



MINUTES

Ardsley Village Board of Trustees

8:00 PM - Monday, December 5, 2022

In-Person 507 Ashford Avenue

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

1. PLEDGE OF ALLEGIANCE

Mayor Kaboolian called to order the Regular Meeting at 8:14 P.M.

Roll Call:

Mayor Nancy Kaboolian

Deputy Mayor/Trustee Andy DiJusto

Trustee Asha Bencosme

Trustee Steve Edelstein

Absent: Trustee Craig Weitz

CONTINUATION OF PUBLIC HEARING To Discuss Request to hold an Outdoor Event Sponsored by Boar's Head Provisions at Ardsley Market Fresh 645 Saw Mill River Road

1. Mayor Kaboolian opened the Public Hearing at 8:14 p.m. in the matter of a request for an outdoor event sponsored by Boar's Head Provisions at Ardsley Market Fresh 645 Saw Mill River Road.

Mayor Kaboolian stated that we have asked the applicant regarding the applications, security measures and traffic patterns and we were still waiting for this information.

Mayor Kaboolian suggested that we discuss this at the January 17, 2023 Board Meeting.

All members of the Board were in agreement with this.

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

RESOLVED, that the Public Hearing in the matter of holding an outdoor event sponsored by Boar's Head Provisions at Ardsley Market Fresh located at 645 Saw Mill River Road be continued at the January 17, 2023 Board Meeting at 8.15 p.m.

Carried by the following votes: 4-0-0

Ayes: Mayor Kaboolian, Trustee DiJusto, Trustee Becosme & Trustee Edelstein

Nays: None

Abstained: None

CONTINUATION OF PUBLIC HEARING To Discuss Amending Chapter 200 Entitled "Zoning" to add Provision for Accessory Dwelling Units of the Ardsley Village Code

Mayor Kaboolian opened the Public Hearing at 8:14 p.m. in the matter amending Chapter 200 Entitled "Zoning" to add Provision for Accessory Dwelling Units of the Ardsley Village Code

1. The following email was received by Mr. Rappaport Ardsley resident:

Dear Mayor:

I have read Dr. Kowalsky's comments regarding ADUS and I agree with him. Further, the restrictions opposed by the County should remain in place if you are going forward with this proposal. We live here - not County bureaucrats. Owner occupancy is essential if properties are to be maintained. I am against any effort to sub-divide a single family lot. The small ADU of today is a potential slippery slope to the mega-ADU of the future.

Frankly, I see a number of other problems outside of the undesirable densification in established single family neighborhoods. I spoke with the Board a while back about a commercial vehicle being improperly parked in a driveway. Because we do not have a code officer on duty on weekends or nights, the problem was never resolved. ADUs will require further monitoring. Efforts to hire additional code enforcement personnel were rejected by the Board. Until that happens, this proposal should be tabled.

I note that Hastings has passed ADU legislation. Let's wait and see what the results are before we rush into this. I am also concerned that if ADUs are allowed,

additional trees may be removed to make room for them. The Ardsley schools are also experiencing unprecedented growth. ADUs may add to that. Having watched Board meetings for 20 years, I have seen the calls to ASVAC also increase year to year. Along these lines, the Atria can be seen as a form of Village ADU. One third of the ASVAC calls are now due to the Atria.

There have been additional concerns expressed in my review of the literature on ADUS that older homes will be torn down so as to permit ADUs.

While no one disputes the need for affordable housing, as Mr. Kowalsky noted, the place for this is in the downtown area as the Comp Plan envisioned. One might add our existing OLD infrastructure is being challenged everyday by climate change and every type of commercial vehicle on our roads (I plead guilty with several Amazon and UPS deliveries everyday) plus using the WONDER truck for meals on occasion.

As Dr. Kowlalsky stated, this legislation appears to be a solution in search of a problem but one that may cause more problems than it solves.

Gary S. Rappaport
5 Victoria Road
Ardsley NY 10502

Mayor Kaboolian feels that the ADU legislation is necessary. Mayor Kaboolian reviewed Mr. Williams' & Mr. Rappaport's comments and has looked at the legislation and compared it to Dobbs Ferry and Tarrytown. Our existing proposed law is similar to some of our neighboring communities and believes that there should be some restrictions on size and the number of ADU's and feels there should be restrictions with off street parking. Parking on the street could create congestion.

We should amend our proposed legislation to take out the requirement that the owner live in the primary dwelling and we can reduce the occupancy requirement from 2 years to 1 year and reduce the lease term to 6 months. Mayor Kaboolian suggested that we ask for a variance for parking or apply for a parking space.

Trustee DiJusto would like to discuss the square footage of the ADU and we are limited to a 2 bedroom. Would not like to see the ADU as a 2 bedroom. Does not agree with square footage. Parking needs to be looked at on an individual basis and possibly apply for a variance.

Trustee Bencosme agrees with Trustee Di Justo's concerns about parking. She would be interested in lowering the owner occupancy to one and she agrees with looking at reducing the lease term to 6 months.

Trustee Edelstein stated that one of the primary changes is allowing the owner to occupy the residence. Supports the reduction of owner occupancy and lease terms and parking variances which could provide more flexibility.

Mayor Kaboolian recommended that based on the comments and recommendations regarding the ADU, the Board would like to see a re-draft of the legislation/local law and would like to continue the public hearing to the next meeting, December 19th, 2022.

In summary these are the suggested changes:

- Parking issues/possible variance procedure
- Eliminating the owner requirement occupy the primary dwelling
- Reduce the owner occupancy from 2 years to 1 year.
- Reduce the lease term from 1 year to 6 months

Mr. Ben Williams Danforth resident spoke in favor of the ADU law. Mr. Williams stated that there is very little rental inventory in Ardsley.

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

RESOLVED, that the Public Hearing in the matter of amending Chapter 200 entitled "Zoning" to add Provision for Accessory Dwelling Units of the Ardsley Village Code to be continued at the December 19th, 2022 at 8.30 p.m.

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

2. ANNOUNCEMENT OF EXIT SIGNS

3. APPROVAL OF MINUTES:

3.1 November 21, 2022 Board of Trustees Regular Meeting Minutes

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

RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of November 7, 2022 as submitted.

Carried by the following votes: 4-0-0

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

Nays: None
Abstained: None

4. DEPARTMENT REPORTS

1. LEGAL

- 1.a Village Attorney, Robert J. Ponzini stated he had nothing to report other than those items that may have been submitted in memorandum form and would be available for Executive Session after the meeting if needed.

2. MANAGER

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

1. **CAMERA WORK ON SANITARY SEWER LINES:** Since last month, Fred Cook has been conducting the CCTV inspections of the sanitary sewer lines. As discussed, we have them starting on roadways that are planned on being paved by ConEdison after the completion of the gas main replacement project in the neighborhoods on the south side of Ashford Avenue. The scope of this phase of the project is expected to last about two months, so they should be complete by the end of January. Staff will work with consultants to determine and address issues identified in the study. What we are seeing so far is thankfully not requiring any substantial repair work. A few small items have been identified, such as some roots coming in through seams, but what has been identified can be resolved without disruption to the roadway. As the project continues, we will be developing a capital improvement schedule to address any issues that are discovered.
2. **CURBING:** Curbing work is continuing this week as we approach the winter season, but we anticipate this phase of the project to be wrapping up by the end of next week, as the asphalt plants have given notice of closing shortly. The goal is for the contractor to finish the north side of Lincoln Avenue in its entirety. The south side of Lincoln, along with Euclid Avenue will be completed in spring.
3. **DPW GARAGE:** The project is continuing to move along nicely. We are hoping to have the footings in by the end of the year, and we are working closely with the Town of Greenburgh for the installation of the new water main that will be servicing the property. Contractors will continue to work through the season, as weather conditions and supplies allow.
4. **PEDESTRIAN SAFETY/CROSSING GUARDS:** On Friday, Dec. 2, David DiGregorio, Chief Piccolino and I met with Dr. Schoenfeld and Joe Urbanowicz from the school district to discuss speed control devices along Francis McCormack Drive going to the middle school. The meeting was very productive and we have come up with some ideas in mind that we think will greatly benefit pedestrian safety. We will discuss these ideas with our

consultant engineer and have the project designed to meet all required specifications. It is anticipated that the projects being discussed can be completed using in-house resources, but we will confirm that after the design stage. We are also advertising for a second crossing guard position to assist with pedestrian safety. We are hoping to have the new hire start at the beginning of the year. Details about the position can be found on our website www.ardsleyvillage.com and anyone interested in the position should contact Chief Piccolino at (914) 693-1700. Chief Piccolino and I have also internally discussed options to enhance pedestrian safety around schools including looking into radar signs and additional enforcement and should have more to report in the upcoming weeks. In the meantime, the Chief has engaged the Town of Greenburgh to borrow one of their speed indicator signs and it will be placed on Heatherdell Avenue. We will closely monitor the success of that pilot program and if it is impactful, we can look into pricing options to procure one of our own.

5. **VILLAGE TAXES:** The second installment of the Village tax bill became due and payable on December 1st, 2022 and can be paid without penalty until 4:00 pm on Tuesday, January 3, 2023. Payments arriving via mail postmarked by the USPS after January 3, 2023, or arrive after January 3, 2023 without a postmark, will be assessed a late penalty as required by New York State Real Property law. Meter-mailed postmarks are not valid proof of timely payment. No Village official is empowered to waive the late fee for any reason. Residents are asked not to bring their tax payment in on Saturday, December 31, 2022 since our offices will be closed.

3. TREASURER

3.a December 5, 2022 Abstract Report

Village Manager Cerretani read the November 21, 2022 Abstract Report as follows:

From the General Fund: \$89,714.41 from the Trust & Agency Fund: \$5,605.90 and from the Capital Fund: \$19,994.50, Sewer Fund: \$0.00

Moved by Trustee DiJusto, Seconded by Trustee Bencosme 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: \$89,714.41 from the Trust & Agency Fund: \$5,605.90 and from the Capital Fund: \$19,994.50 Sewer Fund: \$0.00.

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

4. BUILDING No Building Department Report

5. FIRE No Fire Department

6. POLICE No Police Department

7. MAYOR'S ANNOUNCEMENTS

7.a Mayor Kaboolian announced the following

- Dana Laurient Chair of the Multicultural Committee has stepped down from this position and thanked her for her tireless work.
- Deb Pence is also stepping down from her position on the Youth Counsel and thanked her for all her volunteer work.
- Thanked all the Volunteers in our Village and looks forward to working with them in the coming year.
- The Tree lighting event was well attended and thanked everyone who made this event successful.
- ASVAC is turning 60 years old this year! We honor and respect all they do.
- Ardsley Historical Society is celebrating their 40th Anniversary this year. Mayor Kaboolian encouraged all to become members of the Society to learn about Ardsley History.

8. COMMITTEE & BOARD REPORTS

8.a Trustee DiJusto announced the following:

- Thanked the Village Manager for the updates on the crosswalks, and the pedestrian concerns based on the survey results for the least meeting.
- ASVAC is turning 60 years old this year. ASVAC is a very dedicated organization. ASVAC has had 798 calls this year. if you are interested in volunteering for ASVAC please visit asvac.org

Trustee Bencosme announced the following:

- Invasive Vine removal will take place on December 17th at Macy Park beginning at 10 am.
- Reminder, Youth Advocate Program holds activities on Wednesday & Fridays at the Community Center. Homework Helpers (Wednesdays) and Middle School Hangout (Fridays) from 3:00-5:30 pm.

Trustee Edelstein announced the following:

- Pollinator Pathway's annual seed swap will take place on Saturday, December 10th beginning at 11 am at 23 Orlando Avenue.
- Senior Citizens have their holiday event at the Firehouse beginning at 2:30 pm
- Menorah Lighting will take place on December 19th at 7:00 pm at Legion Park.

5. OLD BUSINESS:

6. NEW BUSINESS:

- 6.1 Consider a Resolution Modifying the 2021/2022 Budget by Enabling the Village Treasurer to make Necessary Transfers within the General Fund

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

RESOLVED,

that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to modify the 2021/2022 Village Budget by transferring \$5,987.60.

FROM LINE ITEMS:

A 9040-0803-0000 Workers Compensation 5,987.60

TO LINE ITEMS:

A 9060-0808-0000 Dental Insurance 5,987.60

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

- 6.2 Consider a Resolution Authorizing the Village Manager to Execute a Shared Inter-Municipal Agreement -NYS DEC Grant for "Recycling App"

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

RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to sign a shared Inter-municipal Agreement- NYS DEC Grant for "Recycling App" effective January 1, 2022 through December 31, 2022.

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

- 6.3 Consider a Resolution Authorizing the Village Manager to Sign a Contract for Bond Counsel Services with Orrick, Herrington & Sutcliffe, LLP

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

RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to execute the proposed contract for bond counsel services with Orrick, Herrington, Sutcliffe, LLP located at 51 West 52nd Street, New York, New York 10019-6142 from January 1, 2023 through December 31, 2023.

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

6.4 Consider a Resolution Amending the Village of Ardsley's Non-Union Personnel Policy

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

WHEREAS, Village policies have not recently been updated; and

WHEREAS, updated policies are critical to effective Village operations; and

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby amends the Non-Union Personnel policy effective immediately.

Carried by the following votes 4-0-0:

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

Nays: None

Abstained: None

7. VISITOR RECOGNITION

8. CALL FOR EXECUTIVE SESSION

9. ADJOURNMENT OF MEETING

9.1 Adjournment

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

RESOLVED, that the Village Board of the Village of Ardsley Hereby adjourns the regular meeting of Monday, December 5, 2022 at 8:55 p.m.

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

10. UPCOMING MEETINGS & EVENTS

- December 6th Birds & Bees & Garden Design Zoom Event 7:30 pm
- December 6th Board of Architectural Review Meeting 7:00 pm
- December 7th Senior Citizens Crafts with Concord Rd Elementary School 12:00 pm
- December 7th Homework Helpers 3:00 pm
- December 9th Middle School Hangout 3:00 pm
- December 10th Pollinator Pathway Annual Seed Swap 11:00 am
- December 12th Planning Board Meeting 8:00 pm
- December 13th Recreation Commission Meeting 5:00 pm
- December 13th MDI Meeting 7:30 pm
- December 14th Homework Helpers 3:00 pm
- December 14th Senior Citizens Holiday Party 2:30 pm
- December 15th Library Board Meeting 7:30 pm
- December 16th Middle School Hangout 3:00 pm
- December 17th Invasive Vine Removal at Macy Park 10:00 am
- December 19th Menorah Lighting 7:00 pm

11. NEXT BOARD MEETING: December 14, 2022 Board of Trustees Work Session 7:30 pm
December 19, 2022 Board of Trustees Legislative Meeting 8:00 pm

Village Clerk, Ann Marie Rocco

Date: