**VILLAGE OF ARDSLEY**

**BOARD OF TRUSTEES**

**REGULAR MEETING**

**MONDAY, MAY 5, 2014**

Present: Mayor Peter Porcino

Deputy Mayor/Trustee Gary Malone

Trustee Nancy Kaboolian

Trustee Mollie Monti

Trustee Andy DiJusto

Village Manager George Calvi

Village Clerk Barbara Berardi

Village Attorney Robert J. Ponzini

Recording Secretary Donna Fusco

Mayor Porcino called to order the Regular Meeting at 8:00 p.m.

1. **ANNOUNCEMENT OF EXIT SIGNS**
2. **PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE – PAUL J. JUETTNER**, Husband of Diana Juettner, Town of Greenburgh Councilwoman

Mayor Porcino offered condolences to the family.

**SWEARING IN NEW LIBRARY BOARD TRUSTEE – ROSEMARIE MARCUS**

**SWEARING IN NEW VOLUNTEER FIRE FIGHTERS – JOHN GAGLIANO AND JEFFREY PAWELL**

1. **APPROVAL OF MINUTES:** Regular Meeting – April 21, 2014

**Trustee Malone: RESOLVED,** that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Monday, April 21, 2014 as submitted. **Seconded by Trustee Kaboolian and passed unanimously.**

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1. **DEPARTMENT REPORTS:**

**LEGAL REPORT:**

Judge Ponzini had nothing to report other than those items that may have been submitted in memorandum form and stated that he is available for Executive Session if necessary.

**MANAGER’S REPORT:**

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**VILLAGE MANAGER REPORT**

**FOR MONDAY, MAY 5, 2014**

**PREPARED BY GEORGE F. CALVI**

 1.  **LIGHTPATH:**  Thanks to the efforts of Village Clerk Barbara Berardi and Building Inspector Larry Tomasso, the Village has entered into an agreement with Lightpath to replace our current telephone system whose technology dates back to 1998.  The new system will be made available to the Village Hall, the Community Center, and the DPW Garage.  Lightpath has already been in operation a number of years at the Public Library.  In addition to providing us with modern features, the best part of this new system is that there will be no upfront cash out lay.  The cost of the installation of the new system will be spread out over monthly payments, and those payments in addition to our current phone service bills combined will actually save the Village $500 per month.  For details about the new phone system's features please contact the Building Inspector or the Village Clerk during normal weekday working hours.  The Village Clerk also wishes to emphasize that despite all the new modern features that will be arriving, a live body will continue to answer the telephone at 693-1550.

 2. **AUCTION OF SURPLUS PROPERTY**:  You may recall early last month I reported that the New York State Department of Transportation was auctioning off various parcels of surplus property, particularly the wooded area north of the Apple Motor Inn and behind St. Barnabas Church.  The minimum price tag was $684,000.  The auction was scheduled for April 23rd.  This past Thursday I inquired if the property was sold to a successful bidder.  On Friday, I received a simple matter-of-fact response:  No.  In response, I filed a suggestion to the NYS DOT that it consider donating the parcel to the Village of Ardsley as parkland for possible use as a nature preserve.  I further advised the agency that it is my understanding that the parcel may hold historical value in as much as it is one of the last undeveloped parcels once owned by local land baron and financier J.P. Morgan. To date, I have not received a response back from NYS DOT. If the Village Board is in agreement I may follow up the matter with our elected State representatives.

**3.  TOWN OF GREENBURGH REASSESSMENT PROJECT 2014- 2016:** Last Fridayan email blast was sent to all subscribers of the Village's email blast about the re-assessment

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process. On April 30 at a SRO meeting in Ardsley Village Hall, Greenburgh Town Assessor

Edye McCarthy and a representative from Tyler Technology explained to residents the re-assessment process now underway.  Residents who reside in the Section 6.80 portion of the Village were notified by mail on April 24th of impending visits by data collectors.  Section 6.80 roughly represents the neighborhoods of Judson Avenue, Riverview Avenue, Johnson Place, Park Ave, and Western Drive and all the homes in between. Letters to the remainder of the Village were mailed out on May 1 by the Town of Greenburgh.  Photos of the data collectors who will be knocking on your door between today and May 15 will be posted in a subsequent email blast.  Homeowners who are not present when the data collectors arrive will be rescheduled for a future appointment.  The letters from the Town will contain a brief explanation of the re-assessment process, and a brochure with FAQs.  Questions about the process may be posed directly to:

 Tyler Technologies, [1-800-273-8605](tel:1-800-273-8605), [MMRC@tylertech.com](mailto:MMRC@tylertech.com)

 OR

 Town Assessor Edye McCarthy, [914 993-1520](tel:914%20993-1520), [www.greenburghny.com](http://www.greenburghny.com)

 If you have misplaced your mailed brochure it is available on the Tyler Technology website.  A Spanish language version is available on the website as well.

 It is important to note that property taxes will not be levied on the new assessments until April 2017.  Residents are encouraged to view the rebroadcast of the April 23rd Ardsley meeting on our government channels [32-35 Verizon and 75 Cablevision] after each rebroadcast of our Village Board meeting that take place daily at 8:00 am, 10:00 am, and 8:00 pm.  One can also log onto the Greenburgh website for its recent reassessment presentation.

**4. MERCHANT PARKING:**  On May 31, 2014 the annual parking permit for the merchant parking lots will expire.  Those who intend to renew their permits for  the Bridge Street and Village Green parking lots are asked to stop by Ardsley Village Hall after May 27, 2014 to purchase a new permit.  The Village Clerk's office hours are weekdays between 9:00 am and 4:00 pm.   Parking permit applications must be submitted along with a copy of current driver’s license and vehicle registration.

 As per Ardsley Village Code,  parking is permitted **only** between the hours of 7:00 a.m. and 9:00 p.m. in the designated parking lots.   This year on behalf of the DPW, we kindly request that you relocate your vehicle temporarily after a snow storm to allow proper plowing of the parking lots.   Lastly, permit applicants are reminded these parking lots are primarily intended for use by merchants during their operating hours.  They are not intended for 24/7 warehousing or storage of vehicles as some have done in the past.  This particular matter will be closely monitored by the Ardsley Police Department in the coming fiscal year.

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**5.**  **FLOWER SHOW:**  The 51st Annual Standard Flower Show takes place Wednesday and Thursday, May 7 & 8 at the Saint Barnabas Episcopal Church Hall pm Revolutionary Road. The event is open to the public and is brought to you by the Ardsley Garden Club. This year's theme is Museum Classics.  On Wednesday, the event will take place from 2:30 pm to 8:00 pm, and on Thursday, from 11:00 am to 4:00 pm.

**6. THE CARNIVAL RETURNS**:  The annual Volunteer Fire Fighters Carnival in Pascone Park is expected to open on Wednesday evening May 7 between the hours of 6:00 pm and 10:00 pm; the same hours are scheduled for Thursday, May 8.  On Friday, the carnival will open at 6:00 pm and remain operating until midnight.  On Saturday, the carnival will be operating from 10:00 am until midnight, and on Sunday, May 11 which just happens to be Mother's Day, the carnival will commence operations at 10 am and wrap things up by 5:00 pm.  It is expected that all the equipment and trailers will be out of the park by the end of the business day on Monday, May 12.  Of course, all the hours and days are subject to weather conditions.

**7.**  **LIBRARY TRUSTEE APPOINTED**:  At the recommendation of the Library Board, the Village Board of Trustees has appointed Rosemarie Marcus of Augustine Avenue a new member of the Library Board of Trustees.  On behalf of all the staff, we wish you much success in your new position.

And that is all for tonight!

**TREASURER’S REPORT:**

**Trustee Kaboolian: RESOLVED,** that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: $77,425.18; From the Trust & Agency Fund: $8,001.40; and from the Capital Fund: $1,066.25. **Seconded by Trustee Malone and passed unanimously.**

**MAYOR’S ANNOUNCEMENTS:**

* Attended Village Officials Committee Dinner
* Bicycle Sundays on the Bronx River Parkway
* Attended the presentation by the Town Assessor
* Attended the wake of Paul Juettner
* Met with an Eagle Scout Candidate

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COMMITTEE & BOARD REPORTS:

**TRUSTEE DIJUSTO:**

* Building Inspector and I are still working on the new code for the signs on the houses here in Ardsley and hopefully, all will be done and presented to the Board by the next meeting.

**TRUSTEE MONTI:**

Nothing to Report

**TRUSTEE MALONE:**

* Attended a meeting with the Library Board of Trustees

**TRUSTEE KABOOLIAN:**

* For the month of April 15 Calls altogether
* Seniors meet on May 7th for a day of beauty
* 5/14 meeting for a French toast breakfast
* Flower show on May 7th and May 8th

1. **VISITORS**

Mr. Armen Boyajian, resident inquired about the fire department requirements along the sidewalk of the Umani Sushi Restaurant. (See comments under “public comments” of Resolution 2).

1. **OLD BUSINESS**

**8:15 P.M. PUBLIC HEARING –** For the purpose of considering the request for a permit for the renovation of an existing building at 12 Center Street by enclosing a stairway on the southwest corner of the building.

Mayor Porcino read the notice into the record.

**Open Public Hearing**

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Michael McGarvey, New York State Licensed Engineer appeared and stated on the existing building there is an office space on the first floor and an apartment on the second floor. The new owners want to totally renovate the existing building with a total gut job of the first floor, putting a new roof and an exit out the rear. There will be a two-story entrance/exit for the apartment on the second floor as well as a back exit for the office on the first floor. Mr. McGarvey stated that the property is unsightly from the side. Water comes off the street and runs right down to the basement. He stated that they are looking to eliminate that all together and fill in the garage door openings below grade and build that area up and bring it up to grade so it is all level. He proposed six (6) parking spaces including one (1) handicapped.

Mayor Porcino inquired about the parking situation. Larry Tomasso stated that it will be making the parking situation better; increasing drainage on site. Even though it seems to be other than it being a different structure, it will not affect the occupancy.

Mayor Porcino stated that he was under the impression that we were just improving the staircase and questioned if we are also improving the grading.

Larry Tomasso stated the grading as far as the scope of the work is not really a major concern.

Engineer McGarvey stated that there will also be new windows and a new sprinkler system.

Monti inquired about the overhaul of the building. Larry Tomasso stated that Village Board approval is required for the addition and the fill only and that there is a section of code that gives the Building Department latitude in issuing permits.

**Public Comments**

Mayor Porcino asked if there were any comments from the public. There were no comments.

**Close Public Hearing**

**Trustee DiJusto:** **RESOLVED,** that the Village Board of the Village of Ardsley hereby closes the Public Hearing for the purpose of considering the request for a permit for the renovation of an existing building at 12 Center Street by enclosing a stairway on the southwest corner of the building. **Seconded by Trustee Monti and passed unanimously.**

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**RESOLUTION GRANTING PERMISSION TO RENOVATE THE EXISTING BUILDING AT 12 CENTER STREET**

**Trustee Di Justo: RESOLVED,** that the Village of Ardsley hereby grants permission for XXII Five, LLC, owner of 12 Center Street to renovate the existing building by enclosing a stairway on the southwest corner of the building with the following conditions: **Seconded by Trustee Monti and passed unanimously.**

1. The applicant must present the application to the BAR.
2. The applicant must provide construction drawings showing compliance with the NYS Building Code.
3. The applicant must obtain a building permit before commencing construction.
4. The building inspector will review stormwater retention and drainage during construction to ensure that the proposed design is adequate. The applicant may be required to provide additional stormwater retention and/or drainage at that time.
5. The applicant must obtain sign permits for any proposed signage.

**8:30 P.M. PUBLIC HEARING –** For the purpose to consider a request from Umani Sushi to place four or five tables and eight to ten chairs on the sidewalk in front of their restaurant located at 718 Saw Mill River Road (a/k/a 724 Saw Mill River Road).

Mayor Porcino read the notice into the record.

**Open Public Hearing**

Mr. Hyacinthe spoke in favor of the application and advised that the application was a request for Board approval for the installation of outdoor seating at Umani Sushi restaurant. All the businesses in the Village Green have outdoor seating with the exception of the veterinary tenancy. Starbucks and the yogurt shop have an outdoor seating area and he feels that the installation of outdoor seating at Umani Sushi would be consistent with what this Board has allowed the Village Green to become over the years

Mayor Porcino stated that judging from the pictures, it looks like that stretch is a very heavily traveled area and asked if this would be a terrible imposition.

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Mr. Hyacinthe stated that the sidewalk is eight feet in depth from front to back at that location and the tables that they are suggesting have the dimensions and specs included in the package. They are 30 inches in diameter so there will be plenty of room to pass through in a safe manner.

If they find that the number of tables that they put out is too tight, they will reduce the number of tables to about four tables with two chairs per table.

Trustee Malone inquired as to if there is request for a time period when they want the outdoor seating.

Mr. Hyacinthe stated that it would be from May until the end of September. That is consistent with what the other tenants do in the center. Umani Sushi Restaurant opens 11:00 A.M. and closes at 10:00 P.M.

**Public Comments**

Mayor Porcino asked if there were any comments from the public.

Mr. Armen Boyajian, resident was inquiring about the fire department requirements along the sidewalk in the event of whatever takes place and people have to be herded out of the restaurant.

Mr. Tomasso stated that the Building Code requires a minimum of a 4 foot sidewalk and 4 foot exit outside so they have a four feet minimum as a condition of approval. To put this in perspective, Code only requires a 36 inch wide aisle inside the restaurant.

**Close Public Hearing**

**Trustee Monti: RESOLVED,** that the Village Board of the Village of Ardsley hereby closes the Public Hearing to grant permission to Umani Sushi, Inc. to place four or five tables and eight to ten chairs on the sidewalk in front of 718 Saw Mill River Road (a/k/a 724 Saw Mill River Road). **Seconded by Trustee Di Justo and passed unanimously.**

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**RESOLUTION GRANTING PERMISSION TO UMANI SUSHI, INC. TO PLACE FOUR OR FIVE TABLES AND EIGHT TO TEN CHAIRS ON THE SIDEWALK IN FRONT OF 718 SAW MILL RIVER ROAD (A/K/A 724 SAW MILL RIVER ROAD)**

**Trustee Monti: RESOLVED,** that the Village of Ardsley hereby grants permission for Umani Sushi, Inc., to place four or five tables and eight to ten chairs on the sidewalk in front of their restaurant located at 718 Saw Mill River Road (A/K/A 724 Saw Mill River Road) with the following conditions: **Seconded by Trustee Di Justo and passed unanimously.**

1. Outside seating shall be limited to 4-5 tables and 8-10 chairs. The table size should be limited to 3’x 3’ square of 3’ round tables with no more than 2 chairs at each table.
2. An unobstructed sidewalk width of 4 feet and an unobstructed exit width of 5 feet must be maintained at all times.
3. The months of operation of the outdoor seating should be limited as determined by the Village Board (May 1st to September 30th each year).
4. The hours of operation should also be limited as determined by the Village Board (ex: 11am to 10 pm).
5. Any conditions deemed appropriate by the Village Attorney & Village Manager.
6. Any conditions deemed appropriate by the Village Board.

**RESOLUTION TO ADJOURN THE PUBLIC HEARING REGARDING THE 2014 ANNUAL STORMWATER REPORT**

**Trustee DiJusto: RESOLVED**, that the Village Board of the Village of Ardsley hereby adjourns the Public Hearing to May 19, 2014 at 8:30 P.M. for the purpose of receiving comments regarding the 2014 Village Stormwater Annual Report. **Seconded by Trustee Monti and passed unanimously.**

1. **NEW BUSINESS**

**RESOLUTION TO SCHEDULE A SPECIAL MEETING - PERSONNEL MATTERS**

**Trustee Monti: RESOLVED,** that the Village Board of the Village of Ardsley will hold a special meeting at 8:00 PM, Tuesday, May 6, 2014 for the sole purpose of entering into Executive Session to discuss Personnel Matters. **Seconded by Trustee DiJusto and passed unanimously.**

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**RESOLUTION ESTABLISHING NEW T & A ACCOUNT FOR COUNTY PORTION OF WATER WHEEL PROJECT**

**Trustee Malone: RESOLVED,** that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to establish Trust & Agency account #0082 for the consulting and inspection services for the County-funded portion of the Water Wheel project. **Seconded by Trustee Kaboolian and passed unanimously.**

**RESOLUTION TO APPOINT NEW LIBRARY BOARD TRUSTEE**

**ROSEMARIE MARCUS**

**Trustee Kaboolian: RESOLVED**, that the Mayor of the Village of Ardsley hereby makes the interim appointment of Rosemarie Marcus residing at 2 Augustine Avenue to the Board of the Ardsley Public Library, effective immediately through Monday, December 3, 2018. **Seconded by Trustee Malone and passed unanimously.**

1. **CALL FOR EXECUTIVE SESSION.** No Executive Session to follow the meeting.
2. **ADJOURNMENT OF MEETING**

**Trustee Malone: RESOLVED,** that the Village Board of the Village of Ardsley hereby adjourns the regular meeting of Monday, May 5, 2014 at 8:47 p.m. **Seconded by Trustee Kaboolian and passed unanimously.**

1. **NEXT VILLAGE BOARD MEETING:** Monday, May 19, 2014 at 8:00 p.m.

Respectfully submitted,

Donna Fusco

Recording Secretary

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