

MINUTES OF THE 1130<sup>TH</sup> MEETING  
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT  
JUNE 15<sup>TH</sup>, 2020  
Adopted on July 28, 2020

The 1130<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 4:10 p.m. on June 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

Mayor Michael C. Kalnick opened the public hearing on the **proposed contract with the Alert Engine, & Hook & Ladder and Hose Company No. 1, Inc. for the furnishing of fire protection** within the Village of Kings Point for the one-year period commencing June 1, 2020, and ending May 31, 2020, for the total sum of **\$1,226,238.50**. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee David Harounian seconded by Trustee Kouros Torkan, by resolution # **2020-38**, the Board unanimously approved the proposed contract. A copy of the contract is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on **Bill 2C of 2020**, a proposed local law amending Article IX, Architectural and Preliminary Site Review Board, of Chapter 161, Zoning, of the Code of the Village of Kings Point, to add a new section, §161-60, Waivers. No one asked to be heard and the Mayor closed the public hearing. Since 30 days had not past since the bill was referred to the Nassau County Planning Commission for its comments, and the Village has not received any comments from the Commission. No action could be taken at the meeting to adopt the bill as a local law. A copy of the bill is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on **Bill 3 of 2020**, a proposed local law amending Section 1, § 140-1, definitions of Chapter 140, Swimming Pools, of the Code of the Village of Kings Point, to prohibit aboveground swimming pools. No one asked to be heard and the Mayor closed the public hearing. Since 30 days had not past since the bill was referred to the Nassau County Planning Commission for its comments,

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and the Village has not received any comments from the Commission. No action could be taken at the meeting to adopt the bill as a local law. A copy of the bill is on file with the Village Clerk.

Upon motion by Trustee David Harounian, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-39**, the Board unanimously approved the minutes as presented of the **Board of Trustees meetings** of May 19, 2020.

Upon motion by Trustee David Harounian, seconded by Trustee Sheldon Kwiat, by resolution # **2020-40**, the Board unanimously approved the payment of **audited claims** as follows:

|                  |                 |
|------------------|-----------------|
| a. General Fund: | \$ 1,311,599.96 |
| b. Trust Fund:   | \$ 4,800.00     |

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

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee David Harounian, by resolution # **2020-41**, the Board unanimously accepted the **Building Department report** for the period of May 2020, showing the total fees deposited of **\$24,685.00** into the General Fund and **\$2,400.00** 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 # **2020-42**, the Board unanimously accepted the **Village Justice Court report** for the period of May 2020, showing the total fees and surcharges deposited of **\$4,560.00** into the General Fund. A copy of the report is on file with the Village Clerk.

Because of the scheduled court dates prior to the next Board of Trustees meeting/organization night, upon motion by Trustee Kouros Torkan, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-43**, the Board unanimously approved Mayor Michael C. Kalnick's appointment of Michael Zimmerman as the **Acting Village Justice** from June 15, 2020, until the annual meeting, when an appointment for a one-year term for the official year will be made.

Upon motion by Trustee Kouros Torkan, seconded by Trustee Sheldon Kwiat, by resolution # **2020-44**, the Board unanimously accepted the proposal from Action Storefronts, Inc. to install a sneeze guard partition w/1/4" clear Laurence acrylic shield with S.S. pedestal base at the administrative counter in the Village Hall, for a total of not exceeding **\$9,000.00**. A copy of the proposal is on file with the Village Clerk.

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Superintendent of Building Department Chris Aiossa advised the Board that the property at **3 Kings Terrace** is in violation of Village Code §117-11 in that the grass is in excess of 6 inches in height. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by resolution # **2020-45**, the Board unanimously authorized the Building Inspector, pursuant to **Village Code §117-11**, to cause the aforesaid violation at 3 Kings Terrace, to wit: the failure to cut the grass as required by the Village Property Maintenance Code, to be corrected since the owner of the premises had already been given 20 days' notice to correct the violation and, has not done so. The Building Inspector may hire ADM Landscaping 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 violation 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 on any of such property, pursuant to §117-9(E) of the Village Code, it shall not be necessary for the Building Inspector to issue a notice of violation or to order, in writing, the correction of the condition and the Building Inspector may immediately cause the violation to be corrected and the Village Clerk shall take all necessary and appropriate actions to recoup the Village's costs and expenses in correcting the violation in accordance with Village Code §117-11.

The Board acknowledged receipt of the application of Kennilwood Owners' Association, Inc., pursuant to § 161-8(E) of the Village Code, to amend a previously approved special exception permit for a **gatehouse**. Upon motion by Trustee David Harounian, seconded by Trustee Sheldon Kwiat, by resolution # **2020-46**, the Board unanimously adopted a resolution setting a public hearing for the application for July 20, 2020, at 4:00 p.m., and directed the Village Clerk to publish a legal notice for the hearing in the Great Neck News.

The Board discussed the application of Rafael Sassouni, as owner, pursuant to Article VIII, **Off-Shore Structures**, of Chapter 161, Zoning, of the Code of the Village of Kings Point, for a permit to maintain:

1. a 477\*-foot off-shore structure, comprised of a 6-foot wide by 204.4-foot long pier, a 24.8-foot wide by 20-foot long landing dock, a 6-foot wide by 95.4-foot long pier, a 10-foot wide by 12-foot long landing deck, a 7-foot wide by 120.4-foot long pier section and a 29.6-foot wide by 24.8-foot long landing deck, and an 8-foot by 7-foot cantilever deck, an existing 3-foot wide by 20-foot long ramp and two existing floats, one 16 feet by 40 feet and the other 10 feet by 16 feet,
2. two single jet ski lifts to replace one double jet ski lift,
3. one 20,000 lb. boat lift,
4. twenty-nine planters, measuring 0.5-feet by 2-feet by 3-feet, and

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5. low voltage solar light fixtures with a maximum output of 10 Lumens, spaced in a zigzag pattern 15 feet apart at a height of 3 feet on the dock railing, to operate from dusk to dawn with pre-installed sensors.
- at the premises known as **226 Dock Lane**, Kings Point, New York, shown on the Nassau County Land and Tax Map as Section 1, Block 154, Lot 32.
- \*The plans are slightly different from the as-built survey and the measurements are based upon the survey.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-47**, the Board unanimously adopted the following resolution:

Whereas, Rafael Sassouni, as owner, has applied to the Board pursuant to Article VIII, **Off-Shore Structures**, of Chapter 161, Zoning, of the Code of the Village of Kings Point, for a permit to maintain:

1. a 477\*-foot off-shore structure, comprised of a 6-foot wide by 204.4-foot long pier, a 24.8-foot wide by 20-foot long landing dock, a 6-foot wide by 95.4-foot long pier, a 10-foot wide by 12-foot long landing deck, a 7-foot wide by 120.4-foot long pier section and a 29.6-foot wide by 24.8-foot long landing deck, and an 8-foot by 7-foot cantilever deck, an existing 3-foot wide by 20-foot long ramp and two existing floats, one 16 feet by 40 feet and the other 10 feet by 16 feet,
  2. two single jet ski lifts to replace one double jet ski lift,
  3. one 20,000 lb. boat lift,
  4. twenty-nine planters, measuring 0.5-feet by 2-feet by 3-feet, and
  5. low voltage solar light fixtures with a maximum output of 10 Lumens, spaced in a zigzag pattern 15 feet apart at a height of 3 feet on the dock railing, to operate from dusk to dawn with pre-installed sensors.
- at the premises known as **226 Dock Lane**, Kings Point, New York, shown on the Nassau County Land and Tax Map as Section 1, Block 154, Lot 32; and

Whereas, the Board has made the following findings of fact:

1. Based upon a review of the Full Environmental Assessment Form submitted by the applicant and the other documents and testimony presented with regard to the application, the proposed action will not result in any significant adverse environmental impacts.
2. The dock will not unreasonably impede, obstruct, or interfere with navigation, the rights of adjoining property owners, the public use of or passage along the foreshore or the waterway, or significantly damage the environment.

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3. The length of the off-shore structure is required to reach navigable water.
4. The premises have more than 500 feet of water frontage.
5. The Board has introduced for a public hearing an amendment to the zoning code that would, in part, in substance, permit floats up to a total of 500 square feet in area and, in addition to one boat lift, permit not more than two personal watercraft lifts.

Now, therefore, based upon the foregoing findings:

- A. The Board authorizes the Mayor to complete Part 3 of the Full Environmental Assessment Form by checking the box that states:

This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

- B. The Board grants the application on the following conditions:

- 1) that the off-shore structures maintained substantially in accordance with the following drawings submitted by the applicant as part of his application prepared Enviropermits Inc., titled:

Job Site:  
226 Dock Lane  
Kings Point, NY 11024

Applicant:  
Rafael Sassouni  
41 Flower Lane  
Kings Point, NY 11024

As last revised 05-06-20.  
Sheets 1 of 4, 2 of 4, 3 of 4, and 4 of 4; and

- 2) Prior to the issuance of a certificate of occupancy for the off-shore structure, the owner shall furnish to the Village a stamped copy of the approved US Army Corp of Engineers permit and the plans that it references.

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A copy of the application is on file with the Village Clerk.

The Board discussed the application of Fatolah Hematian, as owner, pursuant to Article VIII, **Off-Shore Structures**, of Chapter 161, Zoning, of the Code of the Village of Kings Point, for a permit to construct a 250-foot long by 5-foot wide timber pier, with a 30-foot long by 4-foot wide aluminum gangway, and a 50-foot long by 8-foot wide float at the end, with one 20,000 lb. boat lift, a 12-foot by 12-foot vinyl jet ski dock, and 2 aluminum jet ski lifts, at the premises known as **11 Locust Cove**, Kings Point, New York, shown on the Nassau County Land and Tax Map as Section 1, Block 140, Lots 33 and 34.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-48**, the Board unanimously adopted the following resolution:

Whereas,-Fatolah Hematian, as owner, pursuant to Article VIII, **Off-Shore Structures**, of Chapter 161, Zoning, of the Code of the Village of Kings Point, applied for a permit to construct a 250-foot long by 5-foot wide timber pier, with a 30-foot long by 4-foot wide aluminum gangway, and a 50-foot long by 8-foot wide float at the end, with one 20,000 lb. boat lift, a 12-foot by 12-foot vinyl jet ski dock, and 2 aluminum jet ski lifts, at the premises known as **11 Locust Cove**, Kings Point, New York, shown on the Nassau County Land and Tax Map as Section 1, Block 140, Lots 33 and 34; and

Whereas, the Board has made the following findings of fact:

1. Based upon a review of the Full Environmental Assessment Form submitted by the applicant and the other documents and testimony presented with regard to the application, the proposed action will not result in any significant adverse environmental impacts.
2. The dock will not unreasonably impede, obstruct, or interfere with navigation, the rights of adjoining property owners, the public use of or passage along the foreshore or the waterway, or significantly damage the environment.
3. The length of the pier is required to reach navigable water.
4. The Board has introduced for a public hearing an amendment to the zoning code that would, in part, in substance, permit floats up to a total of 500 square feet in area and, in addition to one boat lift, permit not more than two personal watercraft lifts.

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Now, therefore, based upon the foregoing findings:

- A. The Board authorizes the Mayor to complete Part 3 of the Full Environmental Assessment Form by checking the box that states:

This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

- B. The Board grants the application on the condition that the off-shore structures are constructed and maintained substantially in accordance with the following “as-built” plans submitted by the applicant as part of his application prepared by Dietrich Engineering, P.C.:

Project:       HEMATIAN RESIDENCE  
                  LOCUST COVE LANE  
                  GREAT NECK, NY

Date: 01/20/19, last revised 3-19-20

Project No: 18077

Sheet C-1, Plan & Profile, and Sheet C-2, Sections & Details

A copy of the application is on file with the Village Clerk.

Commissioner Banville requested the purchase of 20 talons and 20 helmets for the Police Department so that, in the event a demonstration was to occur within the Village, the demonstration could be addressed with the maximum safety afforded to the demonstrators and the police. Upon motion by Trustee Kouros Torkan, seconded by Trustee Hooshang Nematzadeh, by resolution # **2020-49**, the Board unanimously authorized the purchase of 20 talons and 20 helmets from Federal Eastern International Inc., for the total sum of \$8,172.20, in accordance with its quote of 6/12/2020. A copy of the quote is on file with the Village Clerk.

By letter dated June 11, 2020, Rusty Schmidt of Nelson, Pope & Voorhis, LLC, the consulting engineers engaged by the Village for the **East Shore Park** project, recommended a change order to remove a 90 small trees, less than 4 inches in diameter, and 10 large trees, greater than 4 inches in diameter, and 25 pounds of seed for a total of \$8,550, in order to better provide the scenic waterfront entrance to the Village he believed the Board wanted to achieve. Upon motion by Trustee Sheldon Kwiat, seconded by Trustee David Harounian, by resolution # **2020-50**, the Board unanimously approved the Change Order. A copy of the letter is on file with the Village Clerk.

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The Board reviewed the Village's Workers Compensation Policy and, upon motion by Trustee Sheldon Kwiat, seconded by Trustee Kouros Torkan, by resolution # **2020-51**, the Board unanimously approved an amendment to the Village's **Workers Compensation Policy** to provide that for an employee who was entitled to Workers Compensation based upon an injury, the Village would pay 50% of the employee's Cobra payments for the health insurance plan in effect the day before the injury to the employee for a period not exceeding two months and for not more than two months within any 12 month period.

The Mayor announced that, similar to previous years, he and the Trustees had agreed with the Village employees prior to June 1, 2020, that since the negotiations with the **Village employees** had not concluded by June 1, 2020, when the Board had determined what additional compensation and other benefits, if any, the employees would receive, that compensation and those benefits, if any, would be retroactive to June 1, 2020. Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Kouros Torkan, by resolution # **2020-52**, the Board unanimously confirmed that the additional compensation and other benefits, if any, to be paid and provided to the Village Employees, once approved by the Board, would be retroactive to June 1, 2020.

Mayor Michael C. Kalnick stated that the next meeting of the Board of Trustees would be **June 22, 2020**, commencing at **8:30 a.m.** and the following meeting would be **July 20<sup>th</sup>, 2020** commencing at **4:00 p.m.**

There being no further business to come before the Board, the Mayor adjourned the meeting at 5:35 p.m.

Gomie Persaud  
Village Clerk/Treasurer