

Mayor Porcino opened the May 21, 2012 Regular Meeting at 8:00 p.m.

Present:	Mayor	Peter Porcino
	Deputy Mayor/Trustee	Gary Malone
	Trustee	Larry J. Nardecchia
	Trustee	Nicole Minore
	Trustee	Beverly A. Levine
	Village Clerk	Barbara Berardi
	Recording Secretary	Lorraine McSpedon
Absent:	Village Manager	George Calvi
	Village Attorney	Robert J. Ponzini

I. PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE – JEANNE WOOD REID – MOTHER OF EX-FIRE CHIEF ROBERT B. REID

8:00 P.M. - PRESENTATION– RECOGNITION AWARDS - POLICE OFFICERS

Chief Califano awarded the following police awards for the period 2010 – 2011:

The Ardsley Police Awards were created to recognize sworn members of the Department and civilians that distinguish themselves by performing a service over and above what is normally expected in similar circumstances.

In addition to recognizing Village of Ardsley Police Officers for their outstanding work for the years 2010-2011, this year we will also be recognizing an officer from Tarrytown PD, as well as 3 civilians.

2010 Award Synopsis'

PO Davis & PO Danny Watson step forward.

- 1- On November, 9th, 2010, Officers Ed Davis and Daniel Watson responded to what appeared to be a routine medical call for service at the Woodlands Atria. However, upon arrival, the Officers found the person in need of routine medical aid was actually found to have no pulse and was not breathing. CPR was immediately conducted by the officers and a normal pulse and breathing was re-established. For their prompt and professional application of first aid, which resulted

in the saving of a life, the award of “Life Saving” is granted to both officers.

Detective Sheeley, Detective Perkins & PO Roemer step forward.

- 2- During the mid-months of 2010, a group engaged in purchasing store gift cards using stolen credit cards in an effort to defraud and steal merchandise from the Rite Aid Pharmacies throughout the East Coast. This crime spree ended for all three suspects in July of 2010, when Officer Brian Roemer and Detective John Sheeley, arrested the suspects, while fleeing from Rite Aid in Ardsley, after they attempted to make another fraudulent purchase. A subsequent investigation found these suspects to be associated with a crime ring responsible for the theft of nearly \$1 million dollars in stolen merchandise from 9 states. For their part in the apprehension, subsequent investigation and conviction of all three suspects, Officer Roemer, Detective Sheeley, and Detective Perkins are granted the award of “Meritorious Duty”.

Detective Sheeley, PO Gannon & PO Roemer step forward.

- 3- On July 15th, 2010, Off-Duty Officer Keith Gannon observed and attempted to stop a possible DWI travelling south on Route 9a in the Village of Ardsley. This vehicle narrowly missed striking Officer Gannon’s personal vehicle head-on. Unable to stop this vehicle, the concerned off-duty officer called ahead to marked units and had this car stopped. The driver was found to be highly intoxicated and was travelling with two small children in the vehicle. The actions by this off-duty officer as well as the prompt actions by Detective Sheeley and Officer Roemer led to the driver being charged with four felony counts of DWI and possibly averted a tragic accident in the making. Officer Gannon is granted the award of “Excellent Duty” and Detective Sheeley and Officer Roemer are granted the award of “Unit Citation”.
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Detective Sheeley, PO. Joseph Barosa step forward

- 4- While assigned to the Greenburgh Drug and Alcohol Task Force, on May 18th, 2010, Detective John Sheeley and Officer Joseph Barosa of the Tarrytown Police Department observed a vehicle operating aggressively while in the village of Ardsley. The vehicle was stopped and a subsequent investigation was conducted. This investigation led to the discovery of 70 pounds of marihuana located within the vehicle. The driver was arrested and charged with Criminal Possession of Marihuana in the 1st degree. For their vigilant and professional actions, both officers are granted the award of “Excellent Duty”.

* Note- Officer Barosa becomes the first officer from an outside agency to receive an award by the Village of Ardsley.

Sgt Dave Fisher, PO Daniel Watson, PO Edward Davis step forward.

- 5- During the spring months of 2010, a rash of car break-ins over several jurisdictions in Westchester County, including Ardsley, occurred and numerous GPS devices were stolen. On May 9th, 2010, without any description of known suspects, Officer Dan Watson observed a party acting suspiciously near a bus stop on Rt. 9a. Upon approach, Officer Watson engaged the person in conversation while also observing that the party had blood on his hand. This conversation led to the arrest of this person for four car break-ins which occurred in Ardsley earlier that day. The subsequent investigation by Officer Dan Watson, Sergeant David Fisher, and Officer Ed Davis led the suspect being charged with several felony counts of criminal mischief and possession of stolen property, as well as, closing out many open cases in other jurisdictions. Officer Watson is granted the award of “Excellent Duty” and Sergeant Fisher and Officer Davis are granted the award of “Unit Citation”.

2011 Award Synopsis’

Civilian Awards:

Po Bryan Watson & Mr. Malik Bradford step forward

- 1- On May 2, 2011, Mr. Malik Bradford was working in his home, when he heard a noise at his neighbor's home. Looking out the window, Mr. Bradford observed his neighbor's basement door open and a strange truck parked in front of his home. Knowing his neighbor was not at home; Mr. Bradford became suspicious and notified the police. Mr. Bradford provided a description of the truck and of the driver who returned to the vehicle. Officer Bryan Watson arrived and confirmed that a burglary had taken place. The descriptions provided by Mr. Bradford were the key factors in Officer Watson's ability to locate and arrest the party involved shortly after. Due to the prompt awareness of the situation, Mr. Bradford along with the keen observations of Officer Bryan Watson, the person who burglarized Mr. Bradford's neighbor's home was apprehended. Therefore, Mr. Malik Bradford is awarded the "Citizen's Medal for Excellent Service" and Officer Bryan Watson is awarded "Excellent Duty".
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Mr. Eduardo Alonzo step forward

- 2- On September 14th, 2011, the fire alarms from #39 Riverview Ave. began to sound at 2:00 am. The home owner, who was at home with his family asleep, searched his house but found nothing wrong. He attempted to reset his alarm as the family went back to bed, only to have his alarms go off again. Not sure of what to do, the home owner decided to seek the advice of his neighbor, Mr. Eduardo Alonzo. Mr. Alonzo was woken up at 2:15 in the morning and advised of the situation and quickly realized that something was not right. Mr. Alonzo advised him to get his family out of the house and he contacted the police. The fire Department arrived and tested for carbon monoxide. It was reported that the levels of carbon monoxide were so high, that the family would not have survived the night. Mr. Alonzo's prompt awareness for the situation and his smart advice, possibly saved the lives' of two adults and two young children; therefore, Mr. Alonzo is granted the "Citizen's award for Excellent Service".
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Mr. Joseph Brunetto step forward

- 3- On August 20th, 2011, an elderly male was reported by Yonkers PD, to be over-due at his home and that the family was concerned he may be confused due to a diabetic emergency. At approximately 11:45 am, the driver was now driving Eastbound on Ashford Avenue near McDowell Park, when a diabetic shock caused him to pass out. The driver lost control of his car, ran off the road, flipped his car onto his roof, which then caught fire and slid to a stop upside down in the roadway. Mr. Joseph Brunetto, driving the other way witnessed this crash and knew he had to help. Mr. Brunetto selflessly decided to risk personal injury to his self and ran towards the flaming car. Once Mr. Brunetto reached the car he forced open the door and without regard for his own safety, he reached in and pulled the driver out of the burning vehicle. Mr. Brunetto's brave actions at grave personal risk to himself certainly saved a life that morning and therefore, is awarded the "Citizen's Medal of Distinction".
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Officer's Awards:

PO Keith Gannon & PO Daniel Watson step forward

- 4- On June, 5th, 2011, Officer Daniel Watson was on routine patrol, when he observed a suspicious vehicle driving quickly on back roads in the Village of Ardsley. After following this vehicle a short distance and observing several more infractions, he knew something was not right. Officer Watson attempted to stop this vehicle, however, the driver decided to flee instead. A lengthy pursuit followed which also involved Officer Keith Gannon from Ardsley, as well as several other jurisdictions. The pursuit of the vehicle continued throughout Yonkers, where eventually the suspect crashed his car and then fled on foot. He was shortly apprehended and along with crack cocaine; a loaded hand gun was recovered. Due to Officer Watson and Officer Gannon's actions, an illegal hand gun was removed from the streets; therefore the award of "Meritorious Duty" is awarded to both officers.
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Lt. Carl Calabrese step forward

- 5- On July 30th, 2011, Lt. Carl Calabrese was on routine patrol, when he observed a vehicle commit several traffic infractions. Lt. Calabrese stopped the vehicle and interviewed the operator. During the course of the interview with the driver, it became apparent to Lt. Calabrese that the operator was attempting to conceal something. The driver was arrested for driving with a suspended license and a subsequent inventory search of his car, discovered that the driver was attempting to conceal a large quantity of cocaine and heroin. Lt. Calabrese's professional attention to detail resulted in the driver being charged with multiple felony counts of possession of a controlled substance. Lt. Calabrese is granted the award of "Excellent Duty".

PO Daniel Watson step forward

- 6- On April 7th, 2011, Officer Daniel Watson observed suspicious activity of a possible drug transaction in Addyman Square. The vehicle in question was also observed leaving the area in violation of several traffic infractions. The vehicle was stopped by Officer Watson and the driver was determined to be in possession of numerous bags of marihuana. The subsequent investigation conducted by Officer Watson led to the additional seizure of another ½ pounds of marihuana at the Ardsley resident's home. For Officer Watson's diligent observations he is granted award of "Excellent Duty".
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Detective John Sheeley & PO Michael Stevenson step forward

- 7- On January 1st, 2011, Officer Michael Stevenson stopped a vehicle for making an illegal turn from the CVS parking lot. Routine Motor Vehicle check showed the driver to have a suspended NYS license. Detective John Sheeley arrived on scene as the backup Officer. Prior to impounding the vehicle, both Officers conducted a routine vehicle inventory search. During the search, several credit cards were found that did not belong to anyone in the vehicle. Also found was an envelope containing \$1,100 in counterfeit cash. For P.O. Stevenson

and Detective Sheeley's investigative efforts, they are granted the award of 'Excellent Duty'

Detective John Sheeley step forward

- 8- On May 7th, 2011, Detective John Sheeley stopped a vehicle for routine traffic violations. During the stop, Detective Sheeley was able to discover the driver was in possession of what is called a "credit card skimmer". This illegal devise is used to steal people's credit card information and perpetuate identity fraud. Due to his investigative efforts, Detective Sheeley is granted the award for "Excellent Duty".
- 9- On July 10th, 2011 Detective John Sheeley responded to a suspicious vehicle complaint at an address on Fairmont Ave. Detective Sheeley located the vehicle occupied by two people. Upon approaching the open passenger side of the vehicle, Detective Sheeley observed the passenger trying to conceal a Ziploc bag inside his sock. The passenger was asked to exit the vehicle. Detective Sheeley discovered a large amount of cocaine inside the bag hidden in the suspect's sock. Also found was drug paraphernalia consistent with the use of cocaine. For his investigative efforts, Detective Sheeley is granted the award of 'Excellent Duty'.

8:15 P.M. – PUBLIC HEARING – To discuss the proposed permit to convert the retail/office space into a hair salon located at 27 Center Street, Ardsley, NY
****APPLICATION WITHDRAWN****

II. APPROVAL OF MINUTES

Tr. Malone: Resolved, that the Village Board of the Village of Ardsley hereby approve the minutes of regular meeting of May 7, 2012, as submitted. **Seconded by Tr. Nardecchia and passed, with Tr. Levine abstaining as she was not present at the meeting.**

III. DEPARTMENT REPORTS

FIRE DEPARTMENT REPORT: Chief Florkowski delivered the fire report for the month of April, 2012.

POLICE DEPARTMENT REPORT: Chief Califano delivered the police report for the month of April, 2012.

BUILDING DEPARTMENT REPORT: Mr. Tomasso delivered the Building Department report for the month of April, 2012.

LEGAL REPORT: Attorney Ponzini was not present.

TREASURER'S REPORT: Ms. Berardi read the Treasurer's Report on behalf of Marion DeMaio.

The bills for the last two weeks from the General Fund totaled: \$59,469.13; from the Trust & Agency Account: \$5,670.23, and from the Capital Fund: \$3,515.43.

Tr. Nardecchia: Resolved, that the Village Board of the Village of Ardsley hereby approves the Village Treasurer to pay the following:

From the General Fund: \$59,469.13; from the Trust & Agency Account: \$5,670.23 and from the Capital Fund: \$3,513.43. **Seconded by Tr. Malone and passed unanimously.**

8:30 P.M. – PUBLIC HEARING – To review a change of use site plan application to convert the former art studio at 692 Saw Mill River Road into an exercise facility to be known as Spincredible.

Mayor Porcino read the legal notice.

Mr. Jim Gibbons, P.E., representing Mr. & Mrs. Alan Straub, tenants, presented himself to the Board and explained the plans for the site. Given the limited parking, the number of stationary bikes on the premises will be limited to 10 - 11. The primary hours will be in the early morning and prior to rush hour as well as, possibly, after school.

Mayor Porcino explained that the available parking is within the code and has been grandfathered, however, if the business expands and the parking requirements increase or if additional services are to be offered, the applicant will need to return to the Village Board for approval.

Mayor Porcino opened the application for public comment.

Tr. Nardecchia questioned whether bicycles could be ridden to the premises instead of cars. Mr. Gibbons responded that he will not know the answer to that question until the business has opened.

Mayor Porcino read the list of conditions of approval.

Mayor Porcino read the following Manager's Report on behalf of Mr. Calvi.

**VILLAGE MANAGER REPORT
PREPARED BY GEORGE CALVI
FOR MONDAY, MAY 21, 2012**

1. PARADE: The American Legion, Post #458, cordially invites everyone to observe its Memorial Day ceremony and parade to be held on Monday, May 28, 2012. The parade will step off at 10:00 am sharp from Park Avenue, and will proceed east on Ashford to Pascone Park near the Middle School. At the conclusion of services, refreshments will be served. In case of rain, the ceremony will be held at the firehouse at 10:00 am.

2. HOLIDAY OBSERVANCE: Owing to the Memorial Day holiday, Village offices will be closed Monday, May 28, including the Library, the DPW, and the Community Center. Most importantly there will be no trash collection. Trash will be collected in all parts of the village on Tuesday, May 29. There will however be a double recycling collection on Wednesday, May 30, as there always is whenever there is a fifth Wednesday of the month. In other words, DPW crews will be picking up both newspapers and containers on Wednesday. For information on this and other DPW matters, please telephone 693-0117 or refer to your 2012 Sanitation Schedule.

3. TAX BILLS: The first installment of the Village tax bill, will be mailed to all property owners later this week, and is due by the end of the business day on Monday, July 2, 2012.

Mailed payments postmarked Tuesday, July 3, 2012 and beyond, and payments made in person on July 3 and beyond at Village Hall will be assessed a penalty as prescribed by New York State law. No one can waive the penalty. Bear in mind only a bona fide U.S.P.S. postmark evidences timeliness.

Should you have any questions, please contact Village Treasurer Marion DeMaio, or Dipika Patel at 693-1550. – George Calvi, Village Manager

4. GRIEVANCE FILING DEADLINE RAPIDLY APPROACHING

Residents are reminded that the Village of Ardsley no longer handles property tax grievances. However, the deadline to file with the Town of Greenburgh Assessor's Office for Village, Town, School, and County assessments is rapidly approaching. You can file as early as June 1, but no later than June 18, in person or by mail. Should you have any questions, please telephone Edye McCarthy, or her staff, at 993-1520

MAYOR'S ANNOUNCEMENTS:

1. Attended a presentation given by the County last Wednesday at the Dobbs Ferry H.S. regarding the Ashford Avenue bridge rehabilitation.

2. Attended the plaque rededication for Frank Addyman on the portico of Ardsley Village Hall, an effort spearheaded by Village Justice Walter Schwartz.

IV. COMMITTEE AND BOARD REPORTS:

Tr. Minore:

1. Attended the Youth Council Meeting on May 8, 2012. They are seeking volunteers.
2. SAYF Coalition is meeting this evening.
3. Ardsley Day meeting will be held on Wednesday at the Community Center.
4. Attended the Ashford Avenue bridge meeting.

Tr. Nardecchia:

1. The Recreation Commission is doing a planting and park improvement for Pascone Park.
2. Work with the Garden Club to improve the Bicentennial Park and landscaping.
3. An update was given of the Senior's program.
4. Attended the Ashford Avenue bridge meeting. Traffic improvements should be lobbied for.

Tr. Malone:

1. Gave an update of the Ardsley Tourism project.

Tr. Levine:

1. The ASVAC numbers for the month of April:

50 total; 43 daytime, 13 evening, 3 night and 10 mutual aides
2. The Garden Club Show will take place on June 6 at 2:30 p.m. at St. Barnabus Church.
3. The Historical Society will be showing the 2010 Memorial Day Parade over the weekend and on Monday.
4. Attended the Ashford Avenue bridge meeting. Expressed her concerns for the increased traffic.

8:45 P.M. – CONTINUATION OF PUBLIC HEARING – For the purpose of receiving comments regarding the 2012 Village Stormwater Annual Report – Lorraine Kuhn.

Mayor Porcino read the legal notice.

Lorraine Kuhn presented herself to the Board and gave an overview of the stormwater Annual Report for the year March 2011 through March 2012, year nine of the program.

The stormwater web pages have been increased, there has been an increase in the news on the Village Constant Contact, and a stormwater facebook page may be added in the future. There is printed material regarding the program available at the library. Next year, the pet bio-baggies will again be made available. There is a stormwater program which has been running all year on cable television, a new program will be developed within the next week or two. The third-annual Concord Road forth grade stormwater awareness program will be repeated. In July, the Saw Mill River Coalition Groundwork Hudson included the Pascone Park on their tour.

The scouts and high school students were thanked for their participation in the stormwater program.

A Bronx River watershed initiative ground project was conducted this year. In 2011, the County stormwater law was passed which established six basin-wide advisory boards. A clean up of the Saw Mill River has begun. Local businesses are being encouraged to help out with the effort.

Annual inspections of outfalls are continuing.

There were no violations issued this year to the program.

The Atria Woodlands has developed a maintenance plan for their bio-retention basin. The flood control wall in Ardsley will be repaired. The Highway Department has been clearing trash and invasive vines on the banks of the Sprain brook and Saw Mill River as well as keeping the catch basins clear. The storm drains continued to be mapped.

Thanks were extended to the Village Hall staff for their involvement with the program.

V. VISITOR'S

Mayor Porcino encouraged public comments.

VI. OLD BUSINESS

Tr. Minore: Resolved, that the Village Board of the Village of Ardsley hereby closes the public hearing regarding the change of site plan use application to convert the former art studio at 692 Saw Mill River Road into an exercise facility to be known as Spincredible. **Seconded by Tr. Levine and passed unanimously.**

**RESOLUTION GRANTING PERMISSION TO CONVERT THE FORMER ART
STUDIO INTO AN EXERCISE FACILITY AT 692 SAW MILL RIVER ROAD,
ARDSLEY, NEW YORK**

Trustee Minore: RESOLVED, that the Village of Ardsley hereby grants permission to convert the former art studio located at 692 Saw Mill River Road, Ardsley, New York into a exercise facility to be known as Spincredible with the following conditions: **Seconded by Trustee Nardecchia and passed unanimously.**

1. The Village Board has determined that the parking requirement for this business is nine parking spaces. Five are “grandfathered” as a retail/business use parking and four off-street spaces are available behind the building. This parking requirement is based on a maximum of 11 exercise bikes and the fact that no other types of services are offered on the premises. Any future increase in the number of bikes and/or the offering of additional services must be reviewed by the Village Board.
2. The applicant must provide plans showing compliance with the NYS Building Code for the interior alterations.
3. The applicant must obtain a building permit prior to the commencement of work.
4. The applicant must obtain a separate sign permit for all proposed signage.
5. All employees must obtain parking permits.
6. Any conditions the Village Board and Village Attorney deem appropriate.

RESOLUTION ADOPTING 2012 STORMWATER ANNUAL REPORT

Tr. Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby closes the public hearing on the 2012 Stormwater Annual Report. **Seconded by Tr. Levine and passed unanimously.**

Trustee Malone: RESOLVED, that the Village Board of the Village of Ardsley hereby adopts the Annual Stormwater Report for 2012. **Seconded by Trustee Minore and passed unanimously.**

DISCUSSION: NIXLE PROPOSAL

Mayor Porcino requested Tr. Malone obtain a quote from Nixle. Mayor Porcino mentioned that the price from Wens was only valid until June 1, 2012. Tr. Malone will make a presentation at the next meeting regarding his findings.

VII. NEW BUSINESS**RESOLUTION REGARDING ATTENDANCE AT NATIONAL COALITION ACADEMY BY DEL GROSSO AND AN ADDITIONAL COALITION MEMBER**

Trustee Levine: Resolved, that the Village Board of the Village of Ardsley hereby approves of the attendance of Theresa Del Grosso and an additional coalition member to be named to attend the National Coalition Academy from June 3, 2012 - June 8th 2012 at the Northeast Counter-drug Training Center in Fort Indiantown Gap, Pennsylvania at a cost not to exceed \$150 per night per person for lodging, transportation at a rate of 55.5 cents per mile and a per diem cost of \$50 per person for meals, funds for which are entirely covered by a federal grant. **Seconded by Trustee Minore and passed unanimously.**

RESOLUTION TO MODIFY 2011-2012 VILLAGE BUDGET TO TRANSFER MONIES FROM THE GENERAL FUND BALANCE TO POLICE OVERTIME APPROPRIATION LINE ITEM

Trustee Nardecchia: Resolved, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to modify the 2011-2012 Village budget by transferring the amount of \$75,000 from the General Fund balance to appropriations line item 3210.101 Police Overtime. **Seconded by Trustee Levine and passed unanimously.**

ANNUAL RESOLUTION TO MODIFY 2011-2012 VILLAGE BUDGET TO TRANSFER MONIES FROM THE CONTINGENCY FUND

Trustee Minore: Resolved, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to modify the 2011-2012 Village Budget by transferring the amount of \$148,148 from the Contingency Fund, 1990.400, to the following appropriation line items: **Seconded by Trustee Levine and passed unanimously.**

3120.100 Police Salary	\$76,711
3120.101 Police Overtime	65,521
3120.132 Police Holiday	5,916

**ANNUAL RESOLUTION TO MODIFY THE 2011-2012 VILLAGE BUDGET TO
RECONCILE APPROPRIATION LINE ITEMS**

Trustee Malone: Resolved, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to modify the 2011-2012 Village Budget by transferring the aggregate amount of \$126,954.00 from the list of under-spent line items as follows: **Seconded by Trustee Levine and passed unanimously.**

5142.101 Snow Removal –Overtime	\$44,447
5142.490 Snow Removal – Sand & Salt	43,495
9010.801 Employee Retirement System	39,012

To the list of over-expended line items as follows

1325.100 Treasurer	\$ 3,094
1420.460 Law – Bond Counsel	18,908
1640.481 Central Garage – Gasoline / Diesel	20,906
3410.452 Fire - Building Maintenance	6,623
8160.110 Refuse – Part-time	7,632
8160.103 Refuse – Out of Title Pay	5,527
8160.460 Organic Waste Removal	15,025
8560.490 Removal of Dead & Damaged Trees	14,525
9015.825 Police Retirement	1,263
9060.808 Dental Insurance	12,047
9730.600 Bond Anticipation Notes - Principal	19,000
9730.700 Bond Anticipation Notes – Interest	2,404

**ANNUAL RESOLUTION ENABLING VILLAGE TREASURER TO MAKE
NECESSARY TRANSFERS WITHIN THE GENERAL FUND**

Trustee Levine: Resolved, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make all the necessary transfers in the 2011-2012 Village budget, with the exception of the Contingency line item and the surplus accounts. **Seconded by Trustee Minore and passed unanimously.**

WARRANT TO TREASURER TO COLLECT AND RECEIVED TAXES

The Board was presented with a proposed warrant and tax roll for the collection of taxes by the Village Treasurer, and a motion for its approval was duly made.

ADJOURNMENT OF MEETING: Tr. Nardecchia, resolved, that the Village Board of the Village of Ardsley hereby adjourns the regular meeting of Monday, May 21, 2012 at 9:31 p.m. **Seconded by Tr. Levine and passed unanimously.**

Respectfully submitted,
Lorraine McSpedon, Recording Secretary