



MINUTES

Ardsley Village Board of Trustees

8:00 PM - Tuesday, September 6, 2022

Meeting Held Via Zoom Platform

Present: Mayor	Nancy Kaboolian
Deputy Mayor/Trustee	Andy DiJusto
Trustee	Asha Bencosme
Trustee	Steve Edelstein
Trustee	Craig Weitz
Village Manager	Joseph Cerretani
Village Clerk	Ann Marie Rocco
Village Attorney	Robert J. Ponzini

Absent:

1. PLEDGE OF ALLEGIANCE Mayor Kaboolian called to order the Regular Meeting at 8:00 pm and asked for a

MOMENT OF SILENCE IN MEMORY OF:

JAMES MICHAEL BYRNES- Father of Theresa DelGrosso

ARTHUR TARRICONE -Grandfather of Chief Podolski

Roll Call:

Mayor Nancy Kaboolian

Deputy Mayor/Trustee Andy DiJusto

Trustee Asha Bencosme

Trustee Steve Edelstein

Trustee Craig Weitz

PUBLIC HEARING To Discuss Adding a Day Care Center to the Existing Martial Arts Studio -UMAC Ardsley, 15 Center Street

1. Mayor Kaboolian opened the Public Hearing at 8:03 p.m. in the matter of adding a Day Care Center to the existing Martial Arts Studio-UMAC Ardsley at 15 Center Street.

Mayor Kaboolian read the Public Notice into the record.

Martial Arts Director, Vincent Bellantoni was present to discuss the application and the main objective is to create a better value to the program. They will require additional exit signs.

Maurice Hyacinthe, HMH Chief Operating Officer of the shopping center. They have reviewed the application and are in agreement with the addition to the Day Care Center.

Building Inspector, Larry Tomasso explained that the the business will be inspected by NYS periodically. They will be regulated by the state and the CO is contingent upon Mr. Bellantoni receiving the state permit.

Trustee Bencosme questioned if Mr. Bellantoni would be able to provide staffing for intake and out-take of children at the beginning and end of the day?

Mr. Bellantoni explained that yes it will be our current staff that will be taking care of this and going through the childcare process.

Moved by Trustee Bencosme, Seconded by Trustee Edelstein and passed unanimously. Carried by the following votes: 5-0-0

Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz, Trustee Bencosme

Nays: None RESOLVED, that this public hearing be closed for the discussion of adding a Day Care Center to the existing Martial Arts Studio-UMAC Ardsley at 15 Center Street at 8:27 pm

2. SPECIAL PRESENTATION Special Presentation New Westchester Power Solar Credit Offering from Sustainable Westchester-Carmen Santos

2.1 Solar Program Manager, Carmen Santos was present to discuss the new Westchester Power Solar Credit Offering from Sustainable Westchester.

Westchester Power's Solar Credit Offering is as follows:

- A enhanced community (shared) solar offering that provides solar credits (monetary savings) in electricity bills to eligible participants on an opt-out basis.
- Low to moderate income households are our top priority to receive solar credit savings and increase climate justice.
- Because solar credits do guarantee savings, all households enrolled in utility's assistance programs are eligible to receive solar credits.
- The Solar Credit offering will e made available to all Westchester County municipalities.

What are the benefits for solar credits?

- Save on each electricity bill
- How customers pay their bills will remain the same. Solar credit savings will be printed on each bill.
- Remain enrolled in utility assistance programs! When eligible participants receive solar credits, this has no impact on their current assistance program benefits.
- Keep preferred electricity supplier
- Use your power to choose
- Cancel any time without penalty.
- Support a local Solar Farm.
- Promotes climate justice
- Strengthens local economies with retained savings
- Stimulates and accelerates local renewable energy development at scale, along with environmental benefits & green jobs.
- Advances several Reforming the Energy Vision and climate Leadership and Community Protection Act goals.

Next steps for Ardsley:

1. Municipalities that wish to make the Solare Credit offering available to their eligible residents must:

- Adopt Updated Enabling Law.
- Sign the Administration Agreement

2. After the enabling law is adopted, Sustainable Westchester starts targeted Community Outreach

- For NYS approval of municipal participation we must submit
 - a copy of municipality's up to date local law enabling law,
 - evidence of at least 2 months of outreach and education after adoption of enabling law, and
 - a sample notification letter.

3. APPROVAL OF MINUTES:

3.1 August 1, 2022 Board of Trustees Meeting Minutes

Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously.

Carried by the following votes: 5-0-0

Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz, Trustee Bencosme

Nays: None RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of August 1, 2022 as submitted.

4. DEPARTMENT REPORTS

1. LEGAL

- 1.a Village Attorney Robert Ponzini stated he had nothing to report other than those items that may have been submitted in memorandum form and would be available for Legal Advice after the meeting if needed.

2. MANAGER

- 2.a Village Manager Joseph Cerretani read the following report:

1. Paving & Curbing: The Village Board has awarded the contracts for our paving and curbing program for this. We are coordinating the projects, along with our sewer camera work, with our consulting engineers, contractors, and Department of Public Works. We will be keeping the public informed as to road closures or changes to traffic patterns through email blasts and Nixle alerts as we become aware. We anticipate the sewer camera work to begin in the next week or so, and the curbing and paving work to begin in the next month or so.
2. Metal & E-Waste: Ardsley Public Works has implemented a new procedure for curbside collection of metal & electronics to residents on Wednesdays. The cut off to schedule a Wednesday metal/electronic collection is noon on Tuesdays. To schedule an appointment please visit Public Works website page at www.ardsleyvillage.com. For assistance please call Highway Dept. at 914-693-0117 or Village Hall at 914-693-1550.
3. September 14th Westchester Clerk's Mobile Office Coming To Ardsley! The Westchester County Clerk's Community Outreach Mobile Office will be at Pascone Park from 10 a.m. to 1 p.m. Wednesday, September 14th. If you are applying for a new passport or if your adult passport expired more than five years ago, the mobile office can help you. Other services available September 14th include free notary services, preserving military discharge papers and filing a business certificate. In-person notary services will be available free of charge. Bring photo ID. Feel free to reach out to Village Clerk, Ann Marie Rocco 914-693-1550 with any questions.

3. TREASURER

- 3.a September 6, 2022 Abstract Report

Village Manager Cerretani read the September 6, 2022 Abstract Report as follows:
From the General Fund: \$427,301.78 from the Trust & Agency Fund: \$2,794.00 and from the Capital Fund: \$81,360.40, Sewer Fund: \$11,442.36.

**Moved by Trustee Weitz, Seconded by Trustee DiJusto and passed unanimously.
Carried by the following votes: 5-0-0**

Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz, Trustee Bencosme

Nays: None RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$427,301.78

from the Trust & Agency Fund: \$2,794.00 and from the Capital Fund: \$81,360.40, Sewer Fund: \$11,442.36.

4. BUILDING No Building Department Report

5. FIRE No Fire Department Report

6. POLICE No Police Department Report

7. MAYOR'S ANNOUNCEMENTS

7.a Mayor Kaboolian announced the following:

- Trustee Edelstein, Mayor Kaboolian and Village Manager Cerretani met with the County at Macy Park to discuss the entrances, exits, bus stop, etc...we have asked for signage on walkways, moving the bus stop and how we would like the entrances to look like for our Village.
- We will be setting up another meeting for invasive vine at Macy Park.
- Thanked DPW for fixing the railing over the bridge at the Library.
- The County announced for people restrict water usage due to the drought.
- Lawrence Street was up for auction and has been in contact with the Town and owners to try to determine who the winner purchaser is.
- September 17th -Welcome Back Ardsley! from 3pm-7pm at Pascone Park
- September 9th Movie in the park 7:15 pm
- September 29th Halloween Trunk & Treat! Volunteers needed to decorate their cars. Please contact Trish Lacy at the Recreation Center 914-693-8012.

8. COMMITTEE & BOARD REPORTS

8.a Trustee DiJusto did not have anything to report

Trustee Weitz did not have anything to report

Trustee Bencosme did not have anything to report

Trustee Edelstein announced the following:

- There will be a volunteer effort to do some weeding at Silliman Park on Saturday, September 10th at 10 am.

5. VISITORS

5.1 Boy Scout Anthony Kriyanthan presented an Eagle Scout project to the Board

The proposed project:

Create informational signage around the area of the Ardsley Veteran's Memorial and handicap access to the museum at Pascone Park.

Need for the project:

People in the community may not know the significance of the contributions Veterans made just by looking at the Memorial. The museum is open to the public Memorial Day and Veteran's Day. This project will provide a better understanding of the flag that is draped over a coffin and then presented to families at burials. The project also highlights Ardsley Veterans interviews.

Project Purpose:

1. Create a historical sign board that educates the community and explains the meaning behind the 13 folds of the flag.
2. Highlight Ardsley Veterans from the Greenburgh Living Veteran's Project
3. Install solar lit American flags
4. Provide a ramp for handicap access to the museum when it its open.

Timeline:

- Board feedback September 2022
- Eagle Application Review by Greater Hudson valley Council January 2023
- Production of materials February/March 2023
- Installation before Memorial Day 2023

Mayor Kaboolian explained that we have to make sure that the information we are presented is correct through Veterans Organizations, etc... the Board of Trustees will be discussing this project at the next work session on September 14th and the Board will get back to Anthony regarding the next steps.

- 5.2 Fire Marshal PJ Murray was present to speak about the "no parking zone" at 12 Lincoln Ave. The sprinkler connection is very important to the Fire Department. He will join the Board meeting for the Public Hearing on this topic on September 19th to answer any questions.

6. OLD BUSINESS:

- 6.1 Consider a Resolution to Grant Permission to Add a Day Care Center to the Existing Martial Arts Studio at 15 Center Street

Moved by Trustee Bencosme, Seconded by Trustee Edelstein and passed unanimously. Carried by the following votes: 5-0-0

Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz, Trustee Bencosme

Nays: None RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the proposed change of use to add a day care center to the existing Martial Arts Studio at 15 Center Street as presented by the applicant.

Any approvals should contain the following conditions:

1. The applicant must provide plans for the remainder of the build-out showing full compliance with the NYS Building Code.
2. The applicant must obtain the required permits prior to commencing construction for the build-out.
3. The applicant must obtain a sign permit and BAR approval for all proposed signage.
4. The hours of operation should be identified/confirmed.
5. The employees shall obtain parking permits from the village.
6. The applicant must obtain and maintain any permits, licenses and approvals that are required by the state and/or county to operate a day care facility.
7. Any conditions the Village Board deems appropriate.
8. Any conditions the Village Attorney or Village Manager deem appropriate.

7. NEW BUSINESS:

- 7.1 Consider a Resolution to Authorize the Village Manager to Sign an Inter-municipal Agreement with Westchester County for the Positive Youth Development Program

**Moved by Trustee Bencosme, Seconded by Trustee DiJusto and passed unanimously.
Carried by the following votes: 5-0-0**

**Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz,
Trustee Bencosme**

Nays: None RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to sign an inter-municipal agreement with Westchester County for the Positive Youth Development Program at Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 effective January 1, 2022 through December 31, 2022.

- 7.2 Consider a Resolution to Amend the "Sexual Harassment Prevention Policy" of the Village of Ardsley

**Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously.
Carried by the following votes: 5-0-0**

**Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz,
Trustee Bencosme**

Nays: None RESOLVED,
that the Village Board of the Village of Ardsley hereby amends the "Sexual Harassment Prevention Policy" of the Village of Ardsley effective immediately.

- 7.3 Consider a Resolution to Schedule a Public Hearing to Discuss Amendments to Chapter 190 Entitled "Vehicles and Traffic Section 190-60 Schedule XII: Parking Prohibited at All Times" of the Ardsley Village Code

**Moved by Trustee Weitz, Seconded by Trustee DiJusto and passed unanimously.
Carried by the following votes: 5-0-0**

Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz, Trustee Bencosme

Nays: None RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on Monday, September 19, 2022 at 8:00 p.m. or soon thereafter to consider introductory Local Law No. 5 of 2022 amendments to Chapter 190 entitled “Vehicles and Traffic” Section 190-60 Schedule XII: “Parking Prohibited at All Times” of the Ardsley Village Code as follows:

Section 190-60 Schedule XII, Parking Prohibited at All Times. Proposed text is in bold with yellow highlight		
Name of Street	Side	Location
Abington Avenue	East	From Ashford Avenue to Agnes Circle
Almena Avenue	West	South from Carriere Avenue to Village line
Ashford Avenue [Added4-19-2004byL.L. No. 3-2004]	North	From American Legion Drive to a point 162 feet west
Ashford Avenue [Added5-15-1989byL.L. No. 2-1989]	North	From east curbline of Fairmont Street to McKinley Place
Ashford Avenue [Repealed9-21-1999byL.L. No. 5-1999]		
Ashford Avenue	North/South	From a point opposite King Street west curbline to Fairmont Street
Ashford Avenue [Amended4-19-2004byL.L. No. 4-2004]	North/South	East from Saw Mill River Road for 400 feet (to a point opposite 505 Ashford Avenue)
Ashford Avenue	North/South	West from Saw Mill River Road to Village line
Ashford Avenue [Added5-15-1989byL.L. No. 2-1989]	South	East from Judson Avenue to McKinley Place

Powderhorn Road	East	From Heatherdell Read south curbline to Captain Honeywell's Road south curbline
Prospect Avenue	North	From High Street to McKinley Place
Prospect Avenue [Added12-16-1991byL.L. No. 12-1991]	South	From a point 240 feet west of McKinley Place for 200 feet
Revolutionary Road	East	From Heatherdell Road to Saw Mill River Road
Ridge Road [Repealed11-5-2001byL.L. No. 3-2001]		
Ridge Road [Repealed11-5-2001byL.L. No. 3-2001]		
Ridge Road [Repealed11-5-2001byL.L. No. 3-2001]		
Ridge Road [Added11-5-2001byL.L. No. 3-2001]	East/West	From Saw Mill River Road to Village line
Shady Road North	South	East from Ridge Road for 256 feet
Shady Road South	South	East from Ridge Road for 250 feet
Sheffield Court	Both	Entire length
Shorthill Road [Added12-16-1991byL.L. No. 12-1991]	South/East	East from Abington Avenue and north to Grenfel Place
Swanston Lane	North	West from Ridge Road for 240 feet
Swanston Lane	South	From Ridge Road to Almena Avenue
Sylvia Avenue [Added11-1-2004byL.L. No. 12-2004]	North	East from Route 9A for 384 feet
Sylvia Avenue [Added11-1-2004byL.L. No. 12-2004]	South	East from Route 9A for 440 feet
Taft Lane	West	From Ashford Avenue to McKinley Place
Village Green	West	From a point 90 feet north
Parking Lot**		Colonial Place northerly 125 feet, and from the northwest corner of the parking lot easterly 208 feet

[Added 3-21-1988 by L.L. No. 1-1988]		
Western Drive [Repealed 12-18-2006 by L.L. No. 8-2006]		
Western Drive [Amended 12-18-2006 by L.L. No. 8-2006]	East	From Ashford Avenue to Eastern Drive
Western Drive	West	North from Ashford Avenue for 175 feet
Wilmoth Avenue	East	North from Grandview Avenue south curblin to end

7.4 Consider a Resolution to Schedule a Public Hearing to Discuss Amendments to Chapter 81 Entitled "Community Choice Aggregation (Energy) Program" of the Ardsley Village Code

Moved by Trustee Edelstein, Seconded by Trustee Bencosme and passed unanimously. Carried by the following votes: 5-0-0

Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz, Trustee Bencosme

Nays: None WHEREAS,

the Village Board of the Village of Ardsley wishes to amend Chapter 81 of its Community Choice Aggregation Program to incorporate opt-out Community Distributed Generation pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law;

NOW, THEREFORE BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a Public Hearing Monday, September 19, 2022 at 8:00 p.m. or soon thereafter to consider Introductory Local Law No. 6 of 2022 Chapter 81 entitled "Community Choice Aggregation (Energy) Program" of the Ardsley Village Code as follows: (The deleted text is in ~~strike through~~ and the new text is underscored)

Chapter 81

Community Choice Aggregation (Energy) Program

[HISTORY: Adopted by the Board of Trustees of the Village of Ardsley 3-19-2018 by L.L. No. 2-2018. Amendments noted where applicable.]

§ 81-1 Legislative findings; intent and purpose; authority.

- A. It is the policy of both the Village of Ardsley and the State of New York to reduce costs and provide cost certainty for the purpose of economic development, to promote deeper penetration of energy efficiency and renewable energy resources such as wind and solar, and wider deployment of distributed energy resources as well as to examine the retail

energy markets and increase participation of and benefits for ~~residential and small commercial customers~~ Eligible Customers in those markets. Among the policies and models that may offer benefits in New York is community choice aggregation ("CCA"), which allows local governments to ~~determine the default supplier of electricity~~ procure electric and natural gas supply on behalf of its ~~residential and small commercial customers~~. Eligible Customers.

B. The purpose of this CCA Program is to allow participating local governments including the Village of Ardsley to procure Energy Services, such as energy supply service and Community Distributed Generation (CDG) Credits for their ~~residential and small commercial customers~~ Eligible Customers, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the existing ~~distribution utility~~ Distribution Utility. This Chapter establishes a program that will allow the Village of Ardsley to put out for bid the total amount of natural gas and/or electricity being purchased by local ~~residential and small commercial customers~~. Energy Services for bid. Eligible Bundled eCustomers will have the opportunity to have more control to lower their overall energy costs, to spur clean energy innovation and investment, to improve customer choice and value, and to protect the environment; thereby, fulfilling the purposes of this eChapter and fulfilling an important public purpose.

C. The Village of Ardsley is authorized to implement this Community Choice Aggregation (Energy) Program pursuant to ~~§~~ Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law; and State of New York Public Service Commission Case No. 14-M-0564, ~~Petition of Sustainable Westchester for Expedited Approval for the Implementation of a Pilot Community Choice Aggregation Program within the County of Westchester, Order Granting Petition in Part (issued February 26, 2015), as may be amended, including subsequent orders of the Public Service Commission issued in connection with or related to Case NO. 14-M-0564 (collectively, the order). "Order" shall also mean orders of the Public Service Commission related to State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued December 15, 2014) to the extent that orders related to Case No. 14-M-0224 enable actions by the Village of Ardsley not otherwise permitted pursuant to orders related to Case 14-M-0564: provided, however, that in the event of any conflict between orders from Case NO. 14-M-0564 and orders from Case No. 14-M-0224, orders from Case No. 14-M-0564 shall govern the CCA Program.~~ April 20, 2016, hereinafter the CCA Framework Order).

D. This Chapter shall be known and may be cited as the "Community Choice Aggregation (Energy) Program Law of the Village of Ardsley."

§ 81-2 Definitions.

For purposes of this chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this chapter shall have the meanings set forth below, or if not so defined, as employed in the State of New York Public Service Commission's Uniform Business Practices;~~or, if not so defined there, as indicated below:~~

~~BUNDLED CUSTOMERS — Residential and small commercial customers of electricity or natural gas (fuels) who are purchasing the fuels from the distribution utility.~~

~~SMALL COMMERCIAL—Nonresidential customers as permitted by the order.~~

Community Choice Aggregation Program (or “CCA Program”): A municipal energy procurement program, ~~which~~ that replaces the incumbent utility as the default supplier electric and/or gas Supplier for all ~~bundled customers~~. Opt-out Eligible Customers within the Village of Ardsley. The CCA Program may include Community Distributed Generation Credits on an opt-out basis and other DER offerings on an opt-in basis.

Community Distributed Generation (or “CDG”): Community shared renewables program expanding customer access to the environmental and system benefits of qualifying renewable project generation located behind a non-residential host meter based on remotely sharing net metering or VDER monetary credits through a monetary credit applied to the utility bills of Participating Customers.

Community Distributed Generation Credits (or “CDG Credits”): The monetary credit applied to the utility bills of Participating Customers through the CDG program.

Customers:

Eligible Customers: Customers of electricity and/or natural gas eligible to participate in CCA, either on an Opt-out or Opt-in basis, as delineated in the CCA Framework Order.

Opt-out Eligible Customers: Eligible Customers that are eligible for opt-out treatment as delineated in the CCA Framework Order.

Participating Customers: Opt-out eligible customers who have been enrolled subsequent to the opt-out process and other customers who have opted in.

Customer-specific Data: Utility data for all Opt-out Eligible Customers including account holder name, service address, primary language, if available, any customer-specific alternate billing name and/or address, and other relevant, authorized data.

Distributed Energy Resources (or “DER”): Reforming the Energy Vision (REV) initiatives that further engage and/or reduce cost of service for participating consumers, optimize system benefits, and/or address infrastructure and demand challenges within the geography of the CCA including, but not limited to, local renewable energy projects, Community Distributed Generation, peak demand management, energy efficiency, demand response, energy storage, community resilience microgrid projects, and other innovative initiatives.

Distribution Utility: —Owner or controller of the means of distribution of the natural gas or electricity that is regulated by the Public Service Commission.

Energy Services: The provision of energy supply as electric power and/or natural gas or the provision of DER offerings.

Public Service Commission (or “PSC”): New York State Public Service Commission.

Suppliers: ~~Energy service companies (ESCOs) that procure electric power and natural gas and/or DER providers and/or other entities with authority to provide Energy Services for bundled customers. Participating Customers in connection with this eChapter or, alternatively, generators of electricity and natural gas or other entities who procure and resell electricity or natural gas.~~

Sustainable Westchester, Inc. (or “Sustainable Westchester”): A not-for-profit organization comprised of member municipalities in Westchester County, New York.

Value of Distributed Energy Resources (or “VDER”): REV proceeding (Case 15-E-0751) that replaces the net metering program with a weighted value stack tariff mechanism for accurately pricing Distributed Energy Resources on the grid as a reflection of their system value. Value stack components include the price of energy, capacity, avoided carbon emissions, cost savings to

customers and utilities, demand reduction and locational relief. The goal of this proceeding is to increase DER penetration and benefits of DER installations.

§ 81-3 Establishment of a Community Choice Aggregation (Energy) Program.

- A. A Community Choice Aggregation (Energy) Program is hereby established by the Village of Ardsley, whereby the Village of Ardsley shall work together with Sustainable Westchester to implement the CCA Program to the full extent permitted by the CCA Framework Order, as set forth more fully herein. The Village of Ardsley role under the CCA Program involves the aggregating of the electric and/or gas supply demand for energy of its residents-Eligible Customers and the entering into a contract with one or more suppliers for supply and services contracts for Energy Services. Under the CCA Program, the operation and ownership of the utility service shall remain with the distribution utility- Distribution Utility.
- B. The Village of Ardsley participation in a CCA Program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The Village of Ardsley will not take over any part of the electric or gas transmission or distribution system and will not furnish any type of utility service, but will instead negotiate with sSuppliers on behalf of participating residential and small commercial customers- Participating Customers.
- C. ~~If the Village elects-~~ In order to implement the CCA Program, the Village of Ardsley will adopt one or more resolutions that outline the process of and conditions for participation in the CCA Program, including but not limited to signing a contract for a compliant bid with one or more sSuppliers, all as consistent with ~~this chapter-~~ the Local Law and the CCA Framework Order .
- D. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which includes rules relating to the eligibility of participating Suppliers, the operation by which Suppliers provide Energy Services and the terms on which customers may be enrolled with Suppliers.~~Practices, which includes rules relating to the eligibility of participating ESCOs, the operation by which ESCOs provide energy services and the terms on which customers may be enrolled with ESCOs.~~

§ 81-4 Procedures for eligibility; customer data sharing.

- A. As permitted by the ~~order~~CCA Framework Order, the Village of Ardsley may request from the ~~distribution utilities-~~Distribution Utilities aggregated customer information by fuel type, and service classification ~~on a rolling basis.~~and other relevant, authorized data
- B. Sustainable Westchester, on behalf of the Village of Ardsley, shall issue one or more requests for proposals to sSuppliers to provide energy to participants and may then award ~~a contract in accordance with the CCA Program~~ one more contracts -in accordance with the CCA Program.
- C. Sustainable Westchester or the Village of Ardsley, if the Village of Ardsley so chooses, will then request individual ~~customer specific data-~~ Customer-specific Data from the ~~distribution utility-~~ Distribution Utility in accordance with the CCA Program.

- D. Sustainable Westchester or the Village of Ardsley, if the Village of Ardsley so chooses, and the selected ~~supplier~~ Suppliers(s) will then notify ~~bundled customers~~ Opt-out Eligible Customers of the contract terms and their opportunity to opt out of the CCA Program energy supply and/or CDG Credits.
- E. In accordance with and for purposes of the ~~order~~ CCA Framework Order, ~~ConEd and NYSEG~~ the Distribution Utility will provide to Sustainable Westchester ~~aggregate and customer~~ Customer-specific ~~d~~Data (including usage data, capacity tag obligations, account numbers, and service addresses) of all ~~bundled customers~~ Eligible Customers in the Village of Ardsley. ~~not currently enrolled with an individually chosen ESCO.~~
- F. Sustainable Westchester and the Village of Ardsley will protect customer information as required by law, subject to the ~~order~~ CCA Framework Order and the limitations of the New York State Freedom of Information Law.

§ 81-5 Choice of energy supplier; opt-out notice and procedure.

- A. The Village of Ardsley, ~~or in conjunction with the ESCO,~~ will notify, or will cause notification of, its ~~residential and small commercial customers,~~ Opt-out Eligible Customers by letter notice, of the Village of Ardsley establishing ~~Ardsley's decision to establishing~~ the CCA Program, of the contract terms with an ~~ESCO~~ the Supplier, and of the opportunity to opt out of the CCA Program.
- B. The letter notice will be sent to each ~~customer~~ Opt-out Eligible Customer at the address provided by the ~~distribution utility~~ Distribution Utility and explain the CCA Program and the material provisions of the ~~ESCO and/or CDG~~ Supplier contract, identify the methods by which the customer can opt out of the CCA Program, and provide information on how the customer can access additional information about the CCA Program.
- C. The opt-out period shall be at least ~~20 days~~ thirty (30) Days.
- D. ~~CCA Program bundled customers~~ [\[1\]](#), upon enrollment, will receive a welcome letter that will explain the customers' options for canceling the enrollment if they believe they were enrolled incorrectly or otherwise decide to withdraw from the CCA Program in favor of another supplier. The welcome letter also will explain that residential customers are entitled to the added protection of the mandated three-day ~~escission~~ period as detailed in § 5(B)(3) of the Uniform Business Practices.

§ 81-6 Verification and reporting.

- A. Sustainable Westchester shall be responsible for filing an annual report with the Public Service Commission, ~~which identifies the number of customers enrolled in the CCA Program by municipality and customer class, the number of customers who returned to utility service or service with another supplier during the reporting period, and the average cost of commodity supply by month for the reporting period.~~ as required in the CCA Framework Order.

Section 2. This local law shall take effect upon filing with the Secretary of State.

7.5 Consider a Resolution to Schedule a Public Hearing for Hirohito Foods, LLC. 800 Saw Mill River Road

Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously.

Carried by the following votes: 5-0-0

Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz, Trustee Bencosme

Nays: None RESOLVED, that the Village Board of the Village of Ardsley hereby declares itself Lead Agency for site plan approval for a proposed application to convert the vacant commercial space at 800 Saw Mill River Road (formerly Dunkin' Donuts) into a Ramen Noodle Restaurant; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on Monday, September 19, 2022 to discuss the proposed application.

7.6 Consider a Resolution to Award Bid for Sewer Inspection & Cleaning No. 23-01

Moved by Trustee Weitz, Seconded by Trustee DiJusto and passed unanimously.

Carried by the following votes: 5-0-0

Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz, Trustee Bencosme

Nays: None WHEREAS, a public notice to provide sewer inspection and cleaning for the Village of Ardsley was duly advertised in an official newspaper on July 19, 2022 and;

WHEREAS, on August 9, 2022, at 10:00 a.m. at Ardsley Village Hall, 507 Ashford Avenue (Court Room), Ardsley, NY 10502 the Village Manager opened (4) four bids as summarized below;

SEWER INSPECTION & CLEANING BID NO. 23-01

BIDDER	AMOUNT
Fred A. Cook Jr., Inc.	\$128,125.00
Arold Construction Company, Inc.	\$161,000.00
National Water Main Cleaning Company	\$167,125.0
TAM Enterprises	\$266,865.00

RESOLVED, that the Village Board of the Village of Ardsley hereby awards the base bid for the Village to Fred A. Cook Jr., Inc. in the amount of \$128,125.00.

NOW, THEREFORE, BE IT RESOLVED, the Village Board of the Village of Ardsley hereby authorizes the Village Manager to execute a contract and all other applicable documents with Fred A. Cook Jr., Inc. P.O. Box 70, Montrose, NY 10579 to perform sewer inspection and cleaning in the Village of Ardsley.

7.7 Consider a Resolution to Appoint Police Officer Nicholas Guccione

**Moved by Trustee Bencosme, Seconded by Trustee Edelstein and passed unanimously.
Carried by the following votes: 5-0-0**

**Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz,
Trustee Bencosme**

Nays: None RESOLVED, that the Village Board of the Village of Ardsley hereby appoints Nicholas Guccione to the position of Police Officer Fourth Grade, contingent upon successfully meeting all Civil Service requirements at the annual salary of \$75,230.00 effective August 29, 2022; and

BE IT FURTHER RESOLVED, that in accordance with the civil service rules and regulations of the Westchester County Department of Human Resources such appointment is subject to a probationary period of not less than 12 weeks and no more than 52 weeks.

7.8 Consider a Resolution Approving the Installation of QR Code Signs for the Ardsley Train Station Historical Marker

**Moved by Trustee Edelstein, Seconded by Trustee Bencosme and passed unanimously.
Carried by the following votes: 5-0-0**

**Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz,
Trustee Bencosme**

Nays: None RESOLVED,

that the Village Board of the Village of Ardsley hereby approves the Ardsley Historical Society's request to install two QR code signs to the pole for the Ardsley Train Station historical marker. Each sign would be 12" x 18" (W x H) and would be installed on the pole right below the marker; and

NOW THEREFORE BE IT FURTHER RESOLVED, such installation is subject to final placement by the Village.

7.9 Consider a Resolution Establishing a New Fee for Leaf Bags

**Moved by Trustee Edelstein, Seconded by Trustee Bencosme and Carried by the
following votes: 4-1-0**

Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Bencosme

Nays: Trustee Weitz RESOLVED, that the Village Board of the Village of Ardsley hereby amends chapter A210 entitled Fees of the Ardsley Village Code as follows:

Establishing a new Leaf Bag fee of .50 cents per bag effective immediately.

8. CALL FOR EXECUTIVE SESSION-LEGAL ADVICE

9. ADJOURNMENT OF MEETING

9.1 Adjournment-Legal Advice

**Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously.
Carried by the following votes: 5-0-0**

**Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, Trustee Weitz,
Trustee Bencosme**

Nays: None RESOLVED, that the Village Board of the Village of Ardsley Hereby adjourns the regular meeting of Tuesday, September 6, 2022 at 9:56 p.m. to enter into Executive Session for Legal Advice.

10. ANNOUNCEMENTS

- September 9th Movie in the Park-Monsters University 7:15 pm
- September 10th Ardsley Tennis Tournament 9:00 am
- September 12th Planning Board Meeting 8:00 pm
- September 13th Recreation Commission Meeting 5:00 pm
- September 13th Multicultural Diversity & Inclusion Committee Meeting 7:30 pm
- September 14th Westchester County Clerk's Mobile Office Coming to Ardsley! 10am-1pm
- September 14th Board of Trustees Work Session 7:30 pm
- September 17th Welcome Back Ardsley Event 3:00 pm-7:00 pm

11. NEXT BOARD MEETING: September 14th Board of Trustees Work Session 7:30 pm
September 19th Board of Trustees Legislative Meeting 8:00 pm

Village Clerk, Ann Marie Rocco

Date: