



## MINUTES

### Ardsley Village Board of Trustees

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**8:00 PM - Monday, September 20, 2021**

507 Ashford Avenue

Present: Mayor	Nancy Kaboolian
Deputy Mayor/Trustee	Andy DiJusto
Trustee	Joann D'Emilio
Trustee	Steve Edelstein
Trustee	Craig Weitz
Interim Village Manager	Charlene Indelicato
Village Clerk	Ann Marie Rocco
Village Attorney	Robert J. Ponzini

Absent:

**1. PLEDGE OF ALLEGIANCE Mayor Kaboolian called to order the Regular Meeting at 8:00 p.m.**

**Mayor Kaboolian asked for a Moment of Silence for Deputy Mayor/Trustee DiJusto's brother Patrick DiJusto. Our condolences go out to the DiJusto family.**

#### **2. ANNOUNCEMENT OF EXIT SIGNS**

**SPECIAL PRESENTATION** Pace Land Use Law Center & Kevin Dwarka- Overview of the March 2021 Comprehensive Plan Implementation Program

1. Jessica Basher Executive Director of the Land Use Law Center provided an update on the project of the revitalization of the down town:
  - The first order of business is to do a land use analysis, there was a tour this evening and we will start to gather information for inventory and land use conditions.
  - We are currently evaluating the zoning so that we can identify development opportunities for the downtown.
  - We will also be looking at transportation and utility infrastructure.

- The Key part of this work is public engagement and will be done through a series of surveys with a visual preference. Finally, all of this will culminate into an action plan

### **SPECIAL PRESENTATION Military Tribute Banners-Sharon Engleman-Colabello**

1. Ms. Colabello provided the Board with the following information regarding 2021 Military Tribute Banners:
    - Banners were developed to help communities recognize, honor and support their local active-duty military personnel and area veterans.
    - There are no upfront costs. They provide everything you need to get the program up and running before any banners are billed.
    - Banners are made in the U.S.
    - Banners can be given to the families or sponsors at the end of the display period.
    - Program can be used to raise funding for your military outreach, veteran projects and events.
    - Quality of the banner is perfect for display indoors or outdoors.
    - Billing for the banners is done on NET10 terms and only when banners have been set up, proofed, approved, printed, finished and ready for shipping.
    - The approximate cost for the banner is \$200-\$225
    - We will need to determine program details, order brackets if needed and create marketing materials.
    - For more information please visit: [militarytributebanners.org](http://militarytributebanners.org)
- Mayor Kaboolian stated that there will be further discussion regarding this program with the Board.

**8:05 P.M.-OPEN PUBLIC HEARING** Continuation of Public Hearing to Discuss the Proposed Permit to Convert the Former Automotive Repair Facility at 891 Saw Mill River Road into a Recycling Bin Maintenance & Storage Shop  
Mayor read the notice on the record.

Michael Reggina and Alex Futter were present to explained what they do at the facility located 891 Saw Mill River Road. They work with charities, put new labels on the bins and recycle all of the clothing they collect. There will be about 3 to 4 employees working at this location.

Close Public Hearing

Trustee Edelstein: RESOLVED, that the Village Board of the Village of Ardsley hereby closes the public hearing on Monday, September 20, 2021 at 9:24 p.m. to consider the proposed permit at 891 Saw Mill River Road. Seconded by Trustee D'Emilio and passed unanimously.

**8:05 P.M.-OPEN PUBLIC HEARING** Public Hearing to discuss Chapter 32 of the Code of the Village of Ardsley "Village Manager Code Provisions" enumerating and clarifying the duties and responsibilities of the Village Manager

Mayor read the notice on the record.

No one came to speak on this public hearing.

Close Public Hearing

Trustee D'Emilio: **RESOLVED**, that the Village Board of the Village of Ardsley hereby closes the public hearing on Monday, September 20, 2021 at 9:02 p.m. to consider adding Chapter 32 of the Code of the Village of Ardsley "Village Manager Code Provisions" enumerating and clarifying the duties and responsibilities of the Village Manager. Seconded by Trustee Edelstein and passed unanimously.

**8:05 P.M. -OPEN PUBLIC HEARING** Public Hearing to discuss the Proposed Permit Convert the Vacant Commercial Building at 701 Saw Mill River Road into a Business Office & Storage Area

Mayor read the notice on the record.

Raymond Ovetsky Operations Manager for Mechanical Piping Solutions explained that he will keep the building as is now and will relocate the business to this location. They will replace the fence and demo some existing walls and open an office area to work out of. There might be 2 to 3 people working at this location.

Building Inspector Larry Tomasso explained that he is recommending a 1 year clause on this proposed permit and within the next year, they will need to come back to the Board with new plans.

Close Public Hearing

Trustee DiJusto: **RESOLVED**, that the Village Board of the Village of Ardsley hereby closes the public hearing on Monday, September 20, 2021 at 9:24 p.m. to consider the proposed permit at 701 Saw Mill River Road. Seconded by Trustee Weitz and passed unanimously.

### **3. APPROVAL OF MINUTES:**

#### **3.1 September 7, 2021 Board of Trustees Meeting Minutes**

**Moved by Trustee Weitz, Seconded by Trustee D'Emilio and passed 4-0-1. Trustee DiJusto Abstained. RESOLVED**, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Tuesday, September 7, 2021 as submitted.

### **4. DEPARTMENT REPORTS**

## **1. LEGAL**

- 1.a 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.

## **2. INTERIM VILLAGE MANAGER**

- 2.a September 20, 2021 Interim Village Manager Report  
Interim Village Manager Charlene Indelicato read the following report:

### **Curbing and Paving**

Curb contractor is installing the drainage on Eastern which should be done within two weeks. Once all drainage is installed we can finish paving Restoration on all streets that received new curbs is about 90% complete

### **Paving contractor**

80% done with paving contract

Paving has been completed on all streets except for part of Eastern / Plainview/ and the small dead end of Grandview (waiting on drainage to be completed) Once all drainage is completed they will come back and pave remaining streets.

Heatherdell sidewalk fence

Fence has been back ordered, we have a delivery date mid October, once delivered contractor will install ASAP.

### **Hurricane IDA/ FEMA**

As you know, Westchester was one of the counties that received a major disaster declaration which allows individuals, small businesses and municipalities to apply for recovery resources, including reimbursement for uninsured damages, from FEMA. The County and State have provided resources and information that is helpful in filing FEMA required documentation of losses. Checking the County and/or Village websites for updates. Charles has taken the reins on the Villages application with FEMA, he has been gathering information, evaluating the categories and documentation and entering them into our application.

### **New DPW Garage**

The surveyors have finished the survey documents necessary for the Greenburgh Easement agreement. David Vendetti is in the process of gathering all the other information needed for the Exhibits to the agreement. As soon as that is done we will send it off to Greenburgh for approval.

### **125th Celebration**

October 10th 2:00 P.M. to 7: P.M. Pascone Park Food –Fireworks-Fun!!!

### **3. TREASURER**

#### **3.a September 20, 2021 Abstract Report**

Interim Village Manager Charlene Indelicato stated that the bills for the past two weeks totaled as follows:

From the General Fund: \$262,391.32; from the Sewer Fund: \$0.00; from the Trust & Agency fund: \$580.50 and from the Capital Fund: \$510,954.89

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

**RESOLVED** that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$262,391.32; from the Sewer Fund: \$0.00, from the Trust & Agency Fund: \$580.50 and from the Capital Fund: \$510,954.89.

### **4. BUILDING**

#### **4.a July & August 2021 Building Department Reports**

Building Inspector, Larry Tomasso read the following July 2021 Building Department Report:

- 14 Building permits
- 17 Application fees
- 9 Certificates of Occupancy
- 8 Plumbing permits
- 7 Electrical permits
- 7 Title Searches
- 1 Miscellaneous

Total received - \$35,198.75

Other activities:

- 65 Building inspections
- 19 Zoning inspections
- 3 Violations
- 1 Warnings

Building Inspector, Larry Tomasso read the following August 2021 Building Department Report:

- 7 Building permits
- 13 Application fees
- 6 Certificates of Occupancy
- 10 Plumbing permits
- 4 Electrical permits

- 11 Title Searches
- 0 Miscellaneous

Total received - \$8,057.00

Other activities:

- 58 Building inspections
- 78 Zoning inspections
- 1 Violations
- 3 Warnings

## **5. FIRE**

### **5.a July & August 2021 Fire Department Reports**

Fire Chief Murray read the following July 2021 Fire Department Report:

July 8, 15, 22 & 29 Department held drills.

July 13 Chief Murray met with Hastings Roofing regarding the roof.

July 28 Chief Murray and Apparatus Committee met with Seagrave

July 28 Chief Murray attended School District Safety Zoom meeting.

Total Alarms for the the month of July: 29

Training Officers Report- July 2021

- July 1st no drill
- July 8th Hoseline Operations & MPO Training
- July 15th Mask confidence/MPO Training
- July 22nd Maintenance & MPO Training/Ladder Ops
- July 29th Relay hose ops with MPO Trainees

Training hours 106.00, 60 Members Present

Fire Chief Murray read the following August 2021 Fire Department Report:

August 5, 12, 19 & 26 Department held drills.

August 2 Chief Murray met with A1 for computer installation, installed Knox key on Saw Mill River Rd., met with Lock Up Storage for issues with building, and met with DP Wolff for AC issues.

August 4 Chief Murray met with Assron Schmidt with Greenburgh Buildings and Jeremy Archer from the Thruway regarding construction at the rest stop.

August 6 Chief Murray met with Jeremy Archer for walk thru of rest stop.

August 10 Chief Murray and Poldolski met with neighboring Chiefs to discuss drill at rest stop

August 16 Apparatus Committee met to review apparatus specs.

August 18 Chief Murray met with Interim Village Manager regarding fireworks for 125 celebration and fire truck update.

August 26 Department help annual bailout re-certifications.

Total Alarms for the the month of August: 33

#### Training Officers Report- August 2021

- August 5th MPO Drill
- August 12th Hoseline Operations & MPO Training
- August 19th Monthly Drill
- August 26th Maintenance/Bailout Recerts
- Online Training McNeil & Company E-Learning: Total hours 125.75

## **6. POLICE**

### 6.a July & August 2021 Police Department Reports

#### July 2021 Police Department Report

Chief Piccolino reported the following activities for July 2021:

- Court fine and fees - \$68,557.00
- Property lost or stolen - \$0.00
- Alarm fines and fees - \$0.00
- Meter collection - \$1,836.40
- 16 Traffic Accidents
- 5 Arrests
- 233 Calls for Service
- 4 Investigations
- 2 Impoundment
- 30 total summonses issued

#### **Training in July 2021:**

18 hours which consisted of SWAT and human sex trafficking.

#### **COMMUNITY POLICING:**

The Child Seat Passenger Safety Officers-installed 6 car seats and issued 0.

We performed a child seat safety check at the Maria Fareri Children's Hospital and installed 21 child seats and issued 3.

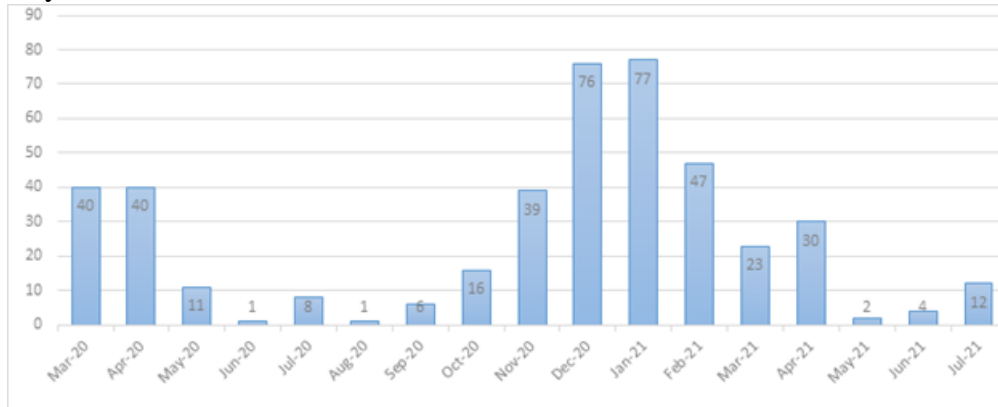
Participated in a 2 hour safety meeting via zoom with the Ardsley School District where we reviewed the safety plans for all Ardsley Schools.

Participated in a Human and Sec trafficking training hosted by Westchester County District Attorney's Office.

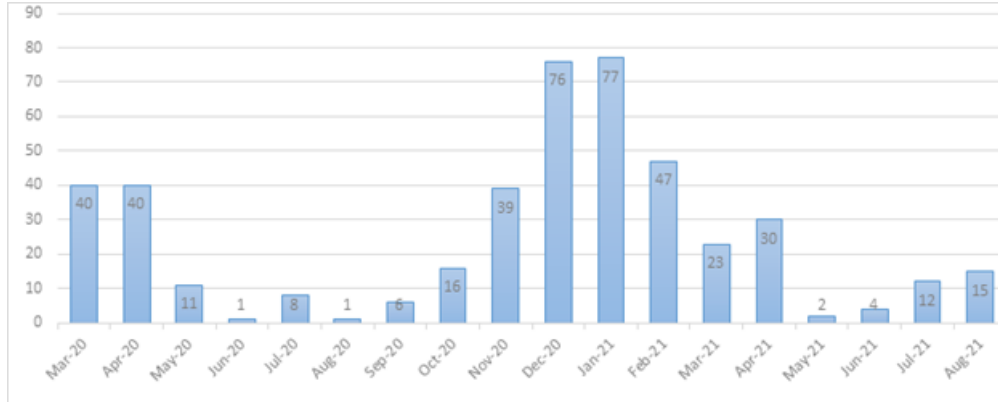
#### **COMMUNITY INFORMATION:**

The village is seeing an uptick in Covid-19 cases. We urge residents to continue to use safety measures such as masks and social distancing.

July 2021:



August 2021:



Chief Piccolino reported the following activities for August 2021:

- Court fine and fees - \$68,912.00
- Property lost or stolen - \$155.00
- Alarm fines and fees - \$80.00
- Meter collection - \$1,581.05
- 4 Traffic Accidents
- 3 Arrests
- 264 Calls for Service
- 12 Investigations
- 2 Impoundment
- 31 total summonses issued

**Training in August 2021:**

344 hours which consisted of SWAT, firearms & Juvenile laws and topics.

**COMMUNITY POLICING:**



The Child Seat Passenger Safety Officers-installed 4 car seats and issued 0.  
Attended the 125th anniversary meeting.

## **COMMUNITY INFORMATION:**

- **Prevention:**

The best way to prevent illness is to avoid being exposed to this virus. However, as a reminder, CDC always recommends everyday preventative actions to help the spread of respiratory disease including:

- Avoid close contact with people who are sick.
- Avoid touching your eyes, nose & mouth.
- Stay home when you are sick.
- Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
- Clean and disinfect frequently touched objects and surfaces using a regular household cleaning spray or wipe.
- Follow CDC's recommendations for using a facemask.
  - CDC does not recommend that people who are well wear a facemask to protect themselves from respiratory diseases, including COVID-19.
  - Facemasks should be used by people who show symptoms of COVID-19 to help prevent the spread of the disease to others. The use of facemasks is also crucial for health works and people who are taking care of someone in close settings (at home or in a health care facility).
- Wash your hands often with soap and water for at least 20 seconds, especially after going to the bathroom; before eating; and after blowing your nose, coughing or sneezing.

If soap and water are not readily available, use an alcohol based hand sanitizer with at least 60% alcohol. Always wash hands with soap and water if hands are visibly dirty.

For information about handwashing, see CDC's Handwashing website:  
<https://www.cdc.gov/handwashing/index.html>

For information specific to healthcare, see CDC's Hand Hygiene in Healthcare Settings:  
<https://www.cdc.gov/handhygiene/index.html>

These are everyday habits that can help prevent the spread of several viruses. CDC does have specific guidance for travelers.  
<https://www.cdc.gov/coronavirus/2019-ncov/travelers/index.html>

For more information, please visit the CDC website at:

<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

To maximize protection from the Delta variant and prevent possibly spreading it to others, wear a mask indoors a public if you area of substantial or high transmission.

### Things to Think About

Here are some things to consider when planning outings with your family.

What is your family's vaccination status?

- [Everyone 12 years and older](#) should get a COVID-19 vaccination to help protect against COVID-19.
- Help protect your whole family by getting yourself and your children who are 12 years and older vaccinated against COVID-19.
- People who are not fully vaccinated and children under 12 years who are not able to get a COVID-19 vaccine should continue taking [steps to prevent getting sick](#).
- To maximize protection from COVID-19, and in particular, the Delta variant, and prevent possibly spreading it to others, everyone, regardless of vaccination status, should wear a mask indoors in public if you are in an area [of substantial or high transmission](#).

Do you have family members with medical conditions or a weakened

- People with [certain underlying medical conditions](#) are at increased risk for severe illness from COVID-19.
- If you or a family member have a [condition](#) or are taking medications that weaken your immune system, you may not be fully protected even if you are fully vaccinated. You should continue to take all precautions recommended for unvaccinated people until advised otherwise by your healthcare provider.
- Wearing a mask is most important if you have a weakened immune system or if, because of your age or an underlying medical condition, you are at [increased risk for severe disease](#), or if someone in your household has a weakened immune system, is at increased risk for severe disease, or is unvaccinated. If this applies to you or your household, you might choose to wear a mask regardless of the level of transmission in your area.

Where is your family going?

- [Outdoor activities](#) and settings are [safer](#) than indoor ones.
- Avoid places that are [poorly ventilated](#).
- Avoid crowded places and gatherings where it may be hard to stay at least 6 feet away from others who don't live with you.

What are the number of COVID-19 cases and fully vaccinated people in your community or the community you are visiting?

- Use [CDC Data Tracker](#) to learn about the situation in your community.
- If your community has a high number of COVID-19 cases or a low number of fully vaccinated people, consider [choosing safer activities](#).

How to Talk to People Who Care for or Spend Time with Your Family Member  
Learn how to talk to professional caregivers, extended family members, family friends, teachers, or other people your loved one spends time with about how to keep your loved one safe from COVID-19.

- Check that your child's school, childcare program, your family member's adult care program, or other caregivers are taking the necessary steps to [protect your loved ones](#) in their care.
  - [Learn more about CDC's latest recommendations for K-12 schools and early care and education programs.](#)
- Tell them to encourage your family member to wear a [mask](#) indoors or in spaces where it is hard to stay 6 feet away from others.
  - Caregivers can help model mask-wearing for children who are too young to get vaccinated.
- Let caregivers know, as appropriate, if your loved one or someone they live with has an underlying medical condition or a weakened immune system.
- Pack an extra mask in your child's backpack. If your child is old enough, ask if your child can bring hand sanitizer from home to use when they cannot wash their hands with soap and water.

#### Helping Your Family Member Cope

As families begin participating in more of the activities they did before the pandemic, children or other family members may worry about themselves, their family, and friends getting sick with COVID-19. They may feel anxious about returning to school, childcare, or normal activities like grocery shopping or gatherings. Parents, family members, and other trusted adults can help your loved one make sense of what they hear.

- Make yourself available to listen and to talk. Let your family member know they can come to you when they have questions.
- Reassure your child or family member that they are safe.
- Let them know it is okay if they feel upset. Share with them how you deal with your own stress so that they can learn how to cope from you.
- Answer questions honestly and share facts about COVID-19 in a way that your family member can understand.
- [Teach children and other family members everyday actions](#) to reduce the spread of germs.
  - Parents and caregivers can help by modeling these behaviors themselves.
- Discuss with your family member any [new actions or routines that may be taken at school, childcare](#), adult care, or other activities to help protect them and others.
- Take steps to protect you and your family's mental health.
  - Try to keep up with regular routines.
  - Find safe ways to keep your family connected with friends and other family members.

- Teach your family healthy coping skills by modeling them yourself. Take breaks, get plenty of sleep, exercise, and eat well.

## **7. MAYOR'S ANNOUNCEMENTS**

- 7.a Mayor Kaboolian thanked the Fire Department for hosting a beautiful ceremony they had on 9/11.

## **8. COMMITTEE & BOARD REPORTS**

- 8.a Trustee DiJusto did not have anything to report  
Trustee Weitz did not have anything to report  
Trustee D'Emilio announced the following:
- Library hours on Saturday are from 10 am-1 pm until further notice
  - 125th Anniversary Celebration is on October 10th at Pascone Park
  - Ardsley Historical Society had their walking tours this past weekend and highly recommends attending.

## **5. VISITORS**

- 5.1 Eda Kapsis Victoria Road & Chairperson of CEAC stated that we should be mindful that these industries have significant footprints and we should look at the operational best practices for both industries and they should be concurrent with both environmental & comprehensive plan.

Mayor Kaboolian explained that there will be a community outreach as part of the process for implementing the Comprehensive Plan.

## **6. OLD BUSINESS:**

- 6.1 Consider a Resolution Adding Chapter 32 of the Code of the Village of Ardsley "Village Manager Code Provisions" enumerating and clarifying the duties and responsibilities of the Village Manager

**Moved by Trustee D'Emilio, Seconded by Trustee Edelstein and passed unanimously. RESOLVED,**

that the Village Board of the Village of Ardsley hereby adds chapter32 of the Village Code "Village Manager Code Provisions" enumerating and clarifying the duties and responsibilities of the Village Manager asfollows:

**Powers and duties.**

**LOCAL LAW – VILLAGE MANAGER**

§ 32-1 History; Office created; Village Manager Term; Removal from office.

§ 32-2 Powers and duties.

§ 32-3 Designation as Budget Officer.

§ 32-4 Chain of Command

§ 32-5 Reservation of power.

§ 32-6 Residency requirements.

§ 32-7 Removal from office

§ 32-8 Vacancy in office

§ 32-9 Conflict with other positions

**§ 32-1 History; Office created; Village Manager; term; removal from office.**

The Office of Village Manager was established by public referendum in the Village of Ardsley in 1955. The announced purpose of that action was to provide for the most economical and efficient overall direction, coordination and control of the day-to-day activities and operations of the Village of Ardsley, to provide centralized direction and control of village employees and to formalize staff and advisory functions necessary to accomplish those goals. The purpose of this local law is to enumerate to the extent not specified in the enabling referendum, and by the authority vested in the Board of Trustees without further referendum, the specific powers, authority, duties and responsibilities of the Village Manager. Unless otherwise provided for by resolution of the Board of Trustees, the Village Manager shall serve at the pleasure of such Board

The Village Manager shall be a merit-based appointment by the Mayor and Board of Trustees in recognition of his/her/their executive and administrative qualifications and education.

**§ 32-2 Powers and duties.**

The administration of Village affairs shall be under the direction of a Village Manager in conformity with the provisions of the Village Law of the State of New York, Article 15-A. The Village Manager shall have and exercise such other powers and duties as designated by local law of the Board of Trustees, notwithstanding the power and duties specified in this local law, nor reducing those presently exercised, as follows:

A. General duties of Village Manager. --The Village Manager shall be responsible for the management and administration of the Village Government. He/she/they shall see that within the village, the laws of the state and the local laws, rules, and by-laws of the board of trustees are faithfully executed; he/she/they shall attend all meetings of the board of trustees and recommend for adoption such measures as he/she/they shall deem expedient; he/she/they shall make reports to the board of trustees from time to time upon the affairs of the village, keep the Board of Trustees fully advised of the financial condition of the Village and its future financial needs; he/she/they shall prepare and submit to the council, a tentative budget for the next fiscal year.

B. Appointment of Village officers and employees.--Such Village officers and employees as the Board of Trustees shall determine are necessary for the proper administration of the Village, except the Village Clerk, Village Attorney and Village Treasurer and in the County of Westchester, the Chief of Police and members of the Police Department where such a department has been established pursuant to law, shall be appointed by and may be removed by the Village Manager; but the Village Manager shall report each such appointment and removal to the Board of Trustees at the next meeting thereof following any such appointment or removal; the Village Clerk, Village Attorney, Village Treasurer and Chief of Police and members of the Police Department where such a department has been established pursuant to law, shall be appointed and their salary or compensation fixed by the Board of Trustees as provided in the Village Code and the Village Law of the State of New York. The foregoing are further subject to and superseded by any laws or regulations for those agencies specially enacted by the State of New York.

C. Powers and duties of other village officers. —All officers and employees are subject to the rules and regulations adopted by the Board of Trustees and those directed by the Village Manager, including the Village employee handbook, to the extent such rules, regulations and directives are not inconsistent with applicable federal, state and local laws and regulations. All officers and employees, except the Village Clerk, Village Attorney, Village Treasurer and Chief of Police, shall perform such duties as may be required of them by the Village Manager. Certain duties necessary to the proper functioning of the village requested by the Village Manager may also be required of the Village Clerk, Village Attorney, Village Treasurer, and Chief of Police. In the case of the Chief of Police, such requests shall not impede the day to day police operations of the Department.

In addition to the foregoing, the Manager shall have the power and be required to:

1. Appoint and, when necessary, in the best interests of the Village, suspend or remove any paid employees of the village except as herein otherwise specifically provided, or except as otherwise provided by law or personnel rules and regulations adopted by the Village. Such appointment and removal power shall be subject to the rules of the Civil Service Commission, where applicable, and within the general limitations of the annual budget.

Further, the Village Manager may authorize any administrative officer who is subject to his/her/their direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.

2. Recommend to the Mayor and the Board of Trustees adoption of such measures as he/she/they may deem necessary or expedient for the health, safety or welfare of the community or for the improvement of administrative services.
3. Attend all meetings of the Mayor and Board of Trustees and such other meetings as the Mayor and Board of Trustees shall direct, and he/she/they may take part in the discussion of any matter coming before such boards and commissions. He/she/they shall be given notice of all regular and special meetings of the Mayor and the Board of Trustees.
4. Subject to the limitations of the annual budget, purchase or approve the purchase of materials and equipment, except when advertising for bids is required by law.
5. Under the general supervision of the Mayor and Board of Trustees, supervise the enforcement within the Village of all the laws of the state and the local laws of the Village and the rules, bylaws and resolutions of the Mayor and the Board of Trustees.
6. Investigate the affairs of the Village or any department or division thereof; investigate all complaints in relation to matters concerning the administration of the government of the Village, and see that all franchises, permits and privileges granted by the Village are faithfully observed.
7. Conduct a continued study of all functions and activities of the Village for the purpose of devising ways and means of attaining greater efficiency and economy.
8. Perform such additional duties as shall be assigned to him/her/them by the Mayor and the Board of Trustees.

**§ 32-3 Designation as Budget Officer.**

In addition to the powers and duties set forth in herein, the Village Manager shall serve as Budget Officer and prepare the budget annually and submit it to the Mayor and Board of Trustees in accordance with the requirements of the applicable laws of the State of New York and be responsible for its proper administration after adoption.

**§ 32-4 Chain of command.**

Except for the purpose of inquiry, the Mayor and the Board of Trustees and its members shall deal with the administrative services solely through the Village Manager.

**§ 32-5 Reservation of power.**

Nothing herein contained shall be deemed or construed as abolishing, transferring or curtailing any powers or duties of the Board of Trustees or of the Mayor, the Village Treasurer or Village Clerk, as prescribed by the Village Law or other applicable laws of the state.

**§ 32-6 Residency requirements.**

The Village Manager need not be a resident of the Village at the time of his/her/their appointment and may live outside of the Village during the term of office with the approval of the Board so long as residency is within the State of New York.

**§ 32-7 Removal from office.**

The Mayor and Board of Trustees may remove the Village Manager at any time in the manner provided in this section:

By a majority vote of its members, the Board of Trustees shall adopt a preliminary resolution stating the reasons for the removal of the Village Manager. A copy of such resolution shall be delivered promptly to the Manager, either personally or by registered mail, return receipt requested, addressed to the Manager's residence.

1. Within 10 business days following personal delivery or mailing by manner specified above of such resolution, the Manager may serve upon the Mayor, any Trustee or the Village Clerk a notice, in writing, setting forth his reply and requesting a public hearing. Such public hearing shall be held not earlier than 20 days nor later than 30 days after the service of such request. The Village Clerk shall cause a notice of such public hearing to appear in the official Village newspaper prior to the date of such hearing. Either the Board of Trustees or the Village Manager may request that minutes be taken at such public hearing. At any time after such public hearing, if one is requested, and after full consideration, the Board of Trustees may, by majority vote, adopt a final resolution of removal.

2. If no public hearing is requested, the Mayor and Board may adopt a final resolution of removal any time after 15 days from the date when a copy of the preliminary resolution was delivered to the Village Manager.

3. The Village Manager shall continue to receive his/her/their full salary until the effective date of the final resolution of removal.

#### **§ 32-8 Vacancy in office.**

Whenever the Office of Village Manager shall become vacant for any reason whatsoever, all of the powers, duties and responsibilities of the Manager, as set forth in this chapter, shall be exercised by a qualified Interim Village Manager appointed by the Board of Trustees pending the appointment of a qualified permanent successor.

#### **§ 32-9 Conflict with other provisions.**

All existing local laws of the Village prescribing the duties of heads of departments shall remain in full force and effect except insofar as they conflict with the provisions of this chapter, in which case the provisions of this chapter shall govern; and all local laws or parts of local laws and all resolutions and parts of resolutions heretofore adopted or passed by the Mayor and the Board of Trustees of this Village conflicting or inconsistent with this chapter, or any part thereof, are hereby annulled or repealed.

- 6.2 Consider a Resolution Granting Permission to Convert the Vacant Commercial Building Located at 701 Saw Mill River Road into a Business Office & Storage Area

**Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously.**  
**RESOLVED**, that the Village Board of the Village of Ardsley hereby authorizes the proposed permit to convert the newly constructed vacant space at 701 Saw Mill River Road into a business office and storage area presented by the applicant.



Any approvals should contain the following provisions:

1. The applicant must provide plans for the remainder of the build-out showing full compliance with the NYS Building Code.
2. The applicant must obtain the required permits prior to commencing construction for the build-out.
3. The applicant must obtain a sign permit and BAR approval for all proposed signage.
4. The hours of operation should be identified/confirmed.
5. The business owner must install a Knox Box on the building.
6. The approval is for temporary use of the building while plans for the proposed use and occupancy are developed. This approval is valid for a period of 365 days after the issuance of the building permit. If additional plans are not developed by that time, the applicant must return to the Village Board for full site plan review to ensure proper site development if the owner does not pursue their stated plans.

- 6.3 Consider a Resolution Granting Permission to Convert the Former Automotive Repair Facility at 891 Saw Mill River Road into a Recycling Bin Maintenance and Storage Shop

**Moved by Trustee Edelstein, Seconded by Trustee D'Emilio and passed unanimously. RESOLVED,** that the Village Board of the Village of Ardsley hereby authorizes the proposed permit to convert the former automotive repair facility at 891 Saw Mill River Road into a recycling bin maintenance and storage shop as presented by the applicant.

Subject to the following conditions:

1. The applicant must provide plans for the remainder of the build-out showing full compliance with the NYS Building Code.
2. The applicant must obtain the required permits prior to commencing construction for the build-out.
3. The applicant must obtain a sign permit and BAR approval for all proposed signage.
4. The hours of operation should be identified/confirmed.
5. The business owner or property owner must install a key box (Knox Box) on the building in a location approved by the Ardsley Fire Chief.
6. Any conditions the Village Board deems appropriate.
7. Any conditions the Village Attorney or Village Manager deem appropriate.

## **7. NEW BUSINESS:**

- 7.1 Consider a Resolution to Schedule a Public Hearing for Mary Lee Nail Salon 466 Ashford Avenue

**Moved by Trustee D'Emilio, Seconded by Trustee Edelstein and passed unanimously. RESOLVED,**

that the Village Board of the Village of Ardsley hereby declares itself Lead Agency for site plan approval for a proposed permit to convert the vacant commercial space at 466 Ashford Avenue into a nail salon; and

**NOW THEREFORE BE IT FURTHER RESOLVED,** that the Village Board of the Village of Ardsley hereby schedules a public hearing on Monday, October 4, 2021 to discuss the proposed permit.

- 7.2 Consider a Resolution Authorizing the Interim Village Manager to Enter into a Contract with Seagrave Fire Apparatus for Model TB7OCA Marauder Fire Pumper

**Moved by Trustee Weitz, Seconded by Trustee DiJusto and passed unanimously. WHEREAS,** the Volunteer Fire Department demonstrated a need for a new fire pumper; and

**WHEREAS,** the Village Board authorized the issuance of a 15 year bond in the amount of \$802,000 inclusive of all costs for the fire pumper; and

**WHEREAS,** through an authorized competitive bidding process conducted by HGAC INC., Seagrave Fire Apparatus LLC was awarded the bid; and

**NOW THEREFORE BE IT RESOLVED,** that the Village Board authorizes the interim village manager to enter into a contract with Seagrave Fire Apparatus LLC for Marauder Fire Pumper Model TB-70-CA in an amount not to exceed \$769,263 exclusive of taxes.

- 7.3 Consider a Resolution to Modify the 2020/2021 Budget by Enabling the Village Treasurer to Make Necessary Transfers within the General Fund

**Moved by Trustee Edelstein, Seconded by Trustee D'Emilio and passed unanimously. RESOLVED,** that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to modify the 2020/2021 Village Budget by transferring \$584,727.40 from the following.

**FROM LINE ITEMS:**

A-9060-0807-0000 Hospital & Medical	54,892.59
A-9060-0808-0000 Dental	10,916.67
A-9030-0802-0000 Social Security	44,088.69
A-1990-0400-0000 Contingency	344,463.00
A-1964-0462-0000 Tax Certiorari	130,366.45

**TO LINE ITEMS:**

A-1210-0400-0000 Contractual	59,505.21
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A-1620-0412-0000 Postage	2,040.48
A-1620-0430-0000 Utilities	2,345.56
A-1620-0431-0000 Telephone	5,822.77
A-1620-0452-0000 Bldg. Maintenance	1,002.48
A-1950-0400-0000 Contractual	53,827.19
A-3120-0100-0000 Personnel Services	134,526.22
A-3120-0101-0000 Personnel Services	73,039.64
A-3120-0106-0000 Special Events	48,421.77
A-3410-0230-0000 Motor Vehicle	64,171.25
A-3410-0270-0000 Tools and Operating Equip	7,461.58
A-5010-0486-0000 Engineering	5,597.29
A-5182-0426-0000 Lights & Peripherals	4,009.93
A-5182-0490-0000 Street Lights	633.65
A-7110-0454-0000 Park Maintenance	17,324.60
A-8090-0460-0000 Contract Services	900.00
A-8170-0426-0000 Motor Vehicle Repair	2,453.64
A-9010-0801-0000 State Retirement	10,563.14
A-9015-0825-0000 Police Retirement	91,081.00

## **8. CALL FOR EXECUTIVE SESSION**

## **9. ADJOURNMENT OF MEETING**

### **9.1 Adjournment**

**Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously. RESOLVED**, that the Village Board of the Village of Ardsley Hereby adjourns the regular meeting of Monday, September 20, 2021, at 9:49 p.m.

## **10. ANNOUNCEMENTS**

- September 21, 2021 Board of Architectural Review
- September 22, 2021 Zoning Board of Appeals
- September 22, 2021-September 26, 2021 Ardsley Engine Co. Carnival -Pascone Park

## **11. NEXT WORK SESSION October 13, 2021**

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Village Clerk, Ann Marie Rocco

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Date: