

**MINUTES OF THE 1093rd MEETING
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT
September 14, 2017
Adopted October 16, 2017**

The 1093rd meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Michael C. Kalnick at 8:15 p.m. on September 14, 2017, at the Village Hall of the Village of Kings Point, 32 Steppingstone Lane, Kings Point, New York 11024.

PRESENT: Michael C. Kalnick, Mayor
Sheldon Kwiat, Trustee
Ron Horowitz, Trustee
Hooshang Nematzadeh, Trustee

ALSO PRESENT: Stephen G. Limmer, Esq., Ackerman, Levine, Cullen,
Brickman & Limmer, LLP, General Counsel
Michael Moorehead, Superintendent of Department of
Public Works
Chris Aiossa, Superintendent of Building Department
George Banville, Police Commissioner

ABSENT: David Harounian, Deputy Mayor
Gomie Persaud, Village Clerk-Treasurer

Brian Gilardian addressed the Board with regard to his letter dated 9/14/2017. A copy of the letter is on file with the Village Clerk.

Mayor Michael C. Kalnick opened the public hearing on Bill 5 of 2017, a local law to amend Chapter 106, Noise, of the Code of the Village of Kings Point with regard to construction activities. No one asked to be heard and the Mayor adjourned the public hearing until later in the meeting.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Ron Horowitz, by resolution # **2017-96** the Board unanimously accepted the **Building Department reports** for the period of July 2017, showing the total fees deposited of **\$42,390.00** into the General Fund and **\$3,600.00** into the Trust Fund, and for the period of August 2017, showing the total fees collected of **\$22,845.00** into the General Fund and **\$254,400.00** into the Trust Fund. Copies of the reports are on file with the Village Clerk.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Ron Horowitz, by resolution # **2017-97**, the Board unanimously accepted the **Village Justice Court reports** for the period of July 2017, showing the total fines and surcharges collected of **\$16,493.00**, and for the period of August 2017, showing the total fines

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and surcharges collected of **\$18,867.00**. Copies of the reports are on file with the Village Clerk.

Upon motion by Trustee Ron Horowitz, seconded by Trustee Sheldon Kwiat, by resolution # **2017-98**, the Board unanimously approved the minutes as presented of the **Board of Trustees meeting** of July 17, 2017.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by resolution # **2017-99**, the Board unanimously approved the payment of **audited claims** as follows:

A.	General Fund:	\$1,128,764.21
B.	Trust Fund:	\$ 15,400.00
C.	Capital Fund:	\$ 62,747.15

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

Village Clerk-Treasurer Gomie Persaud advised the Board of the bid opening that had been held on August 31, 2017, with regard to the bids for the **Tree Trimming and Related Services Contract** as follows:

**SUMMARY OF BIDS
Tree Trimming and Related Services
Bid Date: August 31, 2017**

Item #1	Price for one year (10/01/17– 09/30/18)
Item #2	Price for one year (10/01/18 – 09/30/19) at Village’s option
Item #3	Price for one year (10/01/19 – 9/30/20) at Village’s option

Vendor	Item #1	Item #2	Item #3
Harder Service, Inc.	\$43,097.90	\$49,848.69	\$54,225.40
Dragonetti Brothers Landscaping Nursery	\$98,400.00	\$98,400.00	\$98,400.00

Upon motion of Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by resolution # **2017-100** the Board unanimously awarded the **Trim Trimming and Related Services Contract** for the period of October 1, 2017 through September 30, 2018, with two (2) one-year options to be exercised at the discretion of the Board, to Harder Service, Inc., as the

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lowest responsible bidder. Copies of the bids are on file with the Village Clerk.

Upon motion of Trustee Ron Horowitz, seconded by Trustee Sheldon Kwiat, by resolution # **2017-101**, the Board unanimously approved the proposal from All Seasons Air Conditioning Co., Inc., dated August 31, 2017, to replace the unit serving the Court area which has a bad heat exchanger at a cost of **15,275.00**. A copy of the proposal is on file with the Village Clerk.

Superintendent of Building Department Chris Aiossa advised the Board that certain properties that the Board had previously authorized the Building Inspector to cause to be corrected pursuant to Village Code §117-11 had been corrected; however, since that time, those properties were once again in need of correction in that all of them had grass, brush, and/or weeds in excess of 6 inches in height. Those properties being: 13 Catalina Drive, 11 Birchwood Lane, 98 Wildwood Road, and 102 Kings Point Road. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by resolution # **2017-102**, the Board unanimously adopted a resolution pursuant to **Village Code §117-11**, authorizing the Building Inspector to cause the aforesaid violations at 13 Catalina Drive, 11 Birchwood Lane, 98 Wildwood Road, and 102 Kings Point Road, to wit: the failure to cut the grass as required by the Village Property Maintenance Code, to be corrected if the owners of such premises do not correct the violations on their premises within 20 days after the required notice of violation. And, if the owners do not correct the violations within said 20 days and the Building Inspector does thereafter cause the any of the aforesaid violations to be corrected, the Village Clerk shall 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.

Upon motion by Trustee Sheldon Kwiat, seconded by Trustee Hooshang Nematzadeh, by Resolution # **2017-103**, the Board unanimously adopted the following resolution:

WHEREAS there is now pending in the Supreme Court, Nassau County, a proceeding by the owner of certain property within the Village of Kings Point to reduce the assessed valuation placed on its property for Village tax purposes; and

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WHEREAS the General Counsel to the Village recommends that said proceeding be settled in accordance with a written memorandum to this Board dated June 20, 2017.
NOW, THEREFORE, the General Counsel is hereby authorized to settle the following tax certiorari proceeding on the basis indicated.

302 East Realty LLC Address:
**600 East Shore Road, Great Neck
Section 1, Block 177, Lot 15**

Tax Year	Present Assessment	Proposed Assessment	Reduction	Total Tax Rate/	Refund
2010/11	\$47,500				Lump Sum Payment of \$7,000 within 90 days of service; \$47,500 assessment for the 2017/18, 2018/19, 2019/20 tax years.
2011/12	\$47,500				
2012/13	\$47,500				
2013/14	\$47,500				
2014/15	\$47,500				
2015/16	\$47,500				
2016/17	\$47,500				
2017/18		\$47,500			

The Board reviewed the request of Igal Namdar with regard to the premises at 30 Lighthouse Road, Kings Point (1-144-18), for an **easement to construct a cabana above a Village stormwater easement**. Upon motion by Trustee Ron Horowitz, seconded by Trustee Hooshang Nematzadeh, by resolution # **2017-104**, the Board unanimously granted the homeowner's request, upon the condition that the owner execute and convey a declaration and easement, as prepared by the Village General Counsel, and provide the Village General Counsel with a copy of his deed and a 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.

Chic Voorhis, of the firm of **Nelson, Pope, & Voorhis, LLC**, the firm awarded the contract for the design and implementation of a **landscape plan for East Shore Park**, gave a power point presentation of the issues, his firm's proposal, and the questions to be resolved by the Board so that his firm could promptly proceed with a more specific landscape plan. The Board provided the answers and reminded Mr. Voorhis that the Board would like to expedite the finalization of the

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proposed plan and, after its approval by the Board, the implementation of the plan, as quickly as practicable.

Mayor Michael C. Kalnick reopened the public hearing on Bill 5 of 2017. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee Ron Horowitz, seconded by Trustee Sheldon Kwiat, by resolution # **2017-105**, the Board unanimously adopted Bill 5 of 2017 as **Local Law 5 of 2017**, a local law to amend Chapter 106, Noise, of the Code of the Village of Kings Point with regard to construction activities.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Sheldon Kwiat, by resolution # **2017-106**, the Board unanimously authorized **Computel Consultants** to perform an audit of all of the Village's utility accounts with LIPA PSEG – LI, for a one-time fee of 40% of any and all recovered refunds, in accordance with an agreement to be approved by General Counsel and the Mayor.

Mayor Michael C. Kalnick stated that the next two meetings of the Board of Trustees would be **October 16**, and **November 20, 2017**. There would be advice of counsel before both meetings starting at 7:45 p.m. and the open meeting to the public would commence at 8:15 p.m.

There being no further business to come before the Board, the Mayor adjourned the meeting at 10:26 p.m.