



MINUTES

Ardsley Village Board of Trustees

8:00 PM - Monday, July 3, 2023

Meeting Held In-Person & Zoom Platform

Present: Mayor	Nancy Kaboolian
Deputy Mayor/Trustee	Andy Di Justo
Trustee	Steve Edelstein
Trustee	Craig Weitz
Village Manager	Joseph L. Cerretani
Village Clerk	Ann Marie Rocco
Village Attorney	Robert Ponzini

Absent: Trustee Asha Bencosme

1. CALL TO ORDER-PLEDGE OF ALLEGIANCE-ROLL CALL

- 1.1 The Regular Meeting of the Village of Ardsley Board of Trustees was held on July 3, 2023 at Village Hall, Court Facility, 507 Ashford Avenue, Ardsley, NY 10502.

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

Members Present:

Mayor Nancy Kaboolian

Deputy Mayor/Trustee Andy Di Justo

Trustee Steve Edelstein

Trustee Craig Weitz

Trustee Asha Bencosme was absent.

Also present were: Village Manager, Joseph Cerretani, Village Attorney, Robert J. Ponzini and Village Clerk, Ann Marie Rocco

2. PUBLIC HEARING In the Matter of Amending Chapter 173 - Article VI and VII of the Ardsley Village Code Entitled "Street Excavations" and "Curb Cuts"

- 2.1 Mayor Kaboolian opened the Public Hearing at 8:05 p.m. in the matter of discussing the proposed amendments to Chapter 173 Article VI and VII of the Ardsley Village Code entitled " Street Excavations" and "Curb Cuts" read the notice into the record:

NOTICE OF PUBLIC HEARING
AMENDING CHAPTER 173 ARTICLE VI OF THE ARDSLEY VILLAGE CODE
ENTITLED "STREET EXCAVATIONS"

PLEASE TAKE NOTICE, that the Board of Trustees of the Village of Ardsley will hold a public hearing on Monday, July 3, 2023 at 8:00 p.m. or soon thereafter at Village Hall-Court Room, 507 Ashford Avenue, Ardsley, NY 10502 to discuss amending chapter 173-Article VI of the Ardsley Village Code entitled Street Excavations.

Please check the calendar on the village website for meeting details at: www.ardsleyvillage.com

Further details on this amendment is available at the Clerk's office, 507 Ashford Avenue, Ardsley, NY during normal office hours Monday through Friday 9:00 am-4:00 pm.

Written comments may be sent to the Village Clerk at arocco@ardsleyvillage.com or sent via regular mail to 507 Ashford Ave, Ardsley, NY 10502. All comments will be shared with the Board of Trustees and questions will be answered as quickly as possible.

All residents and taxpayers are invited to attend.

BY ORDER OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF ARDSLEY, NEW YORK

Ann Marie Rocco
Village Clerk
Dated: June 23, 2023

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

RESOLVED, that the Public Hearing be closed in the matter of amending Chapter 173-Articles VI and VII of the Ardsley Village Code entitled "Street Excavations" and "Curb Cuts" at 8:16 p.m.

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

3. SWEARING IN OF SERGEANT JOHN PIGNATELLI TO LIEUTENANT

- 3.1 Mayor Kaboolian administered the Oath of Office and duly swore in Lieutenant John Pignatelli.

4. APPROVAL OF MINUTES:

- 4.1 June 20, 2023 Board of Trustees Regular Meeting Minutes

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

RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Tuesday, June 20, 2023 as amended.

Carried by the following votes: 3-0-1

Ayes: Mayor Kaboolian, Trustee DiJusto & Trustee Edelstein

Nays: None

Abstained: Trustee Weitz

5. DEPARTMENT REPORTS

1. LEGAL

- 1.a Village Attorney, Robert Ponzini there is nothing to report. Working on on-going projects with staff and is available for Executive Session if needed.

2. MANAGER

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

CONGRATULATIONS: To Lieutenant Pignatelli on his achievements in the Ardsley Police Department and I look forward to continuing working with him now in his new capacity.

NEW DPW CONSTRUCTION PROJECT: The steel framing is continuing to make tremendous strides. We have a site visit scheduled with the Village Board for Friday, July 7, and I am proud of the progress the project has made since the Board has last been to the site collectively at the groundbreaking ceremony.

SANITARY SEWER PROJECT: The bid packet has been completed and with a bid opening date of the 28th. I am hoping to have a recommendation to the Board for the August 7 meeting. In my short tenure with the Village, I am proud of the progress we've made, having mapped the entire sanitary and storm sewer systems, as well as by the end of the year, will have had 2/3 of the entire sanitary sewer system camera inspected.

4TH OF JULY OFFICE CLOSING: Residents are reminded that Village Hall, including the Court, Community Center, Ardsley Public Library and Highway Department will be closed on Tuesday, July 4, 2023 in observance of 4th of July.

- Refuse/Recycle collection is as follows:
- Monday, July 3, 2023- Refuse Collection for everyone
- Tuesday, July 4, 2023 No Collection
- Wednesday, July 5, 2023 Newspaper, Cardboard, Bulk Metal, E-Waste
- Thursday, July 6, 2023 Commingle Glass, Plastic
- Friday, July 7, 2023-Refuse Collection for everyone

3. ABSTRACT REPORT

3.a July 3, 2023 Abstract Report

Village Manager, Joseph Cerretani read the June 5, 2023 Abstract Report as follows:
From the General Fund: \$324,030.54 from the Trust & Agency Fund:\$14,240.17,
from the Capital Fund: \$51,933.34 and from the Sewer Fund: \$0.00.

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

RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$324,030.54 from the Trust & Agency Fund: \$14,240.17 from the Capital Fund: \$51,933.34 and from the Sewer Fund:\$0.00

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

4. MAYOR'S ANNOUNCEMENTS

4.a Mayor Kaboolian announced the following:

- Congratulated John Pignantelli on his promotion to Lieutenant
- Attended the County address. Happy to report that the County is in a financially good position.

5. COMMITTEE & BOARD REPORTS

5.a Trustee DiJusto announced the following:

- Attended the Ice Cream Social that was very well attended.
- Attended the 100th Anniversary of MVR celebration.

Trustee Weitz did not have anything to report.

Trustee Edelstein announced the following:

- Attended the Eagles & Girl Scout ceremony
- Attended the Ice Cream Social

6. OLD BUSINESS:

6.1 Consider a Resolution to Amend Chapter 173 Articles VI and VII of the Ardsley Village Code Entitled "Street Excavations" and "Curb Cuts"

Moved by Trustee Weitz, Seconded by Trustee Diusto and passed unanimously.

RESOLVED, that the Village Board of the Village of Ardsley hereby amends Chapter 173 Article VI and VII entitled "Street Excavations" and "Curb Cuts" of the Ardsley Village Code as follows:

New text is in **bold underline** and deleted text is in **~~highlighted strikethrough~~**
Article VI

Street Excavations

[Added 1-6-1958; amended in its entirety 6-7-2021 by L.L. No. 4-2021]

§ 173-32 Openings on streets and sidewalks restricted.

It shall be unlawful for any person, firm, company or corporation to make or cause to be made any excavation (hereinafter referred to as an "opening") in or under any street, sidewalk or public place or any portion thereof, whether paved or otherwise, in the Village of Ardsley, for any purpose whatsoever, except upon compliance with the provisions of this chapter and the obtaining of a permit and the payment of a fee therefor as hereinafter provided for.

§ 173-33 Application to be filed; permit.

[Amended 3-20-2023 by L.L. No. 2-2023]

Except for emergencies, at least 48 business hours prior to commencement of work, any person or authorized representative of any firm, company or corporation, seeking to make any opening, shall file with the Village Clerk an application, in writing, for a permit for such opening on an application containing such information as the General Foreman shall specify. A sketch showing the location, dimensions and character of the opening shall accompany the application.

§ 173-34 Excavations and restoration.

A. Methods.

(1) All excavations, including temporary and permanent work, within any street shall be performed in accordance with the specifications contained in § 173-41, or in a manner as prescribed by the General Foreman for circumstances not covered by the specifications.

(2) The permittee shall make every effort to keep the amount of pavement damage to a minimum. The pavement damaged in the course of performing the work shall be restored by the permittee, at its own expense, or, in the discretion of the General Foreman, by the Village at the expense of the permittee. Backfilling and compaction of excavations shall be performed by the permittee so that the least possible subsequent settling will occur and as soon as practicable. Before backfilling, the permittee shall notify the General Foreman allowing adequate time as determined by the General Foreman for inspection, particularly in the area of existing underground utilities. If, after permanent pavement restoration, settlement occurs due to failure of the backfill, the Village shall again restore the damaged areas at the expense of the permittee.

(3) Immediately upon the completion of proper backfilling, the permittee shall construct temporary pavement. All temporary pavement shall be installed at a thickness of three inches. The surface of the temporary pavement shall not exceed above or lie below the surface of the adjacent permanent pavement and shall be reasonably smooth. The permittee shall be responsible for the proper placement and maintenance of the temporary pavement and shall keep the temporary pavement level with the surface of the surrounding permanent pavement and in proper repair and condition until such time as permanent pavement restoration is completed.

(4) In any case, upon notice from the General Foreman, the permittee, at its expense, shall immediately make such temporary repairs and take such corrective and protective measures to the work as directed by the General Foreman.

B. Responsibilities of permittee.

(1) It shall be the responsibility of the permittee to perform the necessary restoration beyond the limits of the pavement, which shall include but not be limited to restoration of lawns, shrubs, gardens, curbing, sidewalks, fences, walls, etc., to a condition as good or better as that which existed prior to pavement work or restoration.

(2) Upon completion of the permanent repairs outside the limits of the pavement, the permittee shall notify the General Foreman, in writing, that the permanent repair or replacement has been completed, setting forth the date of completion. The permittee shall, and has the duty and responsibility to, maintain the replacement area for a period of one year after completion. In any case, upon notice from the General Foreman within said one-year period, the permittee, at its expense, shall immediately make such repair or replacement and take such protective measures to the work as ordered by the General Foreman.

(3) The street opening permit shall be kept at the site of work at all times and exhibited whenever requested by any official or officer of the Village of Ardsley.

[Added 3-20-2023 by L.L. No. 2-2023]

(4) Prior to the commencement of any work the permit holder shall make arrangements with the Chief of Police or his duly appointed designee for the

coordination of all necessary public safety and traffic control measures. All safety and traffic control measures and restrictions shall be approved by the Chief of Police or his duly appointed designee who shall also determine if **Village of Ardsley** Police or **Village of Ardsley** Highway Department personnel will be required for traffic control, and the appropriate quantity of such personnel required. The estimated cost for such services shall be determined as enumerated in § 173-36C. The permit holder shall place on deposit the estimated cost for any required **Village of Ardsley** Police and **Village of Ardsley** Highway Department services. [Added 3-20-2023 by L.L. No. 2-2023]

(5) If the Chief of Police or his duly appointed designee determines that **Village of Ardsley** Police or **Village of Ardsley** Highway Department personnel are not required for traffic control, trained flag person(s) will be required in a quantity as set forth by the Chief of Police or his duly appointed designee. [Added 3-20-2023 by L.L. No. 2-2023]

C. Correction by Village at expense of permittee. In any case where the permittee does not timely and properly maintain or repair any temporary or replacement pavement as provided in § 173-34, Excavations and restoration, or does not timely and properly maintain, repair or replace, restore or reestablish any nonpaved area disturbed by the excavation work or take such protective measures with respect to any pavement as required by the General Foreman, the Foreman may perform said maintenance or make said repairs or replacements or take such protective measures. The cost thereof shall be charged to the permittee by the Village, with a minimum charge of \$200 per incident. [Amended 3-20-2023 by L.L. No. 2-2023]

§ 173-34.1 Deposit required.

[Amended 3-20-2023 by L.L. No. 2-2023]

Prior to the issuance of a permit, the applicant shall deposit with the Village a sum of money in cash or certified check sufficient to reimburse the Village for all expenses which may be incurred by it in restoring the disturbed surface of the street or other area opened. No part of such deposit shall be returned to the applicant until at least 270 days after the final inspection prescribed by § 173-40 of this article. The amount of such deposit shall be computed as follows:

A. Concrete, macadam, brick or other hard-surfaced road, sidewalk or public area: \$10 per square foot of opening; minimum deposit: \$1,000.

B. Gravel, dirt or other surface: \$5 per square foot of opening; minimum deposit: \$750.

C. In the event that more than one type of surface is to be excavated, the deposit shall be based on the square footage of each type of surface, and the minimum deposit shall be \$1,000.

§ 173-35 Exceptions to deposit.

A public service corporation may, in lieu of making deposits required pursuant to § 173-34.1, file and keep on file with the Village:

A. A performance bond in the amount of \$10,000, approved by the Village Attorney as to form, sufficiency and manner of execution, as security to the Village that said public service corporation shall properly restore any and all streets, sidewalks or public places in which it shall make an opening, and this shall include trees, grass,

shrubbery and/or any other plantings, to a permanent condition, and shall keep every portion of such restoral work in perfect order and repair during the entire period of maintenance and shall faithfully comply with all the provisions of this article and any amendments hereto and with all the provisions of all permits issued to it under this article and any amendments hereto; and

B. An agreement by said public service corporation, approved by the Village Attorney as to form, sufficiency and manner of execution, to indemnify and save harmless the Village from and against any and all claims, demands, suits, actions, proceedings, losses, injuries, damage and costs of every name and description in any way arising out of or resulting from any act or omission on the part of said public service corporation under any permit issued to it under this article or from any negligence or fault of said public service corporation, its contractors, agents, servants or employees, in connection with sidewalks, curb or driveway work or repairs or street openings or any work related thereto.

§ 173-36 Fees.

A. A fee as indicated in Ch. A210, Fees, shall accompany each application for a street opening permit. This fee shall be retained by the Village to cover cost of issuing the permit and any inspections required.

B. Any public service corporation electing pursuant to the provisions of § 173-35 to file and keep on file a performance bond and indemnity agreement, in lieu of making the deposits required pursuant to § 173-34.1, shall nevertheless pay with each application by it for a street opening permit the same fee as would be payable hereunder for such permit, if such public service corporation had elected to make the deposit required pursuant to § 173-34.1, and the fees so paid shall be retained by the Village as herein provided.

C. The costs for all **Village of Ardsley** Police Department and **Village of Ardsley** Highway Department staff and equipment provided for a street opening project shall be calculated at the rates specified in the Police and Highway Department hourly rate reimbursement tables in effect at the time of said work and shall be reimbursed by the permit holder. [Added 3-20-2023 by L.L. No. 2-2023]

§ 173-37 Emergency street openings.

A. Any public service corporation may be entitled to commence street opening work of an emergency nature, provided that, if the offices of the Village of Ardsley are closed, the **Village of Ardsley** Police Department shall be notified and application for such permit shall be made in the same manner outlined herein before the close of business hours for the first working day following the date of the emergency opening.

B. Street openings for the sole purpose of making original installations or connections will under no circumstances be classed as emergency work,

§ 173-38 Expiration of permit.

Each permit, or renewal thereof, shall expire 45 days following the issuance thereof and may be renewed upon written application to the Village Clerk and payment of an additional fee in the amount prescribed by § 173-36.

§ 173-39 Certificate of insurance.

A. No permit shall be issued until the applicant has filed with the Village Clerk a certificate of insurance from a company authorized to do business in the State of New York, certifying that the applicant has in full force and effect public liability insurance to indemnify and protect the Village against any loss, damage or injury which might be incurred by reason of such street excavation or performance of the work incidental thereto. Such certificates of insurance shall state that the Village of Ardsley shall be notified of any intent to cancel in any manner the policy referred to or of any change in the terms of the policy or limits thereof. Limits of liability of said insurance shall be not less than the following:

(1) Bodily injury damage: \$1,000,000 for any one person and \$1,000,000 for any one accident.

(2) Property damage: \$1,000,000 for any one accident.

B. Such insurance shall remain in force and effect and the operations covered thereunder shall not be deemed completed until at least 90 days after completion of the work hereinafter prescribed by § 173-40 of this article.

C. A public service corporation electing, pursuant to § 173-35, to file and keep on file a performance bond and indemnity agreement may file with the Village Clerk in lieu of a certificate of insurance a certificate that such corporation is a self-insurer.

§ 173-40 Compliance required.

The owner(s) of the property benefited and the person, firm, company or corporation executing the work shall comply with the following:

A. Proper lighting, barricading, reflectors, signs and watchmen shall be provided to the extent necessary to protect the public, as determined by the Chief of Police and/or General Foreman.

B. Gutters shall be kept clear so that free flow of water is permitted.

C. All work under the permit shall be pursued diligently and continuously until completed.

D. Not more than 1/2 of the paved width of any street shall be closed to traffic at one time.

E. The size of the opening shall not exceed that for which the permit was issued without first amending the permit as issued.

F. After backfilling openings which have been sheathed, the sheathing shall be left in place and cut down one foot below grade.

G. No tunneling or undercutting is permitted.

H. Openings shall be carefully backfilled with clean earth deposited in four-inch layers and tamped. Frozen earth or stones over six inches shall not be used in backfill. All shall be left in condition safe for travel by the public without hazard. It shall be the responsibility of the applicant to maintain the proper amount of backfilling openings for a period of 90 days after completion of the original backfilling. [Amended 3-20-2023 by L.L. No. 2-2023]

I. Pavement shall be restored or rebuilt to a permanent condition.

J. All work done under the permit is subject to the inspection and approval of such persons as the Village Manager may from time to time appoint. The applicant shall

notify the Village Clerk when all work prescribed herein is completed, and thereafter a final inspection shall be conducted by a person designated by the Village Manager.

§ 173-41 Specifications.

[Amended 3-20-2023 by L.L. No. 2-2023]

The street opening work and the final restoration shall be performed in accordance with specifications approved by the General Foreman, which shall include the following minimum specifications:

A. The trench shall be filled with K-Krete, when beneath the paved portion of the street and must be kept in proper repair until accepted by the Village.

B. If a new patch occurs where there is an existing patch, the entire existing patch shall be removed and replaced.

C. The final patch shall match the existing road conditions or the existing crown as determined by the General Foreman.

D. No digging shall start on a Saturday, Sunday or holiday, except in an emergency.

E. Concrete. If the street is concrete, the patch shall be concrete. The concrete shall be saw-cut to establish a clean, smooth surface. The existing concrete shall be drilled and doweled to a twelve-inch depth, and the dowel shall be two feet on center. The seam between the new and existing concrete shall be tack coated with tar.

F. Asphalt. If the street is asphalt, the patch shall be asphalt. The existing asphalt shall be saw-cut to a depth two inches and shall be 12 inches wider than the trench. A binder course of four inches and a top course of two inches shall be required. The seam between the new and existing asphalt cut tack coated shall be sealed with tar.

(1) Work in roadways paved more than five years prior. Single service or excavation only disturbing one lane shall be paved a minimum of five feet from the edge of the trench in each direction of the road and from the curb, or edge of road, to the center line of the roadway. Multiple services or excavations in one lane that are needed within 60 feet of each other, the restoration required shall extend five feet outside the far excavations and from the curb, or edge of road, to the center line of the roadway. Services or excavations that disturb both lanes, or extend over 50 feet in one lane, shall be paved a minimum of five feet outside the excavation on each side, and from curb to curb, or edge of road to edge of road.

(2) Work in roadways paved within previous five years. Single or multiple services, or excavations within 60 feet of each other, shall be paved a minimum of five feet outside the excavation on each side, and from curb to curb, or edge of road to edge of road.

(3) A restoration plan may be required based upon the proposed improvements. Segmenting the restoration of roadways in a noncontiguous manner should be avoided and will be at the discretion of the General Foreman.

G. All work shall be performed in a good and workmanlike manner, satisfactory to the General Foreman.

H. All street openings and work areas shall be provided with warning signs, barricades and lighting as necessary for public safety and in conformance with applicable provisions of the State of New York Department of Transportation Manual of Uniform Traffic Control Devices.

§ 173-42 Noncompliance.

If an applicant fails to comply with any of the provisions of § 173-40 and the Village backfills or restores the pavement to a permanent condition, the applicant shall pay for the cost of such work, such pavement to be deducted from the amount deposited pursuant to § 173-34.1 hereof, the balance, if any, being refunded to the applicant. In the case of a public service corporation which has elected, in lieu of making deposits, to file and keep on file a bond and indemnity agreement pursuant to § 173-35, the cost of such work shall be paid directly by the corporation and, if not so paid, shall be collected under the bond.

§ 173-42.1 Penalties for offenses.

[Amended 3-20-2023 by L.L. No. 2-2023]

Any person committing an offense against any provision of this article shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine of not less than \$250 and not exceeding \$2,000 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this article shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

Article VII

Curb Cuts

[Added 12-15-1986 by L.L. No. 9-1986]

§ 173-43 Legislative intent.

The Village finds it necessary to control the location and number of curb cuts. Such approval or denial will be based on such considerations as Planning Board requirements, availability of alternative access points, traffic hazards and conditions and any other factor affecting the health, safety or welfare of the public or which might be detrimental to the best interests of the Village.

§ 173-44 Permit; application; approval.

A. All curb cuts in an existing curb or where a curb could be placed along the street-front property line shall require a permit. Such permit shall be issued by the Building Inspector after review and approval by the Planning Board and **Village of Ardsley** Police Department.

B. An application for curb cut approval may be included in an application for new construction. However, an application for work to be performed outside a B-1 or B-2 Zone shall not exempt the curb cut from the necessary review and approval of the Planning Board or **Village of Ardsley** Police Department.

C. All curb cuts on Route 9A must meet the approval of the State Department of Transportation.

D. The Village may require as a condition for granting a curb cut permit that the applicant construct drainage swales, pipes or other drainage structures on his property to prevent discharge of storm drainage water onto the Village highway in a manner which may affect the health, safety or welfare of the public or which might be detrimental to the best interests of the Village. Such drainage works shall meet the approval of the Village, and the deposit of security for restoration required for

issuance of a permit may include a sum of money to assure the Village that such drainage works will be built, along with appropriate fees for the curb cut.

§ 173-45 Requirements.

A. All curb cuts for driveways shall have a curb reveal of 1 1/2 inches.

B. Curb cuts in an existing curb shall not be made by cutting or chipping so as to reduce the height of the curb section. Existing stone curbs shall be removed, and the same stones or others of equal material and size shall be reset to the new reveal, with the contractor making such excavation as is necessary to accomplish the same. Any stone curb reset in this manner shall be set in a footing of concrete. Existing concrete curb shall be removed, and a new section poured to provide the required reveal.

C. Where curbing is disturbed by trenching or for any reason other than the construction of a curb cut, it shall be restored by the placement of a curb of the same material and size as adjoins the disturbed area. If the curb is concrete, it shall be cut back at least three feet from each edge of the trench or area of disturbance, and replaced by a single poured section. If these cuts are within three feet of any joint in the curb, the new curb shall extend to such joint.

D. There shall be a limit of two curb cuts per lot and a maximum width per curb of 18 feet except in unusual circumstances at the discretion of the Planning Board.

[Amended 12-6-2021 by L.L. No. 10-2021]

E. Parking on shoulder areas or paving of shoulder areas to provide a parking area adjoining the traveled way, or lowering of curbs for the same purpose, will not be permitted except in unusual circumstances at the discretion of the Planning Board. A "shoulder area" shall be defined as that unpaved area that is part of the Village right-of-way.

§ 173-46 Fees.

A. The fee for such permit shall be as listed in § A210-3. [Amended 12-6-2021 by L.L. No. 10-2021]

B. The applicable curb cut fee shall be added to the applicable building permit fee when a request for an approval for a curb cut is included in an application for new construction.

§ 173-47 Penalties for offenses.

Any person, firm or corporation found guilty of violating the provisions of this article shall be guilty of committing a violation, the fine for which shall not exceed \$250.

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

7. NEW BUSINESS:

- 7.1 Consider a Resolution Declaring Lead Agency and Scheduling a Public Hearing for YC Ardsley Deli, LLC 472 Ashford Avenue

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

RESOLVED, that the Village Board of the Village of Ardsley hereby declares itself Lead Agency for to add eleven (11) tables and two (2) counters with a total for thirty-nine (39) seats to YC Ardsley Deli, LLC. located at 472 Ashford Avenue; and

RESOLVED, that the Village Board of the Village of Ardsley hereby refers the applicant to the Zoning Board of Appeals for a variance; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on Monday, August 7, 2023 at 8:00 p.m. or soon thereafter to discuss the proposed project.

Carried by the following votes: 3-0-1

Ayes: Mayor Kaboolian, Trustee DiJusto & Trustee Edelstein

Nays: None

Abstained: Trustee Weitz

8. CORRESPONDENCE

9. VISITORS

10. CALL FOR EXECUTIVE SESSION

11. ADJOURNMENT OF MEETING

11.1 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, July 3, 2023 at 8:16 p.m.

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

12. UPCOMING EVENTS & MEETINGS

- 4th of July -All Village Offices Closed
- July 6th -Lego Party at Ardsley Public Library 5:00 pm

- July 8th- Concert in the Park -Almost Country 7:00 pm
- July 10th-MDI Committee Meeting 7:00 pm
- July 10th Planning Board Meeting 8:00 pm
- July 11th Recreation Commission Meeting 5:00 pm
- July 11th Board of Architectural Review Meeting 8:00 pm
- July 12th Board of Trustees Work Session 7:30 pm
- July 13th Paper Heart Puppets at the Ardsley Public Library 5:00 pm
- July 20th Bingo Night at the Ardsley Public Library 5:00 pm
- July 21st Concert in the Park-The Russ Davis Band 7:00 pm
- July 26th Zoning Board of Appeals Meeting 8:00 pm
- July 27th The Great Charlini at the Ardsley Public Library 5:00 pm
- July 27th Library Board Meeting 7:30 pm
- July 29th Concert in the Park-Crossfire Hurricane 7:00 pm

13. NEXT BOARD MEETING:

- Board of Trustees Work Session July 12, 2023 7:30pm
- Board of Trustees Meeting August 7, 2023

Village Clerk, Ann Marie Rocco

Date: