

MINUTES OF THE 1116<sup>TH</sup> MEETING  
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT  
JUNE 18<sup>TH</sup>, 2019  
Adopted on July 17, 2019

The 1116<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 9:05 p.m. on June 18, 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, 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 Ballots</u>	<u>Absentee Ballots</u>	<u>Total Ballots</u>
Trustee	Hooshang Nematzadeh	119	5	124
Trustee	Sheldon Kwiat	121	6	127

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee David Harounian, by resolution # **2019-85** the Board unanimously accepted and, to the extent, if any, required, certified the results of the 2019 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 2019 Village Election are on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on the **proposed contract with the Vigilant Engine, & Hook & Ladder Company No. 1, Inc. for the furnishing of emergency ambulance service** within the Village of Kings Point for the one-year period commencing January 1, 2019, and ending December 31, 2019, for the total sum of

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**\$225,646.00.** 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 # **2019-86**, the Board unanimously approved the proposed contract. A copy of the contract is on file with the Village Clerk.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2019-87**, the Board unanimously approved the minutes as presented of the **Board of Trustees meetings** of May 21, 2019.

Upon motion by Trustee David Harounian, seconded by Trustee Sheldon Kwiat, by resolution # **2019-88**, the Board unanimously approved the payment of **audited claims** as follows:

<b>a. General Fund:</b>	<b>\$ 1,021,239.00</b>
<b>b. Capital Fund:</b>	<b>\$ 3,442.50</b>
<b>c. Trust Fund:</b>	<b>\$ 2,800.00</b>

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

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee David Harounian, by resolution # **2019-89**, the Board unanimously accepted the **Building Department report** for the period of May 2019, showing the total fees deposited of **\$36,540.00** into the General Fund and **\$8,000.00** 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 # **2019-90**, the Board unanimously accepted the **Village Justice Court report** for the period of May 2019, showing the total fees and surcharges deposited of **\$27,763.00** 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 Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2019-91**, the Board unanimously approved Mayor Michael C. Kalnick's appointment of Michael Zimmerman as the **Acting Village Justice** from June 19, 2019, until the annual meeting, when an appointment for a one-year term for the official year beginning Monday, July 1, 2019, will be made.

Nelson & Pope's conservatively high estimate for the maximum cost of the 2019 Roadway Improvements Program, to cover construction of the roads, curbing, and drainage, and engineering, legal, and bonding, is approximately **\$2,800,000.00**.

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Trustee David Harounian offered the following resolution # **2019-92** and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF KINGS POINT, NEW YORK, ADOPTED JUNE 18, 2019, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS ROADS, INCLUDING RELATED DRAINAGE IMPROVEMENTS AND ENGINEERING COSTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,800,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,800,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Kings Point, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to construct improvements to various roads, including related drainage improvements and engineering costs. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,800,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of not to exceed \$2,800,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

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Section 2. Bonds of the Village in the principal amount of \$2,800,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond

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anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*The Great Neck News*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF KINGS POINT, NEW YORK

PLEASE TAKE NOTICE that on June 18, 2019, the Board of Trustees of the Village of Kings Point, in the County of Nassau, New York, adopted a bond resolution entitled:

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“Bond Resolution of the Village of Kings Point, New York, adopted June 18, 2019, authorizing the construction of improvements to various roads, including related drainage improvements and engineering costs, stating the estimated maximum cost thereof is \$2,800,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$2,800,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof,  
being as follows:

FIRST: AUTHORIZING said Village to construct improvements to various roads, including related drainage improvements and engineering costs; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,800,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of not to exceed \$2,800,000 bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of not to exceed \$2,800,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

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SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: June 18, 2019

Gomie Persaud  
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES: Mayor Michael C. Kalnick  
Trustee David Harounian  
Trustee Sheldon Kwiat  
Trustee Hooshang Nematzadeh  
Trustee Kouros Torkan

NOES: None

The resolution was declared adopted.

Sheldon Kwiat offered the following resolution # **2019-93** and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF KINGS POINT, NEW YORK, ADOPTED JUNE 18, 2019, AUTHORIZING THE ACQUISITION OF VEHICLES AND EQUIPMENT FOR USE BY THE DEPARTMENT OF PUBLIC WORKS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$360,000,



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APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$360,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT, IN  
THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable  
vote of not less than two-thirds of all the members of said Board of Trustees) AS  
FOLLOWS:

Section 1. The Village of Kings Point, in the County of Nassau, New York herein called the “Village”), is hereby authorized to acquire vehicles and equipment for use by the Department of Public Works. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$360,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of not to exceed \$360,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$360,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said appropriation.

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Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment

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of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

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- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*The Great Neck News*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF KINGS POINT, NEW YORK

PLEASE TAKE NOTICE that on June 18, 2019, the Board of Trustees of the Village of Kings Point, in the County of Nassau, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Kings Point, New York, adopted June 18, 2019, authorizing the acquisition of vehicles and equipment for use by the Department of Public Works, stating the estimated maximum cost thereof is \$360,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$360,000 to finance said appropriation,"

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an abstract of such bond resolution, concisely stating the purpose and effect thereof,  
being as follows:

FIRST: AUTHORIZING said Village to acquire vehicles and equipment for use by the Department of Public Works; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$360,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of not to exceed \$360,000 bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of not to exceed \$360,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: June 18, 2019

Gomie Persaud  
Village Clerk

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Section 8. The Village Clerk is hereby authorized and directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

\* \* \*

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES: Mayor	Michael C. Kalnick
Trustee	David Harounian
Trustee	Sheldon Kwiat
Trustee	Hooshang Nematzadeh
Trustee	Kouros Torkan

NOES: NONE

The resolution was declared adopted.

Superintendent of Building Department Chris Aiossa advised the Board that the properties at 2 Dock Lane, 5 Catalina Drive, 39 Remsen Road, are in violation of Village Code §117-2(F), in that all of them have heavy undergrowth and accumulations of plant growth, which is unsightly, noxious and detrimental to health, and grass in excess of 6-inches in height. Upon motion by Trustee Kouros Torkan, seconded by Trustee Sheldon Kwiat, by resolution # 2019-94, the Board unanimously adopted a resolution pursuant to **Village Code §117-11**, authorizing the Building Inspector to give notice to the property owners of 2 Dock Lane, 5 Catalina Drive, 39 Remsen Road, that upon their failure, neglect, or refusal to properly comply with said Village Code §117-2(F) within 10 days after the service of such notice, the Building Inspector is authorized and empowered to cause the aforesaid violations to be corrected, and the Village Clerk shall take all

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necessary and appropriate actions to recoup the Village's costs and expenses in correcting the violations in accordance with Village Code §117-11.

Superintendent of Building Department Chris Aiossa advised the Board that the owner of 45 Potters Lane has recently received a two-lot subdivision approved by the Planning Board. The owner requested that the Village issue house numbers for each of the four new lots as follows:

Section: 1,    Block: 201, Lot: 158        2 Briar Lane

Section: 1,    Block: 201, Lot: 159        6 Briar Lane

Upon motion by Trustee David Harounian, seconded by Trustee Hooshang Nematzadeh, by resolution # **2019-95**, the Board, unanimously approved the request of the owner to assign the requested addresses as set forth above for the respective Section, Block and Lot numbers.

Superintendent of the Building Department Chris Aiossa advised the Board that he recently responded to a complaint from a resident with regard to overgrown hedges on a neighbor's property that dangerously obscured the view for drivers exiting the resident's driveway. The Village Code, as to such visual obstructions, only provides that, as to corner lots, no wall, fence or other structure shall be erected or altered and no hedge, tree, shrub or other growth shall be maintained which may cause danger to traffic on a street by obscuring the view. Superintendent Chris Aiossa recommended that the code be amended to address this situation. The Board directed General Counsel Limmer to draft a proposed local law in accordance with the Superintendent's recommendation.

Superintendent of the Building Department Chris Aiossa advised the Board that the Village does not have a software maintenance plan with Citiview for the software used for processing Building Permits. Any changes to fees, new deposit amounts, new application types and procedures require an additional charge by Citiview. The Superintendent recommended that the Village purchase from Citiview its Bronze level package for \$8,200.00, to allow the employees to make the changes referenced above. Upon motion by Trustee David Harounian, seconded by Trustee Kouros Torkan, by resolution # **2019-96**, the Board, unanimously authorize the Village Clerk to contract with Citiview for the bronze level maintenance package at a cost of \$8,200.00. A copy of the description of the bronze level maintenance package is on file with the Village Clerk.

Upon motion by Trustee Kouros Torkan, seconded by Trustee Sheldon Kwiat, by resolution # **2019-97**, the Board unanimously approved the application of Aaron and

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Olivia Etessami for an underground electric easement for the premises at 551 East Shore Road.

The Board authorized Village Clerk/Treasurer, Gomie Persaud to set up a training session with regard to the Village's Sexual Harassment Prevention Policy for its next meeting.

The Board discussed the benefits to both the Architectural and Preliminary Site Review Board ["ARB"] and to Rodney McCoy, the Secretary to the ARB, of having Rodney McCoy attend the ARB meeting in lieu of Xiomara Mignott, the Assistant Secretary to the ARB. Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Kouros Torkan, by resolution # 2019-98, the Board unanimously approved the following:

As of this date, Rodney McCoy, as the Secretary to the Architectural and Preliminary Site Review Board ["ARB"], shall attend all ARB meetings. Accordingly, Xiomara Mignott shall no longer attend those ARB meetings or perform any work after her normal work hours on days that the ARB has its meetings.

Xiomara Mignott had been authorized to come to work up to, but not exceeding, one hour early each workday and be paid for that hour based upon her annual salary and a 35-hour workweek. That authorization ended on May 31, 2019.

Xiomara is hereby authorized as of July 1, 2019, to come to work up to, but not exceeding, one hour early each workday for not more than five days in any calendar month and be paid for that hour based upon her annual salary and a 35-hour workweek. That authorization is for five months and shall include and terminate in the month of December 2019.

Xiomara shall be paid for the 10 days that she worked in June 2019.

Mayor Michael C. Kalnick announced that the next meeting of the Board of Trustees would be on July 17, 2019, commencing at 8:15 p.m. at the Village Hall.

There being no further business to come before the Board, the Mayor adjourned the meeting at 10:25 p.m.

Gomie Persaud  
Village Clerk/Treasurer



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