



## MINUTES

### Ardsley Village Board of Trustees

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**8:00 PM - Monday, August 7, 2023**

507 Ashford Avenue

Present:	Mayor	Nancy Kaboolian
	Deputy Mayor/Trustee	Andy Di Justo
	Trustee	Asha Bencosme
	Trustee	Steve Edelstein
	Village Manager	Joseph L. Cerretani
	Village Clerk	Ann Marie Rocco
	Village Attorney	Robert J. Ponzini (Present Via Zoom Platform)
Absent:	Trustee	Craig Weitz

**1. CALL TO ORDER-PLEDGE OF ALLEGIANCE-ROLL CALL** The Regular Meeting of the Village of Ardsley Board of Trustees was held on Monday, August 7, 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 Asha Bencosme

Trustee Steve Edelstein

Also present were: Village Manager, Joseph Cerretani, Assistant to the Village Manager, Dennis Oke and Village Clerk, Ann Marie Rocco

Trustee Craig Weitz was absent and Village Attorney, Robert J. Ponzini was present via Zoom Platform

**2. PUBLIC HEARING** In the matter of discussing the revised plans submitted to add 11 tables and 2 counters with a total of 39 Seat to YC Ardsley Deli, LLC located at 472 Ashford Avenue

- 2.1 Mayor Kaboolian advised that this public hearing will be continued to our next Board Meeting, Tuesday, September 5, 2023.

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

- 3.1 July 3, 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 Monday, July 3, 2023 as submitted.**

Carried by the following votes: 3-0-1

Ayes: Mayor Kaboolian, Trustee DiJusto, & Trustee Edelstein

Nays: None

Abstained: Trustee Bencosme

### **4. DEPARTMENT REPORTS**

#### **1. LEGAL**

- 1.a Village Attorney Ponzini stated there is nothing to report other than the ongoing items he is working on with staff and is available for executive session if needed.

#### **2. MANAGER**

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

1. **WELCOME:** Today I have the privilege of welcoming Dennis Oke as the new Assistant to the Village Manager. Dennis comes to us most recently from the City of Mt. Vernon, but has also worked for the City of Rochester with a background in planning and zoning. Dennis holds a Bachelor's degree and a Master's degree in Bio-Environmental Engineering, degrees in Computer Science and Information Technology, and an MBA. He has a background in land use and comprehensive plan implementation strategies, as well as sustainable development, composting and zero-waste activities, and short, medium, and long term budgeting and capital planning. He has a wealth of professional knowledge from work experience in both the public sector and private sector. I am looking forward to him joining our team, and wish that everyone in the community give Dennis a warm welcome to Ardsley.
2. **NEW DPW CONSTRUCTION PROJECT:** The steelwork is continuing to make tremendous strides through the summer. The framing and skeleton structure of the entire building is complete. The roof panels and wall panels

are going up at a good pace and should be completed later this month. All trade contractors are continuing to make progress and the project remains on schedule to be substantially complete by the end of the year.

3. **SANITARY SEWER PROJECT:** The Board has a resolution for consideration this evening to approve a contract for the 2nd phase of the CCTV sewer work. By the end of this phase, we will have approximately 2/3 of the Village's sanitary sewer system camera-inspected. The low bidder was Fred E. Cook, which was the low bid last year as well. The contractor has done a good job for the Village thus far and we are looking forward to the next phase of the project.
4. **YOUTH ADVOCATE:** As the Board is aware, Amanda Casey, who was our Youth Advocate last year has moved on to a different community. Gregg Sloan has been selected jointly by the Village and the School District to be Ardsley's next Youth Advocate. He has a wealth of experience in the field and we're looking forward to him joining the team at the end of August.
5. **LABOR DAY CLOSING:** All offices, including the Library, Community Center, Court, and the Department of Public Works will be closed Monday, September 4, 2023 in observance of Labor Day. Since there will be no garbage collection on Monday, there will be Village -wide garbage collection on Tuesday, September 5, 2023. The rest of the week will follow the normal schedule.

### 3. ABSTRACT REPORT

#### 3.a August 7, 2023 Abstract Report

Village Manager, Joseph Cerretani read the August 7, 2023 Abstract Report as follows:

From the General Fund: \$749,205.82 from the Trust & Agency Fund: \$8,964.26, from the Capital Fund: \$3,595,324.28 and from the Sewer Fund: \$1,301.30

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 Treasurer to make the following payments: From the General Fund: \$749,205.82 from the Trust & Agency Fund: \$8,964.26 from the Capital Fund: \$3,595,324.28 and from the Sewer Fund: \$1,301.30.**

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

### 4. MAYOR'S ANNOUNCEMENTS

#### 4.a Mayor Kaboolian announced the following:

- Welcomed Dennis Oke to our Ardsley team.
- Attended the Implicit Bias Training and feels that some improvements can be made regarding this training and will look to see if it can be done better.

## **5. COMMITTEE & BOARD REPORTS**

5.a Trustee DiJusto announced the following:

- Attended the tour of the new Gighway Garage facility.
- Attended the Greenburgh Work Session on behalf of ASVAC for tax break for members.
- Attended the Senior Citizen Brunch.
- Working with the Atria Nursing Home on some upcoming events. Ardsley Historical Society will be visiting them in September.
- Welcomed Dennis Oke.

Trustee Bencosme announced the following:

- Welcomed Dennis Oke and is looking forward to working with him.
- Attended Implicit Bias Training.

Trustee Edelstein announced the following

- Welcomed Dennis Oke.
- Attended Implicit Bias Training.
- Multicultural Committee is busy planning upcoming events for the fall.
- Upcoming Event: September 8th, Food Truck Friday at Pascone Park from 5:00 pm-9:00 pm.

### **5. OLD BUSINESS:**

### **6. NEW BUSINESS:**

- 6.1 Consider a Resolution Granting Permission to Hold and Outdoor Event at Honest Art-708 Saw Mill River Road

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

**RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the proposed request to hold an outdoor event at Honest Art parking lot located at 708 Saw Mill River Road on Saturday, September 2, 2023 from 12:00 p.m. to 3:00 p.m. Rain date/time Sunday, September 3, 2023 12:00 p.m. to 3:00 p.m.**

**Any approvals should contain the following conditions:**

- 1. The business will provide employees to direct traffic in the parking lot.**

2. The event area must be adequately sectioned off to prevent vehicle access.
3. The business owner will pay for a police officer to direct traffic on the road if it is deemed necessary by the Police Chief or designee.
4. The business owner is solely responsible for providing for the safety of the attendees.
5. The Village Board and the Village Attorney should add any conditions that they deem necessary to the approval.

Mr. Gabe Cruz was present to provide details regarding this proposed event. Mr. Cruz explained they are expecting about 100 people and they will be using some of our indoor space as well. The tenants and the landlord are in agreement with the event.

Village Manager Cerretani advised that both Lieutenants are in agreement with having one (1) police officer in attendance to help with the traffic/parking/cross walk.

*Building Inspector, Larry Tomasso provided the following email from Lee Spiegel regarding the event and the parking lot:*

*From: Lee Spiegel*

*Sent: Tuesday, August 8, 2023 3:29 PM*

*To: Larry Tomasso*

*Subject: Re: Honest Art Outdoor Event*

*Hi Larry. Yes I approved the event and the parking lot being closed. Thanks Larry.  
Lee*

*On Aug 8, 2023, at 3:01 PM, Larry Tomasso <ltomasso@ardsleyvillage.com> wrote:  
Hi Lee,*

*The Village Board approved the outdoor event for Honest Art, but they want you to confirm that you approved of the event and of the parking lot being closed for the event.*

*Thanks*

*Larry J. Tomasso*

*Building Inspector*

*Village of Ardsley*

*507 Ashford Ave*

*Ardsley, NY 10502*

*914-693-6961*

*ltomasso@ardsleyvillage.com*

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

6.2 Consider a Resolution to Temporarily Close Colonial Court for Gigi's Playhouse

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

**RESOLVED**, that the Village Board of the Village of Ardsley hereby approves the request to close Colonial Court (South) in the Village Green on Sunday, October 1, 2023 from 11:00 a.m. to 4:00 p.m. to hold a Family Fun Day and to kickoff October as Down Syndrome Awareness Month; and

**BE IT FURTHER RESOLVED**, that this request is subject to review and that the Ardsley Police Department is assigning one (1) Police Officer as needed to direct traffic.

Ms. Lisa Salvetti was present to provide the Board with details regarding this event. Advised that there will be an ice cream truck and games. There will also be some inside activities. There is no rain date for this event.

Village Manager Cerretani advised that the Lieutenants have recommended one (1) Police Officer for this event to help direct traffic/parking.

*The following was provided by our Building Inspector, Larry Tomasso:*

*From: Maurice Hyacinthe <[mhyacinthe@hmhgmt.onmicrosoft.com](mailto:mhyacinthe@hmhgmt.onmicrosoft.com)>*

*Sent: Monday, July 17, 2023 5:25 PM*

*To: Larry Tomasso <[LTomasso@ardsleyvillage.com](mailto:LTomasso@ardsleyvillage.com)>*

*Cc: Kimberly Hyacinthe <[khyacinthe@hmhgmt.onmicrosoft.com](mailto:khyacinthe@hmhgmt.onmicrosoft.com)>; Herbert Reyes <[hreyes@hmhgmt.onmicrosoft.com](mailto:hreyes@hmhgmt.onmicrosoft.com)>*

*Subject: Re: Closure of Parking Lot Area at 720 Saw Mill River Rd*

*Hi Larry:*

*Sorry for the delay.*

*We have no objection for their use of our parking area. If approval of the Village BOT is required, please note that we support GiGi's application. We will advise other tenants of the parking lot closure once Village BOT approval (if required) has been issued.*

*Thanks for your help!*

*Regards.*

*Maurice K. Hyacinthe, Esq.  
Vice President and Chief Operating Officer  
HMH Management Company, LLC  
19 Center Street, PO Box 625*

Ardsley, NY 10502  
(914) 693-6200 (T)  
(914) 693-2104 (F)  
[mhyacinthe@hmmgt.onmicrosoft.com](mailto:mhyacinthe@hmmgt.onmicrosoft.com)

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Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

### 6.3 Consider a Resolution to Undertake a Community Greenhouse Gas Inventory

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

**WHEREAS, the Village of Ardsley pledged to take part in the NYS DEC Climate Smart Communities Certification Program that includes the preparation of a Community Greenhouse Gas Emissions Inventory Report; and**

**WHEREAS, a Community Greenhouse Gas Inventory is an inventory of greenhouse gas emissions created by the entire community; and**

**WHEREAS, free technical assistance is available to support the development of the inventory and plan from the Hudson Valley Regional Council (HVRC) through a NYS DEC Climate Smart Communities Coordinator Services contract; and**

**WHEREAS, a completed inventory and plan count toward Climate Smart Communities certification, specifically PE2 Action: Community Greenhouse Gas (GHG) Emissions Inventory; and**

**WHEREAS, the Climate Smart Task Force, comprised of Village officials and environmental volunteer community leaders, will collaborate with HVRC in the development of these publications, reviewed drafts, and provide valuable feedback on iterations that result in the final draft; and**

**WHEREAS, the task force will provide an opportunity for public input and comment on the draft report; and**

**WHEREAS, the task force will present a summary of the inventory results to the Village Board of Trustees for consideration of adoption;**

**NOW THEREFORE BE IT RESOLVED, that the Mayor and Village Board of Trustees hereby undertake a Community Operations Greenhouse Emission Inventory Report; and**

**BE IT FURTHER RESOLVED, the Mayor and Village Board of Trustees authorizes submission of these documents to the NYS DEC Office for Climate Change for consideration of points toward Climate Smart Communities certification for the Village of Ardsley.**

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

**6.4 Consider a Resolution to Award Bid for the 2023 Sewer Inspection and Cleaning Bid No. 2023-1**

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

**WHEREAS, a public notice to provide sewer inspection and cleaning for the Village of Ardsley was duly advertised in an official newspaper on July 7, 2023 and;**

**WHEREAS, on July 28, 2023 at 10:00 a.m. at Ardsley Village Hall-Court Room Facility, 507 Ashford Avenue, Ardsley, NY 10502 the Village Clerk opened four (4) bids as summarized below:**

**SEWER INSPECTION & CLEANING BID NO. 2023-01**

<b><u>Bidder</u></b>	<b><u>Bid Price</u></b>
<b>TAM Enterprises, Inc.</b>	<b>\$ 288,880.00</b>
<b>Fred A. Cook, Jr. Inc.</b>	<b>\$ 95,000.00</b>
<b>National Water Main Cleaning Company</b>	<b>\$ 125,700.00</b>
<b>Vortex Services, LLC</b>	<b>\$118,200.00</b>

**RESOLVED, that the Village Board of the Village of Ardsley hereby awards the base bid for the Village to Fred A. Cook, Jr. Inc. in the amount of \$95,000.00; and**

**NOW, THEREFORE, BE IT RESOLVED, the Village Board of the Village of Ardsley hereby authorizes the Village Manager to execute a contract and all other applicable documents with Fred A. Cook, Jr. Inc. P.O. Box 70, Montrose, NY 10548 to perform sewer inspection and cleaning in the Village of Ardsley.**



Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

6.5 Consider a Resolution to Declare Model A1289 Macintosh Computer and Monitor as Surplus

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

**WHEREAS, the Village Manager recommends that the Village Board of the Village of Ardsley declare a Model A1289 Macintosh Computer and Monitor as surplus property; and**

**WHEREAS, the computer and monitor have been replaced with newer video editing and broadcasting equipment; and**

**NOW THEREFORE BE IT RESOLVED, that the Mayor and Board of Trustees declare the computer and monitor as public surplus and authorize the Village Manager to dispose of the same in a manner deemed most appropriate.**

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

6.6 Consider a Resolution to Approve Work Change Order Number 1 for Woodland Manor, LLC. Regarding the 2022 Curb Installation and Replacement Project

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

**WHEREAS, on July 5, 2022, the Village Board of the Village Ardsley unanimously approved a resolution to award a bid for the 2022 joint curb installation and replacement project to Woodland Manor, LLC located at 188 Haviland Drive, Patterson, NY 12563 in the amount of \$860,930.00; and**

**WHEREAS, it has been determined that the area in which curb work is being conducted requires necessary stormwater infrastructure improvements to address recurring flooding issues; and**

**WHEREAS, it has been determined that the most efficient manner to execute this work is to have the mobilized curb installation crew complete the stormwater work in tandem with**

the curbing work which will also further minimize disruption, delays and restoration costs;  
and

**WHEREAS, the Engineer, Highway Foreman and Village Manager have reviewed and approved the work in the field;**

**NOW THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby approves work change order number 1 in the amount of \$25,823.75 related to the furnishing and installation of stormwater infrastructure.**

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

6.7 Consider a Resolution to Schedule a Public Hearing to Amend Chapter 1 of the Ardsley Village Code Entitled "Administrative Legislation"

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

**RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on Tuesday, September 5, 2023 at 8:00 p.m. or soon thereafter to discuss amending Chapter 1 of the Ardsley Village code entitled "Administrative Legislation" as follows:**

No text to be deleted. New text is **Bold Underlined**

#### **§1-1 Legislative intent**

**A. The local laws of the Village of Ardsley referred to in § 1-2 of this local law shall be known collectively as the "Code of the Village of Ardsley," hereafter termed the "Code," and the various parts and sections of such local laws shall be distributed and designated as provided and set forth in § 1-2 of this local law.**

#### **B. Word usage**

**(1) In each place that the word "he" appears, it shall be amended to read "They, them, their" as appropriate.**

**(2) In each place that the word "his" appears, it shall be amended to read "their".**

**(3) In each place that the word "him" appears it shall be amended to read "them".**

**(4) In each place that the word "himself" appears, it shall be amended to read "themselves".**

**(5) The word "Chairman" shall be deleted in each place that it appears and shall be replaced by the word "Chair", including where it is preceded by the word "Vice".**

**(6) The word "Fireman" shall be deleted in each place that it appears and shall be replaced by the word "FireFighter"**

**(7) The word "Policeman" shall be deleted in each place that it appears and shall be replaced by the word "Police Officer"**

**(8) Man-made shall be changed to manufactured.**

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

6.8 Consider a Resolution of the Village Board to Schedule of Public Hearing for the Proposed Development at 657 Saw Mill River Road in the Village of Ardsley

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

**WHEREAS, the Village Board of the Village of Ardsley (the "Village Board") on 9/18/20 received an Application for Board of Trustees Site Plan Approval for the redevelopment of property located at 657 Saw Mill River Road in the Village of Ardsley designated on the tax assessment map of the Town of Greenburgh as Parcel No. 6.50-35 Lots 8, 9, 10 and 11 (the "Subject Site"), from the Thorpe-McCartney Family Limited Partnership as the owner and Thornwood Four Corners LLC as the lessor (hereinafter collectively the "Applicant") with the proposed use subject to site plan approval by the Village Board after review and recommendation by the Village of Ardsley Planning Board (the "Planning Board") and Village of Ardsley Board of Architectural Review (the "BAR"); and**

**WHEREAS, prior to the initial submission of the subject application, the Applicant completed certain remedial cleanup actions related to limited contamination and applied for and received a demolition permit to remove the existing building; and**

**WHEREAS, a previous decision by the Village of Ardsley Zoning Board of Appeals (ZBA) that the Applicant had not abandoned the pre-existing non-confirming gasoline pumping station pursuant to Ardsley Village Code §200-100D has still not been conclusively adjudicated and the Applicant understands that they are proceeding with the subject current action at their own risk; and**

**WHEREAS, prior to receiving the formal Application for Board of Trustees Site Plan Approval, the Applicant submitted an application form dated 2/23/18, building plans including exterior elevations prepared by Madison Industries signed 1/24/19, site plan set prepared by JMC Site Planner, Civil & Traffic Engineer, Surveyor and Landscape Architect (JMC) dated 5/26/20 and a long form environmental assessment form (EAF) signed by JMC dated 8/15/20 (hereinafter the “Site Plan Application”); and**

**WHEREAS, the Site Plan Application calls for the redevelopment of the Subject Site to include a new 1,800± square foot convenience store, 8 new gas pumps with canopy, associated driveway improvements and sidewalk all supported by 20 parking spaces (hereinafter the “Proposed Action”);**

**WHEREAS, on 10/5/20 the Village Board did declare their intent to act as Lead Agency and did circulate a notice to that effect to all known Interested and Involved Agencies; and**

**WHEREAS, the Village Board received correspondence from the following Interested and Involved Agencies: Westchester County Department of Planning, New York State Thruway Authority and the New York State Department of Transportation, none of whom contested the Village Board acting as Lead Agency in the review of the Proposed Action; and**

**WHEREAS, on 11/16/20 the Village Board pursuant to Article 8 of the Environmental Conservation Law (“SEQR”), Part 617 of the General Regulations adopted pursuant thereto (“Part 617”) specifically §617.6 did declare themselves to be Lead Agency; and,**

**WHEREAS, the Village Board did refer the Proposed Action to the Village of Ardsley Planning Board and Board of Architectural Review for review and report or recommendation as appropriate as per Section 167-3.B and C of the Ardsley Village Code; and,**

**WHEREAS, the Applicant did meet with the both the Planning Board and Board of Architectural Review as required by Code and the Village Board were provided recommendations from each on the Proposed Action; and,**

**NOW THEREFOR BE IT RESOLVED, the Village Board has received an updated site plan application from the Applicant and does hereby schedule a public hearing as required by the Village Code on the Proposed Action for Monday, September 18, 2023 at 8:00 PM or soon thereafter in Village Hall, 507 Ashford Avenue at which time all members of the public are invited to be heard.**

Carried by the following votes: 4-0-0

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

Nays: None  
Abstained: None

- 6.9 Consider a Resolution of the Mayor and Board of Trustees Declaring a Lead Agency Status, Negative Declaration of no Environmental Impact and Adoption of the Village of Ardsley Parks and Recreation Master Plan

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

**WHEREAS, in February 2021, the Village of Ardsley Board of Trustees (the “Village Board”) adopted a duly prepared Comprehensive Plan and Local Waterfront Revitalization Program (LWRP) which included significant public input including public hearings and an environmental review as required by the New York State Environmental Quality Review (SEQR); and**

**WHEREAS, the Comprehensive Plan outlined certain goals and objectives related to the improvement of the Village’s parks and recreation facilities; and**

**WHEREAS, the Village Board did duly authorize the preparation of a Parks and Recreation Master Plan (the “Parks Plan”) which included a Community Recreations Needs Assessment, a Community Facilities and Program Report and a series of General and Specific Facility Recommendations (the “Proposed Action”) as a means of implementing the goals and objectives in the Comprehensive Plan; and**

**WHEREAS, the Village held public meetings on the proposed Parks Plan on March 16, 2023 and June 5, 2023 and prepared a Public Survey Summary presented to the Village on January 5, 2023; and**

**WHEREAS, the Village Board, under Section 7-722 of New York State Village Law, is the only duly authorized legislative body that has the authority to approve the Proposed Action; and**

**WHEREAS, the Village Board has caused to be prepared a Short Environmental Assessment Form (EAF) to better understand the potential environmental effects of the Proposed Action; and**

**NOW, THEREFORE, BE IT RESOLVED, that Village Board, given its sole authority to adopt plans which implement the goals and objectives of the Village’s Comprehensive Plan do hereby declare themselves Lead Agency for the Proposed Action under SEQR; and be it further**

**RESOLVED, that after a review of the entire record, including the Environmental Assessment Form hereby declares that the Proposed Action will not have a significant adverse impact on the environment and does hereby issue a Negative Declaration under SEQR; and, be it further**

**RESOLVED, that the Village Board does hereby adopts the proposed Village of Ardsley Parks & Recreation Master Plan dated June 2023.**

**Mayor Kaboolian thanked former Confidential Secretary, Charles Hessler and Trustee Steve Edelstein who where very instrumental with the development of this plan.**

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

- 6.10 Consider a Resolution Authorizing, Subject to Permissive Referendum, Improvements to and Rehabilitation of Village Hall Facilities, in and for the Village of Ardsley, Westchester County New York, at a Maximum Estimated Cost of \$50,000.00 and Authorizing the Issuance of \$50,000.00 Serial Bonds of Said Village to Pay the Cost Thereof

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

**WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as such, will not result in any significant adverse environmental effects; and**

**WHEREAS, it is now desired to authorize such capital project and its financing;**

**NOW, THEREFORE, BE IT BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Ardsley, Westchester County, New York, as follows**

**Section 1. For the specific object or purpose of paying the cost of improvements to and rehabilitation of Village Hall facilities, in and for the Village of Ardsley, Westchester County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$50,000 bonds of said Village pursuant to the provisions of the Local Finance Law.**

**Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$50,000, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan of financing thereof is by the issuance of the \$50,000 bonds of said Village authorized to be issued pursuant to this bond resolution.**

**Section 3.** It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

**Section 4.** The faith and credit of said Village of Ardsley, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

**Section 5.** Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

**Section 6.** All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

**Section 7.** The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

**Section 8.** This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

**Section 9.** Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**Section 10.** Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

Roll Call Vote: 4-0-0

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

Nays: None

Abstained: None

- 6.11 Consider a Resolution Authorizing Subject to Permissive Referendum the Purchase of Equipment and a Vehicle for Construction and Maintenance Purposes for the Village of Ardsley, Westchester County, New York at a Maximum Estimated Cost of \$390,000.00 and Authorizing the Issuance of \$390,000.00 Serial Bonds of said Village to Pay the Cost Thereof

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

**WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as such, will not result in any significant adverse environmental effects; and**

**WHEREAS, it is now desired to authorize such capital project and its financing;**

**NOW, THEREFORE, BE IT BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Ardsley, Westchester County, New York, as follows:**

**Section 1.** For the class of objects or purposes of paying the cost of the purchase of equipment and a vehicle for construction and maintenance purposes, for the Village of Ardsley, Westchester County, New York, including incidental equipment and expenses in connection therewith, there are hereby authorized to be issued \$390,000 bonds of said Village pursuant to the provisions of the Local Finance Law.



**Section 2.** It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$390,000, which class of objects or purposes is hereby authorized at said maximum estimated cost, and that the plan of financing thereof is by the issuance of the \$390,000 bonds of said Village authorized to be issued pursuant to this bond resolution.

**Section 3.** It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

**Section 4.** The faith and credit of said Village of Ardsley, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

**Section 5.** Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

**Section 6.** All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

**Section 7.** The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

**Section 8.** This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

**Section 9.** Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**Section 10.** Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

Roll Call Vote: 4-0-0

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

Nays: None

Abstained: None

- 6.12 Consider a Resolution Authorizing Subject to Permissive Referendum, Curb Improvements throughout and in and for the Village of Ardsley, Westchester County, New York at a Maximum Estimated Cost of \$133,760.00 and Authorizing the Issuance of \$133,760.00 Serial Bonds of Said Village to Pay the Cost Thereof

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

**WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as such, will not result in any significant adverse environmental effects; and**

**WHEREAS, it is now desired to authorize such capital project and its financing;**

**NOW, THEREFORE, BE IT BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Ardsley, Westchester County, New York, as follows:

**Section 1.** For the specific object or purpose of paying the cost of curb improvements, throughout and in and for the Village of Ardsley, Westchester County, New York, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$133,760 bonds of said Village pursuant to the provisions of the Local Finance Law.

**Section 2.** It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$133,760, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan of financing thereof is by the issuance of the \$133,760 bonds of said Village authorized to be issued pursuant to this bond resolution.

**Section 3.** It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

**Section 4.** The faith and credit of said Village of Ardsley, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

**Section 5.** Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

**Section 6.** All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in

**Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.**

**Section 7. The validity of such bonds and bond anticipation notes may be contested only if:**

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or**
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or**
- 3) Such obligations are authorized in violation of the provisions of the Constitution.**

**Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.**

**Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.**

**Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.**

Roll Call Vote: 4-0-0

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

Nays: None

Abstained: None

- 6.13 Consider a Resolution Authorizing Subject to Permissive Referendum, the Purchase and Installation of an HVAC Unit at the Community Center, in and for the Village of Ardsley, Westchester County, New York at a Maximum Estimated Cost of \$35,000 and Authorizing the Issuance of \$35,000 Serial Bonds of Said Village to Pay the Cost Thereof

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

**WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as such, will not result in any significant adverse environmental effects; and**

**WHEREAS, it is now desired to authorize such capital project and its financing;**

**NOW, THEREFORE, BE IT BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Ardsley, Westchester County, New York, as follows**

**Section 1. For the specific object or purpose of paying the cost of the purchase and installation of an HVAC unit at the Community Center, in and for the Village of Ardsley, Westchester County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$35,000 bonds of said Village pursuant to the provisions of the Local Finance Law.**

**Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$35,000, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan of financing thereof is by the issuance of the \$35,000 bonds of said Village authorized to be issued pursuant to this bond resolution.**

**Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision 13 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.**

**Section 4. The faith and credit of said Village of Ardsley, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.**

**Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.**

**Section 6.** All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

**Section 7.** The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

**Section 8.** This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

**Section 9.** Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**Section 10.** Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

Roll Call Vote: 4-0-0

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

Nays: None

Abstained: None

## **7. CORRESPONDENCE**

- 7.1 Mayor Kaboolian advised that she received a question from Ardsley resident, Gary Rappaport regarding reimbursement for tee-shirts for the Multicultural, Diversity & Inclusion Pride event. This reimbursement of \$500.00 came out of the budget line allotted through the Multicultural, Diversity, Inclusion committee for the Pride Event. It was part of the budget process and there wasn't a board resolution.

## **8. VISITORS**

- 8.1 Mr. Anthony Nester from JMC-Site Development Consultant was present to introduce himself and answer any questions the Board may have on the resolution regarding the Proposed Development at 657 Saw Mill River Road.

## **9. CALL FOR EXECUTIVE SESSION**

## **10. ADJOURNMENT OF MEETING**

### **10.1 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, August 7, 2023 at 9:11 p.m.**

Carried by the following votes: 4-0-0

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

Nays: None

Abstained: None

## **11. UPCOMING EVENTS & MEETINGS**

- August 8th Recreation Commission Meeting 5:00 pm
- August 8th Board of Architectural Review Meeting 8:00 pm
- August 12th Concert in the Park-Flight Risk 7:00 pm
- August 14th Planning Board Meeting 8:00 pm
- August 16th Board of Trustees Work Session 7:30 pm
- August 23rd Zoning Board Meeting 8:00 pm
- August 24th Library Board Meeting 7:30 pm
- September 4th LABOR DAY -ALL VILLAGE OFFICES CLOSED
- September 5th Board of Architectural Review Meeting 8:00 pm
- September 9th & 10th Ardsley Tennis Tournament 9am-4pm
- September 26th Westchester County Mobile Passport 10am -1pm

## **12. NEXT BOARD MEETING:**

- August 16, 2023 Board of Trustees Worksession

- September 5, 2023 Board of Trustees Regular Meeting

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Village Clerk, Ann Marie Rocco

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Date: