

**THREE THOUSAND THREE HUNDRED FORTY-THIRD**

**REGULAR MEETING**

Rutherford Hall  
Village Hall  
January 28, 2020

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held in Rutherford Hall in Village Hall on Tuesday, January 28, 2020 in Rutherford Hall at 8:12 p.m...

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

\* \* \* \* \*

The minutes of the Regular Board of Trustees Meeting of Tuesday, January 14, 2020 were approved on a motion entered by Trustee Ross, seconded by Trustee Crandall and carried unanimously.

\* \* \* \* \*

**Bills & Payroll**

Trustee Crandall reported that she had audited the Abstract of Claims dated January 28, 2020 in the amount of \$1,282,043.37 which includes \$5,250.36 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 Arest, the following resolution was adopted unanimously:

**RESOLVED**, that the Abstract of Claims dated January 28, 2020 in the amount of \$1,282,043.37 is hereby approved.

\* \* \* \* \*

**Mayor's Comments**

None.

\* \* \* \* \*

### Manager's Comments

Village Manager Pappalardo welcomed William Brady, Chief Planner of the Westchester County Planning Department who give a presentation on the importance of the upcoming 2020 U.S. Census. The Census is the basis for determining electoral districts, and thus, an accurate count of Scarsdale residents is critical to maintaining representation at the local, State and Federal levels. It is also the basis for awarding public funds for a variety of projects and to a variety of agencies, including local libraries, roads and infrastructure, as well as education and certain health care support. Census Day is April 1, 2020, and for the first time, residents will have the ability to respond to the Census on line if they so choose. Others may respond by mail or telephone. All responses are confidential. Village Manager Pappalardo thanked Mr. Brady for attending this evening's meeting.

Mr. Brady presented a slide show to those present regarding the upcoming U.S. Census. He stated that the census is mandated by the Constitution and is used in apportionment of the political districting, Federal, State, and County level. However, most importantly it is used in apportionment of funds down from the Federal Government and is approximated at \$880 billion and relies on the census for distribution around the country.

Mr. Brady stated that this is the first time the census will be online which may present some challenges but it is hoped it will make it easier to fill out the information. Census takers will be coming out at later dates when people do not answer the census. He stated that there are very few questions and he pointed out that there is no citizenship question on this census.

Mr. Brady noted that the other survey, the American Community Survey, which is done by the U.S. Census Bureau are surveys that are sent out every month around the country to a small sample of people that asks many questions about income, place of employment, etc. He stated that some people may be getting these surveys the same month as the census questionnaire.

Mr. Brady then went through a slide presentation regarding the upcoming census, stressing that all information received is confidential. He spoke about the concern of the response rate to the surveys in the past and noted that the citizenship question has been eliminated for the 2020 census. It is hoped that the elimination of this question from the census will encourage more people to respond. He stated that presentations such as the one this evening are being made to all the municipalities in the County – they are trying to get the word out to allay some of the concerns, such a privacy, distrust in government, etc., and educate people as to the benefits of responding.

There will be heavy focus on getting a better response rate to the census in certain parts of the County that had low response rates for the last census. Letters will be going out this March; most people will be getting a census invitation to go online with a code and answer the census online. After another letter and a subsequent postcard, if you do not respond, a form will be sent to you in the mail and another reminder. He noted that the return address on the mailing from the census is Jeffersonville, Indiana, and that is a legitimate return address.

Answering the census online is simple. The census is available in many languages; if you contact the census bureau, you can obtain a census form in any of 59 languages, including braille and large print.

Mr. Brady stated that if anyone has trouble with the online census, or does not have a computer, they can answer the census at any of the libraries throughout Westchester County. There are other census hubs being established at community centers, senior centers, and other places.

Regarding the privacy concern, Mr. Brady stated that census workers will be working between 9 am and 9 pm and on the weekends. They will have a badge that includes their name and a photograph and something that will say the Department of Commerce with a watermark on the ID and an expiration date. They will be carrying a bag with a census logo and they will provide a census bureau letter.

Mr. Brady went over the items that a census worker would not ask, such as those that scammers would ask for – bank account numbers, credit card numbers, social security number, identification, driver's license, etc. You will just be filling out the census form. They will not ask to enter your home.

There will be many ads put out by the census bureau to increase awareness of the 2020 census. They will be working a lot with seniors because this is the first time they will not be getting a census form. The County has its own website [www.westchestergov.com/census2020](http://www.westchestergov.com/census2020). There are nice resources there for people to review. He asked the Village to spread the word that it is everyone's duty to fill out a form. For every person that doesn't get counted, it costs your municipality approximately \$2,500 per year. So, if 400 people in your municipality don't answer the census, it will cost the municipality approximately \$1 million per year. Several hundred people that don't answer the census will cost the municipality approximately \$1 million in road improvements, fire and safety funding, etc. from the Federal government. It is important to get a complete count.

Mayor Samwick thanked Mr. Brady for his presentation and asked if anyone had any questions.

Trustee Crandall stated that Scarsdale has an international community and asked if there was any type of translation service available.

Mr. Brady stated that there are many languages available if you go to the website; however, you could contact the census bureau should there be a specialized language. There are approximately 60 languages that forms are available in.

Trustee Crandall also noted that some residents own vacation homes, so what can they do if they receive the form at the other address?

Mr. Brady stated that generally, it is where you will be on April 1<sup>st</sup> or if you are on vacation on April 1<sup>st</sup>, you would still answer for your Scarsdale address, or your primary address where you live most of the year.

**Robert Harrison**, 65 Fox Meadow Road, noted that Blanca Lopez was listed on this evening's agenda as the presenter on the 2020 Census this evening.

Mr. Brady responded that Blanca Lopez is with the Westchester County Executive's office and she is one of the primary persons doing the outreach and organizing the census effort. Today, the County Executive had a census kick-off at Pace University which was televised – there is much more information at [www.westchestergov.com/census](http://www.westchestergov.com/census).

Mr. Harrison noted the comment made earlier by Mr. Brady concerning the loss of \$2,500 per person not counted and wanted to clarify that some of these funds would be for roads for the State.

Mr. Brady stated that a lot of funding comes for a variety of different purposes from all different sorts of agencies, coming down from the Federal government.

Mr. Harrison asked if the Village gets any money for roads from the Federal government.

Village Manager Pappalardo stated that the Village does not get any money from the Federal government for roads; however, the Heathcote Road Bridge Project is being funded by the Federal government through a grant/Federal highway money. The project is administered on behalf of the Federal government by the New York State Department of Transportation. There is a lot of Federal money out there that is managed at the State level that is provided to local governments. The Popham Road Bridge was under that program and the Heathcote Road Bridge as well. Road resurfacing grant money funds come directly from the State of New York. The census would not affect road resurfacing.

Mr. Brady added that the census is still hiring people to work as census takers. The US Census pays approximately \$23.00 per hour. This is something that young people could do when they are home for summer break. One should google "census jobs" and contact them directly. They will be hiring thousands of people in Westchester and Putnam Counties.

**Diane Greenwald**, stated that she has been informed by Elizabeth Bermel, Library Director, that the Library Loft will have a census kiosk set up and dedicated/assigned and that the Library staff are being trained now.

\* \* \* \* \*

### Public Comments

At this time, Mayor Samwick opened public comment.

**Robert Berg**, 32 Tisdale Road, stated that it has been almost one year since the resignation of Town Assessor Nanette Albanese. Scarsdale still does not have an Assessor which he feels is a serious problem. This is one of the senior positions on the Village staff and a very important position. He stated that he would like to know what the status is of filling that position. He noted that market conditions have changed enormously since the last assessment. If another reval is to be done in a reasonable amount of time, an assessor needs to be hired to

'get their feet wet', understand Scarsdale's housing stock, and get familiar with the software. He stated that an assessor needs to be hired as soon as possible so that the Village is prepared to do a revaluation.

Secondly, Mr. Berg stated that he noticed in the agenda packet in the library materials, there is a spreadsheet concerning costs and projected costs, etc. He stated that when the library project was initially approved in June 2018, the cost was approximately \$18.5 million, and now the projected cost is up to \$21.7 million. He stated that he is interested in how the funding is going to work for that – where is the additional money coming from? And why is the cost up more than \$3 million from the original amount?

Mayor Samwick responded to Mr. Berg with regard to the assessor position, he stated that it is not through a lack of effort and it is a major focal point of the Board. He stated that there have been quite a number of interviews and applications and it has been much more of a challenge than expected. The Board continues to try very hard to fill that role; however, the Village is very fortunate in that they do have assistance from an assessor from a neighboring town and an interim assessor who is doing a very good job and she is surrounded by a very strong group of people in the Assessor's department. The Village will continue to get the assessment roles out. They have not given up on filling this position, in fact, there is an interview this week.

Village Manager Pappalardo noted that a number of people have been interviewed for the assessor position a number of times. They do want to make sure they find the right person for the Village; it is their way of approaching the department head hires. There are 15 department heads and these department heads are asked to do a lot. They need to find the right fit for the Village. It is a difficult job; there is a lot of technical expertise that is required and right now, it has been a challenge to find good professionals in the area. He also noted that it is difficult for people to move into Westchester County from outside due to expenses. They will keep interviewing people and eventually they will find a good person. Currently, the Assessor's office is doing a tremendous job and they are running the office very well. The interim Assessor is doing a wonderful job. This has allowed the leeway to find the right person for the office.

Trustee Arest stated that there were quite a number of applicants for the Assessor's office that would have happily taken the job. Because of the continuity and the priority was to keep that office working well from the beginning and a lot of effort was put into that, it has allowed them to be patient and find the right person. He stated that he hoped the community agrees that with the right process in place, which is the priority rather than the amount of time it might take.

In regard to Mr. Berg's questions concerning the library costs, Mayor Samwick asked Paul Zaicek, Project Manager, to come forward to explain.

Paul Zaicek stated that in June 2018, the estimated project cost was \$20,187,000. The funding in place at that time was \$20,275,000. The total cost projected now is \$21,740,000 which is \$1.5 million over that. But the majority of that is for the furniture and shelving which is being awarded this evening. That money is coming from the library general fund; no additional money is being put into the project. The other portion of that \$1.5 million are

change orders that occurred during the project and also for additional architectural and construction management fees. Again, most of that money is coming from the library general fund and existing funding that we had in place.

Mr. Zaicek continued, stating that construction grants were received recently in the amount of \$140,000. Another \$65,000 is being transferred from the children's room 2019-2020 trust fund. No additional money is being put into the project; only existing funds, grants, and trust funds.

Village Manager Pappalardo stated that the furniture and fixtures were intentionally not included in the bids because they knew they could get better pricing from New York State contracts. This was planned. We knew we would have enough library fund balance available to go ahead and make that purchase. We are at that point now, and that is what we are doing tonight.

**Robert Harrison**, 65 Fox Meadow Road, noted that the Board had a long budget meeting yesterday. He complimented the Board on their hard work – the Board started at 10:30 am until approximately 9:30 pm. He stated that the sessions he attended were excellent and informative. Some good decisions were made, such as keeping the water rate unchanged. He stated that he hoped the Board could keep the numbers as low as possible.

Mr. Harrison noted that the pool membership has declined in the past ten years. In regard to fees and charges, he noted that the Board is raising the rate for pool membership. He stated that he is not a proponent of raising rates when membership is declining. He asked the Board to reconsider some of those rates.

Mr. Harrison distributed programs from David Stern's memorial service held at Radio City Music Hall, attended by 3,000 persons. He stated that David was a giant in the world and had a tremendous impact on the world of sports and humanity. He and his wife Diane lived in Scarsdale for 40 years and their children attended Scarsdale schools.

Mayor Samwick thanked Mr. Harrison for his compliment on the Board's hard work on the budget, stating that it means an enormous amount to them. He noted that Mr. Harrison has been following the budget for a long time, measured in decades, as well as serving on the Board.

Mr. Harrison stated that the Board is doing a great job and looking at things carefully.

As there were no further comments, Mr. Samwick closed the public comment session at this time.

\* \* \* \* \*

### Trustee Liaison Reports

Trustee Veron reported "as liaison to the Scarsdale Chinese Association, I'd like to acknowledge the arrival of the Lunar New Year on Saturday, January 25, 2020. On behalf of

the entire Board and Village staff, we wish you great happiness and prosperity. Happy Lunar New Year.

I'd also like to provide a library update. From a personal perspective, the library project has been an incredible journey. When I arrived on the Village Board, I was brand new to the project (although the project planning had been taking place for years before). Then, we were at a moment of drilling down on community needs, visiting libraries near and far, and working to right size the project. After considerable outreach and analysis, we agreed to a public private partnership, funding the renovation and expansion with a public bond and generous private contributions. As we can all see, those steps taken years ago are about to pay off into an awe-inspiring community gem. Tonight, we are far enough along that we are speaking about the finishing touches - the furniture and shelving - what we need to make the library an inviting, happening place that we've all been imagining. The resolutions come later tonight, but now I want to let the community know that your fellow neighbors and dedicated Village staff have devoted countless hours to getting it right - making sure the purchases are fiscally prudent, aesthetically pleasing and very comfortable. On behalf of this entire Board, we offer the Library Board and Building Committee our sincerest appreciation, and we can't wait until the doors open later this year.

My final library comment is to encourage the community to come out in three days for the Scarsdale Spelling Bee. Our Mayor will be a judge. It is Friday, January 31<sup>st</sup> at 7:30 pm at the High School and you will have an opportunity to be a spectator if you are not already on the team. The doors open at 6:45 pm to purchase food and get on silent auction items. Food will be provided by Chopt, Gianonni's, Once upon a Little Cupcake, and there will also be trivia for the audience between rounds and there will be prizes. Mostly it is going to be a phenomenal event. Use the Brewster Road entrance and please join the entirety of the community in lifting up the library."

\* \* \* \* \*

Trustee Crandall reported that "the Conservation Advisory Council will be at the Library Spelling Bee. It's going to be a zero waste event where the recyclables and food waste will be separately collected. As liaison to the CAC, I will be supervising the receptacles. Please stop by to say "hello" – and, of course, to support our Scarsdale Public Library. Can't wait until it opens.

The Jr. League of Central Westchester is another one of my liaison assignments. It is a nonprofit women's organization committed to promoting volunteerism, developing the potential of women; and improving the community through the effective action and leadership of volunteers. The Junior League is holding two information sessions for women in the area. The first one is tomorrow, Wednesday, January 29<sup>th</sup> at 8:00 pm and the other is this Friday, January 31<sup>st</sup> at 9:30 pm. More information is available at [www.jlcentralwestchester.org](http://www.jlcentralwestchester.org). I also saw a posting on Facebook in the Scarsdale buzz section.

Finally, Scarsdale is quite special. We are a welcoming community but it is up to each and every one of you to step out the door. In addition to the Spelling Bee and the Junior League event, we also have the Scarsdale Forum Winterfest party this Saturday at 7:00

pm. Very few people know that Trustee Jonathan Lewis was the person who got it started. He actually shoveled the parking lot at one of our local event places – it was a stormy night, we were dressed in blue jeans and sweaters; it was quite casual back in those days with hot dogs and homemade beer by local resident Bruce Wells. Trustee Lewis had the idea that we needed an informal event that was inexpensive to make it possible for more people to step out the door to become part of the community. So please come out, show up at the door. You can pay there; there might still be time to get your tickets at the Scarsdale Forum website. But please come out and say hello and be part of your community – it’s a great one. Thank you.”

\* \* \* \* \*

Trustee Arest thanked Mr. Harrison for giving everyone a sneak peek and getting everyone excited for his following comments about the budget. Trustee Arest reported, “As many know, the Village is well underway in drafting its 2020-2021 budget. The incredible amount of work done by our Village staff led by our Village Manager and Treasurer has been evident and their efforts and assistance while we carry out the very important role of oversight is certainly appreciated.

Yesterday was an all-day session, and I do mean all day, I believe it was over 10.5 hours. We were very pleased to have a number of residents attend the meeting and we even had one resident stick with us the entire time, thank you Ms. Hintermeister. We met with department heads to receive updates and review and question their respective departments’ financials for both this year and next. There will be many updates over the coming weeks as we continue but for now I would like to share the following:

- I believe the Board’s role is to ensure that our Village is delivering the services that our residents want in as efficient a manner as possible. That will not change this year BUT, I think it is important to note that everyone involved in managing the budget process is well aware of the various constraints facing our community, of course including the limited deductibility of State and local taxes. We will continue to ask tough questions about how the services provided are executed but also which services should be offered as well as how much we should charge for those services that come with an additional fee. To give you an example, when discussing the pool complex, where a large amount of improvements will need to be made over the coming two years, we discussed commissioning a survey of the community to ensure that the money invested is used wisely and that the end result can provide greater enjoyment as well as a greater revenue stream to the Village. So, do we want a water feature? Furniture? Storage? Or perhaps a bubble to enclose the pool in the winter and provide year round swimming? Stay tuned for announcements regarding the survey. As always, we want to hear from you.

Our enrollment has continued to decline at the pool in past years and such a study should also shed light on what we may already do well as well as what we can do better. I should note that the aforementioned survey will strive to get feedback and determine priorities for other services outside of the pool area as well. We also spent time looking at ways to increase revenue in the present and are working on a few trial

options for permits such as including Village and School Personnel and reducing the number of years a resident needs to live in Scarsdale before they are eligible for privileges after they move out of the community. The current requirement is 30 years of residency and Mr. Harrison suggested 20 years was deserving and it might also create additional demand for permits. Thank you, Mr. Harrison.

- The first pass for the 2020-2021 budget, which I would like to note barring unfortunate surprises is typically a conservative exercise and indicative of something closer to a worst case scenario, was an increase of 2.4% in the tax levy from the adopted 2019-2020 budget. While it should not be of any concern this year, for anyone interested, the state cap applicable to this budget's tax levy is 4.73%.
- While we never like to see new taxes, the increased sales tax has been a very welcome source of revenue that diversifies our revenues away from property taxes. We are projecting an increase of roughly \$825,000 from the new sales tax that was adopted by the State on behalf of Westchester County in 2019. An important note is that while the actual increase is approximately \$1,000,000, \$186,000 of that is allocated to reimbursing the State's AIM funding. AIM funding is Aid and Incentives for Municipalities and has historically been an unrestricted source of revenue provided by the State to local municipalities. Rather than remove our AIM funding last year as the Governor had planned, the funding was allowed to remain but only to be reimbursed by the increase in sales tax to Westchester municipalities. There has also been an increase in sales tax revenue for part of 2019-2020 and of course any monies that become surplus will be considered for transfer to our capital fund to pay for important projects thereby offsetting the tax burden that would have otherwise been created. We have been very successful using surplus funds over the years to pay for items and projects such as public works equipment and of course, road resurfacing.
- Health care costs appear to have moderated in 2020. In fact, they have decreased for the first time in recent history. Maybe longer than that. While we do not expect this to become a trend, we are cautiously optimistic about what it could mean for the near future.
- Fortunately CHIPS and PAVE-NY, State funding for road repair and resurfacing, have been included in the Governors proposed budget although the Extreme Winter Recovery program will likely not be renewed and will result in a loss of approximately \$75,000 to the Village. We are fortunate that a previous Board and our Village staff had the foresight to amend our code to require utility providers and others who obtain permits to make street openings to pay to repave curb to curb rather than for patchwork. This has certainly been beneficial and will continue to be in 20-21 with an expected increase in such work.
- Workers comp claims are up but our HR director will be reinstating and overseeing an employee safety committee which will work to keep our employees safe and is expected to have the ancillary benefit of reducing claims going forward.
- Contract agreements as well as rulings from mandatory arbitrations have led to increases in Personnel and Personnel related costs.

- Mortgage tax is expected to be down at least \$100,000 in 2019-2020 from what was adopted but should remain flat or see modest growth from this lower number in 2020-2021.
- Cable franchise fees which has consistently amounted to \$400,000 or more remains an area of concern as we have seen unfavorable rulings out of Washington and more and more residents continue to move away from conventional cable offerings.
- We have seen a reduction of water usage by 4% from 2019 back to 2018 mostly thanks to leak detection and efforts by our terrific Water Department as well as the impact of water rate changes. We had a long discussion discussing our water rates and the rate structure. We are proud to have some of the lowest water rates in the area as well as one of the more progressive. But, the problem we face, is that our water system will require at a minimum \$25 million over the next two decades. As a self-sustaining enterprise fund, it is almost certain that our current rates will not support such spending. We are about to embark on a master plan for our water system that will include the help of a rate specialist. It appears the ultimate consensus for 20-21 will be to keep our rates constant in recognition that our residents have seen steep increases in their water rates in recent years. We will certainly make great efforts over the coming year to keep the community informed about our infrastructure needs as well as the expected impact to water rates over the coming years.
- These are of course only a handful of issues and as I said, there will be plenty more information to come. We have a meeting to review and discuss certain fees and the capital budget for 20-21 at 6:00 pm tomorrow evening here at Village Hall. All are welcome and encouraged to attend.

\* \* \* \* \*

### Trustee Arest

Trustee Arest reported on the statements of expense and revenue for the first seven months of fiscal year 2019-2020.

General fund appropriations were 57.84% spent as of December, 2019 as compared to 59.60% in 2018-2019.

General Fund Revenues other than property taxes are \$10,657,381 through December 2019 compared with \$10,556,688 in the first seven months of last year. This represents an increase of \$100,693 from 2018-2019. Overall revenue from Special Assessments and Delinquent Tax collections increased \$69,263. Gross receipts taxes are down \$17,500. Sales tax receipts increased \$138,600 reflecting the increase in the County Sales Tax rate that took effect in August. Building Permit revenue (included in License and Permit category) increased \$99,700 from last year related to a large receipt. Again, overall, (inclusive of building permits), License and Permit revenue is up \$148,300. The largest impacts in the Insurance Recovery and Equipment sales of \$229,300 are in the

reimbursement for special details which is up \$99,700 from last year and the receipt of over \$94,100 from Con Edison for paving reimbursement. Parking revenue is down \$12,500. Investment earnings declined \$79,700 reflecting lower rates and longer maturities. While Recreation revenue improved \$46,600, Departmental Revenue declined \$96,400 since 2018-2019 was impacted by a late snow reimbursement and there were significant purchases of food recycling materials and disposal fees. Mortgage Tax dropped \$279,700, Court fines are down \$100,900 and State aid is down \$134,200 as New York State has changed the timing of the AIM aid to the end of the fiscal years (Town and Village). The decline in property rentals reflects a timing difference in the receipts and the expiration of some leases.

The actual collection of Village taxes through December, 2019 is at 99.42%. This is almost identical to last year’s collection rate.

\*\*\*\*\*

Trustee Arest stated the following resolutions concern the acceptance of gifts on behalf of the Village and the Police Department. He stated that one of the things that make this community so lucky is all the volunteers that give all their time to make things better for everyone, but the generosity of people donating money is another thing as well. The following gifts, as well as others this evening, are perfect examples of that.

Upon motion entered by Trustee Arest, and seconded by Trustee Veron, the following resolution regarding the Acceptance of a gift from the Bowman Family Foundation for the Scarsdale Police Department was approved by a unanimous vote:

**WHEREAS,** The Bowman Family Foundation has presented a \$2,000 gift to the Village of Scarsdale Police Department for the purpose of providing funding to support Police Department projects selected by the Police Chief and approved by the Village; and

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

**RESOLVED,** that the Village Board of Trustees hereby accepts the gift of \$2,000 from the Bowman Family Foundation; and be it further

**RESOLVED,** that said funds be deposited into the Police Department Expendable Trust Account (#TE 93-08); and be it further

**RESOLVED,** that the Village Board of Trustees hereby extends its heartfelt thank you to the Bowman Family Foundation for their generosity.

\*\*\*\*\*

Upon motion entered by Trustee Arest, and seconded by Trustee Veron, the following resolution regarding the Acceptance of a gift from the Fenway Charitable Fund Committee for the Scarsdale Police Department was approved by a unanimous vote:

**WHEREAS,** in recognition of the Scarsdale Police Department's efforts and achievements in promoting public safety, the Fenway Charitable Fund Committee, Old Mamaroneck Road, Scarsdale, NY, has presented a \$5,000 gift to the Village of Scarsdale to be used by the Scarsdale Police Department toward purchase of equipment deemed by the police chief to be most important to assist in the safety of Scarsdale's police officers and/or the general public; and

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

**RESOLVED,** that the Village Board of Trustees hereby accepts the gift of \$5,000 from the Fenway Golf Club; and be it further

**RESOLVED,** that the \$5,000 gift be deposited into the Police Department Expendable Trust Account (#TE 93-08); and be it further

**RESOLVED,** that the Village Board of Trustees hereby extends its thanks and appreciation to the members of the Fenway Golf Club for their generosity.

\*\*\*\*\*

#### Trustee Ross

Trustee Ross stated that he has a resolution regarding acceptance of a gift from the Fenway Charitable Fund Committee, and he added that he would like to point out that this gift is part of a long standing tradition on the part of the Fenway Golf Club in support of the Fire Department. He gratefully acknowledged not only this gift but also the sustained effort to support our local services.

Upon motion entered by Trustee Ross, and seconded by Trustee Crandall, the following resolution regarding the Acceptance of a Gift from the Fenway Charitable Fund Committee for the Scarsdale Fire Department was approved by a unanimous vote:

**WHEREAS,** in recognition of the Scarsdale Fire Department's provision of essential public safety services to the Scarsdale community, the Fenway Charitable Fund Committee, Old Mamaroneck Road, Scarsdale, NY, has presented a \$5,000 gift to the Department to assist with the purchase of equipment deemed most important to assist in the safety of Scarsdale's firefighters and/or the general public; and

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

**RESOLVED,** that the Village Board of Trustees hereby accepts the gift of \$5,000 from the Fenway Golf Club; and be it further

**RESOLVED,** that the \$5,000 gift be deposited into the Fire Department Gift Account (#TE 93-09); and be it further

**RESOLVED,** that the Village Board of Trustees hereby extends its thanks and appreciation to the members of the Fenway Golf Club for their generosity.

\*\*\*\*\*

Trustee Veron

Trustee Ross stated that he will recuse himself from the following two resolutions.

Trustee Veron stated that the following resolutions she referenced earlier in her liaison report.

Upon motion entered by Trustee Veron, and seconded by Trustee Arest, the following resolution as amended, Authorizing Purchase and Installation of Furniture for Public Library Expansion and Renovation Project, and Authorizing Transfer from Library Fund Balance was approved by the vote indicated below:

**WHEREAS,** purchase and installation of the Library furniture was not included in the Library project construction contract bid documents because the Library Building Committee determined that better pricing could be obtained by purchasing the furniture through the New York State Contract System and/or approved purchasing consortiums; and

**WHEREAS,** the Library Building Committee has collaborated with Dattner Architects (Dattner) in the identification of functional, durable, and cost effective furniture for the Scarsdale Public Library Renovation and Addition Project; and

**WHEREAS,** upon Library Board approval of the recommended furniture purchases, Dattner solicited quotes from furniture vendors eligible to supply and install the specified items pursuant to the New York State Contract System and/or approved purchasing consortiums, having received three proposals, as summarized in the attached bid summary; and

**WHEREAS,** representatives from the Building Committee and Dattner interviewed Arenson and Alianza, the furniture vendors that submitted the two lowest proposals, and attended in-depth presentations by the two vendors covering their respective abilities to successfully complete the procurement and installation of the Library furniture; and

**WHEREAS,** the second lowest bidder, Arenson, was identified by the Library Building Committee and Dattner as the vendor best qualified to successfully complete the furniture procurement and installation for a total of \$373,105.16, as specified through New York State Cooperative Purchasing system, plus a 5% contingency to account for any potential changes in NYS cooperative purchasing pricing; and

**WHEREAS,** the non-New York State (NYS) contract items in Arenson’s proposal total \$37,692.43 (inclusive of a 5% contingency) for purchase, delivery, and installation of the items detailed in the attached spreadsheet, which will be purchased separately in accordance with the Village’s Internal Control Policy using a portion of the requested Library Fund Balance transfer; and

**WHEREAS,** the Building Committee, Dattner, and Library Board recommend authorizing a Purchase Agreement with Arenson, 1115 Broadway, New York, for \$373,105.16, inclusive of a 5% contingency, for the purchase, delivery, and installation of all furniture identified in Exhibit “A” of the Agreement; and

**WHEREAS,** funding for the Purchase Agreement is available from the Library Fund Balance, currently \$1,234,852, which reflects savings in association with reduced Library operating costs during the construction period; now, therefore, be it

**RESOLVED,** that the Village Manager is hereby authorized and directed to execute the Purchase Agreement with Arenson, 1115 Broadway, New York, NY 10010, in the amount of \$373,105.16, inclusive of a 5% contingency, in substantially the same form as attached, and to undertake administrative acts as may be required under the terms of the contract; and be it further

**RESOLVED,** that \$411,000 be transferred from the Library Fund Fund Balance to the Library project Furniture Capital Account #HL-7497-964-2020-071 for purchase and installation of furniture at a cost of \$373,105.16, inclusive of a 5% contingency, as well as the purchase and installation of non-New York State Contact items totaling \$37,692.43, also inclusive of a 5% contingency.

<u>AYES</u>	<u>RECUSED</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	Trustee Ross	None	None

Trustee Crandall  
Trustee Lewis  
Trustee Ross  
Trustee Veron  
Trustee Waldman  
Mayor Samwick

\*\*\*\*\*

Upon motion entered by Trustee Veron, and seconded by Trustee Arest, the following resolution Authorizing Purchase and Installation of Shelving and Display Units for Public Library Expansion and Renovation Project was approved by the vote indicated below:

- WHEREAS,** purchase and installation of the Library furniture was not included in the Library project construction contract bid documents because the Library Building Committee determined that better pricing could be obtained by purchasing the furniture through the New York State Contract System and/or approved purchasing consortiums; and
- WHEREAS,** the Library Building Committee has collaborated with Dattner Architects (Dattner) in the selection of the appropriate shelving and display units for the Scarsdale Public Library Renovation and Addition Project; and
- WHEREAS,** upon Library Board approval of the recommended shelving and display unit purchases, Dattner solicited quotes from vendors eligible to supply and install the specified items pursuant to the New York State Contract System and/or approved purchasing consortiums, having received four proposals, as summarized in the attached bid summary; and
- WHEREAS,** representatives from the Building Committee and Dattner reviewed the shelving and display unit proposals and visited libraries that have previously installed said units, having collectively determined that BCI Libraries shelving and display units best meet all requirements, with the Library Board having concurred; and
- WHEREAS,** the lowest responsible proposal was submitted by Longo Associates, Inc., Ramsey, NJ, an authorized reseller of the preferred BCI Libraries shelving and display units, at a total cost of \$454,829.08, as specified through the Interlocal Cooperative Purchasing System known as TIPS, of which the Village is a current member; and
- WHEREAS,** the Building Committee, Dattner, and Library Board recommend authorizing a Purchase Agreement with Longo Associates, Inc., 110 Hilltop Road, Ramsey, NJ 07446, in the amount of \$454,829.08, for the purchase, delivery, and installation of all shelving and display units identified in Exhibit "A" of the Agreement; and

**WHEREAS,** funding for the Purchase Agreement is available from the Library Fund Balance, currently \$1,234,852, which reflects savings in association with reduced Library operating costs during the construction period; now, therefore, be it

**RESOLVED,** that the Village Manager is hereby authorized and directed to execute the Purchase Agreement with Longo Associates, Inc., 110 Hilltop Road, Ramsey, NJ 07446, in substantially the same form as attached hereto, in the amount of \$454,829.08 for the purchase and installation of the shelving and display units, and to undertake administrative acts as may be required under the terms of the Agreement; and be it further

**RESOLVED,** that \$454,829.08 be transferred from the Library Fund Fund Balance to the Library project Furniture Capital Account #HL-7497-964-2020-071, for the purchase and installation of the Library shelving and display units.

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

\*\*\*\*\*

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 \$20,875,218, 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 donation has been offered to the Scarsdale Public Library Addition and Renovation Capital Improvement Project: Friends of the Scarsdale Library - \$193,789.45; 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 hereby accepts the following gifts toward the Scarsdale Public Library Master Plan Improvement Project: \$193,789.45.00 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 \$193,789.45 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.

\*\*\*\*\*

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

**WHEREAS,** Jonathan Shugar has made a \$1,000 donation to the Scarsdale Public Library in support of the Rappaport-Shugar Fund; and

**WHEREAS,** pursuant to Policy #103: “*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 gift of \$1,000 from Jonathan Shugar to the Scarsdale Public Library; and be it further

**RESOLVED,** that the Village Treasurer take the necessary steps to complete the transaction and accept the \$1,000 gift and deposit it in the Library’s Rappaport-Shugar Fund; and be it further

**RESOLVED,** that the Board of Trustees hereby extends their heartfelt thanks and great appreciation to Jonathan Shugar.

\*\*\*\*\*

Trustee Waldman

Upon motion entered by Trustee Waldman and seconded by Trustee Crandall, the following resolution regarding Authorization to Execute a License Agreement for Operation of a Food and Refreshment Concession at the Scarsdale Pool Complex was approved by the vote indicated below:

- WHEREAS,** the Scarsdale Municipal Pool Complex (Pool Complex), located at 311 Mamaroneck Road, includes a snack bar concession operated pursuant to a fee-based License Agreement with a private vendor; and
- WHEREAS,** the License Agreement with the current vendor, O'Neill's Concessions, Yorktown, NY, expired upon completion of the 2019 pool season and staff distributed a Request for Proposals (RFP) to seven qualified companies on September 23, 2019; and
- WHEREAS,** on the proposal due date, October 18, 2019, a single proposal was received from the current concessionaire, O'Neill's Concessions, 2071 Baldwin Road, Yorktown, NY 10598, for a total license fee of \$82,000, with the balance of the vendors having indicated various reasons for not participating, including such factors as being too busy to take-on the commitment; and
- WHEREAS,** the proposed License term is for five years, including a Village option to renew for an additional five-year period upon the mutual agreement of the Licensee and the Village, subject to negotiation of any new terms the Village may deem appropriate at that time; and
- WHEREAS,** based on their positive track record of working collaboratively with Village personnel to successfully provide concession services to discerning clients at the Pool Complex for over twenty consecutive years, staff recommends that a five-year Food and Refreshment Concession License Agreement be awarded to the incumbent provider, O'Neill's Concessions; now, therefore, be it
- RESOLVED,** that the Village Manager is herein authorized to execute a License Agreement with O'Neill's Concessions, 2071 Baldwin Road, Yorktown, NY 10598, for the operation of a food and refreshment concession at the Scarsdale Municipal Pool Complex, 311 Mamaroneck Road, for a five-year term, expiring upon conclusion of the 2024 season, for a total fee of \$82,000 to be paid in annual increments, as established in the License Agreement; and be it further

**RESOLVED**, that the Village Manager is herein authorized to renew the license agreement for an additional five-year period at the conclusion of the 2024 season, subject to mutual agreement of both parties; and be it further

**RESOLVED**, that the Village Manager is authorized to undertake other such administrative acts as may be 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		

Before voting yes, Trustee Lewis stated that he has been a pool member for approximately two decades and that he has eaten frequently at this establishment. He is very pleased in the Whereas clause to be recognized as a discerning client.

\*\*\*\*\*

Written Communications

Village Clerk Conkling reported that six (6) communications have been received since the last regular Board of Trustees meeting. All written communications may be viewed on the Village’s website at [www.scarsdale.com](http://www.scarsdale.com).

- Six (6) emails were received regarding the Freightway Redevelopment Project from the following:
  - Three (3) emails from Mayra Kirkendall Rodriguez including a petition signed by opponents of the project.
  - Michael Levine
  - Steven Lipkin
  - Shahriar Shahida

\*\*\*\*\*

Public Comment

Mayor Samwick opened the second public comment period at this time.

**Robert Harrison**, 65 Fox Meadow Road, stated that he noticed in the agenda packet that in regard to the resolution on the Library furnishings this evening, there is mention in a

memo attached of using the Village Supply Field funds of \$267,900. He questioned why those funds are being used for the library furnishings.

Village Manager Pappalardo responded, stating that the work cost more than the \$500K grant received, so the Village did fund part of the improvements to the library loft. This was Village money that was used to make the improvements to the Supply Field building to build the temporary library.

Mr. Harrison asked about the pool concession contract adopted this evening, questioning whether it was a five year contract and if it was for the same amount or did it change?

Village Manager Pappalardo stated that from the current contract to this contract, it did change, and then it changes within this contract as well over the five year period. The first three years are at one number and the last two years are at a higher number.

Mayor Samwick clarified that this \$82,000 contract amount is the total amount of five years – not \$82,000 year.

Mr. Harrison stated that the School Board had a meeting that was scheduled in the Community calendar at 7:30 pm last night and they started at 6:30 pm. He stated that they spoke about their budget planning. They seem to be projecting a 3 ½% increase in school tax. There is another meeting on Monday at 6:30 pm at the Scarsdale High School on the School budget and he encouraged residents to attend. He urged the school to not increase their budget.

Mr. Harrison mentioned the passing of David Stern, as well as Kobe Bryant and his daughter. As a 49-year season ticket holder of the Knicks, he stated that he saw Kobe play basketball many times. He requested a brief moment of silence in memory of Kobe Bryant and David Stern. He thanked the Board for giving him the time to speak.

There being no further comment to come before the Board, the second Public Comment period was closed by Mayor Samwick.

\*\*\*\*\*

#### Future Meeting Schedule

- *Tuesday, February 11, 2020* – 6:00 PM – Village Board Work Session (Traffic Safety Discussion – 3<sup>rd</sup> Floor Meeting Room
- *Tuesday, February 11, 2020* – 7:30 PM – Agenda Committee Meeting – Trustees' Room
- *Tuesday, February 11, 2020* – 8:00 PM – Village Board Meeting – Rutherford Hall
- *Tuesday, February 25, 2020* – 6:00 PM – Village Board Work Session (Cyber Security Executive Session)– Trustees' Room
- *Tuesday, February 25, 2020* – 7:30 PM – Agenda Committee Meeting – Trustees' Room

- *Tuesday, February 25, 2020* – 8:00 PM – Village Board Meeting – Rutherford Hall

\* \* \* \* \*

FY 2020/21 Budget Discussions

- Wednesday, January 29, 2020 – 6:00 PM – Trustees’ Room
- Monday, February 10, 2020 – 6:00 PM – Trustees’ Room
- Tuesday, March 10, 2020 – 6:30 PM – Trustees’ Room

Briefing Sessions – 3<sup>rd</sup> Floor Meeting Room

- Thursday, February 27, 2020 – 7:00 PM – Operating Budget
- Wednesday, March 4, 2020 – 7:00 PM – Capital Budget

\* \* \* \* \*

Village Hall Schedule

- *Wednesday, February 12, 2020* – Lincoln’s Birthday – Village Hall Closed
- *Monday, February 17, 2020* – President’s Day – Village Hall Closed

\* \* \* \* \*

There being no further business to come before the Board, the meeting was adjourned at 9:40 PM on a motion entered by Trustee Veron, seconded by Trustee Ross and carried unanimously.

Respectfully submitted,

---

Donna M. Conkling  
Village Clerk