

MINUTES OF THE 1175th MEETING
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT
JUNE 20th, 2023
Adopted on July 27, 2023

The 1175th 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 June 20, 2023, 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
Ira S. Nesenoff, Trustee

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

Mayor Kouros Torkan opened the public hearing on the **proposed contract with the Alert Engine, Hook & Ladder & Hose Company No. 1, Inc. for the furnishing of fire protection service** within the Village of Kings Point for the one-year period commencing June 1, 2023, and ending May 31, 2024, for the total sum of **\$1,162,166.00**. 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 # **2023-97**, the Board unanimously approved the proposed contract. A copy of the contract is on file with the Village Clerk.

Mayor Kouros Torkan announced that the public hearings of **Bill #4A of 2023, Bill #5A of 2023, Bill #6 of 2023, and Bill #8 of 2023** were being adjourned until the next Board meeting on July 27, 2023, at 6:00 p.m.

Mayor Kouros Torkan opened the public hearing on the **proposed Bill 3 of 2023**, amending subsection A, of §161-59, Prohibited acts of Article IX, Architectural and Preliminary Site Review Board, 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 Ira S. Nesenoff, by resolution # **2023-98**, the Board unanimously adopted the proposed Bill as **Local Law 3 of 2023**. A copy of the Local Law is on file with the Village Clerk.

Mayor Kouros Torkan opened the public hearing on the **proposed Bill 7 of 2023**, a local law establishing the position of Village Administrator of the Code of the Village of Kings Point. No one asked to be heard and the Mayor closed the public hearing. Upon motion

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by Trustee Hooshang Nematzadeh, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-99**, the Board unanimously adopted the proposed Bill as **Local Law 4 of 2023**. A copy of the Local Law is on file with the Village Clerk

Mayor Kouros Torkan opened the public hearing on the **proposed Bill 9D of 2023**, a local law amending Chapter 147, Trees, 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 Ira S. Nesenoff, by resolution # **2023-100**, the Board unanimously adopted the proposed Bill as **Local Law 5 of 2023**. A copy of the Local Law is on file with the Village Clerk.

Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-101**, the Board unanimously approved the minutes as presented of the **Board of Trustees meetings** of May 10, 2023, and June 6, 2023.

Upon motion by Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad, by resolution # **2023-102**, the Board unanimously approved the payment of **audited claims** as follows:

a. General Fund:	\$ 319,117.99
b. Trust Fund:	\$ 50,902.56
c. Capital Fund:	\$ 63,436.75

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

Upon motion by Trustee Ebi Victory, seconded by Trustee Ira Nesenoff, by resolution # **2023-103**, the Board unanimously accepted the **Building Department report** for the period of May 2023, showing the total fees deposited of **\$38,705.00** into the General Fund and **\$114,000.00** into the Trust Fund. A copy of the report is on file with the Village Clerk.

Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-104**, the Board unanimously accepted the **Village Justice Court report** for the period of May 2023, showing the total fees and surcharges deposited of **\$32,639.00** 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 Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-105**, the Board unanimously approved Mayor Kouros Torkan's appointment of Michael Zimmerman as the **Acting Village Justice** from June 21, 2023, until the annual meeting, when an appointment for a one-year term for the official year beginning Monday, July 3, 2023, will be made.

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Trustee Ira S. Nesenoff introduced **Bill No. 10A of 2023**, a local law amending the Code of the Village of Kings Point with regard to the powers of the Building Inspector. Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-106**, the Board unanimously found that the adoption of **Bill No. 10A of 2023**, 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. 10A of 2023, a local law amending the Code of the Village of Kings Point with regard to the powers of the building inspector, at a meeting of the Board of Trustees to be held on **July 27, 2023, at 6:00 p.m.** A copy of the bill is on file with the Village Clerk.

Trustee Ebi Victory introduced **Bill No. 11 of 2023**, a local law amending the Code of the Village of Kings Point to add a new Chapter 64, Burning Outdoors. Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-107**, the Board unanimously found that the adoption of **Bill No. 11 of 2023**, 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 2023, a local law amending the Code of the Village of Kings Point to add a new Chapter 64, Burning Outdoors, at a meeting of the Board of Trustees to be held on **July 27, 2023, at 6:00 p.m.** A copy of the bill is on file with the Village Clerk.

Trustee Hooshang Nematzadeh introduced **Bill No. 12A of 2023**, a local law amending the provisions for the maintenance of landscaping after an abandonment of a project and for the revocation of building permits when work is not being diligently prosecuted. Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-108**, the Board unanimously found that the adoption of **Bill No. 12A of 2023**, 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. 12A of 2023, a local law amending the provisions for the maintenance of landscaping after an abandonment of a project and for the revocation of building permits when work is not being diligently prosecuted, at a meeting of the Board of Trustees to be held on **July 27, 2023, at 6:00 p.m.** A copy of the bill is on file with the Village Clerk.

Trustee Tedi Kashinejad introduced **Bill No. 13 of 2023**, a local law amending the provisions of the Code of the Village of Kings Point with regard to fees for building permits. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ira S.

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Nesenoff, by resolution # **2023-109**, the Board unanimously found that the adoption of **Bill No. 13 of 2023**, 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. 13 of 2023, a local law amending the provisions of the Code of the Village of Kings Point with regard to fees for building permits, at a meeting of the Board of Trustees to be held on **July 27, 2023, at 6:00 p.m.** A copy of the bill is on file with the Village Clerk.

Trustee Ebi Victory introduced **Bill No. 14 of 2023**, a local law amending the residence requirements for certain officers of the Village of Kings Point. Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Tedi Kashinejad, by resolution # **2023-110**, the Board unanimously found that the adoption of **Bill No. 14 of 2023**, 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. 14 of 2023, a local law amending the residence requirements for certain officer of the Village of Kings Point, at a meeting of the Board of Trustees to be held on **July 27, 2023, at 6:00 p.m.** A copy of the bill is on file with the Village Clerk.

The Mayor informed the Board that Peter Aron has resigned as the Village Historian and as a member of the Planning Board. Mr. Aron has dedicated many hours of service to the Village and on behalf of the Board and the Village residents, we thank him for his dedicated service. The Mayor also informed the Board that he would like to appoint Michael C. Kalnick to fill the vacancy as the Village Historian and Daniel Kimiabakhsh, presently an alternate member of the Planning Board, as a member of the Planning Board. Upon motion of Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad, by resolution # **2023-111**, the Board unanimously approved the Mayor's appointment of Michael C. Kalnick, as the Village Historian.

Upon motion of Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad, by resolution # **2023-112**, the Board unanimously approved the Mayor's appointment of Daniel Kimiabakhsh, as a member of the Planning Board, to take effect immediately upon his resignation as an alternate member of the Planning Board.

Village Clerk-Treasurer Gomie Persaud advised the Board of the results of the bid opening that was held on June 9, 2023, with regard to the **2023 Roads Roadway Improvements as follows:**

SUMMARY OF BIDS

CONTRACTOR	BASE BID AMOUNT	ADD -ALT 1 AMOUNT	ADD-ALT 2 AMOUNT	BASE BID AND ADD ALT.1 AND ADD ALT. 2
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				TOTAL
Stasi Industries, Inc.	\$1,847,594.00*	\$ 66,600.00	\$54,020.00	\$2,068,214.00*
Metro Paving LLC	\$1,955,743.00	\$157,080.00	\$82,520.00	\$2,195,343.00
Roadwork Ahead, Inc.	\$2,071,114.50	\$147,512.40	\$70,275.00	\$2,288,901.90
Stasi General Contracting	\$2,134,180.00	\$176,120.00	\$54,380.00	\$2,364,680.00
John McGowan & Sons, Inc.	\$2,166,087.50	\$142,800.00	\$68,470.00	\$2,377,357.50
Macedo Contracting Services Inc.	\$2,413,440.00	\$161,840.00	\$89,380.00	\$2,664,660.00
Graci Paving Associates	\$2,918,622.00	\$214,200.00	\$97,913.40	\$3,230,735.40
Galvin Brothers, Inc.	\$2,857,190.00	\$190,400.00	\$91,060.00	\$3,138,650.00
Pratt Bothers Inc.	\$3,343,590.00	\$266,560.00	\$115,280.00	\$3,725,430.00

*The Base Bid Amount shown in the bid packet as \$1,845,594.00 should have been \$1,847,594.00. (There was a mathematical error.)

Upon motion of Trustee Ira S. Nesenoff seconded by Trustee Tedi Kashinejad, based upon the recommendation of Nelson, Pope & Voorhis, LLC, by resolution # **2023-113**, the Board unanimously awarded the **2023 Roads Roadway Improvements**, to **Stasi Industries, Inc.**, as the lowest responsible bidder, at a not to exceed price of \$2,068,214.00. Copies of the Bids are on file with the Village Clerk. The Board will consider adding road improvements to additional streets at additional cost to the Village that may exceed that price, based upon the unit prices in the Bid.

Chris Aiossa, the Superintendent of the Building Department, reported to the Board that the owner of 215 Kings Point Road has requested an address change to a Dock Lane address. Superintendent Aiossa informed the Board that the request was being made because the new dwelling that is being constructed on the premises will now have its driveway and will front on Dock Lane, and that the address of 3 Dock Lane is available and would be consistent with the neighboring dwellings on Dock Lane. Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-114**, the Board unanimously approved the change of address of 215 Kings Point Road to **3 Dock Lane**.

The Board reviewed the Off-Shore Structure Application for 152 West Shore Road to add a boat lift to an existing dock, and, upon motion of Trustee Tedi Kashinejad, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-115**, the Board unanimously set a hearing on the application for its next meeting on July 27, 2023, at 6:00 p.m.

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Mayor Torkan reviewed the terms of a proposed **lease with the Commissioners of the Great Neck Park District for King Point Park**, to be effective retroactively to January 1, 2023. He explained that the final version had been agreed upon orally and the most recent draft had to be revised to implement those minor changes. Upon motion of Trustee Ira S. Nesenoff, seconded by Trustee Tedi Kashinejad, by resolution # **2023-116**, the Board unanimously approved the proposed lease and authorized the Mayor to execute it and deliver it to the Commissioners of the Park District once it has been placed in final form. A copy of the lease will be on file with the Village Clerk after it has been placed in final form.

The Commissioners of the Great Neck Park District advised the Mayor that they would like to purchase two properties near Steppingstone Park, known as 14 and 16 Hewlett Lane, shown on the Nassau County Land and Tax Map as Section 1, Block 200, Lots 23 and 24, respectively. Since the purchase of those properties will remove the properties from the Village's tax rolls as of the next tax valuation date, the Board's permission is required pursuant to the State's Town Law §198(4). In partial consideration for the Commissioners' entering into the aforementioned lease for Kings Point Park and the increased in the annual rental, which will offset to some extent the Village's loss of the tax revenue from those properties, upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2023-117, upon the condition that the Commissioners of the Park District on or before July 9, 2023, execute and deliver to the Village the final version of the aforesaid lease for Kings Point Park** with the minor changes agreed upon orally to the most recent draft, the Board unanimously approved the Commissioners of the **Great Neck Park District acquisition of the premises known as 14 and 16 Hewlett Lane, shown on the Nassau County Land and Tax Map as Section 1, Block 200, Lots 23 and 24, respectively.**

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	114	14	128
Trustee	Ira Nesenoff	88	11	99

Upon motion by Trustee Ted Kashinejad, seconded by Trustee Ebi Victory, by resolution # **2023-118** the Board unanimously accepted and, to the extent, if any, required, certified

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the results of the 2023 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 2023 Village Election are on file with the Village Clerk.

Mayor Kouros Torkan announced that the next regular meeting of the Board of Trustees would be on **July 27th, 2023**, commencing at 6:00 a.m. at the Village Hall

There being no further business to come before the Board, the Mayor adjourned the meeting at 10:05 p.m.

Gomie Persaud
Village Clerk/Treasurer