



AGENDA

Ardsey Village Board of Trustees

8:00 PM - Tuesday, September 7, 2021

507 Ashford Avenue

BROADCAST LIVE ON VERIZON 32/35 & CABLEVISION 75

CALL IN NUMBER (914) 693-6202

Please note that as a result of the policy on mask usage, all attendees (Board members, staff, visitors) for this meeting are required to wear a mask.

Page

1. PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Public Hearing to discuss the proposed permit to convert the newly constructed vacant space at 708 Saw Mill River Road into a children's art school.

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PUBLIC HEARING

Public Hearing to Discuss the proposed permit to convert the former automotive repair facility at 891 Saw Mill River Road into recycling bin maintenance and storage shop

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PUBLIC HEARING

Public Hearing to discuss amending Chapter 18 Code of Ethics of the Village Code

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PROCLAMATION-FIRST RESPONDERS

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3.2. INTERIM VILLAGE MANAGER

3.2.a Interim Village Manager Report September 7, 2021

3.3. TREASURER

3.3.a Abstract Report September 7, 2021

3.4. BUILDING

No Building Department Report

3.5. FIRE

No Fire Department Report

3.6. POLICE

No Police Department Report

3.7. MAYOR’S ANNOUNCEMENTS

3.8. COMMITTEE & BOARD REPORTS

4. VISITORS

5. OLD BUSINESS:

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5.a Consider a Resolution Granting Permission to Convert the Newly Constructed Vacant Space Located at 708 Saw Mill River Road into a Children's Art School

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5.b Consider a Resolution Granting Permission to Convert the Former Automotive Repair Facility at 891 Saw Mill River Road into a Recycling Bin Maintenance and Storage Shop

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5.c Consider a Resolution to Replace Chapter 18 Code of Ethics of the Ardsley Village Code

6. NEW BUSINESS:

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6.a Consider a Resolution Ratifying the Contract with Fireworks Extravaganza

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6.b Consider a Resolution to Amend the Non-Union Village Employee Personnel Policy

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6.c Consider a Resolution to Schedule a Public Hearing to Discuss Chapter 32 of the Code of the Village of Ardsley "Village Manager Code Provisions" Enumerating and Clarifying the Duties and Responsibilities of the Village Manager

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6.d Consider a Resolution to Amend the Social Media Policy

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6.e Consider a Resolution Permitting a Menorah Display -2021

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7. CALL FOR EXECUTIVE SESSION

8. ADJOURNMENT OF MEETING

9. ANNOUNCEMENTS

- September 8, 2021 125th Anniversary Committee Meeting
- September 11, 2021- 9/11 Day of Remembrance at the Ardsley Fire House 8:30 a.m.
- September 13, 2021 Planning Board Meeting 8:00 pm
- September 14, 2021 Recreation Commission Meeting
- September 15, 2021 TPPCS Committee Meeting

10. NEXT BOARD MEETING:

September 20, 2021

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Ardsley will hold a public hearing on Tuesday, September 7, 2021 at 8:00 p.m. at Village Hall located at 507 Ashford Avenue, Ardsley, New York to discuss the proposed permit to convert the newly constructed vacant space at 708 Saw Mill River Road into a children's art school. Any resident of the Village of Ardsley is entitled to be heard at such public hearing. Village Hall is handicapped accessible.

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

**Ann Marie Rocco
Village Clerk
Dated: August 3, 2021**

MEMO

TO: Mayor Kaboolian, Village Board of Trustees

FROM: Larry J. Tomasso

DATE: August 16, 2021

RE: Honest Art, Inc 708 Saw Mill River Rd

As you know, Gabriel Cruz, CEO of Honest Art, Inc., applied for a permit to convert the newly constructed vacant commercial space at 708 SMRR into a children's art school. A letter outlining the business plan and copies of the proposed floor plan and site plan are attached. This is an approved use in the B-1 District and VB approval is required for this project pursuant to §200-65A of the Village Code.

This property operates under a 33% reduction in parking as provided by §200-71J of the Village Code (attached) based on the variation in the probable time of the maximum use by patrons and employees of each establishment/use on the property. This reduction must be re-evaluated each time there is a new tenant/use with review and comment by the PB. It should be noted that there is also a variance for 1 parking space on this property.

It appears that the business falls under the retail/personal services category of 1 parking space per 150 square feet of floor area. As such, the overall parking requirement for the property is 32 parking spaces (see attached breakdown) and 20 are provided. It also appears that the actual parking requirement may be lower since the owner stated that most students will be dropped-off and picked-up.

The VB declared itself Lead Agency for the site plan review and directed the applicant to the PB for review and comment. The PB recommends that the parking waiver be granted and will send their comments to you separately.

Any approvals should contain the following provisions:

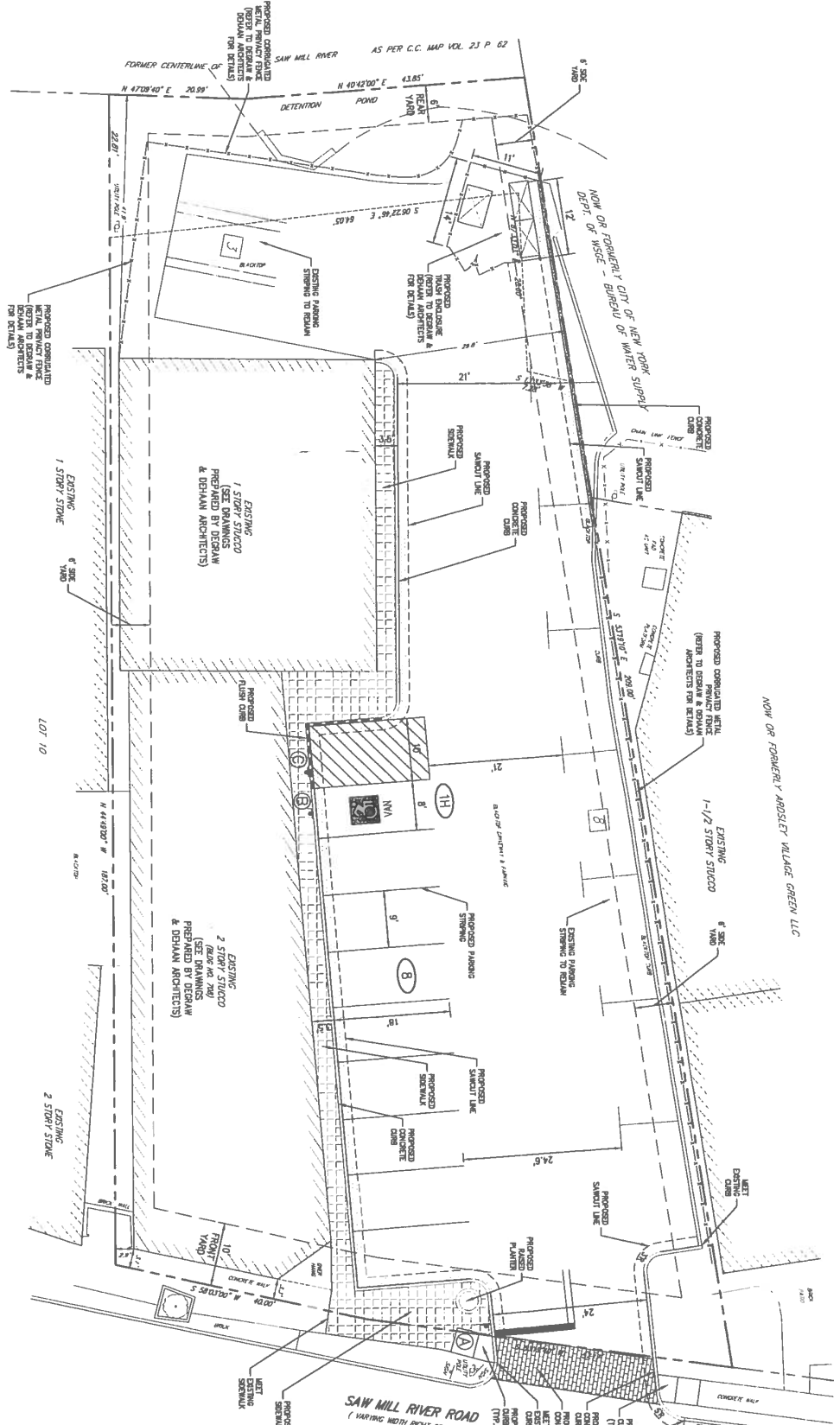
1. The applicant must provide plans for the remainder of the build-out showing full compliance with the NYS Building Code.
2. The applicant must obtain the required permits prior to commencing construction for the build-out.
3. The applicant must obtain a sign permit and BAR approval for all proposed signage.
4. The hours of operation should be identified/confirmed.
5. The business owner must provide keys to be placed in the key box (Knox Box) that was installed on the building.
6. The exterior gas valve must be screened prior to the issuance of a CO.
7. Any conditions the VB deems appropriate.
8. Any conditions the Village Attorney or Village Manager deem appropriate.

Let me know if you need any additional information.

Files: VILLAGE BOARD/smrr708-honest art 08-16-21

NOT FOR CONSTRUCTION

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 OWNER: REDWOOD CAPITAL ADVISOR, LLC. ALL RIGHTS RESERVED.



SIGN TABLE

NO.	DESCRIPTION	MOUNTING TYPE	MOUNTING HEIGHT	REGULATORY REFLECTOR
A	STOP	STEEL CHANNEL	7'-0"	11-1
B	12" x 18" RED ON WHITE	STEEL CHANNEL	7'-0"	11-1
C	12" x 18" RED ON WHITE	STEEL CHANNEL	7'-0"	11-1-2

LEGEND

	EXISTING PROPERTY LINE
	PROPOSED PROPERTY LINE
	EXISTING SETBACK LINE
	PROPOSED SETBACK LINE
	EXISTING DETENTION POND
	PROPOSED DETENTION POND
	EXISTING BUILDING FOOTPRINT
	PROPOSED BUILDING FOOTPRINT
	EXISTING CANOPY LINE
	PROPOSED CANOPY LINE
	EXISTING RETAINING WALL
	PROPOSED RETAINING WALL
	EXISTING TREE AND VEGETATION
	PROPOSED TREE AND VEGETATION
	EXISTING PARKING WITH NUMBER OF SPACES
	PROPOSED PARKING WITH NUMBER OF SPACES
	EXISTING PEDESTRIAN CROSSING
	PROPOSED PEDESTRIAN CROSSING
	EXISTING LIGHT POLE
	PROPOSED LIGHT POLE
	EXISTING SIGN
	PROPOSED SIGN
	EXISTING CONCRETE CURB
	PROPOSED CONCRETE CURB
	EXISTING CURB AND RAMP
	PROPOSED CURB AND RAMP
	EXISTING SIDEWALK
	PROPOSED SIDEWALK
	EXISTING PARKING SPACE WITH NUMBER OF SPACES
	PROPOSED PARKING SPACE WITH NUMBER OF SPACES
	EXISTING RETAINING WALL
	PROPOSED RETAINING WALL
	EXISTING "T" OR "X" WHITE STOP LINE
	PROPOSED "T" OR "X" WHITE STOP LINE
	EXISTING TRAFFIC SIGN LOCATION AND DESIGNATION
	PROPOSED TRAFFIC SIGN LOCATION AND DESIGNATION

NOTES:
 1. EXISTING CONDITIONS SHOWN ON THIS PLAN HAVE BEEN TAKEN FROM THE RECORD DRAWINGS FOR THE PROJECT, PREPARED BY JMC PLANNING, ENGINEERING, ARCHITECTURE & CONSTRUCTION, LLC. DATE: JAN. 4, 2017.

APPROVED BY VILLAGE BOARD OF TRUSTEES

SIGNATURE _____ DATE _____

ANY ALTERATION OF PLANS, SPECIFICATIONS, PLANS AND CONDITIONS OF A LICENSED PROFESSIONAL ENGINEER OR ARCHITECT OR A LICENSED LAND SURVEYOR IS A VIOLATION OF THE PROFESSIONAL ENGINEERING AND ARCHITECTURE LAW, SECTION 209 SUBSECTION 2.

No.	Reason	Date	By

Scale: 1" = 10'

Date: 07/28/2018

Project: 18004

Sheet: 1 of 1

Design: JMC

Check: JMC

Approved: JMC

C-100

SITE PLAN

PROPOSED MIXED USE REDEVELOPMENT

708 SAW MILL RIVER ROAD

VILLAGE OF ARDSLEY, NEW YORK

JMC

JMC Planning, Engineering, Architecture & Construction, LLC

126 BEDFORD ROAD, ARMONK, NY 10504

914-491-2717 • 914-491-1614 • 914-212-2192

www.jmcpcllc.com

APPLICANT/OWNER:

REDWOOD CAPITAL ADVISOR, LLC

343 MANVILLE ROAD

PLEASANTVILLE, NY 10570

ARCHITECT:

DEGRAW & DEHAAN ARCHITECTS

55 NORTH STREET, SUITE 101

MIDDLETOWN, NY 10940

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Ardsley will hold a public hearing on Tuesday, September 7, 2021 at 8:00 p.m. at Village Hall located at 507 Ashford Avenue, Ardsley, New York to discuss the proposed permit to convert the former automotive repair facility at 891 Sawmill River Road into a recycling bin maintenance and storage shop. Any resident of the Village of Ardsley is entitled to be heard at such public hearing. Village Hall is handicapped accessible.

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

**Ann Marie Rocco
Village Clerk
Dated: August 3, 2021**

MEMO

TO: Mayor Kaboolian
Village Board of Trustees

FROM: Larry J. Tomasso

DATE: August 16, 2021

RE: Standard Recycling Corp, 891 Saw Mill River Rd

As you know, Michael Reggina of Standard Recycling Corp applied for a permit to convert the former automotive repair facility at 891 SMRR into a recycling bin maintenance and storage shop. A letter detailing the business operation is attached. This is a permitted use in the B-2 Special Business District and VB approval is required pursuant to §200-73A of the Village Code.

The applicant is proposing leaving clothing bins outside on the property. The VB will be considering legislation a that will not allow this practice for “for profit” agencies. Since many bins are already located throughout the village, the approval should be conditioned on the bins being removed once the law is adopted.

Any approvals should also contain the following conditions:

1. The applicant must provide plans for the remainder of the build-out showing full compliance with the NYS Building Code.
2. The applicant must obtain the required permits prior to commencing construction for the build-out.
3. The applicant must obtain a sign permit and BAR approval for all proposed signage.
4. The hours of operation should be identified/confirmed.
5. The business owner or property owner must install a key box (Knox Box) on the building in a location approved by the Ardsley Fire Chief.
6. Any conditions the VB deems appropriate.
7. Any conditions the Village Attorney or Village Manager deem appropriate.

Let me know if you need any additional information.

NOTICE OF PUBLIC HEARING
CHAPTER 18 CODE OF ETHICS OF THE VILLAGE CODE

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Ardsley will hold a public hearing on Tuesday, September 7, 2021 at 8:00 p.m. at Village Hall located at 507 Ashford Avenue, Ardsley, New York to discuss amending Chapter 18 Code of Ethics of the Village Code.

Any resident of the Village of Ardsley is entitled to be heard at such public hearing. Village Hall is handicapped accessible.

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

**Ann Marie Rocco
Village Clerk
Dated: August 3, 2021**

Chapter 18
Ethics, Code of

§ 18-1 Purpose.

Pursuant to the provisions of § 806 of the General Municipal Law, the Board of Trustees of the Village of Ardsley recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this chapter to promulgate these rules of ethical conduct for the officers and employees of the Village of Ardsley. These rules shall serve as a guide for official conduct of the officers and employees of the Village of Ardsley. The rules of ethical conduct of this chapter, as adopted, shall not conflict with, but shall be in addition to, any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Municipal officers and employees may not knowingly acquire, solicit, negotiate for, or accept any interest, employment or other thing of value which would put them in violation of this Code of Ethics.

§ 18-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BENEFIT

Anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers.

BOARD

The governing board of the municipality and any municipal administrative board (e.g. Planning Board, Zoning Board of Appeals), commission, committee or other agency or body comprised of two or more municipal officers, employees or volunteers.

CODE

This Code of Ethics.

INTEREST

A direct or indirect financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or any area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he/she/they, his/her/their spouse, or a member of his/her/their household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5% of the organization's outstanding stock.

MUNICIPAL OFFICER OR EMPLOYEE

An officer or employee of the Village of Ardsley, whether paid or unpaid, including members of any administrative board, commission, committee or other agency thereof. No person shall be deemed to be a "municipal officer" or "employee" solely by reason of being a volunteer fireman or civil defense volunteer.

MUNICIPALITY

The Village of Ardsley. The word "municipal" refers to the municipality.

RELATIVE

A spouse, parent, stepparent, sibling, stepsibling, sibling's spouse, child, stepchild, uncle, aunt, nephew, niece, or household member of a municipal officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

SENSITIVE POSITIONS

The following positions entail potential conflicts of interested and are deemed to be sensitive positions:

A. Members and board secretaries of the:

1. Zoning Board.
2. Board of Architectural Review.
3. Planning Board.
4. Village Board.

B. Alternate members of the:

1. Board of Architectural Review.

C. Building Inspector.

D. Code Enforcement Officer.

E. Assistant Building Inspector.

F. Village Manager.

G. Confidential Secretary to the Village Manager.

H. Village Clerk.

I. Village Treasurer.

J. Deputy Village Treasurer.

K. Accounts Payable Clerk.

L. Fire Inspector.

M. Fire Chief.

N. Assistant Fire Chiefs.

O. Police Chief.

P. Department of Public Works General Foreman.

Q. Department of Public Works Deputy Foreman.

R. Recreation Supervisor.

S. Village Attorney.

T. Village Justices.

U. Justice Court Clerk.

V. Assistant Court Clerk/Intermediate Clerk.

W. Village Prosecutor.

SUBORDINATE

A subordinate of a Village officer or employee shall mean another Village officer or employee over whose activities he/she/they has direction, supervision or control over, except those who serve in positions that are in the exempt classification under § 41 of the Civil Service Law of the State of New York in the unclassified service under Subdivisions (a) through (f) of the § 35 of that law.

§ 18-3 Applicability

This Code of Ethics applies to the officers and employees of the Village of Ardsley, and shall supersede any prior municipal Code of Ethics. The provisions of this Code of Ethics shall apply in addition to all applicable state and local laws relating to conflicts of interest and ethics including but not limited to, Article 18 of the General Municipal Law and all rules, regulations, policies and procedures of the Village of Ardsley.

§ 18-4 Prohibition on use of municipal position for personal or private gain

No municipal officer or employee shall use his/her/their municipal position or official powers and duties to secure a financial or material benefit for himself/herself/their selves, a relative, or any private organization in which he/they e is deemed to have an interest.

§ 18-5 Disclosure of interest in legislation and other matters.

- A. Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to himself/herself/their selves, a relative, or any private organization in which he/she/they is deemed to have an interest, the municipal officer or employee shall disclose, in writing, the nature of the interest.
- B. The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee, or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.
- C. In the case of a person serving in an elective office, the disclosure shall be filed with the governing board of the municipality. In all other cases, the disclosure shall be filed with the Village Manager. In addition, in the case of a person serving on a municipal board, a copy of the disclosure shall be filed with the board. Any disclosure made to a board shall be made publicly at a meeting of the board and must be included in the minutes of the meeting.

§ 18-6 Recusal and abstention.

- A. No municipal officer or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it, when he/she/they knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself/herself/their selves, a relative, or any private organization in which he/she/they is deemed to have an interest.
- B. In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:
 - 1. If the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board.

2. If the power or duty that is vested in a municipal officer individually, then the power or duty shall be exercised or performed by his/her/their deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function.
3. If the power or duty is vested in a municipal employee, he/she/they must refer the matter to the Village Manager who shall designate another person to exercise or perform the power or duty.

§ 18-7 Prohibition inapplicable; disclosure, recusal and abstention not required.

This code's prohibition on use of a municipal position (§ 18-4), disclosure requirements (§ 18-5), and requirements relating to recusal and abstention (§ 18-6), shall not apply with respect to the following matters:

- A. Adoption of the municipality's annual budget;
- B. Any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:
 1. All municipal officers or employees;
 2. All residents or taxpayers of the municipality or an area of the municipality; or
 3. The general public
- C. Any matter that does not require the exercise of discretion.
- D. Recusal and abstention shall not be required with respect to any matter:
 1. Which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by § 18-6 of this Code;
 2. Which comes before a municipal officer when the officer would be prohibited from acting by § 18-6 of this Code and the matter cannot be lawfully delegated to another person.

§ 18-8 Investments in conflict with official duties.

- A. No municipal officer or employee may acquire the following investments:
 1. Investments that can be reasonably expected to require more than sporadic recusal and abstention under § 18-6 of this Code; or
- B. Investments that would otherwise impair the person's independence of judgment in the exercise or performance of his/her/their official powers and duties.

C. This section does not prohibit a municipal officer or employee from acquiring any other investments or the following assets:

1. Real property located within the municipality and used as his/her/their personal residence;
2. Less than 5% of the stock of a publicly traded corporation; or
3. Bonds or notes issued by the municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

§ 18-9 Private employment in conflict with official duties.

No municipal officer or employee, during his/her/their tenure as a municipal officer or employee, may engage in any private employment, including the rendering of any business, commercial, professional or other types of services, when the employment:

- A. Can be reasonably expected to require more than sporadic recusal and abstention pursuant to § **18-6** of this Code;
- B. Can be reasonably expected to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee;
- C. Violates § 805-a(1)(c) or (d) of the General Municipal Law; or
- D. Requires representation of a person or organization other than the municipality in connection with litigation, negotiations or any other matter to which the municipality is a party.

§ 18-10 Future employment.

- A. No municipal officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal officer or employee, either individually or as a member of a board, while the matter is pending or within the 30 days following final disposition of the matter.
- B. No municipal officer or employee, for the two-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the municipal office, board, department or comparable organizational unit for which he/she/they serves.
- C. No municipal officer or employee, at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he/she/they personally and substantially participated while serving as a municipal officer or employee.

- D. A municipal officer or employee may not appear or practice before the municipality, except on his/her/their own behalf, or receive compensation for working on any matter before or with the municipality, for a period of one year after the termination of his/her/their municipal service or employment.

§ 18-11 Personal representations and claims permitted.

This Code shall not be construed as prohibiting a municipal officer or employee from:

1. Representing himself/herself/their selves, or his/her/their spouse or minor children, before the municipality;
or
2. Asserting a claim against the municipality on his/her/their own behalf, or on behalf of his/her/their spouse or minor children.

§ 18-12 Use of municipal resources.

- A. Municipal resources shall be used for lawful municipal purposes. Municipal resources include, but are not limited to, municipal personnel, and the municipality's money, vehicles, equipment, materials, supplies or other property.
- B. No municipal officer or employee may use or permit the use of municipal resources for personal or private purposes, but this provision shall not be construed as prohibiting:
1. Any use of municipal resources authorized by law or municipal policy;
 2. The use of municipal resources for personal or private purposes when provided to a municipal officer or employee as part of his/her/their compensation; or
 3. The occasional and incidental use during the business day of municipal telephones and computers for necessary personal matters such as family care and changes in work schedule.
- C. No municipal officer or employee shall cause the municipality to spend more than is reasonably necessary for the officer's or employee's transportation, meals or lodging in connection with official travel and only the municipal officer's or employee's expenses shall be included.

§ 18-13 Interests in contracts.

- A. No municipal officer or employee may have an interest in a contract that is prohibited by § 801 of the General Municipal Law.
- B. Every municipal officer and employee shall disclose interests in contracts with the municipality at the time and in the manner required by § 803 of the General Municipal Law.

§ 18-14 Nepotism.

Except as otherwise required by law:

- A. No municipal officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the municipality or a municipal board.
- B. No municipal officer or employee may directly supervise a relative in the performance of the relative's official powers or duties.
- C. Every municipal officer or employee of a relative seeking employment within any department, section or function of the municipality shall disclose the relationship as provided herein. Such disclosure shall be made in writing to the Village Manager and shall be made at the earliest opportunity following the date upon which such a municipal officer or employee first learns or has knowledge of the application.

§ 18-15 **Political solicitations.**

- A. No municipal officer or employee shall directly or indirectly compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.
- B. No municipal officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any municipal officer or employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

§ 18-16 **Confidential information.**

No municipal officer or employee who acquires confidential information in the course of exercising or performing his/her/their official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his/her/their official powers and duties.

§ 18-17 **Gifts.**

- A. No municipal officer or employee shall solicit, accept or receive a gift in violation of § 805-a (1)(a) of the General Municipal Law as interpreted in this section.
- B. No municipal officer or employee may directly or indirectly solicit any gift.
- C. No municipal officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of \$75 or more when:
 - 1. The gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his/her/their official powers or duties;

2. The gift could reasonably be expected to influence the officer or employee in the exercise or performance of his/her/their official powers or duties; or
 3. The gift is intended as a reward for any official action on the part of the officer or employee.
- D. For purposes of this section, a "gift" includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift's fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed \$75 must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.
- E. Presumption of influence, reward.
1. A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of his/her/their official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.
 2. A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding 12 months.
- F. This section does not prohibit any other gift, including;
1. Gifts made to the municipality;
 2. Gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a municipal officer or employee, is the primary motivating factor for the gift;
 3. Gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;
 4. Unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;
 5. Awards and plaques which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community; or

6. Meals and refreshments valued at \$15 per event provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants.

§ 18-18 Posting and distribution.

- A. The Village Manager must promptly cause a copy of this Code, and a copy of any amendment to this Code, to be posted publicly and conspicuously in each building under the municipality's control. The Code must be posted within 10 days following the date on which the Code takes effect. An amendment to the Code must be posted within 10 days following the date on which the amendment takes effect.
- B. The Village Manager must promptly cause a copy of this Code, including any amendments to the Code, to be distributed to every person who is or becomes an officer and employee of the Village of Ardsley.
- C. Every municipal officer or employee who receives a copy of this Code or an amendment to the Code must acknowledge such receipt in writing. Such acknowledgments must be filed with the Village Clerk who must maintain such acknowledgments as a public record.
- D. The failure to post this Code or an amendment to the Code does not affect either the applicability or enforceability of the Code or the amendment. The failure of a municipal officer or employee to receive a copy of this Code of Ethics or an amendment to the Code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the Code or amendment to the Code.

§ 18-19 Enforcement.

- A. Any municipal officer or employee who violates this Code may be censured, fined, suspended or removed from office or employment in the manner provided by law.
- B. A charge for violating a provision of this Code shall be brought by the Village Manager. If the charge is against the Village Manager, such charge shall be brought by the Board of Trustees.
- C. For employees entitled to be disciplined pursuant to the New York Civil Service Law, a charge for violating a provision of the code shall be adjudicated in accordance with the New York Civil Service Law. All other such charges shall be heard by the Village Manager.

§ 18-20 Severability

If any section, subsection, clause, phrase or other portion of this Code of Ethics is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of remaining portions hereof, which other portions shall continue in full force and effect.

§ 18-21 Effective date.

This local law shall be effective immediately upon filing with the Secretary of State of the State of New York.



MINUTES

Ardsey Village Board of Trustees

8:00 PM - Monday, August 2, 2021
507 Ashford Avenue

Present: Mayor Nancy Kaboolian
Deputy Mayor/Trustee Andy DiJusto
Trustee Joann D'Emilio
Trustee Craig Weitz
Interim Village Manager Charlene Indelicato
Village Clerk Ann Marie Rocco

Absent: Trustee Steve Edelstein
Village Attorney Robert J. Ponzini

- 1. PLEDGE OF ALLEGIANCE**
- 2. ANNOUNCEMENT OF EXIT SIGNS**
- 3. APPROVAL OF MINUTES:**

3.1 Regular Meeting Minutes-July 6, 2021

Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously.
RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of July 6, 2021 as submitted.

- 4. DEPARTMENT REPORTS**

1. LEGAL

1.a Village Attorney Robert Ponzini was absent.

2. INTERIM VILLAGE MANAGER

2.a Interim Village Manager Report August 2, 2021

Interim Village Manager Charlene Indelicato read the following report:

1. **COVID 19 Updates** As you are no doubt aware, there has been an uptick in COVID 19 Delta variant cases. The State of New York, Westchester County and surrounding municipalities are in the process of establishing protocols to prevent further spread. I will update the Mayor and Board as things progress. The CDC has recommended indoor mask wearing in public in counties which are “substantial or high spread”. Westchester is included in that category.
2. **Labor Day Closing** All offices, including the Library, Community Center, Court, and the Department of Public Works will be closed Monday, September 6, 2021 in observance of Labor Day. Since there will be no garbage collection on Monday, there will be Village –wide garbage collection on Tuesday, September 7, 2021. The rest of the week will follow the normal schedule.
3. **Ardsley Curbing** The Contractor is approximately 80% done with the installation of the curbs. It is anticipated that the curbing work will be completed in the next two weeks. Restoration – backfilling/driveway/walkways/sidewalks and sprinkler systems are on an ongoing basis.

3. TREASURER

3.a Abstract Report August 2, 2021

Interim Village Charlene Indelicato read the Treasurer's Report for August 2, 2021. Interim Village Manager Indelicato stated that the bills for the past two weeks totaled as follows: From the General Fund: \$330,940.43; from the Sewer Fund: \$58.59; from the Trust & Agency fund: \$2,156.68 and from the Capital Fund: \$472,975.55

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: \$330,940.43 from the Trust & Agency Fund: \$2,156.68 and from the Capital Fund: \$472,975.55, Sewer Fund: \$58.59

4. BUILDING

4.a Building Department Report June 2021

Mayor Kaboolian stated that the Building Department Report be accepted under submission for June 2021:

- 9 Building permits
- 8 Application fees
- 9 Certificates of Occupancy
- 22 Plumbing permits
- 11 Electrical permits
- 11 Title Searches
- 2 Miscellaneous

Total received - \$10,011.00

Other activities-

2 Warnings

87 Building inspections

30 Zoning inspections

17 Violations

5. FIRE

5.a Fire Department Report June 2021

Mayor Kaboolian stated that the Fire Department Report be accepted under submission for June 2021:

- June 3rd, 10th, 17th & 24th Department held inspection drills to prepare for annual inspection
- June 4th Chief Murray worked with APD & GPD for the senior ice cream social
- June 5th Chief Murray held the annual inspection of the Ardsley Fire Dept.
- June 10th Chief Murray received an updated spec from Seagrave for new Engine
- June 11th Chief Murray attended Concord Road zoom meeting
- June 17th Apparatus Committee reviewed updated spec for new Engine
- June 24th Chief Podalski attended the ice cream social with APD
- June 3rd Inspection drill #6 20 hours of training, 10 members present
- June 10th Hoseline operations & MPO training 38.25 hours of training, 17 members present
- June 17th Hoseline operations & MPO training, 24 hours of training, 12 members present
- June 24th Ice cream social, hose ops & live burn at WCFTC, 42.45 hours of training 32 members present.
- Firefighter II class 20 hours, Structural collapse series 80 hours 124.70 hours of training, 71 members present.
- Alarms for the month of June 2021: 20

6. POLICE

6.a Police Department Report June 2021

Chief Piccolino reported the following activities for June 2021:

- Court fine and fees - \$72,554.00
- Property lost or stolen - \$0.00
- Alarm fines and fees - \$0.00
- Meter collection - \$1,811.00
- Traffic Accidents 8
- Arrests 0
- Calls for Service 246
- Investigations 8
- Impoundment 0
- Summonses issued 4

Training in June 2021:

Total training for the month of June 27 hours which consisted of SWAT, Firearms, Leadership and Implicit Bias training.

COMMUNITY POLICING:

The child seat passenger safety officers installed 11 seats and issued 0
Participated in a zoom meeting for Westchester County Coalitions Group
Participated in a zoom meeting for the Ardsley SAYF Coalition
Participated in a zoom safety meeting for Concord Road Elementary
Participated in a zoom safety meeting for the Ardsley Middle School
Performed two lock down drills at Concord Road School
Attended in person SNYPJOA meeting updates on raise legislation

Community Policing Officer's attended and assisted with the following events:

- Concord Road 4th grade moving up ceremony
- Ardsley Middle school 8th grade graduation ceremony
- Ardsley High School senior class of 2021 graduation
- Juneteenth Day
- Pride Day

Community outreach events:

- Ardsley High school Senior class 2021 ice cream social
- AHS Senior class 2021 year book signing provided snacks and drinks
- AHS teacher appreciation BBQ
- AHS 9th, 10th 11th grades BBQ social
- Cops & Cones event

- Concord Road 4th grade picnic event
- Senior citizens BBQ

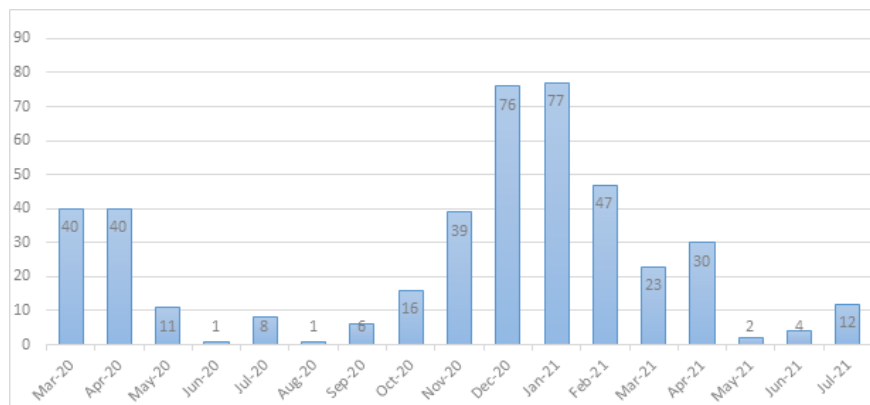
COMMUNITY INFORMATION:

The department continues to investigate numerous reports of fraud and we remind all that you should not provide personal information to anyone over the phone or email.

The Police Department is now participating in the program: Hopes Not Handcuffs: This is an initiative by Family Against Narcotics, aimed at bringing law enforcement and community organizations together in an effort to find viable treatment options for individuals seeking help to reduce dependency with heroin, prescription drugs, and alcohol.

CORONAVIRUS 2019:

The Coronavirus is still infecting people and the village has seen a steady uptick in cases so please wear your masks and follow the CDC recommendations listed below.



Prevention:

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.

-CDC does not recommend that people who are well wear a facemask to protect themselves from respiratory diseases, including COVID-19.
-Facemasks should be used by people who show symptoms of COVID-19 to help prevent the spread of the disease to others. The use of facemasks is also crucial for health workers and people who are taking care of someone in close settings (at home or in a health care facility).

- 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>

How to Protect Yourself & Others

- Older adults and people who have severe underlying medical conditions like heart or lung disease or diabetes seem to be at high risk for developing serious complications from COVID-19 illness.
- Know how it spreads
- Between people who are in close contact with one another (within about 6 feet).
- Through respiratory droplets produced when an infected person coughs, sneezes, or talks.
- These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs.

Some recent studies have suggested that COVID-19 may be spread by people who are not showing symptoms.

7. MAYOR'S ANNOUNCEMENTS

7.a Mayor Kaboolian announce the following:

- As of August 1st there are 1, 225 active COVID cases in Westchester County
- Encouraged everyone to get vaccinated to curb this new variant
- Welcomed our new Interim Village Manager Charlene Indelicato

8. COMMITTEE & BOARD REPORTS

8.a Trustee DiJusto did not have anything to report.

Trustee Weitz did not have anything to report.

Trustee D'Emilio announced the following:

- The library requires all patrons to wear a mask.
- Summer reading club has 132 students signed up via zoom
- The library has put up 3 story walks in the Village

5. VISITORS

5.1 Eda Kapsis, CEAC Chair-Victoria Road wanted to better understand amendments that are on the agenda.

Mayor Kaboolian explained that those amendments are amendments to the contract for additional costs that we have incurred over the past year. They has nothing to do with the design of the building.

Ms. Kapsis stated that the CEAC is here to provide service to the Board as these documents addresses these issues.

Mayor Kaboolian felt that it would be helpful if the CEAC provided some points to the Board with what would make an environmentally sound building.

Ms. Kapsis stated that they intend to provide best practices and strategical opportunities for fiscal return for the longer term.

6. OLD BUSINESS:

7. NEW BUSINESS:

7.1 Consider a Resolution Declaring Lead Agency and Scheduling a Public Hearing for 708 Saw Mill River Road

Moved by Trustee D'Emilio, Seconded by Trustee DiJusto and passed unanimously. RESOLVED, that the Village Board of the Village of Ardsley hereby declares itself Lead Agency for site plan approval for a proposed permit to convert the newly constructed vacant space at 708 Saw Mill River Road into a children's art school; and

RESOLVED, that the Village Board of the Village of Ardsley hereby refers the applicant to the Planning Board for review and comment regarding the parking reduction;

NOW THERE FORE BE IT FURTHER RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on Tuesday, September 7, 2021 to discuss the proposed permit.

- 7.2 Consider a Resolution Declaring Lead Agency and Scheduling a Public Hearing 891 Saw Mill River Road

Moved by Trustee X, Seconded by Trustee Y and passed unanimously. RESOLVED, that the Village Board of the Village of Ardsley hereby declares itself Lead Agency for site plan approval for a proposed permit to convert the former automotive repair facility at 891 Saw Mill River Road into a recycling bin maintenance and storage shop.

NOW THERE FORE BE IT FURTHER RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on Tuesday, September 7, 2021 to discuss the proposed permit.

- 7.3 Consider a Resolution Authorizing the Interim Village Manager to Sign an Agreement with Ayoola Obi Tennis Professional

Moved by Trustee Weitz, Seconded by Trustee DiJusto and passed unanimously. RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Interim Village Manager to sign an agreement with Ayoola Obi, Tennis Professional, located at 285 East 199 Street, Apt 4C, Bronx, NY 10458 for Tennis Lessons offered through the Ardsley Parks & Recreation Department effective immediately through August 3, 2022.

- 7.4 Consider a Resolution to Authorize the Interim Village Manager to Sign Amendment No. 1 to the Agreement with Calgi Construction Company

Moved by Trustee D'Emilio, Seconded by Trustee DiJusto and passed unanimously. RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Interim Village Manager to sign amendment No. 1 regarding the revised construction management fees dated June 24, 2021 with Calgi Construction Company, 56 Lafayette Avenue, Suite 350, White Plains, New York 10603 related to the Highway Garage Building Project.

- 7.5 Consider a Resolution to Authorize the Interim Village Manager to Sign Amendment No. 2 to the Agreement with Weston & Sampson

Moved by Trustee DiJusto Seconded by Trustee Weitz and passed unanimously. RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Interim Village Manager to sign amendment No. 2 to the agreement with Weston & Sampson, 1 Winners Circle, Suite 130, Albany, NY 12205 related to the Highway Garage Building Project.

7.6 Consider a Resolution to Authorize the Interim Village Manager to Sign an Agreement with Weston & Sampson for Parking Deck Proposal

Moved by Trustee Weitz, Seconded by Trustee DiJusto and passed unanimously. RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Interim Village Manager to sign an agreement with Weston & Sampson, 1 Winners Circle, Suite 130, Albany, NY 12205 dated July 8, 2021 for professional services regarding the parking deck proposal.

7.7 Consider a Resolution to Approve Police Department Rules and Regulations

Moved by Trustee D'Emilio, Seconded by Trustee DiJusto and passed unanimously. WHEREAS, the Ardsley Police Department has been developing comprehensive updates to departmental rules and regulations in an effort to obtain New York State accreditation; and

WHEREAS, the Village of Ardsley Labor Counsel has reviewed such updates; and

WHEREAS, the Village Board of the Village of Ardsley has reviewed and discussed the complete documents with the Chief of Police, and

WHEREAS, the Interim Village Manager recommends that the Village Board of the Village of Ardsley approves such rules and regulations so that the New York State Accreditation process can begin.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby approves the Police Department rules and regulations completed in May, 2021 in order for the Police Department to move forward with the accreditation process.

7.8 Consider a Resolution to Amend the Non-Union Village Employee Personnel Policy

This Resolution will be moved to September 7, 2021 meeting

7.9 Consider a Resolution to Schedule a Public Hearing to Amend Chapter 18 Code of Ethics in the Village Code

Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously. RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on Tuesday, September 7, 2021 to amend chapter 18 Code of Ethics in the Village Code.

7.10 Consider a Resolution to Amend Procurement Policy

Moved by Trustee Weitz, Seconded by Trustee DiJusto and passed unanimously.
WHEREAS, Village policies have not recently been updated; and

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

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby replaces the procurement policy effective immediately.

7.11 Consider a Resolution to Adopt Travel Policy

Moved by Trustee D'Emilio, Seconded by Trustee DiJusto and passed unanimously.
WHEREAS, Village policies have not recently been updated; and

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

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby establishes the travel policy effective immediately.

7.12 Consider a Resolution to Adopt Credit Card Policy

Moved by Trustee DiJusto, Seconded by Trustee Weitz and passed unanimously.
WHEREAS, Village policies have not recently been updated; and

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

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby establishes the credit card policy effective immediately.

7.13 Consider a Resolution Authorizing the Interim Village Manager to Sign an Agreement with Con Edison Related to Final Road Restoration

Moved by Trustee Weitz, Seconded by Trustee DiJusto and passed unanimously.
WHEREAS, the Village of Ardsley has reached an agreement with Con Edison to secure partial funding for the various road improvements required as a result of the Con Edison gas main project; and

WHEREAS, the Village Board of the Village of Ardsley wants to provide for fall restoration of entire roads.

NOW, THEREFORE BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Interim Village Manager to sign an agreement with Con Edison dated July 26, 2021 for final road restoration of the below listed streets:

- Eastern Drive
- Grandview Avenue
- King Street
- Mountainview Avenue
- Park Avenue
- Rest Avenue
- Western Drive
- Orlando Avenue
- Fairmont Avenue

- 7.14 Consider a Resolution to Schedule a Public Hearing to Discuss Chapter 32 of the Code of the Village of Ardsley "Village Manager Code Provisions" Enumerating and Clarifying the Duties and Responsibilities of the Village Manager

This Resolution will be moved to the September 7, 2021 meeting

8. CALL FOR EXECUTIVE SESSION- PERSONNEL & LEGAL MATTERS

- 9. ANNOUNCEMENTS** August 5, 2021-CEAC/CSC Task Force Meeting 7:00 pm
 August 9, 2021-Planning Board Meeting 8:00 pm
 August 10, 2021-Recreation Commission Meeting 5:00 pm
 August 10, 2021-Multicultural Diversity & Inclusion Committee Meeting 8:00 pm
 August 10, 2021-Board of Architectural Review Meeting 8:00 pm
 August 18, 2021- TPPCS Meeting 7:00 pm
 August 25, 2021-Zoning Board of Appeals Meeting 8:00 pm

10. ADJOURNMENT OF MEETING

- 10.1 Adjournment

Moved by Trustee D'Emilio, Seconded by Trustee DiJusto and passed unanimously. RESOLVED, that the Village Board of the Village of Ardsley Hereby adjourns the regular meeting of Monday, August 2, 2021, at 8:42 p.m.

11. NEXT WORK SESSION Wednesday, August 11, 2021 7:30 pm

12. NEXT BOARD MEETING: Tuesday, September 7, 2021

Village Clerk, Ann Marie Rocco

Date: _____

ABSTRACT FOR VILLAGE BOARD MEETING OF SEPTEMBER 7TH, 2021

GENERAL FUND \$425,726.11

TRUST & AGENCY FUND \$150.00

CAPITAL FUND \$60,301.78

SEWER FUND \$1,865.75

ABSTRACT FOR VILLAGE BOARD MEETING ON SEPTEMBER 7, 2021			
Date	Vendor Name	Description	Amount
7/28/2021	ROCKET PRINTERS	2000 Self Stick CT Window Enve	270.00
8/24/2021	PRECISE TRANSLATIONS LLC	Interperters for Court	340.00
8/4/2021	XEROX CORPORATION	Usage 6-21 to 7-21	190.55
8/16/2021	STATE COMPTRROLLER	Fines & Fees July 2021	<u>20,662.00</u>
		Total Court	<u>21,462.55</u>
8/16/2021	Sam's Club	Senior Program Expense	91.67
5/19/2021	SPORT TECH CONSTRUCTION CORP	McDowell Park Basketball court	21,750.00
7/30/2021	Edward Romeo	Summer Concert	595.00
8/26/2021	Event DJ Team LLC	Senior entertainer	200.00
8/26/2021	METRO SPORTS OFFICIALS	Softball playoffs umpire fees	1,056.00
8/2/2021	Safety 1st Defensive Driving	Defensive Driving July 14, 15	60.00
8/4/2021	MYREC.COM	MyRec Usage	2,995.00

8/5/2021	Quench USA, Inc	Usage for 5-1 to 7-31	117.00
8/6/2021	ALARM SPECIALISTS INC	Service for 5-12 to 8/11	89.85
8/10/2021	SUEZ WATER WESTCHESTER DISTRIC	Usage for 7-6 to 8-3	37.06
8/12/2021	NSI Clean Worldwide Inc	July Cleaning Service	260.00
8/16/2021	SUEZ WATER WESTCHESTER DIST. 1	Usage for 7-6 to 8-4	109.92
8/16/2021	XEROX CORPORATION	Usage for 6-30 to 7-21	60.70
8/16/2021	CON EDISON	Usage for 7-9 to 8-9	36.30
8/17/2021	VERIZON	Usage for 8-4 to 9-3	49.81
8/18/2021	OPTIMUM	Usage for 8-8 to 9-7	29.95
8/27/2021	Quench USA, Inc	Shortage for inv 02957564	49.00
8/30/2021	MYUNG HYE KONG	REFUND FOR BASKETBALL	130.00
9/1/2021	VINCENT GAUDIO	Summer Concert	595.00
Total Community Center			<u>28,312.26</u>

8/6/2021	PETTY CASH-FIRE DEPARTMENT	Petty Cash	470.50
8/10/2021	COUNTY AUTO & COMM. TOW.	2012 Body Work and Repair	2,355.16
8/6/2021	RFC Emergency Lighting	Car 2011 repairs	687.50
8/10/2021	A1 COMPUTER SERVICES INC.	Captains Office Computer	201.25
8/10/2021	V. LORIA & SONS	Awards	1,643.65
8/18/2021	STRYKER SALES CORPORATION	AED Pads	401.43
8/18/2021	NFPA	NFPA Membership	175.00
8/18/2021	AAA EMERGENCY SUPPLY CO	Boots Coulehan	430.00
8/19/2021	D.P. WOLFF INC	AC Work, Filters & Belts	359.14
8/4/2021	VERIZON WIRELESS	Usage for 6-24 to 7-23	496.37
8/6/2021	VERIZON SELECT SERVICES INC.	Bill dated 7-31-21	0.61
8/10/2021	SUEZ WATER WESTCHESTER DISTRIC	Usage for 7-6 to 8-3	364.32
8/12/2021	VILLAGE OF DOBBS FERRY	Fire Diesel July 2021 Usage	369.47
8/12/2021	VILLAGE OF DOBBS FERRY	Fire Gas July 2021 Usage	734.52
8/12/2021	NSI Clean Worldwide Inc	July Cleaning Service	195.00
8/16/2021	SUEZ WATER WESTCHESTER DISTRIC	Usage for 7-6 to 8-2	109.92
8/16/2021	CON EDISON	Usage for 7-9 to 8-9	223.36
8/17/2021	VERIZON	Usage for 8-10 to 9-9	480.31
8/27/2021	TOLLS BY MAIL PAYMENT CENTER	Fire Dept Toll Payment	6.62
8/27/2021	VERIZON	Usage for 8-22 to 9-21	34.54
9/1/2021	AAA EMERGENCY SUPPLY CO	Air Compressor Service	997.50
9/1/2021	HUDSON VALLEY FIRE EQUIP	E-165 Annual PMP	3,775.02
Total Fire Department			<u>14,511.19</u>

6/2/2021	DEERE & COMPANY	JOHN DEERE Z970R ZTRAK	12,889.03
7/16/2021	ARGENTO AND SONS INC	seal kit/hydraulic cylinder	78.00
7/30/2021	ARGENTO AND SONS INC	lever/clutch	564.80
8/13/2021	SAW MILL STONE & MASONRY SUPPL	topsoil/mulch	150.95
8/13/2021	ARGENTO AND SONS INC	lift linkage/john deere tracto	676.00
8/24/2021	PARTNERS IN SAFETY INC	drug testing	48.00
8/26/2021	PAUL BUNYAN TREE SERVICE	tree removal	700.00
8/26/2021	CORSI TIRE	tire service	340.00
8/26/2021	HENDERSON PRODUCTS INC.	strobe light/bezel gasket	201.51
8/26/2021	AIRGAS	cylinder rental	94.01
8/26/2021	LONG ISLAND SANITATION EQUIP.	sensor sweeper	125.19
8/26/2021	NATIONAL GEAR & PISTON	inspection #17	110.00
8/26/2021	RCA ASPHALT LLC	blacktop	117.14
8/26/2021	RCA ASPHALT LLC	blacktop	288.71
8/26/2021	ORTIZ WELDING	steel plate	65.00
8/26/2021	ARGENTO AND SONS INC	eyelet/wacker heads/	305.15
7/15/2021	CON EDISON	Usage for 6-9 to 7-9	39.27
8/4/2021	WALLAUER	Lindbeck,Pads,Foam Roller	37.35
8/4/2021	WALLAUER	Paint	13.67
8/4/2021	READERS HARDWARE INC	Bolts, Washers	5.50
8/4/2021	READERS HARDWARE INC	Chise Asst, Drum Liners	18.78
8/4/2021	VERIZON WIRELESS	Usage for 6-24 to 7-23	40.39
8/10/2021	OPTIMUM	Usage for 8-8 to 9-7	196.97
8/11/2021	PARTS AUTHORITY	Top Terml	45.56
8/11/2021	PARTS AUTHORITY	Oil Filter	41.80
8/11/2021	SAW MILL STONE & MASONRY SUPPL	Concrete Brick	20.90
8/11/2021	SAW MILL STONE & MASONRY SUPPL	Asphalt	79.97
8/11/2021	SAW MILL STONE & MASONRY SUPPL	Brick Trowel	17.10
8/11/2021	SAW MILL STONE & MASONRY SUPPL	Steel Stakes,Concrete Mix	424.80
8/11/2021	SAW MILL STONE & MASONRY SUPPL	Bluestone Gravel	116.50
8/11/2021	SAW MILL STONE & MASONRY SUPPL	Concrete Mix	70.00
8/11/2021	READERS HARDWARE INC	Oil	23.88
8/12/2021	VILLAGE OF DOBBS FERRY	Highway Diesel July 2021 Usage	4,648.08
8/12/2021	VILLAGE OF DOBBS FERRY	Highway Gas July 2021 Usage	964.36
8/12/2021	SEA BOX INC	Container Rental 8-20 to 9-16	180.00
8/12/2021	THALLE INDUSTRIES	Track Padding Stone	848.40
8/12/2021	CELTIC BUILDING SUPPLY INC	Nuts,Screws,Wood	23.65

8/12/2021	CELTIC BUILDING SUPPLY INC	Nuts,Screws,Wood	72.00
8/12/2021	CELTIC BUILDING SUPPLY INC	Nuts,Screws,Wood	24.37
8/16/2021	SUEZ WATER WESTCHESTER DIST. 1	Usage for 7-6 to 8-4	80.19
8/16/2021	CON EDISON	Usage for 7-9 to 8-9	42.23
8/24/2021	PARKWAY PEST SERVICES	August Pest Service	150.00
8/25/2021	PARTS AUTHORITY	Air Filter, Degreaser	129.54
8/25/2021	PARTS AUTHORITY	Ign Lock Cylinder	65.73
8/25/2021	PARTS AUTHORITY	Stop Leab	18.90
8/30/2021	GRAINGER	Wide view convex 24in 52ft	161.01
8/30/2021	CORSI TIRE	Tires inv XF8619	639.90
8/18/2021	BP	Usage 6/28-7/27	393.68
8/30/2021	BP	usage 7/28-8/27	144.07
Total Highway			<u>26,532.04</u>

6/7/2021	Lawmen Supply Company	Uniform allowance Sgt Piccolin	438.97
7/1/2021	MOTOROLA SOLUTIONS INC.	Replacement base radio	4,160.00
7/1/2021	ESS INC.	Installation of base radio	242.56
8/4/2021	CENTRAL AVE CHRYSLER JEEP	Brake pads Car 95	91.00
8/12/2021	DUNCAN PARKING TECHNOLOGIES IN	Parking Meters	1.00
8/12/2021	DUNCAN PARKING TECHNOLOGIES IN	Parking Meters	465.00
8/16/2021	BOUND TREE MEDICAL, LLC.	Freight	9.00
6/3/2021	DUNCAN PARKING TECHNOLOGIES IN	duncan Parking	465.00
6/3/2021	DUNCAN PARKING TECHNOLOGIES IN	duncan Parking	1.00
6/7/2021	Lawmen Supply Company	ballistic carrier	631.60
7/1/2021	MOTOROLA SOLUTIONS INC.	radio for new vehicle	5,730.00
8/4/2021	Lawmen Supply Company	Uniform supplies Weinstein	39.45
8/10/2021	MATTHEW BENDER & CO. INC.	legal updates	24.66
8/13/2021	M.B.M. CONCEPTS INC.	Retirement badge PO Stevenson	95.00
8/16/2021	BOUND TREE MEDICAL, LLC.	AED pads	147.87
8/18/2021	LOOSELEAF LAW PUB. INC.	Law updates	220.30
8/18/2021	BOUND TREE MEDICAL, LLC.	PO Rovida uniform allowance	209.00
8/30/2021	PETER ROVIDA	Gun cleaning supplies	89.81
8/5/2021	Quench USA, Inc	Usage for 5-1 to 7-31	117.00
8/10/2021	VERIZON	Usage for 8-2 to 9-1	67.60
8/12/2021	VILLAGE OF DOBBS FERRY	Police Gas July 2021 Usage	1,623.22
8/16/2021	XEROX CORPORATION	Usage for 6-21 to 7-30	183.32
8/24/2021	VERIZON WIRELESS	Usage for 7-13 to 8-12	521.68

8/24/2021	OPTIMUM	Usage for 8-23 to 9-22	16.84
8/25/2021	PARTS AUTHORITY	Interstate Batt	242.25
8/25/2021	PARTS AUTHORITY	Freon	165.00
8/25/2021	PARTS AUTHORITY	Interstate Batt	242.25
8/25/2021	CORSI TIRE	Tire Purchase	212.26
8/25/2021	ARDSLEY MOTORS	Auto Inspection	37.00
8/25/2021	ARDSLEY MOTORS	Auto Inspection	37.00
8/25/2021	ARDSLEY MOTORS	Auto Inspection	37.00
8/26/2021	PARTS AUTHORITY	Break Disks	148.84
8/27/2021	PARTS AUTHORITY	Break Parts	27.60
8/27/2021	PARTS AUTHORITY	Break Parts	41.05
8/27/2021	CURRY CHEVROLET	Break,Roter,Filter	337.13
8/27/2021	CURRY CHEVROLET	Break,Roter,Filter	361.18
8/27/2021	CURRY CHEVROLET	Break,Roter,Filter	220.88
8/27/2021	VERIZON	Usage for 8-22 to 9-21	39.53
9/1/2021	ARDSLEY MOTORS	Vehicle Inspections	74.00
Total Police			<u>17,813.85</u>

8/11/2021	CDW GOVERNMENT	Acrobat Pro Software Subscript	<u>159.86</u>
Total Stormwater			<u>159.86</u>

8/6/2021	WEST PAYMENT CENTER .	online/software subscription	267.75
8/10/2021	THE JOURNAL NEWS	Legal Notice of Estoppel	430.00
8/10/2021	THE RIVERTOWNS ENTERPRISE	zoning board ad	34.50
8/18/2021	THE JOURNAL NEWS	Legal Notices of Est	439.37
8/26/2021	THE RIVERTOWNS ENTERPRISE	ads	93.00
Total Clerk			<u>1,264.62</u>

8/3/2021	ROBERT PONZINI	August Retainer	5,979.00
8/9/2021	NY POWER AUTHORITY	July Usage	9,272.36
8/11/2021	AMERITAS LIFE INSURANCE CORP	August premium	6,073.80
8/11/2021	CARDMEMBER SERVICES	July Statement	2,461.26
8/11/2021	NYS EMPLOYEES HEALTH INS	August premium	128,627.54
8/11/2021	PAYLOCITY	July Statement	1,062.59
8/12/2021	STANDARD INSURANCE COMPANY	Premium August	955.50
8/27/2021	WESTCHESTER COUNTY HEALTH DEPT	Permit fee	85.00
6/14/2021	GEORGE MALONE	Direct Public Govt Access	811.24

7/9/2021	Planet Technologies, Inc	Cloud Based Hosted Email	2,323.20
8/30/2021	SCHRODER & STROM, LLP	Tax Cert RSA Corporation	54,987.18
6/16/2021	W.B. MASON CO. INC.	Supplies	142.19
6/16/2021	W.B. MASON CO. INC.	Supplies	169.62
6/16/2021	W.B. MASON CO. INC.	Supplies	434.22
7/8/2021	ROCKET PRINTERS	2000 Window Envelopes	195.00
7/8/2021	ROCKET PRINTERS	200 Labels	195.00
8/2/2021	STUDENT ASSISTANCE SERVICE COR	Youth Advocate Program	3,842.25
8/6/2021	XEROX CORPORATION	XEROX METER USAGE/CHARGES	206.46
8/10/2021	MUNICIPAL ADMINISTRATORS ASSOC	2021-22 MAA Membership-LT	215.00
8/10/2021	MUNICIPAL ADMINISTRATORS ASSOC	2021-22 MAA Membership-CI	250.00
8/10/2021	MUNICIPAL ADMINISTRATORS ASSOC	2021-22 MAA Membership-CI	230.00
8/18/2021	City of New York	Application Fee for Permit 925	60.12
8/3/2021	ROBERT PONZINI	September retainer	5,979.00
8/4/2021	GOVCONNECTION INC	Toner Purchase	146.96
8/4/2021	PLANNING & DEVELOPMENT ADVISOR	Professional Services	525.00
8/4/2021	VERIZON WIRELESS	Usage for 6-24 to 7-23	118.67
8/4/2021	A1 COMPUTER SERVICES INC.	IT Service for August 2021	1,362.50
8/4/2021	A1 COMPUTER SERVICES INC.	IT Service for August 2021	1,007.00
8/5/2021	MURTAGH,COSSU,VENDITTI &CASTRO	Professional Services	1,620.00
8/5/2021	Quench USA, Inc	Usage for 5-1 to 7-31	117.00
8/6/2021	PITNEY BOWES	Service for 4-25 to 7-24	297.00
8/6/2021	DIPIKA PATEL	Medical for June, July & Aug	891.00
8/6/2021	EMIL CALIFANO	Medical for June, July & Aug	1,011.30
8/6/2021	Frank Quattrocchi Jr	Medical for March - August	1,039.50
8/6/2021	George Berardi	Medical for June, July & Aug	445.50
8/6/2021	Jennifer Herrick Stasko	Medical for June, July & Aug	445.50
8/6/2021	LILLIAN MANNING	Medical for June, July & Aug	457.20
8/6/2021	MARION DEMAIO	Medical for June, July & Aug	1,247.40
8/6/2021	RICHARD GEREHTY	Medical for June, July & Aug	629.40
8/6/2021	RICHARD THOMPSON	Medical for June, July & Aug	1,128.00
8/6/2021	RICKY LAPINE	Medical for June, July & Aug	445.50
8/6/2021	THOMAS GREEN	Medical for June, July & Aug	629.40
8/6/2021	VINCENT PASCUCCI	Medical for June, July & Aug	314.70
8/6/2021	WILLIAM WATSON JR	Medical for June, July & Aug	402.00
8/6/2021	BRUNI & CAMPISI INC	Annual Service Agreement	1,595.00
8/6/2021	TOWN OF GREENBURGH	Water Cust # 13707	20.00

8/6/2021	TOWN OF GREENBURGH	Water Cust # 13709	3,003.32
8/6/2021	VERIZON	Bill Date 7-31-21	3.33
8/10/2021	SUEZ WATER WESTCHESTER DIST. #	Usage for 7-6 to 8-3	223.69
8/10/2021	CON EDISON	Usage for 6-30 to 7-31	278.39
8/10/2021	OPTIMUM	Usage for 8-8 to 9-7	201.44
8/10/2021	OPTIMUM	Usage for 8-8 to 9-7	120.44
8/10/2021	CABLEVISION LIGHTPATH INC.	Usage for 8-1 to 8-31	2,288.60
8/11/2021	VINCENT GIORDANO	PT Bld Inspector 7-26 to 7-30	250.00
8/11/2021	ALFREDO DIVITTO	PT Bld Inspector 7-26 to 7-30	350.00
8/12/2021	JAMES J HAHN ENGINEERING PC	Paving	28.75
8/12/2021	JAMES J HAHN ENGINEERING PC	Paving	29,773.75
8/12/2021	JAMES J HAHN ENGINEERING PC	Heatherdell Fencing	6,517.50
8/12/2021	NSI Clean Worldwide Inc	July Cleaning Service	845.00
8/12/2021	SCARSDALE FORD INC.	TPMS Kit	50.59
8/16/2021	STECICH MURPHY & LAMMERS LLP	July Professional Services	821.00
8/16/2021	SUEZ WATER WESTCHESTER DIST. 1	Usage for 7-6 to 8-4	109.92
8/16/2021	SUEZ WATER WESTCHESTER DISTRIC	Usage for 7-6 to 8-3	237.08
8/16/2021	verizon	Invoice Dated 8-10-21	3.12
8/16/2021	CON EDISON	Usage for 7-9 to 8-9	35.65
8/17/2021	ARIZENT	Bond Buyer	1,360.00
8/17/2021	Con Edison	Usage for 7-13 to 8-11	53.73
8/18/2021	WESTCHESTER COUNTY DEF	July Tipping Fee	5,733.92
8/19/2021	JAMES J HAHN ENGINEERING PC	Milling & Paving Eastern Drive	700.00
8/23/2021	HOY PLUMBING INC.	PD Work on 7-19 and 7-23	1,087.00
8/24/2021	THE RIVERTOWNS ENTERPRISE	Graduation SAYF Ad	355.00
8/26/2021	STANDARD INSURANCE COMPANY	September Premium	978.25
8/26/2021	PAYLOCITY	August Invoice	1,032.07
8/26/2021	VINCENT GIORDANO	Inspections for 8-9 to 8-20-21	250.00
8/26/2021	ALFREDO DIVITTO	Inspections for 8-9 to 8-20	300.00
8/27/2021	FEDEX	Express Delivery	65.82
8/30/2021	ORRICK HERRINGTON & SUTCLIFFE	services for bond issuance	14,420.00
8/30/2021	BOND SCHOENECK & KING	July legal services	3,075.00
8/30/2021	ACME EXTERMINATING	Monthly Pest Svcs July & Aug	69.66
8/30/2021	ACME EXTERMINATING	Monthly Pest Svcs July & Aug	69.66
9/1/2021	PLANNING & DEVELOPMENT ADVISOR	Professional Services August	525.00

Total Village Hall	<u>315,669.74</u>
Total General Fund	<u><u>425,726.11</u></u>

8/25/2021	VILLAGE OF ARDSLEY	PBA PASCONE PARK RENTAL FEE	<u>150.00</u>
		Total Trust & Agency Fund	<u>150.00</u>
6/15/2021	DEERE & COMPANY	John Deere Tractor 2025R	28,997.68
8/12/2021	JAMES J HAHN ENGINEERING PC	Comfort Station	112.5
8/18/2021	PETER LANDI	Final App #3	12,522.35
8/25/2021	TEST-CON INC	Testing & Inspection Services	1,169.25
9/1/2021	TOTALLY WIRED INC	LED Lighting upgrades	<u>17,500.00</u>
		Total Capital Fund	<u>60,301.78</u>
5/28/2021	MOMAR INCORPORATED	Sewer Cide 1/5 GI Pail 50Lb	482.25
8/26/2021	EXPANDED SUPPLY PROD INC	Frame Gate, Curb Piece	<u>1,383.50</u>
		Total Sewer Fund	<u>1,865.75</u>

**RESOLUTION GRANTING PERMISSION TO CONVERT THE NEWLY
CONSTRUCTED VACANT SPACE LOCATED AT 708 SAW MILL RIVER
ROAD INTO A CHILDREN’S ART SCHOOL**

RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the proposed permit to convert the newly constructed vacant space at 708 Saw Mill River Road into a children’s art school as presented by the applicant.

Any approvals should contain the following provisions:

1. The applicant must provide plans for the remainder of the build-out showing full compliance with the NYS Building Code.
2. The applicant must obtain the required permits prior to commencing construction for the build-out.
3. The applicant must obtain a sign permit and BAR approval for all proposed signage.
4. The hours of operation should be identified/confirmed.
5. The business owner must provide keys to be placed in the key box (Knox Box) that was installed on the building.
6. The exterior gas valve must be screened prior to the issuance of a CO.
7. Any conditions the Village Board deems appropriate.
8. Any conditions the Village Attorney or Village Manager deem appropriate.

**RESOLUTION GRANTING PERMISSION TO CONVERT THE FORMER
AUTOMOTIVE REPAIR FACILITY AT 891 SAW MILL RIVER ROAD INTO A
RECYCLING BIN MAINTENANCE AND STORAGE SHOP**

RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the proposed permit to convert the former automotive repair facility at 891 Saw Mill River Road into a recycling bin maintenance and storage shop as presented by the applicant.

Subject to the following conditions:

1. The applicant must provide plans for the remainder of the build-out showing full compliance with the NYS Building Code.
2. The applicant must obtain the required permits prior to commencing construction for the build-out.
3. The applicant must obtain a sign permit and BAR approval for all proposed signage.
4. The hours of operation should be identified/confirmed.
5. The business owner or property owner must install a key box (Knox Box) on the building in a location approved by the Ardsley Fire Chief.
6. Any conditions the VB deems appropriate.
7. Any conditions the Village Attorney or Village Manager deem appropriate.

**RESOLUTION REPLACING CHAPTER 18 CODE OF ETHICS OF THE
ARDSLEY VILLAGE CODE**

RESOLVED, that the Village Board of the Village of Ardsley hereby replaces chapter 18 Code of Ethics of the Ardsley Village Code as follows:

REVISIONS

Chapter 18
Ethics, Code of

§ 18-1 Purpose.

Pursuant to the provisions of § 806 of the General Municipal Law, the Board of Trustees of the Village of Ardsley recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this chapter to promulgate these rules of ethical conduct for the officers and employees of the Village of Ardsley. These rules shall serve as a guide for official conduct of the officers and employees of the Village of Ardsley. The rules of ethical conduct of this chapter, as adopted, shall not conflict with, but shall be in addition to, any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Municipal officers and employees may not knowingly acquire, solicit, negotiate for, or accept any interest, employment or other thing of value which would put them in violation of this Code of Ethics.

§ 18-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BENEFIT

Anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, but does

not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers.

BOARD

The governing board of the municipality and any municipal administrative board (e.g. Planning Board, Zoning Board of Appeals), commission, committee or other agency or body comprised of two or more municipal officers, employees or volunteers.

CODE

This Code of Ethics.

INTEREST

A direct or indirect financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or any area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he/she/they, his/her/their spouse, or a member of his/her/their household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5% of the organization's outstanding stock.

MUNICIPAL OFFICER OR EMPLOYEE

An officer or employee of the Village of Ardsley, whether paid or unpaid, including members of any administrative board, commission, committee or other agency thereof. No person shall be deemed to be a "municipal officer" or "employee" solely by reason of being a volunteer fireman or civil defense volunteer.

MUNICIPALITY

The Village of Ardsley. The word "municipal" refers to the municipality.

RELATIVE

A spouse, parent, stepparent, sibling, stepsibling, sibling's spouse, child,

stepchild, uncle, aunt, nephew, niece, or household member of a municipal officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

SENSITIVE POSITIONS

The following positions entail potential conflicts of interested and are deemed to be sensitive positions:

A. Members and board secretaries of the:

1. Zoning Board.
2. Board of Architectural Review.
3. Planning Board.
4. Village Board.

B. Alternate members of the:

1. Board of Architectural Review.

C. Building Inspector.

D. Code Enforcement Officer.

E. Assistant Building Inspector.

F. Village Manager.

G. Confidential Secretary to the Village Manager.

H. Village Clerk.

I. Village Treasurer.

J. Deputy Village Treasurer.

K. Accounts Payable Clerk.

L. Fire Inspector.

M. Fire Chief.

N. Assistant Fire Chiefs.

- O. Police Chief.
- P. Department of Public Works General Foreman.
- Q. Department of Public Works Deputy Foreman.
- R. Recreation Supervisor.
- S. Village Attorney.
- T. Village Justices.
- U. Justice Court Clerk.
- V. Assistant Court Clerk/Intermediate Clerk.
- W. Village Prosecutor.

SUBORDINATE

A subordinate of a Village officer or employee shall mean another Village officer or employee over whose activities he/she/they has direction, supervision or control over, except those who serve in positions that are in the exempt classification under § 41 of the Civil Service Law of the State of New York in the unclassified service under Subdivisions (a) through (f) of the § 35 of that law.

§ 18-3 Applicability

This Code of Ethics applies to the officers and employees of the Village of Ardsley, and shall supersede any prior municipal Code of Ethics. The provisions of this Code of Ethics shall apply in addition to all applicable state and local laws relating to conflicts of interest and ethics including but not limited to, Article 18 of the General Municipal Law and all rules, regulations, policies and procedures of the Village of Ardsley.

§ 18-4 Prohibition on use of municipal position for personal or private gain

No municipal officer or employee shall use his/her/their municipal position or official powers and duties to secure a financial or material benefit for himself/herself/their selves, a relative, or any private organization in which he/they e is deemed to have an interest.

§ 18-5 Disclosure of interest in legislation and other matters.

Village of Ardsley Board of Trustees Agenda – September 7, 2021

- A. Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to himself/herself/their selves, a relative, or any private organization in which he/she/they is deemed to have an interest, the municipal officer or employee shall disclose, in writing, the nature of the interest.
- B. The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee, or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.
- C. In the case of a person serving in an elective office, the disclosure shall be filed with the governing board of the municipality. In all other cases, the disclosure shall be filed with the Village Manager. In addition, in the case of a person serving on a municipal board, a copy of the disclosure shall be filed with the board. Any disclosure made to a board shall be made publicly at a meeting of the board and must be included in the minutes of the meeting.

§ 18-6 Recusal and abstention.

- A. No municipal officer or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it, when he/she/they knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself/herself/their selves, a relative, or any private organization in which he/she/they is deemed to have an interest.
- B. In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:
 - 1. If the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board.

2. If the power or duty that is vested in a municipal officer individually, then the power or duty shall be exercised or performed by his/her/their deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function.
3. If the power or duty is vested in a municipal employee, he/she/they must refer the matter to the Village Manager who shall designate another person to exercise or perform the power or duty.

§ 18-7 Prohibition inapplicable; disclosure, recusal and abstention not required.

This code's prohibition on use of a municipal position (§ **18-4**), disclosure requirements (§ **18-5**), and requirements relating to recusal and abstention (§ **18-6**), shall not apply with respect to the following matters:

- A. Adoption of the municipality's annual budget;
- B. Any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:
 1. All municipal officers or employees;
 2. All residents or taxpayers of the municipality or an area of the municipality; or
 3. The general public
- C. Any matter that does not require the exercise of discretion.
- D. Recusal and abstention shall not be required with respect to any matter:
 1. Which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by § **18-6** of this Code;

2. Which comes before a municipal officer when the officer would be prohibited from acting by § **18-6** of this Code and the matter cannot be lawfully delegated to another person.

§ 18-8 Investments in conflict with official duties.

- A. No municipal officer or employee may acquire the following investments:
 1. Investments that can be reasonably expected to require more than sporadic recusal and abstention under § **18-6** of this Code; or
- B. Investments that would otherwise impair the person's independence of judgment in the exercise or performance of his/her/their official powers and duties.
- C. This section does not prohibit a municipal officer or employee from acquiring any other investments or the following assets:
 1. Real property located within the municipality and used as his/her/their personal residence;
 2. Less than 5% of the stock of a publicly traded corporation; or
 3. Bonds or notes issued by the municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

§ 18-9 Private employment in conflict with official duties.

No municipal officer or employee, during his/her/their tenure as a municipal officer or employee, may engage in any private employment, including the rendering of any business, commercial, professional or other types of services, when the employment:

- A. Can be reasonably expected to require more than sporadic recusal and abstention pursuant to § **18-6** of this Code;

- B. Can be reasonably expected to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee;
- C. Violates § 805-a(1)(c) or (d) of the General Municipal Law; or
- D. Requires representation of a person or organization other than the municipality in connection with litigation, negotiations or any other matter to which the municipality is a party.

§ 18-10 **Future employment.**

- A. No municipal officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal officer or employee, either individually or as a member of a board, while the matter is pending or within the 30 days following final disposition of the matter.
- B. No municipal officer or employee, for the two-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the municipal office, board, department or comparable organizational unit for which he/she/they serves.
- C. No municipal officer or employee, at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he/she/they personally and substantially participated while serving as a municipal officer or employee.
- D. A municipal officer or employee may not appear or practice before the municipality, except on his/her/their own behalf, or receive compensation for working on any matter before or with the municipality, for a period of one year after the termination of his/her/their municipal service or employment.

§ 18-11 Personal representations and claims permitted.

This Code shall not be construed as prohibiting a municipal officer or employee from:

1. Representing himself/herself/their selves, or his/her/their spouse or minor children, before the municipality; or
2. Asserting a claim against the municipality on his/her/their own behalf, or on behalf of his/her/their spouse or minor children.

§ 18-12 Use of municipal resources.

- A. Municipal resources shall be used for lawful municipal purposes. Municipal resources include, but are not limited to, municipal personnel, and the municipality's money, vehicles, equipment, materials, supplies or other property.
- B. No municipal officer or employee may use or permit the use of municipal resources for personal or private purposes, but this provision shall not be construed as prohibiting:
 1. Any use of municipal resources authorized by law or municipal policy;
 2. The use of municipal resources for personal or private purposes when provided to a municipal officer or employee as part of his/her/their compensation; or
 3. The occasional and incidental use during the business day of municipal telephones and computers for necessary personal matters such as family care and changes in work schedule.
- C. No municipal officer or employee shall cause the municipality to spend more than is reasonably necessary for the officer's or employee's transportation, meals or lodging in connection with official travel and only the municipal officer's or employee's expenses shall be included.

§ 18-13 Interests in contracts.

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- A. No municipal officer or employee may have an interest in a contract that is prohibited by § 801 of the General Municipal Law.
- B. Every municipal officer and employee shall disclose interests in contracts with the municipality at the time and in the manner required by § 803 of the General Municipal Law.

§ 18-14 **Nepotism.**

Except as otherwise required by law:

- A. No municipal officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the municipality or a municipal board.
- B. No municipal officer or employee may directly supervise a relative in the performance of the relative's official powers or duties.
- C. Every municipal officer or employee of a relative seeking employment within any department, section or function of the municipality shall disclose the relationship as provided herein. Such disclosure shall be made in writing to the Village Manager and shall be made at the earliest opportunity following the date upon which such a municipal officer or employee first learns or has knowledge of the application.

§ 18-15 **Political solicitations.**

- A. No municipal officer or employee shall directly or indirectly compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.
- B. No municipal officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any municipal officer or

employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

§ 18-16 Confidential information.

No municipal officer or employee who acquires confidential information in the course of exercising or performing his/her/their official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his/her/their official powers and duties.

§ 18-17 Gifts.

- A. No municipal officer or employee shall solicit, accept or receive a gift in violation of § 805-a (1)(a) of the General Municipal Law as interpreted in this section.
- B. No municipal officer or employee may directly or indirectly solicit any gift.
- C. No municipal officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of \$75 or more when:
 - 1. The gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his/her/their official powers or duties;
 - 2. The gift could reasonably be expected to influence the officer or employee in the exercise or performance of his/her/their official powers or duties; or
 - 3. The gift is intended as a reward for any official action on the part of the officer or employee.

D. For purposes of this section, a "gift" includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift's fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed \$75 must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.

E. Presumption of influence, reward.

1. A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of his/her/their official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.
2. A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding 12 months.

F. This section does not prohibit any other gift, including;

1. Gifts made to the municipality;
2. Gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a municipal officer or employee, is the primary motivating factor for the gift;

3. Gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;
4. Unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;
5. Awards and plaques which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community; or
6. Meals and refreshments valued at \$15 per event provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants.

§ 18-18 Posting and distribution.

- A. The Village Manager must promptly cause a copy of this Code, and a copy of any amendment to this Code, to be posted publicly and conspicuously in each building under the municipality's control. The Code must be posted within 10 days following the date on which the Code takes effect. An amendment to the Code must be posted within 10 days following the date on which the amendment takes effect.
- B. The Village Manager must promptly cause a copy of this Code, including any amendments to the Code, to be distributed to every person who is or becomes an officer and employee of the Village of Ardsley.
- C. Every municipal officer or employee who receives a copy of this Code or an amendment to the Code must acknowledge such receipt in writing. Such acknowledgments must be filed with the Village Clerk who must maintain such acknowledgments as a public record.

D. The failure to post this Code or an amendment to the Code does not affect either the applicability or enforceability of the Code or the amendment. The failure of a municipal officer or employee to receive a copy of this Code of Ethics or an amendment to the Code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the Code or amendment to the Code.

§ 18-19 Enforcement.

- A. Any municipal officer or employee who violates this Code may be censured, fined, suspended or removed from office or employment in the manner provided by law.

- B. A charge for violating a provision of this Code shall be brought by the Village Manager. If the charge is against the Village Manager, such charge shall be brought by the Board of Trustees.

- C. For employees entitled to be disciplined pursuant to the New York Civil Service Law, a charge for violating a provision of the code shall be adjudicated in accordance with the New York Civil Service Law. All other such charges shall be heard by the Village Manager.

§ 18-20 Severability

If any section, subsection, clause, phrase or other portion of this Code of Ethics is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of remaining portions hereof, which other portions shall continue in full force and effect.

§ 18-21 Effective date.

This local law shall be effective immediately upon filing with the Secretary of State of the State of New York.

**RESOLUTION RATIFYING THE CONTRACT WITH
FIREWORKS EXTRAVAGANZA**

RESOLVED, that the Village Board of the Village of Ardsley hereby ratifies the contract dated August 16, 2021 with J & J Computing, Inc. d/b/a Fireworks Extravaganza (A New York Corporation) located at 121 Gertrude Avenue, Paramus, NJ 07652 for the 125th Anniversary Celebration.



Village of Ardsley

Display Contract Documents

Fireworks Extravaganza

Federal ATF Licensed Fireworks Importer License #8-NJ-00310
US DOT Hazardous Materials Carrier DOT#2064141
MD Explosive Dealer License #W-016
NY State Dealer/Manufacturer License #D-5741
NJ Permit to Use Explosives License #003309
NYC Fireworks Contractor — Certificate of Fitness #E11917

Worldwide Experience in Pyrotechnics - Since 1995



Hanover Germany 2009 International
Competition first place.

1-800-765-BANG (2264) • 206-202-1544 FAX
121 GERTRUDE AVE • PARAMUS, NJ 07652

www.fwextravaganza.com

PYROTECHNIC SERVICES CONTRACT

On this Day - August 16, 2021

J&J Computing, Inc. d/b/a Fireworks Extravaganza (A New York Corporation) Located at
121 Gertrude Avenue, Paramus, NJ 07652

Village of Ardsley

-And-

Village of Ardsley Located at 507 Ashford Ave, , Ardsley, New York, 10502 known as the
"SPONSOR"

WHEREAS, the parties have entered into an agreement relating to the sale and/or display of fireworks which they desire to have set forth in writing:

NOW, THEREFORE, the parties agree as follows:

1. That **FIREWORKS EXTRAVAGANZA** intends to sell and/or display fireworks only to appropriately authorized individuals. The products will be used in the display and not to be sold or provided to any individual. You are contracting a display not a purchase of explosive material.
2. The **Sponsor** agrees to pay a display price of **\$10,000.00** for the display agreed upon. **FIREWORKS EXTRAVAGANZA** will provide the display on **10.10.2021** at Ardsley Middle School , 700 Ashford Ave, Ardsley NY 10502. It is agreed that the sponsor and **FIREWORKS EXTRAVAGANZA** will work together on timing and scheduling of the display time.

3. Payment will be made on th day of the show, there is no deposit required.

4. **Sponsor** agrees to maintain a secure site which meets NFPA 1123, 2010 distance requirements (70' per inch of shell diameter), as defined by **FIREWORKS EXTRAVAGANZA** and Sponsor's local Fire Authority and to provide proper police/crowd security personnel to insure adequate patrol of this site as marked and secured by the Sponsor until **FIREWORKS EXTRAVAGANZA** advises that the security is no longer necessary. **Sponsor** also agrees to furnish proper parking supervision.

5. **FIREWORKS EXTRAVAGANZA** reserves the right to terminate the display being exhibited by **FIREWORKS EXTRAVAGANZA** in the event persons, vehicles or animals enter the secured safety zone and security is unable or unwilling to remove them and enforce the safety regulations.

6. **SPONSOR** will have the display site approved and permit application signed by the local Fire Authority having jurisdiction. In addition, **Sponsor** will have available at the display site Fire and/or other local Emergency Response Personnel as required by county and/or state authority.

6b. **SPONSOR** will be responsible for all costs incurred to have the display site and permit application signed and approved by the local authoritative body, policing agencies and emergency response personnel that are required by the local authority having jurisdiction.

7a. In the event of inclement weather, the display may be rescheduled to **10.11.2021**. There will be a postponement fee of twenty five percent (25%) of the total contract price if the display has left the warehouse. If the **SPONSOR** notified **FIREWORKS EXTRAVAGANZA** of postponement prior to display leaving warehouse on show day the postponement fee will be ten percent (10%) of the total contract price.

7b. In the event of a cancellation of the display prior to show day, there will be a cancellation fee of Fifty percent (50%) of the total contract price. In the event the show is cancelled on show day the complete contract price is due.

7c. For Displays scheduled in the years 2020-2021, because of the worldwide pandemic of COVID-19, the display may be rescheduled (Not Cancelled) for any reason anytime two (2) days before the display date, by notice in writing. This Covid clause is only for displays with a **display date** in 2020-2021 and not the contract date.

8. In the event of excessive safety risks and factors, extraordinary circumstances or inclement weather which may cause the start of the display to be altered from the agreed upon time, every effort will be made by **FIREWORKS EXTRAVAGANZA** to perform the display at the **Sponsor's** request. Once the display has been setup and the fireworks loaded, only **FIREWORKS EXTRAVAGANZA** and/or the Authority Having Jurisdiction shall have the right to advance or delay the start of the display, or cancel it if it is deemed necessary. Demands for cancellation by the Sponsor once the display is on site and set up will result in 100% of the contract amount invoiced

9. **FIREWORKS EXTRAVAGANZA**, upon acceptance of this contract in writing by both parties, agrees to fulfill the contract in a safe, professional, and workmanlike manner and further to provide liability insurance coverage in the amount of **FIVE MILLION DOLLARS (\$5,000,000.00)**. Those entities/individuals listed on the certificate of insurance shall be deemed as additional insured per this contract.

10. **FIREWORKS EXTRAVAGANZA** reserves the right to substitute shells or other pyrotechnic devices with like items of equal or greater value in the event substitution is required.


11. **FIREWORKS EXTRAVAGANZA** shall be responsible for all labor to dig mortar holes, set up display pieces and finale racks and to dismantle, clean up and collect debris, including unfired pyrotechnic devices if any, caused by the display the evening of the display. **SPONSOR** will be responsible for a thorough search for post display debris, including unfired pyrotechnic devices, if any, and policing of area at first light following exhibition, if there are any pyrotechnic devices found the **SPONSOR** agrees to contact Fireworks Extravaganza immediately for pickup and disposal.

12. **SPONSOR** will provide all the information needed for **FIREWORKS EXTRAVAGANZA** to obtain the required insurance coverage by filling out the "Required Insurance Form" attached to this contract, and submitting it with 5 days of contract acceptance.

IN WITNESS WHEREOF, we set our hands and seals to this agreement the day and year first above written.


2021-08-19 11:28:54 (EDT)

John C. Sagaria
President, Fireworks Extravaganza


2021-08-18 14:59:23 (EDT)

Charlene Indelicato
Village of Ardsley

Fireworks Extravaganza

Federal ATF Licensed Fireworks Importer License #8-NJ-00310
 US DOT Hazardous Materials Carrier DOT#2064141
 MD Explosive Dealer License #W-016
 NY State Dealer/Manufacturer License #D-5741
 NJ Permit to Use Explosives License #003309
 NYC Fireworks Contractor — Certificate of Fitness #E11917

Worldwide Experience in Pyrotechnics - Since 1995



Hanover Germany 2009 International Competition first place.

1-800-765-BANG (2264) • 206-202-1544 FAX
 121 GERTRUDE AVE • PARAMUS, NJ 07652

www.fwextravaganza.com

REQUIRED INSURANCE INFORMATION

PLEASE PROVIDE THE FOLLOWING INFORMATION IN ADDITION TO A SITE PLAN FOR THE LOCATION YOU HAVE LISTED BELOW.

SPONSOR / ORGANIZATION

Contact Person _____

Address _____

City _____ State _____ Zip _____

Others to be Insured

(i.e. Property Owner) _____

Date of Display _____

Time of Display: _____

Rain Date: _____

Location of Display

Address _____

City _____ State _____ Zip _____

Estimated Attendance _____

Fire Equipment on Site

Yes No Will Ambulance be on site? Yes No

Name of Responding Fire Company

Distance to Nearest

Building: _____ Vehicle: _____ Spectator: _____

Sponsor Contact

Title _____

Telephone Numbers

Work _____ Home _____ Fax _____

E-mail Address: _____

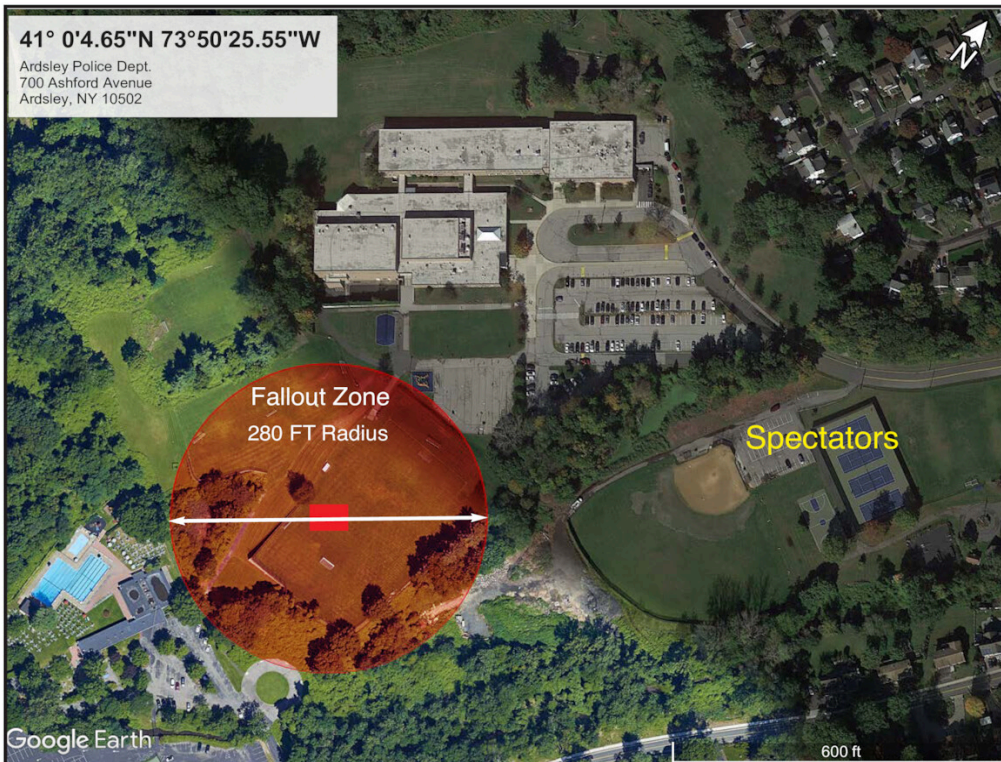
Cell Phone: _____

Signature _____

Date: _____

PLEASE RETURN THIS FORM WITH DEPOSIT AND BOTH SIGNED CONTRACTS

Fireworks Extravaganza



Ardsley Police Dept. SITE PLAN

Location

700 Ashford Avenue
Ardsley, NY
10502

FireMarshall - AHJ

Ardlsej Fire Dept.
(914) 693-6581

Approved Devices

4" Shells, Candles,
Cakes

Site Notes

Both the school and
pool house will be
empty at the time of
display

Created Date

08/12/21

Fireworks Extravaganza, 121 Gertrude Avenue, Paramus NJ 07652
www.fwextravaganza.com • 800-765-BANG (2264)

RESOLUTION TO AMEND NON-UNION PERSONNEL POLICY

WHEREAS, Village policies have not recently been updated; and

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

NOW THEREFORE BE IT RESOLVED, the Village Board of the Village of Ardsley hereby replaces the Non-Union Personnel Policy effective immediately.

Non-Union Village Employee Personnel Policy¹

ORIGINAL POLICY ADOPTED BY THE
ARDSLEY VILLAGE BOARD
OF TRUSTEES ON FEBRUARY 4, 2002.

HEALTH INSURANCE CONTRIBUTIONS INSTITUTED ON JUNE 1, 2012,
AND MEMORIALIZED BY VILLAGE BOARD
RESOLUTION ON JANUARY 7, 2013.

HEALTH INSURANCE BUY-OUT INSTITUTED ON JUNE 1, 2012,
AND MEMORIALIZED BY VILLAGE BOARD
RESOLUTION ON JANUARY 7, 2013.

REVISED POLICY ADOPTED BY THE ARDSLEY VILLAGE BOARD OF TRUSTEES ON AUGUST
2, 2021.

12588163.4 6/22/2021

1

1. APPLICABILITY

A full time employee is defined as one who works a regularly scheduled minimum of thirty-five (35) hours per week. Part time employees are those who are regularly scheduled to work a minimum of less than thirty-five (35) hours per week.

This Personnel Policy (“Policy”) applies to all salaried, full time employees of the Village of Ardsley, including Department Heads, who are not: (1) members of a bargaining unit represented by a certified bargaining representative; (2) covered by an individual agreement with respect to employment benefits; or (3) covered by a separate policy as a member of the Police Department or Department of Public Works (“DPW”). Such employees are referred to herein as “full time employees.” To the extent a full time employee has an individual agreement or is covered by a Departmental policy as described above, this Policy may still apply only if the employee does not receive same or similar benefits pursuant to an individual agreement with the Village and the policy herein does not conflict with the employee’s individual agreement with the Village or Departmental policy.

Full time employees shall be entitled to receive fringe benefits in accordance with the following provisions. Part time employees shall not be eligible or entitled to receive any leave time or health related benefits in accordance with this Policy, but shall be subject to all other personnel rules and regulations herein.

This Policy has been drafted and shall be construed and enforced in accordance with the substantive laws of the State of New York, and to the extent applicable, federal and local laws, rules and regulations. If any provision of this Policy (specific or general) is held to be illegal, void or unenforceable, then such provision shall be of no force and effect, but such shall not impair the legality or enforceability of any other provision of this Policy, and may be amended by the Village in accordance with applicable law at any time.

2. COMPLIANCE WITH VILLAGE POLICY

The Village Manager is responsible for ensuring compliance with all personnel policies, rules and regulations and is solely responsible for discipline up to and including termination, in accordance with all applicable laws.

3. TIME OFF

All time off must be requested by the employee in advance and approved by the Village Manager. Any requests to leave early or to arrive late must be submitted verbally or in writing and be approved in advance by the Village Manager. Employees habitually arriving late to work, leaving early or abusing leave time shall be subject to discipline up to and including dismissal.

A. Vacation

Requests & Approval. All requests for vacation must be made to the Village Manager in writing. Such requests may be granted at the sole discretion of the Village Manager upon examining the staffing needs for the day/week requested and the employees who have sought and received permission previously for the same day/week.

Allotment. Full time employees shall receive the following paid vacation time:

<u>Length of time employed by the Village</u>		<u>Annual Vacation Allotment</u>
Three (3) to six (6) months	--	Five (5) work days
Six (6) to twelve (12) months	--	Five (5) additional work days for a total of ten (10) days during the first year of employment
One (1) to five (5) years	--	Fifteen (15) work days
Six (6) to nine (9) years	--	One additional work day each year up to nineteen (19) work days
Ten (10) years	--	Twenty (20) work days
Twelve (12) years	--	Twenty-three (23) work days
Fifteen (15) years	--	Twenty-five (25) work days

The Village Manager shall have the discretion to approve additional vacation time for newly hired department heads to respect their experience and benefits prior to joining the Village.

Carryover. Vacation leave may be carried over from the prior fiscal year but must be used by November 30th of the following fiscal year. Such carry over must be approved by the Village Manager in advance of the end of the fiscal year in which the vacation is accrued.

Payout. Full time employees may receive payment for accrued, unused vacation days upon resignation in accordance with Section 6(A) (Separation from Employment – Resignations) of this Policy

B. Personal Days

Full time employees are entitled to use up to five (5) personal days per annum with the prior written approval of the Village Manager. Personal days are prorated up until the employee's one year anniversary of employment with the Village.

An employee's unused personal leave days at the end of the fiscal year shall be credited to the employee's accumulated sick leave as of May 31st of that fiscal year. Accrued,

unused personal days are not paid out to an employee upon separation from employment for any reason, including retirement, resignation or termination.

C. Bereavement Leave

Full time employees may take leave with pay for up to four (4) consecutive calendar days for the death of a member of the immediate family (spouse, child, mother, father, parents-in-law, grandparents, brother, or sister). Proof of death and applicable familial connection may be required by the Village Manager.

D. Sick Leave

Full time employees shall accrue one (1) sick day per month for use during personal or family illness to be accumulated to a maximum of 220 days. Employees may utilize up to six (6) days, or with the prior approval of the Village Manager more than six (6) days, per calendar year of their accumulated paid sick leave days to care for a spouse, child, mother, father, parent-in-law, grandparent, brother or sister. Employees may not use sick days directly preceding or following an employee's use of vacation time or time-off due to a holiday unless the employee provides proof of such illness, such as a doctor's note, to the Village Manager upon the Village Manager's request.

Full time employees shall be paid for half of his/her accumulated sick leave upon retirement so long as a pattern of abuse has not been established. A pattern of abuse may be defined as regular use of more than seven (7) sick days per year, as well as improper use (*e.g.*, Mondays and Fridays), absent some documented, chronic or life altering medical condition. Employees will forfeit payment for unused sick time if such pattern has been established during their employment. In the event of an employee's death, said payment shall be made to the deceased employee's beneficiary or estate, as the case may be. Employees shall not receive payment for accrued, unused sick leave for any reason other than retirement (*i.e.*, accumulated sick leave is not paid to employees who resign, are terminated, or separate from the Village's employ for any reason other than retirement).

Pursuant to Section 41-j of the New York State Retirement and Social Security Law the Village offers an optional sick leave benefit. In accordance with this optional sick leave benefit, an employee may elect to use a portion of his/her sick leave accumulation for service credit and such portion of an employee's sick leave accumulation utilized for service credit shall correspondingly be deducted from his/her accumulated sick leave. If elected, up to 165 days of unused, unpaid sick leave may be credited as additional service.

E. Holidays

Full time employees are entitled to paid holidays only on the days Village Hall is closed for a holiday, which includes:

- | | |
|----------------------------|--------------------------|
| New Year's Day | Columbus Day |
| Martin Luther King Jr. Day | Lincoln's Birthday |
| Washington's Birthday | Veteran's Day |
| Good Friday | Thanksgiving Day |
| Memorial Day | Day after Thanksgiving |
| Independence Day | Christmas Eve (1\2 day) |
| Labor Day | Christmas Day |
| | New Year's Eve (1\2 day) |

If any additional holiday is granted to any Village employee by virtue of a collective bargaining agreement, full time employees covered by this Policy shall also be entitled to those same additional holidays.

F. Overtime / Compensatory Time

Unless otherwise provided by applicable law, department heads shall not be eligible for overtime or compensatory time.

Other employees shall be eligible for overtime only as required by the federal Fair Labor Standards Act and other applicable law.

G. Jury Duty

Full time employees are granted leave with pay for jury duty provided that any payments or reimbursements for such duty are turned over to the Village. An employee who reports for jury duty and is excused from serving before noon must report to work for the afternoon according to his/her work schedule. However, the combination of jury duty and Village work shall not amount to more than one normal workday.

4. TIMESHEETS

All employees, full time and part time, covered under this Policy shall be required to participate in attendance procedures, including contemporaneously maintaining and submitting a bi-weekly timesheet to the Village Treasurer as prescribed by the Village Manager.

5. RETIREMENT

The Village is governed by the rules and regulations of the New York State and Local Retirement System (NYSLRS). Employees with questions concerning retirement should

contact the NYSLRS, and to the extent an employee has questions concerning Village policy, consult with the Village Manager and Village Treasurer.

6. SEPARATION FROM EMPLOYMENT

A. Resignations

A written letter of resignation is required to be provided to the Village Manager and filed with the Village Clerk by all employees intending to resign. The letter of resignation must be submitted at least thirty (30) calendar days prior to the date of resignation or the employee shall forfeit any right he/she may have to be paid for accrued vacation leave only, as well as eligibility for health insurance upon retirement. The thirty (30) day notice requirement may be waived in writing by the Village Manager only for good cause and under unique circumstances that could not have been adequately anticipated.

B. Retirement

Employees intending to retire must submit a letter of resignation for the purpose of retirement in accordance with the preceding paragraph. Employees contemplating retirement must be aware that the New York State Employees' Retirement System (NYSERS) has certain requirements, including notice requirements to NYSERS prior to retirement. Information concerning State requirements for filing for retirement benefits may be obtained from the Village Treasurer.

C. Dismissal

Employees who fail to fulfill their duties and responsibilities in a manner satisfactory to the Village, or do not abide by the policies of the Village, are subject to discipline up to and including immediate dismissal by the Village Manager, except as otherwise provided in the Civil Service Law or other applicable law.

7. LONGEVITY

Full time employees shall be entitled to longevity payments based upon years of service with the Village as follows:

After completion of seven (7) years of service:	\$1,075 per annum;
After completion of ten (10) years of service:	\$1,125 per annum;
After completion of fifteen (15) years of service:	\$1,275 per annum;
After completion of twenty (20) years of service:	\$1,425 per annum;
After completion of twenty-five (25) years of service:	\$1,675 per annum;
After completion of thirty (30) years of service:	\$2,175 per annum.

Longevity payments shall be non-cumulative. Employees hired on or after June 1, 2018 shall receive their longevity payments on the payroll period following their hiring anniversary date.

8. HEALTH INSURANCE

The Village offers hospitalization and health insurance coverage to non-unionized full time employees under the same plan(s) providing coverage to the Village's unionized employees.

Those eligible may elect family or individual health insurance coverage. Full time employees with family health insurance coverage shall contribute two percent (2%) of his/her base wage towards the health insurance premium or cost. Full time employees with individual health insurance plan coverage shall pay one percent (1%) of his/her base wage towards the health insurance premium or cost.

All contributions shall be deducted on a "pre-tax" basis.

The employee shall be responsible to pay 100% of their respective deductibles.

Retirees from full time positions who have served for at least ten (10) years with the Village at the time of retirement are eligible for retiree health insurance from the Village and may elect to receive medical coverage for themselves and eligible family members. Retirees from full time positions hired by the Village before June 1, 2021 shall not contribute for the provision of such benefit. Retirees from full-time positions hired by the Village on or after June 1, 2021 shall contribute fifteen percent (15%) of the premium cost for either individual or family coverage. Retirees from full-time Village employment who have served for less than ten (10) years with the Village may elect to participate in the health insurance plan at their own cost.

A surviving spouse and/or eligible family members may elect to participate in the health insurance plan totally at his or her own expense in accordance with the rules and regulations of the Village's health insurance provider.

9. HEALTH INSURANCE BUYOUT

The Village shall offer an optional buy-out of health insurance coverage for all full time employees. The buy-out of health insurance coverage shall provide that an employee who is covered by another health insurance plan may notify the Village on a form provided by the Village Treasurer's Office known as a Request to Decline and Waive Health Insurance Coverage that he/she is selecting to decline and waive the health insurance coverage provided by the Village.

An employee who declines and waives individual health insurance coverage as provided above shall be paid One Thousand Two Hundred and Fifty Dollars (\$1,250.00) per year in equal monthly amounts during the fiscal year. An employee who declines and waives family health insurance coverage as provided above shall be paid Five Thousand Dollars (\$5,000.00) per year in equal monthly amounts during the fiscal year. The buy-out shall be pro-rated in the event the employee resumes health insurance coverage due to a qualifying event during that fiscal year, *e.g.*, loss of health insurance coverage by spouse.

Employees shall not be eligible for the health insurance buy-out under this Section if the New York State Health Insurance Program (“NYSHIP”) adopts regulation(s) which require that the Village must still contribute the health insurance premiums for employees who have opted for the health insurance buy-out.

An employee who elects to receive the buy-out shall, at any time during the period for which the employee has declined and waived health insurance coverage through the Village, be required to provide written notice to the Village that he/she is covered by health insurance under a different plan. An employee who had elected to receive the buy-out and elected to reinstate coverage under the plan provided by the Village is required to provide written notice to the Village on the Request to Resume Health Insurance Coverage Form, to be provided by the Office of the Village Treasurer. The effective date of the employee’s re-establishment of health insurance coverage by the Village shall be at the earliest possible date as provided by the plan. The Village shall notify the plan upon notice by the employee of the Village’s decision to re-establish health insurance coverage through the Village.

10. DENTAL & VISION INSURANCE

Full time employees shall be entitled to individual coverage under a dental plan offered by the Village. The Village shall pay one hundred percent (100%) of the premium or the cost of such insurance.

Full time employees have the option of family dental insurance coverage by contributing ten (10%) of the cost of the premiums to a maximum payment by the employee of One Hundred Twenty Dollars (\$120) per year.

Please bear in mind that limited **vision coverage** is currently available with the dental insurance policy at “no additional cost.” Should that “no additional cost” vision coverage no longer be available with the Village’s current dental insurance plan, the Village is under no obligation to continue vision insurance coverage under another policy.

The Village does not offer or provide any dental or vision insurance coverage to retirees.

11. LIFE INSURANCE

The Village shall provide \$50,000.00 term life insurance for each full-time non-union employee.

12. EFFECT OF THIS POLICY

This Policy does not constitute an employment contract or agreement between the employees covered by this Policy and the Village. The terms and conditions set forth in this Policy are subject to change by resolution of the Board of Trustees of the Village at its sole discretion.

**RESOLUTION SCHEDULING A PUBLIC HEARING TO
DISCUSS CHAPTER 32 OF THE CODE OF THE VILLAGE OF
ARDSLEY “VILLAGE MANAGER CODE PROVISIONS”
ENUMERATING AND CLARIFYING THE DUTIES AND
RESPONSIBILITIES OF THE VILLAGE MANAGER**

RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on Monday, September 20, 2021 to discuss Chapter 32 of the Code of the Village of Ardsley entitled “Village Manager Code Provisions”

Powers and duties.

LOCAL LAW – VILLAGE MANAGER

§ 32-1 History; Office created; Village Manager Term; Removal from office.

§ 32-2 Powers and duties.

§ 32-3 Designation as Budget Officer.

§ 32-4 Chain of Command

§ 32-5 Reservation of power.

§ 32-6 Residency requirements.

§ 32-7 Removal from office

§ 32-8 Vacancy in office

§ 32-9 Conflict with other positions

Village of Ardsley Board of Trustees Agenda- August 2, 2021

§ 32-1 History; Office created; Village Manager; term; removal from office.

The Office of Village Manager was established by public referendum in the Village of Ardsley in 1955. The announced purpose of that action was to provide for the most economical and efficient overall direction, coordination and control of the day-to-day activities and operations of the Village of Ardsley, to provide centralized direction and control of village employees and to formalize staff and advisory functions necessary to accomplish those goals. The purpose of this local law is to enumerate to the extent not specified in the enabling referendum, and by the authority vested in the Board of Trustees without further referendum, the specific powers, authority, duties and responsibilities of the Village Manager. Unless otherwise provided for by resolution of the Board of Trustees, the Village Manager shall serve at the pleasure of such Board

The Village Manager shall be a merit-based appointment by the Mayor and Board of Trustees in recognition of his/her/their executive and administrative qualifications and education.

§ 32-2 Powers and duties.

The administration of Village affairs shall be under the direction of a Village Manager in conformity with the provisions of the Village Law of the State of New York, Article 15-A. The Village Manager shall have and

exercise such other powers and duties as designated by local law of the Board of Trustees, notwithstanding the power and duties specified in this local law, nor reducing those presently exercised, as follows:

A. General duties of Village Manager. --The Village Manager shall be the executive and administrative head of the village government. He/she/they shall see that within the village, the laws of the state and the local laws, rules, and by-laws of the board of trustees are faithfully executed; he/she/they shall attend all meetings of the board of trustees and recommend for adoption such measures as he/she/they shall deem expedient; he/she/they shall make reports to the board of trustees from time to time upon the affairs of the village, keep the Board of Trustees fully advised of the financial condition of the Village and its future financial needs; he/she/they shall prepare and submit to the council, a tentative budget for the next fiscal year.

B. Appointment of Village officers and employees.--Such Village officers and employees as the Board of Trustees shall determine are necessary for the proper administration of the Village, except the Village Clerk, Village Attorney and Village Treasurer and in the County of Westchester, the Chief of Police and members of the Police Department where such a department has been established pursuant to law, shall be appointed by and may be removed by the Village Manager; but the Village Manager shall report each such appointment and removal to the Board of Trustees at the next meeting thereof following any such appointment or removal; the Village Clerk, Village Attorney, Village Treasurer and Chief of Police and members of the Police Department where such a department has been established pursuant to law, shall be appointed and their salary or compensation fixed by the Board of Trustees as provided in the Village Code and the Village Law of the State of New York. The foregoing are further subject to and superseded by any laws or regulations for those agencies specially enacted by the State of New York.

C. Powers and duties of other village officers. —All officers and employees are subject to the rules and regulations adopted by the Board of Trustees and those directed by the Village Manager, including the Village employee handbook, to the extent such rules, regulations and directives are not inconsistent with applicable federal, state and local laws and regulations. All officers and employees, except the Village Clerk, Village Attorney, Village Treasurer and Chief of Police, shall perform such duties as may be required of them by the Village Manager. Certain duties necessary to the proper functioning of the village requested by the Village Manager may also be required of the Village Clerk, Village Attorney, Village Treasurer, and Chief of Police. In the case of the Chief of Police, such requests shall not impede the day to day police operations of the Department.

In addition to the foregoing, the Manager shall have the power and be required to:

-
- 1. Appoint and, when necessary, in the best interests of the Village, suspend or remove any paid employees of the village except as herein otherwise specifically provided, or except as otherwise provided by law or personnel rules and regulations adopted by the Village. Such appointment and removal power shall be subject to the rules of the Civil Service Commission, where applicable, and within the general limitations of the annual budget.

Further, the Village Manager may authorize any administrative officer who is subject to his/her/their direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.

- 2. Recommend to the Mayor and the Board of Trustees adoption of such measures as he/she/they may deem necessary or expedient for the

health, safety or welfare of the community or for the improvement of administrative services.

3. Attend all meetings of the Mayor and Board of Trustees and such other meetings as the Mayor and Board of Trustees shall direct, and he/she/they may take part in the discussion of any matter coming before such boards and commissions. He/she/they shall be given notice of all regular and special meetings of the Mayor and the Board of Trustees.

4. Subject to the limitations of the annual budget, purchase or approve the purchase of materials and equipment, except when advertising for bids is required by law.

5. Under the general supervision of the Mayor and Board of Trustees, supervise the enforcement within the Village of all the laws of the state and the local laws of the Village and the rules, bylaws and resolutions of the Mayor and the Board of Trustees.

6. Investigate the affairs of the Village or any department or division thereof; investigate all complaints in relation to matters concerning the administration of the government of the Village, and see that all franchises, permits and privileges granted by the Village are faithfully observed.

7. Conduct a continued study of all functions and activities of the Village for the purpose of devising ways and means of attaining greater efficiency and economy.

8. Perform such additional duties as shall be assigned to him/her/them by the Mayor and the Board of Trustees.

§ 32-3 Designation as Budget Officer.

In addition to the powers and duties set forth in herein, the Village Manager shall serve as Budget Officer and prepare the budget annually and submit it to the Mayor and Board of Trustees in accordance with the requirements of the applicable laws of the State of New York and be responsible for its proper administration after adoption.

§ 32-4 Chain of command.

Except for the purpose of inquiry, the Mayor and the Board of Trustees and its members shall deal with the administrative services solely through the Village Manager.

§ 32-5 Reservation of power.

Nothing herein contained shall be deemed or construed as abolishing, transferring or curtailing any powers or duties of the Board of Trustees or of the Mayor, the Village Treasurer or Village Clerk, as prescribed by the Village Law or other applicable laws of the state.

§ 32-6 Residency requirements.

The Village Manager need not be a resident of the Village at the time of his/her/their appointment and may live outside of the Village during the term of office with the approval of the Board so long as residency is within the State of New York.

§ 32-7 Removal from office.

The Mayor and Board of Trustees may remove the Village Manager at any time in the manner provided in this section:

By a majority vote of its members, the Board of Trustees shall adopt a preliminary resolution stating the reasons for the removal of the Village Manager. A copy of such resolution shall be delivered promptly to the Manager, either personally or by registered mail, return receipt requested, addressed to the Manager's residence.

1. Within 10 business days following personal delivery or mailing by manner specified above of such resolution, the Manager may serve upon the Mayor, any Trustee or the Village Clerk a notice, in writing, setting forth his reply and requesting a public hearing. Such public hearing shall be held not earlier than 20 days nor later than 30 days after the service

of such request. The Village Clerk shall cause a notice of such public hearing to appear in the official Village newspaper prior to the date of such hearing. Either the Board of Trustees or the Village Manager may request that minutes be taken at such public hearing. At any time after such public hearing, if one is requested, and after full consideration, the Board of Trustees may, by majority vote, adopt a final resolution of removal.

2. If no public hearing is requested, the Mayor and Board may adopt a final resolution of removal any time after 15 days from the date when a copy of the preliminary resolution was delivered to the Village Manager.

3. The Village Manager shall continue to receive his/her/their full salary until the effective date of the final resolution of removal.

§ 32-8 Vacancy in office.

Whenever the Office of Village Manager shall become vacant for any reason whatsoever, all of the powers, duties and responsibilities of the Manager, as set forth in this chapter, shall be exercised by a qualified Interim Village Manager appointed by the Board of Trustees pending the appointment of a qualified permanent successor.

§ 32-9 Conflict with other provisions.

All existing local laws of the Village prescribing the duties of heads of departments shall remain in full force and effect except insofar as they conflict with the provisions of this chapter, in which case the provisions of this chapter shall govern; and all local laws or parts of local laws and all resolutions and parts of resolutions heretofore adopted or passed by the Mayor and the Board of Trustees of this Village conflicting or inconsistent with this chapter, or any part thereof, are hereby annulled or repealed.

RESOLUTION AMENDING SOCIAL MEDIA POLICY

WHEREAS, Village policies have not recently been updated; and

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

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Ardsley hereby amends the social media policy effective immediately.

SOCIAL MEDIA POLICY

I. Purpose

The purpose of this Policy is to set forth the rules, regulations, procedure and appropriate use of Village social media accounts. This Policy also includes a guideline for use of personal social media by Village officials, employees, and volunteers.

This Policy is not meant to address any particular form of social media, but rather to address the use of social media in general, including, but not limited to social media tools and applications that may result from future advances in technology.

II. Scope

This Policy applies to all Village employees and officials (“employees”). This Policy also applies to individuals who are not employees of the Village, but who are employees of Village contractors, subcontractors, vendors or consultants, and other persons who provide services to the Village, such as volunteers, interns and temporary employees (referred to herein as “affiliated non-employees”).

“Social media” refers to social networking websites and applications including, but not limited to, Facebook, LinkedIn, Google + and Twitter, as well as blogs and video, music and photo sharing sites including, but not limited to, YouTube, Snapchat, Instagram, TikTok and Flickr. Social media also includes all means of communicating or posting information or content of any sort on the internet, including to your own or someone else’s web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with the Village. This Policy applies to social media accessed via all types of devices, including, but not limited to, personal and/or work-issued mobile devices, computers, tablets, cell phones, etc.

Employees are free to express themselves on matters of public concern as private citizens on social media outlets with limited exceptions outlined herein. Nothing in this Policy is intended to interfere with an individual’s constitutional rights; however, employees and affiliated non-employees should adhere to the guidelines set forth below when representing themselves as affiliated with the Village or in communicating with others affiliated with the Village.

III. Village Social Media Accounts

- A. Creation of Accounts: Prior to creating a new Village-affiliated social media account, a request memorandum must be submitted to the Village Manager for approval. In such request, the proposed creator should provide justification for establishing a new social media account and an overview of how the account will be utilized, including the main topics to be discussed or communicated on the page.
- B. Management of Accounts: The Village's social media accounts shall be managed by a designated Social Media Coordinator ("SMC"). Unless otherwise designated by the Village Manager, the Village Manager shall serve as the SMC of all Village-affiliated social media accounts. Department Heads who would like to post on a Village social media account must create the content they would like posted and send it to the SMC for authorization prior to posting. If the content is regarding a Village event, the SMC must have the post at least one (1) week in advance of the date of the event to ensure adequate time for review and approval.
- C. Proper Use: The Village shall utilize social media outlets to disseminate information to the public. Social media is a means for the Village to advertise events, public meetings, emergency notifications, project updates, improve government transparency and support operational efficiency.
1. The use of social media shall be in addition to, and not in place of, the Village's other means of communication already in place such as, but not limited to, e-mail blasts and posts on the Village's website.
 2. When possible, messaging, comment and reply capabilities shall be turned off or disabled on all Village social media accounts. Village social media accounts are intended to act as limited public forums and shall not be used as a means for individuals to contact the Village or to otherwise discuss Village issues. If comments and/or replies are disabled, a statement will be made indicating such in the "about us" or "bio" with instructions on where to send comments, questions, concerns, complaints, etc.
 3. Village social media accounts may link, like, or otherwise associate only with social media sites of other governmental agencies. The SMC is permitted to like content of such governmental agencies, but is not permitted to post comments on other pages/accounts. The SMC is also prohibited from replying to comments made on the Village's social media accounts or to any messages sent via social media.
- D. Department Social Media Accounts: If individual departments of the Village have their own social media accounts, the Department Head must act as the SMC, or designate an employee to act as the SMC. The same procedure for approval shall be used and policies followed as described above. Village departments are encouraged to share event or emergency notifications posted by other departments of the Village. Village

Committees must use the main Village social media account and go through the Village Manager, or the SMC, for postings.

IV. Personal Social Media Usage by Village Employees

- A. Guidelines: The Village respects its employees' rights to personal expression as private citizens on personal social media sites to the extent that such expression does not impair or impede the performance of their job duties or adversely affect the interests of the Village. Ultimately, individuals are solely responsible for all activities and posts on their own social media accounts and should be aware that their posts may remain archived on the internet even if deleted.

When using personal social media accounts, the following rules and guidelines should be adhered to:

1. Employees and affiliated non-employees are prohibited from using Village e-mail addresses to register for personal social media accounts or blogs.
2. Unless otherwise authorized, employees shall not represent themselves as a spokesperson for the Village of Ardsley. Employees and affiliated non-employees shall not communicate with the media on the Village's behalf without prior written consent from the Village Manager.
3. If a personal email, posting on social media or other electronic message could reasonably be construed to be an official Village communication, a disclaimer is required. An example of such disclaimer is: "The views and opinions expressed are my own and do not necessarily reflect the views of the Village of Ardsley."
4. Employees and affiliated non-employees shall not knowingly publish false or misleading information about the Village, or their co-workers, supervisors, vendors, residents or others affiliated with the Village.
5. Employees and affiliated non-employees shall not publish confidential information. "Confidential information" includes internal Village reports, policies, procedures or other internal business-related private communications and private information about co-workers, supervisors, vendors, residents and others affiliated with the Village, such as addresses, social security numbers, telephone numbers, dates of birth, employment/personnel records, etc. This prohibition is not intended to restrict an employee's right to discuss collectively negotiated wages and other terms and conditions of employment.
6. As with other Village policies, conduct that adversely affects an employee's job performance, the performance of fellow employees or otherwise adversely

affects an employee's ability to represent the Village in their official capacity may result in disciplinary action up to and including termination.

- B. Village personnel should assume that their speech and related activity on personal social media sites will be viewed by others and may reflect upon their position within the Village.
- C. Employees should strive to always be fair and courteous to fellow employees, affiliated non-employees, others who work for the Village, and residents. Employees should keep in mind that they are more likely to resolve work-related complaints by speaking directly with their co-workers or contacting the Village Manager, rather than by posting complaints to a social media outlet. Nevertheless, if an employee decides to post complaints or criticism on social media, they should avoid using statements, photographs, video or audio that: (1) reasonably could be viewed as malicious, obscene, threatening or intimidating; or (2) might constitute discrimination, harassment or bullying. Examples of such conduct include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, age, religion, disability, sexual orientation, predisposing genetic characteristics, genetic information, national origin, military status, color, marital status, familial status, domestic violence victim status, or any other characteristics protected by law. Social media posts that could contribute to a hostile work environment also will not be tolerated.
- D. Employees' use of social media is also subject to the Village's Sexual Harassment Prevention Policy, Unlawful Harassment Policy and Workplace Violence Policy, as well as the Village's other policies and standards of conduct, rules, regulations, and ordinances. Employees shall not harass anyone in contravention of the Village's Harassment/Workplace Violence policies, regardless of the time, place, form, or manner in which the information is posted or transmitted. Online postings that harass or threaten any other Village employees, affiliated non-employees or others are expressly prohibited.
- E. Village employees are reminded that they serve the public. Employees shall be mindful that any communication that disparages and/or damages the public's trust may negatively impact the Village's ability to serve the public and the individual employee's ability to serve in an official capacity for the Village.

V. Disclaimer

Nothing contained in this Policy is intended or should be construed to impair or otherwise limit the right of any employee to engage in lawfully protected and concerted activity, including, but not limited to discussing wages or other terms and conditions of employment, or making legally protected statements or reports to internal or external authorities.

Nothing in this Policy is intended to or should be interpreted as interfering with, limiting or restricting the rights provided to individuals under the First Amendment, the Taylor Law or any other law. To the extent a section of this Policy is found to be in violation of an individual's rights, or becomes invalid or is otherwise unenforceable by reason of legislation or court decision, all other provisions of this Policy shall remain in full force and effect.

RESOLUTION PERMITTING A MENORAH DISPLAY – 2021

WHEREAS, the Village of Ardsley (“Ardsley”) has a policy of providing locations within its territorial limits for holiday display with equal opportunity for all Village groups and organizations; and

WHEREAS, permission has been requested from Ardsley, by Chabad of the Rivertowns to permit the display of a Menorah in celebration of the holiday season from November 21, 2021 through December 19, 2021; and

WHEREAS, the location that has been requested is in or about Legion Park within Ardsley; and

WHEREAS, Ardsley believes that such permission is a continuation of its non-discriminatory policy for holiday displays by Village groups and organizations; and

WHEREAS, all rules regarding social distancing of 6 feet and use of face coverings must be adhered to in order for the event to be permitted and the Chabad guarantees that it will abide by such restrictions.

NOW THEREFORE BE IT RESOLVED, that Chabad of the Rivertowns is permitted to construct a Menorah display at or about Village property in Legion Park provided such a display and location is reviewed for safety and compliance by the Chief of Police, the Building Inspector, and the Fire Department, that all costs for the erection, use and maintenance of this display are borne by Chabad of Rivertowns, that a policy of insurance in acceptable form be provided to Ardsley to insure, indemnify, and defend against any and all claims or losses that may arise out of the erection, use, maintenance of this display and that all COVID-19 restrictions are abided by throughout the period of display.

**RESOLUTION DECLARING LEAD AGENCY AND SCHEDULING A
PUBLIC HEARING FOR MECHANICAL PIPING SOLUTIONS, INC.
701 SAW MILL RIVER ROAD**


RESOLVED, that the Village Board of the Village of Ardsley hereby declares itself Lead Agency for site plan approval for a proposed permit to convert the vacant commercial building at 701 Saw Mill River Road into a business office and storage area; and

RESOLVED, that the Village Board of the Village of Ardsley hereby refers the applicant to the Planning Board for review and comment regarding the parking reduction;

NOW THERE FORE BE IT FURTHER RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on Monday, September 20, 2021 to discuss the proposed permit.

MEMO

TO: Mayor Kaboolian
Village Board of Trustees

FROM: Larry J. Tomasso 

DATE: September 1, 2021

RE: Mechanical Piping Solutions, Inc 701 Saw Mill River Rd

Shahin Badaly, P.E., representing Mechanical Piping Solutions, Inc., applied for a permit to convert the vacant commercial building at 701 SMRR into a business office and storage area.

It is my understanding that Mechanical Piping Solutions manufactures HVAC equipment for high rise, commercial and industrial buildings. It is also my understanding that the business office will house their CAD design and business offices, and that the storage area will house product inventory and vans. It is further my understanding that there will be no manufacturing taking place on site. The applicant has stated that this use will be temporary in nature as they develop plans for permanent site development which will include a permanent business use and an addition for apartments. It appears more likely that they will opt to demolish this building and construct a new building on the property to accomplish these goals

Based on the above, this is an approved use in the B-1 District and VB approval is required for this project pursuant to §200-65A of the Village Code. The VB should declare itself Lead Agency for the site plan review and schedule a public hearing on the 9/20/21 agenda.

Normally, I would recommend referring the applicant to the PB and BAR for review and comment. I do not believe that is necessary in this case since this will be a temporary use. However, I will recommend as a condition of approval that there be a time limit on this occupancy, which if exceeded, will trigger full site plan review. This will provide the ability for the village to ensure proper site development if the owner does not pursue their stated plans. I will address this further in the memo I will send prior to the public hearing.

Let me know if you need any additional information.