

**VILLAGE OF ARDSLEY  
BOARD OF TRUSTEES  
REGULAR MEETING  
MONDAY, MAY 18, 2020**

Present:	Mayor	Nancy Kaboolian
	Trustee	Evan Yager
	Trustee	Joann D'Emilio
	Trustee	Steve Edelstein
	Village Manager	Meredith S. Robson
	Village Attorney	Robert Ponzini
	Village Clerk	Ann Marie Rocco
Absent:	Deputy Mayor Trustee	Andy DiJusto

Mayor Kaboolian called to order the Regular Meeting at 8:00 p.m. via Zoom.

**8:15 p.m. PUBLIC HEARING**

**Public Hearing to Consider Establishing Sewer Rents**

**\*Presentation by Lorraine Kuhn 2019 Annual Stormwater Report\***

Lorraine Kuhn presented a Power Point presentation to the Board of Trustees regarding water conservation & reuse. Presentation of NYS DEC Stormwater (SW) Annual Report 2019 (SW Year March 9, 2019 to March 9, 2020). As an MS4 (Municipal Separate Storm Sewer System), the Village of Ardsley is required to prepare and submit a SW Annual Report to NYS DEC. The MS4 program covers 6 Minimum Measures (Outreach & Education, Public Participation, Illicit Discharge Detection & Elimination, Pre-construction SW Control, Post-construction SW Control, and Municipal Good Housekeeping). These measures must be addressed each year to maintain the Village of Ardsley SPDES permit (State Pollution Discharge Elimination System) which allows the Village to drain stormwater to local waterbodies.

**I. ANNOUNCEMENT OF EXIT SIGNS**

**II. PLEDGE OF ALLEGIANCE**

**III. APPROVAL OF MINUTES:** Regular Meeting – Monday, May 4, 2020

**Trustee Yager: RESOLVED**, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Monday, May 4, 2020 as submitted.

**Seconded by Trustee D'Emilio and passed unanimously.**

#### **IV. DEPARTMENT REPORTS:**

**LEGAL REPORT:** Village Attorney Robert Ponzini stated there is nothing to report and has been working with staff on various ongoing items.

#### **MANAGER'S REPORT – 05/18/2020**

Village Manager Robson read the following report:

- 1. MEMORIAL DAY CLOSING:** Staff (except police) in all Village offices, including the Library, the Community Center, Court and the Department of Public Works will be observing Memorial Day on Monday, May 25, 2020 and will be unavailable for routine calls and emails.
- 2. TAXES DUE:** The 1<sup>st</sup> half of the 2020 Village Tax is due, without penalty, by July 1, 2020. Payments made in person after July 1, 2020, or that arrive via mail postmarked by the postal service after July 1, 2020, or arrive thereafter without a postmark, will be assessed a late penalty as required by the New York State Real Property Law. Meter-mailed postmarks are not a valid proof of timely payment. Most payments made through online banking come in without dates and will not be accepted if the envelope is not postmarked by the deadline. Please bear in mind that no Village official is empowered to waive the late fee for any reason.

#### **TREASURER'S REPORT:**

Village Manager Robson, read the Treasurer's Report for May 18, 2020:

Village Manager Robson, stated the bills for the past two weeks totaled as follows: From the General Fund: \$193,279.70 from the Trust & Agency Fund: \$0.00 and from the Capital Fund: \$27,095.00.

**Trustee D'Emilio: RESOLVED,** that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$193,279.70 from the Trust & Agency Fund: \$0.00 and from the Capital Fund: \$27,095.00.  
**Seconded by Trustee Edelstein and passed unanimously.**

Mayor Kaboolian read the Warrant to Village Treasurer to Collect and Receive Taxes and was accepted under submission.

#### **Warrant to Village Treasurer to Collect and Receive Taxes**

**TO: TREASURER OF THE VILLAGE OF ARDSLEY IN THE COUNTY OF WESTCHESTER, STATE OF NEW YORK**

**YOU ARE HEREBY AUTHORIZED AND DIRECTED** to receive and collect from each of the several persons, group of persons and corporations named in the annexed Tax Roll and the owners of real property described therein, the several sums of money

set forth in the column headed "Total Tax" of said Tax Roll opposite the name of each person, groups and persons, corporations or owners of real property therein described, in the total sum and for the purposes appearing in the summary statement of the purposes for which the same have been levied as follows:

General Government	\$2,593,914
Public Safety	\$3,862,617
Health	\$127,122
Transportation	\$1,229,720
Economic Development	\$14,600
Culture & Recreation	\$363,751
Home & Community	\$572,462
Employee Benefits	\$3,466,298
Other Funds	\$295,421
Debt Service	\$1,468,252
 Total Expenditures	 \$13,994,157
 Appropriated Debt Reserve	 \$300,000
Other Sources of Income	\$2,516,172
 Balance to Be Raised by Taxation	 \$11,177,985

**YOU ARE HEREBY FURTHER AUTHORIZED AND DIRECTED TO COLLECT**

and receive so much of the above described monies, as by each of said persons, groups of persons, corporations and owners of the real property described in said Tax Roll, as may be voluntarily paid to you, provided, however, that such sum of money required to be paid as aforesaid may be paid to and received by you in two equal installments: the first of which installment may be paid to and received by you during the period of June 1, 2020 to June 30, 2020, both dates inclusive, without penalty or additional charges; and the second equal installment of which may be paid to and received by you without penalty or additional charge at any time prior to or during the period of December 1, 2020 to December 31, 2020, both dates inclusive, provided further that as to each such installment or any fractional part thereof as shall be unpaid at the expiration of the period during which it may be paid without penalty or additional charge as above provided you shall charge and receive on the payment and collection thereof the additional sum of 5 percent (5.00%) of such installment paid or received during the calendar month next succeeding the close of the period, said sum might, as above provided be paid without penalty or additional charge and an additional charge thereafter at the rate of interest determined by the Commissioner of Taxation & Finance., State of N.Y., pursuant to Section 924-a of the Real Property Tax Law of such sum for each month or fraction thereof thereafter and you are directed to make a return of this warrant and the annexed Tax Roll on or before the fourth day of February 2021, unless sooner directed by the Board of Trustees of this Village, and if any tax or real property or any interest thereof placed upon the

said Tax Roll shall be unpaid at the time that you are required to return this Warrant and Tax Roll, you are directed to deliver to the Board of Trustees, and account of the taxes remaining due, containing a description of the lands, and owners of lands, upon which such taxes are unpaid as the same were placed on the said Tax Roll, together with the amount of the tax so assessed and the penalty and charges thereon.

IN WITNESS WHEREOF, The Mayor of said Village of Ardsley by order of the Board of Trustees has hereunto set her hand and caused to be affixed the corporate seal of said Village this 18th day of May 2020.

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ANN MARIE ROCCO-Village  
Clerk Village of Ardsley

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NANCY KABOOLIAN-Mayor  
Village of Ardsley

**BUILDING DEPARTMENT REPORT:** Mayor Kaboolian stated that the Building Department Report be accepted under submission for April 2020:

- 7 Building permits
  - 7 Application fees
  - 8 Certificates of Occupancy
  - 4 Plumbing permits
  - 3 Electrical permits
  - 7 Letters of Compliance
  - 0 Miscellaneous
- Total received - \$4,203.00

Other activities –

- 26 Building inspections
- 4 Zoning inspections
- 1 Fire inspections
- 1 Violation notices
- 3 Warning notices
- 0 Appearance tickets

The fire inspections listed above were performed by the Building Inspector.

**FIRE DEPARTMENT REPORT:** Mayor Kaboolian stated that the Fire Department Report be accepted under submission for April 2020:

- 4/1/2020, 4/8/2020, 4/15/2020, 4/22/2020 & 4/29/2020, Chief's Lindsay and Murray participated in Village Manager's Emergency Management meeting via Zoom.
- 4/8/2020 – Chief's Lindsay, Murray and Mancini participated in Battalion meeting via Zoom.

- 4/22/2020 – Chief's Lindsay and Murray participated in Battalion 14 meeting via Zoom.
- 26 Calls for the Month
- Due to Pandemic there was no training for our members for the month of April 2020.

## **POLICE DEPARTMENT REPORT:**

Chief Piccolino reported the following activities for April 2020:

- Court fine and fees - \$6,375.00
- Property Lost or Stolen - \$15,000.00
- Property Recovered - \$15,000
- Alarm fines and fees - \$40.00
- Meter collection - \$27.00
- 0 Parking summonses issued
- 0 UTT summonses issued
- 0 Appearance ticket issued

Other activities attended by Officers –

## **TRAINING**

- Total training for the month of April - 8 hours
- The training consisted of SWAT (Most training has been cancelled due to the pandemic)

## **COMMUNITY POLICING**

Due to the current Coronavirus pandemic community policing officers have been resigned to patrol duties.

## **Community Information**

We have seen an uptick on fraud cases. For the month of April, we had four cases of bank and credit card fraud reported. Residents are encouraged to check their statements and report any discrepancies to their respective institutions.

I want to commend our residents for their continued cooperation in social distancing. Our officers continue to monitor the situation and follow up on all complaints.

## **CORONAVIRUS 2019:**

There is currently no vaccine to prevent COVID-19. The best way to prevent illness is to avoid being exposed to this virus. However, as a reminder, CDC always recommends everyday preventative actions to help the spread of respiratory disease including:

- Avoid close contact with people who are sick.
- Avoid touching your eyes, nose & mouth.
- Stay home when you are sick.
- Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
- Clean and disinfect frequently touched objects and surfaces using a regular household cleaning spray or wipe.
- Follow CDC's recommendations for using a facemask.

In light of new data about how COVID-19 spreads, along with evidence of widespread COVID-19 illness in communities across the country, CDC recommends that people wear a cloth face covering to cover their nose and mouth in the community setting. This is an additional public health measure people should take to reduce the spread of COVID-19 in addition to (not instead of) social distancing, frequent hand cleaning and other everyday preventive actions. A cloth face covering is not intended to protect the wearer, but may prevent the spread of virus from the wearer to others. This would be especially important in the event that someone is infected but does not have symptoms. A cloth face covering should be worn whenever people must go into public settings (grocery stores, for example). Medical masks such as N-95 respirators are reserved for healthcare workers and other first responders, as recommended by current CDC guidance.

- Wash your hands often with soap and water for at least 20 seconds, especially after going to the bathroom; before eating; and after blowing your nose, coughing or sneezing.

-If soap and water are not readily available, use an alcohol based hand sanitizer with at least 60% alcohol. Always wash hands with soap and water if hands are visibly dirty.

For information about handwashing, see CDC's Handwashing website:

<https://www.cdc.gov/handwashing/index.html>

For information specific to healthcare, see CDC's Hand Hygiene in Healthcare Settings:

<https://www.cdc.gov/handhygiene/index.html>

These are everyday habits that can help prevent the spread of several viruses. CDC does have specific guidance for travelers.

<https://www.cdc.gov/coronavirus/2019-ncov/travelers/index.html>

For more information, please visit the CDC website at:

<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

Police Chief Anthony Piccolino congratulated our newest Police recruit Johnathon Goldstein. He will be starting with the Police Department on Thursday.

## **MAYOR'S ANNOUNCEMENTS:**

Mayor Kaboolian announced the following:

- Unfortunately, our Memorial Day parade has been cancelled.
- Encouraged residents to visit Pascone Park over the weekend and to read the names on the wall to honor and remember those who served.
- Recently helped celebrate Aleta Reid's 100<sup>th</sup> Birthday.
- Advocated with our representatives in Washington for the passage of the Heroes Act.
- June 9<sup>th</sup> is the School Board vote and June 23<sup>rd</sup> is the Primary Election. The School Board will be mailing out information regarding the school board vote. The Board of Elections will be mailing absentee ballots. As of now there will be in person voting for the primary on June 23rd.
- Reminded residents that we are in the Westchester County region and we are still under the pause criteria.

## **TRUSTEE YAGER:**

Trustee Yager announced the following:

- We are still working on the Comprehensive Plan and we are waiting for a final draft.

## **TRUSTEE D'EMILIO:**

Trustee D'Emilio announced the following:

- Participated in the Aleta Reid 100<sup>th</sup> Birthday celebration.
- The Historical Society Newsletter is now available on the Ardsley Historical Society website.
- SAYF Coalition are offering some programs via Zoom such as Homework Help and Middle School Hangout.

## **TRUSTEE EDELSTEIN:**

Trustee Edelstein announced the following:

- The Recreation Center has arranged for some programs such as yoga, cooking classes and robotics via Zoom. Please check the website to sign up for these programs.
- The Multicultural Committee is still working on the design of the yard sign.

**Mayor Kaboolian:**

Mayor Kaboolian read the ASVAC report for the month of April 2020 on behalf of Trustee DiJusto:

- Total of 27 calls for the month of April.

**VISITORS:****8:15 p.m. Public Hearing was opened****Mayor Kaboolian spoke about the sewer rents:**

The Village has passed a law establishing a separate sewer fund in order to maintain our aging sewers. By establishing a separate fund, we are able to charge all users of the sewer system, regardless of tax exemption status, for the necessary repairs and on-going maintenance of the system. Also, by establishing a separate fund we were able to remove some of the expenses allocated for sewers from our general fund which, along with other changes to our budget this year, helped us reduce our tax rate from last year.

The sewer fees will be charged based on water usage. The rate is \$1.89 per CCF of water consumption. A CCF represents one-hundred cubic feet of water. (The first "C" comes from the Roman word for hundred, "centum.") A CCF is equal to 748 gallons of water. So, if you use 5,000 gallons of water your monthly bill will be approximately \$12.64. The less water you use the less you pay. But everyone who uses the sewers will be paying. The fee structure incentivizes responsible water use and encourages conservation. We have contracted with a third-party billing company called Minol USA. Bills will be issued on a quarterly basis. The billing period will begin in June and the first bills will be sent out in October.

Village Manager Robson stated that we can send out a reminder to residents regarding the new billing that will be mailed out. The billing will cover for the first quarter, June, July and August.

No one from the public called to speak on this public hearing.

**Closed Public Hearing**

**Trustee Edelstein:** RESOLVED, that the Village Board of Ardsley hereby closes the public hearing on May 18, 2019 at 9:06 p.m. for establishing the proposed sewer rent rate. **Seconded by Trustee D’Emilio and passed unanimously.**

**V. OLD BUSINESS**



## **VI. NEW BUSINESS**

1. Consider a Resolution Establishing a Sewer Rent Rate for FY 2020-2021

### **RESOLUTION ESTABLISHING A SEWER RENT RATE FOR FY 2020-2021**

**Trustee Edelstein** WHEREAS, the Village Manager has provided the proposed sewer rent rate for FY 2020-2021 to the Board of Trustees, that being \$ 1.89 /CCF of water consumption; and

WHEREAS, as required by law, the Board has conducted a public hearing on May 18, 2020 wherein all interested parties were given an opportunity to be heard; and

Now, therefore, be it

RESOLVED, that the Board of Trustees hereby establishes the sewer rent rate for FY 2020-21 at \$1.89/CCF of water consumption. **Seconded by Trustee Yager and passed unanimously.**

2. Consider a Resolution Authorizing the Village Manager to Sign an Agreement with Sustainable Westchester for a Waste & Recycling Communications Platform

### **RESOLUTION TO AUTHORIZE THE VILLAGE MANAGER TO SIGN AN AGREEMENT WITH SUSTAINABLE WESTCHESTER FOR A WASTE & RECYCLING COMMUNICATIONS PLATFORM**

**Trustee D'Emilio** RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to sign an agreement with Sustainable Westchester, 40 Green Street, Mt. Kisco, NY 10549 for a Waste & Recycling Communications Platform effective June 1, 2020. **Seconded by Trustee Yager and passed unanimously.**

3. Consider a Resolution to Adopt the 2019 Annual MS4 Stormwater Report

### **RESOLUTION ADOPTING THE 2019 ANNUAL MS4 STORMWATER REPORT**

**Trustee Yager:** RESOLVED, that the Village Board of the Village of Ardsley hereby adopts the 2019 Annual MS4 Stormwater Report. **Seconded by Trustee Edelstein and passed unanimously.**

4. Consider a Resolution to Modify the 2019/2020 Budget By Enabling the Village Treasurer to Make Necessary Transfers Within the General Fund

**RESOLUTION MODIFYING THE 2019/2020 BUDGET BY ENABLING THE VILLAGE TREASURER TO MAKE NECESSARY TRANSFERS WITHIN THE GENERAL FUND**

**Trustee Edelstein:** RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to modify the 2019/2020 Village Budget by transferring \$215,691.47.

**FROM LINE ITEMS:**

A 1910-0400-0000 Contractual	26,667.96
A 1964-0462-0000 Certiorari	148,288.51
A 9015-0825-0000 Police Retirement	8,664.00
A 9040-0803-0000 Workers Compensation	32,071.00

**TO LINE ITEMS:**

A 1325-0419-0000 Technology	1,388.00
A 1420-0460-0000 Contract Services	8,692.00
A 1420-0461-0000 Professional Services	35,773.92
A 1420-0468-0000 Litigation	20,451.89
A 1620-0410-0000 Supplies	541.27
A 1620-0452-0000 Bldg Maintenance	2,070.57
A 1640-0426-0000 Motor Vehicle Repair	6,011.47
A 1640-0428-0000 Tires	438.12
A 1920-0400-0000 Contractual Expenses	42.00
A 1989-0400-0000 Contractual Expenses	25,000.00
A 3310-0415-0000 Operating Supplies	15,927.95
A 5010-0486-0000 Engineering	6,736.46
A 5110-0200-0000 Equipment	50,662.00
A 7185-0430-0000 Utilities	930.01
A 7185-0452-0000 Bldg Maintnace	9,848.17
A 7185-0460-0000 Contract Services	846.89
A 8120-0483-0000 Sewer Maintenance	1,970.59
A 8140-0483-0000 Sewer Maintenance	4,657.04
A 8560-0415-0000 Tree Maintenance	4,475.00
A 9010-0801-0000 State Retirement	19,036.00
A 9045-0805-0000 Unemployment Insurance	192.12

**Seconded by Trustee D'Emilio and passed unanimously.**

5. Consider a Resolution to Schedule a Public Hearing to Pursue Eminent Domain Proceedings for the Properties Located on Heatherdell Road and Saw Mill River Road

**RESOLUTION TO SCHEDULE A PUBLIC HEARING TO PURSUE EMINENT DOMAIN PROCEEDINGS FOR THE PROPERTIES LOCATED ON HEATHERDELL ROAD AND SAW MILL RIVER ROAD**

**Trustee D’Emilio:** Resolved, that the Village of Ardsley will conduct a public hearing in accordance with the notice of public hearing which more fully describes the manner and nature of the proceeding, the properties to be acquired and the time and place of the virtual hearing to commence at 8:10 PM on June 15, 2020. All residents are invited to attend pursuant to the Notice and to participate accordingly. **Seconded by Trustee Yager and passed unanimously**

6. Consider a Resolution Authorizing the Village Manager to Sign a Retainer Agreement for Eminent Domain Related to the Heatherdell Road Sidewalk & Guiderail Project

**RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN A RETAINER AGREEMENT FOR EMINENT DOMAIN RELATED TO THE HEATHERDELL ROAD SIDEWALK & GUIDERAIL PROJECT**

**Trustee Yager:** RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to sign a Retainer and agreement with David Venditti of Gaines, Novick, Ponzini, Cossu & Venditti, LLP. 1133 Westchester Ave. N202, White Plains, NY 10604 for eminent domain proceedings related to the Heatherdell Road Sidewalk & Guiderail Project. **Seconded by Trustee Edelstein and passed unanimously**

**VII. CALL FOR EXECUTIVE SESSION –Legal Matters**

**VIII. ADJOURNMENT OF MEETING**

**Trustee Edelstein: RESOLVED,** that the Village Board of the Village of Ardsley Hereby adjourns the regular meeting of Monday, May 18, 2020, at 9:15 p.m. **Seconded by Trustee D’Emilio and passed unanimously.**

**IX. NEXT VILLAGE BOARD MEETING:** Monday, June 1, 2020 at 8:00 p.m.

Respectfully submitted,

Ann Marie Rocco  
Village Clerk