



MINUTES

Ardsley Village Board of Trustees

8:00 PM - Tuesday, September 8, 2020

Via Zoom Platform

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

Absent:

*****MOMENT OF SILENCE IN MEMORY OF THE 19TH ANNIVERSARY OF 9/11*****

8:05 p.m. - PUBLIC HEARING-CONTINUATION To Pursue Eminent Domain Proceedings for the properties located at Heatherdell Road & Saw Mill River Road

1. 8:05 p.m. Public Hearing -To Pursue Eminent Domain Proceedings for the Properties Located on Heatherdell Road & Saw Mill River Road.
Open Public Hearing

Moved by Trustee D'Emilio, Seconded by Trustee Edelstein and passed unanimously. RESOLVED that the Village Board of Ardsley hereby adjourns the public hearing to Tuesday, October 5, 2020 at 8:05 p.m. to pursue Eminent Domain Proceedings for the properties located on Heatherdell Road & Saw Mill River Road.

1. **ANNOUNCEMENT OF EXIT SIGNS**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES:**

3.1 Regular Meeting Minutes-August 3, 2020

Moved by Trustee DiJusto Seconded by Trustee Yager and passed unanimously.
RESOLVED that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Monday, August 3, 2020 as submitted.

4. DEPARTMENT REPORTS

5. LEGAL

- 1.a Village Attorney Robert Ponzini stated there is nothing to report and has been working with staff on various ongoing items.

6. MANAGER

- 6.a Village Manager's Report-September 8, 2020. Village Manger, Meredith Robson read the following report:

1. **CENSUS:** Census responses are due by September 30th. Please do your part and complete the form as soon as possible! Census counts may make a huge difference in potential federal funding opportunities and representation.
2. **REMINDER - ENTERING VILLAGE HALL:** Just a reminder that nothing has changed regarding entry into Village Hall since it re-opened to the public at the end of June. There are still strict COVID-19 preventative measures in place that are required to be followed. All documents should be left in either the drop box in the vestibule or in a box in the administrative side of Village Hall and they will be reviewed and acted upon by staff at a later date. The documents will not be handled immediately. Masks AND social distancing requirements are in place. Until further notice, the only public entrance is the main entrance on Ashford Ave. We encourage everyone to call Village Hall before coming in to see a particular staff member to ensure that they will be available and that the requested service is one that needs to be handled other than through mail, drop off or electronic means.
3. **CON EDISON GAS LINE PROJECT:** We are still waiting for an updated project schedule from Con Ed and it will be posted on our website. We have had ongoing conversations with them about the gas main work they continue to do in the Village. We are aware of many of the concerns about the debris and materials left on properties and are trying to get them to correct those issues. We are also trying to work with them on finalizing the ultimate paving of the impacted roads. We recognize and share in the public's frustrations over the way that this work has been handled by Con Ed.
4. **ONLINE PAYMENT AND REGISTRATION:** We now have online access for payments to the Village, not just taxes, which will provide an easier option for taking care of business with the Village. Use the "Pay Misc Fees" tab under the *Citizen Action Center* on the left hand side of our website. For now, this includes everything but building related fees. We have also put in place a

new program that will allow for online registration and payment for Recreation programs in the Village. This should be available through the Recreation page of our website within the next week.

1. **TAX REASSESSMENT**: In order to maintain accurate property assessments at 100% of market value, the Town of Greenburgh is going through a reassessment process by performing physical inspections on those properties for which they find discrepancies/errors or have recent building permits. Data mailers went out to property owners in August and continue to be sent out this month by the Town to verify the accuracy of the data being used to value your property during the Town-wide reassessment project. More information is available on the Town of Greenburgh website.
2. **SANITATION GUIDE**: Please visit our website to sign up for our new Sanitation App. Residents will be able to see when the sanitation schedule changes, definitions, drop offs for recyclables and much more!

7. TREASURER

7a Abstract Report -September 8, 2020

Mayor Kaboolian read the Treasurer's Report for September 8, 2020.

Mayor Kaboolian stated that the bills for the past two weeks totaled as follows:

From the General Fund: \$366,354.81; from the Sewer Fund: \$67.96; from the Trust & Agency fund: \$3,545.00 and from the Capital Fund: \$15,896.25

Moved by Trustee Yager, Seconded by Trustee DiJusto 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: \$366,354.81; from the Sewer Fund: \$67.96; from the Trust & Agency Fund: \$3,545.00 and from the Capital Fund: \$15,896.25.

8. BUILDING

8.a No Building Department Report

9. FIRE

9.a No Fire Department Report

10. POLICE

10.a No Police Department Report

11. MAYOR'S ANNOUNCEMENTS

11.a Mayor Kaboolian announced the following:

- Participated in the Brianna Taylor rally
- Shared a letter from Mr. Robert Lineburgh who thanked our Police Department and Court system for their work on a specific case.
- Participated in a virtual public forum put together through our race committee.
- Continues to participate in the Westchester County COVID-19 calls.
- Attended the Multicultural Library book club event.
- Participated in a rally to save our Post Office
- Attended the Garden Club Meeting
- Attended a meeting about our new Highway Garage.
- There is a light that is being installed by Greenburgh on Sprain Road & Ashford Avenue. The installation has been delayed.
- Reminded residents to fill out their Census.
- Early voting will take place in Dobbs Ferry and Greenburgh for 9 days beginning 10/24/2020-11/1/2020.
- Wished everyone a safe school year.

12. COMMITTEE & BOARD REPORTS

Trustee DiJusto announced the following:

- Attended the meeting with Mayor Kaboolian regarding the new Highway Garage.
- The Traffic Committee will be meeting again to discuss the installation of additional bike racks in the Village.

Trustee Yager announced the following:

- Provided an update regarding the Comprehensive Plan. We will be having a draft Comprehensive Plan presentation on September 16, 2020 via Zoom platform at 7:00 p.m.
- CEAC will be meeting the 1st Thursday of every month from October -December 2020 from 7:00 p.m.-8:00 p.m.

Trustee D'Emilio announced the following:

- 125th Anniversary Committee met in August and we will try to do an event each season.
- Ardsley Public Library has new browsing hours: Wed 2-4, Thurs 4-7 & Fri 2-4.
- Thanked the Village for signing us up for the Implicit Bias training.

Trustee Edelstein announced the following:

- Multicultural Committee will be meeting this Thursday, September 10th. via Zoom
- Senior Picnic will take place on September 16th at Pascone Park at noon.
- Coffee with a Cop will take place on September 12th from 9:00 am-1:00 pm at Starbucks Plaza.

13. VISITORS

- 13.1 Mayor Kaboolian advised that the Board received an Advisory Statement from the CEAC recommending that the Village approves and sign on to the MoU-Community Choice Aggregation Program.

Eda Kapsis, CEAC Member summarized the Advisory Statement/Memo:

- Signing the MoU will include Ardsley in the County slate of communities engaging the services of Sustainable Westchester as the Program Manager for Westchester Power Community Choice Aggregation (CCA).
- Given available opportunities to reduce carbon emissions known to cause the global climate crisis, signing the 2020 CCA MoU is the single, most-impactful action that the Board can take at this time. Voting to sign is voting to advance goal achievement to NY's and law all indicate that CCA will to mitigate the global climate crisis and improve NY State's economy.

Dan Walsh, Program Director for Sustainable Westchester explained how the cost has been negotiated and that the MoU established a price not to exceed.

Mr. Walsh described what 100% renewable energy means and how we obtain it.

Trustee DiJusto questioned gas supply and what the pricing would be?

Mr. Walsh stated that they don't offer gas supply at this time but they are working on a pilot for renewable gas.

[2020Sept1 Ardsley BoT CEAC Advisory Memo SW WP MoU for CCA](#)

14. OLD BUSINESS:

15. NEW BUSINESS:

- 15.1 Consider a Resolution Authorizing the Village Manager to Execute a Memorandum of Understanding With Sustainable Westchester, Inc. for Participation in the Community Choice Aggregation Program

Moved by Trustee Yager, Seconded by Trustee D'Emilio and passed unanimously.
RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to execute a Memorandum of Understanding regarding participation in a Community Choice Aggregation Program that will be managed by Sustainable Westchester located at 40 Green Street, Mount Kisco, NY 10549; and

BE IT FURTHER RESOLVED, the term of this understanding shall expire on the earlier of December 31, 2020 or the date on which the 2021 ESA (Electric Service Agreement) is signed by the Participating Municipality, the Program Manager, and the selected Competitive Supplier.

- 15.2 Consider a Resolution to Appoint Glenn Weinberg to Conservation & Environmental Advisory Committee (CEAC)

Moved by Trustee Edelstein, Seconded by Trustee D'Emilio and passed unanimously. RESOLVED, that the Mayor of the Village of Ardsley hereby makes the appointment of Glenn Weinberg to the Conservation and Environmental Advisory Committee (CEAC), effective through December 31, 2020.

- 15.3 Consider a Resolution to Appoint Michael Fischgrund to the Conservation and Environmental Advisory Committee (CEAC)

Moved by Trustee Edelstein, Seconded by Trustee D'Emilio and passed unanimously. RESOLVED that the Mayor of the Village of Ardsley hereby makes the appointment of Michael Fischgrund to the Conservation and Environmental Advisory Committee (CEAC), effective through December 31, 2020.

- 15.4 Consider a Resolution Authorizing the Village Manager to Sign and Extension Amendment to the Agreement for Services Between the Village of Ardsley and Pace University Related to the Comprehensive Plan

Moved by Trustee DiJusto, Seconded by Trustee Edelstein and passed unanimously. RESOLVED that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to sign an amendment to the agreement with Pace University; such amendment is dated August 1, 2020 for services related to developing the Village of Ardsley's implementation matrix for the Comprehensive Plan.

- 15.5 Consider a Resolution Authorizing the Village Manager to Extend Vacation Time Carryover

Moved by Trustee Yager, Seconded by Trustee DiJusto and passed unanimously. RESOLVED, that the Village Board of Trustees of the Village of Ardsley recognizes the hardship and unique circumstance created by the ongoing pandemic and hereby authorizes the Village Manager to offer a limited extension on the carryover of vacation time past November 30th to all employees other than police. Such extension authorization is at the Manager's discretion in order to best meet the needs of the Village for the appropriate management of Village operations.

- 15.6 Consider a Resolution to Authorize the Village Manager to Execute an Agreement Between the Village of Ardsley and Student Assistance Services for Substance Abuse Prevention

Moved by Trustee D'Emilio, Seconded by Trustee Edelstein and passed unanimously. RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to execute an agreement with Student Assistance Services Corporation for services to prevent and reduce substance use among middle school students for the period of June 1, 2020 through May 31, 2021.

15.7 Consider a Resolution Permitting a Menorah Display-2020

Moved by Trustee Edelstein, Seconded by Trustee D'Emilio and passed unanimously. WHEREAS, the Village of Ardsley (“Ardsley”) has a policy of providing locations within its territorial limits for holiday display with equal opportunity for all Village groups and organizations; and

WHEREAS, permission has been requested from Ardsley, by Chabad of the Rivertowns to permit the display of a Menorah in celebration of the holiday season from December 1, 2020 through December 31, 2020; and

WHEREAS, the location that has been requested is in or about Legion Park within Ardsley; and

WHEREAS, Ardsley believes that such permission is a continuation of its non-discriminatory policy for holiday displays by Village groups and organizations; and

WHEREAS, effective June 26, 2020, New York entered into Phase 4 of its COVID-19 restrictions and Governor Cuomo’s Executive Order allows low-risk outdoor social gatherings of up to 50 people and whereas, all rules regarding social distancing of 6 feet and use of face coverings must be adhered to in order for the event to be permitted and the Chabad guarantees that it will abide by such restrictions.

NOW THEREFORE BE IT RESOLVED, that Chabad of the Rivertowns is permitted to construct a Menorah display at or about Village property in Legion Park provided such a display and location is reviewed for safety and compliance by the Chief of Police, the Building Inspector, and the Fire Department, that all costs for the erection, use and maintenance of this display are borne by Chabad of Rivertowns, that a policy of insurance in acceptable form be provided to Ardsley to insure, indemnify, and defend against any and all claims or losses that may arise out of the erection, use, maintenance of this display and that all COVID-19 restrictions are abided by throughout the period of display.

15.8 Consider a Resolution Declaring Lead Agency and Scheduling A Public Hearing for CPD Energy Corp. 891 Saw Mill River Road

Moved by Trustee DiJusto, Seconded by Trustee Yager and passed unanimously. RESOLVED, that the Village Board of the Village of Ardsley hereby declares itself Lead Agency for site plan approval for the proposed permit to place two Paraco Gas propane cylinder exchange cages on the property. (This project is not subject to SEQRA review.)

BE IT FURTHER RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on Monday, September 21, 2020 at 8:15 p.m. to discuss the proposed permit.

15.9 Consider a Resolution Adopting the Retention and Disposition Schedule for New York Local Government Records (LGS-1)

Moved by Trustee Yager, Seconded by Trustee DiJusto and passed unanimously.
RESOLVED, By the Village Board of the Village of Ardsley that the Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

- a. Only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- b. Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

15.10 Consider a Resolution Awarding Contracts for 2020 Joint Road Milling & Resurfacing

This Resolution was skipped. **WHEREAS**, the Village of Ardsley in a cooperative relationship with the villages of Irvington, Dobbs Ferry, Elmsford, Hastings 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 in an official newspaper on July 16, 2020; and

Whereas, at 11:00 A.M., on August 5, 2020 at Irvington Village Hall all bids received were opened as summarized below; and

<u>CONTRACTOR</u>	<u>BASE BID</u>	<u>ALT BID</u>	<u>TOTAL BASE BID</u>
Waters Construction Company 300 Bostwick Avenue Bridgeport, CT 06605	\$1,376,752.00	\$385,450.00	\$1,762,202.00
Consorti Brothers Paving & Sealcoating Inc.	\$1,409,753.50	\$424,860.00	\$1,834,613.50

208 South Plank Road Newburgh, NY 12550			
ELQ Industries Inc. 567 Fifth Avenue New Rochelle, NY 10801	\$1,446,600.04	\$389,522.00	\$1,836,122.04
Montesano Brothers Inc. 76 Plain Avenue New Rochelle, NY 10801	\$1,449,372.86	\$403,225.00	\$1,852,597.86
PCI Industries Corp. 550 Franklin Avenue, Suite 100 Mount Vernon, NY 10550	\$1,462,332.60	\$414,400.00	\$1,876,732.60

WHEREAS, the Irvington 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 Engineer's estimates of the work to be performed in the Village of Ardsley, the value of work is \$360,492, with the balance of the contract value for work apportioned to the Villages of Irvington, Dobbs Ferry, Elmsford, Hastings, and Tarrytown, collectively summing to \$1,515,202.00; and

WHEREAS, in accordance with the contract, each partner municipality 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 Trustees of the Village of Ardsley hereby awards the contract, for the work to be performed for the 2020 Milling and Resurfacing on various streets in the Village of Ardsley to Waters Construction Company 300 Bostwick Avenue, Bridgeport CT 06605 in accordance with their Unit Prices contained in their Bid of August 5, 2020 for the work to be performed within the Village of Ardsley and the other five villages and authorizes the Village Manager to execute said contract and all related documents.

15.11 Consider a Resolution to Award bid for 2020 Curbing Project

Moved by Trustee D'Emilio, Seconded by Trustee Edelstein and passed unanimously.
WHEREAS, the Village of Elmsford bid out a contract for curbing and awarded such contract on June 25,2020; and

Whereas, the Village of Ardsley is assured that this bid was let and awarded in substantial compliance with competitive bidding laws; and

Whereas, the Village of Ardsley is permitted to utilize the piggybacking provision of the Village of Elmsford bid for curbing;

Whereas, the total cost to the Village of Ardsley utilizing a piggybacking provision is \$246,360 based on the \$30 per linear foot awarded by the Village of Elmsford;

Now, therefore be it resolved, that the Village Board of Trustees of the Village of Ardsley hereby authorizes the Village Manager to execute a contract with Landi, Inc., 13 Bradhurst Ave., Hawthorne, N.Y. for the 2020 curbing project based on the above described bid award.

15.12 Consider a Resolution Amending the Village Manager's Employment Contract

Moved by Trustee Edelstein, Seconded by Trustee D'Emilio and passed unanimously.
NOW THEREFORE BE IT RESOLVED, that the existing employment between the Village of Ardsley and Village Manager Meredith is amended as follows:

- Existing-“Employee shall receive an annual "automobile allowance" in the amount of Five Thousand and 00/100 Dollars (\$5,000.00), payable to her as additional compensation in conjunction with paragraph 2 of this agreement “Compensation”.
- New- “Automobile allowance previously provided separately is hereby rolled into salary.” This change will be retroactive to June 1, 2020.
- Existing-”During the first two years of employment, up to five (5) vacation days may be carried over into the following year, and thereafter, upon extenuating circumstances to be approved by the Board of Trustees in its sole discretion unused vacation days may be carried over for up to six (6) months in the following year, and if not taken within that period, they are forfeited.”
- New- “Vacation days accrued shall be utilized in the same manner and procedure governing non-union employees as that policy shall be modified from time to time as per previous practice.”

16. CALL FOR EXECUTIVE SESSION-PERSONNEL & LEGAL MATTERS

17. ADJOURNMENT OF MEETING

- 17.1 Trustee DiJusto: RESOLVED, that the Village Board of the Village of Ardsley Hereby adjourns the regular meeting of Tuesday, September 8, 2020, at 9:19 p.m. Seconded by Trustee Yager and passed unanimously.

18. NEXT BOARD MEETING: September 21, 2020

Village Clerk, Ann Marie Rocco