

**THREE THOUSAND THREE HUNDRED SIXTY-SEVENTH**

**REGULAR MEETING**

Video Conference  
Via Zoom  
January 26, 2021

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held on Tuesday, January 26, 2021 via video conference (Zoom) at 7:00 p.m.

Present were Mayor Samwick and Trustees Arest, Crandall, Lewis, Ross, Waldman and Whitestone. Also present were Village Manager Pappalardo, Deputy Village Manager Cole, Assistant Village Manager Richards, Village Attorney Pozin, Village Treasurer Scaglione, Village Clerk Conkling, and Assistant to the Village Manager Katzin.

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Minutes

The minutes of the Board of Trustees Limited Agenda Meeting of Tuesday, January 12, 2021 were approved on a motion entered by Trustee Whitestone, seconded by Trustee Crandall, and carried unanimously.

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Bills & Payroll

Trustee Crandall reported that she had audited the Abstract of Claims dated January 26, 2021 in the amount of \$277,592.56 which included \$3,822.08 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 Crandall and seconded by Trustee Ross, the following resolution was adopted unanimously:

**RESOLVED**, that the Abstract of Claims dated January 26, 2021 in the amount of \$277,592.56 is hereby approved.

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Mayors Comments

Mayor Samwick offered the Mayor’s Comments, beginning with the following quote, *“Let the globe, if nothing else, say this is true, that even as we grieved, we grew. That even as we hurt, we hoped. That even as we tired, we tried. . . . there is always light if only we're brave enough to see it, if only*

*we're brave enough to be it."*  
*-Amanda Gorman*

Mayor Samwick stated that “this was a direct quote from Amanda Gorman’s Inaugural Poem. The world watched as Amanda Gorman inspired a nation as she read her Inaugural Poem. Her words of resilience and hope for a brighter future were so eloquently delivered. She reminded us all that we have the power to make our community and the world a better place. We just need to muster the courage and the energy to move forward and shed our bright lights into the world.

We know that the uncertainty and stress of the past year has left us feeling exhausted and overwhelmed. We feel like we have “hit a wall” and need to find ways to renew. That’s what resilience is all about - finding the energy, inspiration, and courage to get back up, over and over again.

It is also the time of year to prepare and pass our budget.....so let’s get started – together.

Last Thursday evening, staff presented its first pass budget to the Village Board and the community. Staff started its budget work in November, a full month in advance of its typical process. The Village Board also held numerous budget meetings over the past number of months, including reviewing the current fiscal year financial results and projections as well as providing direction for staff to use in its preparation of the fiscal 21-22 first pass budget.

As expected, the first pass 21-22 budget presents real challenges in the face of reduced non-property tax revenues and increased costs. The Village will have to make difficult choices between: (i) meaningfully increased property taxes, (ii) potential reductions to certain Village services, (iii) deferral of select capital projects, (iv) use of borrowing, and (v) use of fund balance, including the COVID reserve fund. As we perform this difficult work, it is important that we address both the short and long-term impacts of these choices and that we understand the importance of maintaining services that help define the character of our Village.

We are fortunate that the Village Manager and then-Treasurer immediately implemented austerity spending limitations and set aside a COVID-reserve fund to cover expected losses in various revenue line items in the early days of the pandemic. They also identified a number of funded capital projects that could be available for borrowing at today’s historically low interest rates. The balance of the COVID reserve fund is presently \$2,225,000 and there are approximately \$1.7 million of funded capital projects that are available for borrowing and repurposing of the allocated funding. In total, the Village’s quick response to COVID has positioned us well with nearly \$4 million available to help us weather the COVID-related fiscal storm.

Scarsdale benefits from long-term responsible fiscal management, as indicated by our projected FYE 20-21 unassigned fund balance of approximately \$7.35 million, or over 13% of the Village’s budgeted expenditures. The Village has a long-standing policy of maintaining unassigned fund balance of 10-15% of budgeted expenditures and we are

fortunate to remain comfortably within our policy range after nearly a year of pandemic-induced fiscal impacts. We rest on the shoulders of and are thankful to a long legacy of professional staff and elected officials that have insisted upon prudent fiscal management of Village operations, capital projects and debt issuance.

In spite of our long-term prudent management and decisive planning in the early days of the pandemic, we remain in the midst of a very real fiscal storm. As shown in the first pass budget, the Village is facing an increase in operating expenses of about \$1.3 million, or 2.2% relative to FY 20-21. While assessing the Village budget, it is important to note that personnel-related costs account for over 75% of the budget. Delivery of Village services remains a highly labor-intensive operation – from reviewing building plans, to planning and implementing recreation programs, to building and grounds maintenance, to performing marriage ceremonies. I believe this Board is highly supportive of investing in technology to improve delivery and efficiency of Village services, but there are limits to the ability to mechanize many of the people-facing functions that our local government performs on behalf of its citizenry.

On the revenue side of the equation, the first pass budget shows meaningful reductions in parking and traffic-related revenues as well as more modest reductions in interest income and sales tax revenue. In total, non-property tax revenues are projected to decline by nearly \$1.9 million, or over 3% of the Village's operating budget. The total projected shortfall resulting from a projected \$1.3 million increase in operating expenses and the expected \$1.9 million decline in non-property tax revenues is a funding gap of \$3.2 million.

To place it in context, the projected \$3.2 million shortfall equals over 5% of our projected \$60.5 million budget and an estimated 4.87% increase in the tax levy would be required to balance our budget. I would like to be clear – nobody wants to see a tax increase anywhere near this magnitude. Our Village Board and staff made it clear at our first-pass and full-day budget meetings that we are not at all satisfied with an increase of that magnitude. We are going to work very hard to explore available solutions to these budget issues and we welcome and encourage resident input and suggestions. We are all in this together, we all find this level of tax increase unpalatable and we are all pulling toward the same goal of a more sustainable tax increase.

Make no mistake, this is indeed a fiscal storm. But as Amanda Gordon reminded us – we are resilient and together we will prevail. In the meantime, we will do the hard work to get through to the brighter days that lie ahead.”

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#### Manager's Comments

None.

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Public Comment

Mayor Samwick opened public comment at this time and reminded the public that they should please raise your hand on the zoom screen and they will be called upon. Each speaker will have five minutes to speak and in the event they should require more time, there will be another public comment section at the end of this meeting for all those who wish to be heard.

**Robert Harrison**, 65 Fox Meadow Road, thanked the Mayor for his comments, particularly his reference to Amanda Gorman's beautiful Inaugural Poem. He also thanked the Board and staff for their work on the budget.

Mr. Harrison noted that he has been the Chairman of the Scarsdale Taxpayer Alert since 1989; a number of mailings have been done over the years. He stated that they strongly favor keeping the tax rate at minimal increases. He stated that when he was a Trustee in 2011-2013, his greatest accomplishment was one of the years the budget was cut from a 5 ½ percent increase down to 4%.

In the current budget, Mr. Harrison stated that he is particularly concerned about a presentation on fees and charges regarding recreation fees and a proposed 30% increase.

He noted that in 2020, the pool was opened on July 18<sup>th</sup> and it was done beautifully by the Recreation department personnel and the lifeguards. Everyone worked hard to socially distance, and it was terrific for our residents to get out to our beautiful pool site

Mr. Harrison stated that the proposed 30% increase for this summer will only hasten the reduction of pool membership. He stated that the Board should find other ways to add to the pool fund. He strongly urged the Board not to approve any increase anywhere close to 30%. He added that there had been a discussion that was never implemented to try to offer pool membership to the surrounding community. He noted that he believed the Garth Road area was a potential source of revenue in this regard. Residents of that area e stated that residents of that area would join the pool at a higher fee than the resident fee. He stated that he also thought that the Village should offer pool membership to our teachers, staff, police officers and fire fighters. He stated that he didn't think this would cause any overcrowding and could be very helpful in keeping the pool revenues up. He hoped the Board would seriously consider this and implement a marketing effort to get people from Garth Road in particular, and the Edgemont area.

Mayor Samwick stated that the Village is facing a very real challenge here in that the pool fund is an enterprise fund. It has its own fund balance and that fund balance, unfortunately, has been depleted over the years. The Board is very seriously considering permitting up to 100 non-resident permits to be sold. The Board is going to continue working on this; they want to find a solution that's in accordance with what Mr. Harrison is suggested, which is nowhere close to a 30% increase. He stated that the Board definitely appreciates his comments and his contribution to this discussion.

As there were no further public comments, this public comment section of the meeting was closed at this time by Mayor Samwick.

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Trustee Liaison Reports

Trustee Waldman reported as Liaison to the Library, stating that “the Library has increased its virtual program offering for all ages, as well as offering take and make crafts for kids, teens and adults. Parents are encouraged to reach out to the Librarians to get book recommendations for their children, which can be picked up through contactless pick up.

She further stated that the Library is hosting a virtual book talk with Sydney Stern, former Scarsdale resident and author of The Brothers Mankiewicz. Please check the Library website for all of their upcoming programs and events at [Scarsdalelibrary.org](http://Scarsdalelibrary.org).

The Apiary Cafe at the Library is eager for your breakfast, lunch or coffee break business. Their menu is available on the Library homepage and you can order online. They will also deliver through Grubhub”.

Mayor Samwick noted that he had lunch from the Apiary the other day and it was delicious.

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Trustee Arest made an announcement, stating that in the Christie place commuter parking lot, PANGO has been reprogrammed for Zone 10599, and it will now be eight-hour parking after 10:00 a.m. It is hoped that this will be used heavily by merchants, patrons, and residents alike, because there is a lot of opportunity there, and it should not create an issue for any commuters that do have permits in Christie Place. He thanked Assistant Village Manager Ingrid Richards and the Manager’s office for getting this done quickly.

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Trustee Waldman

Upon motion entered by Trustee Waldman, and seconded by Trustee Crandall, the following resolution regarding the Award of VM Contract #1272 – Athletic Field Maintenance, was approved by a unanimous vote:

**WHEREAS,** for many years the Village has contracted for maintenance services on the Village’s athletic field properties: Crossway Field Complex, Hyatt Field, Supply Field, Scout Field, Boulder Brook Field, and Winston Field; and

**WHEREAS,** the existing contract has expired and staff advertised for the receipt of bids pursuant to VM Contract #1272 – Athletic Field Maintenance on December 11, 2020, having published in the Scarsdale Inquirer and sent the bid documents directly to eight qualified contractors; and

**WHEREAS,** on the bid opening date of January 12, 2021, three sealed bids were submitted, with the lowest responsible bid received from ACL Property Maintenance, Inc., 659 Wilmont Road, Scarsdale, NY 10583, in the two-year total amount of \$59,310 for Unit A, and overall best unit pricing for Units B.1 and B.2, representing as-needed work, in an amount not to exceed budgeted appropriations, typically not in excess of \$2,000 per year in unreimbursed expense; now, therefore, be it

**RESOLVED,** that Units A, B.1, and B.2 of VM Contract #1272 – Athletic Field Maintenance are awarded to ACL Property Maintenance, Inc., 659 Wilmont Road, Scarsdale, NY 10583, in the two-year total amount of \$59,310 for Unit A, and unit pricing for Units B.1 and B.2 at prescribed pricing, as reflected in the attached bid tabulation, for a total amount not to exceed available budgeted appropriations; and be it further

**RESOLVED,** that the Village Manager is herein authorized to execute VM Contract #1272 – Athletic Field Maintenance Units A, B.1, and B.2 with ACL Property Maintenance, Inc. 659 Wilmont Road, Scarsdale, NY 10583, and to undertake administrative acts as may be required under the terms of the two-year contract; and be it further

**RESOLVED,** that all costs associated with VM Contract #1272 – Athletic Field Maintenance be charged to A-7020 PLGRD- MAINT- 400-499; and be it further

**RESOLVED,** that VM Contract #1272 – Athletic Field Maintenance may be extended annually by the Village Manager for two additional one-year periods, subject to the availability of adequate budget appropriations and in accordance with the contract terms and conditions.

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Upon motion entered by Trustee Waldman, and seconded by Trustee Crandall, the following resolution regarding Transfer of Principal from Library Children’s Room Endowment to Library Capital Campaign Account was approved by a unanimous vote:

**WHEREAS,** the Library has a non-expendable trust account entitled, “Children’s Room Endowment,” TN-96-.10, with a remaining principal of \$265,721; and

**WHEREAS,** pursuant to Section 2-B of the Memorandum of Agreement for the Children’s Room Endowment, dated November 26, 1996, (attached) up to 10% of the account’s principal may be used annually to enhance children resources and services as is authorized by the Library Board of Trustees; and

**WHEREAS** the Library Board of Trustees approved a \$26,572 transfer on January 11, 2021, from the Children’s Room Endowment to the Library’s Capital Campaign Account to be applied to “resources and services [for] children in connection with the building renovation project,” and that the transfer must occur prior to the end of FY 2020-21 or May 31, 2021; now, therefore, be it

**RESOLVED,** that the Village Board herein approves the transfer of \$26,572 from the Children’s Room Endowment to the Library Capital Campaign Account, to be transferred prior to the end of FY 2020-21 or May 31, 2021.

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Written Communications

Village Clerk Conkling reported that one hundred two (102) communications have been received since the last regular Board of Trustees meeting. These written communications include responses from the Mayor, and may be viewed on the Village’s website at [www.scarsdale.com](http://www.scarsdale.com).

- As of noon on January 20<sup>th</sup>, 93 emails have been received in support of renaming Crossway Field, The Richard "Rippy" Phillipps Field at Crossways". An additional twenty (20) communications of support have been received since the cut-off date for written communications for this agenda and will be reported at the next regular meeting of the Village Board.
- An email from Anita M. regarding a Nationwide Tribute to Remember/Honor Lives Lost to COVID-19.
- Three (3) emails regarding 4 Kingston Road from Joan Weissman, John Baer, and Mark Nadler.
- Five (5) communications concerning gas powered leaf blowers from Anne Hintermeister, Edward Morgan, John Bonanno, Steve Goldstein, and including one communication from Darlene LeFrancois Haber, MD with 20 signatures in support of the CAC’s Recommendation Option number 1 of their report.

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Public Comment

Mayor Samwick opened the second public comment section of the meeting.

**Robert Harrison**, 65 Fox Meadow Road, spoke again regarding permitting non-residents to purchase pool permits. He stated that the question would be at what rate they would be charged. Last spring the proposal was to charge them three times the resident rate; however, he stated that he thought this would be too high and that two times the resident rate would be more appropriate. He stated that he hoped that would be part of the Board’s

consideration on this matter as well as the marketing program. He stated that he is optimistic that there would be a number of non-residents, including those who live on Garth Road that would join the pool program.

Mr. Harrison also expressed his concern that the Parks and Recreation Advisory Council does not publicize their meetings. He stated that when he was a member of the PRC back in late 1985 through 1990, the PRC always had their meetings open to residents to attend and hear the discussions, and to present any concerns, recommendations or ideas they may have. He stated that he hoped that the Board would want to make sure that those meetings are publicized and that they're open to the public to get more input. He complimented the Board for not adopting anything with regard to these fees and charges last week.

Mr. Harrison also noted that his family had an unfortunate passing, Joel Sachs, an attorney for Keane and Beane, and a resident of Edgemont for many years. He stated that he was a great man and they had a great relationship. Mr. Sach's daughter and his son are married. Mr. Sachs unexpectedly passed away Sunday night. Mr. Harrison noted that Mr. Sachs was a Town Attorney for the Town of Bedford, representing Keane and Beane, and that he had spent a number of times in Rutherford Hall presenting before the Planning Board. Mr. Sachs was also the Chairman of the New York State Real Estate Division of Lawyers; he was very well known and much respected.

Mr. Harrison requested a few seconds of silence in memory of Joel Sachs.

Mayor Samwick stated that he would like to address one comment from Mr. Harrison, informing him that the Board is looking at the pool situation in a comparable way. They will have some discussions about the PRC meetings, but noted that Mr. Harrison he had stated that the pool increase that's been discussed is being done quietly, and that is not the case. All of the budget meetings that that this Board is holding are being held in public, on zoom, and is available to the community for people to watch afterwards. The Board does not do any of these things quietly; they want public input and public participation in this process. He stated that we are all in this together. Nothing is being done without the public being involved.

**Leah Dembitzer**, President of the League of Women Voters of Scarsdale, stated that on the evening of Sunday, January 24<sup>th</sup>, the League of Women Voters of Scarsdale kicked off the celebration of its 100th anniversary year by welcoming New York State Attorney General Leticia James, New York State Senate Majority Leader Andrea Stewart Cousins, New York State Assemblywoman Amy Paulin, and Westchester District Attorney Amy Rocha. The conversation was moderated by former League President Janice Starr and over 100 households attended the meeting via zoom.

Ms. Dembitzer stated that the panelists discussed voting, systemic racism in New York government, and it was an inspiring evening to see our leaders' dedication to the people they serve and their commitment to advancing our democracy. The video of the event can be viewed on the League's website under 'Events'. The League plans to celebrate and acknowledge our centennial in different ways throughout the 2021 year. She stated that she wanted to inform the Village that the League has updated its "They Represent You"

brochure, which has all information of all of our elected officials. This is also available on the League's website.

Mayor Samwick thanked Ms. Dembitzer and for all the work that she and the League are doing, and congratulated the League on its one hundred year anniversary. He stated that due to a conflict he was unable to attend the event on Sunday evening, but he is happy to see that the event is on the website and available for viewing.

Village Manager Pappalardo informed Ms. Dembitzer that the Village staff has been missing the League book with all of the listed phone numbers and information. He thanked her for advising the Village that the information has been updated and that it will be available on their website.

As there were no further comments from the public, Mayor Samwick closed the second public comment section of the meeting.

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#### Future Meeting Schedule

Mayor Samwick noted that earlier this evening, the Village Board had a work session to discuss personnel matters, including Boards, Councils and Committee positions and vacancies.

- *Thursday, February 4, 2021* – The Village Board of Trustees will sit as an Appeals Board pursuant to Chapter 182 of the Village Code regarding the Committee on Historic Preservation's decision denying a certificate of appropriateness to permit the demolition of a residential structure located at 11 Dolma Road. The meeting will be held via Zoom video conferencing service at <https://zoom.us/j/93183703358>.
- *Tuesday, February 9, 2021* – Village Board Regular Meeting Zoom Video Conferencing Service (Subsequent Meeting Notice with Time and Format Changes to Follow)

#### FY 2021/22 Budget Discussion

Village Board Work Session – Zoom Video Conferencing

- *Monday, January 25, 2021* – 10:30 A.M.
- *Thursday, January 28, 2021* – 10:30 A.M.
- *Tuesday, February 2, 2021* – 5:00 P.M.
- *Wednesday, February 10, 2021* – 5:00 P.M.
- *Tuesday, March 9, 2021* – 5:00 P.M.

Briefing Sessions – Zoom Video Conferencing

- *Wednesday, February 24, 2021* – 5:00 P.M. – Operating Budget

- *Wednesday, March 3, 2021* – 5:00 P.M. – Capital Budget

Village Hall Schedule

- *Friday, February 12, 2021* – Lincoln’s Birthday – Village Hall Closed
- *Monday, February 15, 2021* – Presidents’ Day – Village Hall Closed

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There being no further business to come before the Board, the meeting was adjourned at 7:41 P.M. by a motion entered by Trustee Ross, seconded by Trustee Crandall, and carried by a unanimous vote.

Respectfully submitted,

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Donna M. Conkling  
Village Clerk