

MINUTES OF THE 1133<sup>rd</sup> MEETING  
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT  
SEPTEMBER 15, 2020  
Adopted on October 22, 2020

The 1133<sup>rd</sup> meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Michael C. Kalnick at 9:05 p.m. on September 15, 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 Public Works  
George Banville, Police Commissioner

Village Clerk Gomie Persaud informed the Board that the Inspectors of Election had completed their canvass of the votes cast at the **annual Village election** and had filed with her their certificates setting forth the holding of the election, the total number of votes cast for each office, and the number of votes cast for each person for such office, as follows:

| <u>Office</u> | <u>Candidate</u>   | <u>Machine<br/>Ballots</u> | <u>Absentee<br/>Ballots</u> | <u>Total Ballots</u> |
|---------------|--------------------|----------------------------|-----------------------------|----------------------|
| Mayor         | Michael C. Kalnick | 111                        | 65                          | 176                  |
| Mayor         | Kouros Torkan      | 1                          | 0                           | 1                    |
| Trustee       | David Harounian    | 112                        | 62                          | 174                  |
| Trustee       | Sheldon Kwiat      | 107                        | 61                          | 168                  |

Upon motion by Trustee Kouros Torkan, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-72** the Board unanimously accepted and, to the extent, if any, required, certified the results of the 2020 Village Election as set forth by the Inspectors of Election. The Inspectors of Election Statements of Canvass for Voting Machine Summary of Results and Statement of Canvass for Voting Machines for the 2020 Village Election are on file with the Village Clerk.

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Mayor Michael C. Kalnick opened the public hearing on the **proposed Bill 9A of 2020, a local law amending Chapter 117, Property Maintenance 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 Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-73**, the Board unanimously approved the Bill as Local Law 6 of 2020. A copy of the Local Law is attached to these minutes and on file with the Village Clerk.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-74**, the Board unanimously approved the minutes as presented of the **Board of Trustees meeting July 20, 2020**.

Upon motion by Trustee David Harounian, seconded by Trustee Sheldon Kwiat, by resolution # **2020-75**, the Board unanimously approved the payment of **audited claims** as follows:

|                  |                 |
|------------------|-----------------|
| a. General Fund: | \$ 919,497.94   |
| b. Capital Fund: | \$ 4,450.00     |
| c. Trust Fund:   | \$ 1,091,769.58 |

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

Upon motion by Trustee Kouros Torkan, seconded by Trustee David Harounian, by resolution # **2020-76**, the Board unanimously accepted the **Building Department report** for the period of July 2020, showing the total fees deposited of **\$8,475.00** into the General Fund and **\$8,500.00** into the Trust Fund and for the period of August 2020, showing the total fees deposited of **\$25,665.00** into the General Fund and **\$2,800.00** into the Trust Fund. Copies of the reports are on file with the Village Clerk.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee David Harounian, by resolution # **2020-77**, the Board unanimously accepted the **Village Justice Court report** for the period of July 2020, showing the total fees and surcharges deposited of **\$8,862.00** into the General Fund and for the period of August 2020, showing the total fees and surcharges deposited of **\$11,895.00**. Copies of the reports are on file with the Village Clerk.

Village Clerk-Treasurer Gomie Persaud advised the Board of the bid opening that had been held on September 11<sup>th</sup>, 2020, with regard to the bids for the **Split Rock Drive Improvements as follows**:

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**SUMMARY OF BIDS**

| <b>CONTRACTOR</b>                    | <b>CONTRACTOR BID PRICE</b> |
|--------------------------------------|-----------------------------|
| Macedo Construction Inc.             | \$194,550.00                |
| Coastal Contracting Corp.            | \$216,245.00                |
| Graci Paving                         | \$244,300.00                |
| United Paving Corp.                  | \$249,735.00                |
| Pioneer Landscaping & Asphalt Paving | \$280,869.00                |
| Galvin Brothers Inc.                 | \$284,529.20                |
| John McGowan & Sons. Inc.            | \$292,190.00                |
| Roadwork Ahead                       | \$360,090.00                |

Based upon the recommendation of Nelson, Pope & Voorhis, LLC, a review of the qualifications of Macedo Contracting Services, lowest bidder for the Split Rock Drive Improvement contract, and after advice of counsel, upon motion of Trustee Sheldon Kwiat, seconded by Trustee Kouros Torkan, **by resolution # 2020-78**, the Board unanimously rejected the bid of **Macedo Contracting Services** because it failed to provide evidence satisfactory to the consulting engineers and the Board of sufficient experience to perform the work required by the contract documents.

Upon motion of Trustee Sheldon Kwiat, seconded by Trustee Kouros Torkan, based upon the recommendation of Nelson, Pope & Voorhis, LLC, by resolution # **2020-79**, the Board unanimously awarded the **Split Rock Drive Improvement contract**, to **Coastal Contracting Corp.**, the lowest responsible bidder. Copies of the Bids are on file with the Village Clerk.

Village Clerk-Treasurer Gomie Persaud advised the Board of the bid opening that had been held on August 24, 2020, with regard to the bids for the **Tree Trimming and Related Services Contract** as follows:

**SUMMARY OF BIDS**  
**Tree Trimming and Related Services**  
**Bid Date: August 24, 2020**

|                            |  |                     |                    |
|----------------------------|--|---------------------|--------------------|
| Item #1                    | Price for one year (09/01/20– 08/31/21)                      |                     |                    |
| Item #2                    | Price for one year (09/01/21 – 08/31/22) at Village's option |                     |                    |
| Item #3                    | Price for one year (09/01/22 – 08/31/23) at Village's option |                     |                    |
| Vendor                     | Item #1  | Item #2             | Item #3            |
| <b>Dragonetti Brothers</b> | -  | <b>\$ 96,460.00</b> | <b>\$96,460.00</b> |

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|                             |                     |                     |                     |
|-----------------------------|---------------------|---------------------|---------------------|
| <b>Harder Service, Inc.</b> | <b>\$50,345.65</b>  | <b>\$ 57,844.02</b> | <b>\$62,096.14</b>  |
| <b>Dom's Tree Service</b>   | <b>\$112,509.00</b> | <b>\$112,590.00</b> | <b>\$112,590.00</b> |

Upon motion of Trustee Sheldon Kwiat, seconded by Trustee David Harounian, by resolution # **2020-80** the Board unanimously awarded the **Trim Trimming and Related Services Contract** for the period of September 1, 2020 through August 31, 2021, with two (2) one-year options to be exercised at the discretion of the Board, to Harder Service, Inc., as the lowest responsible bidder. Copies of the bids are on file with the Village Clerk.

Superintendent of Public Works Michael Moorehead requested the rental of a **Pierce-Eagle Equipment Co. vacuum truck** to clean the Village storm drains as required by the NYSDEC. Upon motion of Trustee David Harounian, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-81**, the Board unanimously approved the Superintendent's request to rent a vacuum truck for one month for a cost of not exceeding **\$11,000.00**.

Trustee Kouros Torkan introduced **Bill No. 10 of 2020**, a local law amending the provisions for the enforcement of building construction codes within the Village of Kings Point. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by Resolution # **2020-82**, the Board unanimously found that the adoption of Bill No. **10 of 2020**, as a local law, would be an unlisted action as defined in 6 NYCRR Part 617 and would not have an adverse impact upon the environment if enacted, authorized the Mayor to execute a Short Environmental Assessment Form to that effect, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 10 of 2020, a local law amending the provisions for the enforcement of building construction codes within the Village of Kings Point on October 22, 2020 at 8:00 p.m. A copy of the Bill is on file with the Village Clerk.

Trustee David Harounian introduced **Bill No. 11C of 2020**, a local law amending §84-20, Operating Permits, of Chapter 84, Fire Prevention and Building Construction, of the Code of the Village of Kings Point. Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Kouros Torkan, by resolution # **2020-83**, the Board unanimously found that the adoption of Bill No. **11C 2020**, as a local law, would be an unlisted action as defined in 6 NYCRR Part 617 and would not have an adverse impact upon the environment if enacted, authorized the Mayor to execute a Short Environmental Assessment Form to that effect, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 11 of 2020, a local law amending §84-20, Operating Permits, of Chapter 84, Fire Prevention and Building Construction, of the

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Code of the Village of Kings Point on October 22, 2020 at 8:00 p.m. A copy of the Bill is on file with the Village Clerk.

Trustee Sheldon Kwiat introduced **Bill No. 12 of 2020**, Penalties for offences, of Chapter 116, Penalties and Liability through accessorial conduct of the Code of the Village of Kings Point. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Kouros Torkan, by resolution # **2020-84**, the Board unanimously found that the adoption of Bill No. **12 of 2020**, as a local law, would be an unlisted action as defined in 6 NYCRR Part 617 and would not have an adverse impact upon the environment if enacted, authorized the Mayor to execute a Short Environmental Assessment Form to that effect, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 11 of 2020, a local law amending §84-20, Operating Permits, of Chapter 84, Fire Prevention and Building Construction, of the Code of the Village of Kings Point on October 22, 2020 at 8:00 p.m. A copy of the Bill is on file with the Village Clerk.

Trustee Hooshang Nematzadeh introduced **Bill No. 13 of 2020**, amending the Code of the Village of Kings Point to provide that board approvals will lapse if not implemented withing 3 years. Upon motion by Trustee David Harounian, seconded by Trustee Kouros Torkan, by Resolution # **2020-85**, the Board unanimously found that the adoption of Bill No. **13 of 2020**, as a local law, would be an unlisted action as defined in 6 NYCRR Part 617 and would not have an adverse impact upon the environment if enacted, authorized the Mayor to execute a Short Environmental Assessment Form to that effect, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 13 of 2020, a local law amending the Code of the Village of Kings Point to provide that board approvals will lapse if not implemented withing 3 years on October 22, 2020 at 8:00 p.m. A copy of the bill is on file with the Village Clerk.

Based upon the request by letter dated July 20, 2020, of Arun Bassalali, the owner of 127 Kings Point Road, to change the address of **127 Kings Point Road**, which is at the northeast corner of Kings Point Road and Lighthouse Road, to **27 Lighthouse Road**, the memorandum from Chris Aiossa, and the facts that the front of the new house to be constructed at 127 Kings Point Road will face Lighthouse Road, and the number 27 fits in sequence with the other homes along the north side of Lighthouse Road, upon motion by Trustee Sheldon Kwiat, seconded by Trustee Kouros Torkan, by Resolution # **2020-86**, the Board unanimously changed the address of 127 Kings Point Road to 27 Lighthouse Road. Copies of said letter and memorandum are on file with the Village Clerk.

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Based upon the recommendation of Michael Moorehead, Superintendent of Public Works, upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee David Harounian, by Resolution # **2020-87**, the Board unanimously authorized and directed Superintendent Michael Moorehead to erect **stop signs** at the following three intersections:

1. **Split Rock Road and Farmers Road**, for both northbound and southbound traffic.
2. **East Road and Rogers Road**, for northbound traffic.
3. **Remson Road and Rogers Road**, for both northbound and southbound traffic.

Mayor Michael C. Kalnick informed the Board that he had concluded his negotiations with George Banville with regard to his contract as Police Commissioner, which, as agreed in May 2016, would be retroactive to the expiration of his last contract, May 31, 2016. Upon motion by Trustee Sheldon Kwiat, seconded by Trustee David Harounian, by Resolution # **2020-88**, the Board unanimously approved the proposed **contract with George Banville as Police Commissioner** for the period of June 1, 2016, to May 31, 2021, as presented, with minor non-substantive modifications to be agreed upon between Mayor Kalnick and Commissioner Banville. A Copy of the contract, in final form, will be on file with the Village Clerk upon its execution.

Mayor Michael C. Kalnick stated that the next meeting of the Board of Trustees would be **October 22, 2020**, commencing at **8:00 p.m.**

There being no further business to come before the Board, the Mayor adjourned the meeting at 10:26 p.m.

Gomie Persaud  
Village Clerk/Treasurer