

MINUTES OF THE 1134th MEETING OF THE
BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT
October 22, 2020
Adopted on November 23rd, 2020

The 1134th meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Michael C. Kalnick at 8:15 p.m. on October 22, 2020, 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
Sheldon Kwiat, Trustee
Hooshang Nematzadeh, Trustee
Kouros Torkan, Trustee

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

ABSENT: None

Mayor Michael C. Kalnick opened the public hearing on **Bill 10 of 2020**, a proposed local law to amend the provisions for the enforcement of building construction codes within the Village of Kings Point. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-89**, the Board unanimously approved the Bill as Local Law 7 of 2020. A copy of the Local Law is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on **Bill 11C of 2020**, a proposed local law to amend §, 84-20, operating permits, 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 David Harounian, by resolution # **2020-90**, the Board unanimously approved the Bill as Local Law 8 of 2020. A copy of the Local Law is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on **Bill 12 of 2020**, a proposed local law to amend Penalties for offenses, of Chapter 116, Penalties and Liability through Accessorial Conduct 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 David Harounian, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-91**, the Board

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unanimously approved the Bill as Local Law 9 of 2020. A copy of the Local Law is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on **Bill 13 of 2020**, a proposed local law amending the Code of the Village of Kings Point to provide that board approvals will lapse if not implemented within 3 years. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-92**, the Board unanimously approved the Bill as Local Law 10 of 2019. A copy of the Local Law is on file with the Village Clerk

Mayor Michael C. Kalnick made the following appointments, subject to the approval of the Board of Trustees:

Deputy Mayor – David Harounian - one year term

Planning Board: five-year term

Kouros Torkan, Chairman – one year term
Hooshang Nematzadeh - five year term (2025)

Board of Zoning Appeals: five-year term

Mike Nassimi, Chairman – one year term
Sam Strausman – five-year term

Architectural Review Board: one-year term (2020)

Mark Stumer – Chairman
Ed Victory
Harvey Gessin
Bita Sassouni
Ted Kashinejad

Landmarks Preservation Commission: three-year term

Marilyn Gessin, Member – three year term (2023)

Board of Police Commissioners: George Banville, two year term (2022)

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Village Engineer: Nelson & Pope Engineers & Surveyors Consulting Engineers

Village Historian: Peter A. Aron – one year term

Clerk/Treasurer: Gomie Persaud – two year term

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

Superintendent of Public Works: Michael Moorehead – one year term.

Superintendent of Building Department: Chris Aiossa – one year term

Secretary to ARB: Rodney McCoy – one year term

Secretary to the Board of Appeals: Xiomara Mignott - one-year term
and Assistant Secretary to the ARB:

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

Official Village Newspaper: Great Neck News

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

Accountants and Auditors: R.S. Abrams & Company, LLP

Village Medical Doctor: Scott Coyne

Acting Village Justice: Michael Zimmerman

Upon motion by Trustee David Harounian, seconded by Trustee Kouros Torkan by resolution # **2020-93**, the Board unanimously approved the **Annual Appointments** as made by Mayor Michael C. Kalnick.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-94** the Board unanimously accepted the **Building Department reports** for the period of September 2020, showing the total fees deposited of **\$49,210.00** into the General Fund and **\$14,800.00** into the Trust Fund. Copies of the reports are on file with the Village Clerk.

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Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Kouros Torkan, by resolution # **2020-95**, the Board unanimously accepted the **Village Justice Court report** for the period of September 2020, showing the total fines and surcharges collected of **\$20,515.00**. A copy of the report is on file with the Village Clerk.

Upon motion by Trustee David Harounian, seconded by Trustee Sheldon Kwiat, by resolution # **2020-96**, the Board unanimously approved the minutes as presented of the **Board of Trustees meeting** of September 15, 2020.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-97**, the Board unanimously approved the payment of **audited claims** as follows:

A. General Fund:	\$ 1,136,673.05
B. Trust Fund:	\$ 13,885.00

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

Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by resolution # **2020-98**, the Board unanimously re-adopted the Village Investment Policy as adopted on January 14, 2010, and amended on July 17, 2019, 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
3. Hanover Community Bank	\$ 6,000,000.00

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

Upon motion of Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-99**, 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

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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 Kouros Torkan, by resolution # **2020-100**, the Board unanimously approved the attendance of appropriate Village personnel 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.

Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by resolution # **2020-101**, the Board unanimously approved the following resolution:

Claims Payable Prior to Audit

WHEREAS, the Village Law provides that the Board of Trustees 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 of Trustees, 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 of Trustees:

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

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8. Obligations to the State created by legislation, such as for the State Health Plan and the State Retirement Plan

Upon motion of Trustee Kouros Torkan, seconded by Trustee David Harounian, by resolution # **2020-102** 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 the Treasurer of the Joint Account Fund for the Fire House Consortium; and authorized her to be a signatory for all of the Village bank accounts.

Upon motion of Trustee Kouros Torkan, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-103**, the Board unanimously approved the proposal by letter dated October 1, 2020, from Nelson & Pope Engineers for construction observation and support of Split Rock Drive & Grassfield Road Drainage Project for a total budget not to exceed \$35,800. A copy of the proposal is on file with the Village Clerk.

Trustee Sheldon Kwiat introduced **Bill No. 14A of 2020**, a local law amending the Code of the Village of Kings Point with regard to the definition of mean grade and building heights. Upon motion by Trustee David Harounian, seconded by Trustee Sheldon Kwiat, by resolution # **2020-104**, the Board unanimously found that the adoption of Bill No. **14A of 2020**, 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. 14A of 2020, a local law amending the Code of the Village of Kings Point, to be held on **November 23, 2020, at 8:15 p.m.** A copy of the Bill is on file with the Village Clerk.

Upon motion of Trustee Sheldon Kwiat, seconded by Hooshang Nematzadeh, by resolution # **2020-105**, the Superintendent of Public Works, Michael Moorehead, was authorized to install one stop sign on Cricket Lane at its intersection with Pond Road.

Mayor Michael C. Kalnick notified the Board that, by letter dated October 8, 2020, Village Justice Gary Granoff advised the Mayor that he has resigned his position as Justice of the Village Court of the Village of Kings Point effective October 30, 2020. The Mayor acknowledged he was informed that the resignation was filed with the Chief Administrator of the Courts, as required. The Mayor explained that the resignation was necessary because Justice Granoff was moving from the Village. The Mayor, on behalf of himself, the Board, and the residents, thanked Justice Granoff for his many years of dedication and service to the Village and wished him well with his future endeavors. The Mayor also stated that he would like to appoint Randa Maher to fill the vacancy created

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by Justice Granoff's resignation. Although Board approval is not required for the Mayor to appoint Ms. Maher, he would like that approval. Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Kouros Torkan, by resolution # **2020-106**, the Board unanimously approved Mayor Kalnick's proposed appointment of Randa Maher as Justice of the Village Justice Court of the Village of Kings Point, to fill the vacancy created by the resignation of Gary Granoff. Based upon that resolution, Mayor Kalnick appointed **Randa Maher as Justice of the Village Justice Court** of the Village of Kings Point to fill the vacancy created by the resignation of Gary Granoff, until the next general election of the Village, such appointment to take effect November 1, 2020.

The Board advised the public that it is still considering if and how the Board might change the fee provision for the renewal of a building permit, more particularly, when the renewal involves an extension for multiple 12-month periods. In order not to penalize any residents who would like to wait until the Board further considers how that fee provision may be changed, upon motion of Trustee Kouros Torkan, seconded by Trustee Sheldon Kwiat, by resolution # **2020-107**, the Board unanimously agreed to extend the **temporary moratorium on any increase in building permit extension fees** for the period from February 25, 2020, until 14 days after the next regular meeting of this Board on November 23, 2020, such that no one who fails to pay building permit renewal fees during such period shall be obligated to pay any additional extension fees by waiting until the end of such period.

The Board just became aware of the fact that an unserviceable and **dilapidated iron fence** that runs along Sunset Rd at the north side of the **United States Merchant Marine Academy** sits on Village property. Upon motion of Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-108**, the Board unanimously directed Counsel Stephen G. Limmer to send a letter to the Superintendent of the Academy directing him to immediately remove the fence.

Mayor Michael C. Kalnick stated that the next meeting of the Board of Trustees would be **November 23, 2020** commencing at 8:15 p.m.

There being no further business to come before the Board, the Mayor adjourned the meeting at 8:45 p.m.

Gomie Persaud
Village Clerk/Treasurer