

MINUTES OF THE 1161ST MEETING
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT
August 23, 2022
Adopted on September 20, 2022

The 1161st Meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Kouros Torkan at 6:05 p.m. on August 23, 2022, at the Village Hall of the Village of Kings Point, 32 Steppingstone Lane, Kings Point, New York 11024.

PRESENT: Kouros Torkan, Mayor
Hooshang Nematzadeh, Deputy Mayor
Ebi Victory, Trustee
Tedi Kashinejad, Trustee

ALSO PRESENT: Gomie Persaud, Village Clerk-Treasurer
Stephen G. Limmer, Esq., McLaughlin & Stern, LLP,
General Counsel
Ralph Byers, Public Works Highway Supervisor
Chris Aiossa, Superintendent of the Building Department

ABSENT: Ira S. Nesenoff, Trustee

Mayor Kouros Torkan opened the public hearing on the **proposed Bill 12A of 2022**, amending §117-11, performance of work by Village, assessment of costs of 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 Ebi Victory, by resolution # **2022-110**, the Board unanimously approved the proposed Bill as Local Law **12 of 2022**. A copy of the Local Law is on file with the Village Clerk.

Mayor Kouros Torkan opened the public hearing on the **proposed Bill 13A of 2022**, amending Chapter 106, Noise, 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 Tedi Kashinejad, seconded by Trustee Ebi Victory, by resolution # **2022-111**, the Board unanimously approved the proposed Bill as Local Law **13 of 2022**. A copy of the Local Law is on file with the Village Clerk.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2022-112**, the Board unanimously amended Chapter A162, Fees, of the appendix to the Village Code by redesignating subsections G through P as H through Q, respectively, and adding a new subsection G to read as follows: "G. Chapter 106, Noise. The fee for a permit to extend time limits shall be \$100.

Mayor Kouros Torkan opened the public hearing on the **proposed Bill 14 of 2022**, amending the definition of Floor Area in §161-3, Definitions, of Chapter 161, Zoning, of the Code of the Village of Kings Point. No one asked to be heard and the Mayor closed

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the public hearing. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2022-113**, the Board unanimously approved the proposed Bill as Local Law **14 of 2022**. A copy of the Local Law is attached to these minutes and on file with the Village Clerk.

In reviewing the draft minutes of the July 27th, 2022, Board meeting, it was noted that the draft minutes inadvertently omitted two changes to the Village fee schedule in Chapter A162, Fees. Accordingly, upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-114**, the Board amended the draft minutes of the Board's July 27, 2022, meeting to provide that Chapter A162, Fees, of the appendix to the Village Code was amended by deleting subdivision 2, of subsection A, to § A162-1; renumbering the existing subdivisions 3 and 4 to subdivisions 2 and 3 respectively; and adding paragraph f to the newly designated subdivision 2, of subsection A, to § A162-1, to read as follows: "(f) On application to the Architectural and Preliminary Site Review Board: \$5,000." And, as so amended approved the corrected minutes of the July 27th 2022 meeting and the minutes of the July 29th 2022 meeting as presented.

Upon motion by Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad, by resolution # **2022-115**, the Board unanimously approved the payment of **audited claims** as follows:

a. General Fund: \$ 433,743.65

A copy of the abstract of claim is on file with the Village Clerk.

Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Ebi Victory, by resolution # **2022-116**, the Board unanimously accepted the **Building Department report** for the period of July 2022, showing the total fees deposited of **\$83,860.00** into the General Fund and **\$72,000.00** into the Trust Fund. A copy of the report is on file with the Village Clerk.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-117**, the Board unanimously accepted the **Village Justice Court report** for the period of July 2022, showing the total fees and surcharges deposited of **\$10,197.00** into the General Fund. A copy of the report is on file with the Village Clerk.

Village Clerk-Treasurer Gomie Persaud advised the Board that the Tree Trimming and Related Services contract with Harder Services, Inc. for the second year, is set to expire. Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, the Board unanimously agreed to extend the contract for the third and final year at a cost of **\$62,096.14**. A copy of the contract is on file with the Village Clerk.

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Trustee Ebi Victory introduced **Bill No. 15A of 2022**, a local law creating a Community Benefits Enhancement Committee for the Village of Kings Point. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2022-118**, the Board unanimously found that the adoption of the Bill as a local law would not be an action as defined in in 6 NYCRR Part 617 and no environmental review is required pursuant thereto, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 15A of 2022, a local law creating a Community Benefits Enhancement Committee for the Village of Kings Point, on **September 20, 2022, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Tedi Kashinejad introduced **Bill No. 16 of 2022**, a local law amending the application requirements for rental occupancy permits within the village of Kings Point. Upon motion by Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-119**, the Board unanimously found that the adoption of the Bill as a local law would not be an action as defined in in 6 NYCRR Part 617 and no environmental review is required pursuant thereto, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 16 of 2022, a local law amending the application requirements for rental occupancy permits within the Village of Kings Point, on **September 20, 2022, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Hooshang Nematzadeh introduced **Bill No. 17 of 2022**, amending the notice requirements for permit applications for off-shore structures within the Village of Kings Point. Upon motion by Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad, by resolution # **2022-120**, the Board unanimously found that the adoption of the Bill as a local law would not be an action as defined in in 6 NYCRR Part 617 and no environmental review is required pursuant thereto, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 17 of 2022, a local law amending the notice requirements for permit applications for off-shore structures within the Village of Kings Point, on **September 20th, 2022, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Ebi Victory introduced **Bill No. 18 of 2022**, amending the penalties for offenses provisions of the Village of Kings Point. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2022-121** the Board unanimously found that the adoption of the Bill as a local law would not be an action as defined in in 6 NYCRR Part 617 and no environmental review is required pursuant thereto, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 18 of 2022, a local law amending the

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penalties for offenses provisions of the Village of Kings Point, on **September 20th, 2022, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Tedi Kashinejad introduced **Bill No. 19 of 2022**, amending the provisions of the Code of the Village of Kings Point with regard to rental permits. Upon motion by Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-122**, the Board unanimously found that the adoption of Bill No. **19 of 2022**, 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. 19 of 2022, a local law amending the provisions if the Code of the Village of Kings Point, on **September 20th, 2022, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Ebi Victory introduced **Bill No. 20 of 2022**, amending the definition of “family”, in Chapter 161, Zoning, of the Code of the Village of Kings Point. Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-123**, the Board unanimously found that the adoption of Bill No. **20 of 2022**, 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. 20 of 2022, a local law amending the provisions if the Code of the Village of Kings Point, on **September 20th, 2022, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Tedi Kashinejad introduced **Bill No. 21A of 2022**, amending the provisions of Chapter 84, Fire Prevention and Building Construction, of the Code of the Village of Kings Point. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-124**, the Board unanimously found that the adoption of the Bill as a local law would not be an action as defined in 6 NYCRR Part 617 and no environmental review is required pursuant thereto, and 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. 21A of 2022, a local law amending the provisions if the Code of the Village of Kings Point, on **September 20th, 2022, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Tedi Kashinejad introduced **Bill No. 22 of 2022**, amending §161-24, accessory buildings, of Chapter 161, Zoning, of the Code of the Village of Kings Point. Upon

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motion by Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-125**, the Board unanimously found that the adoption of Bill No. **22 of 2022**, 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 General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 21 of 2022, a local law amending the provisions of the Code of the Village of Kings Point, on **September 20th, 2022, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Hooshang Nematzadeh introduced **Bill No. 23C of 2022**, limiting applications to the Planning Board of the Village of Kings Point. Upon motion of Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad, by resolution # **2022-126**, the Board unanimously found that the adoption of the Bill as a local law would not be an action as defined in 6 NYCRR Part 617 and no environmental review is required pursuant thereto, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 23C of 2022, a local law limiting applications to the Planning Board of the Village of Kings Point, on **September 20th, 2022, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Mayor Torkan informed the Board that the Superintendent of Public Works Michael Moorehead, requested a dumpster to dispose of excess garbage that is collected from the streets daily and that our garbage company Dejana Industries Inc. has submitted a proposal of \$1,200.00 to supply a 4-cubic foot dumpster. Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-127**, the Board unanimously authorized the rental of a 4-cubic foot dumpster for the Department of Public works from Dejana Industries Inc. at a cost not exceeding \$1,200.00 annually.

Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-128**, the Board unanimously approved the proposal from Nelson & Pope for engineering services with regard to **2023 Roadway Improvements for Cove Road [Cove Lane], Ramola Drive, Algers Road [Alger Road], Remson Road [Remsen Road], and Henhawk Road** at a cost of not to exceed **\$218,740.00** as set forth in its proposal by letter dated August 23, 2022. A copy of the proposal is on file with the Village Clerk.

The Board discussed piggybacking on a bid to the Town of Hempstead for digital pipeline inspection/heavy cleaning of part of the Village's drainage system and the price quote it received from Earth Repair. Upon motion by Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-129**, the Board unanimously authorized accepting the proposal from Earth Repair at a cost of not to exceed **\$16,150.00**, conditioned upon first obtaining at least one additional quote for the work to

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confirm that the Earth Repair quote is a fair and reasonable cost for the work. A copy of the proposal is on file with the Village Clerk. A copy of the quote from Earth Repair is on file with the Village Clerk.

The Board reviewed the communications from Syosset Truck Sales Inc. [“Syosset Truck”] with regard to the Village’s ordered 2022 International 14-yard Dump Truck with Snow Plow & Sander off the New York State contract at a cost of \$256,028.00, and Syosset Truck’s request to increase the quoted and accepted price to the Village because of International’s increase of price to Syosset Truck. Upon the advice of counsel that it was not legally permitted to pay in excess of the quoted and agreed upon price, upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2022-130**, the Board unanimously directed counsel to advise Syosset Truck that it could not grant its request.

The Board tabled the application for an Off-Shore Structure for 10 Cove Lane Section 1, Block 132, Lot 416 and 417, because it is incomplete.

Superintendent of Public Works Michael Moorehead informed the Board that he would like the Board to promote Motor Equipment Operator Henry Dam to Labor Supervisor and eventually to Highway Supervisor once that title becomes available upon his retirement and Highway Supervisor Ralph Byer takes his title as Superintendent of Public Works, thereby creating a vacancy in the position of Highway Supervisor. Due to the delay in approvals from Civil Service, the Mayor recommended promoting Henry Dam to Highway Supervisor once the title becomes available and to give him a salary increase of **\$7,000.00** for the title effective immediately. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2022-131**, the Board unanimously appointed Motor Equipment Operator Henry Dam to Labor Supervisor at an increase in compensation at the rate of **\$7,000.00** per year, effective immediately, with the understanding that if he is appointed to Highway Supervisor upon the title becoming available before June 1, 2023, his compensation will not be increased at that time for the new title.

Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Ebi Victory, by resolution # **2022-132**, the Board unanimously agreed to set the starting salary of Motor Equipment Operator from a range of **\$45,000.00** to **\$47,500.00** based on qualifications and work experience.

Mayor Torkan discussed with the Board, the need for employees in the Department of Public Works to have cell phones with e-mail addresses so that they can better communicate work schedules. The Board directed Trustee Tedi Kashinejad who is part of the enhancement committee to look into adding 9 wireless phones to the current

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account that the village has or establish a new account with another vendor based on service and cost.

Mayor Torkan discussed with the Board, that based on the letter from Superintendent of Public Works Michael Moorehead, dated August 22, 2022, wherein he stated that he would like to relinquish the benefit of using a Village vehicle for the remainder of his employment with the Village and recommending the Board assign the use of the vehicle he is currently using to Highway Supervisor Ralph Byer, who is expected to be appointed to the position of Superintendent of Public Works upon Michael Moorehead's expected retirement in December 2022. Upon motion of Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad, by resolution # **2022-133**, the Board unanimously authorized the use of the Village vehicle that is presently being used by Superintendent of Public Works Michael Moorehead to Highway Supervisor Ralph Byers as part of his job responsibilities effective **September 1st, 2022**. A copy of the letter is on file with the Village Clerk.

Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-134**, the Board unanimously directed the Department of Public Works to purchase and install two curve signs, on each side of the street, at the curve southbound between 4 Lighthouse and 6 Lighthouse and northbound between 5 Lighthouse and 7 Lighthouse Road, at the intersection of Redbrook Road and Cherry Lane.

Upon motion of Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-135**, the Board unanimously directed the Department of Public Works to purchase and install "No Standing or Stopping Here to Corner" signs on both sides of Breeze Court from on or about 60 feet west of the intersection of Breeze Court and Kings Point Road.

Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Ebi Victory, by resolution # **2022-136**, the Board unanimously authorized the Mayor to enter into a contract with Civic Plus pursuant to its Quote # Q-27356-1, dated 7/19/2022 12:52 PM, for the Total Investment – Year 1 of \$28,337.50 and Annual Recurring Services – Year 2 of \$26,525.00, on the condition that the Statement of Work and Master Service Agreement are modified to the satisfaction of the Mayor. Copies of the Statement of Work and Master Service Agreement are on file with the Village Clerk.

Mayor Kouros Torkan stated that the next meeting of the Board of Trustees would be **September 20, 2022**, commencing at **6:00 p.m.**

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There being no further business to come before the Board, the Mayor adjourned the meeting at 8:35 p.m.

Gomie Persaud
Village Clerk/Treasurer