

Deputy Mayor Porcino opened the June 20, 2011 Regular Meeting at 8:00 p.m.

Present:	Deputy Mayor/Trustee	Peter Porcino
	Trustee	Larry J. Nardecchia
	Trustee	Beverly A. Levine
	Village Manager	George Calvi
	Village Attorney	Robert J. Ponzini
	Village Clerk	Barbara Berardi
	Recording Secretary	Lorraine McSpedon
Absent:	Mayor	Jay Leon
Late Arrival:	Trustee	Gary Malone

**I. ANNOUNCEMENT OF EXIT SIGNS**

**II. PLEDGE OF ALLEGIANCE**

**III. APPROVAL OF MINUTES**

Tr. Levine made one correction to the spelling of Joseph Bastieri's name. This correction has been made and a copy of the revised minutes has been forwarded to the Village Clerk.

**Tr. Levine: Resolved,** that the Village Board of the Village of Ardsley hereby accepts the minutes for the Board of Trustees of June 6, 2011, as amended. **Seconded by Tr. Nardecchia and passed unanimously.**

**IV. DEPARTMENT REPORTS**

**LEGAL REPORT:** Attorney Ponzini had nothing to report. He mentioned that there has been a fair amount of activity on some of the projects.

**TREASURER'S REPORT:** Mr. Calvi read the Treasurer's Report on behalf of Marion DeMaio.

The bills for last two weeks from the General Fund totaled: \$215,260.69; from the Trust & Agency Fund: \$6,364 and from the Capital Fund: \$401.80.

**Tr. Nardecchia: Resolved,** that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: from the General Fund: \$215,260.69; from the Trust & Agency Fund: \$6,364 and from the Capital Fund: \$401.80. **Seconded by Tr. Levine and passed unanimously.**

**MANAGER'S REPORT:** Mr. Calvi reported the following:

**VILLAGE MANAGER REPORT  
FOR MONDAY, JUNE 20, 2011  
PREPARED BY GEORGE F. CALVI**

**HOLIDAY OBSERVANCE:** Village residents are reminded that Village offices are closed Monday, July 4 in observance of Independence Day. The Monday trash pickup will be collected on Tuesday, July 5 along with the regular Tuesday trash collection. The bottle and can recycling pickup that week will be unaffected. Should you have any questions regarding these collections please refer to your copy of the 2011 Sanitation Schedule calendar or to the one on the Village's website at [www.ardsleyvillage.com](http://www.ardsleyvillage.com). The next meeting of the Ardsley Village Board of Trustees will be on Tuesday evening, July 5. That meeting will be the only meeting of the Board of Trustees during the month of July. Lastly, when observing Independence Day please remember that fireworks remain illegal in New York State; that they can maim and injure; and if you have any questions regarding the matter to please contact the Police Desk at 693-1700.

**PERSONNEL:** In accordance with the civil service rules and regulations of the Westchester County Department of Human Resources, the following is hereby entered into the official minutes:

A. The Village Manager, upon the recommendation of the Highway Foreman hereby appoints:

1. Michael Coulehan residing at 27 Allen Street, Dobbs Ferry, New York 10522 to the position of seasonal laborer in the DPW at the hourly salary of \$15.00, effective June 1, 2011 through Labor Day
2. Christopher Roemer residing at 553 Almena Avenue, Ardsley, New York 10502 to the position of seasonal laborer in the DPW at the hourly salary of \$15.00, effective June 1, 2011 through Labor Day

[Note: Both fellows referenced above are returnees from prior seasons.]

B. The Village Manager, upon the recommendation of the Skate Park Supervisor, hereby appoints the following:

1. Harley de Lange residing at 15 Orlando Avenue, Ardsley, New York 10502 to the seasonal position of skate park attendant at the hourly salary of \$7.25, effective June 1 through December 31, 2011;

2. Benjamin Lau residing at 45 Briary Road, Dobbs Ferry NY 10522 to the seasonal position of skate park attendant at the hourly salary of \$7.25, effective June 1 through December 31, 2011;

3. Shayne Oglesby residing at 63 Secor Road, Apt 13-1, Ardsley NY 10502 to the seasonal position of skate park attendant at the hourly salary of \$7.25, effective June 1 through December 31, 2011;

4. Gabriel Natale, residing at 87 Bellewood Avenue, Dobbs Ferry NY 10522 to the seasonal position of skate park attendant at the hourly salary of \$7.25, effective June 1 through December 31, 2011;

**POLICE DEPARTMENT REPORT:**

Chief Califano delivered the May, 2011 police report.

Regarding unauthorized access to the skate park, Tr. Levine and Tr. Porcino brought this matter to Chief Califano's attention and he responded that officers will be patrolling the park at night.

**BUILDING REPORT:**

Mr. Tomasso delivered the May, 2011 Building Report.

**FIRE DEPARTMENT REPORT:**

Chief Coulehan delivered the May, 2011 Fire Department Report.

**8:15 P.M. – Reconvene the Ardsley Village Board as the Ardsley Board of Assessment Review for the purpose of correcting a grievance omission.**

Tr. Porcino read the public notice and explained that there was a grievance which was overlooked, therefore, the grievance omission will be reopened and the application will be considered.

Attorney Ponzini stated that the reconvention of the Board is being done solely since these are unique and exceptional circumstances and the public should not be misled into thinking that every miscue will lead to this type of procedure. These facts are unique and particular to this application.

The matter has been reviewed by the Village Assessor and the Board accepts his recommendation. **So moved by Tr. Levine, seconded by Tr. Nardecchia.**

**V. COMMITTEE AND BOARD REPORTS:****Tr. Porcino:**

- 1) The next meeting of the Board of Trustees is Tuesday, July 5<sup>th</sup>.
- 2) The Village Library has published its summer activities:
  - There will be a teen summer reading program starting June 25<sup>th</sup> – there will be prizes and it will run from 6:30 – 8:00 p.m. for six weeks. Registration is required.
- 3) Attended a retirement dinner for Reverend Bob Godley. The Mayor has declared June 16<sup>th</sup> as Reverend Robert J. Godley Day.

**Tr. Nardecchia:**

- 1) There will be a Recreation Committee meeting tomorrow night.
- 2) The seniors went to a museum last week in Yonkers.
- 3) This Wednesday the seniors will have the BBQ at the Community Center.
- 4) Work will begin on the volleyball plans which will go out to bid.
- 5) Pumpernickel's is assisting with the volleyball fundraising.

**Tr. Levine:**

- 1) The May ASVAC numbers are: 62 – total; 43 day, 15 evening, 4 night and 7 mutual aide.
- 2) The Greenburgh Living History Project will feature Bob Phillips and Marty Engelman, WWII veterans.

**8:30 P.M. – For the purpose of amending the site plan approval for the proposed conversion of the former Bavarian Beverage store into a grocery store located at 645 Saw Mill River Road.**

Tr. Porcino read the legal notice.

Mr. Ed Marron presented himself to the Board and explained that since his last visit to the BOT, he has been to the Planning Board, whose comments have been incorporated into the plans.

The parking has now been angled, a handicapped spot has been designated, and work will take place on the top right hand side of the property which will include cleaning up the area and building a stone wall, landscaping the area and providing shotgun parking for the employees in the area. The interior plans were discussed. The exterior will remain unchanged.

All of the parking will take place on the east side of the property and due to the angled parking, one space will be lost. The required number of parking spaces is 51; 20 spaces are proposed and 31 parking spaces have been grandfathered.

The parking lot will have a one-way traffic flow. There will be striping on the ground to indicate the one-way. There will be a sign at the NW corner of the building. Tr. Nardecchia stated that a "One Way, Do Not Enter" sign is necessary on DOT property. Mr. Marron expressed his concern that the signs would get backed into by the cars. Tr. Nardecchia suggested a flexible sign. Mr. Marron reminded Tr. Nardecchia that the Planning Board suggested striping rather than signage. Mr. Tomasso stated that the angled, one-way parking lot will be a great improvement over the current situation.

Attorney Ponzini reminded the applicant of the temporary signs ordinance which prohibits the plastering of signs in the windows.

## **VI. VISITOR'S**

## **VII. OLD BUSINESS**

### **RESOLUTION ACCEPTING RESIGNATION OF BERNHARD PREISSER FROM THE BOARD OF ARCHITECTURAL REVIEW**

**Trustee Levine: RESOLVED**, that the Village Board of the Village of Ardsley hereby accepts, with regret, the resignation of Bernhard Preisser from the Board of Architectural Review, effective June 6, 2011. **Seconded by Trustee Nardecchia and passed unanimously with Deputy Mayor voting aye.**

**Tr. Nardecchia: Resolved**, that the Village Board of the Village of Ardsley hereby closes the public hearing for the proposed conversion of the former Bavarian Beverage store into a grocery store located at 645 Saw Mill River Road . **Seconded by Tr. Levine and passed unanimously.**

**RESOLUTION TO AMEND THE SITE PLAN APPLICATION FOR THE  
PROPOSED CONVERSION OF THE FORMER BAVARIAN BEVERAGE  
STORE INTO A GROCERY STORE LOCATED AT 645 SAW MILL RIVER  
ROAD**

**Trustee Nardecchia: RESOLVED**, that the Village Board of the Village of Ardsley hereby approves the amended site plan application submitted by Ardsley Market Corp., for the proposed conversion of the former Bavarian Beverage store into a grocery store located at 645 Saw Mill River Road with the following conditions: **Seconded by Trustee Levine and passed unanimously.**

1. The applicant must provide plans showing compliance with the NYS Building Code for the interior alterations.
2. The applicant must obtain a building permit prior to the commencement of work.
3. A CO will not be issued, and occupancy will not be permitted, until the site improvements are completed, even if the interior alterations are completed.
4. The applicant must obtain a separate sign permit for all proposed signage.
5. The dumpster and/or trash receptacles must be placed in a fenced enclosure as per code.
6. The applicant must comply with the recommendations of the PB.
7. Any conditions the VB and Village Attorney deem appropriate.
8. A Grandfather waiver of 31 parking spaces shall continue
9. The applicants agree to submit an application from the State DOT regarding signage.
10. Traffic flows will be shown by arrows on the pavement as represented in the plan.

**9:00 P.M. – For the purpose of considering the site plan approval for the proposed storage shed located at La Catena Restaurant, 875 Saw Mill River Road.**

Mr. Emilio Delija, proprietor, La Catena Restaurant, presented himself to the Board and explained the current situation with the storage shed. Tr. Porcino confirmed that there is currently a shed, which has not been approved, on the premises. Mr. Delija explained that the existing shed will be removed and an “L” shaped shed will be installed.

Mr. Delija produced a photograph of the proposed shed. Mr. Tomasso explained that, presently, the shed is located behind the building and, approximately, 1-1/2 years ago, the property manager requested a waiver from the requirements for the fences for the dumpsters behind the building due to lack of space. Therefore, this shed was put up and the space is very tight. The Fire Inspector and Fire Chief agree that the shed cannot remain where it presently is. Therefore, the existing shed will be moved into the corner of the parking lot, next to the enclosure. The dumpsters at the north and south end of the parking lot would be enclosed, according to the waiver which was previously granted.

Now, however, the shed is being requested to be placed next to the enclosure. Tr. Porcino stated that he felt the area was very congested and there is a huge boulder in the center of the parking lot.

Mr. Tomasso explained that the new location for the shed would be in the Southeast corner of the parking lot, not in the back of the building.

Tr. Nardecchia requested that the Fire Department inspect the lane on the premises.

Attorney Ponzini stated that by allowing temporary containers, it is an end run around the Village's zoning laws. There are site plan approvals which approve the amount of land which is going to be covered and a certain amount which is going to be developed, the amount of parking required, etc. By allowing temporary containers, the landlord is given an advantage by allowing for his space to be expanded. These temporary permits are generally given during hardship situations.

Tr. Nardecchia confirmed with Mr. Tomasso that the structures were not permanent and could not be assessed.

The alternate option of leasing a container was discussed.

Mr. Tomasso warned the Board against setting a precedent by approving this request.

**Tr. Levine: Resolved**, that the Village Board of the Village of Ardsley hereby closes the public hearing regarding the proposed site plan addition of storage shed located at La Cantena Restaurant, 875 Saw Mill River Road. **Seconded by Tr. Malone and passed unanimously.**

**Tr. Levine** moved, after polling the Board, it was agreed to table this vote for the Mayor's return at the July 5, 2011 meeting, **seconded by Tr. Malone and passed unanimously.**

**RESOLUTION TO ACCEPT THE VILLAGE ASSESSOR'S  
RECOMMENDATION TO ADJUST 2011 TAX ROLL AND TAX BILL SECTION  
03B, BLOCK 0002, LOT 6**

**Trustee Levine: RESOLVED**, that the Village Board of the Village of Ardsley hereby accepts the Village Assessor's recommendation to adjust the 2011 Tax Roll and Tax Bill and correct the Taxable Assessment for Section 3B, Block 0002, Lot 6, Account #6170730 to reflect a reduction of the taxable assessment from \$23,900 to \$19,180. **Seconded by Trustee Nardecchia and passed unanimously with Deputy Mayor Porcino voting aye.**

NEW BUSINESS

**RESOLUTION REGARDING FIRE FIGHTER ATTENDANCE AT  
BALTIMORE FIRE EXPO 2011**

**Trustee Nardecchia: RESOLVED**, that the Village Board of the Village of Ardsley hereby approves of the attendance of seven fire fighters at the annual Fire Expo held this year in Baltimore, Maryland for the period July 19 through July 24, 2011 for an amount not to exceed \$4000 for lodging.

Be it further resolved that the following seven fire fighters each be provided with a food allowance of \$200: **Seconded by Trustee Levine and passed unanimously with Deputy Mayor Porcino voting aye.**

Fire Chief Vincent Coulehan  
First Assistant Fire Chief Mark Florkowski  
Captain Stephen Kaskawits  
Captain Mark Coulehan  
Firefighter Joan Podolski  
Firefighter Nicole Vidal  
Firefighter Jeff Cicio

**RESOLUTION AUTHORIZING THE POLICE CHIEF'S ATTENDANCE AT  
NYS POLICE CHIEFS CONFERENCE**

**Trustee Levine: RESOLVED**, that the Village Board of the Village of Ardsley hereby authorizes the Police Chief to attend a conference of the New York State Association of Chiefs of Police scheduled for July 17 through July 20 in Lake Placid at an estimated cost of \$800. **Seconded by Trustee Nardecchia and passed unanimously with Deputy Mayor Porcino voting aye.**

**ADJOURNMENT OF MEETING:**

**Tr Nardecchia: Resolved**, that the Village Board of the Village of Ardsley hereby adjourns the regular meeting of the Monday, June 20, 2011 at 9:43 p.m. **Seconded by Tr. Levine and passed unanimously.**



**VILLAGE OF ARDSLEY**

**BOARD OF TRUSTEES  
JUNE 20, 2011**

Respectfully submitted,

Lorraine McSpedon  
Recording Secretary