

THREE THOUSAND THREE HUNDRED EIGHTEENTH
REGULAR AGENDA MEETING

Rutherford Hall
Village Hall
January 8, 2019

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

Present were Mayor Hochvert, Trustees Arest, Callaghan, Crandall, Finger, Ross, and Veron. Also present were Village Manager Pappalardo, Deputy Village Manager Cole, Village Attorney Angela Sapienza-Martin, Assistant Village Manager Richards, Deputy Village Attorney Garrison, Village Treasurer McClure, Village Clerk Conkling, and Assistant to the Village Manager Ringel.

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The minutes of the Board of Trustees Regular Meeting of Tuesday, December 26, 2018 were approved on a motion entered by Trustee Crandall, seconded by Trustee Finger and carried unanimously.

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Bills & Payroll

Trustee Veron reported that she had audited the Abstract of Claims dated January 8, 2019 in the amount of \$471,223.27 which includes \$0 in Library Claims previously audited by a Trustee of the Library Board which were found to be in order and she moved that such payment be ratified.

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

RESOLVED, that the Abstract of Claims dated January 8, 2019 in the amount of \$471,223.27 is hereby approved.

Trustee Veron then reported that she had examined the payment of bills made in advance of a Board of Trustees audit totaling \$825,509.68 which were found to be in order and she moved that such payments be ratified.

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

RESOLVED, that payment of claims made in advance of a Board of Trustees audit totaling \$825,509.68 is hereby ratified.

Mayor's Comments

Mayor Hochvert stated that since the last meeting of the Board, he has been busy right through the holidays, mostly with family, but there were some Mayoral activities. He stated that he was deposed regarding the distribution of signs in the right-of-way on December 12th.

On December 14th, Mayor Hochvert noted that he attended a meeting of the Drug and Alcohol Task Force. He stated that Trustee Crandall will elaborate on this meeting during her reports. That evening, the Mayor stated that he attended a Volunteer Fire Company #3 gathering.

On December 16th, Mayor Hochvert welcomed a new priest, Father Lynch, at Immaculate Heart of Mary Church. After that, he attended Eliot Engel's Christmas gathering, which was an overflow crowd from all parts of his area.

On December 19th, Mayor Hochvert stated that he and several of the Board members did a tour of the Library project. What they saw was predominantly an empty shell – he noted that it is a much larger building when you can see from one end to the other. It will be wonderful when it is finished, of course.

Mayor Hochvert stated that on December 24th, 28th, and 31st, he conducted wedding ceremonies in Rutherford Hall. He noted that one of couples had come to Scarsdale from New York City – she is an opera singer and her husband is a musician, stated that they came to Scarsdale for their wedding because she comes to shop here all the time and added that Scarsdale has a wonderful downtown.

On January 4th, a Police Promotion Ceremony was held for Sergeant Denis Castro, and two new recruits were welcomed and sworn in, Aiden Sullivan and Anthony Mery.

This evening, the Board had a Committee of the Whole meeting regarding the Freightway Redevelopment Project, about which Trustee Veron will report on.

On Sunday, January 6th, the Mayor stated that he walked through a couple of possible projects with an Eagle Scout candidate. The Scout is focusing primarily on Red

Maple Swamp which needs some rehabilitation, and the Mayor stated that he believes he will do a great job.

Trustee Committee and Liaison Reports

Trustee Crandall wished everyone a Happy New Year. She made the following comments:

“Please add zero-waste to your resolution list. The latest addition to the Recycling Center is a "Take-it-or-Leave-it" shed. All Scarsdale residents are welcome to take or leave an unwanted household item, bicycle, or whatever might still have a purpose. Look at www.scarsdale.com for more information on ways to turn your garbage into something useful.

The Scarsdale Drug & Alcohol Task Force held a program on December 7th featuring guest speaker, Luke Niforatos, Senior Policy Advisor at Smart Approaches to Marijuana, also known as SAM. The mission of SAM is to align marijuana policies with reputable science and public health principles. See www.scarsdaledatf.com and www.sam-ny.org for more information. This is a timely topic as most of you must know, New York State is considering legalizing marijuana and there is a lot of data to study – please take a look.

On December 12th, I attended a conference on “Confronting Climate Change: What to Expect in Our Region.” What's the key takeaway? We need to build for likely weather conditions in the year 2050. View the presentations by Cornell University scientists and a NYS meteorologist on the Westchester County Soil & Water Conservation District website: www.westchestergov.com/planning/soil-and-water-conservation to see all the presentations. It was very well done with a lot of science and data presented.

The general goal of sustainability is already part of the vision for the Freightway Project. You will hear more about Freightway and our meeting this evening from Trustee Jane Veron; however, if you have more specific or other ideas, please attend the public hearing on Tuesday, January 22nd at 6:30 pm here in Village Hall. You can also write to Mayor@scarsdale.com with a copy to Village Clerk Donna Conkling at dconkling@scarsdale.com. But of course, please do some homework first: read the extensive materials on the Village website at www.scarsdale.com.

This morning I toured the Scarsdale Public Library construction site. I was happy to see that the root zones of the remaining trees were protected from soil compaction. I'd like to thank Scarsdale Village Project Manager Paul Zaicek for keeping a watchful eye on this and other details. And just so the community knows, Bartlett Tree Experts arborist Mike

McGowen provided a free consultation to the building company with respect to how far to protect the root zones. Things were done as best as they could be done on a construction site, and in my opinion, the trees have a good chance of survival.

Next Monday, January 14th, there's an Aging-in-Place program entitled "The Older & Wiser Driver" at 10:40 am, in the Girl Scout House on Wayside Lane. This program is free and open to the public. Contact Maryellen Saenger, Aging-in-Place Coordinator, at (914) 723-3281 with your aging-related concerns.

Lastly, I'd like to take a moment to remember Howie Nadel. He passed away unexpectedly on December 19th. Howie was known as the "Unofficial Mayor of the Scarsdale Pool." I knew Howie from the Scarsdale Forum where he served as President. He had a distinguished career as a pharmacist at Jacobi Medical Center. He founded the Research Center for the North Bronx Healthcare Network and was awarded the Smithsonian Medal for 21st Century Innovation Technology. But I'll always remember Howie as a valuable member of our 'Scarsdale Family of Volunteers.' Our thoughts and prayers go out to his wife, Deardre, and their children Steven and Ellen.

Trustee Callaghan added his comments regarding Howard Nadel. He stated that he and Howard go back over thirty years; he met him a Jacobi Medical Center. He and two other gentlemen had a significant impact on me sitting in this chair for two terms. He was a wonderful person who helped him out a lot.

Trustee Ross stated that this Thursday, January 10th at 8:00 pm in Village Hall, the Scarsdale Forum and League of Women Voters will hosting a panel discussion entitled "Taxes 10583 – Where your Village Taxes Go – an Overview". Participants in the discussion will include Village Manager Steve Pappalardo, Village Treasurer Mary Lou McClure, Police Chief Andrew Maturro, Fire Chief James Seymour, and Superintendent of Public Works Benny Salanitro. The program promises to be very informative and is also very well timed. The Board's budget discussions for 2019-2020 Fiscal Year will begin with a Finance Committee meeting in Village Hall on January 17th at 6:30 pm. There will also be a number of other Finance Committee meetings leading up to the adoption of the budget. The dates and times of those meetings all appear on the Village website and also on the website there is a schedule of those meetings available in PDF format. The meetings are all open to the public and interested residents are encouraged to attend them.

Trustee Veron stated that in regard to the meeting held this evening regarding the Freightway Redevelopment Project, the Village received RFEIs and the Board had an opportunity to begin a conversation that will form the RFP. The Board met in Executive Session and to explain to the community, there will be some matters that the Board must discuss in Executive Session; those matters which may impact the value of real property. The Board will continue to update the community on the process.

Where we can speak publicly, we will constantly speak publicly, and where we cannot we will do so in Executive Session given the fact we are going to engage in negotiation and need to do so to the best of our ability to get the best result for the Village.

Trustee Veron then read a letter of invitation to the community.

Trustee Veron stated that “I would like to invite Scarsdale residents, business owners, and all other interested parties to participate in the Freightway public feedback session scheduled for Tuesday, January 22, 2019 at 6:30 pm at Village Hall. As we move forward on one of the most important impactful developments in Scarsdale’s recent history, we continue to seek your input. Together we have been reimagining possibilities for the Freightway site, a 2.38 acre Village owned parcel of land situated adjacent to the commuter rail in the heart of Scarsdale’s Village Center. The site is marked by an aging parking infrastructure built in 1972 as well as nearby service lots. At our November 24, 2018 meeting, we shared with the public the seven conceptual plans we received from the development community in response to our RFEI, which is a request for an expression of interest, issued July 16, 2018. For your ease of review, we uploaded the submissions to the website, www.scarsdale.com, under the Planning Department tab entitled Freightway site in promised time for your reflection and comment. We have been working diligently for years to arrive at this very exciting moment for Scarsdale. After many decades of discussion with multiple studies, our community is now ready to embrace the promise of this site. In 2010, the Village Center update to the Comprehensive Plan laid the framework for a redevelopment. In March 2017, we embarked on a community wide listening and visioning study, producing a final report that established principles that guided the RFEI process. Now we are at the stage where we will draft an RFP, Request for Proposal, which we plan to circulate to the development community in the coming months. You, our residents and stakeholders, have been with us every step of the way. Please join us on January 22nd and/or send your written remarks to the Village Clerk. To receive notifications about Freightway, and other Village initiatives and services, please enroll in Notify Me on www.scarsdale.com.”

Trustee Veron stated that in an effort to communicate regularly and in as many channels as possible, she plans to submit this letter to the Scarsdale Inquirer, to Scarsdale 10583, and post online. She stated that she really wants to try to get residents to turn out for the meeting.

Trustee Veron then reported on an important meeting that is being held on January 23rd. The Village, in partnership with the School District and the Public Safety officials, the business community, and houses of worship has been working collaboratively to forge a comprehensive approach to safety and security for the Village. The Village has strongly worked towards forging relationships and ties between Village and the rest of the community. She strongly encouraged residents and business owners to attend the meeting and participate in the conversation.

Trustee Veron then reported on the Village Center. She stated that the Scarsdale Business Alliance (SBA) continues to work to foster events and opportunities for patronizing their establishments in the Village Center. She stated that she was at their meeting this morning where they were planning events for the spring, for example, health and wellness as well as fine wine and dining. One exciting highlight is the soft opening of a Mediterranean cuisine restaurant and bar; she stated that it is beautiful inside. She encouraged residents to enjoy the atmosphere and let the restaurant know that they are interested in being welcomed to Scarsdale. Also, Il Forno, a newer establishment in Scarsdale is looking to modify menus and to provide more options to for Scarsdale residents. She stated she is delighted by the outreach that they have gotten from the business community in order to make sure that they provide what the residents seek.

Mayor Hochvert accented the fact that the auditorium of the Scarsdale High School is reserved for the meeting that Trustee Veron mentioned concerning the community forum on safety and security. It is a large room but they hope that by 7:00 pm it is filled with all the people who are concerned about safety and security throughout all of Scarsdale. There will be a lot of expertise to share things that most people aren't connected with.

Trustee Callaghan reported that he had joined the Mayor for Eliot Engel's Holiday party and there were many people present. He stated that he also attended the Edgewood School 100th anniversary event. A time capsule had been made 25 years ago which was pulled out and inspected.

Trustee Callaghan stated that a Holiday party was held at Lynne Clark's house; Maryellen Saenger is starting a program to reach out to all seniors – both the homebound ones and also those trying to become more involved in the Village.

Lastly, Trustee Callaghan reported that the Board of Appeals heard 7 cases at its last meeting; most of them concerned swimming pools.

Trustee Finger noted that his 3rd and 4th grade teachers were at the Edgewood School anniversary event, and that his 1st grade teacher was at the Veteran's Day event last year.

Public Comment

Mayor Hochvert opened the microphone for public comment. As no comments were offered, the Mayor closed the Public Comment portion of the meeting.

Finance Committee

Upon motion entered by Trustee Ross, 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 Board completed a Master Plan dated June 10, 2013, which identifies a number of building renovations and additions that will increase the capacity of the library to provide a broader range of rapidly evolving library services while maintaining popular traditional collections and programs by offering a more balanced utilization of the building space within a safe, attractive and inviting comfortable environment, said master plan supported by the Scarsdale Village Board of Trustees via resolution dated April 8, 2014; and
- WHEREAS,** the improvements identified in the Master Plan will 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 that will be a welcoming and versatile learning center; and
- WHEREAS,** the Scarsdale Public Library Board, at their October 21, 2013 meeting, authorized the retention of the fund raising consulting firm of Plan A Advisors, P.O. Box 165, Thornwood, NY 10594, to design and conduct a capital campaign to implement such a project, subsequently identified in the July 20, 2015, Schematic Design Report prepared by Dattner Architects, at an estimated construction cost of \$16,500,000 and total project cost of approximately \$19,500,000; and
- WHEREAS,** in accordance with a Village Board request at a March 07, 2016, Committee of the Whole meeting, the Library Board and Architect value engineered the schematic design plans, reducing the total project cost to \$17,900,000, as identified in Option A-1, which the Architect presented at the July 19, 2016, Committee of the Whole meeting; and
- WHEREAS,** on December 13, 2016, the Village Board of Trustees authorized a \$9,900,000 bond to pay part of the \$17,900,000 addition and renovation of the existing Scarsdale Public Library Building, with the remainder of the \$17,900,000 to be paid by private donations and grants; and

WHEREAS, on January 09, 2017, and with thanks to Assemblywoman Amy Paulin, the New York State Dormitory Authority awarded the Village of Scarsdale a \$500,000 State and Municipal Facilities Program grant in support of the project, with the execution of a grant agreement pending upon completion of various program review requirements; and

WHEREAS, on February 13, 2018, the Village Board amended the December 2016 Bond Resolution to provide for an increased total library addition and renovation construction cost of \$18,400,000, to be funded by a \$9,900,000 bond combined with \$500,000 from funds previously appropriated from the Village and the Library unassigned fund balances for the Supply Field temporary library and professional service contracts, respectively, and \$7,500,000 to be paid from private donations and grants, including the aforementioned \$500,000 State and Municipal Facilities Program grant; and

WHEREAS, on June 26, 2018, the Village Board awarded library construction contracts which contributed to an increase in the overall project cost, now totaling an estimated \$20,176,755, inclusive of a 5% construction cost contingency, with total available funding of \$20,275,501, reflecting new Library General Fund and Trust Fund transfers and an additional \$500,000 in donations through the Library Capital Campaign, which brings the fundraising total to \$8,000,000; and

WHEREAS, the following donation has been offered to the Scarsdale Public Library Addition and Renovation Capital Improvement Project: Friends of the Scarsdale Library - \$133,540.36.

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: \$133,540.36 from the Friends of the Scarsdale Library; and be it further

RESOLVED, that the Village Treasurer take the necessary steps to complete the transaction and accept the financial gift totaling \$133,540.36 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 for their generosity and commitment to the Scarsdale Public Library and the community it serves.

Mayor Hochvert stated that he couldn't imagine any Village the size of Scarsdale raising \$8 million from people for the library project. He noted that Ms. Gruenberg, sitting in the audience deserves some credit for this.

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Law Committee

Upon motion entered by Trustee Finger, and seconded by Trustee Crandall, the following resolution regarding the 2019 Village Election was approved by a unanimous vote:

RESOLVED, that pursuant to Section 15-104 of the Election Law, the Village election shall be held on Tuesday, March 19, 2019 between the hours of 6:00 a.m. and 9:00 p.m. and be it further

RESOLVED, that the polling place for all Election Districts, #1 through #19, will be at Village Hall, if uncontested, or the Scarsdale Congregational Church if contested, and be it further

RESOLVED, that qualified registered voters who reside within Westchester County may be inspectors of election for Village elections held in Scarsdale.

Trustee Arest thanked the Village Clerk and Village Manager for changing the voting hours so that there is no longer a gap between voting hours on Village Election Day. The gap in voting hours had been confusing to voters in the past. He stated that this is a great improvement. Trustee Veron added that this was discussed last year and was also happy to see the hours changed.

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Upon motion entered by Trustee Finger, and seconded by Trustee Crandall, the following resolution regarding Calling for a Public Hearing on a Local Law to Amend Sections

310-2, 310-12, 310-67, 310-70, & 310-89 of Chapter 310 of the Scarsdale Village Code Entitled Zoning was approved by the vote indicated below:

RESOLVED, that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Scarsdale to be held in Rutherford Hall in Village Hall on Tuesday, January 22, 2019, at 8:00 p.m. to consider a proposed local law to amend Sections 310-2, 310-12, 310-67, 310-70 & 310-89 of Chapter 310 of the Scarsdale Village Code, Zoning; and be it further

RESOLVED, that the Village Clerk is hereby directed to publish notice of said hearing pursuant to Village Law.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	None	None
Trustee Callaghan		
Trustee Crandall		
Trustee Finger		
Trustee Ross		
Trustee Veron		
Mayor Hochvert		

Mayor Hochvert stressed that the proposed amendment does not restrict the sale of guns; it restricts the location from which they could be sold.

Municipal Services Committee

Upon motion entered by Trustee Veron, and seconded by Trustee Crandall, the following resolution regarding the Award of VM Contract #1246 – Furnish and Deliver Water Meters was approved by the vote indicated below:

WHEREAS, the Village of Scarsdale Water Department receives, pumps, treats, and distributes potable water to approximately 5,800 accounts, consisting of both village residents and residents of Eastchester Water District #1; and

WHEREAS, there are older water meters located throughout the service area that either do not have remote reading capability, under-report water usage, or have otherwise failed with age, therefore necessitating replacement; and

WHEREAS, it is critical that water meters feature up-to-date technology and function properly in order to accurately measure water usage, enable remote reading, and reduce field labor costs; and

WHEREAS, the bid solicitation for VM Contract #1246 – Furnish and Deliver Water Meters was published in the Scarsdale Inquirer on Friday November 30, 2018, posted to the New York State Procurement site, Bidnet, and distributed directly to two known meter vendors; and

WHEREAS, on the bid opening date, December 18, 2018, two sealed bids were received, as per the attached bid tabulation sheet, with the lowest responsive bid received from Rio Supply, Inc., 100 Allied Parkway, Slickerville, NJ 08081, in the amount of \$50,160 to supply Neptune brand water meters in the required sizes and quantities; now, therefore, be it

RESOLVED, that VM Contract # 1246 – Furnish and Deliver Water Meters be awarded to the lowest responsive bidder, Rio Supply, Inc., 100 Allied Parkway, Slickerville, NJ 08081, for the unit bid prices as specified in the bid tabulation sheet, for an estimated total expense of \$50,160, which is within the budgeted appropriation; and be it further

RESOLVED, that the cost of same be charged to the Water Enterprise Budget, Account No. EWS-8310-DSTRB-OP/MT- 400-424; and be it further

RESOLVED, that the Village Manager is hereby authorized to execute VM Contract #1246 on behalf of the Village of Scarsdale with Rio Supply, Inc., 100 Allied Parkway, Sicklerville, NJ 08081 and to undertake administrative acts as may be required pursuant to the terms of the Agreement.

AYES

Trustee Arest
Trustee Callaghan
Trustee Crandall
Trustee Finger
Trustee Ross
Trustee Veron
Mayor Hochvert

NAYS

None

ABSENT

None

Personnel Committee

Upon motion entered by Trustee Arest, and seconded by Trustee Crandall, the following resolution regarding an Appointment to the Advisory Council on Scarsdale Senior Citizens was approved by a unanimous vote:

- WHEREAS,** the Advisory Council on Scarsdale Senior Citizens was created in 1985 by Resolution of the Village Board of Trustees to advise and assist the Village Board in matters concerning the senior citizens of the Village of Scarsdale; and
- WHEREAS,** pursuant to the Council's Constitution, membership shall be comprised of such number of Scarsdale residents as may be appointed by the Village Board, each for a two-year term; and
- WHEREAS,** the Village Board's Personnel Committee met on December 10, 2018, and discussed the application of Tama Seife, 21 Circle Road, for a position on the Advisory Council on Scarsdale Senior Citizens; and
- WHEREAS,** the Personnel Committee recommends to the full Village Board that Tama Seife be appointed to serve as a member of the Council; now, therefore, be it
- RESOLVED,** that Tama Seife, 21 Circle Road, is hereby appointed to the Advisory Council on Scarsdale Senior Citizens for a term effective immediately and ending April 6, 2020, or until such time as a successor is appointed.

Upon motion entered by Trustee Arest, and seconded by Trustee Veron, the following resolution regarding Appointments to the Advisory Council on Communications was approved by a unanimous vote:

- WHEREAS,** the Advisory Council on Communications was established by the Village Board of Trustees by resolution on November 13, 2018 (attached); and
- WHEREAS,** said Council's purpose, duties, and membership are established in the Constitution of the Advisory Council on Communications (attached), with membership comprised of seven to nine members, inclusive of a chair, each appointed by the Village Board to serve a two-year term,

with a two-term maximum, which may be waived by approval of the Village Board; and

WHEREAS, the Village Board's Personnel Committee met on December 10, 2018, to discuss potential candidates for this newly formed Council, having identified members of the former Ad Hoc Committee on Communications as logical appointees to the Advisory Council on Communications; now, therefore, be it

RESOLVED, that effective immediately, the following members are herein appointed to serve a two (2) year term ending April 5, 2021 or until such time as successors are appointed:

Lee Fischman, Wildwood Road
 Dara Gruenberg, Hampton Road
 Laura Halligan, Heathcote Road
 Mary Louise (ML) Perlman, Carstensen Road
 Barry Meiselman, Post Road
 Scott Rompala, Horseguard Lane
 Andrew Sereysky, Walworth Avenue
 Carol Silverman, Spier Road

; and be it further

RESOLVED, that Dara Gruenberg, Hampton Road, is herein appointed as Chair of the Advisory Council on Communications for a term ending April 6, 2020, or until such time a successor is appointed.

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Written Communications

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

- An email from Mayra Kirkendall-Rodriquez regarding her recommendation that the Village create a long-term financial plan.
- An email from the Voters Choice Party concerning the Freightway Redevelopment Site.

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There being no further business to come before the Board, on a motion entered by Trustee Finger, seconded by Trustee Veron and carried unanimously, the meeting adjourned at 8:35 P.M.

Donna M. Conkling
Village Clerk