

**VILLAGE OF ARDSLEY
BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, FEBRUARY1, 2016**

Present:	Mayor	Peter R. Porcino
	Deputy Mayor/Trustee	Nancy Kaboolian
	Trustee	Gary Malone
	Trustee	Mollie Monti
	Trustee	Andy DiJusto
	Village Manager	Meredith S. Robson
	Village Clerk	Barbara A. Berardi
	Village Attorney	Robert J. Ponzini
	Recording Secretary	Donna Fusco

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

I. ANNOUNCEMENT OF EXIT SIGNS

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES: Regular Meeting – January 19, 2016

Trustee Kaboolian: RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Tuesday, January 19, 2016 as submitted.

Seconded by Trustee DiJusto and passed unanimously.

III. DEPARTMENT REPORTS:

FIRE DEPARTMENT REPORT:

Fire Chief, Stephen Kaskawits, reported the following activities for December 2015:

- 19 Calls for the month
- 82 Training Hours
- 32 Maintenance Hours

Other activities attended by Officers and Firefighters

- 12/5 – Participated in Annual Tree lighting ceremony
- 12/16 – Attended Monthly Battalton Meeting
- 12/24 – Performed the Annual Christmas Eve Santa Run

LEGAL REPORT:

Village Attorney Ponzini stated that there is nothing to report other than those items that are in memorandum form and stated that he has been working on a number of matters with staff. Mr. Ponzini stated that he is available for an Executive Session if necessary.

MANAGER'S REPORT:

VILLAGE MANAGER'S REPORT FOR MONDAY, FEBRUARY 1, 2016

1. **ASHFORD AVE BRIDGE:** Just a reminder:
 - Initial pre-stage work has begun – mobilization, utility work; some of the pre-stage work will be done during off peak hours in the first week of February; it is anticipated that the northbound entrance/exit ramp will be closed in this stage around mid-February so motorists should plan accordingly
 - To my knowledge, a project schedule has still not been submitted to the County so full details on this are not yet available
 - Work will be done M-F from 7:00AM – 3:30PM, however some night work of limited duration is anticipated when work impacts the Saw Mill River Parkway and/or New York State Thruway.
 - The Village is NOT managing this project. Updates will be provided by the County and interested individuals should make sure they are signed up for the County alerts on this project. www.westchestergov.com/subscribe
www.westchestergov.com/ashfordavenuebridge

2. We have had a positive response to our search for a court clerk and have gotten through almost all of the interviews. However, we have not had much interest in the part time assistant court clerk position. This requires approximately 7 hours per week, mainly on Mondays since that is court day, as well as coverage in the absence of the court clerk during vacations and perhaps extended illness, if applicable. If anyone is interested in this part time position, please contact my office at 693-1550.

3. Unfortunately, we are in the process of dealing with an issue related to a recent tax certiorari settlement. The settlement was handled by the Town of Greenburgh, as they all are. However, no notice was given to the Village Attorney or to the Treasurer or to me. This settlement will cost the Village approximately \$150,000! We are still finalizing the numbers now. I take no issue with the settlement itself, as that was determined through a lengthy legal process. However, the fact that the Village was not kept informed of this given the high cost, is completely unacceptable. This was money not budgeted because it was not at all anticipated. I am working with our Treasurer and Village Attorney and officials in Greenburgh so that this type of thing never happens again. I raise it now so that the Board and public know that this was

not an error in budgeting, but a severe lack of communication on the part of officials involved in the Town of Greenburgh and we are working to keep this from happening again. The Treasurer and I are also working on determining where we can transfer the funds from in the budget to cover this expense and we will place the appropriate budget amendment on a future agenda.

4. Village offices will be closed on February 12th and 15th in observance of President Lincoln's and President Washington's Birthdays. There will be a double collection of recyclables on Wednesday, February 10th and refuse will be collected throughout the entire Village on Thursday, February 11th. Also, on Tuesday, February 16th refuse will be collected throughout the entire Village. Please refer to the Sanitation schedule posted on the Village's website.

TREASURER'S REPORT: Village Manager, Robson read the Treasurer's Report on behalf of Marion DeMaio:

Ms. Robson stated the bills for the past two weeks totaled as follows: General Fund: \$33,892.42; From the Trust & Agency Fund: \$103,157.55 and from the Capital Fund: \$2,410.66.

Trustee DiJusto: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$33,892.42; From the Trust & Agency Fund: \$103,157.55 and from the Capital Fund: \$2,410.66. **Seconded by Trustee Monti and passed unanimously.**

MAYOR'S ANNOUNCEMENTS:

Acknowledging Receipt of Report on Uncollected Taxes

- Attended the Pinewood Derby Cub Scout races and helped to judge event
- We received letter from Fire Department, Max Breindel moved to the City of Yonkers; he can remain as an active member of our department; place at next meeting
- Received letter from Con Edison regarding emergency contact information; call in for gas emergencies
- BAR agenda; there are two (2) more solar applications
- Assemblyman Abinanti sent notice to public forum on 2/5 on Governor's fiscal budget
- The SAYF Coalition has circulated a survey asking for feedback; helping to plan future events
- Big news in Town is the Jefferson Project in Greenburgh; there has been a lot of activity

COMMITTEE & BOARD REPORTS:

TRUSTEE DIJUSTO:

- Nothing to report

TRUSTEE MONTI:

- Nothing to report

TRUSTEE MALONE:

- Attended Meeting of Ardsley Library Board of Trustees

TRUSTEE KABOOLIAN:

- Attended SAYF Coalition Meeting
- Tomorrow Garden Club is hosting Leah Canal at St. Barnabas Church

IV. VISITORS

Lucy Gratzon, President of Little League and Steve Gratzon, Vice –President of Little League appeared to discuss improvements to the field, i.e. installing playground, installed irrigation systems and explained that it is all done by Ardsley Little League and stated that the money comes from sponsors; There is fundraising to raise money throughout the season and none of the money comes from the Village. Ms. Gratzon stated that the Little League can pay for the lighting and also stated that the noise from the field will not be an issue. Ms. Gratzon stated the schedule of the games to the Board

Mr. Don Rudolph from the lighting company appeared to answer questions regarding the installation of lights at McDowell Park. Mr. Rudolph described the designs to the Board and stated that the lights could be controlled as to when they are turned on and off

Sue Woodrow, 505 Heatherdell Road, Ardsley NY appeared to discuss her concerns regarding the installation of lights at McDowell Park and stated that she is concerned about who is paying the electricity to light the proposed lights as well as who is paying the maintenance costs. Ms. Woodrow is also concerned about the noise and stated that there are lighting standards that she described in detail. Ms. Woodrow stated that she is concerned about the property values in the neighborhood

Richard Greenspan stated that he lives directly across the street from the field and the field is directly in view of his house and he is concerned about the time frame with respect to when games might continue to go on. He stated that games are noisy and stated that it needs to be specifically looked at

Craig Weitz, 128 Huntley Drive, stated that he is a licensed real estate broker and general contractor in the area. Mr. Whites appeared to provide information as it pertains specifically to property values and provided documents to the Board as to the property values

Connie Gallo, 9 Jordan Lane, appeared to state that she opposes lighting. Ms. Gallo stated that Ardsley does not allow lights on our fields at the school because of quality of life to all of the residents who surround the schools

Kevin Fury, 210 Boulder Ridge Road, stated that he feels that the lighting will showcase the baseball program and further enhance it.

John Burke appeared and stated that he has three sons in Ardsley and he feels that the lighting would be an asset. He feels it would be embarrassing not to do this for the kids and feels that the lighting would increase the values of the homes

Mike Moray, 123 Old Sprain Road, stated that it would be an advantage to have the lighting so the schedule could be spread out so the children could have proper rest

Debby Bobson from Eastern Drive stated that the lights at the middle school tennis courts are often left on forever when nobody is there and that is an issue. She feels that people that live by the field will be impacted

Mark Watkin, 29 Faith Lane, stated that there would be more flexibility if the lighting was available especially in the fall. Mr. Watkin further stated that he moved to Ardsley because the field points was one of the attractions

Joshua Frank, 8 Glen Road appeared to ask how we are taking the developer on for The Jefferson Project on Lawrence Street

A call from Nicole Minore stated that a pedestrian accident was on Lawrence Street tonight and it was a fatality accident. She also stated that the people from Ardsley Village do not get one cent from the Jefferson Development and further stated that it provides no benefit to the Village of Ardsley

Brian Kohn from Beacon Hill called to state that the people should write to the Superintendent of Education and further stated that the Application filed requires very unique circumstances; Mr. Kohn further stated that the school districts are not regulated by municipalities; Mayor said send this information to the Facebook Group and see who is looking at that

Frank Doherty appeared to speak about the stacking lane on Lawrence Street; Mr. Doherty said that he called Safety Inspector, Dave Parker at 914-742-6026 and Lee Zimmer at 845-437-3396

V. OLD BUSINESS

1. Discussion regarding installing lights at McDowell Park, Ardsley Little League baseball fields
2. Discussion regarding The Jefferson at Saw Mill River Project in Greenburgh

VI. NEW BUSINESS

1. Resolution to approve the request for a banner for the Ardsley Educational Foundation (AEF) Annual Fundraiser

RESOLUTION TO APPROVE A REQUEST FOR A BANNER FOR THE ARDSLEY EDUCATIONAL FOUNDATION (AEF) ANNUAL FUNDRAISER –

Trustee Malone: Resolved, that the Village Board of the Village of Ardsley hereby grants permission to the Ardsley Educational Foundation to hang a double-sided banner on Ashford Avenue at some point between Chase Bank, 500 Ashford Avenue, and American Legion Drive from February 2 through February 11, 2016 to advertise their annual fundraiser taking place on Saturday, March 5, 2016 at the Coliseum in White Plains. **Seconded by Trustee Kaboolian and passed unanimously.**

2. Resolution scheduling a Public Hearing – Tax Override

RESOLUTION SCHEDULING A PUBLIC HEARING – TAX OVERRIDE

Trustee Kaboolian: RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on March 7, 2016 at 8:15 p.m. to consider a resolution to override the property tax levy for fiscal year 2016-2017. **Seconded by Trustee Malone and passed unanimously.**

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, 2016 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, 2016 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

This local law shall take effect immediately upon filing with the Secretary of State by the Village Clerk.

3. Resolution to request installation of stacking lane at Lawrence Street

RESOLUTION TO REQUEST INSTALLATION OF STACKING LANE AT LAWRENCE STREET

Trustee Monti: WHEREAS, the northbound Saw Mill River Parkway previously had a short stacking lane for right hand turns onto Lawrence Street; and

WHEREAS, the NYSDOT has since approved elimination of that short stacking lane as a result of road improvements related to the Rivertowns Square development; and

WHEREAS, the Village Board of Trustees of the Village of Ardsley believes this creates a significant safety hazard for the traveling public;

NOW, THEREFORE, BE IT RESOLVED that the Village Board of Trustees of the Village of Ardsley hereby requests that the NYSDOT eliminates such hazard by requiring the installation of a stacking lane on the northbound Saw Mill River Parkway at Lawrence Street. **Seconded by Trustee DiJusto and passed unanimously.**

4. Resolution Authorizing Manager to sign agreement for Financial Advisory Services with Capital Markets Advisors, LLC (CMA)

RESOLUTION AUTHORIZING MANAGER TO SIGN AGREEMENT FOR FINANCIAL ADVISORY SERVICES WITH CAPITAL MARKETS ADVISORS, LLC. (CMA)

Trustee DiJusto: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to execute an agreement for financial advisory services for 2016 with Capital Markets Advisors, LLC (CMA) located at 1075 Route 82, Suite 4, Hopewell Junction, New York 12533 effective immediately. **Seconded by Trustee Monti and passed unanimously.**

5. Resolution Authorizing Manager to sign contract for Bond Counsel Services with Orrick, Herrington & Sutcliffe, LLP

RESOLUTION AUTHORIZING MANAGER TO SIGN CONTRACT FOR BOND COUNSEL SERVICES WITH ORRICK, HERRINGTON & SUTCLIFFE, LLP

Trustee Monti: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to execute the proposed contract for bond counsel services from February 1, 2016 through January 31, 2017 with Orrick, Herrington & Sutcliffe, LLP located at 51 West 52nd Street, New York, NY 10019-6142 effective immediately. **Seconded by Trustee DiJusto and passed unanimously.**

6. Resolution for appointment to BAR – Jim Farrell

RESOLUTION FOR APPOINTMENT TO BAR – JIM FARRELL

Trustee Malone: RESOLVED, that the Mayor of the Village of Ardsley makes the appointment of Jim Farrell, residing at 66 Heatherdell Road, Ardsley, New York 10502 as an alternate to the Board of Architectural Review effective immediately through December 3, 2018. **Seconded by Trustee Kaboolian and passed unanimously.**

7. Resolution authorizing the Village of Ardsley's participating in the 2016 Patch Management, Inc. project for Pothole Repair Services with the Village Officials Committee of Greenburgh and Mount Pleasant

RESOLUTION AUTHORIZING THE VILLAGE OF ARDSLEY'S PARTICIPATION IN THE 2016 PATCH MANAGEMENT, INC. PROJECT FOR POTHOLE REPAIR SERVICES WITH THE VILLAGE OFFICIALS COMMITTEE OF GREENBURGH AND MOUNT PLEASANT

Trustee Kaboolian: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village of Ardsley's participation in the 2016 Patch Management, Inc. Project for Pothole Repair Services with the Village Officials Committee of Greenburgh and Mount Pleasant (VOC) in accordance with the Patch Management, Inc. proposal dated January 5, 2016, and

BE IT FURTHER RESOLVED, that Village Manager is hereby authorized to execute on behalf of the Village of Ardsley an Intermunicipal Agreement with participating Villages of Greenburgh and the Village of Sleepy Hollow for Patch Management Services in accordance

with the proposal of January 5, 2016 to provide contract services for the “spray injection repair program” (Pothole Killer Truck). Minimum commitment of each participating Village is two days of work (up to 8 hour days) at the cost of \$3,792 and other associated costs for additional hours/day of work. **Seconded by Trustee Malone and passed unanimously.**

VII. CALL FOR EXECUTIVE SESSION. Brief Executive Session to discuss legal matters

VIII. ADJOURNMENT OF MEETING

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby adjourns the regular meeting of Monday, February 1, 2016 at 10:40 p.m. **Seconded by Trustee Kaboolian and passed unanimously.**

IX. NEXT VILLAGE BOARD MEETING: Tuesday, February 16, 2016 at 8:00 p.m.

Respectfully submitted,

Donna Fusco
Recording Secretary