

**VILLAGE OF ARDSLEY
BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, SEPTEMBER 16, 2019**

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

8:10 P.M. – PUBLIC HEARING

Public Hearing In the matter of Cable Franchise Agreement with Cablevision of Southern Westchester, Inc.

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

I. ANNOUNCEMENT OF EXIT SIGNS

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES: Regular Meeting – September 3, 2019

Trustee DiJusto: RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Tuesday, September 3, 2019 as submitted.
Seconded by Trustee Yager and passed unanimously.

IV. DEPARTMENT REPORTS:

POLICE DEPARTMENT REPORT:

Lt. Brian Watson reported the following activities for August 2019:

- Court fine and fees - \$35,967.00
- Property Lost or Stolen - \$122,533.00 (mostly consisted of bank fraud. Arrests are pending)
- Property Recovered - \$4,000.00
- 119 Parking summonses issued
- 77 UTT summonses issued
- 6 Appearance ticket issued

- 8 Arrests
- 268 Blotters

Other activities attended by Officers –

TRAINING

- Total training for the month of August - 96 hours
- The training consisted of SWAT and community policing

COMMUNITY POLICING

The child seat program installed 5 seats by appointments issued 0

The Police Department sponsored the Senior Citizens breakfast

Congratulations to Officer Tony Vacca who was elected as the President of the NYS Juvenile Officer Association

Congratulations to Officer Brian Roemer who has been certified as an advanced youth officer

Community Information

We encourage our citizens to be vigilant as it pertains to bank fraud and scams. Our detectives have done an amazing job with tracking many of these and arrests are forthcoming. You can visit our web site where we list many of the most popular scams.

BUILDING DEPARTMENT REPORT: Mayor Kaboolian accepted the Building Department Report for the following activities for August 2019:

- 10 Building permits
- 13 Application fees
- 13 Certificates of Occupancy
- 13 Plumbing permits
- 10 Electrical permits
- 13 Letters of Compliance
- 2 Miscellaneous

Total received - \$8,623.25

Other activities –

- 87 Building inspections
- 6 Zoning inspections
- 1 Fire inspection
- 3 Violation notices
- 3 Warning notices

- 0 Appearance tickets

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

FIRE DEPARTMENT REPORT: No Fire Department Report

LEGAL REPORT: Village Attorney Ponzini stated there is nothing to report other than those items that he submitted in memorandum form and he is continuing to work on various matters with members of the staff and he stated that he is available for an Executive Session.

Village Clerk, Ann Marie Rocco read the following Manager's Report:

MANAGER'S REPORT 9/16/19

1. CAPITAL PROJECT UPDATE:

Heatherdell Sidewalks – We are expecting the contractor to finally receive the drainage structure near Concord in the next day or two and complete the project by the 20th.

Heatherdell Guiderail and Sidewalk - The boring contractor has completed work and will be providing a report to the engineer so that design of the project can begin.

Paving - We are still waiting for the contractor to provide us with notification of a start date on Ridge Road, Shady Road (N), Augustine Ave., and Swanston Lane. Once confirmed with the contractor, we will get notice out to impacted residents and the community.

2. BOND SALE:

We had a very successful bond sale back in July. The successful bidder was Roosevelt & Cross, Inc. There were 8 bidders and our True Interest Cost is 2.3177060%, which is an excellent rate and no doubt influenced by our most recent Moody's rating!

TREASURER'S REPORT: Village Clerk, Ann Marie Rocco read the Treasurer's Report for September 16, 2019:

Ms. Rocco stated the bills for the past two weeks totaled as follows: From the General Fund: \$242,871.40; from the Trust & Agency Fund: \$1,845.05 and from the Capital Fund: \$22,000.00.

Trustee Yager: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$242,871.40 from the Trust & Agency Fund: \$1,845.05 and from the Capital Fund: \$22,000.00.
Seconded by Trustee DiJusto and passed unanimously.

MAYOR'S ANNOUNCEMENTS:

- Trustee DiJusto and I met with Maryjane Shimsky and Frank Doherty who is the head of the Traffic Committee last Tuesday night to walk over the bridge. We asked for better signage; we talked about a pedestrian ramp; Ms. Shimsky indicated that we should start lobbying for money for a ramp
- Attended 9/11 Ceremony that the Village does every year; it is important to recognize the event
- We are continuing to call the State about the 9A paving; we don't yet have a date; we are on top of the State to get this done as soon as possible; we keep hounding the State about it

COMMITTEE & BOARD REPORTS:

TRUSTEE DIJUSTO:

- Noting to report

TRUSTEE YAGER:

- Nothing to report

TRUSTEE D'EMILIO:

- The SAYF Coalition is looking for new volunteers and members; please send an email to www.ardsleycoalition@gmail.com. if you are interested in volunteering; they are meeting this Wednesday night, 9/18 at the Community Center @7:30 p.m.
- SAYF Coalition is working on a number of substance abuse events; activities for grades 5-12; they have a 25 foot inflatable human body that you can walk through in October

TRUSTEE EDELSTEIN:

- Thank the Multicultural Committee for the wonderful kite flying festival we had yesterday; it was a beautiful day. The food was delicious and the music was wonderful.
- Coming up this week Parks and Recreation has an event at Pascone Park on 9/18
- We have planting activities going on in Silliman Park to beautify our Village; Lorraine Kuhn is coordinating the planting and she has asked for volunteers so if you are interested in helping out, please come on down
- On the 19th, we are planting some bulbs
- Oktoberfest is on October 12th @3:00 in Pascone Park; there will be eight food trucks lined up for Oktoberfest; the last one was a big success

VISITORS

8:10 P.M. – PUBLIC HEARING

In the matter of Cable Franchise Agreement with Cablevision of Southern Westchester, Inc.

Open Public Hearing

Mayor read the notice on the record

Comments: No comments

Close Public Hearing

Trustee Yager: RESOLVED, the Village Board of the Village of Ardsley hereby closes the Public Hearing for the Cable Franchise Agreement with Cablevision of Southern Westchester, Inc. @8:28 P.M. **Seconded by Trustee DiJusto and passed unanimously.**

VI. OLD BUSINESS

1. Consider a resolution to renew a cable franchise agreement with Cablevision of Southern Westchester, Inc.

RESOLUTION AUTHORIZING THE VILLAGE OF ARDSLEY TO RENEW A CABLE FRANCHISE AGREEMENT WITH CABLEVISION OF SOUTHERN WESTCHESTER, INC., TO OPERATE A CABLE SYSTEM IN THE VILLAGE OF ARDSLEY

Trustee Yager: WHEREAS, the Village of Ardsley (the “Village”) is a “franchising authority” in accordance with Title VI of the Communications Act of 1934, (the “Communications Act”), and is authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the “Cable Laws”);

WHEREAS, the Village, executed a franchise agreement with Cablevision of Southern Westchester, Inc. (the “Franchisee”) on January 2, 2007, which was thereafter confirmed and made effective by the New York State Public Service Commission (“Commission”) on June 29, 2007 for a term of ten (10) years (Case No. 05-V-0898), and

WHEREAS, said franchise agreement expired on June 29, 2017, and Franchisee has since then continued to operate in the Village pursuant to Temporary Operating Authority granted by the Commission (Commission Matter No. 19-00751); and

WHEREAS, Franchisee has submitted a proposed franchise renewal agreement (the “Franchise Renewal Agreement”) to continue operating said cable system within the Village; and

WHEREAS, The Village and Franchisee have mutually agreed to the terms of said Franchise Renewal Agreement; and

WHEREAS, the Village has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchises and applicable law; and

WHEREAS, the Village has determined that Franchisee has the requisite legal, technical and financial capabilities to operate cable systems within the Village and that Franchisee's proposals for renewal of the franchises meet the cable related needs of the Community; and

WHEREAS, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Village to be heard on the proposed Franchise Renewal Agreement was held before the Village on September 3, 2019.

NOW, THEREFORE, be it

RESOLVED, that the Village Board determines that it is in the best interest of the public to award the Franchise Renewal Agreement to the Franchisee; and be it

FURTHER RESOLVED that the Village Board hereby authorizes the Village Mayor to enter into the Franchise Renewal Agreement with Cablevision of Southern Westchester, Inc., and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Village of Ardsley. **Seconded by Trustee DiJusto and passed unanimously.**

Dated: September 16, 2019

VII. NEW BUSINESS

1. Consider a revised resolution permitting a Menorah display-2019

REVISED RESOLUTION PERMITTING A MENORAH DISPLAY – 2019

Trustee D'Emilio: 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 and previously granted, for the thirteenth year in a row, by Chabad of the Rivertowns to permit the display of a Menorah in celebration of the holiday season from December 1, 2019 through January 1, 2020; and

WHEREAS, the dates have been revised to run from December 10, 2019 through January 10, 2020;

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 for the revised dates of December 10, 2019 through January 10, 2020 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, and 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. **Seconded by Trustee Edelstein and passed unanimously.**

2. Consider a revised resolution to award bid for the Village Green Maintenance Project

**RESOLUTION TO AWARD BID FOR
VILLAGE GREEN MAINTENANCE PROJECT**

Trustee Edelstein: WHEREAS, a public notice for the Village Green Maintenance Project was duly advertised in an official newspaper on August 23, 2019; and

WHEREAS, on September 6, 2019 at 2:30 p.m. the Village Manager, in the presence of the Village Clerk, opened two bids as summarized below;

VILLAGE GREEN MAINTENANCE PROJECT

CONTRACTOR	BASE BID
Manzer's Landscape Design	\$33,650.00
Colonial Landscaping Inc.	\$41,700.00

RESOLVED, that the Village Board of the Village of Ardsley hereby awards the bid for the Village Green Maintenance Project to Manzer's Landscape Design, 6 Winchester Avenue, Peekskill, New York 10566 in the amount of \$33,650.00.

NOW, THEREFORE, BE IT RESOLVED, the Village Board of the Village of Ardsley hereby authorizes the Village Manager to execute a contract with Manzer's Design and Development, 6 Winchester Avenue, Peekskill, New York to perform work pertaining to the Village Green Maintenance Project. **Seconded by Trustee D'Emilio and passed unanimously.**

3. Consider a resolution authorizing installation by the Village and assumption of maintenance responsibility of solar powered pedestrian crosswalk RFB warning light system at the intersection of Center Street and Saw Mill River Road

**RESOLUTION AUTHORIZING INSTALLATION BY THE VILLAGE AND
ASSUMPTION OF MAINTENANCE RESPONSIBILITY OF SOLAR POWERED
PEDESTRIAN CROSSWALK RFB WARNING LIGHT SYSTEM AT THE
INTERSECTION OF CENTER STREET AND SAW MILL RIVER ROAD**

Trustee DiJusto: RESOLVED, that the Village Board of Trustees of the Village of Ardsley hereby authorizes the installation by the Village and assumption of maintenance responsibility for the solar powered pedestrian crosswalk RFB warning light system at the intersection of

Center Street and Saw Mill River Road (9A).

Be It Further Resolved, that the Village Manager shall direct the completion of this work and provide for the submission of all documents required by the New York Department of Transportation in relation to this project. **Seconded by Trustee Yager and passed unanimously.**

4. Consider a resolution declaring 2007 Ford F450 Super Duty Pick Up with Dump as surplus and authorizing its sale at auction

**RESOLUTION DECLARING 2007 FORD F450 SUPER DUTY
PICKUP TRUCK WITH DUMP AS SURPLUS AND AUTHORIZING ITS SALE AT
AUCTION**

Trustee D’Emilio: RESOLVED, that the Board of Trustees of the Village of Ardsley concurs with the Village Manager’s declaration of the 2007 Ford F450 Super Duty Pick Up Truck with Dump as surplus, based on the recommendation of the Highway Foreman, and hereby authorizes its sale at public auction, including on-line auction websites and authorizes the Village Manager to execute all actions necessary for the sale of such vehicle.

BE IT FURTHER RESOLVED, this sale will be subject to the final results of the auction process. **Seconded by Trustee Edelstein and passed unanimously.**

5. Consider a resolution to modify the 2018/2019 Budget by enabling the Village Treasurer to make necessary transfers within the General Fund

**RESOLUTION MODIFYING THE 2018/2019 BUDGET BY ENABLING THE VILLAGE
TREASURER TO MAKE NECESSARY TRANSFERS WITHIN THE GENERAL FUND**

Trustee Edelstein: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to modify the 2018/2019 Village Budget by transferring \$8,856.00.

FROM LINE ITEMS:

001.9010.0801 State Retirement	\$8,856.00
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TO LINE ITEMS:

001.9512.0900 Transfers	\$8,856.00
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Seconded by Trustee D'Emilio and passed unanimously.

6. Consider a resolution declaring 2010 Ford Crown Victoria as Surplus and authorizing its sale at auction

**RESOLUTION AMENDING AUCTION SALE PRICE OF 2010 FORD CROWN
VICTORIA**

Trustee DiJusto: WHEREAS, the Board of Trustees of the Village of Ardsley has previously authorized the sale of 2010 Ford Crown Victoria as surplus at auction for a minimum price of \$8,000, and

WHEREAS, interest for such vehicle was very limited.

Now, Therefore Be It Resolved that the Board of Trustees of the Village of Ardsley hereby authorizes the sale of the vehicle at the best price offered at auction. **Seconded by Trustee Yager and passed unanimously.**

VIII. CALL FOR EXECUTIVE SESSION. Executive Session to discuss legal matters.

IX. ADJOURNMENT OF MEETING

Trustee Yager: RESOLVED, that the Village Board of the Village of Ardsley hereby adjourns the regular meeting of Monday, September 16, 2019 at 8:32 p.m. **Seconded by Trustee DiJusto and passed unanimously.**

X. NEXT VILLAGE BOARD MEETING: Monday, October 7, 2019 at 8:00 p.m.

Respectfully submitted,

Donna Fusco
Recording Secretary