

MINUTES OF THE 1119<sup>th</sup> MEETING OF THE  
BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT  
September 12, 2019  
Adopted October 10, 2019

The 1118<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 8:30 p.m. on September 12, 2019, 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, Trustee  
Sheldon Kwiat, Trustee  
Hooshang Nematzadeh, 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

**ABSENT:** Kouros Torkan, Trustee

Mayor Michael C. Kalnick opened the public hearing on the **proposed Bill 7 of 2019**, a local law to amend §161-25, Visual Obstructions, in Chapter 161, Zoning, 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 David Harounian, by resolution # **2019-116**, the Board unanimously approved the proposed Bill as Local Law 7 of 2019. A copy of the Local Law is attached to these minutes and on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on the **proposed Bill 8 of 2019**, a local law to amend §117-2.1, Building Construction Sites, in 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 Hooshang Nematzadeh, seconded by Trustee David Harounian, by resolution # **2019-117**, the Board unanimously approved the proposed Bill as Local Law 8 of 2019. A copy of the Local Law is on file with the Village Clerk.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2019-118** the Board unanimously accepted the **Building Department reports** for the period of July 2019, showing the total fees deposited of **\$11,365.00** into the General Fund and **\$4,900.00** into the Trust Fund, and for the period of August 2019, showing the total fees collected of **\$50,500.00**

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into the General Fund and **\$4,400.00** into the Trust Fund. Copies of the reports are on file with the Village Clerk.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee David Harounian, by resolution # **2019-119**, the Board unanimously accepted the **Village Justice Court reports** for the period of July 2019, showing the total fines and surcharges collected of **\$25,618.00**, and for the period of August 2019, showing the total fines and surcharges collected of **\$25,092.00**. Copies of the reports are on file with the Village Clerk.

Upon motion by Trustee David Harounian, seconded by Trustee Sheldon Kwiat, by resolution # **2019-120**, the Board unanimously approved the minutes as presented of the **Board of Trustees meeting** of July 17, 2019.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by resolution # **2019-121**, the Board unanimously approved the payment of **audited claims** as follows:

<b>A.</b>	<b>General Fund:</b>	<b>\$ 603,543.79</b>
<b>B.</b>	<b>Trust Fund:</b>	<b>\$ 14,000.00</b>
<b>C.</b>	<b>Capital Fund:</b>	<b>\$ 105,214.10</b>

Copies of the abstracts of claims 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 23, 2019, with regard to the bids for the **East Shore Park Landscaping Development Project** as follows:

**SUMMARY OF BIDS**  
**East Shore Park Landscaping Development Project**  
**Bid Date: August 23, 2019**

Vendor	Amount
<b>Scenic Designs Inc.</b>	<b>\$ 140,684.70</b>
<b>Sipala Landscape Services Inc.</b>	<b>\$1,513,750.00</b>

Upon motion of Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2019-122** the Board unanimously awarded the **East**

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**Shore Park Landscaping Development Project** to the lowest responsible bidder as recommended by the Village Engineers, Nelson, Pope & Voorhis, LLC, to Scenic Designs Inc. in the amount of **\$140,684.70**. Copies of the bids are on file with the Village Clerk.

Upon motion of Trustee David Harounian, seconded by Trustee Hooshang Nematzadeh, by resolution # **2019-123**, the Board unanimously approved the proposal from D & B Engineers and Architects P.C. dated July 25, to assist the Village with its Stormwater Management Program Services and MS4 Permit Compliance Activities in response to USEPA information request and administrative compliance order, at a cost not to exceed **\$43,700.00**. A copy of the proposal is on file with the Village Clerk.

Upon motion of Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2019-124**, the Board unanimously approved the proposal from Nelson, Pope & Voorhis for Environmental Planning Services for East Shore Road Park in connection with the condemnation proceedings, dated August 29, at a cost of **\$4,000.00**. A copy of the proposal is on file with the Village Clerk.

Trustee David Harounian introduced **Bill No. 9 of 2019**, a local law amending Chapter 113, Pedaling and Soliciting, of the Code of the Village of Kings Point. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by resolution # **2019-125**, the Board unanimously found that the adoption of **Bill No. 9 of 2019**, 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 2019**, a local law amending Chapter 113, Pedaling and Soliciting, of the Code of the Village of Kings Point at a Meeting of the Board to be held on **October 10, 2019, at 8:15 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Hooshang Nematzadeh introduced **Bill No. 10D of 2019**, a local law amending Chapter 147, Trees, of the Code of the Village of Kings Point. Upon motion by Trustee David Harounian, seconded by Trustee Sheldon Kwiat, by resolution # **2019-126**, the Board unanimously found that the adoption of **Bill No. 10D of 2019**, 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 2019**, a local law amending Chapter 147, Trees, of the Code of the Village of Kings Point at a Meeting of the Board to

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be held on **October 10, 2019, at 8:15 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Hooshang Kwiat introduced **Bill No. 11 of 2019**, a local law amending §117-2, Exterior maintenance, of Chapter 117, Property Maintenance, of the Code of the Village of Kings Point. Upon motion by Trustee David Harounian, seconded by Trustee Sheldon Kwiat, by resolution # **2019-127**, the Board unanimously found that the adoption of Bill No. **11 of 2019**, 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. 11 of 2019, a local law amending §117-2, Exterior maintenance, of Chapter 117, Property Maintenance, of the Code of the Village of Kings Point at a Meeting of the Board to be held on **October 10, 2019, at 8:15 p.m.** A copy of the Bill is on file with the Village Clerk.

Superintendent of Building Department Chris Aiossa advised the Board that certain properties that the Board had previously authorized the Building Inspector to cause to be corrected pursuant to Village Code §117-11 had been corrected; however, since that time, those properties were once again in need of correction in that all of them had grass, brush, and/or weeds in excess of 6 inches in height. Those properties being: 13 Catalina Drive, 5 Catalina Drive, 20 Split Rock Drive, and 3 Kings Terrace. There are also two dead trees along the western property line of 2 Dock Lane that are hazardous and should be removed as soon as possible. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by resolution # **2019-128**, 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 Terrace, and 2 Dock Lane, to wit: the failure to cut the grass and remove the 2 dead hazardous trees along the property line 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 will thereafter cause the aforesaid violations to be corrected, by hiring 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 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 on any of such properties, 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

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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.

The Board tabled the proposal from General Security pending a proposal for a new CCTV System since the current one is 10 years old and requires a lot of maintenance and upgrades.

Superintendent of the Building Department Chris Aiossa advised the Board that the owners of 12 Split Rock Drive have an ongoing problem with flooding in front of their residence. It is a new problem and they are wondering how it can be resolved. The Board instructed Superintendent of Public Works Michael Moorehead to look into the matter.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2019-129**, the Board unanimously adopted the draft copy of the Workers Compensation Benefits Policy, which applies to all Village Employees and will be included in the Village Handbook. A copy is annexed to these minutes.

Mayor Michael C. Kalnick stated that the next meeting of the Board of Trustees would be **October 10, 2019** commencing at 8:15 p.m.

There being no further business to come before the Board, the Mayor adjourned the meeting at 10:36 p.m.