

MINUTES OF THE 1171st MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF KINGS POINT
March 14, 2023
ADOPTED ON APRIL 3rd, 2023

The 1171st meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Kouros Torkan at 6:00 p.m. on March 14, 2023.

PRESENT: Kouros Torkan, Mayor
Hooshang Nematzadeh, Deputy Mayor
Ebi Victory, Trustee
Tedi Kashinejad, Trustee
Ira S. Nesenoff, Trustee

ALSO PRESENT: Gomie Persaud, Village Clerk-Treasurer
Stephen G. Limmer, Esq., McLaughlin & Stern, LLP,
General Counsel
Dan Flanagan, Police Commissioner
Chris Aiossa, Superintendent of the Building Department

The Mayor tabled the public hearing on Bill 1A of 2023 until the Village's General Counsel has time to review some comments that were submitted by e-mail.

The Mayor tabled the public hearing on the ambulance contract pending the submittal of corrected claim forms for the 2023 contract price.

Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Ebi Victory, by resolution # **2023-38**, the Board unanimously approved the minutes as presented of the **Board of Trustees meeting** of February 27, 2023.

Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-39** the Board unanimously accepted the **Building Department report** for the period of February 2023, 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 Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-40**, the Board unanimously accepted the **Village Justice Court report** for the period of February 2023, showing the total fines and surcharges collected of **\$34,994.00**. A copy of the report is on file with the Village Clerk.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-41**, the Board unanimously approved the payment of **audited claims** as follows:

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A.	General Fund:	\$ 759,853.51
B.	Trust Fund:	\$ 5,800.00
C.	Capital Fund:	\$ 63,680.50

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

The Board reviewed the proposal dated March 6, 2023, from Nelson & Pope, Engineering, Architecture and Land Surveying, PLLC for the additional scope of design to the 2023 Roadway Improvements project to include Rogers Road, East Road, Waterview Road and Beach Road. Upon motion by Trustee Ebi Victory, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-42**, the Board unanimously accepted the proposal from Nelson & Pope, Engineering, Architecture and Land Surveying, PLLC dated March 6, 2023, for an additional cost not to exceed **\$18,500.00**. A copy of the proposal is on file with the Village Clerk

The Board reviewed the proposal from Nelson & Pope, Engineering, Architecture and Land Surveying, PLLC for Phase 2, of their proposal dated October 13, 2022, to provide engineering services by preparing construction documents and detailed design of a Guide Rail along Kings Point Road adjacent to Kings Point Park in the vicinity of Breeze Court. Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-43**, the Board unanimously accepted Phase 2 of the proposal from Nelson & Pope, Engineering, Architecture and Land Surveying, PLLC dated October 13, 2022, to provide engineering services by preparing construction documents and detailed design of a Guide Rail along Kings Point of their Road adjacent to Kings Point Park in the vicinity of Breeze Court, at a cost of not to exceed **\$5,000.00**. A copy of the proposal is on file with the Village Clerk

Village Clerk-Treasurer Gomie Persaud reported on the **Garbage and Refuse Collection and Disposal Contract** with regard to the Village exercising its option to extend the contract for a second year, the one-year period from 6/1/23 through 5/31/24. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-44**, the Board unanimously agreed to exercise its second-year option to extend the Garbage and Refuse Collection and Disposal Contract for the one-year period from 6/1/23 through 5/31/24, with Dejana Industries, LLC, in accordance with the prices set forth **in the form of bid in the amount of \$775,918.00**, and directed the Village Clerk-Treasurer to advise Dejana Industries LLC of said election. A copy of the bid is on file with the Village Clerk.

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Mayor Kouros Torkan announced that the February 21, 2023, 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 Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-45**, the Board unanimously approved applications for renewal of **ten (10) wholly exempt properties, one (1) clergy exemption and one (1) landmark exemption** for the 2023/2024 tax year. A copy of the report is on file with the village clerk.

Village Clerk-Treasurer Gomie Persaud advised the Board that she had not received any new applications for veteran's exemptions.

Based upon the recommendations in the past year from former Superintendent Michael Moorehead, upon motion by Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad by resolution # **2023-46**, the Board unanimously authorized D&B Engineers and Architects P.C. ("D&B"), to assist the new Superintendent Domenick Stanco 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 March 3, 2023, for Task 1, Task 2, and Task 3 at a cost not to exceed **\$10,600.00** with the option to utilize Task 4, Task 5, and/or Task 6 if recommended by Superintendent Domenick Stanco or required by the Department of Environmental Conservation at additional costs of not to exceed **\$4,500.00, \$2,800.00, and \$2,300.00**, respectively. A copy of said letter is on file with the Village Clerk.

Village Clerk-Treasurer Gomie Persaud presented the results of the **Tax Lien Sale held on March 6, 2023**. Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-47**, the Board unanimously accepted the report. A copy of the report is annexed to these minutes.

Mayor Kris Torkan acknowledged receipt of the Draft Tentative Budget for the **2023/2024** 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 3, 2023, at 6:00 p.m.** A copy of the Tentative Budget is on file with the Village Clerk.

Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-48**, the Board unanimously accepted the proposal from **Total Technology Solutions**, dated February 2023, subject to modifications approved by the Mayor. All billing shall be on a monthly, not annual, basis and 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.

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Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-49**, the Board unanimously directed the Village's General Counsel to prepare the bid documents for the annual tree trimming and removal contract and the

Village Clerk to advertise for bids in July since the current contract will not expire until August 31, 2023.

Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-50**, the Board unanimously accepted the proposed **Service Agreement** from **Professional Irrigation**, dated January 25, 2023, for the "Package activation and winterization 2023" (\$532.00) and the "Monthly Maintenance Service" (\$778.00), for the total sum of \$ **1,310.00**. A copy of the agreement is on file with the Village Clerk.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2023-51**, the Board unanimously accepted the proposed **Service Agreement** from **Prestige Lawn Care, Inc.**, for the "Basic Treatment Program 2023", for the sum of \$**2,245.00**. A copy of the agreement is on file with the Village Clerk.

The Superintendent of the Building Department reported to the Board that the owner of 7 Briar Lane has requested an address change to 139 Arrandale Avenue. Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, by resolution #**2023-52**, the Board unanimously approved the change of address of 7 Briar Lane to 139 Arrandale Avenue.

Trustee Ira S. Nesenoff introduced **Bill No. 2B of 2023**, a local law amending Chapter 161 of the Code of the Village of Kings Point to limit the use of attic space. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2023-53**, 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. 2B of 2023, a local law limiting the use of attic space, on **April 3, 2023, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

The Board reviewed the proposals from All Seasons Air Conditioning Co., Inc. and With Pride Air Conditioning & Heating in the amounts of \$4,504.50 and \$4,286.78, to replace all the thermostats in the Village Hall with smart thermostats. Upon motion of Trustee Ebi Victory, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-54**, the Board

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unanimously accepted the proposal from All Seasons Air Conditioning Co., Inc. in the amount of **\$4,504.50**. Even though their price is \$217.72 higher, the Board decided to retain them since they already have the service contract for the heating and air conditioning, are familiar with the system, and will be responsible for the maintenance of the thermostats as part of their existing contract. Copies of the proposals are on file with the village clerk.

The Board reviewed the proposals to furnish and install a 20,000 pound heavy duty hydraulic lift from Mohawk Lifts at a price of \$24,499.35, Statewide Installations Inc. at a price of \$26,100.00, and MAI Service Inc. at a price of \$25,763.75. Since all of the lifts are slightly different, upon motion of Trustee Ebi Victory, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-55**, the Board unanimously agreed that Superintendent Domenick Stanco will review the proposals and choose the best option for the village at a cost of not exceeding **\$25,000**.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-56**, the Board unanimously accepted the proposal from Campbell's Carpet & Service to steam clean all the carpets in the administrative, court room, conference room, and police department, including 38 desk chairs and a 7-foot sofa, for the sum of **\$3,362.35**. A copy of the agreement is on file with the Village Clerk.

The Mayor informed the Board that he interviewed Jessica Nicole Freitag to fill the vacancy of Part Time Secretary to the Architectural Review Board. Her workweek will consist of 21 hours, on such days and at such times as approved from time to time by the Mayor, at an hourly rate of **\$65.00**. Jessica will not be covered by the Village's health insurance plan and, she will not receive any other employee benefits as outlined in the Village Handbook for full-time employees. Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Ira Nesenoff, by resolution # **2023-57** the Board unanimously agreed to hire Jessica Nicole Freitag as Part-Time Secretary to the Architectural Review Board, to work 21 hours per week, on such days and at such times as approved from time to time by the Mayor, at an hourly rate of **\$65.00**, with no employee benefits from the Village.

The Village Clerk/Treasurer notified the Board that the proposal for external audit of the village finances was for three years and that it expired last fiscal year. The board directed the Village Clerk/Treasurer to advertise a new request for proposal for external audit services in the local newspaper and to notify a list of companies by mail.

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Mayor Kouros Torkan stated that the next Board of Trustees meeting will be on April 3, 2023, at 6:00 p.m.

There being no further business to come before the Board, the Mayor adjourned the meeting at 6:45 p.m.

Gomie Persaud
Village Clerk/Treasurer