

MINUTES OF THE 1148<sup>th</sup> MEETING OF THE  
BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT  
October 25, 2021  
Adopted on December 15, 2021

The 1148<sup>th</sup> meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Michael C. Kalnick at 6:25 p.m. on October 25, 2021, 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, Deputy Mayor  
Kouros Torkan, Trustee  
Ira S. Nesenoff, Trustee

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

**ABSENT:** Hooshang Nematzadeh, Trustee

Mayor Michael C. Kalnick opened the public hearing on **Bill 14 of 2021**, a proposed local law to amend Chapter 116, Penalties and Liability through accessorial conduct, 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 Ira S. Nesenoff seconded by Trustee Kouros Torkan, by resolution # **2021-149**, the Board unanimously approved the Bill as **Local Law 20 of 2021**. A copy of the Local Law is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on **Bill 15A of 2021**, a proposed local law to amend subsection F of §117-2 Exterior maintenance, 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 Kouros Torkan, seconded by Trustee David Harounian, by resolution # **2021-150**, the Board unanimously approved the Bill as **Local Law 21 of 2021**. A copy of the Local Law is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on **Bill 16 of 2021**, a proposed local law to amend Chapter 137, Subdivision of Land, of the Code of the Village of Kings Point to require Community Benefit Fund fees. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee David Harounian, seconded by Trustee Ira S. Nesenoff, by resolution # **2021-151**, the Board unanimously approved the Bill as **Local Law 22 of 2021**. A copy of the Local Law is on file with the Village Clerk.

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Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee David Harounian, by resolution # **2021-152** the Board unanimously accepted the **Building Department reports** for the period of September 2021, showing the total fees deposited of **\$62,965.00** into the General Fund and **\$80,000.00** into the Trust Fund. Copies of the reports are on file with the Village Clerk.

Upon motion by Trustee David Harounian, seconded by Trustee Kouros Torkan, by resolution # **2021-153**, the Board unanimously accepted the **Village Justice Court report** for the period of September 2021, showing the total fines and surcharges collected of **\$40,501.00**. A copy of the report is on file with the Village Clerk.

Upon motion by Trustee Kouros Torkan, seconded by Trustee David Harounian, by resolution # **2021-154**, the Board unanimously approved the minutes as presented of the **Board of Trustees meetings** of September 13, 2021, and September 30, 2021.

Upon motion by Trustee Kouros Torkan, seconded by Trustee Ira S. Nesenoff, by resolution # **2021-155**, the Board unanimously approved the payment of **audited claims** as follows:

<b>A.</b>	<b>General Fund:</b>	<b>\$ 387,146.97</b>
<b>B.</b>	<b>Trust Fund:</b>	<b>\$ 70,050.00</b>
<b>C.</b>	<b>Capital Fund:</b>	<b>\$ 103,666.59</b>

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

Trustee Ira S. Nesenoff introduced **Bill No. 17A of 2021**, a local law amending the Code of the Village of Kings Point with regard to required notices to property owners. Upon motion by Trustee David Harounian, seconded by Trustee Kouros Torkan, by resolution # **2021-155**, the Board unanimously found that the adoption of **Bill No. 17A of 2021**, 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. 17A of 2021**, a local law amending the Code of the Village of Kings Point, to be held on **November 22, 2021, at 6:00 p.m.** A copy of the bill is on file with the Village Clerk.

Trustee Kouros Torkan introduced **Bill No. 18 of 2021**, a local law amending the Code of the Village of Kings Point with regard to the powers of the Architectural and Preliminary Site Review Board. Upon motion by Trustee David Harounian, seconded by Trustee Ira S. Nesenoff, by resolution # **2021-156**, the Board unanimously found that the adoption of **Bill No. 18 of 2021**, 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

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authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 18 of 2021, a local law amending the Code of the Village of Kings Point, to be held on **November 22, 2021, 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 that she had received two written/fax proposals to remove the existing boiler and furnish, install, and connect a new Slant-Fin SE-210EDP at the Department of Public Works facility: one from Thomas Curley Plumbing & Heating Co. LLC, for \$7,500.00 and one from **G. Sicuranza, Ltd.** for \$4,750.00. Upon motion of Trustee David Harounian, seconded by Trustee Ira S. Nesenoff, by resolution # **2021-157**, the Board unanimously approved the proposal from G. Sicuranza, Ltd. to remove the existing boiler and furnish, install, and connect a new Slant-Fin SE-210EDP one at the Department of Public Works facility for a price not to exceed **\$4,750.00**.

Village Clerk Treasurer Gomie Persaud advised the Board that she had received two written/fax proposals to provide surveying services for Section 1, Block 144, Lot 58 (aka 32 Steppingstone Lane) for a new Department of Public Works building: one from Nelson & Pope for \$11,300.00 and one from **Grange Land Surveying, P.C.** for \$2,800. Upon motion of Trustee Ira S. Nesenoff, seconded by Trustee Kouros Torkan by resolution # **2021-158**, the Board unanimously approved the proposal dated October 12, 2021, from Grange Land Surveying, P.C. to provide surveying services for Section 1, Block 144, Lot 58 (aka 32 Steppingstone Lane) for a new Department of Public Works building for a price not to exceed **\$2,800.00**.

Village Clerk Treasurer Gomie Persaud advised the Board that she was informed that there was an unforeseen condition whereby circumstances affecting the Department of Public Works building constituted a public emergency, which required that a contract be approved without the ability to first obtain three written/fax proposals. Several leaks suddenly appeared around the windows at the Department of Public Works building. Although attempts were made to obtain at least three written proposals, only one proposal was received. In order to prevent significant structural damage from the water leaks, it was determined by the Superintendent of the Building Department that that bid, from **Wendel Home Center, Inc.** for **\$5,700.00**, was a reasonable price for the work and that it should be accepted. Upon motion of Trustee Kouros Torkan, seconded by Trustee Ira S. Nesenoff, by resolution # **2021-159**, the Board unanimously accepted the proposal from Wendel Home Center, Inc. to provide and install 12 Provia Ecolite Vinyl replacement windows at the Department of Public Works building for a price not to exceed **\$5,700.00**. A copy of the proposal is on file with the Village Clerk.

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Upon motion of Trustee David Harounian, seconded by Trustee Kouros Torkan, by resolution # **2021-160**, Superintendent of Public Works Michael Moorehead was authorized to install **stop signs** along **Grassfield Road** at the following intersections: northbound on Albert Court, northbound on Sterling Road, and southbound on Hale Drive.

Upon motion of Trustee Ira S. Nesenoff, seconded by Trustee David Harounian, by resolution # **2021-161**, Superintendent of Public Works Michael Moorehead was authorized to install temporary No Parking signs along the Cove Lane turnaround.

Mayor Michael C. Kalnick notified the Board that our current auditors R.S. Abrams came in on October 12, 2021 and said that the village financial records needed to be updated to finish the independent external audit. Proposals were received from Satty, Levine & Ciaccio, CPA's, Skinnon & Faber CPA's, Rynkar Vail & Barrettt LLP and PFK O'Connor Davies. Satty, Levine & Ciaccio, CPA's was the lowest responsible proposer and is familiar the Village account. To expedite the process, Mayor Kalnick suggested that the Village retain Sattie Levine and Ciaccio, CPA's to review and make the necessary journal entries to close the fiscal year ending on May 31, 2021, and to review the records for the current fiscal year to date. Upon motion by Trustee David Harounian, seconded by Trustee Kouros Torkan, by resolution # **2021-162**, the Board unanimously approved the proposal from **Sattie, Levine & Ciacco, CPA's** to review the financial records of the Village and to update the books so that the external independent audit can be completed. The proposals are on file with the Village Clerk.

The Board discussed the proposal dated October 20, 2021, from Nelson & Pope for the 2022 Roadway Improvements contract for Steven Lane, Kenneth Court, Gatsby Lane, and Kings Point Road. Upon motion of Trustee David Harounian, seconded by Trustee Kouros Torkan, by resolution # **2021-163**, the Board unanimously approved the contract of not to exceed **\$130,500.00**. The proposal is on file with the Village Clerk.

The Board discussed the various village roads that needs to be repaired in 2022 and authorized the Village Clerk to contact Bond Counsel and obtain a resolution for approval at the next Board of trustees meeting to borrow funds in the amount of \$3,900,000.00 to fund the project.

The Board discussed with Superintendent of the Building Department Chris Aiossa the request of David Ohebshalom to extend the Temporary Certificate of Occupancy for his dwelling at **19 Harbour Road**. Upon motion of Trustee David Harounian, seconded by Trustee Kouros Torkan, by resolution # **2021-164**, the Board unanimously agreed to extend the Temporary Certificate of Occupancy for the dwelling at **19 Harbour Road** on the condition that Mr. Ohebshalom agree that \$6,000.00 be subtracted as liquidated

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damages (\$200.00 per day for 30 days) from the deposit that he made for the permit that expired on September 25, 2021, and that he execute a new agreement for a Temporary Certificate of Occupancy with a bond of \$75,000.00, utilizing the \$73,000.00 balance of the deposit he made for his expired Temporary Certificate of Occupancy and depositing an additional \$2,000.00 to bring the total deposit to \$75,000.00, with the agreement that if he has not completed the required work for a final Certificate of Occupancy by April 30, 2022, the Village will be authorized to deduct \$1,000.00 per day from the deposit as liquidated damages.

The Board discussed with **Rani Hakimian of 6 Albert Court** his sanitary waste problems at his home and his request that the Village send a letter on his behalf to the Great Neck Water Pollution Control District supporting his request to connect his and other homes on Albert Court, Grassfield Road, Hale Drive, and Sterling Road to the District's sanitary waste system. Upon motion of Trustee Ira Nesenoff, seconded by Trustee Kouros Torkan, by resolution # **2021-165** the Board unanimously authorized General Counsel Stephen Limmer to send a letter to the Great Neck Water Pollution Control District informing the District that, if it has the capacity to take the waste from what, according to Mr. Hakimian, may be as many as 50 dwellings from houses on Grassfield Road, Hale Drive, Albert Court, and Sterling Road, without the Village's involvement, the Village supports Mr. Hakimian's request.

The Board noted its receipt of a letter from Paul J. Bloom, dated October 8, 2021, with regard to **Mr. & Mrs. Brian Hakimian's** request for a waiver pursuant to Village Code § 5-4, to allow a processing of his application so that work could be performed at **6 Breeze Court**, and informed Mr. Bloom that it would not grant his client's request. A copy of the letter is on file with the Village Clerk.

The Board noted its receipt of a letter from Paul J. Bloom, dated October 22, 2021, with regard to **Chabad of Great Neck, 400 East Shore Road**, and informed Mr. Bloom that his client would have to make an application to amend its previously approved special exception permit. A copy of the letter is on file with the Village Clerk.

The Board discussed with **Payam Kermanian** his request for a waiver pursuant to Village Code § 5-4, to allow a processing of his application so that work could be performed at **188 Kings Point Road**. The Board offered to grant the request if Mr. Kermanian posted a bond; but Mr. Kermanian was not willing to do so, so his request was not granted.

Mayor Michael C. Kalnick stated that the next meeting of the Board of Trustees would be **November 22, 2021**, 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 6:45 p.m.

Gomie Persaud  
Village Clerk/Treasurer