

**VILLAGE OF ARDSLEY
BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, JANUARY 7, 2013**

Present:	Mayor	Peter Porcino
	Deputy Mayor/Trustee	Gary Malone
	Trustee	Larry J. Nardecchia
	Trustee	Nicole Minore
	Trustee	Nancy Kaboolian
	Village Manager	George Calvi
	Village Attorney	Robert J. Ponzini
	Recording Secretary	Anne Hohlweck
Absent:	Village Clerk	Barbara Berardi

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

I. ANNOUNCEMENT OF EXIT SIGNS

II. PLEDGE OF ALLEGIANCE

A MOMENT OF SILENCE –

**STEVE GREENBAUM, LONGTIME MEMBER OF THE CATV COMMITTEE AND
FORMER CHAIRMAN, AND**

HON. ANDREW P. O’ROURKE, FORMER COUNTY EXECUTIVE, 1983-1997.

Mayor Porcino acknowledged their outstanding accomplishments.

**8:00 P.M. – SWEARING IN NEW VOLUNTEER FIREFIGHTERS -
KEITH HOLLOWAY AND LISA FELDMAN**

Mayor Porcino administered the oath, and thanked them for their service.

**8:15 P.M. – PUBLIC HEARING –For the purpose of considering a local law authorizing a
property tax levy increase in excess of the limit established by General Municipal Law
Section3-C**

Mayor Porcino read the legal notice and opened the meeting for public comment. There were no comments.

Mayor Porcino stated that the phone lines would be kept open for those who wish to call in.

- III. APPROVAL OF MINUTES:** Regular Meeting – December 17, 2012
Trustee Malone: Resolved, that the Village Board of the Village of Ardsley hereby approves the minutes of December 17, 2012 as submitted. **Seconded by Trustee Minore and passed unanimously.**

IV. DEPARTMENT REPORTS:

LEGAL REPORT: Mr. Ponzini had no report. He stated that he was available for an Executive Session if necessary.

MANAGER'S REPORT:

VILLAGE MANAGER REPORT
PREPARED BY GEORGE F. CALVI
ON MONDAY, JANUARY 7, 2013

SIDEWALK PROJECT: I am pleased to report today that we have a near final bid packet for the Safe Routes to School project. This is the half million dollar federal grant administered through the State of New York that will create brand new sidewalks for us on the north side of Heatherdell Road between Farm Road and Olympic Lane. At the January 22nd Village Board meeting I will have a prepared resolution for the Board to vote on authorizing the Village Clerk to advertise a Notice to Bidders. If all goes well, construction will commence late May / early June. I wish to extend a huge thank you at this time to former Dobbs Ferry Mayor Don Marra who has been shepherding this project since its inception, as well as former Ardsley Mayor Jay Leon whose perseverance secured the original grant.

2013 SANITATION SCHEDULE: I also am pleased tonight to advise that the 2013 Sanitation Schedules finally hit the mails last Friday afternoon. As you may recall from the last meeting, the first version arrived with a number of misprints causing us to have the whole batch reprinted with the corrections. No doubt the new calendars will be in mailboxes some time later this week. If however you have any questions, please log on to our website, and look for the sanitation link. You may also call the Highway Department at 693-0117 where a voice mail is currently listing what is being picked up on any given day.

HOLIDAY SCHEDULE: January 21 is the Rev. Martin Luther King's birthday so Village offices will be closed that Monday including the Library, Community Center, and DPW. Trash

will be picked up in the entire Village on Tuesday, January 22, and the next Village Board meeting will also be pushed to that Tuesday night as well.

SCHOOL TAX: Village residents are reminded that the second installment of the School tax is due on Thursday, January 31. For those of you who like to pay in person at the last minute, please remember not to bring your payments to Ardsley Village Hall. Bring them directly to Greenburgh Town Hall which is located at 177 Hillside Avenue across the street from Dannon Yogurt. Should you have any questions, please telephone the Town Tax Receiver's office at 993-1512.

ALARM & OVERNIGHT PARKING PERMITS: The Police Chief has asked me to remind everyone that it is time to renew the alarm permits and the overnight parking permits for calendar year 2013. If you have any questions, please call the Police Desk at 693-1700.

In other news:

a) **DIRECT DEPOSIT FOR SOCIAL SECURITY:** In case you haven't heard, Social Security checks become a thing of the past effective March 1, 2013. Paper checks that is. Specifically, all payments from that point forward will be made solely by direct deposit or debit MasterCard. Should you need assistance with electronic payment or have any questions, please call the U.S. Treasury Department at 1-800-333-1795.

b) **LWV FORUM:** Our local LWV representative, Christine Verber, came by to visit today to inform us that on Sunday, January 27, from 2 to 4 pm at Mercy College in Dobbs Ferry, the League will be holding a forum called: "Democracy for Sale" – A Case for Campaign Finance Reforms in New York State featuring a panel with representatives from the NYS LWV, the Brennan Center, Common Cause, and Demos. For information, please email Susan Goodwin at sgoodwin5@optimum.net

c) **PLAYLAND JOBS:** I know it's only January, but the County is asking us to let everyone know that they are already seeking employees for the 2013 spring and summer season at Playland. Over 1000 jobs are up for grabs from entry level positions to managers. On the spot interviews will be held at the County Center in White Plains on Saturday, January 19 and Saturday March 9 from 9:00 am to 2:00 pm. For further information, telephone the County at 813-7010.

d) **TREE REMOVAL:** I wish to advise the Board that we need to update our tree laws as it concerns tree removal. Owing to a number of, shall we say, experiences since Hurricane Sandy, we need to reinforce our rules about planting trees on the Village right of way without a permit; creating a formal application to request removal of a tree; reiterating that we do not grind stumps because it is too costly for the Village; and most importantly, not planting trees under power lines in the first place. Regarding that last matter, in my book, today's improvement to curb appeal, is tomorrow's nightmare. I hope to have a proposal for the Board by mid to late Spring.

e) **CARNIVAL RETURNS:** I learned today from ex-Fire Chief Ronnie Gretczko that tentative dates have been set for this Spring's annual fire fighter's carnival in Pascone Park. The dates are Sunday, May 5 through Sunday, May 12. Of course, these dates need to be formally accepted by the Parks Commission, and then the Village Board of Trustees.

f) **WORK SESSION REMINDER:** The Village Board will be meeting again on Thursday evening with the Traffic Committee to discuss the plans for the widening of Route 9a between Ashford Avenue and Heatherdell Road. This being a work session, the public is invited to attend and listen. There will be no public question portion of the meeting. The meeting starts at 8:00 pm and will take place here in the Court Room.

Last but not least, Merry Christmas to all our Orthodox Christian neighbors!

TREASURER'S REPORT: Mr. Calvi read the Treasurer's Report on behalf of Marion Demaio.

The bills for the past three weeks totaled as follows: General Fund: \$245,906.82; Trust & Agency Fund: \$7,308.67; and Capital Fund: \$4,399.85.

Trustee Nardecchia: Resolved, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to pay the following amounts: From the General Fund: \$245,906.82; Trust & Agency Fund: \$7,308.67 and Capital Fund: \$4,399.85. **Seconded by Trustee Malone and passed unanimously.**

MAYOR'S ANNOUNCEMENTS:

1. Sanitation calendars are being mailed out
2. The sanitation schedule was read into the record
3. Rivertowns Square-Dobbs Ferry meeting will be held Tuesday evening, January 8, to vote on the Final Environmental Impact Statement (FEIS)
4. Work Session on Thursday, January 10, at 8 p.m. –Widening of Route 9A.
Traffic Committee members and Thomas Madden, Greenburgh Commissioner of Community Development & Conservation will be in attendance

COMMITTEE & BOARD REPORTS:

TRUSTEE NARDECCHIA:

1. Attended TIPS Work Session
1. Girl Scouts did their final installation of their PEACE pole
2. Partial inspection of softball and soccer fields, and softball parking lot at Pascone Park

3. Community Center closet is being cleaned and repaired
4. Recreation Commission will meet Tuesday at 7:00 p.m.
5. Garden Club will meet Tuesday at 10:00 a.m.
6. Senior's meeting is Wednesday at 11:30 a.m.
7. Senior Breakfast is Wednesday, January 16, 2013, 11:00 a.m.- 1:30 p.m.
8. Follow up with George Calvi on trees and brush at Silliman Park

TRUSTEE MINORE:

1. SAYF Coalition and Community Policing are co-sponsoring along with the PTA basketball games with the Harlem Wizards on January 25, 8:00 p.m., at Ardsley High School
2. Successful gingerbread house event
3. Village website is being updated and enhanced allowing for better management of e-mails. Building, police, fire departments, etc. will be easier to navigate

TRUSTEE MALONE:

1. Students did a great job on the SAYF Coalition public service announcement
2. Sanitation schedule is posted on the website

TRUSTEE KABOOLIAN:

1. Garden Club meets the first Tuesday of every month at 10:00 a.m.
2. For 2012, ASVAC responded to 752 emergency and non-emergency calls

V. VISITORS:

Ms. Lorraine Kuhn gave a Phase II storm water management update. She stated that pollutants of concern (POC) will be addressed in the upcoming newsletter. Ms. Kuhn said that Ardsley is in two separate watersheds which are the Saw Mill River on the west and the Bronx River on the east. The water bodies are not functioning due to the dumping of garbage and debris into the rivers. Ms. Kuhn focused on the Saw Mill River and said Bronx River details will be addressed at a later date.

Ms. Kuhn discussed floatable objects and said that trash is becoming more widespread in the rivers, and maintenance is necessary.

Ms. Kuhn then addressed pathogens, and said that pet waste should not be discarded into storm drains and sewer systems. She emphasized that pet waste has to be kept out of the water.

Ms. Kuhn talked about phosphorous and lawn chemicals. She said that mulched leaves left on lawns reduces weeds, and decreases the use of chemicals.

Ms. Kuhn gave an overview of hazardous materials at businesses such as auto body shops, dry cleaners, restaurants, and medical facilities.

Trustee Nardecchia noted that our highway garage also has hazardous materials such as paint products, gasoline, lubricating oils, etc.

Ms. Kuhn stated that the storm water management plan is on the Village website. The storm water annual report also is posted on the Village website.

Ms. Kuhn discussed the rating system for mitigation projects that FEMA reviews. She spoke about factors used in rating that are 1. County-wide benefits, 2. Post-project score, and 3. Project costs.

Ms. Kuhn gave an overview of two potential Girl Scout Gold projects as follows: to redirect the down spout at the Library, and to put in a Native Plant Garden at the Heatherdell traffic aisle.

Mr. Armen Boyajian, resident and civil engineer, came forward and remarked that dog waste should be dropped into the sanitary sewers. He said that if waste is put into trash, it goes into a landfill.

VI. OLD BUSINESS:

1. Resolution regarding override to limit on property tax levy

Trustee Kaboolian: Resolved, that the Village Board of the Village of Ardsley hereby closes the Public Hearing on the resolution regarding override to limit on property tax levy. **Seconded by Trustee Malone and passed unanimously.**

RESOLUTION REGARDING OVERRIDE TO PROPERTY TAX LEVY

Trustee Kaboolian: Resolved, that the Village Board of the Village of Ardsley hereby enacts a local law establishing a property tax levy in excess of the limit established in General Municipal Law section §3-c as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Ardsley to adopt a budget for the fiscal year commencing June 1, 2013 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for

the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Village Board of Trustees of the Village of Ardsley, County of Westchester, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2013 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

BE IT FINALLY RESOLVED, that this resolution shall be effective immediately upon filing with the Secretary of State. **Seconded by Trustee Malone and passed unanimously.**

VII. NEW BUSINESS:

1. Res. Re Attendance of SAYF Coalition Coord. at CADCA Forum in Washington, DC

RESOLUTION REGARDING ATTENDANCE OF SAYF COALITION COORDINATOR AT CADCA FORUM IN WASHINGTON DC

Trustee Minore: Resolved, that the Village Board of the Village of Ardsley hereby approves the attendance of Theresa Del Grosso, SAYF Coalition Coordinator, and Officer Tony Vacca, to the CADCA (Community Anti Drug Coalitions of America) National Leadership Forum to be held in Washington DC from February 3 to February 7, 2013. At this forum Theresa Del Grosso and Tony Vacca will be attending a graduation ceremony after successfully completing the year long CADCA National Coalition Training Program. The cost for this purpose will not exceed \$4,784.00, as provided for in the approved budget for fiscal year two activities per the DFC grant. **Seconded by Trustee Nardecchia and passed unanimously.**

2. Res. Authorizing Attendance of Village Manager at NYCOM Winter Legislative Meeting in Albany

RESOLUTION AUTHORIZING ATTENDANCE OF VILLAGE MANAGER AT NYCOM WINTER LEGISLATIVE MEETING IN ALBANY

Trustee Malone: Resolved, that the Village Board of the Village of Ardsley hereby authorizes the attendance of the Village Manager at the New York State Conference of Mayors (NYCOM) in Albany on February 10-11, 2013 at an expenditure of \$628.00. **Seconded by Trustee Minore and passed unanimously.**

3. Resolution Amending Non-Union Personnel Policy to formalize and incorporate health insurance contributions retroactive to June 1, 2012

**RESOLUTION AMENDING NON UNION PERSONNEL POLICY TO FORMALIZE
AND INCORPORATE HEALTH INSURANCE CONTRIBUTIONS RETROACTIVE
TO JUNE 1, 2012**

Trustee Kaboolian: WHEREAS, during the Spring 2012 budget deliberations the Village Board of the Village of Ardsley decided that it was necessary to impose a health insurance contribution for non-union employees owing to the escalating costs of health insurance premiums, and

WHEREAS, the Office of the Village Treasurer commenced such health contribution payroll deductions on June, 1, 2012 for all full time active non-union employees;

BE IT RESOLVED, that such action is formalized and incorporated as an amendment to Section 13 - Medical Insurance of the “Non Union Personnel Policy” adopted February 4, 2002, as follows:

Effective June 1, 2012, the Employer shall pay the entire remaining balance of the premium for health insurance coverage for employees and all eligible employee dependents in the New York State Health Insurance Plan (Core Plus Medical and Psychiatric Plan), also known as the “Empire Plan”, less the employee’s contribution as set forth herein, or subsequent health insurance plan.

Effective June 1, 2012, all employees with family health insurance coverage shall contribute one percent (1%) of his/her base wage towards the health insurance premium or cost. All employees with individual health insurance plan coverage shall pay one-half percent (.5%) of his/her base wage towards the health insurance premium or cost.

Effective June 1, 2013, all employees with family health insurance coverage shall contribute one and a quarter percent (1.25%) of his/her base wage towards the health insurance premium or cost. All employees with individual health insurance plan coverage shall pay five eighths percent (.625%) of his/her base wage towards the health insurance premium or cost.

Effective June 1, 2014, employees with family health insurance coverage shall contribute one and one-half percent (1.5%) of his /her base wage towards the health insurance premium or

cost. All employees with individual health insurance plan coverage shall pay three quarters of a percent (.75%) of his/her base wage towards the health insurance premium or cost.

Effective June 1, 2015, employees with family health insurance coverage shall contribute one and three quarters percent (1.75%) of his/her base wage towards the health insurance premium or cost. All employees with individual health insurance plan coverage shall pay seven eighths of a percent (.875%) of his/her base wage towards the health insurance premium or cost.

Effective June 1, 2016 employees with family health insurance coverage shall contribute two percent (2%) of his/her base wage towards the health insurance premium or cost. All employees with individual health insurance plan coverage shall pay one percent (1%) of his/her base wage towards the health insurance premium or cost.

All contributions shall be “pre-taxed”. Upon retirement, the Employer shall pay one hundred percent (100%) of the cost of the premium or cost for health insurance coverage.

BE IT FINALLY RESOLVED, that the Village Board of the Village of Ardsley hereby adopts a resolution to amend Section 13 - Medical Insurance of the Non Union Personnel Policy to incorporate health insurance contributions retroactive to June 1, 2012. **Seconded by Trustee Malone and passed unanimously.**

4. Resolution Amending Non-Union Personnel Policy to formalize and incorporate a new provision to offer health insurance buyout, retroactive to June 1, 2012

RESOLUTION AMENDING NON UNION PERSONNEL POLICY TO FORMALIZE AND INCORPORATE A NEW PROVISION TO OFFER A HEALTH INSURANCE BUYOUT, RETROACTIVE TO JUNE 1, 2012

Trustee Nardecchia: WHEREAS, during the Spring 2012 budget deliberations the Village Board of the Village of Ardsley decided to establish a health insurance buyout for non-union employees,

BE IT RESOLVED that the Village Board of the Village of Ardsley hereby formalizes and incorporates new Section 13 (A) Medical Insurance Buyout to the Non Union Personnel Policy, retroactive to June 1, 2012, as follows:

Effective for fiscal year 2012-2013, and each fiscal year thereafter, the Employer shall provide for an optional buy-out of family health insurance coverage for all employees. The buy-out of health insurance coverage shall provide that an employee who is covered by another health insurance plan may notify the Employer on a form provided by the Village Treasurer’s Office known as a Request to Decline and Waive Health Insurance Coverage that he/she is selecting to decline and waive the health insurance coverage provided by the Employer.

An employee who declines and waives family health insurance coverage as provided above, shall be paid five thousand dollars (\$5,000.00) in equal monthly amounts during the fiscal year.

The buy-out shall be pro-rated in the event the employee resumes health insurance coverage due to a qualifying event during that fiscal year e.g. loss of health insurance coverage by spouse.

An employee who elects to receive the buy-out, shall, at any time during the period for which the employee has declined and waived health insurance coverage through the Employer, be required to provide written notice to the Employer that he/she is covered by health insurance under a different plan. An employee who has elected to receive the buy-out is required to provide written notice to the Employer on the Request to Resume Health Insurance Coverage form, to be provided by the Office of the Village Treasurer. The effective date of the employee's reestablishment of health insurance coverage by the Employer shall be at the earliest possible date as provided by the plan. The Employer shall notify the plan upon notice by the employee of that employer's decision to re-establish health insurance coverage through the Employer.

BE IT FINALLY RESOLVED, that the Village Board of the Village of Ardsley hereby adopts a resolution to amend the non union personnel policy to incorporate and formalize a new provision to offer a health insurance buyout retroactive to June 1, 2012. **Seconded by Trustee Malone. Motion carried with one (1) Abstention (Minore).**

5. Resolution Amending the Village Manager employment contract to formalize and incorporate a health insurance contribution retroactive to June 1, 2012

**RESOLUTION AMENDING THE VILLAGE MANAGER'S EMPLOYMENT
CONTRACT TO FORMALIZE AND INCORPORATE A HEALTH INSURANCE
CONTRIBUTION RETROACTIVE TO JUNE 1, 2012**

Trustee Minore: WHEREAS, during the Spring 2012 budget deliberations the Village Board of the Village of Ardsley decided that it was necessary to impose a health insurance contribution for non-union employees owing the escalating costs of health insurance premiums,

WHEREAS the Village has an employment contract with the Village Manager that includes provisions for health insurance known as section 4: Hospitalization & Insurance ; and

WHEREAS during negotiations between the Mayor and Village Manager in April 2012, the Village Manager agreed to opt into the health insurance contribution program for non union employees, and

WHEREAS, the Office of the Village Treasurer commenced such health insurance payroll deductions on June 1, 2012,

BE IT RESOLVED, that such action is formalized and incorporated into Section 4 (b) of the Village Manager's contract as follows:

Effective June 1, 2012, the Employer shall pay the entire remaining balance of the premium for health insurance coverage for the Village Manager and his eligible dependents in the New York

State Health Insurance Plan (Core Plus Medical and Psychiatric Plan), also known as the “Empire Plan”, less his contribution as set forth herein, or subsequent health insurance plan.

Effective June 1, 2012, the Village Manager with family health insurance coverage shall contribute one percent (1%) of his base wage towards the health insurance premium or cost.

Effective June 1, 2013, the Village Manager with family health insurance coverage shall contribute one and a quarter percent (1.25%) of his base wage towards the health insurance premium or cost.

Effective June 1, 2014, the Village Manager with family health insurance coverage shall contribute one and one-half percent (1.5%) of his base wage towards the health insurance premium or cost.

Effective June 1, 2015, the Village Manager with family health insurance coverage shall contribute one and three quarters percent (1.75%) of his base wage towards the health insurance premium or cost. .

Effective June 1, 2016 employees with family health insurance coverage shall contribute two percent (2%) of his base wage towards the health insurance premium or cost.

All contributions shall be “pre-taxed”. Upon retirement, the Employer shall pay one hundred percent (100%) of the cost of the premium or cost for health insurance coverage.

BE IT FINALLY RESOLVED, that the Village Board of the Village of Ardsley hereby adopts a resolution to amend the Village Manager’s Employment Contract to formalize and incorporate a health insurance contribution known as Section 4 (Hospitalization and Insurance). **Seconded by Trustee Malone and passed unanimously.**

6. Resolution Accepting Resignation for purpose of retirement: Benedetto V. Franzoso

**RESOLUTION ACCEPTING RESIGNATION FOR PURPOSE OF RETIREMENT:
BENEDETTO V. FRANZOSO**

Trustee Malone: Resolved, that the Village Board of the Village of Ardsley hereby accepts, with regret, the resignation of Police Officer Benedetto “Benny” Franzoso for the purpose of retirement, effective January 10, 2013. **Seconded by Trustee Kaboolian and passed unanimously.**

7. Presentation by Lorraine Kuhn – Storm water Management Update. Ms. Kuhn gave a detailed presentation.

VIII. CALL FOR EXECUTIVE SESSION: No Executive Session was held.

IX. REMINDER – WORK SESSION: Thursday, January 10, 8:00 p.m. re: Route 9A Widening.

X. ADJOURNMENT OF MEETING:

There being no other business, the meeting was adjourned.

Trustee Nardecchia: Resolved, that the Village Board of the Village of Ardsley hereby adjourned the regular meeting of Monday, January 7, 2013 at 9:30 p.m. **Seconded by Trustee Kaboolian and passed unanimously.**

XI. NEXT VILLAGE BOARD MEETING: Tuesday, January 22 at 8:00 p.m.

Respectfully submitted,

Anne Hohlweck
Recording Secretary