



## MINUTES

### Ardsley Village Board of Trustees

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**8:00 PM - Monday, October 3, 2022**

507 Ashford Avenue

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

Absent: Trustee Craig Weitz

#### **1. PLEDGE OF ALLEGIANCE**

Mayor Kaboolian called to order the Regular Meeting at 8:01 P.M.

Roll Call:

Mayor Nancy Kaboolian

Deputy Mayor/Trustee Andy DiJusto

Trustee Asha Bencosme

Trustee Steve Edelstein

Trustee Craig Weitz was absent

**PUBLIC HEARING** To Discuss Application to Convert the commercial space at 800 Saw Mill River Road into a Day Spa

1. Mayor Kaboolian opened up the Public Hearing at 8:01 p.m. in the matter of converting the commercial space at 800 Saw Mill River into a Day Spa.

Mayor Kaboolian read the notice into the record.

Henry Raposato friend of applicant was present to answer some questions regarding the Spa. He explained that the service to focus on specific areas of the body. There will be some facial care. There will be 2 or 3 employees and these employees will be licensed with New York. The hours of business will be six/seven days a week 9 am-8pm.

Mayor Kaboolian questioned if they have ever open up a business like this before? The applicant Xizhe Wang and He Qiujian said they have worked in a similar business.

Mayor Kaboolian would like a full description of the services that will be offered at the day spa.

The applicant explained:

- reflexology
- neck/back pain

They are aware that there is a similar business near by.

Building Inspector described the layout of the business to the Village Board. There is a reception area, one bathroom, and four treatment rooms.

All members of the Board were in agreement to close this public hearing and work on the wording on the resolution for this application.

**Moved by Trustee Edelstein, Seconded by Trustee Bencosme and passed unanimously. Carried by the following votes:4-0-0**

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

**Nays: None RESOLVED**, that this public hearing be closed in the matter converting the commercial space at 800 Saw Mill River Road into a Day Spa at 9:20 p.m.

**CONTINUATION OF PUBLIC HEARING** To Discuss Amending Chapter 81 Entitled "Community Choice Aggregation (Energy) Program" of the Ardsley Village Code

1. Mayor Kaboolian opened the Public Hearing at 8:04 pm in the matter amending Chapter 81 Entitled "Community Choice Aggregation (Energy) Program" of the Ardsley Village Code

Mayor Kaboolian read the notice into the record.

Mr. Leo Wiegman Director, Solar Programs from Sustainable Westchester was present to explain the potential second offering from Westchester Power of Community Solar Credits for utility energy assistance program participants.

The law refers to the CCA framework order issued by the Public Service Commission in 2016 as the basis for authorization. We expect the Commission to update that the

order to incorporate the solar credit offering as a type of "energy service" for state-wide implementation soon.

All members of the Board were in agreement to continue this public hearing and we can work on the language of the local law.

**Moved by Trustee DiJusto, Seconded by Trustee Edelstein and passed unanimously. 4-0-0**

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

**Nays: None RESOLVED**, that this public hearing be adjourned until October 17, 2022 in the matter of amending Chapter 81 Entitled "Community Choice Aggregation (Energy) Program" of the Ardsley Village Code at 8:43 pm.

## **2. ANNOUNCEMENT OF EXIT SIGNS**

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

### **3.1 September 19, 2022 Regular Meeting Minutes**

**Moved by Trustee Bencosme, Seconded by Trustee DiJusto and passed unanimously. Carried by the following votes:3-0-1**

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

**Nays: None**

**Abstain: Trustee Edelstein RESOLVED**, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of September 19, 2022 as submitted.

## **4. DEPARTMENT REPORTS**

### **1. LEGAL**

- 1.a Village Attorney, Robert J. Ponzini stated he had nothing to report other than those items that may have been submitted in memorandum form and would be available for Executive Session after the meeting if needed.

### **2. MANAGER**

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

**DPW GARAGE:** The project is moving along nicely with the earthwork in full swing. The dry well system has been installed and underground conduits have been laid out. We are on site daily and meet as a full construction team weekly. Will keep the Board and public posted with the progress of the project as it continues to develop.

**CURBING AND PAVING:** The curbing contractor will begin on Thursday and will be working on curbs for approximately 10 weeks. Milling and paving for this year's program began today and expected to be complete by the end of the week. We encourage residents to sign up for Nixle alerts for any road closures or changes to traffic patterns.

**COLUMBUS DAY CLOSING:** All offices, including the Library, Community Center, Court, and the Department of Public Works will be closed on Monday, October 10, 2022 in observance of Columbus Day. Since there will be no garbage collection on Monday, there will be Village-wide garbage collection on Tuesday, October 11, 2022. The rest of the week will follow a normal schedule.

### **3. TREASURER**

#### 3.a October 3, 2022 Abstract Report

Village Manager Cerretani read the September 6, 2022 Abstract Report as follows:  
From the General Fund: \$57,861.90 from the Trust & Agency Fund: \$715.50 and from the Capital Fund: \$88,106.84, Sewer Fund: \$3,497.77.

**Moved by Trustee Edelstein, Seconded by Trustee Bencosme and passed unanimously.  
Carried by the following votes:4-0-0**

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

**Nays: None RESOLVED,** that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$57,861.90 from the Trust & Agency Fund: \$715.50 and from the Capital Fund: \$88,106.84, Sewer Fund:\$3,497.77.

#### **4. BUILDING** No Building Department Report

#### **5. FIRE** No Fire Department Report

#### **6. POLICE** No Police Department Report

### **7. MAYOR'S ANNOUNCEMENTS**

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

- Attended the Governor's announcement regarding clean cars in the State of New York in the City of White Plains.
- Pollinator Pathway Event will take place on October 12th at 7:30 pm - preparing your garden for Winter. This will be a zoom event.
- Garage Sale will take place at Pascone Park beginning at 8:30 am on October 8th.

### **8. COMMITTEE & BOARD REPORTS**

8.a Trustee Dijsuto announced the following:

- Attended the Fireman's Carnival
- The Ardsley Historical Society announced a new program on the Croton Aqueduct which will take place on Sunday, October 23rd. at the Ardsley Public Library at 2:00 pm

Trustee Bencosme announced the following:

- Climate Advisory Committee will be meeting on Thursday, October 6th at 7pm via Zoom.
- We submitted a capstone to NYU regarding Greenhouse gas emissions and how we can potentially lower our emissions. NYU has accepted our proposal.

Trustee Edelstein announce the following:

- MDI Presents-Diwali Celebration on October 22nd beginning at 2pm and Pascone Park rain date is October 23rd.
- MDI Presents-Communication Conversations Event will take place on November 10th at 6:30 pm
- Annual Trunk & Treat Festival will take place on October 29th beginning at 1pm. at Pascone Park. If anyone would like to volunteer their car please contact Trish Lacy at 914-693-8012.
- Ardsley Cares Day will also take place on October 29th.
- Movie in the Park will take place on Oct 28th beginning at 6:15 pm at Pascone Park.

## 5. VISITORS

- 5.1 Resident Armen Boyajian was present to thank the Ardsley Police Department, Police Officer Savarese, Vacca, and Braig, Library Staff-Angela Goth and her staff and ASVAC for all they do.

## 6. OLD BUSINESS:

- 6.1 Consider a Resolution Granting Permission to Convert the Vacant Space Located at 800 Saw Mill River Road into a Day Spa

**All members of the Board were in agreement to move this resolution to the October 17, 2022 meeting. RESOLVED,** that the Village Board of the Village of Ardsley hereby authorizes the proposed change of use to convert the vacant space at 800 Saw Mill River Road into a day spa as presented by the applicant.

Any approvals should 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 and number of employees per shift should be identified/confirmed.
5. The business owner must provide copies of the cosmetology and message therapist licenses.
6. The business must comply with all of the regulations pertaining to the cosmetology and message therapist licenses.
7. 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.
8. Any conditions the Village Board deems appropriate.
9. Any conditions the Village Attorney or Village Manager deem appropriate.

6.2 Consider a Resolution to Amend Chapter 81 Entitled "Community Choice Aggregation (ENERGY) Program" of the Ardsley Village Code

**All members of the Board were in agreement to move this resolution to the October 17, 2022 meeting. RESOLVED**, that the Village Board of the Village of Ardsley hereby amends Chapter 81 entitled "Community Choice Aggregation (Energy) Program" of the Ardsley Village Code as follows: (The deleted text is in ~~strikethrough~~ and the new text is underscored)

Chapter 81

Community Choice Aggregation (Energy) Program

**[HISTORY: Adopted by the Board of Trustees of the Village of Ardsley 3-19-2018 by L.L. No. 2-2018. Amendments noted where applicable.]**

§ 81-1 Legislative findings; intent and purpose; authority.

A. It is the policy of both the Village of Ardsley and the State of New York to reduce costs and provide cost certainty for the purpose of economic development, to promote deeper penetration of energy efficiency and renewable energy resources such as wind and solar, and wider deployment of distributed energy resources as well as to examine the retail energy markets and increase participation of and benefits for ~~residential and small commercial customers~~ Eligible Customers in those markets. Among the policies and models that may offer benefits in New York is community choice aggregation ("CCA"), which allows local governments to ~~determine the default supplier of electricity~~ procure electric and natural gas supply on behalf of its ~~residential and small commercial customers~~. Eligible Customers.

B. The purpose of this CCA Program is to allow participating local governments including the Village of Ardsley to procure Energy Services, such as energy supply service and Community Distributed Generation (CDG) Credits for their ~~residential and small commercial customers~~ Eligible Customers, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the existing ~~distribution utility~~ Distribution Utility. This Chapter establishes a program that will allow the Village of Ardsley to put out for bid the total amount of natural gas and/or electricity being purchased by local

~~residential and small commercial customers.~~ Energy Services for bid. Eligible ~~Bundled~~ eCustomers will have the opportunity to have more control to lower their overall energy costs, to spur clean energy innovation and investment, to improve customer choice and value, and to protect the environment; thereby, fulfilling the purposes of this eChapter and fulfilling an important public purpose.

C. The Village of Ardsley is authorized to implement this Community Choice Aggregation (Energy) Program pursuant to ~~§~~Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law; and State of New York Public Service Commission Case No. ~~14-M-0564, Petition of Sustainable Westchester for Expedited Approval for the Implementation of a Pilot Community Choice Aggregation Program within the County of Westchester, Order Granting Petition in Part~~ (issued February 26, 2015), as may be amended, including subsequent orders of the Public Service Commission issued in connection with or related to Case NO. ~~14-M-0564~~ (collectively, the order). "Order" shall also mean orders of the Public Service Commission related to State of New York Public Service Commission Case No. ~~14-M-0224~~, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued ~~December 15, 2014~~) to the extent that ~~orders related to Case No. 14-M-0224 enable actions by the Village of Ardsley not otherwise permitted pursuant to orders related to Case 14-M-0564: provided, however, that in the event of any conflict between orders from Case NO. 14-M-0564 and orders from Case No. 14-M-0224, orders from Case No. 14-M-0564 shall govern the CCA Program.~~ April 20, 2016, hereinafter the CCA Framework Order).

D. This Chapter shall be known and may be cited as the "Community Choice Aggregation (Energy) Program Law of the Village of Ardsley."

#### § 81-2 Definitions.

For purposes of this chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this chapter shall have the meanings set forth below, or if not so defined, as employed in the State of New York Public Service Commission's Uniform Business Practices;~~or, if not so defined there, as indicated below:~~

~~BUNDLED CUSTOMERS~~ — Residential and small commercial customers of electricity or natural gas (fuels) who are purchasing the fuels from the distribution utility.

~~SMALL COMMERCIAL~~ — Nonresidential customers as permitted by the order.

**Community Choice Aggregation Program (or "CCA Program"):** A municipal energy procurement program, ~~which~~ that replaces the incumbent utility as the default supplier electric and/or gas Supplier for all ~~bundled customers~~ Opt-out Eligible Customers within the Village of Ardsley. The CCA Program may include Community Distributed Generation Credits on an opt-out basis and other DER offerings on an opt-in basis.

**Community Distributed Generation (or "CDG"):** Community shared renewables program expanding customer access to the environmental and system benefits of qualifying renewable project generation located behind a non-residential host meter based on remotely sharing net metering or VDER monetary credits through a monetary credit applied to the utility bills of Participating Customers.

**Community Distributed Generation Credits (or “CDG Credits”):** The monetary credit applied to the utility bills of Participating Customers through the CDG program.

**Customers:**

**Eligible Customers:** Customers of electricity and/or natural gas eligible to participate in CCA, either on an Opt-out or Opt-in basis, as delineated in the CCA Framework Order.

**Opt-out Eligible Customers:** Eligible Customers that are eligible for opt-out treatment as delineated in the CCA Framework Order.

**Participating Customers:** Opt-out eligible customers who have been enrolled subsequent to the opt-out process and other customers who have opted in.

**Customer-specific Data:** Utility data for all Opt-out Eligible Customers including account holder name, service address, primary language, if available, any customer-specific alternate billing name and/or address, and other relevant, authorized data.

**Distributed Energy Resources (or “DER”):** Reforming the Energy Vision (REV) initiatives that further engage and/or reduce cost of service for participating consumers, optimize system benefits, and/or address infrastructure and demand challenges within the geography of the CCA including, but not limited to, local renewable energy projects, Community Distributed Generation, peak demand management, energy efficiency, demand response, energy storage, community resilience microgrid projects, and other innovative initiatives.

**Distribution Utility:** —Owner or controller of the means of distribution of the natural gas or electricity that is regulated by the Public Service Commission.

**Energy Services:** The provision of energy supply as electric power and/or natural gas or the provision of DER offerings.

Public Service Commission (or “PSC”): New York State Public Service Commission.

**Suppliers:** Energy service companies (ESCOs) ~~that procure electric power and natural gas and/or DER providers and/or other entities with authority to provide Energy Services for bundled customers~~ Participating Customers in connection with this eChapter, ~~or, alternatively, generators of electricity and natural gas or other entities who procure and resell electricity or natural gas.~~

**Sustainable Westchester, Inc. (or “Sustainable Westchester”):** A not-for-profit organization comprised of member municipalities in Westchester County, New York.

**Value of Distributed Energy Resources (or “VDER”):** REV proceeding (Case 15-E-0751) that replaces the net metering program with a weighted value stack tariff mechanism for accurately pricing Distributed Energy Resources on the grid as a reflection of their system value. Value stack components include the price of energy, capacity, avoided carbon emissions, cost savings to customers and utilities, demand reduction and locational relief. The goal of this proceeding is to increase DER penetration and benefits of DER installations.

§ 81-3 Establishment of a Community Choice Aggregation (Energy) Program.

- A. A Community Choice Aggregation (Energy) Program is hereby established by the Village of Ardsley, whereby the Village of Ardsley shall work together with Sustainable Westchester to implement the CCA Program to the full extent permitted by the CCA Framework Order, as set forth more fully herein. The Village of Ardsley role under the CCA Program involves the aggregating of the ~~electric and/or gas supply~~ demand for energy of its ~~residents~~ Eligible Customers and the entering into a ~~contract with one or~~



~~more suppliers for supply and services contracts for Energy Services. Under the CCA Program, the operation and ownership of the utility service shall remain with the distribution utility.~~ Distribution Utility.

- B. The Village of Ardsley participation in a CCA Program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The Village of Ardsley will not take over any part of the electric or gas transmission or distribution system and will not furnish any type of utility service, but will instead negotiate with sSuppliers on behalf of ~~participating residential and small commercial customers.~~ Participating Customers.
- C. ~~If the Village elects~~ In order to implement the CCA Program, the Village of Ardsley will adopt one or more resolutions that outline the process of and conditions for participation in the CCA Program, including but not limited to signing a contract for a compliant bid with one or more sSuppliers, all as consistent with ~~this chapter~~ the Local Law and the CCA Framework Order -
- D. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which includes rules relating to the eligibility of participating Suppliers, the operation by which Suppliers provide Energy Services and the terms on which customers may be enrolled with Suppliers. ~~Practices, which includes rules relating to the eligibility of participating ESCOs, the operation by which ESCOs provide energy services and the terms on which customers may be enrolled with ESCOs.~~  
§ 81-4 Procedures for eligibility; customer data sharing.
- A. As permitted by the ~~order~~ CCA Framework Order, the Village of Ardsley may request from the ~~distribution utilities~~ Distribution Utilities aggregated customer information by fuel type, ~~and service classification on a rolling basis.~~ and other relevant, authorized data
- B. Sustainable Westchester, on behalf of the Village of Ardsley, shall issue one or more requests for proposals to sSuppliers to provide energy to participants and may then award ~~a contract in accordance with the CCA Program~~ one more contracts -in accordance with the CCA Program.
- C. Sustainable Westchester or the Village of Ardsley, if the Village of Ardsley so chooses, will then request individual ~~customer specific data~~ Customer-specific Data from the ~~distribution utility~~ Distribution Utility in accordance with the CCA Program.
- D. Sustainable Westchester or the Village of Ardsley, if the Village of Ardsley so chooses, and the selected ~~supplier~~ Suppliers(s) will then notify ~~bundled customers~~ Opt-out Eligible Customers of the contract terms and their opportunity to opt out of the CCA Program energy supply and/or CDG Credits.
- E. In accordance with and for purposes of the ~~order~~ CCA Framework Order, ~~ConEd and NYSEG~~ the Distribution Utility will provide to Sustainable Westchester ~~aggregate and customer~~ Customer-specific dData (including usage data, capacity tag obligations, account numbers, and service addresses) of all ~~bundled customers~~ Eligible Customers in the Village of Ardsley. ~~not currently enrolled with an individually chosen ESCO.~~
- F. Sustainable Westchester and the Village of Ardsley will protect customer information as required by law, subject to the ~~order~~ CCA Framework Order and the limitations of the New York State Freedom of Information Law.

§ 81-5 Choice of energy supplier; opt-out notice and procedure.

- A. The Village of Ardsley, ~~or in conjunction with the ESCO,~~ will notify, or will cause notification of, its ~~residential and small commercial customers,~~ Opt-out Eligible Customers by letter notice, of the Village of Ardsley establishing ~~Ardsley's decision to establishing~~ the CCA Program, of the contract terms with an ~~ESCO~~ the Supplier, and of the opportunity to opt out of the CCA Program.
  - B. The letter notice will be sent to each ~~customer~~ Opt-out Eligible Customer at the address provided by the ~~distribution utility~~ Distribution Utility and explain the CCA Program and the material provisions of the ~~ESCO and/or CDG~~ Supplier contract, identify the methods by which the customer can opt out of the CCA Program, and provide information on how the customer can access additional information about the CCA Program.
  - C. The opt-out period shall be at least ~~20 days~~ thirty (30) Days.
  - D. ~~CCA Program bundled customers~~ [\[1\]](#), upon enrollment, will receive a welcome letter that will explain the customers' options for canceling the enrollment if they believe they were enrolled incorrectly or otherwise decide to withdraw from the CCA Program in favor of another supplier. The welcome letter also will explain that residential customers are entitled to the added protection of the mandated three-day ~~escission~~ period as detailed in § 5(B)(3) of the Uniform Business Practices.
- § 81-6 Verification and reporting.
- A. Sustainable Westchester shall be responsible for filing an annual report with the Public Service Commission, ~~which identifies the number of customers enrolled in the CCA Program by municipality and customer class, the number of customers who returned to utility service or service with another supplier during the reporting period, and the average cost of commodity supply by month for the reporting period.~~ as required in the CCA Framework Order.

Section 2. This local law shall take effect upon filing with the Secretary of State.

## 7. NEW BUSINESS:

- 7.1 Consider a Resolution Authorizing the Application for the JCAP (Justice Court Assistance Program) Grant (\$30,000) for the Justice Court

**Moved by Trustee DiJusto, Seconded by Trustee Bencosme and passed unanimously. Carried by the following votes: 4-0-0**  
**Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, and Trustee Bencosme**  
**Nays: None RESOLVED**, that the Village Board of the Village of Ardsley hereby authorizes the Ardsley Village Court to apply for a JCAP (Justice Court Assistance Program) grant in the 2022-2023 grant cycle up to \$30,000.

7.2 Consider a Resolution Permitting a Menorah Display-2022

**Moved by Trustee Becosme, Seconded by Trustee Edelstein and passed unanimously.  
Carried by the following votes: 4-0-0**

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

**Nays: None 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 December 1, 2022 through December 31, 2022; 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**, current CDC guidelines pertaining to COVID- 19 must be adhered to in order for the event to be permitted and the Chabad guarantees that it will abide by any 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

7.3 Consider a Resolution Supporting the Clean Water, Clean Air, Green Job  
Environmental Bond Act of 2022

**Moved by Trustee DiJusto, Seconded by Trustee Bencosme and passed unanimously.  
Carried by the following votes: 4-0-0**

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

**Nays: None WHEREAS**, providing clean drinking water and protecting our local rivers, bays,lakes,streamsand waterfronts from pollution is paramount to quality of life in New York State and Westchester County and

**WHEREAS**,modernizing water infrastructure willsafeguard clean water,reduce flooding, reduce lead exposure and other public healththreats,and create jobs; and

**WHEREAS**, Westchester County is vulnerable to extreme weather including deadly heat from rising temperatures and flooding from severe storms that put people, properties and public assets across the County at risk; and

**WHEREAS**, upgrading transportation and stormwater infrastructure, restoring natural resources, growing urban forests, building green roofs and upgrading cooling centers will reduce the impact of extreme weather, saving lives and money; and

**WHEREAS**, the COVID-19 pandemic demonstrated the importance of outdoor recreation and access to fresh, local food, as people flocked to local parks and sought out healthy foods for their families; and

**WHEREAS**, upgrades to facilities at state and local parks and preserves and the creation of new outdoor recreational areas will benefit our region by protecting wildlife habitat, providing more people access to nature, and creating jobs in the outdoor recreation economy; and

**WHEREAS**, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 would authorize the four billion and two hundred million dollars of bonds to finance critical environmental restoration, clean water, and infrastructure projects across New York State; and

**WHEREAS**, the funds would be targeted towards protecting clean water, reducing flood risk, restoring natural resources, protecting open space and farmland, and reducing the pollution that causes climate change; and

**WHEREAS**, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 was passed by the New York State Legislature as part of the 2022-23 New York State Budget and will appear on the November 8, 2022, New York State General Election Ballot for voter approval; and

**WHEREAS**, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 includes strong labor provisions and will support more than 84,000 family-sustaining jobs for New Yorkers; and

**WHEREAS**, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 would enable New York State and Westchester County to address pollution and public health threats in disadvantaged communities by directing at least 35% with a goal of 40% of the measure's funding to address hazardous conditions in such communities;

**NOW THEREFOR BE IT RESOLVED**, that the Legislature of the County of Westchester supports passage of the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022.

7.4 Consider a Resolution Supporting Assembly Bill A-9079/Senate Bill S8378  
Amending Environmental Conservation Law by Adding New Section 24-0513 Local  
Freshwater Wetlands Pesticide Prohibition

**Moved by Trustee Bencosme, Seconded by Trustee Edelstein and passed unanimously.  
Carried by the following votes: 4-0-0**

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

**Nays: None** **WHEREAS**, New York Stated Assembly Bill A-9079 sponsored by Assembly member Chris Burdick and by State Senator Peter Harckham in the State Senate seeks to amend the Environmental Conservation Law to restore certain home rule rights to local governments; and

**WHEREAS**, the legislation states as follows:

A local government that has implemented a freshwater wetlands protection law or ordinance in accordance with section 24-0501 of this title may adopt a local law or ordinance to prohibit the application of the pesticides to wetlands it regulates; provided however, that any such law or ordinance shall not prohibit pesticide applications for the control of invasive species identified pursuant to title 17 of article 9 of this chapter, pests of significant public health importance, noxious weeds designated by the department as injurious to ecosystem health, or for the protection of the critical native plant species. Any local law ordinance adopted pursuant to this section shall take effect on the first day of January after it shall have been adopted, and

**WHEREAS**, wetlands protection is critical to the Village of Ardsley to protect drinking water and to provide flood plains protection.

**NOW THEREFOR BE IT RESOLVED**, by the Village of Ardsley

1. That the Village Board does hereby support Bill Number A9079/S8378
2. The Village Board urges Governor Kathy Hochul to sign the critical legislation.
3. That a copy of this resolution be sent to the Office of the Governor, Senator Harckham, Assembly member Burdick, Senate Majority Leader Andrea Stewart Cousins, Assembly Speaker Carl Heastie, County Executive George Latimer, Sustainable Westchester and the Westchester Municipal Officials Association.

7.5 Consider a Resolution Modifying the 2021-2022 Village Budget Use of  
Appropriated Fund Balance-Debt Service

**Moved by Trustee Edelstein, Seconded by Trustee Bencosme and passed unanimously. Carried by the following votes: 4-0-0**  
**Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, and Trustee Bencosme**  
**Nays: None RESOLVED**, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to modify the 2021-2022 Village Budget by increasing appropriation budget line A9710.0600 Bond Principal, \$300,000 and increasing appropriated fund balance-debt service A599 \$300,000 to allow for the payment of debt service.

7.6 Consider a Resolution to Modify the 2021/2022 Budget by Enabling the Village Treasurer to Make Necessary Transfers within the General Fund

**Moved by Trustee Edelstein, Seconded by Trustee Bencosme and passed unanimously. Carried by the following votes: 4-0-0**  
**Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto and Trustee Bencosme**  
**Nays: None RESOLVED**, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to modify the 2021/2022 Village Budget by transferring \$348,422.03.

**FROM LINE ITEMS:**

A 1325-0110-0000 Deputy Treasurer	32,650.00
A 1990-0400-0000 Contractual Expenses	57,606.25
A 3620-0110-0000 Part-time	30,750.00
A 5110-0448-0000 Road Paving	100,000.00
A 5142-0101-0000 Personnel Services	25,729.84
A 6410-0490-0000 Miscellaneous	25,576.90
A 8140-0483-0000 Sewer Maintenance	10,000.00
A 8560-0415-0000 Tree Maintenance	22,631.65
A 9030-0802-0000 Social Security	15,704.80
A 9060-0807-0000 Hospital & Medical	16,357.71

A 9060-0808-0000 Dental Insurance	11,414.88
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**TO LINE ITEMS:**

A 1230-0100-0000 Personnel Services	19,030.21
A 1230-0400-0000 Contractual Expenses	8,452.55
A 1320-0460-0000 Contract Services	1,025.00

A 1440-0400-0000 Contractual Expenses	17,439.09
A 1620-0400-0000 Contractual Expenses	1,381.47
A 1620-0410-0000 Supplies	12,845.01
A 1620-0412-0000 Postage	2,808.00

A 1620-0430-0000 Utilities	8,862.45
A 1620-0431-0000 Telephone	2,174.27
A 1620-0452-0000 Building Maintenance	20,890.31
A 1640-0481-0000 Fuel	3,607.68
A 1964-0462-0000 Certiorari	2,565.21
A 1989-0400-0000 Contractual Expenses	3,271.82
A 3120-0100-0000 Personnel Services	81,317.23
A 3120-0101-0000 Personnel Services	3 0,803.69
A 3989-0201-0000 FEMA	40,350.37
A 5182-0490-0000 Street Lights	11,863.01
A 7110-0461-0000 Program Expense	59,327.60
A 7550-0490-0000 Miscellaneous	4,397.12
A 8160-0101-0000 Personnel Services	1,025.00
A 8160-0456-0000 Tipping	4,723.03
A 8170-0426-0000 Motor Vehicle Repair	9,444.30
A 9055-0806-0000 Disability Insurance	528.71

**8. CALL FOR EXECUTIVE SESSION**

**9. ADJOURNMENT OF MEETING**

9.1 Adjournment

**Moved by Trustee Bencosme, Seconded by Trustee Edelstein and passed unanimously. Carried by the following votes: 4-0-0**  
**Ayes: Mayor Kaboolian, Trustee Edelstein, Trustee DiJusto, and Trustee Bencosme**  
**Nays: None RESOLVED**, that the Village Board of the Village of Ardsley Hereby adjourns the regular meeting of Monday, October 3, 2022 at 9:30 p.m.

**10. UPCOMING MEETINGS & EVENTS** October 4th Board of Architectural Review

Meeting 8:00 pm

October 5th Senior Citizens -Flu Shots 12:00 pm

October 6th Climate Action Committee Meeting 7:00 pm

October 8th Ardsley Garage Sale 8:30 am

**October 10th Columbus Day-All Village Offices Closed**

October 11th Recreation Commission Meeting 5:00 pm

October 11th Multicultural Diversity & Inclusion Committee Meeting 7:30 pm

October 11th Planning Board Meeting 8:00 pm

October 12th Homework Helpers 3:00 pm  
October 12th Senior Citizens- Apple Picking 10:30 am  
October 12th Ardsley Pollinator Pathways 7;30 pm via zoom  
October 14th Middle School Hangout 3:00 pm  
October 22nd Diwali Celebration 1:00 pm  
October 28th Movie Night in the Park Casper the Friendly Ghost 6:15 pm  
October 29th Halloween Trunk & Treat 1:00 pm  
November 10th Community Conversations 6:30 pm

**11. NEXT BOARD MEETING:** Board of Trustees Work Session October 12, 2022 7:30 pm  
Board of Trustees Legislative Meeting October 17, 2022 8:00 pm

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Village Clerk, Ann Marie Rocco

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Date: