



MINUTES

Ardsey Village Board of Trustees

8:00 PM - Monday, June 5, 2023

Meeting Held In Person & Zoom Platform

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

Absent:

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 June 5, 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 Steve Edelstein

Trustee Craig Weitz

Also present were: Village Manager, Joseph Cerretani, Village Attorney, Robert J. Ponzini and Village Clerk, Ann Marie Rocco

2. PUBLIC HEARING In the Matter of Amending Chapter 180 Article V Section 26 entitled "Qualifications & Limitations Upon Exemption"

- 2.1 Mayor Kaboolian opened the Public Hearing at 8:01 p.m. in the matter of discussing the proposed amendments to Chapter 180 Article V Section 26 Entitled "Qualifications & Limitations Upon Exemption" read the notice into the record:

NOTICE OF PUBLIC HEARING
**AMENDING CHAPTER 180 ARTICLE V SECTION 26 OF THE ARDSLEY
VILLAGE CODE ENTITLED
"QUALIFICATIONS & LIMITATIONS UPON EXEMPTION"**

PLEASE TAKE NOTICE, that the Board of Trustees of the Village of Ardsley will hold a public hearing on Monday, June 5, 2023 at 8:00 p.m. or soon thereafter at Village Hall-Court Facility, 507 Ashford Avenue, Ardsley, NY 10502 to discuss amending Chapter 180 Article V Section 26 of the Ardsley Village Code entitled "Qualifications & limitations upon exemption".

Please check the calendar on the village website for meeting details at: www.ardsleyvillage.com

Further details on this amendment is available at the Clerk's office, 507 Ashford Avenue, Ardsley, NY during normal office hours Monday through Friday 9:00 am-4:00 pm.

Written comments may be sent to the Village Clerk at arocco@ardsleyvillage.com or sent via regular mail to 507 Ashford Ave, Ardsley, NY 10502. All comments will be shared with the Board of Trustees and questions will be answered as quickly as possible.

All residents and taxpayers are invited to attend.
BY ORDER OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF ARDSLEY, NEW YORK
Ann Marie Rocco
Village Clerk
Dated: May 19, 2023

Mayor Kaboolian explained that what this code is doing is amending the qualifications from having 5 years of service to 2 years of service. This is being changed to help increase our volunteers.

ASVAC Captain Steven Greenfeld stated that nationwide EMS is currently in crisis and losing people for better paying positions. Mr. Greenfeld feels that this change will be a great tool for recruitment purposes. Mr. Greenfeld stated that ASVAC is the strongest Ambulance Corps. in the Rivertowns and would like to stay fully volunteered.

Mayor Kaboolian also stated that this will become a NYS law in 2025.

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

RESOLVED, that the Public Hearing be closed in the matter of amending Chapter 180 Article V Section 26 entitled "Qualifications & Limitations Upon Exemption at 9:16 p.m.

Carried by the following votes: 5-0-0

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

Nays: None

Abstained: None

3. 2023 PROCLAMATION -DECLARING THE FIRST FRIDAY IN JUNE TO BE NATIONAL GUN VIOLENCE AWARENESS DAY

3.1 Trustee Bencosme read the following proclamation:

**2023 PROCLAMATION
DECLARING THE FIRST FRIDAY IN JUNE TO BE
NATIONAL GUN VIOLENCE AWARENESS DAY**

This proclamation declares the first Friday in June to be National Gun Violence Awareness Day in the Village of Ardsley to honor and remember all victims and survivors of gun violence and to declare that we as a country must do more to reduce gun violence.

WHEREAS, every day, more than 110 Americans are killed by gun violence, alongside more than 200 who are shot and wounded, and on average there are nearly 16,000 gun homicides every year; and

WHEREAS, Americans are 26 times more likely to die by gun homicide than people in other high-income countries; and

WHEREAS, according to the most recent statistics issued by the CDC in New York State in 2021 there were 1,078 gun deaths per year, with a rate of 5.4 deaths per 100,000 people; and

WHEREAS, gun homicides and assaults are concentrated in cities, with more than half of all firearm related gun deaths in the nation occurring in 127 cities; and

WHEREAS, cities across the nation, including Ardsley, are working to end the senseless violence with evidence-based solutions; and

WHEREAS, protecting public safety in the communities they serve is mayors' highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, gun violence prevention is more important than ever as the COVID-19 pandemic continues to exacerbate gun violence after more than two years of increased gun sales, increased calls to suicide and domestic violence hotlines, and an increase in city gun violence;

WHEREAS, in January 2013, Hadiya Pendleton was tragically shot and killed at age 15; and on June 2, 2023 to recognize the 25th birthday of Hadiya Pendleton (born: June 2, 1997), people across the United States will recognize National Gun Violence Awareness Day and wear orange in tribute to -

- (1) Hadiya Pendleton and other victims of gun violence; and
- (2) the loved ones of those victims; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to wear orange on June 2nd, the first Friday in June in 2023, to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 2, 2023 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

NOW, THEREFORE BE IT RESOLVED, that Mayor Nancy Kaboolian of the Village of Ardsley declares the first Friday in June, June 2, 2023, to be National Gun Violence Awareness Day. I encourage all citizens to support their local

communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

June 5, 2023

4. 2023 JUNETEENTH PROCLAMATION-JUNE 19, 2023

4.1 Trustee Edelstein read the following proclamation:

JUNETEENTH PROCLAMATION

WHEREAS, our country is made up of people from every nation on earth, who are declared equal not only in freedom but also in justice, both of which are essential for a healthy human civilization; and

WHEREAS, our nation was conceived on July 4th, 1776 with the Declaration of Independence, the classic statement being: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness"; and

WHEREAS, on January 1, 1863, President Abraham Lincoln issued the Emancipation Proclamation, which declared "that all persons held as slaves" within the Confederate states "are, and henceforward shall be free" and "that the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons"; and

WHEREAS, the Emancipation Proclamation had little impact on the Texans due to the minimal number of Union troops to enforce the new Executive Order; and

WHEREAS, on April 9, 1865, almost two years after the Emancipation Proclamation was issued, Robert E. Lee surrendered to Lieutenant General Ulysses S. Grant at Appomattox Court House; and **WHEREAS**, on June 19, 1865, two years after the Emancipation Proclamation was issued, Union troops led by Major General Gordon Granger arrived at Galveston, Texas, and were finally strong enough to influence and overcome the resistance and deliver the news that the Civil War had ended, and that enslaved Africans were free; and

WHEREAS, upon his arrival in Texas, Major General Granger issued General Order Number 3 which stated "[t]he people of Texas are informed that in accordance with a Proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of rights and rights of property between former masters and slaves."; and

WHEREAS, although Juneteenth is thought of as “the end of slavery”, emancipation for those enslaved in two Union border states (Delaware and Kentucky), would not come until several months later, on December 18, 1865, when ratification of the Thirteenth Amendment to the Constitution which formerly abolished slavery in the United States was announced; and

WHEREAS, Juneteenth is the oldest nationally celebrated commemoration of the ending of slavery in the United States. On June 19, 1865, Union Major General Gordon Granger rode into Galveston, Texas to announce that the Civil War had ended, and slaves had been freed; and

WHEREAS, Juneteenth is a combination of “June” and “nineteenth,” in honor of the day that Major General Gordon Granger announced the abolition of slavery in Texas. The holiday is also known as Freedom Day or Emancipation Day; and

WHEREAS, the vestiges of slavery and racism still permeate throughout New York State, and the United States, and are represented in names of places and monuments; and

WHEREAS, the Black Lives Matter movement challenges us to reexamine our core values as a village, state, and nation, and to ensure freedom, liberation, and justice; and

WHEREAS, it is necessary for our entire Village, State and Country to be aware of the importance of this holiday to our Black neighbors; and

NOW, THEREFORE, I, Nancy Kaboolian, Mayor of the Village of Ardsley, recognize Juneteenth in the Village of Ardsley as a testament to freedom, liberation, and justice, and a day where Black life, Black history, and Black culture is honored and celebrated.

Trustee Edelstein added that on Saturday, June 17th at 2pm we AMDI will be hosting our Celebrate Freedom! Juneteenth event at Pascone Park. Encouraged all to attend.

5. SPECIAL PRESENTATION-SPECIAL EDUCATION PTA COMMITTEE (SEPTA)

- 5.1 Mr. Glenn Weinberg (Ardsley Resident)-Representative was present to speak about the new formation of a Special Education PTA. The SEPTA mission is to foster a community where we can maximize integration for our children and live full lives. Mr. Weinberg stated that the SEPTA welcomes anyone who would like to get involved. The SEPTA has finalized a formal partnership with the PTA and work

together and share board members. SEPTA wants to make sure every student is integrated into the school, SEPTA will be formally launched in September 2023.

Mayor Kaboolian feels like the Recreation Commission and Ardsley Library could be integrated into this PTA and agrees that we need people in the community to help us. Mayor Kaboolian suggested that when SEPTA is formally formed with a Board to come back and speak to the Board of Trustees.

6. SPECIAL PRESENTATION-WESTON & SAMPSON

6.1 Weston & Sampson Account Manager, Mr. Daniel Biggs provided the Board with a final presentation on the Parks & Recreation Master Plan recommendations:

- Programming/Administration:
 - Increase special event programming
 - Review recreational program offerings and adjust annually
 - Improve access to athletic fields foreexisting and new/ growing groups
 - Improve communication and event/facility marketing
 - Update parks/ trail maps
 - Develop maintenance standards & level of service
 - Increase funding for parks and facility maintenance
- Expansion/Development
 - Explore feasibility of land acquisition within the Village for creation of new parks and recreation facilities, specifically for tennis, pickleball, and cricket facilities
 - Expand walking pathways and trail connectivity to and within parks
 - Focus on conservation and sustainability (Preserve and expand open space)
- Maintenance/Compliance
 - Install ADA compliant routes to parks & recreation facilities where necessary
 - Improve/ upgrade signage (wayfinding, park signs, parking, etc.)
 - Upgrade existing facilities and outdated amenities that do not function well

Preliminary Recommendations-Community Center

- Programming
 - Develop additional youth & teen programming to better utilize space
 - Coordinate with adjacent businesses to expand parking options
- Expansion/Development

- Conduct feasibility study for expansion of existing, acquisition of a larger building or construction of a new community center with dedicated parking

Mr. Biggs provided preliminary recommendations to the following parks:

- Bicentennial Park
- Floyd Lichtenberg Park
- Silliman Park
- Pocost Park
- Pascone Park
- McDowell Park

Trustee Edelstein questioned if they have looked at a pathway that connects Pascone to McDowell Park?

Mr. Biggs explained they looked into ownership records and topography challenges and has restricted access.

Mayor Kaboolian questioned a possibility of a new gazebo/performance stage at Pascone Park

Mr. Biggs Yes, these changes can be made in our current park space and a great investment to that park.

Trustee Weitz questioned if there was a lighting plan to the parks?

Mr. Biggs stated that they did not create a lighting plan.

Mayor Kaboolian questioned if we could get recommendations on playground equipment?

Mr. Biggs stated he can provide recommendations.

Trustee Bencosme questioned if there could be a different type of use (another sport) at one of the fields at McDowell or Pascone?

Mr. Biggs explained yes, they can be used for other sports/activities.

7. APPROVAL OF MINUTES:

7.1 May 15, 2023 Regular Board of Trustees Meeting Minutes

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

RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Monday, May 15, 2023 as submitted.

Carried by the following votes: 4-0-1

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

Nays: None

Abstained: Trustee Edelstein

8. DEPARTMENT REPORTS

1. LEGAL

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

2. MANAGER

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

1. **NEW DPW CONSTRUCTION PROJECT:** The concrete floors in the administrative section of building and main garage are poured and complete, and we anticipate the floors in the central maintenance garage will be finished this week, which will conclude all the underground infrastructure and concrete work in the building. All steel for the building structure has been delivered and is on site. The high-voltage power, as well as low-voltage utilities have been switched over to the newly run underground infrastructure, and the utility poles on-site have finally been removed, which will be a huge improvement in the moving of 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. The steel framing for the administrative section of the building was substantially completed today, and from there the crew will move on to the large middle garage, and then finally framing the central maintenance garage.
2. **LED LIGHTING CONVERSION:** We have nearly completed the conversion of all the light fixtures in Village Hall to high-efficiency LED fixtures. We have replaced all the 4ft tubes, and the remaining 2ft tubes are estimated to be completed by Wednesday this week. We will have replaced 303 32 watt lights with 7 watt high-efficiency LED lights, cutting energy consumption for lighting by 78%, while simultaneously providing

consistent, clean light throughout the building. This project is being funded 100% through a NYSERDA grant awarded to the Village.

3. **BOARD ROOM/COURT ROOM REHABILITATION:** As you can see this evening, we have completed the painting of the Court/Board Room. We are scheduled to have the new carpet installed later this week, and then finally we should be receiving the new chairs and rehang photos by the end of the month. Thanks to David DiGregorio and the Department of Public Works, especially Rob Wootten and Mark Florkowski, for their assistance in the project. A very special thanks to my partner on this project, Court Clerk Anissa Slade, who was able to secure funding to have the entire project funded through a grant.

4. **SEASONAL POSITIONS AVAILABLE:** The Village of Ardsley Department of Public Works is seeking applicants for two Seasonal Laborer positions from June to Labor Day weekend to assist with Highway, Sanitation, and outdoor maintenance work. Applicants must be at least 18 years old to apply. Interested applicants should contact General Foreman David DiGregorio with any questions. For more information and to apply, please go to www.ardsleyvillage.com.

5. **JUNETEENTH CLOSING:** Residents are reminded that Village Hall, including the Court, Community Center, the Ardsley Public Library and Highway Department will be closed on Monday, June 19, 2023 in observance of Juneteenth.
 - Refuse/Recycle collection is as follows:
 - Monday June 19th- NO Refuse Collection
 - Tuesday, June 20th- Refuse Collection for everyone
 - Wednesday, June 21st -Paper, Bulk Metal/Electronics
 - Thursday, June 22nd -Glass, Metal & Plastic
 - Friday, June 23rd -Refuse Collection for everyone

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

3.a June 5, 2023 Abstract Report

Village Manager, Joseph Cerretani read the June 5, 2023 Abstract Report as follows:
From the General Fund: \$472,974.53 from the Trust & Agency Fund:\$3,302.80, from
the Capital Fund: \$404,911.97 and from the Sewer Fund: \$0.00.

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

RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$472,974.53 from the Trust & Agency Fund: \$3,302.80 from the Capital Fund: \$404,911.97 and from the Sewer Fund:\$0.00

Carried by the following votes: 5-0-0

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

Nays: None

Abstained: None

4. MAYOR'S ANNOUNCEMENTS Mayor Kaboolian announced the following:

- Thanked Captain Greenfeld for his years of service with ASVAC
- Attended the tri-village Memorial Day Ceremony
- Attended the Veterans Breakfast
- Thanked Efran Hernandez for all his help with organizing events on Memorial Day
- Wished Lieutenant Bryan Watson a happy and healthy retirement

5. COMMITTEE & BOARD REPORTS Trustee DiJusto announced the following:

- Attended a meeting with the event coordinator at the Atria
- The Ardsley Historical Society is seeking a new editor for it's newsletter. If anyone is interested, please call Peter Marcus at 914-393-3222.

Trustee Weitz did not have anything to report.

Trustee Bencosme announced the following:

- The CAC will join a cohort with the Hudson Valley Regional Counsel to help us where we stand with emissions.

Trustee Edelstein announced the following:

- Participated in the Pollinator Pathways Open Garden tour
- Thanked Carol Sommerville and her group for helping at Silliman Park
- Thanked Highway Department for helping with planting at Pascone Park
- June 10th -Join us for the motorcade event that starts at Pascone Park

9. OLD BUSINESS:

9.1 Consider a Resolution 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 amends Chapter 180 Article V Section 26 entitled "Qualifications and Limitations Upon Exemption" of the Ardsley Village Code as follows:

Chapter 180-Article V-Section 26, Qualifications and Limitations Upon Exemption

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: 5-0-0

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

Nays: None

Abstained: None

10. NEW BUSINESS:

10.1 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 DiJusto, 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 \$48,324.00.

NOW THEREFORE BE IT FURTHER RESOLVED, this resolution supersedes and replaces the resolution dated May 15, 2023 which is repealed in all respects.

Carried by the following votes: 5-0-0

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

Nays: None

Abstained: None

10.2 Consider a Resolution to Award Contract for 2023 Joint Road Milling and Paving

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

WHEREAS, the Village of Irvington in a cooperative relationship with the Villages of Ardsley, Elmsford, Hastings, Sleepy Hollow and Tarrytown, has solicited bids for the milling and resurfacing of various streets in the Village of Irvington and partner municipalities referenced above; and

WHEREAS, a public notice for this project bid was duly advertised on April 7, 2023; and

Whereas, at 11:00 A.M., on May 3, 2023 at Irvington Village Hall all bids received were opened as summarized below; and

<u>CONTRACTOR</u>	<u>Bituminous Top Course (per ton)</u>	<u>Cold Milling & Removal of Bituminous Pavement (per square yard)</u>	<u>TOTAL BASE BID</u>
Montesano Brothers Inc. 76 Plain Avenue New Rochelle, NY 10801	\$143.00	\$6.55	\$1,575,079.35
ELQ Industries Inc. 567 Fifth Avenue New Rochelle, NY 10801	\$140.00	\$6.70	\$1,612,643.70
Waters Construction Company 300 Bostwick Avenue Bridgeport, CT 06605	\$149.00	\$7.00	\$1,753,712.00

Morano Brothers Corp. 2045 Albany Post Road Croton-on-Hudson, NY 10520	\$157.00	\$6.50	\$1,783,457.50
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WHEREAS, the Village Administrator reviewed the bids submitted and determined that the lowest bidder is in order and responsive to the specifications; and

WHEREAS, following the unit values bid in the contract and the extended totals based upon the Engineers estimates of the work to be performed in the Village of Ardsley the value of work is \$239,084.75, with the balance of the contract value for work apportioned to the Villages of Irvington, Elmsford, Hastings, Sleepy Hollow and Tarrytown, collectively summing to \$1,575,079.35; and

WHEREAS, in accordance with the contract, each partner municipality, or other municipalities that may piggyback on this bid, will separately authorize the Contract and be responsible for payment of services performed within their respective municipality directly to the contractor;

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby awards the contract, for the work to be performed for 2023 Milling and Resurfacing on various streets in the Village of Ardsley to Montesano Brothers Inc. in accordance with their Unit Prices contained in their bid of May 3, 2023 for the work to

be performed within the Village of Ardsley and the other five Villages and to authorize the Village Manager to execute said contract.

Carried by the following votes: 5-0-0

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

Nays: None

Abstained: None

Village Manager Joseph Cerretani stated that the roads to be paved are Felix, Lake View, Sweetbriar, Euclid and Summit

10.3 Consider a Resolution to Approve Work Change Order Number 3 for Drain Pipe Under Vehicle Maintenance Area

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

WHEREAS, on June 6, 2022, the Village Board of the Village Ardsley unanimously approved a resolution to award a bid with alternates for the water installation for the new highway garage to APS Contracting Inc. located at 155-161 Pennsylvania Avenue, Paterson, NJ 07503 in the amount of \$14,637,000; and

WHEREAS, it has been determined that the groundwater present in one of the basins in the vicinity of the Mechanic's bay would best be suited to be tied into the storm drain system; and

WHEREAS, the Engineer, Highway Foreman and Village Manager have reviewed and approved the work in the field;

NOW THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby approves work change order number 3 in the amount of \$6,978.57 related to the installation of a 6" drain pipe under the vehicle maintenance area and its connection to the storm drain system.

Carried by the following votes: 5-0-0

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

Nays: None

Abstained: None

10.4 Consider a Resolution to Negotiate and Execute Amendment to the Contract for the Purchase of the Fire Pumper Apparatus with Seagrave Fire Apparatus, LLC.

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

WHEREAS, the Mayor and Village Board of Trustees authorized the issuance of \$805,800 bonds to purchase a pumper firefighting apparatus on May 17, 2021; and

WHEREAS, by resolution the Mayor and Village Board of Trustees authorized the purchase of a Marauder Fire Pumper Model TB-70-CA from Seagrave Fire Apparatus LLC on September 20, 2021 in the amount of \$769,263.00; and

WHEREAS, the Chief of the Department had determined that changes to the original specifications were necessary and in the best interest of the Village and on January 20, 2022, the Village Board authorized the Village Manager to enter into a supplemental contract with Seagrave Fire Apparatus LLC in the amount of \$64,952.00 with supplemental funding to be transferred from Unassigned Fund Balance; and

WHEREAS, on June 21, 2022, the Mayor and Village Board of Trustees authorized the issuance of additional \$30,000 bonds to fund additional changes to the original specification that Chief of the Department had determined were necessary and in the best interest of the Village; and

WHEREAS, the Chief of the Ardsley Fire Department received a letter dated May 18, 2023 asking that the Village accept a price increase of \$76,926 over the adjusted contract price to account for severe shortages of materials and labor and severe increases in costs for materials, freight, and labor that have occurred and persisted to a degree that could not have been reasonably anticipated at the time the apparatus was priced; and

WHEREAS, the manufacturer has requested a response within 30 days of the letter with such response indicating if the Village will opt to accept the increase or withdraw from the purchase; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Village Board hereby authorize the Village Manager and Fire Chief to negotiate the contract increase with Seagrave Fire Apparatus, LLC not to exceed \$76,926, to be funded through future debt.

Carried by the following votes: 5-0-0

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

Nays: None

Abstained: None

- 10.5 Consider a Resolution Authorizing, Subject to Permissive Referendum, the Issuance of an Additional \$100,000 Bonds of the Village of Ardsley, Westchester County, New York, to Pay Part of the Cost of the Purchase of a Pumper Fire-Fighting Vehicle and Related Apparatus, for Said Village

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

WHEREAS, the Board of Trustees of the Village of Ardsley, Westchester County, New York, on May 17, 2021, duly adopted a bond resolution authorizing the issuance of \$805,800 bonds of said Village to pay the cost of the purchase of a pumper fire-fighting vehicle, including incidental expenses in connection therewith, for said Village of Ardsley, Westchester County, New York; and

WHEREAS, said Board of Trustees on June 21, 2022, duly adopted a bond resolution authorizing the issuance of an additional \$30,000 bonds of said Village to pay the cost of apparatus for the aforesaid vehicle; and

WHEREAS, said capital project, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it was determined will not have any significant adverse effect on the environment; and

WHEREAS, it has now been determined that the maximum estimated cost of such specific object or purpose to be financed is \$935,800, an increase of \$100,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$100,000 bonds of said Village for such specific object or purpose to pay a portion of the cost thereof;

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Ardsley, Westchester County, New York, as follows:

Section 1. For the specific object or purpose of paying additional costs of the purchase of a pumper fire-fighting vehicle, including incidental apparatus, equipment and expenses in connection therewith, there are hereby authorized to be issued an additional not to exceed \$100,000 bonds of the Village of Ardsley, Westchester County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose to be financed is now determined to be \$935,800, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is as follows:

- a. **by the issuance of the \$805,800 bonds of said Village authorized to be issued pursuant to bond resolution dated and duly adopted May 17, 2021;**

- b. by the issuance of the \$30,000 bonds of said Village authorized to be issued pursuant to bond resolution dated and duly adopted June 21, 2022; and
- c) by the issuance of the additional \$100,000 bonds of said Village authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of issuance of the first obligations therefor. It is hereby further determined that the period of probable usefulness for the financing of the additional apparatus authorized by bond resolution dated June 21, 2022 is hereby increased to twenty years pursuant to said subdivision and said bond resolution is hereby amended.

Section 4. The faith and credit of said Village of Ardsley, Westchester County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Village Treasurer shall deem best for the interests of said Village, provided, however, that in the exercise of these delegated powers, the Village Treasurer shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in

Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or**
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or**
- 3) Such obligations are authorized in violation of the provisions of the Constitution.**

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. Upon this resolution taking effect, a summary thereof shall be published in the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 11. This resolution is adopted subject to permissive referendum.

Roll Call Vote: 5-0-0

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

Nays: None

Abstained: None

11. CORRESPONDENCE

12. VISITORS

- 12.1 Fire Chief Knoesel was present to discuss the Bond Resolution regarding the pumper fire truck. Chief Knoesel explained that the truck has not been built yet because of production and materials and we have had change orders.

Mayor Kaboolian explained that the Village needs the truck and it seems like this is an industry wide issue and we should accept this increase in cost.

13. CALL FOR EXECUTIVE SESSION

14. ADJOURNMENT OF MEETING

14.1 Adjournment

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

RESOLVED, that the Village Board of the Village of Ardsley Hereby adjourns the regular meeting of Monday, June 5, 2023 at 10:03 p.m.

Carried by the following votes: 5-0-0

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

Nays: None

Abstained: None

15. UPCOMING MEETINGS & EVENTS

- June 6th Board of Architectural Review Meeting 8:00pm
- June 7th Homework Helpers 3:00 pm
- June 9th Middle School Hangout 3:00 pm
- June 10th Pride Celebration 11:30 am
- June 11th MDI Meeting 7:00 pm
- June 12th Planning Board Meeting 8:00 pm
- June 13th Recreation Commission Meeting 5:00 pm
- June 17th Juneteenth Celebration! 2:00 pm
- June 19th ALL VILLAGE OFFICES CLOSED-JUNETEENTH HOLIDAY
- June 20th Board of Architectural Review Meeting 8:00 pm
- June 22nd SAVE THE DATE-ICE CREAM SOCIAL! 6:00 pm
- June 22nd Concert in the Park-The Saints-6:00 pm
- June 22nd Library Board Meeting 7:30 pm
- June 27th Primary Election 6:00 am
- June 28th Zoning Board Meeting 8:00 pm
- June 30th LAST DAY TO PAY TAXES

16. NEXT BOARD MEETINGS:

- WEDNESDAY, JUNE 14, 2023 BOARD OF TRUSTEES WORK SESSION
- TUESDAY, JUNE 20, 2023 BOARD OF TRUSTEES REGULAR MEETING

Village Clerk, Ann Marie Rocco

Date: