kouros Torkan
	Trustee	Ira S. Nesenoff

NOES: None

The resolution was declared adopted.

Trustee Kouros Torkan introduced **Bill No. 7 of 2021**, a local law amending Chapter 30, Police Commissioners, Board of, of the Code of the Village of Kings Point. Upon motion by Trustee David Harounian, seconded by Trustee Ira Nesenoff, by resolution # **2021-82**, the Board unanimously found that the adoption of Bill No. **7 of 2021**, 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. 7 of 2021, a local law amending Chapter 30, Police Commissioners, Board of, of the Code of the Village of Kings Point, at a meeting of the Board of Trustees to be held on **June 15, 2021, at 9:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee David Harounian introduced **Bill No. 8 of 2021**, a local law amending Chapter 134, Streets and Sidewalks, of the Code of the Village of Kings Point.

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Upon motion by Trustee Ira Nesenoff, seconded by Trustee Kouros Torkan, by resolution # **2021-83**, the Board unanimously found that the adoption of Bill No. **8 of 2021**, 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. 8 of 2021, a local law amending Chapter 134, Streets and Sidewalks, of the Code of the Village of Kings Point, at a meeting of the Board of Trustees to be held on **June 15, 2021, at 9:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Kouros Torkan introduced **Bill No. 9 of 2021**, a local law amending the Code of the Village of Kings Point with regard to the assessment of costs for property maintenance performed by the Village of Kings Point. Upon motion by Trustee David Harounian, seconded by Trustee Ira Nesenoff, by resolution # **2021-84**, the Board unanimously found that the adoption of Bill No. **9 of 2021**, 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. 9 of 2021, a local law amending the Code of the Village of Kings Point, at a meeting of the Board of Trustees to be held on **June 15, 2021, at 9:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Ira Nesenoff introduced **Bill No. 10 of 2021**, a local law amending the general provisions of Chapter 88, Flood Damage Prevention, of the Code of the Village of Kings Point. Upon motion by Trustee Kouros, seconded by Trustee David Harounian, by resolution # **2021-85**, the Board unanimously found that the adoption of Bill No. **10 of 2021**, 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. 10 of 2021, a local law amending Chapter 88, Flood Damage Prevention, of the Code of the Village of Kings Point, at a meeting of the Board of Trustees to be held on **June 15, 2021, at 9:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Village Clerk-Treasurer Gomie Persaud informed the Board that Sterling Risk Insurance Company has been speaking with PERMA, the insurance carrier of the Villages' Workers' Compensation Insurance and was able to save the Village \$73,000.00 on the upcoming renewal which is due to expire on May 31, 2021. Sterling Risk Insurance company would work with PERMA to reduce the liability exposure of the Village due to Workers' Compensation Insurance claims and at

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the recommendation of Trustee Kouros Torkan, there will be no charge to the Village for the next fiscal year. Upon motion of Trustee David Harounian, seconded by Trustee Ira Nesenoff, by resolution # **2021-86**, the Board unanimously agreed to renew the Workers' Compensation Insurance policy with PERMA at a cost of **\$285,307.00**, and to retain Sterling Risk Insurance as brokers to oversee the liability claims for the Village from June 1, 2021, to May 31, 2022, at no cost to the Village. A copy of the proposal is on file with the Village Clerk.

Police Commissioner George Banville informed the Board that Civil Service has approved the hiring of Michael De Franco as a Police Officer by June 30, 2021, to fill the position approved for the Village. Upon motion by Trustee Ira Nesenoff, seconded by Trustee Kouros Torkan, by resolution # **2021-87**, the Board unanimously approved the hiring of Michael De Franco, as a Police Officer for the Village of Kings Point, at a starting salary of **\$72,392.00**, once clearance is received from Nassau County Civil Service.

Police Commissioner George Banville informed the Board that Civil Service has approved the hiring of Michael Stark as a Police Officer by June 30, 2021, to fill the position approved for the Village. Upon motion by Trustee David Harounian, seconded by Trustee Kouros Torkan, by resolution # **2021-88**, the Board unanimously approved the hiring of Michael Stark, as a Police Officer for the Village of Kings Point, at a starting salary of **\$72,392.00**, once clearance is received from Nassau County Civil Service.

Upon motion by Trustee David Harounian, seconded by Trustee Kouros Torkan, by resolution # **2021-89**, the Board unanimously approved the appointment of Michael Andrew Hummel by June 30, 2021, as a **Mechanical Equipment Operator Trainee for the Department of Public Works** at the rate of **\$45,000.00** per year, with a one-year probation period once clearance is received from Nassau County Civil Service.

Upon motion by Trustee Ira Nesenoff, seconded by Trustee Kouros Torkan, by resolution # **2021-90**, the Board unanimously approved the appointment of Gino Gallo by June 30, 2021, as a **Mechanical Equipment Operator Trainee for the Department of Public Works** at the rate of **\$45,000.00** per year, with a one-year probation period once clearance is received from Nassau County Civil Service.

Based upon the recommendation of Police Commissioner George Banville, upon motion by Trustee Ira Nesenoff, seconded by Trustee David Harounian, by resolution # **2021-91**, the Board unanimously accepted the proposal from **Federal Eastern International**, dated 5/17/2021, for the purchase of 16 Armor suit with 2

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Hilite Carriers, 16 guardian uniform outer carrier w/molle and 16 omega speed plate 8x10 SAPI, for a total cost of **\$25,627.20**. A copy of the quote is on file with the Village Clerk.

Superintendent of Building Department Chris Aiossa advised the Board that certain properties are in violation of Village Code 117-2(F) in that the owners have failed to perform seasonal property maintenance by not cutting the grass and weeds which are now in excess of 6 inches in height. Those properties being: **13 Catalina Drive, 5 Catalina Drive, 20 Split Rock Drive, and 3 Kings Point Road, 3 Kings Terrace and 23 Martin Court**. Upon motion by Trustee Ira Nesenoff, seconded by Trustee David Harounian, by resolution # **2021-92**, the Board unanimously adopted a resolution pursuant to **Village Code §117-11** authorizing the Building Inspector to cause the aforesaid violations at 13 Catalina Drive, 5 Catalina Drive, 20 Split Rock Drive, 3 Kings Point Road, 3 Kings Terrace and 23 Martin Court to wit: the failure to cut the grass and weeds in excess of 6 inches as required by the Village Property Maintenance Code, to be corrected since the owners of such premises have already been given 20 days' notice to correct the violation and, have not done so. The Building Inspector is authorized to cause the aforesaid violations to be corrected by hiring Papiro Landscaping Inc. to perform the necessary maintenance and the Village Clerk shall take all necessary and appropriate actions to recoup the Village's costs and expenses in correcting the violations in accordance with Village Code §117-11; 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 of Trustees 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.

Superintendent of Building Department Chris Aiossa also advised the Board that the owner of 18 Twin Ponds, in violation of **Village Code §117-2(A)**, has failed to maintain the swale on its property, causing surface level sewage to seep out of the ground and run into the Village's municipal separate storm sewer system. While the problem exists at 20 Twin Ponds as well, that property owner has applied for and received a building permit to restore the swale on its property, but that restoration will serve no purpose if the owner of 18 Spring Lane fails to restore the swale on its property. The owner of 18 Twin Ponds has not responded to any notices from the Building Department and its failure to restore the swale places the Village in jeopardy of being fined severely by the Department of Environmental Conservation for the sewage seepage into the Village's municipal separate storm

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sewer system. Accordingly, Superintendent Aiossa has requested the Board to adopt a resolution pursuant to **Village Code §117-11** authorizing the Building Inspector to cause the aforesaid violation to be corrected and the Village Clerk to take all necessary and appropriate actions to recoup the Village's costs and expenses in correcting the violation. Upon motion by Trustee Kouros Torkan, seconded by Trustee David Harounian, by resolution # **2021-93**, the Board unanimously adopted a resolution pursuant to **Village Code §117-11** authorizing the Building Inspector to cause the aforesaid violation at 18 Twin Ponds to be corrected since the owner of such premises has already been given more than 20 days' notice to correct the violation and, has not done so. The Building Inspector is authorized to work with one of the engineering firms engaged by Village to determine the work to be performed to correct the violation and then to enter into a contract on behalf of the Village with a firm to perform the work; 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 such property, 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 of Trustees 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.

Upon motion by Trustee Kouros Torkan, seconded by Trustee David Harounian, by resolution # **2021-94**, the Board unanimously adopted a resolution approving an amendment to its initial project agreement with the **New York Power Authority** for additional **street lights**, increasing the total project cost to \$270,680. A copy of the amendment to the project is on file with the Village Clerk.

Upon motion by Trustee Ira Nesenoff, seconded by Trustee Kouros Torkan, by resolution # **2021-95**, the Board unanimously approved the engagement **Steven Bobrik** as an independent contractor at a rate of \$55.00 per hour to assist with the training of someone to assist Commissioner George Banville for a period not to exceed 6 months, at a total cost not to exceed \$17,000.00.

Mayor Michal C. Kalnick announced that the next Meeting of the Board of Trustees will be held on **June 15th at 9:00 p.m.** at the Village Hall.

There being no further business to come before the Board, the Mayor adjourned the meeting at 6:45 p.m.

Gomie Persaud
Village Clerk-Treasurer

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