

MINUTES OF THE 1173rd MEETING OF THE
BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT
May 10, 2023
ADOPTED ON JUNE 20, 2023

The 1173rd meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Kouros Torkan at 6:10 p.m. on May 10, 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 G. Limmer, Esq., McLaughlin & Stern, LLP,
General Counsel
Dan Flanagan, Police Commissioner
Domenick Stanco, Superintendent of Public Works
Chris Aiossa, Superintendent of Building Department

ABSENT: None

Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-69** the Board unanimously accepted the **Building Department reports** for the period of April 2023, showing the total fees deposited of **\$118,110.00** into the General Fund and **\$107,000.00** into the Trust Fund. Copies of the reports are on file with the Village Clerk.

Upon motion by Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad, by resolution # **2023-70**, the Board unanimously accepted the Village **Justice Court report** for the period of April 2023, showing the total fines and surcharges collected of **\$21,831.00**. 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 # **2023-71**, the Board unanimously approved the minutes as presented of the Board of Trustees meeting of April 3, 2023.

Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Tedi Kashinejad, by resolution # **2023-72**, the Board unanimously approved the payment of **audited claims** as follows:

A.	General Fund:	\$ 620,005.05
B.	Trust Fund:	\$ 35,944.97
C.	Capital Fund:	\$ 171,841.73

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

Trustee Hooshang Nematzadeh introduced **Bill No. 3 of 2023**, a local law amending subsection A, of §161-59, Prohibiting acts, of Article IX, Architectural and Preliminary Site Review Board, of the Code of the Village of Kings Point. Upon motion by Trustee Ebi Victory, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-73**, the Board unanimously found that the adoption of Bill No. **3 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. 3 of 2023, a local law amending subsection A, of §161-59, Prohibiting acts, of Article IX, Architectural and Preliminary Site Review Board, of the Code of the Village of Kings Point, to be held on **June 20, 2023, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Ebi Victory introduced **Bill No. 4A of 2023**, a local law creating the position of Commissioner of Public Works. Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Tedi Kashinejad, by resolution # **2023-74**, the Board unanimously found that the adoption of **Bill No. 4A 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. 4A of 2023, a local law creating the position of Commissioner of Public Works, at a meeting of the Board of Trustees to be held on **June 20, 2023, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Tedi Kashinejad introduced **Bill No. 5A of 2023**, a local law establishing a Park Board. Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh by resolution # **2023-75**, the Board unanimously found that the adoption of **Bill No. 5A 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. 5A of 2023, a local law establishing a Park Board, at a meeting of the Board of Trustees to be held on **June 20, 2023, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Hooshang Nematzadeh introduced **Bill No. 6 of 2023**, a local law creating the position of Commissioner of Building Department. Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Ebi Victory by resolution # **2023-76**, the Board unanimously found that the adoption of **Bill No. 6 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

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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. 6 of 2023, a local law creating the position of Commissioner of Building Department, at a meeting of the Board of Trustees to be held on **June 20, 2023, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Tedi Kashinejad introduced **Bill No. 7 of 2023**, a local law establishing the position of Village Administrator. Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Ebi Victory by resolution # **2023-77**, the Board unanimously found that the adoption of **Bill No. 7 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. 7 of 2023, a local law creating the position of Village Administrator, at a meeting of the Board of Trustees to be held on **June 20, 2023, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Ira S. Nesenoff introduced **Bill No. 8 of 2023**, clarifying the regulations regarding the height of retaining walls and fences. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory by resolution # **2023-78**, the Board unanimously found that the adoption of **Bill No. 8 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. 8 of 2023, a local law clarifying the regulations regarding the height of retaining walls and fences, at a meeting of the Board of Trustees to be held on **June 20, 2023, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Trustee Hooshang Nematzadeh introduced **Bill No. 9C of 2023**, a local law amending Chapter 147, Trees, of the Code of the Village of Kings Point. Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Ebi Victory by resolution # **2023-79**, the Board unanimously found that the adoption of **Bill No. 9C 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. 9C of 2023, a local law amending Chapter 147, Trees, of the Code of the Village of Kings Point, at a meeting of the Board of Trustees to be held on **June 20, 2023, at 6:00 p.m.** A copy of the Bill is on file with the Village Clerk.

Village Clerk-Treasurer Gomie Persaud advised the Board of the Request for Proposals opening that had been held on April 28, 2023, with regard to the bids for the for **External Audit as follows:**

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SUMMARY OF PROPOSALS

VENDOR	22/23 Yr	23/24 Yr	24/25 Yr	25/26 Yr
Skinnon and Faber	\$29,000.00	\$29,580.00	\$30,170.00	\$30,750.00
EFPR Group	\$33,000.00	\$34,000.00	\$35,000.00	\$36,000.00
The Bonadio Group	\$29,500.00	\$30,385.00	\$31,295.00	\$32,200.00
AUD	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
Justice Court	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
PKF O'Connor Davies	\$35,000.00	\$35,000.00	\$37,000.00	\$39,000.00
RS Abrams & Co. LLP	\$29,600.00	\$30,500.00	\$31,400.00	\$32,300.00

Upon motion of Trustee Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-80**, after reviewing **R.S.Abrams & Co. LLP's** proposal and based upon the recommendation of the Village Clerk/Treasurer, the firm's experience with the Village, and the firm's proposed charges, the Board unanimously accepted the proposal from **R.S.Abrams & Co. LLP** to perform independent audit services for the Village. The proposal also includes the audit of the Village Justice Court and filing of the AUD with New York State. Copies of the proposals received by the Village are on file with the Village Clerk.

Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2023-81**, the Board unanimously authorized the Mayor to enter into an Inter Municipal Agreement with Nassau County for funding to purchase radar speed signs for the Village.

Trustee Ira S. Nesenoff offered the following resolution # **2023-82** and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF KINGS
POINT, NEW YORK, ADOPTED MAY 10, 2023,
AUTHORIZING THE ISSUANCE OF BONDS IN A
PRINCIPAL AMOUNT NOT TO EXCEED \$3,500,000 TO
FINANCE THE CONSTRUCTION OF IMPROVEMENTS
TO VARIOUS ROADS, INCLUDING RELATED

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DRAINAGE IMPROVEMENTS, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$3,500,000
AND APPROPRIATING SAID AMOUNT FOR SUCH
PURPOSE

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 issue bonds in a principal amount not
to exceed \$3,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the
Consolidated Laws of the State of New York (herein called the “Law”), to finance the
construction of improvements to various roads, including related drainage improvements.

Section 2. The estimated maximum cost of the project described herein,
including preliminary costs and costs incidental thereto and the financing thereof, is
\$3,500,000 and said amount is hereby appropriated for such purpose. The plan of financing
includes the issuance of bonds in a principal amount not to exceed \$3,500,000 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 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.

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

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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 the execution of credit enhancement agreements, 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,

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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 official newspaper of the Village, having a general circulation within said Village, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the form appearing in Exhibit A hereto.

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 official newspaper of the Village, having a general circulation within said Village, 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: Kouros Torkan – Mayor
Hooshang Nematzadeh – Deputy Mayor
Ebi Victory – Trustee
Tedi Kashinejad – Trustee
Ira S. Nesenoff - Trustee

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NOES: NONE

The resolution was declared adopted.

The Village Board reviewed the proposals from Fox Glass Company East and Seoul Metal and Glass, Inc. in the amounts of \$5,300.00 and \$7,500.00 to reseal and re-silicon front windows and the skylight at the Village Hall. Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Ebi Victory, by resolution # **2023-83**, the Board unanimously approved the proposal from Fox Glass Company East, as the lowest responsible bidder, in the amount of **\$5,300.00** to reseal and re-silicon the skylight in the Village Hall lobby area and the windows of the Village Hall. Copies of the proposals are on file with the Village Clerk.

Chris Aiossa, the Superintendent of the Building Department, reported to the Board that the owner of 196 West Shore Road has requested an address change to One Martin Court. 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 Martin Court, and that the address of One Martin Court is available and will be consistent with the neighboring dwellings on Martin Court. Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Ebi Victory, by resolution # **2023-84**, the Board unanimously approved the change of address of 196 West Shore Road to One Martin Court.

Chris Aiossa, the Superintendent of the Building Department, reported to the Board that the owner of 435 East Shore Road has requested an address change to 55 Remsen Road. 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 Remsen Road, and that the address of 55 Remsen Road is available and will be consistent with the neighboring dwellings on Remsen Road. Upon motion of Trustee Ira S. Nesenoff, seconded by Trustee Ebi Victory, by resolution # **2023-85**, the Board unanimously approved the change of address of 435 East Shore Road to 55 Remsen Road.

The proposals from CivicPlus and Municipity with regard to the Building Department permit processing software were tabled.

The Board discussed piggybacking on the bid received by the Town of East Hampton from National Water Main Cleaning Co. for inspection cleaning and UV curd trenchless rehabilitation of existing drainage within the Village. Superintendent of Public Works, Domenick Stanco, advised the Board that the Town's bid met the state requirements for

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public bidding and that the contractor, National Water Main Cleaning Co., agreed to perform the work for the Village in accordance with and at the prices set forth in its contract with the Town of East Hampton. Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-86**, the Board unanimously authorized Superintendent Domenick Stanco to use National Water Main Cleaning Co., for the Village's storm water main drainage issues, in accordance the National Water Main Cleaning Co.'s contract with the Town of East Hampton. A copy of the contract with the Town of East Hampton is on file with the Village Clerk.

The Board reviewed the proposal from Apple Communication in the amount of \$3,950.00 to install additional security Cameras in and around the Village Hall. Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-87**, the Board unanimously approved the proposal from Apple Communication, in the amount of \$3,950.00, to perform the work specified in its proposal dated April 27, 2023, providing that a second proposal is received and that they are the lowest. A copy of the proposal is on file with the Village Clerk.

The Village Clerk/Treasurer informed the Board that the current tax program in place for the Village has been supported by Windows 7, which has reached its end of life since January 14, 2020. Harris Local Government is recommending that the Village upgrade the tax program "Impact" that is currently being used to prepare the tax roll and process tax bills and tax payments, since Windows 7 will not be supported any longer. Due to the cost of the proposal, the Mayor advised the Village Clerk/Treasurer to contact other villages so that the Board can obtain more information before it decides how to proceed.

The Mayor informed the Board that Trustee Ebi, the Village Clerk and the Superintendent of the Building Department interviewed Steven E. Patak to fill the vacancy of Secretary to the Planning Board. He has years' of experience with an Engineering Company that worked for the Village in the past and has some knowledge about the Village. Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-88**, the Board unanimously authorized the appointment of Steven E. Patak, at a starting salary at the rate of **\$115,000.00** a year, as a full-time employee. His work week will be 35 hours, the same as all appointed employees, and he is exempt from earning overtime, except for emergencies as determined by the Mayor. He is entitled to all other benefits as outlined in the Village Employee Handbook. He will start employment with the Village as soon as his appointment is approved by Nassau County Department of Civil Service.

The Board discussed the hiring of **Jerry Estrada** as a Motor Equipment Operator, as recommended by Public Works Supervisor Domenick Stanco. Upon motion of Trustee

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Ebi Victory, seconded by Trustee Ira S. Nesenoff by resolution # **2023-89**, the Board unanimously agreed to hire Jerry Estrada as a Motor Equipment Operator at the rate of **\$47,500.00** a year, as a full-time employee. His work week will be 35 hours and he is entitled to all other benefits as outlined in the Village Employee Handbook, upon the condition that he will get his Commercial Driver's License within one year of employment. He will start employment with the Village as soon as his appointment is approved by Nassau County Department of Civil Service.

Superintendent of Public Works Domenick Stanco, discussed with the Board his recommendation to change Tyler Plakstis' title from Motor Equipment Operator to Automotive Mechanic Aide based upon his extensive knowledge and experience as a mechanic. Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Tedi Kashinejad, by resolution # **2023-90**, the Board unanimously agreed to change the title for Tyler Plakstis from Motor Equipment Operator to Automotive Mechanic Aide, with no change in compensation or other benefits, and directed the Village Clerk/Treasurer to file the necessary paperwork with Nassau County Department of Civil Service.

Upon motion of Trustee Tedi Kashinejad, seconded by Trustee Ebi Victory, by resolution # **2023-91** the Board unanimously ratified the Mayor's authorization of retaining Breslin Appraisal Co., for the appraisal of Section 1, Block 144, Lot 58 and Section 1, Block 197, Lot 7, at cost of **\$8,500.00** and any additional time required for conferences, court preparation and court appearances to be billed at an hourly rate of \$250.00 to \$400.00 per hour.

The Board discussed piggybacking on the bid received by Suffolk County from Den-Vic Contracting Inc., to install snow-plowable reflective markers within the Village. Superintendent of Public Works, Domenick Stanco, advised the Board that the County's bid met the state requirements for public bidding and that the contractor, Den-Vic Contracting Inc., agreed to perform the work for the Village in accordance with and at the prices set forth in its contract with the Suffolk County. Upon motion by Trustee Tedi Kashinejad, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-92**, the Board unanimously agreed to have Den-Vic Contracting Inc. install snow-plowable reflective markers within the Village in accordance with and at the prices set forth in its contract with the Suffolk County. A copy of the contract is on file with the Village Clerk.

The Board reviewed the proposals to repair the Village owned pipe at 83 Kings Point Road from National Water Main Cleaning Company, at a price of \$101,250.00, and from **Bancker Construction Corporation**, at a price of **\$23,700.00, plus 15% contingency** to cover any additional cost associated with the repair. Upon motion of

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Trustee Hooshang Nematzadeh, seconded by Trustee Ira S. Nesenoff by resolution # **2023-93**, the Board unanimously accepted the proposal from Bancker Construction Corporation to remove, furnish, and install a 15" ADS WT drainage pipe away from the driveway of the resident at 83 Kings Point Road, onto the Village's right of way at a cost of \$23,700.00 plus 15% contingency to cover any additional cost associated with the repair.

Upon motion of Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad, by resolution # **2023-94**, the Board unanimously approved the proposal from the Beazley Group for excess Cyber Security Coverage in the amount of \$5 Million in excess of the \$1 Million that the Village currently has, for a cost of **\$10,002.00**. The proposal is on file with the Village clerk.

The Board heard an informal presentation on behalf of Chabad of Great Neck with regard to its premises at 400 East Shore Road and its request to amend its special exception permit. The Board advised the presenters that they had to file a formal application so that a public hearing could be scheduled to hear the application and that it would have to provide appropriate notice to the owners of all properties within 600 feet of the premises when the public hearing date is scheduled.

The Board heard an informal presentation on behalf of the owners of 33 Pheasant Run for an amendment to the 1990 Stipulation of Consolidation and Settlement of actions by Maurice Deane against the Village and the Village Planning Board, to relieve the premises from certain restrictions. The Board advised the presenters that they had to file a formal application so that a public hearing could be scheduled to hear the application and that it would have to provide appropriate notice to all properties fronting on Pheasant Run when the public hearing date is scheduled.

Upon motion of Trustee Ebi Victory, seconded by Trustee Tedi Kashinejad, by resolution # **2023-95**, the Board unanimously authorized the Mayor to enter into an intermunicipal agreement with Nassau County for funding to purchase radar speed signs for the Village.

The Mayor informed the Board that he spoke with Tom Savino and will like to retain him as a grant writer for the Village.

Mayor Kouros Torkan announced that the next meetings of the Board of Trustees would be June 20, 2023, at 6:00 p.m.

There being no further business to come before the Board, the Mayor adjourned the meeting at 8:15 p.m.

Gomie Persaud

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