

Mayor Leon opened the August 1, 2011 Regular Meeting at 8:00 p.m.

Present:	Mayor	Jay Leon
	Deputy Mayor/Trustee	Peter Porcino
	Trustee	Larry J. Nardecchia
	Trustee	Gary Malone
	Trustee	Beverly A. Levine
	Village Manager	George Calvi
	Village Attorney	Robert J. Ponzini
	Village Clerk	Barbara Berardi
	Recording Secretary	Lorraine McSpedon

I. PLEDGE OF ALLEGIANCE

II. APPROVAL OF MINUTES

Tr. Porcino: Resolved, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of July 5, 2011, as submitted. **Seconded by Tr. Nardecchia and passed, with Tr. Malone abstaining since he was absent for the July 5, 2011 meeting.**

III. DEPARTMENT REPORTS

LEGAL REPORT: Attorney Ponzini had nothing to report. He mentioned he has worked this past month on quite a few items with the staff and is available for Executive Session, if necessary.

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

The bills for the last month from the General Fund totaled: \$199,142.70; from the Trust & Agency Account: \$64,779.05, and from the Capital Fund: \$154.80.

Tr. Nardecchia: Resolved, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$199,142.70; from the Trust & Agency Account: \$64,779.05, and from the Capital Fund: \$154.80. **Seconded by Tr. Porcino and passed unanimously.**

MANAGER'S REPORT: Mr. Calvi reported the following:

**VILLAGE MANAGER REPORT
PREPARED BY GEORGE CALVI
FOR MONDAY, AUGUST 1, 2011**

NEWSLETTER: Please be advised that the August edition of the Ardsley Villager went to the post office last Thursday and I have been assured by the Postmaster that it will be in homeowners' mail boxes by tomorrow at the latest. Although these items are detailed in the newsletter, I wish to advise residents now to mark their calendars that the Ardsley Fire Department will be hosting the annual County Volunteer Firefighters parade on Saturday, September 17; Ashford Park will be renamed and dedicated as Louis M. Pascone Memorial Park at 11:00 am on Sunday, September 25, and on that same date at twelve noon Ardsley Day activities kick off. The newsletter also features articles on the transfer of dog licensing to the Town of Greenburgh, daytime parking permits, summer library activities, the new plastic recycling laws, the arrival of E-Waste PODs at the DPW garage, and the completion of the McCartney / Legion building in Ashford Park.

SALES TAX: This falls into the "Thank God for Little Things" category. This afternoon we received word from the County of Westchester that the Village will be in receipt on August 3rd of a sales tax payment in the amount of \$145,583 for the second quarter of 2011. This represents the largest payment to the Village since the quarter ending October 31, 2008 which roughly coincides with the beginning of the economic downturn. Who knows? Maybe this is a harbinger of good things to come! This news is particularly heartening to a Village Manager because the sales tax represents a non-property tax revenue which will assist us greatly as the Village wrestles with complying with the tax levy cap that goes into effect with the 2012-2013 fiscal year next June 1.

PERSONNEL: In accordance with the civil services rules and regulations of the Westchester County Department of Human Resources the following is hereby entered into the official minutes:

The Village Manager at the recommendation of the Village Clerk hereby appoints Dennis J. Edwards residing at 207 Endicott Avenue, Elmsford, New York 10523 to the position of Senior Bus Driver (Civil Service title - Chauffer) at the hourly salary of \$16.54 retroactive to July 19, 2011. Such appointment is subject to a probationary period of not less than 52 weeks. As a footnote to this appointment, word has gotten back to me that the riders of the Ardsley-Dobbs Ferry senior bus just love Dennis and his sparkling personality, and that is great news for me!

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FIRE DEPARTMENT REPORT: Chief Coulehan delivered the July, 2011 fire report. The Training Report will be attached to the September, 2011 report.

The Westchester County Parade will be hosted by the Ardsley Fire Department on September 17, 2011. The parade will start at 2:00 p.m. A banner will be placed over the road from the Fire Department to the Chase bank.

Mayor Leon mentioned that he would like to invite the Mayor of Elmsford to the parade, as well as other mayors.

MAYOR'S ANNOUNCEMENTS:

- 1) The fire parade will take place on September 17, 2011. Mayor Leon reminded residents that the parade will be announced in the Enterprise.
- 2) Ardsley Day will take place for 12:00 p.m. – 5:00 p.m. on September 25th.
- 3) Primaries will take place on September 13th.

IV. COMMITTEE AND BOARD REPORTS:

Tr. Porcino:

- 1) Saw The Billy Watson Trio perform at Ashford Park. Mr. Calvi announced the upcoming performances at Ashford Park.

Tr. Nardecchia:

- 1) The Seniors program will continue for the month of August.
- 2) The Seniors had a dinner at the fire house Friday night.
- 3) The Recreation Commission will meet next Tuesday night. Field maintenance problems will be discussed.
- 4) Is attempting to get the proposer of the sports recreation facility on Elm St. to attend the next Recreation Commission meeting.

Tr. Malone: Nothing to report

Tr. Levine:

- 1) The next WWII Veteran to be interviewed will be Aldo Ricci.

V. VISITOR'S

Ms. Patricia Hoffman, 69 Bramblebrook Rd., Ardsley, NY, presented herself to the Board to follow up on her June visit. Regarding the widening of 9A and the Addyman Square/Ashford Avenue project, Ms. Hoffman mentioned that the 9A approvals were pending from the NYC DEP to allow for the left hand turn into Colonial Court North as of her last visit and questioned whether any approvals had been received.

Mr. Calvi stated that nothing had been received as of today.

Ms. Hoffman questioned whether any updated drawing had been received for the widening of 9A from Mr. Madden. The latest drawing was from February for the takings along 9A. Mayor Leon stated that the last drawings he had seen were those which Mr. Madden had brought on July 6th.

Tr. Nardecchia questioned whether the widening had been increased from 32 ft. to 36 ft. Mayor Leon stated that he was not aware of any changes to the widening. Tr. Nardecchia stated his unhappiness with the fact that the Village is not in receipt of a working set of plans as of this date.

Ms. Hoffman stated that she believes Mr. Madden was to submit an estimate of the cost of the takings along 9A last month. At the July meeting, however, Mr. Madden stated that he did not yet have the estimates.

Atty. Ponzini stated that proposals have been received, however, they are not yet final. Discussions will need to be held with the appraiser and when they are finalized, they will be discussed with the property owners first and then they will be made public.

Ms. Hoffman questioned whether any plans had been received regarding the Addyman Square/Ashford Avenue project. Ms. Hoffman suggested a meeting with Ridge Hill or Commission Madden take place to discuss what Ardsley's options are. Ms. Hoffman expressed her concern of the time limitations of this project.

Mayor Leon stated that he had nothing new to present since the July 6th Board meeting.

Ms. Hoffman expressed her unhappiness with the proposed takings resolution regarding the transfer of land options. Mayor Leon defended the resolution stating that property owners were now being given a second option. The specifics of the takings options were discussed with regard to non-conforming properties.

Ms. Ilea Lerner, 28 year resident, expressed her concern for the dangerous conditions on Saw Mill River Road and the traffic problems in the Village. She also suggested Channel 12 be used as a medium for announcing Village events.

Tr. Nardecchia defended the proposed improvements and increased safety and efficiency which will result.

Ms. Linda Whitehead, attorney representing Ardsley Associates, requested the SEQRA resolutions not be passed this evening since the appraisals have not yet been received. She also stated she believes the Zoning Code Amendment should not be an either/or choice and should be effective until there is a change of use, not upon sale.

Atty. Ponzini stated he did not believe the resolutions were premature and felt they should be passed this evening. Regarding the alternative method of payment, the property owner is being given an alternative or a choice and future development will be considered.

8:30 P.M – PUBLIC HEARING – For the purpose of amending the site plan approval for the proposed conversion of the former Captain Video into a restaurant located at 731 Saw Mill River Road. **To be adjourned to September 6, 2011.**

VI. OLD BUSINESS

**RESOLUTION TO ADJOURN THE PUBLIC HEARING FOR
SITE PLAN APPROVAL
731 SAW MILL RIVER ROAD**

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby adjourns the Public Hearing to amend the site plan application for the proposed conversion at of the former Captain Video store into a restaurant located at 731 Saw Mill River Road to Tuesday, September 6, 2011 at 8:45 p.m. **Seconded by Trustee Levine and passed unanimously.**

**RESOLUTION TO APPROVE PROPOSED SITE PLAN APPLICATION FOR
THE STORAGE SHED LOCATED AT LA CATENA RESTAURANT,
875 SAW MILL RIVER ROAD**

Trustee Levine: RESOLVED, that the Village Board of the Village of Ardsley hereby approves the site plan application for the proposed metal storage shed located at La Catena Restaurant, 875 Saw Mill River Road with the following conditions, additionally, the applicant must appear before the Board of Architectural Review: **Seconded by Trustee Nardecchia and passed with a vote 3-2. Trustee Levine, Trustee Nardecchia and Mayor Leon voting aye, Trustee Porcino and Trustee Malone voting naye.**

1. The applicant must provide a letter from the property owner granting permission to install the shed on the property.
2. The applicant must obtain a building permit prior to installing the shed.
3. The shed shall not be placed on a permanent foundation.
4. The shed shall not block the required means of egress from the building or the required Fire Lane.
5. The required distance separation from the main building must be maintained.
6. The shed shall not have electrical power.
7. Food products of any kind shall not be stored in the shed.
8. Products considered hazardous by the New York State Building Code shall not be stored in the shed, even if the quantities stored do not exceed the quantities allowed by code.
9. Any conditions the VB and Village attorney deem necessary.
10. Granting of this application does not create a property right and the permit may be revoked for any reason on 90 days notice.
11. Permit must be renewed every 6 months.

9:00 P.M. – PUBLIC HEARING – For the purpose to amend Chapter 148 of the Village Code to ban smoking in Ashford and McDowell Parks.

Mayor Leon read the legal notice.

Mayor Leon mentioned that a resident has requested that smoking be disallowed in the parks, therefore, the Village Manager referred this request to the Parks Commission, who voted 5-1 that this resolution be passed. The policy can only be enforced when a Village Park Attendant is on duty.

Tr. Nardecchia explained that the policy enforcement clause was only added because the Parks Commission could not come to a consensus otherwise.

Tr. Malone expressed his agreement with the proposal and felt it should be enforced at all times. He also expressed his concern for the health hazards of second-hand smoke.

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Tr. Levine agreed with the proposal and suggested “No Smoking” signs should be posted. The police can be called for non-conformists. Tr. Levine also expressed her concern for the cigarette butts being littered throughout the parks.

Mayor Leon felt that smokers should be courteous and not smoke if so requested. However, if a law was passed, non-smokers would have a recourse for those who refused to abstain from smoking.

Maureen Kenny, Director, Power Against Tobacco, presented herself to the Board to commend Gary Rapaport for bringing the issue forward to the Village Parks and Recreation Commission. Additionally, she congratulated the Parks and Recreation Commission for bringing the issue to the Village Board.

Ms. Kenny gave an update on the ban throughout New York State parks. The reasons for enforcing such a ban include the reduction of litter, keeping children safe from second-hand smoke, positive role modeling, overwhelming public support for such policies, and reducing the rates of youth initiation to smoking.

Mr. Gary Rapaport phoned in to support the proposed smoking ban.

Tr. Malone: Resolved, that the Village Board of the Village of Ardsley hereby closes the public hearing on the ban on smoking in Ashford and McDowell Parks. **Seconded by Tr. Levine and passed unanimously.**

**RESOLUTION TO CONSIDER ADOPTION OF SMOKING BAN IN ASHFORD
AND MCDOWELL PARKS**

Trustee Malone: Resolved, that the Village Board of the Village of Ardsley hereby amends chapter 148 of the Ardsley Village Code to ban smoking in Ashford and McDowell Parks. **Seconded by Trustee Levine as amended. Trustee Malone, Trustee Levine, Mayor Leon voted aye, Trustee Porcino and Trustee Nardecchia abstained.**

**VILLAGE OF ARDSLEY BOARD OF TRUSTEES
ZONING CODE AMENDMENT
CONCERNING THE TRANSFER OF LAND FOR
ROAD WIDENING PURPOSES**

AUGUST 1, 2011

Trustee Malone: WHEREAS, the Village of Ardsley is considering an amendment to the Zoning Code to allow for the transfer of land to a governmental entity for the purpose of road widening, without a corresponding loss in the potential development yield of the parcel; and

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WHEREAS, The following language is recommended to be inserted in Article IX of the Zoning Code – “Supplemental Regulations”:

§200-82 G.

The Board of Trustees may grant a special permit to property owners who, at the Village’s request, transfer land to the New York State Department of Transportation, the Village of Ardsley or any other governmental agency or municipality, for highway widening or improvement purposes when such owner has waived all rights to compensation thereof. The special permit shall specify that all applicable setback, density and other bulk and area zoning requirements shall be calculated as if the transferred land had been retained. This provision shall apply to all pending and previously approved site plans. No special permit shall be granted unless the following findings are made by the Board of Trustees concerning the particular application.

- 1. That, at the Village’s request, the owner has transferred or has offered to transfer land to the New York State Department of Transportation, the Village of Ardsley or any other governmental agency or municipality for highway widening or improvement purposes.*
- 2. That the transfer is for a public purpose and is in the public interest.*
- 3. That the owner has waived all rights to compensation for the land transferred or to be transferred.*
- 4. That the Board of Trustees finds that granting the special permit is necessary and desirable, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and shall be consistent with the provisions of §200-97C (1) – (11).*

WHEREAS, on August 1, 2011, the Board of Trustees, serving as Lead Agency for the SEQRA review of this action, adopted a Negative Declaration, indicating that the action of adopting this zoning amendment would not result in any adverse environmental impacts.

NOW THEREFORE BE IT RESOLVED, that the Village of Ardsley Board of Trustees hereby adopts the above referenced zoning amendment.

BE IT FINALLY RESOLVED, that this resolution shall have an effective date of August 1, 2011. **Seconded by Trustee Levine and passed unanimously.**

VILLAGE OF ARDSLEY BOARD OF TRUSTEES

SEQRA DETERMINATION OF SIGNIFICANCE

AUGUST 1, 2011

**NEGATIVE DECLARATION
FOR A PROPOSED ZONING CODE AMENDMENT
CONCERNING THE TRANSFER OF LAND FOR
ROAD WIDENING PURPOSES**

AUGUST 1, 2011

Trustee Nardecchia: WHEREAS, the Village of Ardsley is considering an amendment to the Zoning Code to allow for the transfer of land to a governmental entity for the purpose of road widening, without a corresponding loss in the potential development yield of the parcel; and

WHEREAS, on June 6, 2011, the Village of Ardsley Board of Trustees designated it's intent to serve as Lead Agency for the SEQRA review of this Unlisted Action; and

WHEREAS, the Notice of Intent was circulated to all Involved Agencies, and the statutory 30-day circulation has expired without any objections to the designation.

NOW THEREFORE BE IT RESOLVED, that pursuant to 6 NYCRR Part 617, State Environmental Quality Review, the Village of Ardsley Board of Trustees hereby confirms its designation as Lead Agency for the SEQRA Review of this Unlisted Action.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant adverse effect on the environment for the reasons enumerated in the attached Negative Declaration Form.

BE IT FINALLY RESOLVED, that this SEQR Negative Declaration resolution shall have an effective date of August 1, 2011. **Seconded by Trustee Porcino and passed unanimously.**

**SEQR Resolution Eminent Domain for Purposes of Providing Roadway
Improvements and Road Widening on Saw Mill River Road
and Portions of Parcels at:**

1. Village of Ardsley Section/Block/Lot 17/04/0000/P19D; 17/04/0000/P19H2A; Town of Greenburgh Section 6.50, Block 34, Lot 10, now or formerly owned by "Butta Enterprises, Inc.," comprised of approximately 1308 square feet, more or less, situated south of Saw Mill River Road (Route 9A) in the Village of Ardsley, Town of Greenburgh, County of Westchester and State of New York; and
2. Village of Ardsley Section/Block/Lot 17/4/4000/P19P; Town of Greenburgh Section 6.50, Block 34, Lot 9, now or formerly owned by "Sylvia Love," comprised of approximately 582 square feet, more or less, situated south of Saw Mill River Road (Route 9A) in the Village of Ardsley, Town of Greenburgh, County of Westchester and State of New York; and
3. Village of Ardsley Section/Block/Lot 17/04/0000/P19F2; 17/04/0000/P19K2; Town of Greenburgh Section 6.50, Block 30, Lot 5, now or formerly owned by "Ardsley Associates, L.P.," comprised of approximately 1099 square feet, more or less, situated south of Saw Mill River Road (Route 9A) in the Village of Ardsley, Town of Greenburgh, County of Westchester and State of New York.

Adoption of Environmental Assessment Form and Negative Declaration –
Re: Acquisition by Eminent Domain of 3 Parcels
Totaling Approximately 2,989 Square Feet of Property

Motion made by Trustee Porcino moved, and duly seconded by Trustee Nardecchia, that the following Resolution on SEQR review of the proposed acquisition by eminent domain of approximately 2,989 square feet of property in portions of three parcels known as: Village of Ardsley Section/Block/Lot 17/04/0000/P19D; 17/04/0000/P19H2A; Town of Greenburgh Section 6.50, Block 34, Lot 10 (approximately 1308 square feet, more or less); Village of Ardsley Section/Block/Lot 17/4/4000/P19P; Town of Greenburgh Section 6.50, Block 34, Lot 9 (approximately 582 square feet, more or less); and Village of Ardsley Section/Block/Lot 17/04/0000/P19F2; 17/04/0000/P19K2; Town of Greenburgh Section 6.50, Block 30, Lot 5 (approximately 1099 square feet, more or less), on the Tax Maps is put forth for adoption:

WHEREAS, the Board of Trustees of the Village of Ardsley contemplates acquisition by eminent domain of approximately 2,989 square feet of property in portions of three parcels known as: Village of Ardsley Section/Block/Lot 17/04/0000/P19D; 17/04/0000/P19H2A; Town of Greenburgh Section 6.50, Block 34, Lot 10 (approximately 1308 square feet, more or less); Village of Ardsley Section/Block/Lot 17/4/4000/P19P; Town of Greenburgh Section 6.50, Block 34, Lot 9 (approximately 582 square feet, more or less); and Village of Ardsley Section/Block/Lot 17/04/0000/P19F2; 17/04/0000/P19K2; Town of Greenburgh Section 6.50, Block 30, Lot 5 (approximately 1099 square feet, more or less), on the Tax Maps (collectively, the "Property"); and

WHEREAS, The Property will be used for the purpose of providing roadway improvements and road widening on Saw Mill River Road (Route 9A, the "Project"); and

AUGUST 1, 2011

WHEREAS, on June 6, 2011, the Village of Ardsley Board of Trustees designated its intent to serve as Lead Agency for SEQRA review of this Unlisted Action; and

WHEREAS, the Notice of Intent was circulated to all Involved Agencies, and the statutory 30-day circulation period has expired without any objections to the designation; and

WHEREAS, in considering such eminent domain for the purposes as set forth above, an the Board of Trustees of the Village of Ardsley has considered the environmental effects of the proposed taking for the Project and mitigation of the same and issued a Negative Declaration under the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Board of Trustees has received and reviewed the Short Environmental Assessment Form and supporting documents for the Project prepared by Village Counsel and submitted with this Resolution ("EAF") and has considered minutes of Public Hearing held on July 5, 2011 and any submissions thereafter and the probable environmental impacts of the project as set forth in the EAF;

NOW THEREFORE BE IT:

RESOLVED that pursuant to 6 NYCRR Part 617, State Environmental Quality Review, the Village of Ardsley Board of Trustees hereby confirms its designation as Lead Agency for the SEQRA Review of this Unlisted Action; and

BE IT FURTHER RESOLVED, that the Board of Trustees accepts and adopts the EAF and the information and assessments set forth therein; and be it further

RESOLVED, that on the basis of the EAF and other comments and materials considered, the Board of Trustees finds that the eminent domain acquisition of the Property and use of it in connection with the Project of providing roadway improvements and road widening on Saw Mill River Road is an unlisted action and will not result in significant adverse environmental impacts under SEQR; and be it further

RESOLVED, that the Board of Trustees adopts the EAF's proposed declaration under SEQR that eminent domain acquisition of the Property and use of it in connection with the Project of providing roadway improvements and road widening on Saw Mill River Road will not result in any significant adverse environmental impact ("Negative Declaration"); and be it further

RESOLVED, that this SEQR Negative Declaration resolution shall have an effective date of August 1, 2011; and be it further

RESOLVED, that the Village Mayor is authorized to execute the EAF and, for the reasons set forth, to execute and file a Negative Declaration in accordance with the applicable provisions of the law.

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AYES: Mayor Leon, Trustee Porcino, Trustee Nardecchia, Trustee Levine and Trustee Malone

NAYS: None

**RESOLUTION OF THE VILLAGE OF ARDSLEY MAYOR AND
BOARD OF TRUSTEES
DECLARING THE BOARD OF TRUSTEES TO BE LEAD AGENCY UNDER SEQR
AND ADOPTING A NEGATIVE DECLARATION AND
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE UNDER SEQRA
FOR THE ROAD IMPROVEMENTS TO ROUTE 9A
(SAW MILL RIVER ROAD)
FROM ASHFORD AVENUE TO HEATHERDELL ROAD**

AUGUST 1, 2001

Trustee Malone: WHEREAS, pursuant to the Stipulation of Settlement between, the Town of Greenburgh the Village of Ardsley, and the Village of Hastings-on-Hudson (collectively, the "Municipal Petitioners") and the City of Yonkers, which Stipulation provides for FC Yonkers Associates, LLC. to make available to the Municipal Petitioners the sum of \$5,000,000.00 (the "Settlement Escrow Deposit") to be used by the Municipal Petitioners to improve certain intersections and road segments within their respective municipalities as set forth in the Stipulation of Settlement; and

WHEREAS, the Municipal Petitioners have formed the Ridgehill Intermunicipal Intersection Improvement Committee (the "Committee") to review these Conceptual Design Plans for certain intersections and road segments within their respective municipalities; and

WHEREAS, Michael Maris Associates, Inc. (the "Consultant") has been retained to perform the second phase of the project consisting of the detailed construction documents needed to implement the improvements; and

WHEREAS, the Committee has identified Route 9A (Saw Mill River Road) from Ashford Avenue to Heatherdell Road (approximately 1000 feet) and instructed the Consultant to design improvements to this roadway segment that will include proposed roadway widening, a center left turn lane to access businesses along Route 9A, and sidewalk and landscaping improvements; and

WHEREAS, the action is wholly located in the Village of Ardsley; and

WHEREAS, in accordance with the provisions of 6NYCRR Part 617, the Village of Ardsley Board of Trustees intends to serve as Lead Agency for the SEQRA Review of this Unlisted Action, and in this capacity, will determine if the proposed action will have a significant effect on the environment; and

WHEREAS, at a regular meeting of the Mayor and Board of Trustees of the Village of Ardsley (the "Village Board") held June 6, 2011, the Village Board adopted a resolution declaring its intent to act as

VILLAGE OF ARDSLEY

BOARD OF TRUSTEES

AUGUST 1, 2011

Lead Agency in connection with the environmental review process to be conducted under the New York State Environmental Quality Review Act (“SEQRA”) 6 NYCRR Part 617 for the action known as the Roadway Improvements to Route 9A (Saw Mill River Road) from Ashford Avenue to Heatherdell Road (“Proposed Action”); and,

WHEREAS, in accordance with the aforesaid resolution, the Village Board caused to be circulated a Notice of Intent to Be Lead Agency (“Notice of Intent”) to and among the various involved and interested agencies, together with a copy of the preliminary Part 1 Environmental Assessment Form (“EAF Part 1”); and,

WHEREAS, more than thirty (30) days having passed since the circulation of the Notice of Intent, and each such involved or interested agency which received such Notice of Intent either has consented to the Village Board assuming Lead Agency status, or has failed to respond thereto (and none having objected to the Village Board assuming such status).

WHEREAS, the Village Board has reviewed and carefully considered the full Environmental Assessment Form dated June 1, 2011, the Mitigation Improvements for Ridgehill Development Study prepared by Michael Maris Associates, Inc, dated June 2009, the site plan for the proposed roadway improvements and all other supporting information prepared for the Proposed Action; and

NOW, THEREFORE, BE IT RESOLVED, that the Village of Ardsley Board of Trustees, pursuant to Part 617 of the SEQR Regulations, hereby confirms its status as the Lead Agency for the SEQR review of this “Unlisted” action; and

BE IT FURTHER RESOLVED, that pursuant to SEQRA 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 (the State Environmental Quality Review Act) of the Environmental Conservation Law, the Village Board, as Lead Agency, has carefully considered the whole action, and the criteria listed in 6 NYCRR Part 617.7c, including the Long Form Environmental Assessment Form, and comments from Involved and Interested Agencies, staff and consultants, and the public and hereby finds that the proposed “Unlisted” action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form.

BE IT FINALLY RESOLVED, that this resolution shall have an effective date of August 1, 2011.
Seconded by Trustee Levine and passed unanimously

**RESOLUTION TO AWARD BID FOR 2011
ROAD RESURFACING IN SIX VILLAGES**

AUGUST 1, 2011

Trustee Levine: Whereas, the Village Manager, in the presence of the Deputy Village Clerk plus a roomful of contractors opened 4 sealed bids on Thursday, July 21, 2011 at 11:00 am in the Village Board room, Village Hall, 507 Ashford Avenue, Ardsley, New York

Be it resolved, that the Village Board of the Village of Ardsley hereby awards the bid to Petrillo Contracting located at 41 Edison Avenue, Mount Vernon, New York 10550 for the laying in place of bituminous top course [asphalt] at \$78.41 per ton; \$2.20 per square yard for milling existing pavement; \$100.00 per unit adjust manholes / catch basins; \$350.00 to rebuild manholes / catch basins 0-2 feet; \$400 to rebuild manholes / catch basins 2 to 4 feet, \$4.00 per square yard to excavate, furnish and install sub-base course, \$9.00 to excavate, furnish, and install binder course, and \$80 per ton to furnish and install bituminous top course – super-pave, in the Villages of Ardsley, Dobbs Ferry, Hastings, Elmsford, Irvington, and Tarrytown. **Seconded by Trustee Malone and passed unanimously.**

**RESOLUTION TO MODIFY 2011-12 VILLAGE BUDGET
TO RECOGNIZE ANTICIPATED RECEIPT OF \$140,000 NYSEDA GRANT**

Trustee Porcino: Whereas, the Village Board of the Village of Ardsley on July 5th authorized the Village Manager to sign an agreement for professional services in connection with a photovoltaic installation (solar panels) at the Ardsley Public Library with O'Dea, Lynch, Abbattista Consulting Engineers of Hawthorne, New York 10532 in an amount not to exceed \$17,500, effective immediately through March 2012, and

Whereas, Be it resolved that the Village Board of the Village of Ardsley hereby modifies the 2011-2012 Village Budget by increasing Capital Fund revenue line item H3989 by \$140,000 and Capital Fund line item H7410.250 by \$140,000 to recognize the anticipated receipt of such funds to cover the costs of the above described professional services and the forthcoming construction services in connection with the solar panel installation at the Ardsley Public Library. **Seconded by Trustee Levine and passed unanimously.**

VII. NEW BUSINESS

**RESOLUTION AUTHORIZING BANNER FOR DR. MATHEW HERTZ
MEMORIAL TENNIS TOURNAMENT**

Trustee Nardecchia: Resolved, that the Village Board of the Village of Ardsley hereby authorizes the Ardsley Parks & Recreation Commission to hang a banner from August 22nd through September 11th on the split rail fence at the McCormick Drive jug-handle advertising the annual Dr. Mathew Hertz Memorial Tennis Tournament scheduled for September 10-11, 2011 in Ashford Park. **Seconded by Trustee Porcino and passed unanimously.**

AUGUST 1, 2011

**RESOLUTION RENEWING BUS SHELTER
AGREEMENT WITH WESTCHESTER COUNTY**

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to sign a renewal agreement with the Westchester County Department of Transportation located at 100 East First Street, Mount Vernon, New York 10550 for the provision of bus shelters at various locations in the Village for the term April 1, 2011 through March 31, 2016. **Seconded by Trustee Levine and passed unanimously.**

**RESOLUTION ACCEPTING DONATION OF
McCARTNEY /LEGION BUILDING**

Trustee Levine: Resolved, that the Village Board of the Village of Ardsley hereby formally accepts the generous donation of the small building in Ashford Park popularly known as the McCartney / Legion building from Paul J. Petretti of Dobbs Ferry. The permitted uses of this 90-year old building shall be for exhibitions / displays / documents / artifacts from the McCartney Agency, the America Legion Post 458 and the Ardsley Historical Society. **Seconded by Trustee Malone and passed unanimously.**

**RESOLUTION SCHEDULING SPECIAL BOARD MEETING –
PERSONNEL**

Trustee Porcino: Resolved, that the Village Board of the Village of Ardsley hereby schedules a special meeting for the purpose of adjourning into executive session to discuss personnel matters, for 8:00 pm, Monday, August 15, 2011. **Seconded by Trustee Levine and passed unanimously.**

ADJOURNMENT OF MEETING:

Tr. Nardecchia: Resolved, that the Village Board of the Village of Ardsley hereby adjourns the Regular Meeting of August 1, 2011, at 10:14 p.m. **Seconded by Tr. Levine and passed unanimously.**

Respectfully submitted,

Lorraine McSpedon
Recording Secretary

