

**MINUTES OF THE 1152nd MEETING
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT
March 17, 2022
Adopted on April 5, 2022**

The 1152nd meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Michael C. Kalnick at 4:00 p.m. on March 17, 2022, 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
Hooshang Nematzadeh, Trustee
Kouros Torkan, Trustee

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

ABSENT: Ira Nesenoff, Trustee
George Banville, Police Commissioner

Upon motion by Trustee David Harounian, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-1**, the Board unanimously approved the transcript as presented of the **Board of Trustees meeting of February 3, 2022**, and the minutes of the **Board of Trustees Meeting of February 15, 2022**.

Upon motion by Trustee Kouros Torkan, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-2**, the Board unanimously accepted the **Building Department reports** for the period of **February 2022**, showing the total fees deposited of **\$119,556.25** into the General Fund and **\$18,000.00** 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 David Harounian, by resolution # **2022-3**, the Board unanimously accepted the **Village Justice Court report** for the period of **January 2022**, showing the total fees and surcharges deposited of **\$10,307.00.00** into the General Fund and for the period of **February 2022**, showing the total fees and surcharges deposited of **\$14,810.00**. Copies of the reports are on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on **Bill 1F of 2022**, a proposed local law amending the zoning provisions of the Code of the Village of

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Kings Point with regard to floor area, retaining walls, and driveways. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee Kouros Torkan, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-4**, the Board unanimously approved the Bill as Local Law 3 of 2022. A copy of the Local Law is attached to these minutes and on file with the Village Clerk.

Upon motion by Trustee David Harounian, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-5**, the Board unanimously approved the payment of **audited claims** as follows:

a. General Fund:	\$ 1,145,934.21
b. Trust Fund:	\$ 14,400.00
c. Capital Fund:	\$ 51,199.00

Village Clerk-Treasurer Gomie Persaud reported on the proposal that she received from Sterlingrisk Insurance, for the renewal of the Village's insurance policies for the period of March 1, 2022 through March 1, 2023, for a total premium of **\$240,442.00**, comprised of the following:

National Union policies: Property/Inland Marine; General Liability/Law Enforcement Liability/Cyber Liability; Public Officials Management Liability; and \$10,000.00 umbrella.

Accident Fund Ins. Co. of America: \$10,000.00 umbrella.in excess of \$10,000.00.

American Alternative Ins. Co.: \$5,000.00 umbrella.in excess of \$20,000.00.

Merchant National Insurance Co.: \$5,000.00 umbrella.in excess of \$25,000.00.

Hiscox Insurance Co.: Crime

Upon motion of Hooshang Nematzadeh, seconded by Trustee David Harounian, by resolution # **2022-6**, the Board unanimously accepted the proposal from Sterlingrisk Insurance and directed the insurance be purchased. A copy of the proposal is on file with the Village Clerk.

Village Clerk-Treasurer Gomie Persaud advised the Board of the bid opening that had been held on February 17th, 2022, with regard to the bids for the **2022 Roads Roadway Improvements as follows:**

SUMMARY OF BIDS

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CONTRACTOR	BASE BID AMOUNT	ADD -ALT 1 AMOUNT	BASE BID AND ADD ALT. TOTAL
Stasi Industries, Inc.	\$2,304,820.00	\$128,325.00	\$2,433,145.00
United Paving	\$2,311,970.00	\$207,425.00	\$2,519,395.00
Metro Paving, LLC	\$2,524,345.00	\$257,525.00	\$2,781,870.00
American Paving, Inc.	\$2,607,933.00	\$219,275.00	\$2,827,208.00
Graci Paving Associates Inc.	\$2,803,685.00	\$113,300.00	\$2,916,985.00
John McGowan & Sons, Inc.	\$2,842,770.00	\$196,562.50	\$3,039,332.50
Galvin Brothers	\$3,541,666.00	\$279,150.00	\$3,820,816.00
Rosemar Contracting Inc.	\$3,600,000.00	\$300,000.00	\$3,900,000.00
JR Cruz	\$5,301,370.00	\$257,850.00	\$5,559,220.00

Upon motion of Trustee David Harounian seconded by Trustee Kouros Torkan, based upon the recommendation of Nelson, Pope & Voorhis, LLC, by resolution # **2022-7**, the Board unanimously awarded the **2022 Roads Roadway Improvements**, to **Stasi Industries, Inc.**, as the lowest responsible bidder. Copies of the Bids are on file with the Village Clerk.

Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Kouros Torkan, by resolution # **2022-8**, the Board unanimously approved the additional mill and fill work under the awarded **2022 Roads Roadway Improvements contract** to **Stasi Industries, Inc.**, for Cypress Avenue, Fir Drive, Moline Court, Cow Lane, Blossom Road, Broadlawn Avenue, Orchard Lane, Middle Neck Road and Hicks Lane as set forth in the “Cost Estimate for Village of Kings Point Additional Mill Fill Work”, from Nelson, Pope & Voorhis, LLC, a copy of which is on file with the Village Clerk.

Mayor Michael C. Kalnick announced that the February 15, 2022, meeting to hear complaints pursuant to Real Property Tax Law § 1408 had been adjourned for lack of a quorum to be reconvened at tonight’s meeting. He asked if there was anyone who wished to present a complaint pursuant to said law and no one sought to be heard. Upon motion of Trustee Kouros Torkan, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-9**, the Board unanimously approved applications for the renewal of **ten (10) wholly exempt properties, one (1) clergy exemption, and one (1) landmark abatement exemption**. A copy of the report is on file with the village clerk.

Village Clerk-Treasurer Gomie Persaud advised the Board that she had not

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received any new applications for veteran's exemptions.

Mayor Michael C. Kalnick acknowledged receipt of the Draft Tentative Budget for the **2022/2023** fiscal year as presented by the Village Clerk-Treasurer and authorized her to prepare and publish all of the necessary legal notices for a **public hearing** on **April 5, 2022, at 6:00 p.m.** A copy of the Tentative Budget is on file with the Village Clerk.

Village Clerk-Treasurer Gomie Persaud presented the results of the **Tax Lien Sale held on March 7, 2022.** Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee David Harounian, by resolution # **2022-10**, the Board unanimously accepted the report. A copy of the report is annexed to these minutes.

Based upon the recommendation of Superintendent Michael Moorehead, upon motion by Trustee David Harounian, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-11**, the Board unanimously authorized D&B Engineers and Architects P.C. ("D&B"), to assist Superintendent Michael Moorehead in preparing the annual report for the **Phase II Stormwater Management Plan** and to assist with the Permit Compliance Annual Report for the Village of Kings Point, in accordance with its letter dated February 25, 2022, for Task 1, Task 2 and Task 3 at a cost not to exceed **\$10,700**. Task 4 through 8 are approved on an as needed basis if required by the State of New York. A copy of said letter is on file with the Village Clerk.

Village Clerk-Treasurer Gomie Persaud advised the Board of the bid opening that had been held on February 23, 2022, with regard to the bids for the **Garbage and Refuse Collection and Disposal Contract** and that there were two bids, **as follows:**

SUMMARY OF BIDS

Garbage and Refuse Collection and Disposal Contract

Bid Date: February 23, 2022

Item #1	Price for one year (06/01/22 – 5/31/23)
Item #2	Price for one year (6/1/23 – 5/31/24) at Village's option
Item #3	Price for one year (6/1/24 – 5/31/25) at Village's option

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Vendor	Item #1	Item #2	Item #3
Meadow Carting Corp.	\$857,040.00	\$899,892.00	\$944,886.00
Dejana Industries, LLC	\$760,704.00	\$775,918.00	\$791,436.00

Copies of the bids are on file with the Village Clerk.

Upon motion of Trustee David Harounian seconded by Trustee Kouros Torkan, by resolution # **2022-12**, the Board unanimously awarded the **Garbage and Refuse Collection and Disposal Services Contract** for the period of June 1, 2022, through May 31, 2023, with two (2) one-year options to be exercised at the discretion of the Board, to **Dejana Industries, LLC**, as the lowest responsible bidder.

Mayor Michael C. Kalnick reported on the Village Justice Court Audit for the period of June 1, 2020, through May 31, 2021. Upon motion by Trustee Kouros Torkan, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-13** the Board unanimously acknowledged that the required **audit of the Village Justice Court for the period of June 1, 2020, through May 31, 2021**, was conducted and authorized the Village Clerk to send a copy of the Village Justice Court Audit along with this resolution to Joan Casazza, Internal Control Liaison, NYS office of Court Administration, 2500 Pond View, Suite LL01, Castleton-on-Hudson, NY 12033. A copy of the audit is on file with the Village Clerk.

Trustee Hooshang Nematzadeh introduced **Bill No. 2 of 2022**, a local law to amend the zoning provisions, of the Code of the Village of Kings Point with regard to tennis courts and off-shore structures. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Kouros Torkan, by resolution # **2022-14**, the Board unanimously found that the adoption of **Bill No. 2 of 2022**, as a local law was an unlisted action as defined in 6 NYCRR Part 617, and, after taking a hard look at the environmental impacts of the law, authorized the Mayor to complete Part 2 of the Short Environmental Assessment Form, answering “no, or small impact may occur” to questions 1 through 11, filling in the response to Part 3, and checking the box indicating that this Board has determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for **Bill No. 2 of 2022**, a local law to amend the zoning provisions, of the Code of the Village of Kings Point with regard to tennis

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courts and off-shore structures, for the Board of Trustees meeting in May. 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 # **2022- 15** the Board unanimously approved Mr. **Nader Kashanian**'s application for a Drainage Easement Permit at **12 Foxwood Road**, Kings Point, NY a/ka/ Section 1, block 177, lot 21. A copy of the application is on file with the Village Clerk.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Kouros Torkan, by resolution # **2022-16**, the Board unanimously approved the proposal **for legal services, from McLaughlin & Stern, LLP**, for the period of **June 1, 2022, through May 31, 2023**, in accordance with the letter from Stephen G. Limmer, Partner, dated February 23, 2022. A copy of the letter is on file with the Village Clerk.

Upon motion by Trustee Kouros Torkan, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-17**, the Board unanimously approved the proposal **from Michael Haberman Associates, Inc.**, for Village Assessment Services for the Village of Kings Point from June 1, 2022, to May 31, 2023, as set forth in its letter dated March 15, 2022. A copy of the letter is on file with the Village Clerk.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee David Harounian, by resolution # **2022-18**, the Board unanimously approved the recommendation **from Michael Haberman Associates, Inc.**, to resolve the property owners' grievances of the Village's 2022 assessments of their respective properties at **13 Gay Drive, 28 Henhawk Road, and 16 Channel Drive**. A copy of the recommendation is on file with the Village Clerk.

Upon motion by Trustee David Harounian, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-19**, the Board unanimously approved the proposal from **Total Technology Solutions**, dated January 2022, upon the condition that all billing shall be on a monthly, not annual, basis and that the engagement may be terminated by the Village at any time upon 30 days' notice. A copy of the proposal is on file with the Village Clerk.

Upon motion by Trustee Kouros Torkan, seconded by Trustee Hooshang Nematzadeh, by resolution # **2022-20**, the Board unanimously denied the application of **Odeh 26 LLC**, with regard to the premises at **237 Kings Point**

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Road, to construct a cabana over a Village drainage easement. A copy of the application is on file with the Village Clerk.

The Board discussed the application of **Albert Kalimian** for the installation of a 30-foot by 8-foot floating dock and 40-foot by 3-foot gangway at the end of his existing **off-shore structure**. Upon motion by Trustee Kouros Torkan, seconded by Trustee David Harounian, by resolution # **2022-21**, the Board unanimously adopted the following resolution:

Whereas, Albert Kalimian, as owner, pursuant to Article VIII, Off-Shore Structures, of Chapter 161, Zoning, of the Code of the Village of Kings Point, has applied for a permit to install a 40-foot by 3-foot gangway and a 30-foot by 8-foot float at the end of his existing off-shore structure (“dock”), at the premises known as **190 West Shore Road**, Kings Point, New York, shown on the Nassau County Land and Tax Map as Section 1, Block 150 Lots 29 and 30; and

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

1. There is an existing dock at the premises.
2. There is presently no gangway or float attached to the dock.
3. The applicant seeks to add a 40-foot by 3-foot gangway and 30-foot by 8-foot float at the end and in line with the dock.
4. 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, to the extent granted herein, will not result in any significant adverse environmental impacts.
5. The gangway and float 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.

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:

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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 gangway and float are constructed and maintained substantially in accordance with the “SITE PLAN FOR GANGWAY & FLOATING DOCK Of Property Situated in the Inc. Village of Kings Point Nassau County, N.Y.”, for Sec. 1, Blk. 150, Lots 29,30, dated 1/19/2017, last revised 3/3/2019, submitted by the applicant as part of its application prepared by Bladykas & Panetta L.S. & P.E., P.C.

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

Mayor Michael C. Kalnick announced that the next Board of Trustees meeting will be held, on April 5, 2022, at 6:00 p.m. at the Village Hall.

There being no further business to come before the Board, the Mayor adjourned the meeting at 4:15 p.m.

Gomie Persaud
Village Clerk-Treasurer