

MINUTES OF THE 1156<sup>th</sup> MEETING OF THE  
BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT  
May 23, 2022  
Adopted on June 21, 2022

The 1156<sup>th</sup> meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Michael C. Kalnick at 6:00 p.m. on May 23, 2022, 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  
Hooshang Nematzadeh, Trustee  
Ira S. Nesenoff, Trustee

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

**ABSENT:** None

Mayor Michael C. Kalnick opened the public hearing on **Bill 9 of 2022**, a proposed local law to amend the Code of the Village of Kings Point with regard to required notices to property owners. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee Hooshang Nematzadeh seconded by Trustee Kouros Torkan, by resolution # **2022-48**, the Board unanimously approved the Bill as **Local Law 8 of 2022**. A copy of the Local Law is on file with the Village Clerk.

Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee David Harounian, by resolution # **2022-49** the Board unanimously accepted the **Building Department reports** for the period of April 2022, showing the total fees deposited of **\$43,540.00** into the General Fund and **\$41,000.00** into the Trust Fund. Copies of the reports are on file with the Village Clerk.

Upon motion by Trustee David Harounian, seconded by Trustee Kouros Torkan, by resolution # **2022-50**, the Board unanimously accepted the **Village Justice Court report** for the period of April 2022, showing the total fines and surcharges collected of **\$11,274.00**. A copy of the report is on file with the Village Clerk.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee David Harounian, by resolution # **2022-51**, the Board unanimously approved the minutes as presented of the **Board of Trustees meetings** April 5, 2022, April 27, 2022, and May 5, 2022.

Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Kouros Torkan, by resolution # **2022-52**, the Board unanimously approved the payment of **audited claims** as follows:

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<b>A.</b>	<b>General Fund:</b>	<b>\$ 602,980.06</b>
<b>B.</b>	<b>Trust Fund:</b>	<b>\$ 18,045.00</b>

Copies of the abstracts of claims are 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, 2022, through May 31, 2023. Upon motion by Trustee David Harounian, seconded by Trustee Ira S. Nesenoff, by resolution # **2022-53**, the Board unanimously set a public hearing for the approval of the proposed contract for **June 21, 2022, 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. A copy of the proposed contract is on file with the Village Clerk.

Trustee Hooshang Nematzadeh introduced **Bill No. 8A of 2022**, a local law defining word "person" in the Code of the Village of Kings Point. Upon motion by Trustee David Harounian, seconded by Trustee Ira Nesenoff, by resolution # **2022-54**, the Board unanimously found that the adoption of **Bill No. 8A 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. 8A of 2022**, a local law amending the Code of the Village of Kings Point defining word "person", at a meeting of the Board of Trustees to be held on **June 21, 2022, at 9:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee David Harounian introduced **Bill No. 10 of 2022**, a local law amending § 137-35, Community Benefits Fund Fee, of Article VIII, Community Benefit Fund, of Chapter 137, Subdivision of land and of the Code of the Village of Kings Point. Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Kouros Torkan, by resolution # **2022-55**, the Board unanimously found that the adoption of **Bill No. 10 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. 10 of 2022**, a local law amending §137-35, Community Benefits Fund Fee, of Article VIII, Community Benefit Fund, of Chapter 137, Subdivision of land, of the Code of the Village of Kings Point, at a meeting of the Board of Trustees to be held on **June 21, 2022, at 9:00 p.m.** A copy of the Bill is on file with the Village Clerk.

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General Counsel Stephen G. Limmer informed the Board that he received an email from Tom Donato, dated May 5, 2022, recommending a settlement of the Downsview Corporation tax certiorari litigation with regard to 38 Shore Drive and referred the Board to his memorandum dated May 11, 2022. Based upon that memorandum, the Board adopted the following resolution:

Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution #2022-56, the Board unanimously approved the following:

WHEREAS there is now pending in the Supreme Court, Nassau County, a proceeding by the owner of certain property within the Village of Kings Point to reduce the assessed valuation placed on its property for Village tax purposes; and

WHEREAS the General Counsel to the Village recommends that said proceeding be settled in accordance with a written memorandum to this Board dated May 11, 2022. NOW, THEREFORE, the General Counsel is hereby authorized to settle the following tax certiorari proceeding on the basis indicated.

Downsview Corporation  
Address: 38 Shore Drive  
Section 1, Block 42, Lot 124

Tax Year	Present Assessment	Proposed Assessment	Reduction	Total Tax Rate/Refund
2012/13	\$ 83,200	\$17,965	\$ 65,235	Lump Sum
2013/14	\$ 63,200	\$17,658	\$ 45,542	Settlement of
2014/15	\$ 63,200	\$45,360	\$ 17,840	<b><u>\$10,000</u></b> , with a
2015/16	\$ 74,805	\$69,863	\$ 4,943	revised assessment
2016/17	\$101,150	\$96,390	\$ 4,760	of \$176,685, which
2017/18	\$185,500	\$97,200	\$ 88,300	Petitioner agrees
2018/19	\$185,500	\$86,670	\$ 98,830	not to challenge for
2019/20	\$185,500	\$85,050	\$100,450	the next 3 years
2020/21	\$185,500	\$87,480	\$ 98,020	
2021/22	\$185,500	\$80,190	\$105,310	
2022/23	\$185,500	\$74,520	\$110,980	

Based upon the varying tax rates for each  
year, Petitioner sought a total refund of  
**\$270,524**

Village Clerk-Treasurer Gomie Persaud informed the Board that the Village received the proposal from PERMA, the insurance carrier of the Village's Workers' Compensation Insurance, which is due to expire on May 31, 2022. Upon motion of Trustee David Harounian, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-57**, the

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Board unanimously agreed to renew the Workers' Compensation Insurance policy with PERMA at a cost of **\$294,883.00**. A copy of the proposal is on file with the Village Clerk.

Village Clerk/Treasurer Gomie Persaud informed the Board that the external auditors R.S. Abrams recommended that the Village put into place a policy for bid deposits or surety bonds that are made to the building department and submitted with various Board applications, to return any unused funds and any surety bond to which the depositor is entitled within three years of the date the deposit was made. The Board, after consultation with the Superintendent of the Building Department, found that the recommendation should be modified for building permit applications when the applicant receives an extension of time for the permit. Accordingly, if the homeowner or contractor does not close out or obtain an extension of an open permit or pending case that required a deposit or surety bond within 3 years of the deposit or upon the expiration of the permit, whichever is later, the bid deposit or principal of the surety bond will be forfeited to the village. Upon motion of Trustee Kouros Torkan, seconded by Trustee Ira S. Nesenoff, by resolution # **2022-58**, the Board unanimously agreed to adopt the recommendation made by the external auditors R.S. Abrams as modified above and the Board will review the cases that may require extensions from time to time.

Budget transfers between budget line items of various accounts in the General Fund are required during the fiscal year. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee David Harounian, by resolution # **2022-59**, the Board hereby authorizes the Village Clerk/Treasurer to make budget transfers between budget lines to ensure that the budget lines are not over expended as long as the transfer for any one item does not exceed five thousand dollars (\$5,000.00). All transfers in excess of five thousand dollars (\$5,000.00) must be approved by the Board of Trustees prior to initiating. A list of all transfers will be maintained with the Village Treasurer for audit purposes and presented to the Board on a monthly basis.

Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-60**, the Board unanimously approved the proposal from CivicPlus to create a new ADA compliant website for the Village at a cost of **\$12,310.00**, based on their quote # Q-25510-1 dated 05/16/2022. A copy of the quote is on file with the Village Clerk.

Upon motion by Trustee Kouros Torkan, seconded by Trustee David Harounian, by resolution # **2022-61**, the Board unanimously approved the proposal from CivicPlus to create a mass communications/notifications platform with multi-channel alerting for the Village at a cost of **\$2,700.00** for the first three (3) years, based on their quote # Q-24234-1 dated 04/07/2022. A copy of the quote is on file with the Village Clerk.

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The Village Clerk/Treasurer informed the Board that she spoke with the Labor Attorney of the Village, Paul Sweeney from Coughlin & Gerhart, LLP, with regard to putting a policy in place for all new hires that will be driving village equipment, that they should be drug tested prior to employment. It is recommended that the Village also adopt a policy to hire **ONLY** candidates that have a valid Commercial Driver's License for the Department of Public Works. Upon motion of Trustee David Harounian, seconded by Trustee Ira S. Nesenoff, by resolution # **2022-62**, the Board unanimously approved the recommendation to have ALL non-union employees drug tested prior to employment and to hire ONLY Commercial Driver Licensed candidates for employment with the Department of Public Works of the Village of Kings Point.

Mayor Michael C. Kalnick said that he was resigning as the Village's Chief Executive Officer's appointed member to the Water Authority of Great Neck North and as the Village's Chief Executive Officer's appointed member to the Municipal Sponsoring Board, which was established pursuant to an Intermunicipal Agreement as of December 1, 1996, for the purpose of creating a Length of Service Awards Program for the Alert Engine, Hook and Ladder and Hose Company No. 1. Inc., both of such resignations to be effective as of noon July 3, 2022.

In his capacity as Village's Chief Executive Officer, Mayor Michael C. Kalnick appointed Carol Frank as the Village's member to the Water Authority of Great Neck North, effective 12:01 p.m., July 3, 2022. To the extent required, if any, upon motion of Trustee Ira S. Nesenoff, seconded by David Harounian, by resolution # **2022-63**, the Board unanimously approved the appointment.

In his capacity as Village's Chief Executive Officer, Mayor Michael C. Kalnick appointed Hooshang Nematzadeh as the Village's member to the Municipal Sponsoring Board, effective 12:01 p.m., July 3, 2022. To the extent required, if any, upon motion of Trustee Ira S. Nesenoff, seconded by David Harounian, by resolution # **2022-64**, the Board unanimously approved the appointment.

Mayor Michael C. Kalnick stated that the next regular meeting of the Board of Trustees would be **June 21, 2022**, commencing at 9:00 p.m.

There being no further business to come before the Board, the Deputy Mayor adjourned the meeting at 6:15 a.m.

Gomie Persaud  
Village Clerk/Treasurer