

MINUTES OF THE 1146th MEETING
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT
September 13, 2021
Adopted on October 25, 2021

The 1146th meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Michael C. Kalnick at 6:00 p.m. on September 13, 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
Hooshang Nematzadeh, Trustee
Kouros Torkan, Trustee
Ira S. Nesenoff, 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 the Building Department
George Banville, Police Commissioner

ABSENT: None

Mayor Michael C. Kalnick opened the public hearing on the **proposed Bill 11B of 2021**, a local law prohibiting certain rentals in 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 # **2021-136**, the Board unanimously approved the proposed Bill as Local Law **17 of 2021**. A copy of the Local Law is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on the **proposed Bill 12 of 2021**, a local law modifying Chapter 161, of the Code of the Village of Kings Point with regard to shoreline yards, heights of flat roofs and flag lots. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee Ira Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution # **2021-137**, the Board unanimously approved the proposed Bill as Local Law **18 of 2021**. A copy of the Local Law is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on the **proposed Bill 13 of 2021**, a local law to amend §5-4, withholding the processing of applications 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 Ira Nesenoff, by resolution # **2021-138**, the Board unanimously approved the proposed Bill as Local Law **19 of 2021**. A copy of the Local Law is on file with the Village Clerk.

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Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Kouros Torkan, by resolution # **2021-139**, the Board unanimously approved the minutes as presented of the Board of Trustees meetings for August 24, 2021.

Upon motion by Trustee David Harounian, seconded by Trustee Ira S. Nesenoff, by resolution # **2021-140**, the Board unanimously approved the payment of **audited claims** as follows:

- | | |
|------------------|---------------|
| a. General Fund: | \$ 222,408.37 |
| b. Trust Fund: | \$ 3,600.00 |

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

Upon motion by Trustee Kouros Torkan, seconded by Trustee Ira S. Nesenoff, by resolution # **2021-141**, the Board unanimously accepted the **Building Department report** for the period of August 2021, showing the total fees deposited of **\$21,145.00** into the General Fund and **\$27,200.00** 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 # **2021-142**, the Board unanimously accepted the **Village Justice Court report** for the period of August 2021, showing the total fees and surcharges deposited of **\$28,594.00** into the General Fund. A copy of the report is on file with the Village Clerk.

Superintendent of Building Department Chris Aiossa, by memorandum dated September 7, 2021, advised the Board that the owner of the property at **9 Rodney Lane** alleged that certain large trees on 11 Rodney Lane, along its shared property line with the property at 9 Rodney Lane, were dangerous and should be removed. The owner of 11 Rodney Lane is opposed to having the trees removed and provided an arborist's letter to the Superintendent concluding that the subject trees only required trimming. Superintendent Aiossa asked this Board to authorize him, if he deemed it necessary, to engage an arborist to determine if the trees should be removed. Upon motion by Trustee Ira Nesenoff, seconded by Trustee David Harounian, by resolution # **2021-143**, the Board unanimously authorized Superintendent of Building Department Chris Aiossa to engage an arborist to determine whether certain trees on the property known as 11 Rodney Lane were dangerous and should be removed. A copy of the memorandum is on file with the Village Clerk.

Superintendent of Building Department Chris Aiossa, by memorandum dated September 13, 2021, advised the Board that the property at **31 Deer Park Road** is an attractive nuisance and an eyesore and the owner is in violation of Village Code 117-2 in that construction began on a new house in 2017, but no work has been performed since

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October 2018 and the property is essentially in a state of abandonment, with part of the structure standing, with no windows, an unfinished roof, and no finished façade. The plywood sheathing is gray and warped. The temporary weatherproofing membranes are torn and worn. The foundation is full of water. The weeds are overgrown. There is erosion and runoff onto adjacent properties. The Superintendent has asked this Board to authorize him to serve a 5-day notice of violation to the owner of the property at 31 Deer Park Road pursuant to Village Code §117-9 and, in the event that the owner fails to comply with the notice and cure the violations, authorize the Superintendent to engage Papiro Landscaping to bring the property into compliance with Village Code 117-2. Upon motion by Trustee Kouros Torkan, seconded by Trustee David Harounian, by resolution # **2021-144**, the Board unanimously adopted a resolution pursuant to **Village Code §117-11**, authorizing Superintendent Aiossa to give the owner of the property at 31 Deer Park Road a 5-day notice to cure the violations and, if it fails to do so, to cause the aforesaid violations to be corrected by hiring Papiro Landscaping Inc. to perform the necessary corrective work; and directed the Village Clerk to take all necessary and appropriate actions to recoup the Village's costs and expenses in correcting the violations in accordance with Village Code §117-11; and, in the event within the next twelve-month period there is a second or any subsequent offense of chapter 117 of the Village Code on such property, pursuant to §117-11(D) of the Village Code, it shall not be necessary for the Building Inspector to obtain the permission of the Board of Trustees or the Mayor to effectuate compliance with Chapter 117, and the Clerk shall again, in such event, take all necessary and appropriate actions to recoup the Village's costs and expenses in correcting those violations in accordance with Village Code §117-11. A copy of the memorandum is on file with the Village Clerk.

The Mayor adjourned the balance of the meeting until 7:00 p.m., the time the Village had advised the applicant and the public that the consideration of the application of ExteNet Systems, Inc. would commence.

At 7:00 p.m. the Mayor Kalnick opened discussion on the application of ExteNet Systems, Inc., to install 31 small cell facilities along certain Village streets. After the applicant made a brief presentation, the public was given an opportunity to comment. After no one else sought to comment, Mayor Kalnick closed the discussion at 10:45 p.m. Decision on the application was tabled until the next meeting.

Mayor Michael C. Kalnick stated that the next meeting of the Board of Trustees would be **October 25, 2021**, commencing at **6:00 p.m.** There being no further business to come before the Board, the Mayor adjourned the meeting at 10:48 p.m.

Gomie Persaud
Village Clerk/Treasurer