

**MINUTES OF THE 1066th MEETING
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT
JUNE 16, 2015
Adopted on July 16th, 2015**

The 1066th meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Michael C. Kalnick at 9:05 p.m. on June 16, 2015, 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
Sheldon Kwiat, Trustee
Ron Horowitz, Trustee
Hooshang Nematzadeh, Trustee

ALSO PRESENT: Gomie Persaud, Village Clerk Treasurer
Kathleen Conroy, Village Deputy Clerk Treasurer
James A. Bradley, Esq., Ackerman, Levine, Cullen,
Brickman & Limmer, LLP, General Counsel
Richard Schilt, Building Inspector
Michael Moorehead, Superintendent of Public Works
John Miller, Police Commissioner
George Banville, Police Lieutenant

Mayor Michael C. Kalnick opened the public hearing on **Bill No. 3 of 2015**, a local law prohibiting the seepage and run-off of the effluent from sanitary waste facilities in the Village of Kings Point. Mayor Michael C. Kalnick asked if anyone wished to be heard with regard to Bill No. 3 of 2015. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by Resolution # **2015-50**, the Board unanimously adopted Bill No. 3 of 2015, a local law prohibiting the seepage and run-off of the effluent from sanitary waste facilities, as Local Law 2 of 2015. A copy of the Law is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on the **proposed contract with the Alert Engine, Hook, Ladder and Hose Company No. 1, Inc. (the “Fire Company”)** for the furnishing of fire protection within the Village of Kings Point for the one-year period commencing June 1, 2015, and ending May 31, 2016, for the total sum of **\$1,214,123.52**. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee David Harounian, seconded by Trustee Ron Horowitz, by resolution # **2015-51**, the Board unanimously approved the proposed contract. A copy of the contract is on file with the Village Clerk.

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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	Ron Horowitz	91	5	96
Trustee	Hooshang Nematzadeh	105	3	108

Upon motion by Trustee David Harounian, seconded by Trustee Sheldon Kwiat, by resolution # **2015-52** the Board unanimously accepted and, to the extent, if any, required, certified the results of the 2015 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 2015 Village Election are on file with the Village Clerk.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee David Harounian, by resolution # **2015-53**, the Board unanimously approved the minutes as presented of the Board of Trustees meeting of May 21, 2015.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ron Horowitz, by resolution # **2015-54**, the Board unanimously accepted the Village Justice Court report for the period of May 2015, showing the total fees and surcharges collected of **\$17,436.00**. A copy of the report is on file with the Village Clerk.

Upon motion of Trustee Sheldon Kwiat, seconded by Trustee David Harounian, by resolution # **2015-55**, the Board unanimously accepted the **Building Department report** for the period of May 2015, showing the total fees deposited of **\$28,885.00** into the General Fund and **\$11,300.00** into the Trust Fund. A copy of the report is on file with the Village Clerk.

Upon motion by Trustee Ron Horowitz, seconded by Trustee Hooshang Nematzadeh, by resolution # **2015-56**, the Board unanimously approved the payment of audited claims as follows:

- a. General Fund: \$ 1,221,237.53
- b. Trust Fund: \$ 400.00

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c. Capital Fund: \$ 8,151.95

Copies of the abstract of claims are 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 Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2015-57**, the Board unanimously approved Mayor Michael C. Kalnick's appointment of Michael Zimmerman as the Acting Village Justice from June 17, 2015, until the annual meeting, when an appointment for a one-year term for the official year beginning Monday, July 6, 2015, will be made.

The Mayor discussed his proposal to appoint **Samuel Strausman** to the **Board of Appeals** to fill the vacancy created by the resignation of **Michael Zimmerman** for the balance of his term. After receiving unanimous support for the appointment, the Mayor appointed Samuel Strausman to fill the vacancy created by the resignation of Michael Zimmerman for the balance of Mr. Zimmerman's five-year term ending at noon on the last day of the Village's 2014/2015 Official Year.

Bill No. 4 of 2015, a proposed local law amending §161-34 of the Code of the Village of Kings Point to authorize the Committee of Architectural Review to permit driveways up to 16 feet in width at the property line. General Counsel was asked to revise the proposed bill for the next meeting.

The Board discussed the Off-Shore Structure application for Mike Nassimi, with regard to the location of the new dock to be constructed at 102 Kings Point Road. Based upon the opinion of the Village's Building Inspector, the applicant will have to request several waivers. Village Engineer Christopher Clement, of Dvirka & Bartilucci Engineers, will also submit a letter with his comments prior to the next meeting. The application has been tabled.

The Board discussed Assembly Bill A08133, proposed legislation to alienate certain parklands in the Village, which was introduced by Assemblywoman Michelle Schimel at the request of the Village. The Assembly requires a Home Rule Request. Although the Board agreed it should send a Home Rule Request, Mayor Michael C. Kalnick suggested that the Village first perform an appropriate environmental review. Although a negative declaration was made at the time a new public works facility was proposed for the DPW site along Kings Point Road, only 29% of which the Village now seeks to alienate from parkland, and whatever, if anything, will be built upon that smaller parcel will have less of an environmental impact than the project then proposed, he thought it wise to make

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sure that the alienation would not have a significant environmental impact. Accordingly, upon the recommendation of General Counsel, Mayor Michael C. Kalnick authorized General Counsel to obtain a proposal from **VHB Engineering, Surveying and Landscape Architecture, P.C. [VHB]** to assist the Board in making its environmental determination of significance. In response, VHB sent a proposal by letter dated June 11, 2015, which was circulated to and reviewed by the Board. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by resolution # **2015-58**, the Board unanimously approved the engagement of **VHB** to provide professional services in accordance with said proposal at a total cost of **\$7,000.00**. A copy of said proposal is on file with the Village Clerk.

Mayor Michael C. Kalnick announced that the next meeting of the Board of Trustees would be on July 16, 2015, commencing at 8:15 p.m. at the Village Hall.

There being no further business to come before the Board, the Mayor adjourned the meeting at 9:39 p.m.

Gomie Persaud
Village Clerk-Treasurer