

Village of Scarsdale



Marc Samwick, Mayor

Stephen M. Pappalardo

Village Manager

Office of the Village Manager

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Justin K. Arest

Lena Crandall

Jonathan Lewis

Seth Ross

Jane E. Veron

Rochelle Waldman

Village Board Limited Agenda

July 23, 2019

Village Board Meeting - 8:30 AM – Trustees Room

Action

Roll Call

Pledge of Allegiance

Minutes

- Village Board Meeting of July 9, 2019

Bills

- Trustee Crandall

Town Board Agenda

Special Town Board Meeting

July 23, 2019

Rutherford Hall, Village Hall

Roll Call

- Resolution re: Inter-Municipal Agreement with Town of Mamaroneck to Represent the Town of Scarsdale in a Grievance Proceeding and any other Subsequent Proceedings Challenging the 2019 Assessed Valuation

Future Meeting Schedule

Tuesday, August 13, 2019

- 7:30 PM Agenda Committee Meeting
- 8:00 PM Village Board Meeting

Tuesday, August 27, 2019

- 8:30 AM Village Board Limited Agenda Meeting

Tuesday, September 10, 2019

- 6:30 PM – Village Board Work Session – Trustees Room

1. Review of FY 2019/2019 Financial Statements
with Independent Auditors

- 7:30 PM Agenda Committee Meeting
- 8:00 PM Village Board Meeting

THREE THOUSAND THREE HUNDRED THIRTIETH
REGULAR AGENDA MEETING

Rutherford Hall
Village Hall
July 9, 2019

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held in Rutherford Hall in Village Hall on Tuesday, July 9, 2019 at 8:00 P.M.

Present were Mayor Samwick, Trustees Arest, Crandall, Lewis, Ross, Veron, and Waldman. Also present were Village Manager Pappalardo, Assistant Village Manager Richards, Village Attorney Sapienza-Martin, Village Treasurer McClure, Village Clerk Conkling, Deputy Village Attorney Garrison, and Assistant to the Village Manager Ringel.

The minutes of the Board of Trustees Regular Meeting of Tuesday, June 25, 2019 were approved on a motion entered by Trustee Ross, seconded by Trustee Crandall and carried unanimously.

Bills & Payroll

Trustee Arest reported that he had audited the Abstract of Claims dated July 9, 2019 in the amount of \$1,558,176.88 which includes \$21,234.80 in Library Claims previously audited by a Trustee of the Library Board which were found to be in order and he moved that such payment be ratified.

Upon motion duly made by Trustee Arest and seconded by Trustee Ross, the following resolution was adopted unanimously:

RESOLVED, that the Abstract of Claims dated July 9, 2019 in the amount of \$1,558,176.88 is hereby approved.

Trustee Arest then reported that he had examined the payment of bills made in advance of a Board of Trustees audit totaling \$797,957.81 which were found to be in order and he moved that such payments be ratified.

Upon motion duly made by Trustee Arest and seconded by Trustee Crandall, the following resolution was adopted unanimously:

RESOLVED, that payment of claims made in advance of a Board of Trustees audit totaling \$797,957.81 is hereby ratified.

Mayor's Comments

Mayor Samwick stated that two weeks ago, he held a 'Coffee with the Mayor' and it very well attended. He thanked Alfredo Gonzalez and his friends and co-residents at 50 Popham Road for coming out and sharing with him their views of Scarsdale and the Village Center. He stated that this is the purpose of Coffee with the Mayor and noted that the Trustees are working on dates in the summer to do a Tea or Iced Tea. Coffee with the Mayor will pick up again in September.

Mayor Samwick next stated that this is Josh Ringel's last regular Board meeting with the Village; he has been with the Village for four years. He stated that Mr. Ringel has done an exemplary job. Mr. Ringel has accepted a position in the Village of Tarrytown.

Manager's Comments

Village Manager Pappalardo stated that he had a few items to speak about this evening. He stated he would like to speak about the road resurfacing work which started and some of the other summer work. In addition, the Library team is here this evening and will give a presentation on an update with what has been happening with the Library renovation and addition project.

Before he gave his report, he thanked Joshua Ringel for his four years of dedicated service to the Village of Scarsdale. He stated that Josh has really grown in the job and made it his own; he is at a point now where he can move on and take on a larger role in the community of Tarrytown. He complimented Josh for the great job he did.

In regard to the summer work, Village Manager Pappalardo stated that the Fiscal Year 2019/20 Capital Road Resurfacing program began yesterday with our contractor milling a number of roads that are scheduled for resurfacing. The roadways were selected based on independent reviews and inspections of the DPW staff and the Pavement Management survey that was prepared a number of years ago and updated a few times which allows us the opportunity to go out and make the necessary capital improvements to the roads that most need it. Approximately 5.5 miles of Village roadways are planned for resurfacing in Fiscal Year 2019/20 in two phases, this summer and probably something in the fall. In addition, Con Edison contributed roughly \$90,000 this year for road restoration

in conjunction with its gas main replacement work done in the Village, pursuant to the Local Law the Village adopted a few years ago which requires Con Edison to restore any roadways that they disturb, curb to curb. The Village has worked out an arrangement with Con Edison for them to reimburse us for the work and have the Village do it under our contract.

Curb restoration work associated with the road resurfacing began in June under a separate contract and will continue into August. In addition, a limited number of residential walkways will be repaired and blacktopped in accordance with a separate capital appropriation.

Total existing funding in the FY19/20 Capital budget for roadway milling and paving is \$1,235,000, which includes the use of certain prior year balances in the account, the NYS CHIPS funding of \$490,000 and a recent additional appropriation of \$221,000 by the Village Board from available overall capital budget balances. Pursuant to the Fiscal Year 2018/19 closeout and audit, the Board may consider an additional appropriation of what we are considering of anywhere from \$275,000 and perhaps upwards of \$500,000 for roads. That recommendation will be made when the time comes. Village Manager Pappalardo noted that the Winter Recovery grant that the State had in place last year was cut out of the Governor's budget this year; that had provide the Village with \$75,000 that we won't have this year

In all, the annual FY19/20 funding should be in-line with the Village Board's targeted goal of paving roughly five miles of roads annually, while making road resurfacing a priority and allocating additional funds to pave more roads when that money is available and prudent.

Village Manager Pappalardo noted some of the other capital work:

In regard to Sanitary Sewers, sanitary sewer flow monitoring work is being done in conjunction with the Sanitary Sewer Evaluation Study (SSES) in the Mamaroneck Sewer District; the work is continuing into the summer. The results of the flow monitoring work, being performed by a Village contractor, will determine whether the recent repairs to the sewers have decreased the amount of inflow and infiltration of storm water in the sanitary system. This so-called I&I is a major cause of sewerage overflows at County Treatment plants during certain rain events. Mr. Pappalardo noted that this does not just include Scarsdale, but also other municipalities that are part of the County Sewer District. In addition, our contractor continues to perform cured in placed pipe lining and pressurized injection grouting in various sanitary sewer locations throughout the Village, in order to seal joints and other imperfections in the pipes where storm water can infiltrate the pipes. This work will continue throughout the summer.

On a related note, replacement of 45 linear feet of partially collapsed sanitary sewer

pipe in Wynmor Park was completed last week. This was one of twelve problem areas that was identified in the SSES. The 11 other locations are also planned to be started and it is hoped to complete them this summer.

Village Manager Pappalardo stated that all of the sewer studies and system repairs are funded through a separate and dedicated sewer fee, pursuant to NYS statute, which Village residents pay through their water bills. The current fee is \$0.75 per unit of water or 749 gallons which equates to roughly \$150.00 annually for the average Scarsdale water user.

Village Manager Pappalardo next reported on the Heathcote Road Bridge. The Village recently issued an RFP to a list of NYSDOT pre-designated engineering firms and received three responses. Interviews were conducted and a preferred engineering firm tentatively selected subject to negotiation and authorization by the Village Board. This process is in conjunction with a \$1.6M grant award of Federal Highway Funds that are going to be managed through the NYSDOT. This is the first step; at some point the Village Board will be requested to sign a grant agreement with the NYSDOT, and that same night it is hoped to have the engineering consulting firm's agreement reading for approval so that the Village can get started doing the preliminary design work.

In regard to the Hutchinson River Stormwater Project, Village Manager Pappalardo reported that last month the Westchester County Board of Legislators approved a bond authorization resolution for Phase I of the tri-municipal storm water project which is allowing the City of New Rochelle to enter into a professional services agreement with the preferred engineering firm who was selected through a competitive RFP process conducted by representatives of the three communities – the three communities being New Rochelle, Scarsdale, and Eastchester. The engineering agreement is in place and the Phase I engineering work will begin this summer into the fall. Both County and NYS grants were secured for this flood mitigation project which includes replacing four drainage culverts and de-silting and clearing over 6,000 linear feet of Hutchinson River stream bed traversing all the three communities of Scarsdale, New Rochelle and Eastchester which will allow for a much better flow of water. This development is a major milestone for this project which has been delayed as the three communities and the County worked through scope, logistical, financial and legal issues. For those that have been involved in this project for the last seven or eight years, it is exciting to get started.

Concerning other Non-Village Capital Activity, Village Manager Pappalardo stated that the Scarsdale Union Free School District has mobilized and begun the site clearing and grubbing for the Green Acres School Expansion project in and around Huntington Avenue. Assistant to the Village Manager Ringel and the Police Department were very involved with setting up the maintenance, protection, and traffic plan to make sure the residents could get around.

Village Manager Pappalardo reported on the Middle School Comfort Station, stating that Village staff has moved forward on this project both internally and with the School District. They have identified a preferred location together which is adjacent to the parking lot and the existing irrigation room at the north east corner of the tennis courts. The concerns that both the Village and School District have are playing field encroachment and access to storm drainage and sanitary sewers, as well as the NYS Education Board review and approval process. The Village is hoping to design something in-house that will those standards. If not, they will have to find an engineering firm to do that for them. The Village will continue to work closely with the District representatives during this planning and design stage.

Village Manager Pappalardo next recognized representatives present from the Library team; Diane Greenwald, Secretary of the Library Board and Beth Bermel, Library Director. Capital Projects Manager Paul Zaicek was present to answer any questions.

Ms. Greenwald thanked Mr. Zaicek for all of his work involved with the library project. She noted that other representatives of the project were in the audience – stakeholders and Library Board members. Dara Gruenberg, Building Committee member and President of the Friends of the Scarsdale Library. She also thanked Trustee Jane Veron, liaison to the Library Board.

Ms. Greenwald began the power point presentation, showing the framing and foundations for the new spaces as well as the overall changes to the existing library from photos taken last week. She explained each photo and what each space represents for the completed project. She noted that accessibility is a large part of the project, making sure all people can get to all of the spaces of the library. She also discussed the materials that will be used for the interior of the library including fabrics and paint colors, as well as the different furnishings and shelving.

Library Director Bermel next spoke about the library schedule and budget. She stated that they are now approximately 40% through the project. There were some minor delays, but nothing significant. She stated that the Friends of the Library are still overseeing the campaign and pledge payments are being paid on time – there is about \$400,000 left for this year. The total pledge is now over \$8 million. The paver campaign has been completed and the stone engravings have been checked and will be sent to the quarry and will be engraved soon. This campaign includes over 500 donors.

Ms. Bermel continued, stating that the Library Loft switched over to summer hours, open six days, Monday through Friday and one-half day on Saturday. She discussed several programs they have been working on and collaborations with the Weinberg Nature Center and Scarsdale High School. They will also be doing other collaborations with the Scarsdale Forum, Scarsdale League of Women Voters and the School District over the next year.

Ms. Bermel noted that the Scarsdale Library website has been overhauled. Another project coming up will be the library's strategic plan. They need to keep thinking forward into the future as to how the building will be used and how the library is responding to the community. Community outreach will be done with interviews, roundtables, surveys, retreats, and other sessions. She mentioned that the Spelling Bee will be held on January 31, 2020. There is also a summer read-a-thon that is starting in August for children. Registration is already open.

Ms. Bermel asked if there were any questions at this time.

Mayor Samwick stated that he wanted to make sure that the community is aware that this is a process that has been going on for 7-8 years. A strategic plan was the genesis of this; an enormous amount of thought and effort went into it. Ms. Bermel and her staff have been instrumental, generations of Library Board members have been instrumental, the Friends of the Scarsdale Library have done an unbelievable and unprecedented job in the Village for fundraising and noted Chair Dara Gruenberg in the audience this evening. Mayor Samwick noted the work of Paul Zaicek, Capital Projects Manager, who has been overseeing construction for the Village and has added an enormous amount of experience and professionalism to the process. He continued stating that the Village Attorney, Angela Sapienza-Martin has also been involved. It is a model of dedication; a model of professionalism and collaboration; unprecedented generosity – this project in particular really does take a Village. This is going to be a phenomenal community hub for generations.

Trustee Veron echoed the Mayor's comments. She stated that she had the good fortune of sitting and listening to the deliberations at the Library Board, discussions with the Building Committee and the Friends of the Scarsdale Library. The hours and time that Village residents and staff have put into this was impressive – this group continues to push on. It cannot be understated what an experience it is to see that this project is proceeding with considerable grace and only because of the attention to detail. She stated that she is very excited to see the new library open.

Library Director Bermel stated that she cannot overstate her thanks to the community for their support. She also thanked Village Treasurer Mary Lou McClure for her work involved in this project.

Trustee Lewis congratulated those groups directly involved with the Library project on this extraordinary achievement and stated that it is wonderful to see the vision that went into it and to see the vision take this physical embodiment – its transformational for the space and the community. He noted that one thing that would be fun to help us imagine is the way a transformational space transforms the way we act with knowledge, and the vision that Ms. Bermel has for how it changes the way we learn. He asked her to comment a little on that and since we know the community is a learning community, he asked her to also comment on how the process of learning together might create more neighborliness.

Ms. Bermel stated that this is the cornerstone of public libraries. She stated that she finds that in this technological age, it is even more of a necessity to have a gathering place and to have a third space, which it has been called – not home, not work/school, but another place where you can see your neighbors and share ideas. It is a neutral space for people to learn. The space is really one of the only places in any community where people don't have to pay to be there, can stay as long as they want, is intergenerational -- people from all walks of life congregate there for different reasons. It fulfills a need for people to be social – there are so many opportunities to learn at the library or just read a book.

Ms. Greenwald stated that a quick fact sheet will be posted on the Library website that give specific information on the project.

Mayor Samwick thanked Ms. Greenwald and Library Director Bermel for their presentation.

Public Comments

Mayor Samwick opened public comment at this time, with a reminder that there will be a chime after four minutes that indicates that the speaker has one minute remaining.

Madelaine Eppenstein, 18 Autenrieth Road, stated that she would like to thank everyone here, the support and interest of the Village Board and Trustee Liaison Lena Crandall and former liaison Trustee Ross. She stated that the Friends of the Scarsdale Parks (FOSP) could not do what they do without the collaboration of the Village Board. She stated that the FOSP celebrated its 62nd year in the spring in Scarsdale. She noted that of the hundreds of hybrid oak trees transported in April from Ithaca to municipalities statewide, five were randomly selected to be delivered to Scarsdale and they were planted by the DPW highway staff, and they are gifts of the FOSP to the Village. There are a lot of people to thank, including Superintendent of Parks and Recreation Brian Gray, his Deputy Bob Kaczmarek, his Foreman Rich Strobel, and needless to say DPW Superintendent Jeff Coleman. The FOSP really appreciates the work Mr. Coleman has done as well as his staff and crew who most importantly planted the trees so beautifully. She also thanked the FOSP Board for their support and noted that with her this evening is the Director of the FOSP, Kay Eisenman, a Trustee emerita, CAC Chair emerita, and formerly of the Westchester County Planning Department who she also thanked for her support.

Kay Eisenman, Brewster Road, she stated that she is also a member of the Greenacres Association and well as Friends of the Scarsdale Parks. She stated that she would like to add her thanks to the Village staff and to the Village Board for allowing these five trees to go in George Field which is a somewhat underused park in Greenacres but still quite beautiful. The

recent improvements to the storm drainage area have worked out very well. These trees will only serve to make it more beautiful.

Robert Harrison, 65 Fox Meadow Road, congratulated and thanked Josh Ringel for what he has done over the last 4 years; he has been helpful to him with information on agendas and other items. He wished him all the best in his new position at Tarrytown.

Mr. Harrison stated that the news regarding the proposed comfort station at the Scarsdale Middle School which Village Manager Pappalardo reported on earlier this evening was good news. Some progress is being made and he appreciated the update.

Speaking as the volunteer Director of the Scarsdale Youth Tennis League for the 35th year, it is now July and time for youth tennis. He urged parents to sign their children up as soon as possible for the program for boys and girls between the ages of 6 and 18 years old. He noted that information and applications regarding the summer youth tennis league is available at the Recreation Department. The program begins on Monday, July 15th at 6 pm the Scarsdale Middle School courts. The program is held Monday through Thursday, 6pm to 8 pm for three weeks. The fee is \$50.00 per participant. Everyone will receive a participation trophy. He also noted that there is a lot of flexibility in the program to play other sports; it is not necessary for every player to play every night. For more information, he can be contacted at 914-646-4054 or at his email address, proscars@aol.com.

As no further comments were offered, the Mayor closed the Public Comment portion of the meeting.

Trustee Liaison Reports

Trustee Arest stated that the loss of Josh Ringel is certainly the Village of Tarrytown's gain. He is dedicated, hardworking and approaches everything with a can do attitude. His positivity and enthusiasm are on display and he has heard from many residents how great it has been to work with him. While they don't always agree on everything, his ability to listen and engage in a thoughtful and respectful dialogue is worth noting. Perhaps one day he will find himself back here in Scarsdale. He wished him all the best on all of his future endeavors.

Trustee Veron stated that she had the great pleasure of marching in the 4th of July parade alongside many committed community volunteers. In its 91st year, the parade is sponsored by the Arthur Manor Neighborhood Association which is run so ably by Matt Martin and his board. Volunteer firemen, the Westchester band, and so many Arthur Manor

children and their parents went all out - designing homemade floats, decorating bicycles and tricycles, and organizing food and games. She gave a special shout out to Trustee Lewis, who she believes was a former president of the Neighborhood Association, and who gave a moving historical speech honoring our heritage that was very well done. This celebration is an example of what makes our community so special. There was a tremendous turnout.

Trustee Veron stated that Josh Ringel has been instrumental in moving the Village forward. They have had the opportunity to work together on many occasions. He helped to spearhead Village Center events; met with Scarsdale Taxi several times; worked on creative parking solutions together; had restaurant grand openings together. Residents perceive him to be the problem solver. He is a person who is solution oriented and he listens and make things happen. The Board will miss him; he will do well in Tarrytown. She thanked him for the contributions he has made to the Village and it has been a pleasure working with him.

Trustee Ross stated one of the joys of being a Trustees is the people they serve and the people they work with. He stated that Josh has been a standout among the co-workers. He is very effective at what he does; he is a good listener; you assist the Board and inform and guide them as needed and have earned their respect and trust. He expressed the Board's gratitude and wished him the best in his current position and wherever life takes him.

Trustee Crandall thanked the Friends of the Scarsdale Parks for adding some new plantings at the entranceway to Village Hall; it is greatly appreciated. She stated that she will be reading the resolution later in the evening regarding the gift of the oak trees to George Field Park. The FOSP have been working in partnership with the Village and the community for over 60 years and they are the ones who keep the park in our Village in the park. The work and leadership from Madelaine Eppenstein is greatly appreciated.

Trustee Crandall agreed with everything she has heard from the Mayor and Trustees regarding Josh Ringel. She stated that she has greatly appreciated his enthusiasm, his willingness to work hard and his ability to take care of so many things. She added that she expects to see great things from him. She thanked him for all he has done for Scarsdale.

Trustee Arest

Trustee Arest explained the next resolution regarding the TraCS use and dissemination agreement, reading from a memo submitted by Police Chief Andrew Matturro, which states

that TraCS is an electronic reporting program that allows Scarsdale Police Officers to capture ticket and accident data in an electronic format and to then transmit that data directly to the New York State Police Department of Motor Vehicles and the appropriate court. Scarsdale has been using the accidently reporting module of the TraCS program successfully for many years. The program has been beneficial to date in that it has eliminated penmanship issues and allowed them to submit a more professional product and easy-to-read accident report. Additionally, they have been using the ticket module for the past two years and have realized similar success and efficiency in issuing moving summonses. The resolution is to renew this program for an additional five year period from August 1, 2019 through July 31, 2024. There is no additional cost, the software continues to be free, and there is a termination for convenience with reasonable advance notice given to the State Police.

Upon motion entered by Trustee Arest, and seconded by Trustee Crandall, the following resolution regarding a Use and Dissemination Agreement among the New York State Police, County of Westchester Department of Public Safety, and the Village of Scarsdale Police Department was approved by the vote indicated below:

WHEREAS, the Village of Scarsdale Police Department (SPD) currently participates in the Traffic and Criminal Software Program (TraCS) with the New York State Police (NYSP) and the Westchester County Department of Public Safety (WCDPS), as per a Use and Dissemination Agreement that has been in effect since August 1, 2014, expiring on July 31, 2019; and

WHEREAS, the purpose of the TraCS Program is to facilitate electronic capture of ticket and accident report data in a police vehicle for electronic transfer directly to the NYS Department of Motor Vehicles (DMV) and courts; and

WHEREAS, the TraCS program reduces Scarsdale's administrative paperwork burden, improves the quality of documentation provided to NYS, and enables SPD to automatically deploy the latest TraCS-supported forms; and

WHEREAS, the Police Chief believes it is in the best interest of the Village of Scarsdale to continue participation in the TraCS Program, which requires renewal of the attached five-year Use and Dissemination Agreement with the NYSP and WCDPS, which will continue SPD program access from August 01, 2019, through July 31, 2024; now therefore be it

RESOLVED, that the Village Manager and Police Chief are hereby authorized and

directed to execute the Use and Dissemination Agreement in substantially the same form as attached hereto, and are hereby authorized to undertake all administrative acts as may be required under said Agreement

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	None	None
Trustee Crandall		
Trustee Lewis		
Trustee Ross		
Trustee Veron		
Trustee Waldman		
Mayor Samwick		

Trustee Crandall

Upon motion entered by Trustee Crandall, and seconded by Trustee Veron, the following resolution regarding the Appointment of the Chair to the Conservation Advisory Council was approved by a unanimous vote:

WHEREAS, Ron Schulhof has resigned from his position as Chair of the Conservation Advisory Council (CAC), a one-year term expiring April 06, 2020, resulting in the need to appoint a new Chair to said Council; and

WHEREAS, at their work session on June 11, 2019, the Village Board reviewed and discussed the appointment of current CAC member Michelle Sterling, 6 Brayton Road, to fill said position and herein recommends to the Full Board that Ms. Sterling be appointed to serve the unexpired term of Mr. Schulhof as Chair of the Conservation Advisory Council; now, therefore, be it

RESOLVED, that Michelle Sterling, 6 Brayton Road, is herein appointed as Chair to the Conservation Advisory Council to fill the unexpired term of Ron Schulhof for a term expiring April 06, 2020, or until such time a successor is appointed.

Mayor Samwick congratulated Michelle Sterling and wished Ron Schulhof the very best as a member of the School Board.

Trustee Crandall stated that both Michelle Sterling and Ron Schulhof have certainly done quite a bit to lead the community in the environmental arena and she looks forward to them continuing their collaboration and helping both the Village and School continue to move forward.

Trustee Crandall stated that the next resolution concerns the oak trees that have been discussed; she mentioned the trees in her Trustee comments in past weeks, and we heard about them this evening from Madelaine Eppenstein of the Friends of the Scarsdale Parks in public comments.

Upon motion entered by Trustee Crandall, and seconded by Trustee Veron, the following resolution regarding Acceptance of a Gift – Hybrid Oak Trees for George Field was approved by a unanimous vote:

- WHEREAS,** The genus Quercus (Oak) has over 500 species of trees and shrubs native to regions across the northern hemisphere providing an abundance of ecological, economic, and cultural value; and
- WHEREAS,** trees growing in an urban setting face distinct challenges from trees growing in the wild, including limited soil volume, soil compaction, road/sidewalk salt, soils with high pH, drought stress and others; and
- WHEREAS,** seeking to produce trees tolerant of urban conditions, Cornell University’s Urban Horticulture Institute produced hybrids between many different species of white oak from 2004 – 2006, having developed over 350 unique hybrid genotypes that have been evaluated in controlled research for growth habit, form, and tolerance to disease when subjected to typical urban conditions; and
- WHEREAS,** wanting to test the growth and vigor of the hybrids under “real world” growing conditions, Cornell University announced an opportunity for municipalities to purchase up to five such oaks for \$50 each, plus shipping in the amount of \$453.34, for a total of \$703.34; and
- WHEREAS,** interested in supporting Cornell’s research, as well as in securing some of the hybrid oaks for their aesthetic and educational value, Friends of Scarsdale Parks requested to fund the tree purchase and delivery charges, having also coordinated with the Department of

Public Works to identify an appropriate planting location at George Field; and

WHEREAS, pursuant to Policy #106: “*Gifts to the Village of Scarsdale*” of the Village of Scarsdale Administrative Policies & Procedures Manual, acceptance of all gifts valued at \$500 or greater must be approved by the Village Board of Trustees; now, therefore, be it

RESOLVED, that the Village Board of Trustees hereby accepts the Friends of Scarsdale Parks gift of five hybrid oak trees, valued at \$703.34; and be it further

RESOLVED, that the Village Board of Trustees hereby extends its gratitude to the Friends of Scarsdale Parks for their generosity and to Cornell University for making the hybrid oaks available for municipal purchase.

Trustee Lewis

Before reading the next resolution, Trustee Lewis stated that he would like to bring everyone’s attention to the Memorandum of Agreement regarding the Scarsdale Edgemont Family Counseling Service Youth Service Project. He stated that it is worth a read because it describes the specific resources that are being funded. However, what he really wanted to bring the community’s attention to is the very well-considered budget planning document; specifically the mission statement as it puts the resolution in context. The Scarsdale Community Youth Services Project is program of primary prevention and crisis intervention for youth who are growing up in a period of stress and turbulence. He stated that it is important that we note that this is a very important community resource. Deeper in the document is a description of how Youth Outreach workers teach healthy coping skills and stress management; how they provide strategy, support, and resources for more effective family management. These Youth Outreach workers also define and model healthy relationship skills. He stated that this resolution is an excellent example of local government serving community and bringing resources to bear on an important issues.

Upon motion entered by Trustee Lewis and seconded by Trustee Crandall, the following resolution regarding Authorization to Execute a Memorandum of Agreement with the Village of Scarsdale – Scarsdale Union Free School District, and Scarsdale/Edgemont Family Counseling Service for the FY 2019/20 Youth Services Project was approved by the vote indicated below:

WHEREAS, in 1984 the Village of Scarsdale, Scarsdale Union Free School District and Scarsdale-Edgemont Family Counseling Service recognized the need for a safety net for youth and emotional support for their parents which led to the creation of the Scarsdale Youth Services Project; and

WHEREAS, the Youth Services Project is a partnership of the Village of Scarsdale, Scarsdale Union Free School District and Scarsdale/Edgemont Family Counseling Service that provides challenging programs for youth and parents that build confidence and strengthen the character of youth in grades six through twelve, provides outreach to parents, makes available support groups, offers parenting for prevention strategies as well as other challenging programs; and

WHEREAS, the current agreement expires August 31, 2019, and Scarsdale/Edgemont Family Counseling Service has proffered a successor agreement to the Village which continues to include a provision allowing the School Superintendent and Village Manager limited flexibility to adjust the agreement fee for certain unforeseen personnel matters effecting the provision of counseling services provided by the Scarsdale-Edgemont Family Counseling Services; and

WHEREAS, the term of the proposed agreement is for one year, commencing September 1, 2019, and terminating August 31, 2020, at a total cost of \$516,808, representing a \$34,824 or 7.2% increase year-to-year, to be distributed equally between the Village and Scarsdale Union Free School District at \$258,404 for each government; and

WHEREAS, the 7.2% increase is primarily attributed to the funding of a part-time Program Coordinator for the Drug and Alcohol Task Force, which the partners discussed at multiple membership meetings and determined that such additional assistance was necessary for Scarsdale/Edgemont Family Counseling Service to effectively accomplish its mission; and

WHEREAS, the Village Board provided a \$258,404 appropriation in the adopted FY 2019/20 General Fund Budget for the purposes of funding the Youth Services Project; now, therefore, be it

RESOLVED, that the Mayor and Village Manager are herein authorized to execute the Memorandum of Agreement between the Village of Scarsdale,

Scarsdale Union Free School District and Scarsdale/Edgemont Family Counseling Service, in substantially the same form as attached hereto, and that the Village Manager is further authorized to perform all necessary administrative acts in connection therewith; and be it further

RESOLVED, that all costs associated with this agreement be charged to the FY 2019/20 General Fund Budget Account # A-9990-HUMSV-YOUTH-400 499 not to exceed budgeted appropriations.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	None	None
Trustee Crandall		
Trustee Lewis		
Trustee Ross		
Trustee Veron		
Trustee Waldman		
Mayor Samwick		

Trustee Lewis stated that his second resolution is an authorization to execute Addendum #2 to an agreement with Complus Data Innovations Inc. for Parking Ticket Management Services. He stated that the Village has had a great technological transformation relating to the deployment of Pango, the new pay by phone parking app. This innovation creates other challenges which include the ability of our officers and those who enforce the traffic policies to have the technology to give ticketing in an efficient manner. The detail behind this is in a memo to the Village Manager from Assistant to the Village Manager Ringel. It is worth noting that patrol officers are responsible for roughly 12% of the expired meter tickets, or 2,400 of the 24,000 issued and generated approximately \$125,000 in annual revenue. In order to continue to do so, it is needed to deploy technology and data enabled ticket writing devices to increase accuracy and legibility of these tickets, enhance efficiency, improve service delivery and better evidence through seamless integration of violation photos, parking violations, etc.

Upon motion entered by Trustee Lewis, and seconded by Trustee Crandall, the following resolution regarding Authorization to Execute Addendum #2 to an Agreement with Complus Data Innovations, Inc. for Parking Ticket Management Services was approved by the vote indicated below:

WHEREAS, Complus Data Innovations, Inc., (Complus) of Tarrytown, New York, provides parking ticket management services to the Village of Scarsdale, including the provision of computerized handheld ticket

writer units, data entry of hand written tickets, mailing of past due violation notices, permit management, data storage and maintenance, and employee training on associated hardware and software; and

WHEREAS, the existing Complus Agreement, approved by the Village Board of Trustees via resolution dated December 13, 2016 (attached), for a term expiring December 06, 2019, provides for five handheld ticket writers and associated support in exchange for a fee equal to 8.25% of parking ticket revenue collected, and the subsequent Addendum #1, executed in April 2017 (attached), provides access to the Complus permit management module at no additional fee; and

WHEREAS, in response to the launch of Pango, the new pay-by-phone parking app, the Scarsdale Police Department now needs five additional data-enabled, handheld ticket writers capable of supporting license plate reader technology; and

WHEREAS, in order to provide and support the additional hardware and software, Complus has proposed Addendum #2, which extends the existing Agreement for three additional years and increases their share of parking ticket revenue collected from 8.25% to 9.25%, representing an estimated \$6,000 per year increase in their fee; and

WHEREAS, recognizing Complus has provided satisfactory service under the existing Agreement, meeting Scarsdale's parking management needs and expectations, and the new pricing remains competitive with fees paid by neighboring municipalities, staff recommends approval of Addendum #2; now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to execute Addendum #2 to the Agreement with Complus Data Innovations, Inc., 120 White Plains Road, Tarrytown, NY 10591, in substantially the same form as attached hereto, to provide additional equipment and parking ticket management services, including the provision of five (5) new handheld ticket writer units, for a fee of 9.25% of parking ticket revenues collected; and be it further

RESOLVED, that the cost of the agreement be charged to Village Justice Court Account # A-1110-ADMIN ADMIN – 400 499; and be it further

RESOLVED, that the Village Manager is herein authorized to undertake all administrative acts required pursuant to the terms of the agreement.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	None	None
Trustee Crandall		
Trustee Lewis		
Trustee Ross		
Trustee Veron		
Trustee Waldman		
Mayor Samwick		

Trustee Waldman

Upon motion entered by Trustee Waldman, and seconded by Trustee Veron, the following resolution regarding Acceptance of a Gift – Storage Shed at the Crossway Field Athletic Complex was approved by a unanimous vote:

- WHEREAS,** the Parks, Recreation and Conservation Department provides Independent Sports Organizations access to Village recreational facilities to conduct youth sports programs, including storage space at facilities throughout the PRC field inventory in order to store their equipment and field maintenance supplies; and
- WHEREAS,** the Scarsdale Youth Soccer Club, having lost its equipment storage in transitioning to a new soccer coaching vendor that does not provide storage, wishes to address its storage needs by donating one (1) 10ft. x 10ft. storage shed to be placed at the Crossway Field Athletic Complex for storage of athletic equipment and maintenance supplies; and
- WHEREAS,** Village Public Works Facilities Maintenance crews would provide the necessary labor and material to install the shed at the Crossway Field Complex; and
- WHEREAS,** pursuant to Policy #106: “*Gifts to the Village of Scarsdale*” of the Village of Scarsdale Administrative Policies & Procedures Manual, acceptance of all gifts valued at \$500 or greater must be approved by the Village Board of Trustees; and
- WHEREAS,** the total estimated value of the shed is \$3,500, which the Scarsdale Youth Soccer Club will purchase and provide to the Village to install, own, and maintain on a moving forward basis; now, therefore, be it

RESOLVED, that the Board of Trustees hereby accepts the gift of one (1) 10 ft. x 10 ft. storage shed to be placed at the Crossway Field Athletic Complex for the purpose of storing athletic equipment supplies for both the SYSC and Recreation Department soccer programs; and be it further

RESOLVED, that the Village Board of Trustees hereby extends its gratitude to the Scarsdale Youth Soccer Club for their generosity to the community.

Upon motion entered by Trustee Waldman, and seconded by Trustee Crandall, the following resolution regarding Amending Fiscal Year 2019-20 Recreation Youth Soccer League Fee was approved by the vote indicated below:

WHEREAS, the Village annually reviews its Recreation Fees and Charges with input from the Advisory Council on Parks and Recreation (PRC) and the Board of Trustees' Finance Committee, with the Village Board having last adopted said schedule on January 22, 2019; and

WHEREAS, based on the à la carte services delivery model proposed at the time, the Village Board approved the associated fee schedule for the Recreation Youth Soccer League Program in January 2019, providing for program costs ranging from \$90 to \$365, depending on one's program participation electives; and

WHEREAS, in response to a necessary change in vendors and associated modification to the program service delivery model, involving switching from à la carte services and associated fees to a flat rate fee, the Fiscal Year 2019/20 fee for the Department of Parks, Recreation and Conservation's Youth Soccer League program requires an amendment to a new flat rate fee of \$395 for the Fall 2019 season, which will ensure a program of adequate quality; and

WHEREAS, the new vendor, Stay-in-Town Soccer, provides local area coaches, which improves reliability, utilizes appropriate coach-to-participant ratios within necessary age groups, and includes in their pricing one (1) Saturday game and one (1) weekday training session at no additional cost; and

WHEREAS, PRC has negotiated a three-year contract with Stay-in-Town Soccer, inclusive of a 20% revenue share and additional \$5 per participant

fee, which together will cover all program expenses; now, therefore, be it

RESOLVED, that the Fiscal Year 2019/20 fee for the Department of Parks, Recreation and Conservation’s Youth Soccer League program for participants of age three through 8th grade is herein revised to \$395, inclusive of one (1) Saturday game and one (1) weekday training session.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	None	None
Trustee Crandall		
Trustee Lewis		
Trustee Ross		
Trustee Veron		
Trustee Waldman		
Mayor Samwick		

Trustee Veron

Trustee Veron stated that she has the pleasure of reading the following resolution about yet another community building activity. So far this evening we have seen the library, which is envisioning another way for the community to gather, the parade – one of the things that she hopes residents understand is that they care so much about bringing community together.

Upon motion entered by Trustee Veron, and seconded by Trustee Crandall, the following resolution regarding Scarsdale Business Alliance “Scarchella” Music Festival was approved by a unanimous vote:

WHEREAS, the Scarsdale Business Alliance (SBA), comprised of Scarsdale merchants, has requested permission to hold a music festival this fall entitled the “Scarchella” Music Festival on Saturday, September 14, 2019, from 12:00 PM to 6:00 PM; and

WHEREAS, the name Scarchella is a play on words based on the Coachella Valley Music Festival, commonly called “Coachella” which is held annually at the Empire Polo Club in Indio, California; and

- WHEREAS,** in addition to various musical acts in Chase Park, Scarchella includes food trucks, self-contained wine tasting tents and various activities for children; and
- WHEREAS,** Scarchella requires the temporary closure of Boniface Circle and a portion of Chase Road, as identified on the attached map, with the Scarsdale Police Department overseeing the street closures, providing traffic control and oversight of the wine tents during the event; and
- WHEREAS,** a significant crowd is anticipated in the Village Center for this event and as such a Scarsdale Fire Captain and Firefighter will be assigned to fire watch duties by monitoring the event area for any hazardous conditions and to manage any potential evacuation of the area; and
- WHEREAS,** Scarchella will require both the provision of electricity to specific areas/vendors and the systematic removal of garbage throughout the day, and as such, two Department of Public Works personnel are scheduled to work the event; and
- WHEREAS,** all other licenses and permits relative to tents, assembly, amusement devices, or sale of food must be secured in advance by SBA, with any necessary permits displayed on-site during the event for inspection; and
- WHEREAS,** upon completion of the event, the participants will restore all public areas utilized to their original condition; now therefore be it
- RESOLVED,** that the Village Board of Trustees herein grants permission to the Scarsdale Business Alliance to hold the Scarchella Music Festival in the Village Center on Saturday, September 14, 2019, to include musical entertainment on Chase Road, food trucks, wine tents and kids activities, conditioned upon the timely receipt of a certificate of insurance naming the Village of Scarsdale as an additional insured; and be it further
- RESOLVED,** that the Village Manager is herein authorized to execute the attached Village Special Event Permit form.

Mayor Samwick gave a special thank you to the Scarsdale Business Alliance. In a very short period of time it has done an exceptional job and is really helping to bring vitality into the Village Center.

Trustee Veron noted that one of the Village's newly formed Boards, the Arts Advisory Council has been working in concert with the SBA – again, tremendous collaboration in this Village.

Upon motion entered by Trustee Veron, and seconded by Trustee Crandall, the following resolution regarding Acceptance of a Gift for the Scarsdale Public Library Addition and Renovation Project was approved by a unanimous vote:

WHEREAS, the Scarsdale Library Master Plan, dated June 10, 2013, supported by the Scarsdale Village Board of Trustees via resolution dated April 8, 2014, identified a number of building renovations and additions that would transform the Library into a multi-purpose community asset for future generations, maintain its preeminent status among free public libraries in the County and State, enhance its technological capacity to further library services, and create a physical environment constituting a welcoming and versatile learning center; and

WHEREAS, the Library Addition and Renovation Project is anticipated to cost \$20,176,755, inclusive of a 5% construction cost contingency, with over \$8,000,000 in project funding already raised through the Library Capital Campaign, courtesy of the philanthropy exhibited by Scarsdale residents; and

WHEREAS, the following donations has been offered to the Scarsdale Public Library Addition and Renovation Capital Improvement Project: \$33,434 from Friends of the Scarsdale Library, and \$1,000 from The Henry Laird Smith Foundation at the direction of Jeannette Sloan Warner.

WHEREAS, pursuant to Policy #106: “*Gifts to the Village of Scarsdale*” of the Village of Scarsdale Administrative Policies & Procedures Manual, acceptance of all gifts valued at \$500 or greater must be approved by the Village Board of Trustees; now, therefore, be it

RESOLVED, that the Village Board hereby accepts the following gift toward the Scarsdale Public Library Master Plan Improvement Project: \$33,434 from the Friends of the Scarsdale Library, and \$1,000 from The Henry Laird Smith Foundation; and be it further

RESOLVED, that the Village Treasurer take the necessary steps to complete the transaction and accept the financial gift totaling \$34,434 and deposit said funds into the Library Capital Campaign Account; and be it further

RESOLVED, that the Board of Trustees hereby extends their heartfelt thanks and great appreciation to the Friends of the Scarsdale Library and The Henry Laird Smith Foundation for their generosity and commitment to the Scarsdale Public Library and the community it serves.

* * * * *

Written Communications

Village Clerk Conkling reported that two (2) communications have been received since the last regular Board of Trustees meeting. She noted that all written communications may be viewed on the Village's website at www.scarsdale.com.

- An email from Michelle Lichtenberg regarding conditions in front of 66 Greenacres Avenue and concerns about the size of a loading area on Harwood Court.
- An email from Julie Zhu, 11 Harcourt Road regarding the Butler Field lights proposal.

* * * * *

There being no further business to come before the Board the meeting adjourned at 9:15 P.M.

Donna M. Conkling
Village Clerk

RESOLUTION RE: INTER-MUNICIPAL AGREEMENT WITH TOWN OF MAMARONECK TO REPRESENT THE TOWN OF SCARSDALE IN A GRIEVANCE PROCEEDING AND ANY OTHER SUBSEQUENT PROCEEDINGS CHALLENGING THE 2019 ASSESSED VALUATION

WHEREAS, A Grievance petition challenging the 2019 assessed valuation has been filed for a property co-owned by a current member of the Scarsdale Town Board, located within the Town/Village of Scarsdale at 227 Fox Meadow Road; and

WHEREAS, to preserve the integrity of the parties and prevent a potential conflict of interest or the appearance of impropriety, it is in the best interest of all parties that this application be reviewed by an alternate Assessment Review Board; and

WHEREAS, the Village Attorney, appointed by the Village Board of Trustees, serves as Counsel to the Town of Scarsdale and may be called upon to advise, appear and defend grievances and SCAR proceedings involving the Town; and

WHEREAS, the Town Assessor, appointed by the Town Board, is charged, together with the Town Counsel, with the responsibility of defending grievances and SCAR petitions; and

WHEREAS, the Town of Mamaroneck has agreed to represent the Town of Scarsdale in the aforementioned grievance and any subsequent proceedings regarding this case; and

WHEREAS, General Municipal Law § 119-o authorizes a municipality to jointly enter into or assign a municipal function to another municipality by execution of an inter-municipal agreement with that municipality; and

WHEREAS, New York State Real Property Tax Law § 523 authorizes the execution of an inter-municipal agreement with another municipality in the county to permit the hearing of the complaint in another municipality; now therefore be it

RESOLVED, that the Town/Village Manager is herein authorized to execute an Inter-Municipal Agreement with the Town of Mamaroneck in substantially the same form as attached hereto and conditioned on the execution of same by the Town of Mamaroneck, for the Mamaroneck Town Board of Assessment Review (BAR) to review and render its decision on the Petitioners' Grievances, and to further have the Assessor for the Town of Mamaroneck

represent the Town of Scarsdale in the grievance proceeding and any subsequent proceedings involving the challenge to the 2019 assessed valuation of the property located within the Town/Village of Scarsdale at 227 Fox Meadow Road; and be it further

RESOLVED, that the Town of Scarsdale shall abide by any recommendation from the Town of Mamaroneck Assessor or any determination from the grievance and SCAR proceeding should one be filed; and be it further

RESOLVED, that the Town of Scarsdale shall reimburse the Town of Mamaroneck for any and all costs in connection with the grievance proceedings for said property and any other proceedings challenging the 2019 assessed valuation.

Submitted by: Village Manager

Date: July 17, 2019

For: July 23, 2019

**AGREEMENT PURSUANT TO SECTION 523 OF THE NEW YORK STATE REAL
PROPERTY TAX LAW BETWEEN THE TOWN OF MAMARONECK AND THE
TOWN OF SCARSDALE FOR THE BOARD OF ASSESSMENT REVIEW OF THE
TOWN OF MAMARONECK TO HEAR A TAX ASSESSMENT GRIEVANCE FILED
BY A CURRENT MEMBER OF THE VILLAGE BOARD OF TRUSTEES OF THE
VILLAGE/TOWN OF SCARSDALE**

THIS AGREEMENT (the “Agreement”) is made this ____ day of _____ 2019, by and between the Town of Mamaroneck (“Mamaroneck”), a municipal corporation organized and existing under the laws of the State of New York, with its principal place of business located at 740 West Boston Post Road, Mamaroneck, New York, and the Town of Scarsdale (“Scarsdale”), a municipal corporation organized and existing under the laws of the State of New York, with its principal place of business located at 1001 Post Road, Scarsdale, New York, with regard to the hearing and determination of an assessment challenge filed by a current member of the Scarsdale Board of Trustees.

WHEREAS, General Municipal Law § 119-o authorizes a municipality to enter into or assign a municipal function to another municipality by executing an inter-municipal agreement with that municipality, and

WHEREAS, a member of the Town Board of Trustees has a direct or indirect interest in a property for which a complaint has been filed and New York State Real Property Tax Law § 523 authorizes the execution of an inter-municipal agreement with another municipality in the county to permit the hearing of the complaint in the other municipality, and;

WHEREAS, Lena Crandall, a Scarsdale resident and property owner, was elected to the position of Village Trustee and has served in that capacity since April 2018, and

WHEREAS, the Town/Village of Scarsdale are coterminous and in accordance with Village Law § 17-1708, members elected to the position of Village Trustee also serve as members of the Town Board, and

WHEREAS, Jeffrey Crandall filed a complaint to challenge the 2019 tentative assessment for the property he resides in with his wife, Lena Crandall, the owners of record for the property, located at 227 Fox Meadow Road, Scarsdale, New York 10583, further identified as Section 04, Block 01, Lot 794 on the Town of Scarsdale Tax Map (“Property”), and

WHEREAS, the Village Attorney, appointed by the Village Board of Trustees, also serves as Counsel to the Town of Scarsdale and may be called upon to advise, appear, and defend grievances and SCAR proceedings involving the Town of Scarsdale, and

WHEREAS, the Town Assessor is appointed by the Town Board, to which, Lena Crandall is a member, and together with Counsel to the Town, is charged with the responsibility of defending grievances and SCAR petitions, and

WHEREAS, the Board of Assessment Review of the Town of Scarsdale hears grievances filed by owners of real property located within the Town of Scarsdale, and

WHEREAS, the members of the Board of Assessment Review of the Town of Scarsdale are appointed by the Town Board of the Town of Scarsdale, and

WHEREAS, pursuant to New York State Real Property Tax Law § 523, Lena Crandall in her role as a member of the Board of Trustees of the Village of Scarsdale, has a direct interest in said complaint as the wife of Jeffrey Crandall and part owner of the Property, and

WHEREAS, to avoid a conflict of interest, or the appearance of impropriety on the part of the Scarsdale Board of Assessment Review, the Town of Mamaroneck’s Board of Assessment Review has agreed to hear the complaint of Jeffrey and Lena Crandall and render a decision on

such complaint, which will be upheld by the Scarsdale Board of Assessment Review, now therefore be it;

RESOLVED, in exchange of the mutual covenants expressed, the Town of Mamaroneck and the Town of Scarsdale agree as follows:

1. The Scarsdale Town Assessor shall refer Petitioners' 2019 grievances and SCAR petitions, should any be filed, to the Town of Mamaroneck to take any and all appropriate action, including defending the 2019 property assessment.
2. a) Scarsdale grants the Assessor for the Town of Mamaroneck the authority to take any and all appropriate action to defend the Property's 2019 assessment before the Mamaroneck BAR and in Court in a SCAR proceeding should the petitioner file a SCAR proceeding challenging the Property's 2019 assessment.
b) Scarsdale also grants the Mamaroneck Assessor the authority to negotiate a resolution of the Petitioner's Grievance and will abide by and/or approve any settlement that the Mamaroneck Assessor may reach with the Petitioner or his/her representative.
c) If the Mamaroneck Assessor deems an appraisal of the Property be necessary, Mamaroneck shall order such appraisal and Scarsdale shall reimburse Mamaroneck for the cost of such appraisal. Scarsdale also shall pay Mamaroneck for any and all costs in connection with Mamaroneck Assessor's time, and for additional appraisals, if needed.
3. This Agreement shall terminate and all obligations that the Mamaroneck Assessor must perform hereunder shall cease if (a) the Petitioners do not file a SCAR proceeding or commence a proceeding pursuant to Article 7 of the Real Property Tax Law after the Mamaroneck Board of Assessment Review (BAR) renders its decision on the Petitioners' Grievances or (b) a SCAR proceeding is adjudicated by the Supreme Court of the State of

New York or (c) the Mamaroneck Assessor negotiates a resolution of the Petitioners' Grievances or (d) the Petitioners commence either (i) a proceeding pursuant to Article 7 of the Real Property Tax law after the Mamaroneck BAR renders its decision on the Petitioners' Grievances, (ii) an Article 78 proceeding challenging the determination made by the Supreme Court of the State of New York in a SCAR proceeding or (iii) any other litigation challenging the Property's 2019 assessment, it being understood that this Agreement does not authorize or require the Mamaroneck Town Board, the Mamaroneck Assessor, the Mamaroneck Board of Assessment Review or any of its other officers, employees, consultants, representatives, attorneys or volunteers to represent the Town of Scarsdale in any litigation other than the Mamaroneck Assessor representing the Town of Scarsdale in a SCAR proceeding brought by Petitioners to challenge the Property's 2019 assessment.

4. The respective representatives of each municipality, who execute this Agreement on behalf of their respective municipal corporations, are duly authorized and empowered to execute this Agreement.
5. Any and all notices, communications, payments and demands required under this Agreement shall be made in writing, addressed as follows, or to such other address as may be hereafter designated, in writing, by each party hereto.

- a. To Mamaroneck:

Town Administrator
Town of Mamaroneck
740 West Boston Post Road
Mamaroneck, New York 10543

b. To Scarsdale:

Town/Village Manager
Town/Village of Scarsdale
1001 Post Road
Scarsdale, New York 10583

6. This Agreement contains the entire understanding of the parties who hereby acknowledge that there has been and are no representations, warranties, covenant or understandings other than those expressly set forth herein.
7. Neither this Agreement nor any provision hereof, shall be amended or modified, or deemed amended or modified, except by an agreement in writing duly subscribed and acknowledged by all parties to this Agreement with the same formality as this Agreement.
8. This Agreement shall be binding upon, and for the benefit of, the parties, their heirs, successors and assigns.
9. All matters affecting the interpretation of this Agreement and the rights of the parties hereto shall be governed by the laws of the State of New York.

IN WITNESS THEREOF, Towns of Mamaroneck and Scarsdale have agreed to the terms and conditions set forth therein.

Stephen M. Pappalardo, Town/Village Manager

Date

Stephen V. Altieri, Town Administrator

Date

