



MINUTES

Ardsey Village Board of Trustees

8:00 PM - Monday, May 15, 2023

507 Ashford Avenue

Meeting Held in-person & Zoom Platform

Present:	Mayor	Nancy Kaboolian
	Deputy Mayor/Trustee	Andy Di Justo
	Trustee	Asha Bencosme
	Trustee	Craig Weitz
	Village Manager	Joseph L. Cerretani
	Village Clerk	Ann Marie Rocco
	Village Attorney	Robert J. Ponzini
Absent:	Trustee	Steve Edelstein

1. CALL TO ORDER-PLEDGE OF ALLEGIANCE-ROLL CALL

- 1.1 The Regular Meeting of the Village of Ardsley Board of Trustees was held on May 15, 2023 at Village Hall, Court Facility, 507 Ashford Avenue, Ardsley, NY 10502. Mayor Kaboolian called to order the Regular Meeting at 8:00 p.m.

Members Present:

Mayor Nancy Kaboolian

Deputy Mayor/Trustee Andy Di Justo

Trustee Asha Bencosme

Trustee Craig Weitz

Trustee Steve Edelstein was absent

Also present were: Village Manager, Joseph Cerretani (Attended via Zoom), Village Attorney, Robert J. Ponzini and Village Clerk, Ann Marie Rocco

2. SPECIAL PRESENTATION-RIVERTOWNS CHAMBER OF COMMERCE

- 2.1 Michelle Adams and Dina Fleischman The Rivertowns Chamber of Commerce

Ms. Adams and Ms. Fleischman provided the Board with an overview of the Rivertowns Chamber:

Why is business important to the Rivertowns?

- Small businesses are local owners and employers. They are the anchors of our downtowns, hubs of our community
- Convenience of goods and services is a key factor in deciding where to live
- Money spent at local businesses is multiplied within the community. Our businesses help to keep spending local and attract dollars from the region

We are a collective group committed to bringing businesses together to build a stronger community

- We pool knowledge and funds in order to provide members with valuable resources
- We provide an informed voice to shape business-friendly policies
- Collective efforts for the community confers consumer confidence to member businesses
- We represent four villages
 - Resources are shared rather than duplicated
 - Reach is expanded and builds community efforts across the villages

What do productive village-chamber partnerships look like?

- Open to collaboration
 - Mayor, Trustees
 - Village Staff
 - Downtown Advocate
- Official recognition of the organization
 - Memorandum of Understanding
 - In-kind services
 - Budget allocation for projects

Collaboration

- Conversations and support from mayor and trustees before items are brought to a vote
- Regular communication with village staff about events and infrastructure, prior to recommendations to BOT
- Downtown Advocate is a crucial partner - represent business needs and work together on events

Official recognition of the organization

- Memorandum of Understanding recognizing the Rivertowns Chamber of Commerce as an officially sponsored organization of the village
- Commitment to collaboration

- In-kind services
- Budget allocation for projects

Mayor Kaboolian stated that she will work with the Chamber as hard as she can.

Trustee Bencosme questioned if she has received any feedback on how we can improve our downtown district.

Ms. Adams explained that we need more engagement to get better feedback and encouraged a downtown advocate. The next Ardsley chat will be in September.

3. APPROVAL OF MINUTES:

3.1 May 1, 2023 Board of Trustees Regular Meeting Minutes

Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously.

RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Monday, May 1, 2023 as submitted.

Carried by the following votes: 4-0-0

Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Weitz & Trustee Bencosme

Nays: None

Abstained: None

4. DEPARTMENT REPORTS

1. LEGAL

- 1.a Village Attorney, Robert Ponzini stated there is nothing to report other than the ongoing items he is working on with staff.

2. MANAGER

- 2.a Village Manager, Joseph L. Cerretani read the following report:

Good evening, Mayor and Board. Before I begin with my regular report, I did want to provide an update that was requested of me at the last Village Board Meeting. There was a member of the public who described an interaction with a Village resident. The details of the interaction were disputed. I am unable to either corroborate or refute any of the statements made; however, I am able to provide some facts from my findings. After speaking with the Building Inspector, none of the actions taken by the owner of 11 Morningside rose to the

level of a violation. The property has multiple permits for construction, and it is entirely allowable to have refuse generated offsite to be brought to a dumpster at another site. We will evaluate the condition of the curbs, and, if necessary, pursue the appropriate steps to remedy.

During the public comment period of the Board meeting, time is allowed for constructive comments, complaints and criticisms from any member of the public, not just Village residents. The village is able to include some reasonable restrictions, but public comments in general, including complaints of any nature, are not only allowed, but should be anticipated and expected as part of open government.

To me, this appears to be essentially a private matter involving two individuals, one of whom is a resident who happens to be active in a village organization. It does not appear to me that the interaction involved the organization. If the organization, in this case the Historical Society, considers it an issue they wish to address, that is entirely at their discretion. Again, I am unable to either corroborate or refute any of the statements made by either individual, but I did want to provide this update.

1. **NEW DPW CONSTRUCTION PROJECT:** The plumbers and electricians are continuing to finish the underground infrastructure, which is expected to be finished in the administrative section and lower garage section by the end of the week. The concrete floors began getting poured today. We are expecting delivery of the steel for the building structure May 22 through May 25 in multiple loads. We anticipate that this week that the high-voltage power, as well as low-voltage utilities will be switched over to the newly run underground infrastructure, thus allowing us to remove the utility poles on-site, which will be necessary in order to properly move the steel throughout the construction zone. The site is being prepped with Item 4, which is necessary for the cranes to operate in the erection of all steelwork.
2. **LED LIGHTING CONVERSION:** Beginning this week, we will have all of the light fixtures in Village Hall switched out to high-efficiency LED fixtures, as well as having motion-sensor lighting installed in areas throughout the building. This project is being funded 100% through a NYSERDA grant awarded to the Village.
3. **BOARD ROOM/COURT ROOM REHABILITATION:** As the first phase of the project is nearing completion and the new camera system and hybrid meeting capabilities are configured, we will begin the next phase of the project with includes for painting and carpeting in the Court Room. This phase of the project is expected to begin in the late spring/early summer. Special thanks to Anissa Slade for securing a grant that will pay 100% of

these costs. We have also completed an overhaul of our cable access room, special thanks to George Malone, Ann Marie Rocco, Larry Tomaso, David DiGregorio and the DPW for their assistance. By mid-summer, we will have a Board Room with updated broadcasting capabilities with a beautiful, fresh look.

4. **FULL-TIME POSITION AVAILABLE:** The Village is currently advertising for a full-time recreation assistant position. Anyone interested please go to www.ardsleyvillage.com to get more details on the job description and how to apply. Applications will be due this Friday, May 19.
5. **MEMORIAL DAY CLOSING:** Residents are reminded that Village Hall, including the Court, Community Center, Ardsley Public Library and Highway Department will be closed on Monday, May 29, 2023 in observance of Memorial Day.

Refuse/Recycle collection is as follows:

Monday May 29, 2023 No Refuse Collection.

Tuesday, May 30, 2023 Refuse will be collected throughout the entire Village.

Wed-Fri-no changes to the pick- up schedule.

6. **TAXES DUE:** The 1st half of the 2023 Village Tax is due, without penalty, by Thursday, June 30th, 2023. Payments made in person after June 30, 2023, or that arrive via mail postmarked by the postal service after June 30, 2023, 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.

3. ABSTRACT REPORT

3.a May 15, 2023 Abstract Report

Village Manager, Joseph Cerretani read the May 1, 2023 Abstract Report as follows:

From the General Fund: \$229,875.40 from the Trust & Agency Fund:\$2,471.34, from the Capital Fund: \$828,173.94 and from the Sewer Fund: \$2,392.28.

Moved by Trustee Weitz, Seconded by Trustee DiJusto and passed unanimously.

RESOLVED, RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$229,875.40 from the Trust & Agency Fund: \$2,471.34 from the Capital Fund: \$838,173.94 and from the Sewer Fund:\$2.392.28.

Carried by the following votes: 4-0-0

Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Weitz & Trustee Bencosme

Nays: None

Abstained: None

4. BUILDING

4.a April 2023 Building Department Report

Mayor Kaboolian accepted the following Building Department Report under submission:

26 Building permits

27 Application fees

5 Certificates of Occupancy

4 Plumbing permits

5 Electrical permits

12 Title Searches

3 Miscellaneous

Total received - \$26,940.00

Other activities:

79 Building inspections

11 Zoning inspections

0 Fire Inspections

6 Violations

10 Warnings

0 Appearance Tickets

5. POLICE

5.a April 2023 Police Department Report- Police Chief, Anthony Piccolino read the following report:

Department Report:

Property lost or stolen -\$5.39

Property Recovered---- \$0.00

Court fines and fees --- \$74,588.00

Alarm fines and fees--- \$325.00

Meter collection-----\$2,409.00

Traffic Accidents-----6

Arrests----- 4

Calls for service-----287
Investigations-----13
Impounded vehicles----- 4
UTT summonses issued---- 57
Parking summonses issued- 46
Appearance tickets issued---4
Total summonses issued----- 107

For monthly statistics, please see attached.

April Events 2023

Total Training for the month of April was 248 hours which consisted of training in:

Computer RMS

Use of force

First Aid

Narcan

AED

CPR

Pursuit Mitigation

Preliminary Investigations

Legal Updates

Fire Arms

Juvenile Officer Training

Supervision of Police Personnel

Community Policing (CPO)

CPO conducted a child seat check event and installed 9 child seats by appointment.

CPO attended and participated in a Pace University Mentoring event for Criminal Justice Students.

CPO attended & participated in HOLI event at Pascone Park.

CPO participated in the little league parade.

CPO attended the Westchester Coalition meeting.

Community Information

Residents are encouraged to visit the village website under the police banner; we have several known scams listed. Educating yourself on these scams can prevent you from becoming a victim.

Officers on the late tours have been finding garage doors left open and have woken up the homeowners to advise them. Residents should be aware that thieves have been entering these open or unlocked doors burglarizing the home and stealing vehicles while the homeowners are asleep. We have not had any such cases yet however, many of our surrounding jurisdictions have. So please remember to lock your doors both home and vehicles.

Click [HERE](#) for April 2023 Monthly Statistics Report, Blotter Report & Press Report.

6. PARKS & RECREATION & ARDSLEY YOUTH ADVOCATE

6.a Recreation Supervisor, Patricia Lacy

Mayor Kaboolian accepted the Recreation Department report under submission.

Good evening Mayor and Board of Trustees the Recreation Department continues to be super busy rolling into the Spring Season. To date we have several spring classes running: Men's softball, 3 different leveled chess classes, gaga ball, video game coding, lego robotics, a developmental basketball program, grit ninja, pee wee soccer, defensive driving and more.

Along with programs, the recreation department has been busy organizing special events. We recently hosted our 2nd annual Ardsley 5K in memory of Bill Dinaso, we had a total of 199 runners it was an amazing event. Of course this wouldn't have been possible without the utmost support from Tony Vacca, the Police Dept., Highway Dept., ASVAC, Ardsley High School's cross country coach Henry Leone and team, our very own Youth Advocate Amanda Casey and all other volunteers. Team work is everything!!!!

June 22nd is our very popular Ice Cream Social from 6:00 pm to 8:00 pm at Pascone Park, there will also be live music.

I had the opportunity and pleasure to talk to Dillan Faulkner from Backyard Sports Plus an organization that offers programs to children with special needs. This is something I would love to see happen within the Village of Ardsley, we will make it happen. Our thoughts were to run a special event in the village and see the type of response we get and go from there, I will keep you posted.

Our facilities report is as follows: **The Community Center** continues to be well rented. To date we have taken in close to 68 rentals totaling over \$21,000, 31 were village rentals and 37 were non-village rentals.

As for our **Parks** between AYSO, Greenburgh United, cricket, one day food truck permits, field and park rentals we have taken in over \$17,000.

The recreation Dept. continues to work side by side with the AMDI committee. They had a great turnout for the Holi Event April 23rd, June 10th we will celebrate Pride Day and Juneteenth on June 17th.

The Ardsley Seniors continue to keep plenty busy with activities such as Art n Crafts, flower making, movie matinees, painting classes, speakers from various agencies, trips to local restaurants for lunch, musical bingo and more.

As for the Parks Master Plan I will keep you posted as information becomes available.

That concludes my report for the night.

6.b Ardsley Youth Advocate, Amanda Casey read the following report:

Ardsley Village Board Meeting Monday 5/15/23

The Ardsley Youth Advocate programs have been going well thus far and now that I have this year under my belt, I feel familiarized with my position and am excited to prepare and plan for another year as Ardsley Youth Advocate!

I started up the programs the second week of October, and since then there have been two programs running at the community center every week (aside from school breaks; winter recess, spring break, winter break and if I was unable to host due to sickness)

The reason I started the program Oct 12th was to allow myself to get integrated into both Ardsley Middle School, High School and the community! This time (September to October 12th) allowed me to outreach and recruit High school students as well as Middle School students too. I attended the AMS back to school night in September where I was introduced to the Middle School Principal, Stu and the counseling team. When I attended Back to School Night, I handed out my flyers; promoting the program to parents who stopped by the tables as they entered the school and explained my role.

My two programs: Homework help Wednesday and Middle School Hangout on Fridays have been successful and have gradually grown! Typically, most of the students who have attended the Homework Help on Wednesdays HW attend my hangout Friday. *I'd say around 80% of the kids are in both Wednesdays and Fridays programs.*

I find the students really look forward to coming to the center after school, I think it's also a great way to get students who don't normally mingle in school to come together here i've seen a lot of friendships form- I also have found out a lot of people don't really have people over their houses for hangouts- so it allows for students to socialize out of school in a neutral location.

My time in Ardsley has been spent doing a plethora of outreach and involvement. I have attended AMS Youth 2 Youth meetings with Allison Mastrogiamo, student assistant counselor at the middle school as well as participate in her Babysitting Certification classes she does for students and monthly awareness activities that I also do over at the High School. My time spent at Ardsley High School is spent doing activities and putting together awareness events that are for monthly topics and themes; Red ribbon week, distracted driving awareness, great american smoke out, healthy brain day and alcohol awareness are just a few examples of what topics I focus on as Student

assistance counselor. These awareness activities I do are a great way for me to meet high school students and get them to spread the word about my programs and increase volunteers! They also have increased my instagram following! *If you don't already follow @ardsleyyouthadvocate on instagram!* I post facts and current information about drugs, alcohol and promote what monthly themes and awareness that's going on at the HS and MS level.

The high school students really are what make the programs I run engaging and enjoyable for the younger middle schoolers. The role that the Highschool students have gives them a sense of purpose and involvement- they really are leaders! They give me feedback and suggestions on what we can do for the upcoming year to get more people in the high school to join!

A few had suggested creating flyers- student made instead of myself
There have been students who might not have gone to school that day for one reason or another and they have come to the hangout!

Ace. C 8th grade student has said that she will always remember the community center being the best part of her middle school experience

Allison and I offered SASs Hidden In plain Sight presentation on March 29th that brought in 16 parents from the community! Parents expressed their appreciation knowing there are places their children can go to in the HS and MS to go to for support especially around topics like drug and alcohol.

We all know that when children do not have a strong support system or resources available, sometimes it can increase their involvement with substance use or risky behavior. The Ardsley Youth advocate program helps increase emotional wellness, community involvement which makes this position a protective factor. They are spending their time mingling with friends, getting support from High School Students and seeing positive role models right in their community; Trish Lacey, Detective Tony Vacca, Officer Goldstein and myself, who are all friendly faces, positive resources for students to seek out if they need support.

Mayor Kaboolian suggested taking her program to Pascone Park to attract more participation and increase the awareness.

7. MAYOR'S ANNOUNCEMENTS

7.a Mayor Kaboolian announced the following:

- Attended Food Truck Friday event and thanked Maya Sheehan and Ardsley Police Dept. Recreation Supervisor, Trish Lacy, ASVAC, Fire Department and everyone who helped put this wonderful event together.

- The Ardsley Garden Club had a successful plant sale.
- Memorial Day parade will take place on May 29th beginning at 10am.

8. COMMITTEE & BOARD REPORTS

8.a Trustee DiJusto announced the following:

- Attended the 5K race
- Food truck event was more than we ever expected. 100% successful and thanked everyone who put this event together.

Trustee Weitz announced the following had nothing to report.

Trustee Bencosme announced the following:

- The CAC met last week and had the opportunity to meet with the water and planning department in Westchester County and there was a discussion on "Planting Westchester"
- Spoke on how we can educate our landscapers and homeowners on better practices.

5. OLD BUSINESS:

5.1 Consider a Resolution to Amend Chapter 18 Section 18-15 Entitled "Code of Ethics"

Moved by Trustee Bencosme, Seconded by Trustee Weitz and passed unanimously.

RESOLVED, that the Village Board of the Village of Ardsley hereby amends Chapter 18 Section 18-15 entitled "Code of Ethics" of the Ardsley Village Code as follows:

Chapter 18, Code of Ethics

New text is in **bold underline** and deleted text is in **~~highlighted strikethrough~~**

§ 18-15 Political solicitations.

A. No municipal officer or employee shall directly or indirectly compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.

B. No municipal officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any municipal officer or employee, or an applicant for a position as a municipal officer or employee, on the

basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

C. Notwithstanding any other provision of this chapter, members of the Village Board of Trustees and all paid Village employees, including the Village Attorney, are prohibited from serving as a district leader, officer or part of the nominating process for endorsing candidates for Village office for any partisan political party which engages in political campaigning or electioneering within the Village.

Carried by the following votes: 3-0-1

Ayes: Mayor Kaboolian, Trustee Weitz, & Trustee Bencosme

Nays: None

Abstained: Trustee DiJusto

6. NEW BUSINESS:

- 6.1 Consider a Resolution to Schedule a Public Hearing to Amend Chapter 180-Article V-Section 26 Entitled " Qualifications and Limitations Upon Exemption" of the Ardsley Village Code

Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously.

RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on Monday, June 5, 2023 at 8:00 p.m. or soon thereafter to discuss amending Chapter 180-Article V-Section 26 entitled "Qualifications and limitations upon exemption" of the Ardsley Village code as follows:

New text is in **bold underline** and deleted text is in **~~highlighted strikethrough~~**

§ 180-26Qualifications and limitations upon exemption.

D.The applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company or fire department as an enrolled member of such incorporated volunteer fire company or fire department for at least **five** **two** years or the applicant has been certified by the authority having jurisdiction for the incorporated volunteer ambulance service as an enrolled member of such incorporated volunteer ambulance service for at least **five****two** years. The application shall be certified by the Chief of the volunteer fire company or fire department or the Captain of the voluntary ambulance service as the case may be.

Carried by the following votes: 4-0-0

Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Weitz & Trustee Bencosme

Nays: None
Abstained: None

- 6.2 Consider a Resolution Authorizing the Village Board of the Village of Ardsley to Approve an Increase in Salary for 2022/2024 Budget for the Intermediate Account Clerk

Moved by Trustee Weitz, Seconded by Trustee DiJusto and passed unanimously.

**WHEREAS, the Intermediate Account Clerk has assumed additional responsibilities since the resignation of the Confidential Secretary; and
WHEREAS, there are critical functions in the Manager’s Office that must continue; and
NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes a salary adjustment for the Intermediate Account Clerk of \$6,000 effective June 1, 2023.**

Carried by the following votes: 4-0-0
Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Weitz & Trustee Bencosme
Nays: None
Abstained: None

- 6.3 Consider a Resolution in Support of the Birds and Bees Protection Act [New York S699B (Hoylman et al.)/A7429 (Englebright et al.)]

Moved by Trustee Bencosme, Seconded by Trustee DiJusto and passed unanimously.

WHEREAS, the *Birds and Bees Protection Act* concerns use of neonicotinoids, or “neonics,” which is a class of neurotoxic pesticides that includes imidacloprid, thiamethoxam, clothianidin, dinotefuran, and acetamiprid;

WHEREAS, research shows that widespread use of neonics is a leading cause of declines in honey bees as well as wild pollinators and a threat to birds, fish, and entire ecosystems;

WHEREAS, New York’s agricultural economy depends on healthy populations of bees and other pollinators to produce valuable and healthy foods like apples, squash, tomatoes, cherries and other top crops, worth an estimated \$439 million annually;

WHEREAS, the United States Environmental Protection Agency and other independent research have found that neonics can harm human health, and the Centers for Disease Control and Prevention have found that half of Americans are regularly exposed to neonics;

WHEREAS, Federal and State water testing has detected neonics in waters across New York State, with 30% of Long Island groundwater samples containing a neonic;

WHEREAS, a recent Cornell University review of over 1,100 peer reviewed papers on neonics and cost-benefit analysis of neonics against their likely alternatives (“Cornell Report”) concluded that neonic-treatments on corn, soybean, and wheat seeds—which account for roughly three-quarters of all neonic use in New York agriculture—produce “no overall net-income benefit” to farmers using them;

WHEREAS, the Cornell Report also found that non-agricultural, turf and ornamental neonic uses—with the exception of certain treatments for invasive species—were similarly unneeded or replaceable with safer, effective alternatives;

WHEREAS, the bill would: (1) prohibit sale and use of neonic-treated corn, soybean, and wheat seeds effective January 1, 2024; (2) prohibit non-agricultural uses of neonics on turf and ornamental plants, effective January 1, 2023; and (3) require the New York Department of Environmental Conservation (DEC) to consider designating other neonic uses as a “restricted use pesticide” in order to protect bee and bird populations; and (4) require DEC, in collaboration with the Department of Agriculture and Markets at Cornell University, to study alternatives to neonics;

WHEREAS, a “restricted use pesticide” is a pesticide that can be purchased, possessed, or used only by a person with a commercial or purchase permit issued by DEC, and that may be subject to other restrictions on its use as determined by DEC;

WHEREAS, the bill allows DEC to permit use of neonics to combat invasive species, including but not limited to emerald ash-borer and hemlock wooly adelgid; and

WHEREAS, the *Birds and Bees Protection Act* addresses a serious threat to pollinators and ecosystems and safeguards the future of New York’s food system by banning high risk, low-to-no benefit uses of neonics.

NOW, THEREFORE, BE IT RESOLVED that the Village of Ardsley

- 1. Does hereby support S699B/A7429, banning neonic-treated corn, soybean, and wheat and most outdoor, non-agricultural uses of neonics; and**
- 2. Will provide a copy of this resolution to our local New York Assembly and Senate representatives, Hon. MaryJane Shimsky and Hon. Andrea Stewart-Cousins.**

Carried by the following votes: 4-0-0

Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Weitz & Trustee Bencosme

Nays: None

Abstained: None

- 6.4 Consider a Resolution Authorizing the Village Manager to Sign an Inter-Municipal Agreement with Westchester County for the Positive Youth Development Program

Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously.

RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to sign an inter-municipal agreement with Westchester County for the Positive Youth Development Program at Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 effective January 1, 2023 through September 30, 2023.

Carried by the following votes: 4-0-0

Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Weitz & Trustee Bencosme

Nays: None

Abstained: None

6.5 Consider a Resolution to Approve Electrical Inspection Services

Moved by Trustee Weitz, Seconded by Trustee DiJusto and passed unanimously.

BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby revokes Westchester Rockland Electrical Inspection Services, Inc.'s authority to perform electrical inspections in the Village of Ardsley, effective immediately; and

BE IT FURTHER RESOLVED, that the Village Board of the Village of Ardsley hereby reaffirms NY Electrical Inspection Services Inc. and Statewide Inspection Services, Inc. as approved agencies to perform electrical inspections in the Village of Ardsley effective immediately; and

BE IT FURTHER RESOLVED, that the Village Board of the Village of Ardsley hereby approves Better Homes Electrical Inspection Services, Inc. to perform electrical inspections in the Village of Ardsley effective immediately.

Carried by the following votes: 4-0-0

Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Weitz & Trustee Bencosme

Nays: None

Abstained: None

6.6 Consider a Resolution to Amend the Adjustment Procedures for Unpaid Water Rents and Penalties

Moved by Trustee Bencosme, Seconded by Trustee Weitz and passed unanimously.

WHEREAS, the Village Board of the Village of Ardsley established a policy and procedures for the sewer rent program and for sewer users to appeal their bill on May 4, 2020; and

WHEREAS, updated procedures are critical to effective Village operations; and

NOW THEREFORE BE IT FURTHER RESOLVED, the Board of Trustees hereby amends the following process and procedures for Sewer rent and adjustments or changes to sewer bills: New text is in **bold underline** and deleted text is in ~~highlighted strikethrough~~

1. Sewer users shall pay an amount based on actual water consumption as determined by the water source using a water meter or other measuring device, or an estimated amount if the water source is unable to obtain a reading.
2. Ardsley will be using a third-party billing company to administer the billing for sewer rents. Such billing shall be done in a manner prescribed by the contract with the third-party billing company.
3. Sewer bills shall be billed on a quarterly basis.
4. Sewer payments shall be paid to the Village of Ardsley or pursuant to the protocols in the third-party billing contract. Sewer bills will be sent to the address real estate bills would be sent. The failure of a system owner to receive a bill shall not excuse nonpayment thereof, nor shall it act as a waiver of a penalty imposed herein prescribed.
5. A sewer user that intends to convey property shall notify the Village or entity to which billing authority has been delegated sufficiently in advance of the closing title for a final sewer rent bill and provide new ownership information.
6. System users may be afforded the option of receiving e-bills or direct deposit of payments subject to the terms contained in the contract with the third-party billing company.
7. Any adjustments granted, issued or agreed upon with regard to actual water consumption shall be indicated to sewer users and reflected in the next succeeding bill.
8. All bills shall become due and payable without penalty within 25 days of issuance.
9. A penalty of Five dollars (\$5.00) will be charged for any bill under Fifty dollars (\$50.00) that remains unpaid after 25 days. A 10% penalty will be charged for any bill over Fifty Dollars (\$50.00) that remains unpaid after 30 days. An additional penalty of 1% shall be added to any bill in each succeeding month or any portion of a month in which the sewer rent continues to remain unpaid.
10. The Board of Trustees acknowledges that it may bring and maintain an action as upon contract for sewer rents in arrears, including penalties and interest or to foreclose liens for such sewer rents. The Board shall annually cause a statement to be prepared setting forth the amount of each lien for sewer rents in arrears including any administrative costs of processing the lien, the real property affected thereby and the name of the person in whose name such real property is assessed. **Such statement shall be presented to the Board of Trustees on or before May 1 of each year in advance of the printing of Village Tax bills.** The Board shall levy the amounts contained in such statement against the real property liable at the same time and in the same manner as village taxes and such amounts shall be caused to be set forth in separate column in the annual tax rolls. The amounts so levied shall be so collected

and enforced in the same manner and at the same time as may be provided by law for the collection and enforcement of village taxes.

11. Ardsley sewer users for properties located outside the territorial limits of the Village of Ardsley are liable for charges in accordance with this resolution unless the subject of an existing agreement with the Village.
12. The property of the Village of Ardsley is solely exempt from the obligation to pay sewer rent.
13. Adjustments; a sewer user who maintains that the sewer rent should be adjusted for any given quarterly period may make one application to the Village Manager for an adjustment for that period's sewer rent. Such application shall be in writing, and be supported by substantial evidence establishing that the amount of the system user's water consumption that actually was discharged into the sanitary system was less than the amount of water consumption used to calculate the system user's sewer rent. Proof shall be in the following form:
 - A. An engineering report from a professional engineer licensed in the State of New York;
 - B. Data from a submeter whose operation has been inspected by the Village of Ardsley;
 - C. Affidavits; or
 - D. Any other documentary evidence.

The system user has the burden of proof. The quantum and quality of proof is necessarily dependent on the amount of the adjustment sought. If any adjustment is warranted, the system user shall receive the same in the form of a credit on the next bill following the Village Manager's determination. If a system user is aggrieved by said determination, said user may appeal to the Board of Trustees within 15 days of same.

Carried by the following votes: 4-0-0

Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Weitz & Trustee Bencosme

Nays: None

Abstained: None

6.7 Consider a Resolution Authorizing the Village Treasurer to Include Certain Unpaid Water Rents and Penalties in the 2023-2024 Annual Tax Levy

Moved by Trustee Bencosme, Seconded by Trustee Weitz and passed unanimously.

WHEREAS, certain sewer customer accounts currently have unpaid sewer rents and penalties, and

WHEREAS, Village Law §165-22 (f) provides for the inclusion of unpaid sewer rents and penalties in the annual tax levy;

NOW THEREFORE BE IT RESOLVED, the Village Board of the Village of Ardsley authorizes the Village Treasurer to include the following unpaid sewer rents and penalties on the 2023-2024 annual tax levy totaling

\$30,066.19.

NOW THEREFORE BE IT FURTHER RESOLVED, this resolution supersedes and replaces the resolution dated May 1, 2023 which is repealed in all respects.

Carried by the following votes: 4-0-0

Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Weitz & Trustee Bencosme

Nays: None

Abstained: None

- 6.8 Consider a Resolution to Authorize the Village Manager to Sign an Agreement Between the Village of Ardsley and Student Assistance Services for Part-Time Youth Advocate

Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously.

RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to sign an agreement with Student Assistance Services Corporation to provide a part-time Youth Advocate to work within the Village for 7.0 hours per week from June 1, 2023 through May 31, 2024.

Carried by the following votes: 4-0-0

Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Weitz & Trustee Bencosme

Nays: None

Abstained: None

- 6.9 Consider a Resolution to Authorize the Village Manager Sign an Intermunicipal Agreement with Westchester County for Enhanced 911 Service Equipment

Moved by Trustee Weitz, Seconded by Trustee DiJusto and passed unanimously.

RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to sign an agreement with the County of Westchester located at Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 for the installation and operation of Enhanced 911 Service equipment for a 5 year term from October 1, 2022 and continuing through September 30, 2027.

Carried by the following votes: 4-0-0

Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Weitz & Trustee Bencosme

Nays: None

Abstained: None

7. CORRESPONDENCE

7.1 Received the following email regarding the amendment to "Ethics Code" from Ms. Lorraine Kuhn Ardsley resident:

This is my opinion as an Ardsley resident about the code amendment:

The new code says that honorably serving elected officials and honorably serving employees cannot be trusted to be District Leaders.

In fact, the new code will result in the removal of honorably serving elected officials and honorably serving employees for no cause whatsoever.

But the public perception will be that wrongdoing was committed.

You will have unjustly created mistrust.

You will have done nothing to create openness or fairness or advancement of the democratic process.

The new code is completely counterintuitive to these goals.

It actually sows mistrust.

The new code, as a preventative measure going forward, similarly implies that elected officials and employees are more culpable than anyone else.

This is a notion that also promotes mistrust, another counterintuitive problem.

As to the language of the new code, the term “compensated by the Village” is faulty.

Will a contractor doing work for the Village, a plumber, carpenter, electrician, computer consultant, program teacher for example, who is also an Ardsley resident, be barred from being a District Leader?

The idea that someone who is honorably serving the Village as an elected official or working for the good of the Village in any capacity, the idea that we should assume without cause that this person has dishonorable judgement, this idea should not be enacted as Village Code.

Received the following email from Ardsley resident, Gary Rappaport on May 4th, 2023:

Dear Mayor Kaboolian and Trustees DiJusto, Edelstein, and Bencosme:

I feel betrayed by your actions and inactions in allowing personal attacks to be made against me — a citizen of Ardsley for over two decades. Instead of stopping this slander, you should have explained to the speaker that I am not a Village official and that his complaint involves a personal situation over which you have no authority. Instead, you quickly concluded the speaker's accusations were "serious" and needed an immediate investigation! What grave matter, relating to the conduct of Ardsley's government, did he raise? None in the least.

You were informed in my April 24th email that an issue arose about The Orange's use of a dumpster and possible damage to village property in my neighborhood. It would have been preferable if you had questioned the speaker about that before you allowed him to impugn me. When did it become the function of the Village of Ardsley to investigate the complaints of employees of private corporations that do not involve matters relating to the Village's operation? Is the Ardsley Village Board now sitting

as a star chamber? What precisely do you plan to have the Village Manager investigate? Your giving credence to unsupported charges without restraint was an egregious “rush to judgment.”

In my twenty years of watching Board meetings, I have never witnessed anything worse than last Monday night. You disregarded both the letter and the spirit of your oaths to defend the ideals and values that guide our democratic system. You jumped to conclusions, believing what was claimed to be real. No citizen deserves to be as ill-treated as I was. Many local residents have expressed to me their shock at the character assassination you enabled.

This entire charade was a transparent, scripted, and possibly unconstitutional effort to pressure the Ardsley Historical Society. *You ought to have spoken out against this flagrant misuse of power, but you chose to keep silent.*

A tragedy occurred Monday night in the Village of Ardsley, especially one that depends on volunteers. However, it is never too late to make amends for failing to stop the public ambushing you facilitated in a forum where the matter neither belonged nor fell within the purview of a local municipal government. An appropriate first step would be to express regret for what happened, reiterate that the Village of Ardsley will not investigate this situation, and amending your rules regarding public comment (which is a privilege) to prohibit personal attacks. Residents of Ardsley, and indeed everyone, should be aware that their elected leaders will not accept the slander of private citizens, as happened to me Monday night in the Village where my family and I have resided for 22 years.

Very truly yours,
Gary S. Rappaport, Esq.
Ardsley, NY

Received the following email from Ardsley resident, Gary Rappaport on May 12th, 2023:

Dear Mayor and Trustees of Ardsley,

Almost weeks have passed without a single Ardsley Village Board member replying to my letter concerning Mr. Weitz's employee (David Tahay) defaming me. I am not an official, employee, or representative of the Village of Ardsley. Yet you sat there reprehensibly pretending I was in enabling an employee of a private company to slander me over a matter which has nothing to do with the running of the Village of Ardsley. As I previously stated, that was a low moment in the history of a village I have chronicled. Your continued silence adds to the shame of that night. You knew in advance of the Board meeting about the claimed misuse of a dumpster by The Orange and the property damage they caused. Instead of addressing that with the employee (or Mr. Weitz), you turned public comment (a privilege and not a license) into a star chamber by telling the Village Manager to investigate a private citizen.

You failed me and, quite honestly, every Ardsley resident. You set a dangerous precedent by not ending this charade when it became obvious it was outside your jurisdiction.

What puzzled me was your willingness to do Mr. Weitz's bidding. You attend meetings and activities every month.

He never does. He does not provide Committee or Board reports. He never attended a meeting or program while serving as the Historical Society's liaison. After re-listening to the meeting, I learned he outrageously intends to have his employee call the Historical Society's business sponsors and urge them to discontinue sponsoring one of Ardsley's oldest volunteer organizations! In my opinion and the opinion of many citizens, Mr. Weitz should be requested to resign from the Village Board. It would be no loss. While his conduct in seeking to pressure you and others may or may not violate Section 18-4 of the Village's Code of Ethics, in my view, it is unseemly.

I reiterate that every allegation made by Mr. Weitz's employee that night was a scurrilous and unequivocal falsehood. The claims made by Mr. Tahay were total fabrications intended to divert attention from his questionable actions, which you disregarded. In fact, what he told you was improbable - who walks up to someone and asks about their immigration status? This contention was a lie. It never happened. Yet, you gave this absurd allegation credence at my expense and allowed an employee of a private contractor to attack my character and jeopardize my livelihood. Indulging this calumny was a gross dereliction of your obligations under the Village Law, which mandate you look out for the well-being of inhabitants of Ardsley such as myself.

I fully regret my past support of you and will not vote for any of you in the future. In the interim, I recommend you borrow a book from the library titled "Profiles In Courage." You had none on May 1, and sadly that remains true. Finally, Mr. Tahay's comments should be stricken from the minutes as his statements were not only made in an improper forum and for a nefarious purpose, they were likely scripted by "Trustee" Weitz.

I await your reply regarding the minutes and I trust at the next Village Board meeting or any future meeting there will be no repeat of what happened on May 1.

Gary S. Rappaport
Ardsley NY

8. VISITORS

8.1 White Plains resident, Mary Beth Sullivan presented her findings from the State Board of Registration Roll.

- There are almost 4.5 million more voters in the database than the available age voting population in New York State.
- Noticed records with blank addresses. There are 51,000 blank records.
- In 2020 over 27,000 of them voted and they are illegal ballots.

Ardsley resident, Rochelle Stolzenberg questioned if Ms. Sullivan has reported her findings to any court of law and believes Ms. Sullivan is here to disenfranchise our voters. Ms. Stolzenberg recommends she goes to the Board of Elections or to the Courts with her findings.

Ardsley resident Jodie Reaver feels that Ms. Sullivan needs to provide her sources to the Board so that it can go on the record and concurred with everything Ms. Stolzenberg stated. Thanked the board for passing the "Ethics Code" legislation.

Ardsley resident Eda Kapsis stated that she is very appreciative of the action to vote on the resolution regarding the "Ethics Code". Also added that it is really shocking not to have any sources to support Ms. Sullivan's data.

9. CALL FOR EXECUTIVE SESSION

10. ADJOURNMENT OF MEETING

10.1 Adjournment

Moved by Trustee Bencosme, Seconded by Trustee DiJusto and passed unanimously.

RESOLVED, that the Village Board of the Village of Ardsley Hereby adjourns the regular meeting of Monday, May 15, 2023 at 9:38 p.m.

Carried by the following votes: 4-0-0

Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Weitz & Trustee Bencosme

Nays: None

Abstained: None

11. UPCOMING MEETINGS & EVENTS 5/16/23 Board of Architectural Review Meeting 8:00 pm

5/17/23 Senior Citizens Lunch Pizza & Brew Luncheon 12:00 pm

5/17/23 Homework Helpers 3:00 pm

5/19/23 Middle School Hangout 3:00 pm

5/24/23 Senior Citizens BBQ 12:00 pm

5/24/23 Homework Helpers 3:00 pm

5/24/23 Zoning Board Meeting 8:00 pm

5/25/23 Library Board Meeting 7:30 pm

5/26/23 Middle School Hangout 3:00 pm

5/29/2023 MEMORIAL DAY PARADE 9:30 AM

5/29/23 MEMORIAL DAY- ALL VILLAGE OFFICES CLOSED

5/31/23 Senior Citizens Trivia 12:00 pm

5/31/23 Homework Helpers 3:00 pm

6/1/23 Climate Action Committee Meeting 7:00 pm

6/2/23 Middle School Hangout 3:00 pm

6/3/23 3rd Annual Ardsley Pollinator Pathway Open Gardens & Native Plant Swap 1:00 pm

6/10/23 Save the date! Pride Celebration Motorcade 11:30 am

6/17/23 Save the date! Juneteenth Celebration! 2:00 pm

12. NEXT BOARD MEETING:

- June 5, 2023 Board of Trustees Regular Meeting
- June 14, 2023 Board of Trustees Work Session

Village Clerk, Ann Marie Rocco

Date: