

**VILLAGE OF ARDSLEY
BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, JUNE 15, 2020**

Present:	Mayor	Nancy Kaboolian
	Trustee	Andy DiJusto
	Trustee	Evan Yager
	Trustee	Joann D’Emilio
	Trustee	Steve Edelstein
	Village Manager	Meredith S. Robson
	Village Attorney	Robert Ponzini
	Village Clerk	Ann Marie Rocco

8:10 P.M. – PUBLIC HEARING – To Pursue Eminent Domain Proceedings for the Properties Located on Heatherdell Road & Saw Mill River Road

8:20 P.M. – PUBLIC HEARING – To consider Proposed Plan Revisions for 708 Saw Mill River Road

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

I. ANNOUNCEMENT OF EXIT SIGNS

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES: Regular Meeting – Monday, June 1, 2020

Trustee DiJusto: RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Monday, June 1, 2020 as submitted.

Seconded by Trustee Yager and passed unanimously.

IV. DEPARTMENT REPORTS:

LEGAL REPORT: Village Attorney Robert Ponzini stated there is nothing to report and has been working with staff on various ongoing items.

MANAGER’S REPORT – June 15, 2020

Village Manager Robson read the following report:

- 1. TAXES DUE:** The 1st half of the 2020 Village Tax is due, without penalty, by July 1, 2020. Payments made in person after July 1, 2020, or that arrive via mail postmarked by the postal service after July 1, 2020, or arrive thereafter without a postmark, will be

assessed a late penalty as required by the New York State Real Property Law. Meter-mailed postmarks are not a valid proof of timely payment. Most payments made through online banking come in without dates and will not be accepted if the envelope is not postmarked by the deadline. Please bear in mind that no Village official is empowered to waive the late fee for any reason.

- 2. CENSUS:** Census takers will begin knocking on doors on August 11th for those who have not yet completed their census forms. Please complete the form as soon as possible!
- 3. DOCUMENT DROP OFF AT VILLAGE HALL:** We are now allowing for the drop off of taxes and other documents at Village Hall, even though the offices are not yet open to the public. Individuals can leave such items in the drop box located in the vestibule in the front of the building between the hours of 9:00AM and 4:00PM. We intend to continue this option even after we re-open for those who prefer to limit person to person contact and for some reason do not wish to mail such items to Village Hall.

TREASURER'S REPORT:

Village Manager Robson, read the Treasurer's Report for June 15, 2020:

Village Manager Robson, stated the bills for the past two weeks totaled as follows: From the General Fund: \$86,670.08 from the Trust & Agency Fund: \$1,272.75 and from the Capital Fund: \$821.25

Trustee Yager: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$86,670.08 from the Trust & Agency Fund: \$1,272.75 and from the Capital Fund: \$821.25. **Seconded by Trustee DiJusto and passed unanimously.**

BUILDING DEPARTMENT REPORT: Mayor Kaboolian stated that the Building Department Report be accepted under submission for May 2020:

- 4 Building permits
 - 10 Application fees
 - 3 Certificates of Occupancy
 - 6 Plumbing permits
 - 2 Electrical permits
 - 7 Title Search & Compliance Letter
 - 3 Miscellaneous
- Total received - \$3,342.50

Other activities –

- 30 Building Inspections Performed
- 24 Zoning inspections

- 0 Fire inspections
- 9 Violation notices
- 2 Warning notices
- 0 Appearance tickets

8:10 P.M. – OPEN PUBLIC HEARING – To Pursue Eminent Domain Proceedings for the Properties Located on Heatherdell Road and Saw Mill River Road

Mayor read the Notice on the Record

Special Counsel David Venditti provided a brief overview of the project. Eminent Domain is the right of a municipality to expropriate private property for public use, with payment of compensation. This is the start of the process under which the Board will review and make a determination. At any point during the proceedings the Board may determine not to proceed.

Consulting Engineer Douglas Hahn from Hahn Engineering provide a detailed overview of this project and what we are looking to accomplish on these two parcels of land. The proposed capital improvements include replacing 860 linear feet of sidewalks and curb, replacing 850 linear feet of fence, installing 620 linear feet of guiderail, grading and stabilizing the slope and replacing one of the drainage structures.

Public Comments:

Mark Kowalsky 13 Captain Honeywells Rd. Thanked the Board for pursuing this project and asked if there was any consideration on the type of materials that will be used to reconstruct the fence to help with screening? Mr. Kowalsky also questioned the standard width of the road way after the project is completed.

Mr. Hahn explained that they are looking into a few types of fencing and the cost.

Village Manager Robson explained that there is no definite information on types of fencing.

Mr. Hahn explained that the roadway will be narrow in certain sections.

Vicky Dong from Cornerstone Ardsley-800 Saw Mill River Road questioned if the sidewalk would be built towards the vegetation or grass and is worried about the slope when there is rain fall.

Mr. Hahn explained that part of the project is to stabilize that slope and will be re-grading the sidewalk.

Vicky Dong questioned if an appraisal has been prepared?

Village Attorney, Robert Ponzini explained nothing has been finalized.

There will be a public hearing concerning the eminent domain purchase of land tonight.
Can you please pass my question on for an explanation?

Does the land provide plans to straighten or alter Saw Mill River Road?

The road is a state road. If alterations are to be made the state should pay part of the cost to purchase the land?

What is Ardsley going to pay for the purchase? How will it be financed?

Thank you,
Judy Lindey
7 Lookout Place
Ardsley, NY

Adjourn Public Hearing

Trustee Yager: Resolved, that the Board of Trustees of the Village of Ardsley declares its intent to serve as Lead Agency pursuant to the SEQR laws of the State of New York, and directs that the attached Environmental Assessment Form (“EAF”) of this Unlisted Action be circulated, together with its Notice of Intent to serve as lead Agency, to all Involved Agencies and other parties the Village deems appropriate, and

Be it further resolved, that this public hearing be adjourned and continued for public comment and submissions and all other necessary proceedings and deliberations until July 6, 2020. **Seconded by Trustee DiJusto and passed unanimously.**

8:20 P.M. – OPEN PUBLIC HEARING – To Consider Proposed Plan Revision for 708 Saw Mill River Road.

Mayor read the Notice on the Record

Public Comments:

Architect for 708 Saw Mill River Road explained what the revision are for 708 Saw Mill River Road.

Building Inspector Larry Tomasso explained that since all the other portions of the project needed site plan approval, the siding should be part of approval as well.

Close Public Hearing

Trustee D’Emilio: RESOLVED, that the Village Board of Ardsley hereby closes the public hearing on Tuesday, June 15, 2020 at 8:56 p.m. to consider the proposed plan revision for 708 Saw Mill River Road. **Seconded by Trustee Edelstein and passed unanimously.**

FIRE DEPARTMENT REPORT: Fire Chief Padraic Murray presented the May 2020 Fire Department report:

- 5/5/20, 5/20/20, 5/21/20 – Chief Lindsay and Murray attended Village Emergency Management Meeting via Zoom.
- 5/6/2020 Chief Lindsay, Murray and Mancini attended B-14 Chiefs Meeting via Zoom.
- 5/26/2020 –Company held monthly meeting and annual meeting with the following department officers:
 - o Chief Padriac Murray
 - o 1st Assistant Chief Robert Mancini
 - o 2nd Assistant Chief Joan Podolski
 - o Captain Brenden Lindsay
 - o 1st Lt. Kyle Lindsay
- 5/27/20 Chiefs’ Murray, Mancini and Podolski attended B-14 Chiefs Zoom Meeting.
- 2nd Assistant Chief Podolski is the first female ever to hold rank of Assistant Chief.
- 18 Calls for the month of May 2020.

POLICE DEPARTMENT REPORT:

Chief Piccolino reported the following activities for May 2020:

- Court fine and fees - \$2,232.00.
- Property lost or stolen - \$2,424.75
- Property Recovered - \$1,784.75
- Alarm fines and fees - \$40.00
- Meter collection - \$212.90
- 0 Parking summonses issued
- 0 UTT summonses issued
- 3 Appearance ticket issued

Other activities attended by Officers –

TRAINING

- Total training for the month of May - 0 hours
(Most training had been cancelled due to the pandemic)

COMMUNITY POLICING

Village of Ardsley
Board of Trustees- June 15, 2020

Due to the current Coronavirus epidemic community policing officers have been reassigned to patrol duties.

Community Information

The County has seen an uptick in stolen vehicles and unlocked vehicles being entered and items stolen. Please ensure that your vehicle is locked and that valuables are not left in open view.

I want to commend our residents for their continued cooperation in social distancing. Our officers continue to monitor the situation and follow up on all complaints.

Congratulations to Officer Jonathan Goldstein who graduated from the Police Academy and is now starting his field training.

The Department strongly rejects any form of racism and will always work closely with our community and our partners to ensure fair and transparent policing. As Police Chief I have always believed in having an open door policy and as such I invite anyone who would like to have a conversation of any kind to contact me and share your thoughts or concerns.

CORONAVIRUS 2019:

There is currently no vaccine to prevent COVID-19. 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.

In light of new data about how COVID-19 spreads, along with evidence of widespread COVID-19 illness in communities across the country, CDC recommends that people wear a cloth face covering to cover their nose and mouth in the community setting. This is an additional public health measure people should take to reduce the spread of COVID-19 in addition to (not instead of) social distancing, frequent hand cleaning and other everyday preventive actions. A cloth face covering is not intended to protect the wearer, but may prevent the spread of virus from the wearer to others. This would be especially important in the event that someone is infected but does not have symptoms. A cloth face covering should be worn whenever people must go into public settings (grocery stores, for example). Medical masks such as N-95 respirators are reserved for healthcare workers and other first responders, as recommended by current CDC guidance.

- 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>

MAYOR'S ANNOUNCEMENTS:

Mayor Kaboolian announced the following:

- Supports the Black Lives Matters Movement. There will be another rally on Friday, June 19th at Pascone Park.
- Village Manager will be setting up diversity and implicit bias training for all Village employees and Volunteer Boards.
- Attended the Zoom Drag Queen Story hour hosted by the Multicultural Committee.
- Participated in School Districts re-entry task force community forum.
- Attended WMOA executive meeting.
- Attended zoom NYCOM training sessions
- Congratulated the Class of 2020 including the Village Manager's daughter!

TRUSTEE DIJUSTO:

Nothing to report

TRUSTEE YAGER:

Nothing to report

TRUSTEE D'EMILIO:

Trustee D'Emilio announced:

- SAYF Coalition is participating in two programs this summer.
 - o Youth Task Force - 3 High School students needed to participate.

- Youth to Youth program.

If you would like more information on these programs, please contact Theresa Del Gross at ardselycoalition@gmail.com

TRUSTEE EDELSTEIN:

Nothing to report

VISITORS: No Visitors

V. OLD BUSINESS

1. Consider a Resolution Approving Plan Revisions for 708 Saw Mill River Road

**RESOLUTION APPROVING PLAN REVISIONS FOR
708 SAW MILL RIVER ROAD**

Trustee D’Emilio: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the proposed plan revisions for 708 Saw Mill River Road as presented by the applicant. **Seconded by Trustee Edelstein and passed unanimously.**

VI. NEW BUSINESS

1. Consider a Resolution to Permit Outdoor Dining Operations

RESOLUTION TO PERMITTING OUTDOOR DINING OPERATIONS

Trustee DiJusto: WHEREAS, the Village of Ardsley (“Ardsley”) is currently engaged in a coordinated response to the ongoing COVID-19 Pandemic (“Pandemic”) in the State of New York, and

WHEREAS, as a result of this ongoing pandemic the commercial district within Ardsley has not been permitted to provide dining services to the general public, causing not only economic hardship to Ardsley businesses but also inconvenience to its residents, and

WHEREAS, the State of New York (“New York”) has entered into Phase II of its pandemic response which now permits outdoor dining at commercial establishments, and

WHEREAS, the Ardsley Village Manager (“Manager”) as Chief Executive Officer has declared a State of Emergency by Executive Order (“Executive Order”) dated June 8, 2020 which allows for the temporary suspension of parking in the area of Ardsley known as Addyman Square together with permission for outdoor commercial dining, together with the suspension of any restriction on outdoor dining in commercial districts, including parking lots and sidewalks, and

WHEREAS, the authority to grant permission for such outdoor commercial dining has been delegated to the Ardsley Building Inspector with final approval reserved to the

Village Manager, to include such times, locations, safety and occupancy regulations, insurance and any and all other reasonable conditions in the best interests of Ardsley and the general public, and

WHEREAS, this Executive Order will expire June 14, 2020 and it is the intention of Ardsley to continue its provisions for an additional period of time,

NOW THEREFORE BE IT RESOLVED,

That the terms and intent of the Executive Order shall continue through October 1, 2020,

That the Building Inspector, subject to the final approval of the Village Manager, shall be delegated during that period of time the authority to issue temporary permits for such a duration and on such reasonable conditions that will provide for the orderly operation of outdoor dining in the foregoing described commercial areas. Included, but not limited to the application process, will be capacity, location, hours of operation, sanitary provision, together with compliance with all Federal, State and local guidelines, as well as the Centers for Disease Control and Prevention (CDC) and Occupational Safety and Health Administration (OSHA) guidance. Where appropriate, liability insurance may be required as necessary.

The Building Inspector will develop application forms together with submissions, if necessary, to facilitate the approval process.

This Resolution shall remain in effect until October 1, 2020 unless repealed or extended by the Ardsley Board of Trustees. **Seconded by Trustee Yager and passed unanimously.**

2. Consider a Resolution Extending Building Permit Expiration

RESOLUTION TO EXTENDING BUILDING PERMIT EXPIRATION

Trustee D’Emilio: WHEREAS, the Village of Ardsley (“Ardsley”) is currently engaged in a coordinated response to the ongoing COVID-19 pandemic (“Pandemic”) in the State of New York, and

WHEREAS, as a result of this ongoing pandemic, building construction and building inspections were, until June 9, 2020, limited to work deemed to be essential by an Executive Order issued by the Governor of New York State, and

WHEREAS, most projects that are in progress in Ardsley are not deemed to be essential by said executive order, and

WHEREAS, Section 64-17A of the Code of the Village of Ardsley (“Village Code”) provides that building, permits shall expire 24 months after the date of issuance, and

WHEREAS, Section 64-17A of the Village Code further provides that if a CO is not obtained with the that 24 month period, the permit shall be renewed and a fee assessed as provided in the Village Code (currently 50% of the original permit fee), and

WHEREAS, the Board of Trustees of the Village of Ardsley realizes that the limitations placed on non-essential building construction and building inspection services has caused and will continue to cause delays in the completion of non-essential construction projects causing some building permits to expire before the completion of work,

NOW THEREFORE BE IT RESOLVED, that the expiration dates for any building permits that expired or shall be expired from March 1, 2020 through August 31, 2020 shall be extended for a period not to exceed 180 days from the original expiration date.

Seconded by Trustee Edelstein and passed unanimously.

3. Consider a Resolution Authorizing the Village Manager to Sign an Agreement with Camoin Associates to Complete Additional Work Related to the Market Analysis & Development Strategy

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN AN AGREEMENT WITH CAMOIN ASSOCIATES TO COMPLETE ADDITIONAL WORK RELATED TO THE MARKET ANALYSIS & DEVELOPMENT STRATEGY

Trustee Edelstein: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to sign an agreement to complete additional work related to the market analysis and development strategy with Camoin Associates located at 120 West Avenue, Suite 303, Saratoga Springs, New York 12866. **Seconded by Trustee DiJusto and passed unanimously.**

VII. CALL FOR EXECUTIVE SESSION –Personnel Matters & Legal Advice

VIII. ADJOURNMENT OF MEETING

Trustee DiJusto: RESOLVED, that the Village Board of the Village of Ardsley Hereby adjourns the regular meeting of Monday, June 15, 2020, at 9:17 p.m. **Seconded by Trustee D’Emilio and passed unanimously.**

IX. NEXT VILLAGE BOARD MEETING: Monday, July 6, 2020 at 8:00 p.m.

Respectfully submitted,

Ann Marie Rocco
Village Clerk

Email received regarding Eminent Domain Proceedings June, 2020:

Does the land provide plans to straighten or alter Saw Mill River Road? There will be no change to or taking of Saw Mill River Road (Rt 9A)

Village of Ardsley
Board of Trustees- June 15, 2020

The road is a state road. If alterations are to be made the state should pay part of the cost to purchase the land? The value of any proposed taking has not yet been determined, if the Village elects to go forward.

What is Ardsley going to pay for the purchase? How will it be financed? The Village will explore all of the options available to pay any required compensation and no one in particular method has been decided has been decided upon

Thank you,
Judy Lindey
7 Lookout Place
Ardsley, NY