

MINUTES OF THE 1089TH MEETING
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT
May 15, 2017
Adopted on June 20, 2017

The 1089th meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Michael C. Kalnick at 8:45 p.m. on May 15, 2017, 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
Benjamin Kaplan, Esq., McLaughlin & Stern, LLP,
Richard Schilt, Building Inspector
Chris Aiossa Assistant Building Inspector
Michael Moorehead, Superintendent of Public Works

ABSENT: George Banville, Police Commissioner
Stephen G. Limmer, Esq., McLaughlin & Stern, LLP,

Upon motion by Trustee David Harounian, seconded by Trustee Ron Horowitz, by resolution # **2017-53**, the Board unanimously approved the minutes as presented of the **Board of Trustees meeting** of April 6, 2017.

Upon motion by Trustee Ron Horowitz, seconded by Trustee Sheldon Kwiat, by resolution # **2017-54**, the Board unanimously approved the payment of **audited claims** as follows:

a. General Fund:	\$ 856,023.91
b. Capital Fund:	\$ 78,937.47
c. Trust Fund:	\$ 2,000.00

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

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee David Harounian, by resolution # **2017-55**, the Board unanimously accepted the **Building Department report** for the period of April 2017, showing the total fees deposited of **\$51,910.00** into the General Fund and **\$8,400.00** into the Trust Fund. A copy of the report is on file with the Village Clerk.

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Upon motion by Trustee Sheldon Kwiat, seconded by Trustee David Harounian, by resolution # **2017-56**, the Board unanimously accepted the **Village Justice Court report** for the period of April 2017, showing the total fees and surcharges deposited of **\$19,188.00** into the General Fund. A copy of the report 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, 2017, and ending May 31, 2018, for the total sum of **\$1,261,434.00**. 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 # **2017-57**, the Board unanimously approved the proposed contract. A copy of the contract is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on **Bill No. 1C of 2017**, a local law amending the Code of the Village of Kings Point by amending chapter 161, Zoning of the Code of the Village of Kings Point with regard to buildings and other structures. No one asked to be heard. The Mayor stated that he thought the Bill needed further study by the Board. Upon motion by Trustee Sheldon Kwiat, seconded by Trustee David Harounian, by Resolution # **2017-58**, the Board unanimously adjourned the public hearing to June 20, 2017, at 9:00 p.m. at the Village Hall. A copy of the Bill is on file with the Village Clerk.

The Board reviewed the proposal, by letters dated March 15, 2017, from **Sattie, Levine & Ciacco, CPA's, P.C.**, one to provide the **auditing services of the General-Purpose Financial Statements of the Village of Kings Point (\$24,100) and the other to provide the auditing services of the Village Justice Court (\$3,750)**, for the year ending May 31, 2017. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by resolution # **2017-59**, the Board unanimously approved the engagement of Sattie, Levine & Ciacco, CPA's, P.C. to provide auditing services in accordance with said letters at a total cost of **\$27,850.00**. Copies of said letters are on file with the Village Clerk.

The Board reviewed the proposal, by letter dated May 9, 2017, from Haberman Associates, Inc., Real Estate Appraisers & Consultants as the Village Assessors for the June 1, 2017 to May 31, 2018 fiscal year. Upon motion by Trustee David Harounian, seconded by Trustee Hooshang Nematzadeh, by resolution # **2017-60**, the Board unanimously approved Haberman Associates, Inc., Real Estate Appraisers & Consultants as the Village Assessors for the June 1, 2017 to May 31,

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2018 fiscal year in accordance with its proposal by letter dated May 9, 2017, in the amount of **\$12,000.00**. A copy of the letter is on file with the Village Clerk.

Upon motion of Trustee David Harounian, seconded by Trustee Ron Horowitz, by resolution # **2017-61**, the Board unanimously set a Public Hearing on June 20, 2017, at 9:00 p.m. at the Village Hall for the proposed contract with the Vigilant Engine & Hook & Ladder Company, Inc., for the **furnishing of ambulance service** within the Village of Kings Point for the period of January 1, 2017 to December 31, 2017. A copy of the proposed contract is on file with the Village Clerk.

The Board discussed the application of **Jack Yadidi**, as owner, pursuant to Article VIII, **Off-Shore Structures**, of Chapter 161, Zoning, of the Code of the Village of Kings Point, for a permit to: (i) construct a 250-foot long by 4-foot wide wood catwalk, with a 30-foot long by 3-foot wide aluminum ramp, and a 30-foot long by 8-foot wide float at the end; (ii) install a PWC lift; and (iii) install a 20,000-pound boat lift at the seaward end of the catwalk, at the premises known as **19 Foxwood**, Kings Point, New York, shown on the Nassau County Land and Tax Map as Section 1, Block 177, Lot 34.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by resolution # **2017-62** the Board unanimously adopted the following resolution:

Whereas, **Jack Yadidi**, as owner, has applied to this Board pursuant to Article VIII, **Off-Shore Structures**, of Chapter 161, Zoning, of the Code of the Village of Kings Point, for permit to: (i) construct a 250-foot long by 4-foot wide wood catwalk, with a 30-foot long by 3-foot wide aluminum ramp, and a 30-foot long by 8-foot wide float at the end; (ii) install a PWC lift; and (iii) install a 20,000-pound boat lift at the seaward end of the catwalk, at the premises known as **19 Foxwood**, Kings Point, New York, shown on the Nassau County Land and Tax Map as Section 1, Block 177, Lot 34; and

Whereas, the Board has made the following findings of fact:

1. Based upon a review of the SEAF submitted by the applicant and the other documents and testimony presented with regard to the application, the proposed action will not result in any significant adverse environmental impacts.

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2. Although the catwalk will exceed 200 feet in length, the additional 50 feet is required to reach a navigable water depth.
3. The catwalk will be centered on the premises.
4. The pier will not unreasonably impede, obstruct, or interfere with navigation, the rights of adjoining property owners, the public use of or passage along the foreshore or the waterway, or significantly damage the environment.

Now, therefore, based upon the foregoing findings:

- A. The Board authorizes the Mayor to complete part 2 of the SEAF, answering “no, or small impact may occur” to questions 1 through 11, and checking the box indicating that this Board has determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
- B. The Board grants the application on the condition that the off-shore structures are constructed and maintained substantially in accordance with the following drawings submitted by the applicant as part of his application prepared by KD Engineering, entitled:
 - Proposed Dock
 - Yadidi Residence
 - 19 Foxwood Road, Kings Point, NY 11024
 - Dated November 2016, showing no revisions:
 - i. Drawing # 1 of 2, Dock Site Plan & Notes
 - ii. Drawing # 2 of 2, Cross Sections & Details

A copy of the application is on file with the Village Clerk.

The Board reviewed the request of the Great Neck Park District, with regard to the premises at 38 Steppingstone Lane, Kings Point (1-144-57), for an **Underground Electrical Easement** to install and maintain electric service within the Village road in front of those premises. Upon motion by Trustee Ron Horowitz, seconded by Trustee Sheldon Kwiat, by resolution # **2017-63**, the Board unanimously granted the Great Neck Park District’s request, upon the condition that the owner execute and convey the customary declaration and easement for such easements, as prepared by the Village General Counsel, provide the Village General Counsel with a copy of its deed, survey, and a metes and bounds description of the easement area, and reimburse the Village for all of its attorney’s fees and costs in having the declaration prepared and recorded. A copy of the application is on file with the Village Clerk.

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Building Inspector Richard Schilt advised the Board that **KP Pheasant, LLC**, the owner of the premises at **33 Pheasant Run**, shown on the Nassau County Land and Tax Map as Section 1, Block 178, Lot 28, was in violation of Village Code §117-2(F), in that the owner, despite oral demands and having been served with notices of violation, has failed to maintain the premises by permitting heavy undergrowth and the accumulation of plant growth which are unsightly, noxious, and detrimental to health; has failed to keep hedges and shrubs pruned; and has failed to cut grass so that it is not in excess of 6-inches. Accordingly, Building Inspector Richard Schilt asked the Board to adopt a resolution, pursuant to Village Code §117-11, which, in substance, would provide that if the owner does not bring the premises into compliance with the Village Code provision within 20 days after the required notice, the Building Inspector could cause the violation to be corrected and, if the owner does not reimburse the Village for the cost of correcting the violation, such cost could be collected by the Village in the same manner fixed by law for the collection of Village taxes assessed against the premises. Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2017-64**, the Board unanimously adopted a resolution pursuant to Village Code §117-11, authorized the Building Inspector to cause the aforesaid violation at 33 Pheasant Run, shown on the Nassau County Land and Tax Map as Section 1, Block 178, Lot 28, to wit: the failure to maintain the premises by permitting heavy undergrowth and the accumulation of plant growth which are unsightly, noxious, and detrimental to health; the failure to keep hedges and shrubs pruned; and the failure to cut grass so that it is not in excess of 6-inches, to be corrected if the owner does not correct the violation within 20 days after the required notice of violation. And, if the owner does not correct the violation within said 20 days and the Building Inspector does thereafter cause the aforesaid violation to be corrected, the Village Clerk shall take all necessary and appropriate actions to recoup the Village's costs and expenses in correcting the violation in accordance with Village Code §117-11.

Pursuant to the request of Edward W. Dickman, the application with regard to 2 Central Drive was adjourned without setting a new date.

The Mayor announced that bids had been sought from three firms for the design and implementation of a **landscape plan**, subject to the approval of the New York State Department of Environmental Conservation, for **East Shore Park**. Only two of those firms responded. Upon motion of Trustee David Harounian, seconded by Trustee Ron Horowitz, by resolution # **2017-65**, based upon the experience, budget and expected fee of \$46,500, and hourly rates of **Nelson, Pope**,

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& Voorhis, LLC, the Board unanimously accepted its proposal by letter dated 15, May 2017. A copy of said letter is on file with the Village Clerk.

Mayor Michael C. Kalnick informed the Board that bid packets are available for the 2017 Roadway Improvements Program construction and engineering estimates from Village Engineer Nelson Pope & Voorhis, LLC, for various roadways throughout the Village.

The Board instructed the Village Clerk to advertise for bids on the Village website and in the Great Neck Record, the official paper of the Village.

Mayor Michael C. Kalnick noted the Board's receipt of a letter from Robert Weinberg dated May 4, 2017. No one offered a motion to grant Mr. Weinberg's request. A copy of the letter is on file with the Village Clerk.

Mayor Michal C. Kalnick announced that the next meeting of the Board of Trustees would be on June 20, 2017, commencing at 9:00 p.m. at the Village Hall.

There being no further business to come before the Board, the Mayor adjourned the meeting at 8:55 p.m.

Gomie Persaud
Village Clerk-Treasurer