

**VILLAGE OF ARDSLEY
BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, SEPTEMBER 6, 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

8:15 P.M. – PUBLIC HEARING – To consider the adoption of a proposed Local law adding Chapter 40 “Exception to Competitive Bidding” of the Village Code of the Village of Ardsley..

III. APPROVAL OF MINUTES: Regular Meeting – July 5, 2016

Trustee Kaboolian: RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Tuesday, July 5, 2016 as submitted. **Seconded by Trustee DiJusto and passed unanimously. Trustee Malone abstained because he was absent at the meeting.**

Regular Meeting – August 1, 2016

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Monday, August 1, 2016 as submitted. **Seconded by Trustee Kaboolian and passed unanimously. Trustee Monti abstained because she was absent at the meeting.**

Special Meeting – July 20, 2016

Trustee DiJusto: RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Special Meeting of Monday, July 20, 2016 as submitted. **Seconded by Trustee Malone and passed unanimously.**

Special Meeting - July 25, 2016

Trustee Monti: RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Special Meeting of Monday, July 25, 2016 as submitted. **Seconded by Trustee DiJusto and passed unanimously.**

Special Meeting – July 26, 2016

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Special Meeting of July 26, 2016 as submitted. **Seconded by Trustee Kaboolian and passed unanimously.**

Special Meeting – August 17, 2016 – Deputy Mayor Kaboolian called the Meeting to Order.

Trustee Monti: RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Special Meeting of August 17, 2016 as amended. **Seconded by Trustee Malone, Trustee Kaboolian, and Mayor Porcino aye, Trustee DiJusto abstained because he was absent at the meeting.**

IV. DEPARTMENT REPORTS:

LEGAL REPORT:

Village Attorney Ponzini stated that there are two matters to discuss with the Board in Executive Session. Mr. Ponzini stated that he is available for an Executive Session if necessary.

MANAGER'S REPORT:

VILLAGE MANAGER'S REPORT TUESDAY, SEPTEMBER 6, 2016

1. **ASHFORD AVE BRIDGE:** Rather than continue to insert all of the alerts in this report at each meeting, I will just encourage everyone to sign up for our electronic alerts via our website and monitor all bridge news directly from the County at:
www.westchestergov.com/subscribe
www.westchestergov.com/ashfordavenuebridge
2. **Road Paving:**
While we are still working out a schedule with the contractor, our plan is to work on the following roads starting in mid-September:
Paving - Lincoln, Judson, Johnson, Center, and Legion.
Curbing – Lincoln, Judson, Johnson, Legion, and Windsong.
There may also be an opportunity to add to this list once State reimbursement amounts are finalized. We will provide notice ahead of any work once final

schedules are in place. Please understand, however, that this work is weather dependent and subject to change if “Mother Nature” does not cooperate, or if there are delays by the contractor. Stay tuned ...

3. **September 13th Primary:** The Village Clerk has been informed by the Board of Elections that there is no primary involving the election districts that vote in our facility.

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: From the General Fund: \$215,691.89; From the Trust & Agency Fund: \$20,388.62 and from the Capital Fund: \$2,861.25.

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$215,691.89; From the Trust & Agency Fund: \$20,388.62 and from the Capital Fund: \$2,861.25. **Seconded by Trustee Kaboolian and passed unanimously.**

MAYOR’S ANNOUNCEMENTS:

- It was a very quiet August; Did work on the Newsletter which we are going to be publishing tomorrow; It will be published online; we will have hard copies; contact Barbara Berardi if you want a hard copy
- Attended Ardsley Day Committee Meeting; things are going along rather well; they are collecting money for new activities this year; there is also going to be a free Ardsley food section
- We all attended the last of Planning Board Meetings with Pat Cleary; there will be a workshop after tonight’s meeting to discuss the five (5) planners that we met with and discuss the best way to move forward

COMMITTEE & BOARD REPORTS:

TRUSTEE DIJUSTO:

- Nothing to report

TRUSTEE MONTI:

- Nothing to report

TRUSTEE MALONE:

- Nothing to report

TRUSTEE KABOOLIAN:

- SAYF Coalition grant has been approved; this was a monumental feat; there were 300 applications submitted for only 90 grants; we received our grant and want to thank Theresa DelGrosso; we have the SAYF Coalition for the next five years
- 9/7 - Senior picnic at Macy Park from 12:00-3:00
- 9/14 – Celebrate ageing Village Fair in Valhalla
- 9/21 - Trip to the Cloisters
- 9/22 – Welcome to Firehouse Dobbs Ferry Senior Party from 11:00 – 1:00
- 9/28 – Zumba at 12:30
- Attended the First Executive Meeting at the WMOA on Thursday; one of the things that the WMOA is very interested in getting involved in is the issue of the Anchorages on the Hudson River
- Barges to be parked between Yonkers and Irvington; Executive Committee of WMOA has sent a letter and asked that the Villages submit a letter on the position that we will take about the barges going forward on the River; the time for public comments has been extended to 12/7
- There is a website banthebarges.com

V. VISITORS

Armen Boyajian of 23 Grandview Avenue and 486 Ashford Avenue, Ardsley, New York appeared before the Board to discuss future Ardsley projects and several other matters.

VI. OLD BUSINESS

1. Consider a resolution to adopt Local Law 5-2016 Chapter 40 “Exception to Competitive Bidding”

8:15 P.M. – PUBLIC HEARING – To consider the adoption of a proposed Local Law adding Chapter 40 “Exception to Competitive Bidding” of the Village Code of the Village of Ardsley.

Open Public Hearing

Mayor read the Public Notice into the record

Public Comments

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

Close Public Hearing

**RESOLUTION TO CLOSE THE PUBLIC HEARING TO CONSIDER THE
ADOPTION OF A PROPOSED LOCAL LAW ADDING CHAPTER 40
“EXCEPTION TO COMPETITIVE BIDDING” OF THE VILLAGE CODE OF THE
VILLAGE OF ARDSLEY**

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby closes the public hearing to consider the adoption of a proposed Local law adding Chapter 40 “Exception to Competitive Bidding.” **Seconded by Trustee Kaboolian and passed unanimously.**

**RESOLUTION TO ADOPT CHAPTER 40
“EXCEPTION TO COMPETITIVE BIDDING”**

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby adopts Local Law #5-2016 Chapter 40 “Exception to Competitive Bidding” as follows: **Seconded by Trustee Kaboolian and passed unanimously.**

PROPOSED LOCAL LAW

A Local Law adding Chapter 40, Purchasing, Article 1

Chapter 40. **Exception to Competitive Bidding**

§ 40-1. **Applicability**

The following specific procurement policy is intended to apply only to goods and services where the Village wishes to make procurements under General Municipal Law (“GML”) § 103(16) through the basis of best value and procurements let by other governmental entities, including the United States or any agency thereof, the State of New York and any political subdivision thereof, in a manner consistent with GML § 103.

§ 40-2. **Policy**

Many local governments have been approached by vendors offering goods and services under other government contracts, and in some cases, vendors have asserted that the contract falls within the exception in GML § 103(16). Pursuant to GML § 103(16) and the N.Y. Municipal Home Rule Law, the following must be present in order for GML § 103(16) to apply to specific contracts approved by the Village not subject to public bidding:

- (1) The contract must be let by the United States or any agency thereof, the State of New York or any political subdivision or district therein.
- (2) The contract must have been made available for use by other governmental entities.

- (3) The contract must have been let to the lowest responsible bidder or on the basis of best value in a manner consistent with this section.
- (4) The contract must be consistent with GML §103.

All other provisions of the Village's procurement policy must be followed to the extent not let by another government entity.

§40-3. **Effective Date.**

The Chapter shall take effective upon adoption.

VII. NEW BUSINESS

1. Consider a resolution to grant permission to erect Village Garage Sale Banner

RESOLUTION TO GRANT PERMISSION TO ERECT VILLAGE GARAGE SALE BANNER

Trustee DiJusto: Resolved, that the Village Board of the Village of Ardsley hereby grants permission for the Ardsley Parks & Recreation Department to erect a banner on the split-rail fence in the jug handle of McCormick Drive at Pascone Park, and a second banner on the guardrail at the southwest corner of Ashford Avenue and Route 9A from September 12th to October 17th to promote the Annual Village Garage Sale scheduled for Saturday, October 15th with rain date scheduled for October 22nd. **Seconded by Trustee Monti and passed unanimously.**

2. Consider a resolution authorizing application for a grant under the Greenway Communities Grant Program

RESOLUTION AUTHORIZING APPLICATION FOR A GRANT UNDER THE GREENWAY COMMUNITIES GRANT PROGRAM

Trustee Monti: WHEREAS, the Village of Ardsley is applying to the Hudson River Valley Greenway for a grant under the Greenway Communities Grant Program for a project entitled **Ardsley Comprehensive Plan Update & LWRP Plan** to be located in the Village of Ardsley,

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located;

NOW, THEREFORE, be it resolved that the governing board of the Village of Ardsley hereby does approve and endorse the application for a grant under the Greenway Communities Grant Program, for a project known as **Ardsley Comprehensive Plan Update & LWRP Plan** and located within this community. **Seconded by Trustee DiJusto and passed unanimously.**

3. Consider a resolution enabling the Treasurer to transfer funds from General Fund Contingency Account regarding Village Green Basin (Flood Control) Project into Capital Fund

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to transfer \$25,000 from Contingency Account A1990.400 to the Capital Account A9901.0900. **Seconded by Trustee Kaboolian and passed unanimously.**

4. Consider a resolution accepting resignation of Esther Katoni from the Board of Architectural Review

RESOLUTION ACCEPTING RESIGNATION OF ESTHER KATONI FROM THE BOARD OF ARCHITECTURAL REVIEW

Trustee Kaboolian: RESOLVED, that the Village Board of the Village of Ardsley hereby accepts with regret, the resignation of Esther Katoni from the Board of Architectural Review, effective August 26, 2016. **Seconded by Trustee Malone and passed unanimously.**

5. Consider a resolution for appointment to the Board of Architectural Review – Maureen Gorman-Phelan

RESOLUTION FOR APPOINTMENT TO BAR MAUREEN GORMAN- PHELAN

Trustee DiJusto: Resolved, that the Mayor of the Village of Ardsley hereby makes the interim appointment of Maureen Gorman-Phelan, residing at 5 Lincoln Avenue, Ardsley, New York to the Board of Architectural Review completing the unexpired term of Esther Katoni, effective immediately through December 4, 2017. **Seconded by Trustee Monti and passed unanimously.**

6. Consider a resolution for appointment as an alternate member to Board of Architectural Review – Steve Edelstein

RESOLUTION FOR APPOINTMENT AS AN ALTERNATE TO BOARD OF ARCHITECTURAL REVIEW STEVEN EDELSTEIN

Trustee Monti: Resolved, that the Mayor of the Village of Ardsley hereby makes the interim appointment of Steven Edelstein, residing at 12 Orlando Avenue, Ardsley, New York as an Alternate to the Board of Architectural Review completing the unexpired term of Maureen Gorman-Phelan, effective immediately through December 3, 2018. **Seconded by Trustee DiJusto and passed unanimously.**

7. Consider a resolution declaring lead agency & scheduling a Public hearing for Mathnasium located at 875 Saw Mill River Road

**RESOLUTION DECLARING LEAD AGENCY & SCHEDULING A
PUBLIC HEARING FOR MATHNASIUM LOCATED AT 875 SAW MILL
RIVER ROAD**

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby declares itself Lead Agency for a proposed permit to convert a portion (approximately 1,480 sq. ft.) of the former veterinary office into a mathematics tutoring center located at 875 Saw Mill River Road;

BE IT FURTHER RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a Public Hearing on Monday, September 19, 2016 at 8:15 p.m. to discuss the proposed project. **Seconded by Trustee Kaboolian and passed unanimously.**

8. Consider a resolution authorizing execution of Addendum to Library Services Agreement, amongst, the Village of Ardsley, the Ardsley Library Board, and the Village of Elmsford

**RESOLUTION AUTHORIZING EXECUTION OF ADDENDUM TO LIBRARY
SERVICES AGREEMENT AMONGST THE VILLAGE OF ARDSLEY, THE
ARDSLEY LIBRARY BOARD, AND THE VILLAGE OF ELMSFORD**

Trustee Kaboolian: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Mayor to sign an addendum to the agreement for purposes of clarification and extension whereby the Ardsley Public Library will provide services to the Village of Elmsford; and

BE IT RESOLVED, the Village of Elmsford will pay the Ardsley Public Library an annual lump sum for the period June 1, 2016 through May 31, 2017 of \$265,740, which such amount shall be due on or before September 30, 2016, with five year periodic adjustments thereafter for the remainder of the term of this agreement. **Seconded by Trustee Malone and passed unanimously.**

9. Consider a resolution granting permission to Cub Scouts to erect recruitment banner and signs – 2016

**RESOLUTION GRANTING PERMISSION TO CUB SCOUTS TO ERECT
RECRUITMENT BANNER AND SIGNS – 2016**

Trustee Di Justo: RESOLVED, that the Village Board of the Village of Ardsley hereby grants permission to Ardsley Cub Scouts Pack 3 to erect a recruitment banner on the guardrail at the corner of Ashford Avenue and 9A from September 13, 2016 through September 26, 2016;

BE IT FURTHER RESOLVED, that the smaller recruitment signs be permitted at established locations for the same period of time. **Seconded by Trustee Monti and passed unanimously.**

10. Consider a resolution authorizing the Village Manager to execute agreement with the Village of Ardsley and Manager’s Design & Development

**RESOLUTION AUTHORIZING VILLAGE MANAGER TO EXECUTE
AGREEMENT BETWEEN THE VILLAGE OF ARDSLEY AND MANZER’S
DESIGN & DEVELOPMENT**

Trustee Monti: Resolved, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to execute an agreement with Manzer’s Design and Development, 6 Winchester Avenue, Peekskill, New York to perform work pertaining to the Detention Basin Vegetation and Silt Removal. **Seconded by Trustee DiJusto and passed unanimously.**

VIII. CALL FOR EXECUTIVE SESSION. Brief Executive Session to discuss a legal matter and one matter for advice

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby adjourns the regular meeting of Tuesday, September 6, 2016 into executive session at 8:36 p.m. to reconvene the regular meeting into a Worksession meeting to discuss “Downtown Revitalization Project” no action taken. **Seconded by Trustee Kaboolian passed unanimously.**

IV. ADJOURNMENT OF MEETING

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby adjourns the Worksession meeting of Tuesday, September 6, 2016 at 9:36 p.m. **Seconded by Trustee Kaboolian and passed unanimously.**

V. NEXT VILLAGE BOARD MEETING: Monday, September 19, 2016 at 8:00 p.m.

Respectfully submitted,

Donna Fusco
Recording Secretary