

THREE THOUSAND THREE HUNDRED FORTY-FOURTH

REGULAR MEETING

Rutherford Hall
Village Hall
February 11, 2020

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held in Rutherford Hall in Village Hall on Tuesday, February 11, 2020 in Rutherford Hall at 8:00 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.

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The minutes of the Regular Board of Trustees Meeting of Tuesday, January 28, 2020 were approved on a motion entered by Trustee Ross, seconded by Trustee Crandall and carried unanimously.

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Bills & Payroll

Trustee Lewis reported that he had examined the payment of bills made in advance of a Board of Trustees audit totaling \$911,329.05 which were found to be in order and he moved that such payments be ratified.

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

RESOLVED, that payment of claims made in advance of a Board of Trustees audit totaling \$911,329.05 is hereby ratified.

Trustee Lewis reported that he had audited the Abstract of Claims dated February 11, 2020 in the amount of \$249,704.75 which includes \$11,672.95 in Library Claims previously audited by a Trustee of the Library Board which were found to be in order. Trustee Lewis stated that he found two claims totally \$8,415.05 not in order and asked for further documentation. He stated that he has found the other claims to be in order and moved that such payment be ratified.

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

RESOLVED, that the Abstract of Claims dated February 11, 2020 in the amount of \$241,290.34 is hereby approved.

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Mayor's Comments

Mayor Samwick offered the following comments:

“The Freightway formal public comment period closed on Sunday. I would like to thank all of the residents, civic organizations and others stakeholders for their comments. The Board has sought extensive public input since discussions began about the potential redevelopment of Freightway three years ago and this comment period served as another opportunity in that process.

The Board of Trustees has been and remains committed to an inclusive and transparent discussion about Freightway. The Board paused the Freightway process based on overall Board and public dissatisfaction with the proposals submitted to date and to provide the public with an additional opportunity to be heard. Only after the Board has evaluated the community's comments will the Board discuss what might come next. To be clear, the Board has no specific plan or timeline with respect to Freightway. The Board is listening to the community and we share the community's focus on school and fiscal impacts. As we have said and it is worth repeating, the Board will not support a project that does not have a positive economic benefit to the Village and the School District or a project that would harm the quality of the education that our children receive.

While the formal comment period has closed, we always want to hear from the community and welcome your comments and feedback.

I would like to ask Trustee Arest to comment briefly on the current status of the Village's 2020/21 budget.”

Trustee Arest stated, “This budget season is the fourth that I've been a participant, either in the audience or at the table. I believe it has been one of the best conducted with greater detail, better analysis, and with a very healthy combination of dialogue and debate amongst Trustees and with staff. I appreciate the Village Manager, Treasurer, Department Heads, and their teams for all of their hard work.

As I reported at our last Board meeting, the property tax cap on the 2020-2021 budget for Scarsdale is 4.84%. This would amount to a \$1.9 million increase to our levy. The first pass budget projections showed an increase to the Tax Levy of \$1,004,330 which translates to a 2.437% increase. We have now had two additional budget iterations and I am happy to report that both resulted in decreases to that tax burden. As reviewed last night, our third pass and Tentative Budget, includes a tax levy increase of 1.986%. For the average valued property this equates to an increase of \$129. While I will not go into detail tonight on

the budget and/or changes that have been made, I want to encourage everyone to attend or watch the operating and capital budget briefing sessions that are upcoming.

I would be remiss not to say, however, that despite some difficult burdens including but not limited to mandatory personnel compensation increases, because of smart planning and fortuitous additional revenue and reduced expenses, we have been able to produce a budget that is sensitive to pressures faced by our residents, without a reduction in services and that also includes, as the Village Manager put it last night, “a very aggressive capital plan”. It was our goal to ensure that our capital plan primarily addresses aging critical infrastructure and that we also focus on public safety and quality of life. But, we also allocated funds to ensure that future capital projects are planned appropriately and collaboratively with not only input from the Board and Staff but also, of course, from the community. Most, if not all of the projects that will be necessary in the coming years will be build-once opportunities and we all agree that what we build must not only be a better version of what it is replacing but also be a version that suits our needs for decades to come.”

Mayor Samwick continued, stating, “I would like to add a few words about the budget process. The Board has been working with staff on budget matters in a series of public meetings that started in November. The seven members of the Board brought diverse priorities and visions to the budget discussions and through the hard work of respectful and at times active discourse, a consensus view is taking shape. As is typical of budget discussions, our deliberations focused on balancing difficult choices and priorities. It is also important to note a guiding principle for our work is to propose a budget that to the greatest extent practical serves the Village as a whole.

Our thanks to the residents who participated in the budget meetings and for those of your contributions that were incorporated into the budget. Please note that there are future budget meetings that are all open to the public. The Operating Budget Briefing Session will be held in the 3rd floor conference room of Village Hall at 7:00 pm on February 27th and the Capital Budget Briefing Session will be held in the 3rd floor conference room of Village Hall at 7:00 pm on March 4th. All are welcome and encouraged to attend.”

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Manager’s Comments

None.

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Public Comments

At this time, Mayor Samwick opened public comment; he reminded everyone that there is a five minute limit; a chime will sound after four minutes. There will be a second public comment period at the end of the meeting as well.

Ed Morgan, President of the Scarsdale Arts Council, stated that he has come before

the Board with a report from the Scarsdale Arts Council and a request regarding the Scarsdale Summer Art Festival 2020. The request is that the Village formally acknowledge the Festival as a Village event. The festival will include a juried art show in the Scarsdale Village Center which will open in mid-July and continue into early August. A draft Village Board resolution was included in a packet that Mr. Morgan distributed to the Mayor and Trustees which states that the Village confirms its support and sponsorship of the Festival, subject to certain conditions, as presented by the Arts Council. Also included in the packet is a notice concerning 'Rock the Dale' to be held on Friday, May 19th from 5:00 pm – 7:00 pm at Chase Park.

Mayor Samwick thanked Mr. Morgan for all that he has done for the 49 years he has been here and especially for all the work that goes into these events. The Board sincerely appreciates his hard work.

Madelaine Eppenstein, Autenreith Road, stated that she had two announcements relating to two Scarsdale Forum Boards. With respect to the meeting that was just held this evening regarding traffic safety, on behalf of the Scarsdale Forum, she stated that she would like to thank everyone including the Board and the Police Department for considering the suggestions made in the Forum's report.

Ms. Eppenstein also referred to the report on Climate Smart Communities and hoped that the Board will adopt the resolution on the agenda this evening to take the pledge.

On behalf of the Friends of the Scarsdale Parks, Ms. Eppenstein stated that it has been their privilege to assist the Village in the parks and at this time they would like to be able to thank the Board for accepting the gift of two library kiosks for the use in and enhancement of the parks.

Mayor Samwick thanked Ms. Eppenstein for all the effort the Forum put into the reports and for the generosity of the Friends of the Scarsdale Parks.

Elaine Weir, 138 Brewster Road, expressed her support of Scarsdale taking the New York State Climate Smart Community pledge. She stated that she felt it would be very good for the community. The food scrapping and the LED streetlight projects are terrific. She is looking forward to what Scarsdale does next in terms of making the community more climate resilient.

Michelle Sterling, Brayton Road, Conservation Advisory Council Chair, thanked the Board for taking on the Climate Smart Community pledge this evening. She feels this is a natural extension of everything that has been done over the past few years, which are already some of the things that are in the pledge. The CAC is looking forward to working further with the Village management to pursue further endeavors as a climate smart community. She thanked the Board for their leadership.

Mayor Samwick thanked Ms. Sterling and the CAC for all the hard work in getting Scarsdale this far as a climate smart community.

Zoe Berg, 32 Tisdale Road, stated that she wanted to bring the Board's attention to an emerging issue that she has spoken to the Board before about. She stated that this past

weekend she attending the New York Conference of Mayors (NYCOM) event in Albany. She noted that she spoke with over 40 Mayors that represent localities across the State. She provided legislators with a comprehensive overview of the risks that 5G wireless technology poses to communities including aesthetics, property devaluation concerns to health risks. The Mayors were very eager to review the sample municipal code that her organization, Grassroots Environmental Education, has drafted in conjunction with a variety of telecom lawyers from across the country. She stated that she has also recently corresponded with Mayor Samwick and Village Manager Pappalardo and thanked them for responding to her so quickly. Scarsdale has not yet been approached to install small cell infrastructure in the community, so preemptive measures can be taken to safeguard the residents. The code she is presenting is unique in that it includes setbacks from residences, schools, day care facilities and they have randomized radio frequency emissions testing. If the telecoms go above the limit, they would have to pay a fee.

Ms. Berg stated that she would be happy to provide the Village with as much literature as they might need to aid in the decision making process as seamless as possible.

Robert Berg, 32 Tisdale Road, stated that he was pleased to announce that he has officially filed the nominating petitions from the Voters Choice Party candidates for Village Trustee in the forthcoming March 18th Village Election. He stated that a contested election is more interesting and involves the residents in a more democratic process.

Mr. Berg stated that he had questions on the Freightway process. He asked how many comments had been received during the established comment period regarding the proposed project, will those comments be made public, and if so, when and where will they be posted.

Mayor Samwick responded that they do not have a number yet in terms of how many comments were received. He stated that they will be made public; however, the timing and methodology has not been determined. Staff is reviewing and organizing the comments; this will take some time.

Mr. Berg next questioned how much has been spent on legal fees to date on the Freightway project.

Mayor Samwick stated that he did not have that information available right at this moment. Village Manager Pappalardo informed Mr. Berg that if he is interested in that information, he can file a FOIL and the Village will provide him with that information.

Mr. Berg noted that since discussion regarding the Freightway project has paused, there is a lot of confusion in the community as to where it stands.

Mayor Samwick stated that the Board meant it when they said they want to hear from the community and that means that Board needs to have the information from the community available to them, and absorb it to understand it before deciding what course of action would follow. The Board needs to give the public comment process justice by seriously reviewing and considering the comments. Nothing has been determined at this point.

Mr. Berg asked if there was a particular time line being considered for the process.

Mayor Samwick replied that first the information has to be assembled and organized. Once that has taken place, then the Board can start to think about what comes next.

Robert Harrison, 65 Fox Meadow Road, spoke as the Chair of the Scarsdale Taxpayer Alert established in 1989. He noted that 56-57% of Scarsdale households do not have children in the school system. Scarsdale is primarily an older community with residents who have lived here many years. Tax increases should be kept at a minimum and get good quality for the tax dollars. He stated that everyone in Scarsdale should be proud of the efforts of the Village Board and Village staff to keep the tax increase down. He also spoke about various School budget issues.

Mr. Harrison stated that he objected to the increase for the pool permit fees of 17%. He asked the Village Attorney if there is any way they could consider the young people that work at the pool as independent contractors.

Mayor Samwick stated that this level of detail should be discussed in a one on one conversation as opposed to part of public comment. It is important, and the Board appreciates his input.

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

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Trustee Liaison Reports

Trustee Veron stated that she had two reports this evening:

“The first regarding the Scarsdale Business Alliance - I attended The Scarsdale Business Alliance Board meeting last week and learned that the organization continues to grow in strength and number. The SBA’s Annual Meeting and Meet and Greet last month was very well attended by existing and new members. Building Inspector Frank Diodati joined the Board meeting to provide detail on zoning and permit requirements, particularly focused on first floor vacancies. He shared that the Village is very flexible with respect to permitting a variety of businesses to open in Scarsdale to meet the evolving needs of our community and assured the business owners that he is always available.

My second report is on the library; last night the Library Board unveiled their “hot off the press” strategic plan that will guide the library as it prepares to meet and exceed the current and future needs of the community. I was excited by and impressed with the content that will be shared with the public and commend the Library Board, Friends of the Library and library staff for their proactive and collaborative approach. I also want to report that the Spelling Bee was a tremendous success, attracting a broad cross section of our residents, upwards of 250 (and our Mayor as judge) students, families, older adults - a preview of things to come when our library reopens later this year.”

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Trustee Ross reported “on Wednesday, February 26 at 7:30 PM there will be a program on the current coronavirus epidemic at the Scarsdale Volunteer Ambulance Corps headquarters. The program is co-sponsored by the Scarsdale Volunteer Ambulance Corps and Lawrence Hospital.

The ambulance corps will be having an EMT class starting the last week of April and running to the second week of June. It is being run specifically as part of the Scarsdale High School PTA senior options program. The class will run five days a week, Monday through Friday, from 9:00 AM until 3:00 PM. The schedule and sign up for the EMT class are on the ambulance corps website at www.scarsdalevac.com. Anyone with questions may call the ambulance corps at 722-2288.”

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Trustee Arest

Trustee Arest stated “this is a resolution establishing the Recreation Fees and Charges for FY 2020-2021. These fees and charges are reviewed annually by the Village beginning with Brian Gray, Superintendent of Parks, Recreation and Conservation, and his team with help from the Village Manager and Village Treasurer. Brian also consults the Advisory Council on Parks, Recreation, and Conservation before a plan is presented to the Village Board, and our meeting occurred on January 16th. There are seventeen programs listed in the resolution that will see an increase in 20-21. I will not go into each program individually and what is causing its fee increase but, I do want to mention the general themes that are noted in the memorandum. In each case, at least one of these is the reason for the fee increase for the programs impacted:

- Minimum wage will increase to \$14.00 per hour. Therefore, we need to increase salaries to be competitive and attract good employees;
- New vendors added with different pricing arrangements;
- Increased operational costs to the Village;
- Additional vendor costs; and,
- Additional requirements from the School District requiring additional staff relating to security.

Brian and his team work hard to ensure that cost increases are born by the users of the various programs rather than subsidized by non-users.

One other item to note are the initiatives listed in the last whereas clause detailing new ways the Board hopes to help combat the declining enrollment in pool memberships in the short term.

As noted previously, extensive outreach is planned to the community to better understand residents’ needs and wants for the pool complex before we undertake necessary and expensive improvements.

We are very fortunate to have such a wealth of Parks and Recreation programs in Scarsdale providing great value to our residents.”

Upon motion entered by Trustee Arest, and seconded by Trustee Crandall, the following resolution regarding the Establishing Fiscal Year 2020-21 Recreation Fees and Charges was adopted by the voted indicated below:

WHEREAS, the Village annually reviews its Recreation Fees and Charges with input from the Advisory Council on Parks and Recreation and the Village Board of Trustees; and

WHEREAS, the Village Board reviewed the proposed Fiscal Year 2020-21 Recreation Fees and Charges Schedule at their Work Session held on January 16, 2020, and approved the proposed fee changes, as presented; and

WHEREAS, the Fiscal Year 2020-21 increases are proposed for the following new and existing programs, as detailed in the attached memorandum:

- Tennis Lessons
- Day Camp
- Sports Camp
- Teen Travel Camp
- Baseball Summer League
- Basketball K-2 Sunday Clinic
- Soccer Stay-In-Town August Camp
- S.W.A.T – New Trip Programming
- Youth Wrestling Clinic
- Youth Running Club
- Basketball 3rd – 8th Grade League
- Pool Permits
- Pool Aftercamp
- Aqua Tots/Tiny Bobbers Swim Lessons
- Early Morning Swim
- Birthday Parties
- Private Lesson packages; and

WHEREAS, the Village Board also discussed and authorized the sale of 50 non-resident Family Pool Permits on a first come, first served basis for a charge of three times the current Resident Family Permit fee, having also discussed and authorized Village of Scarsdale and/or Scarsdale School employees to purchase pool permits at existing resident rates; now, therefore, be it

RESOLVED, that the fees and charges for recreation programs identified in the Recreation Fees and Charges Schedule, dated January 21, 2020, attached hereto and made a part hereof, are herein adopted and shall remain in effect unless amended by resolution of the Village Board of Trustees.

AYES

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

NAYS

None

ABSENT

None

Trustee Crandall

Before reading the following resolution, Trustee Crandall thanked the Conservation Advisory Council as well as the Friends of the Scarsdale Parks Sustainability Committee. She thanked everyone who worked to bring this program to the Village Board’s attention.

Upon motion entered by Trustee Crandall, and seconded by Trustee Arest, the following resolution regarding the Climate Smart Communities Pledge was approved by a unanimous vote:

WHEREAS, the Board of Trustees believes that climate change poses a real and increasing threat, exhibiting the potential for significant harmful disruption to natural and human systems, including environmental, social, and economic impacts; and

WHEREAS, the cumulative effects of climate change endanger human health, safety, and welfare, necessitating our continued thoughtful and deliberate action to identify and advance strategies that support the overarching goal of sustainability, as incorporated into the National Environmental Policy Act of 1969, to “create and maintain conditions, under which humans and nature can exist in productive harmony, that permit fulfilling the social, economic, and other requirements of present and future generations”; and

WHEREAS, sustainability and resilience themes are woven into the rich tapestry of our community, and our municipal operations and infrastructure increasingly reflect our collective conscience in that regard, with highly visible projects such as the conversion of conventional street lights to LED, the launch of a curbside food scrap recycling program, and the addition of recycling bins at all of Scarsdale’s parks having

yielded significant financial and environmental benefits, though there remains much work to be done; and

WHEREAS, the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization demands substantial and sustained public and private effort—even if emissions were dramatically reduced today, communities would still be confronted with the need to adapt to the unavoidable effects of climate change for decades to come; now, therefore, be it

RESOLVED, that the Village of Scarsdale, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities pledge, which is comprised of the following ten elements:

- 1) Build a climate-smart community;
- 2) Inventory emissions, set goals, and plan for climate action;
- 3) Decrease energy use;
- 4) Shift to clean, renewable energy;
- 5) Use climate-smart materials management;
- 6) Implement climate-smart land use;
- 7) Enhance community resilience to climate change;
- 8) Support a green innovation economy;
- 9) Inform and inspire the public; and
- 10) Engage in an evolving process of climate action.

Upon motion entered by Trustee Crandall, and seconded by Trustee Veron, the following resolution regarding Authorization to Execute a Master Contract for Municipal Food Scraps Reduction, Food Donation, and Food Scraps Recycling Grant was approved by the vote indicated below:

WHEREAS, an estimated 85,537 tons of residential food waste is generated per year in Westchester County, with most such waste presently being combined with Municipal Solid Waste and incinerated in Peekskill, NY; and

WHEREAS, the Village of Scarsdale created a voluntary food scrap recycling program in January 2017 to reduce Municipal Solid Waste (MSW), increase recycling, and advance its environmental and sustainability goals; and

WHEREAS, having now grown to serve over 1,000 households, with over 1 million pounds of food scraps collected to-date, the highly successful curbside food scrap collection program serves as a regional model for other Westchester County communities and is in need of local

expansion to provide curbside service to all of Scarsdale’s 5,800 households; and

WHEREAS, to support program expansion, staff applied for funding from New York State through the Municipal Food Scraps Reduction, Food Donation and Food Scraps Recycling Program to support the purchase of a new 14 cubic yard Rear Loader and to produce program marketing and outreach materials to expand resident participation; and

WHEREAS, the Village of Scarsdale is being awarded a grant of \$80,330.30, representing 50% (\$73,130.30) of the truck expense and 80% (\$7,200) of the cost of the marketing materials, requiring a corresponding local match totaling \$74,930.30, to be funded from Capital Budget account H-5197-963 2019-052, where sufficient funds are available; and

WHEREAS, acceptance of the grant requires Village Board approval by resolution and execution of a New York State Master Grant Contract; now, therefore, be it

RESOLVED, that the Village Board of Trustees hereby accepts a New York State Food Scrap Recycling Program Grant of \$80,330.30 and directs the necessary Grant Program local match of \$74,930.30 to be charged to Capital Budget account H-5197-963 2019-052; and be it further

RESOLVED, that the Village Manager is herein authorized to execute the Master Grant Contract and to undertake such administrative actions as may be necessary under the terms and conditions of the Contract.

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

Trustee Veron commended Ron Schulhof and Michelle Sterling for advocating for this idea and collaborated with government to test it. Public hearings and so much engagement occurred; she stated that it is moving to her that the Village is now at this place, a model for the entire community. She stated that she really wanted to honor them both for their efforts and thanked them.

Mayor Samwick seconded Trustee Veron’s comments and also acknowledged the role of staff in all of this. First, the challenge was to get the ball rolling on food scraps. An enormous amount of effort was required of staff as well as creativity and flexibility which you often don’t find in municipal government. That really comes from the top and

permeates the organization.

Mayor Samwick stated that he would also like to acknowledge staff for finding a lot of grant opportunities and approaching them in creative and thoughtful ways. The benefits of this are seen over and over again, and this is another case of that.

Trustee Veron

Upon motion entered by Trustee Veron, and seconded by Trustee Crandall, the following resolution regarding a Subdivision Recreation Fee – 26 Overhill Road – Section 1, Block 2, Lot 3 was approved by a unanimous vote:

- WHEREAS,** Section 7-730-4 of New York State Village law authorizes planning boards to reserve land in a subdivision for park, playground, or other recreational purposes, and take money in lieu of land in cases where suitable park lands of adequate size cannot be properly located on a subdivision plat, the amount of said money to be established by the Village Board of Trustees; and
- WHEREAS,** on December 18, 2019, the Planning Board approved the two-lot subdivision of 26 Overhill Road, creating one new lot, after finding the proposed subdivision would not have a significant negative environmental impact pursuant to the State Environmental Quality Review Act (SEQRA) and Chapter 152 of the Village Code SEQRA; and
- WHEREAS,** on January 22, 2020, the Planning Board recommended a payment in lieu of contribution of land after finding that the dedication of land for park, playground, or recreation purposes is not feasible in view of the small amount of land available in this two-lot subdivision; and
- WHEREAS,** the Village initiated a study of Village athletic facilities in 2000, conducted by Ward Associates, for an inventory of existing facilities and an analysis of existing and future needs, having identified needed improvements to existing Village and School facilities for increased use, as well as a plan for increasing the inventory to meet the community needs; and
- WHEREAS,** the Village Department of Parks, Recreation and Conservation provides a variety of facilities to meet the interests and needs of the community including parks, playgrounds, ball fields and an outdoor pool; and
- WHEREAS,** the Village Department of Parks, Recreation and Conservation develops a Five Year Capital Plan that calls for the replacement of facilities and equipment as well as additional facilities that will be

needed in the future; and

WHEREAS, the Village Board, in May 2018, adopted the Guidelines and Fee Schedule for monetary payment in lieu of land for new building lots and determined the Recreation Fee for new lots is a range from 4% to 6% of the 2018 lot value as estimated by the Village Assessor and verified by an independent analysis; and

WHEREAS, the fee charged to the applicant in lieu of land being conveyed for recreational purposes bears a substantial relationship to the cost of providing recreational facilities and the acquisition of land for recreational purposes; now, therefore, be it

RESOLVED, the Board of Trustees hereby accepts the recommendation of the Planning Board that the applicant, 26 Overhill Property LLC, pay to the Village an amount equal to 5.0% of the Guideline Value of a lot in the A-3 zoning district, pursuant to the 2018 Subdivision Recreation Fee Schedule, or \$55,000 in lieu of a contribution of land for park, playground or other recreational purposes for the one new buildable lot resulting from the subdivision of property at 26 Overhill Road, identified on the Village tax map as Section 1, Block 2, Lot 3.

Upon motion entered by Trustee Veron, and seconded by Trustee Crandall, the following resolution regarding Authorization of Change Orders for VM Contract #1228 – General Construction, Scarsdale Public Library Renovation and Expansion Project was approved by the vote indicated below:

WHEREAS, VM Contract # 1228 – General Construction, Scarsdale Public Library Renovation and Expansion, was awarded by the Village Board of Trustees on June 26, 2018, to the lowest responsible bidder, Niram Inc. (Niram), Cedar Knolls, NJ, for a total contract award of \$10,307,000; and

WHEREAS, during the course of construction, the combination of certain unanticipated field conditions and added project features expanded the scope of work, necessitating associated change orders in connection with VM #1228; and

WHEREAS, in accordance with Section 2.9 of the Village’s Internal Control Policy, the Village Manager authorized VM Contract #1228 Change Orders GC-01 thru GC-10, totaling \$195,399.80, for a revised contract grand total of \$10,502,399.80, with additional change orders requiring Village Board review and approval; and

WHEREAS, change orders GC-11 thru GC-19, totaling \$88,627.39, as described in the attached summary, have been reviewed by Village staff, Savin

Engineers, the Village’s construction management firm, and Dattner Architects, the Village’s architectural firm, and were deemed reasonable for the scope of work proposed, now requiring Village Board of Trustees consideration pursuant to Section 2.9 of the Village’s Internal Control Policy; and

WHEREAS, taking into account change orders GC-01 through GC-19, a total of \$284,027.49, the revised General Construction VM #1228 contract total is \$10,591,027.49, representing a 2.8% increase, overall; now, therefore, be it

RESOLVED, that in accordance with Section 2.9 of the Village of Scarsdale Internal Control Policy, change orders GC-11 thru GC-19, totaling \$88,627.39, as described in the attached, are herein authorized for VM Contract #1228 - General Construction, Scarsdale Public Library Renovation and Expansion project; and be it further

RESOLVED, that said additions and modifications be paid utilizing available project contingency funds built into the approved project funding.

<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			

Before reading the following resolution, Trustee Veron stated that she wanted to acknowledge the ingenuity, persistence, and dedication of another community member at this time. A high school student who had an idea and made it happen.

Upon motion entered by Trustee Veron, and seconded by Trustee Arest, the following resolution regarding Acceptance of Little Free Library Kiosk Gifts was approved by a unanimous vote:

WHEREAS, the Scarsdale Public Library received a request from a local student Danielle Kohn to start a Little Free Library kiosk program in the Village of Scarsdale; and

WHEREAS, many municipalities throughout the country and Westchester County have such kiosks, which increase a sense of community and beautify surroundings; and

- WHEREAS,** at their monthly meeting on May 15, 2019, the Advisory Council on Parks, Recreation and Conservation (PRC) voted unanimously to endorse Ms. Kohn’s proposal; and
- WHEREAS,** Ms. Kohn has secured funding for a total of four Little Free Library kiosks valued at \$1,320 in the aggregate, with supporting gifts from the Friends of the Scarsdale Parks (FOSP) for two kiosks and posts (\$660), the Friends of the Scarsdale Library (FOSL) for one kiosk and post (\$330), the Scarsdale Foundation for one kiosk and post (\$330), plus FOSL is donating a fifth kiosk, which an FOSL member is constructing; and
- WHEREAS,** Scarsdale Public Library and Department of Parks, Recreation and Conservation staff, with the assistance of the Friends of the Scarsdale Parks, will assemble, install, and maintain the kiosks at Brite Avenue Park, Crossway Field, Hyatt Park, Chase Park, and Harwood Park/Library Pond, while Scarsdale Public Library assumes responsibility for monitoring and stocking the kiosks, as needed; 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 Board of Trustees hereby accepts the gifts of \$660 from the FOSP, \$330 from the Scarsdale Foundation, \$330 from the FOSL, totaling \$1,320 in the aggregate, for the purchase of four Little Free Library kiosks and posts, as well as the gift of one fully assembled kiosk from an FOSL member; and be it further
- RESOLVED,** that the Village Board of Trustees hereby extends its gratitude to the FOSP, FOSL, and the Scarsdale Foundation for their generosity to the community.

Trustee Waldman

Upon motion entered by Trustee Waldman, and seconded by Trustee Arest, the following resolution regarding Authorization to Execute a Collective Bargaining Agreement with the Scarsdale Police Benevolent Association was approved by the vote indicated below:

- WHEREAS,** the Village of Scarsdale (“Village”) and Scarsdale Police Benevolent Association (“PBA”) are parties to a Collective Bargaining Agreement that expired on May 31, 2019; and
- WHEREAS,** changes to the terms and conditions of employment were agreed upon by the parties and placed in the form of a Memorandum of

Agreement dated January 14, 2020, attached hereto and made part hereof; and

WHEREAS, the membership of the PBA ratified the terms and conditions contained in the Memorandum of Agreement on January 20, 2020; and

WHEREAS, on January 28, 2020, the Village Board convened in executive session for the purpose of discussing collective bargaining agreements, at which time the Village Board had an opportunity to discuss the Memorandum of Agreement dated January 14, 2020, between the Village and the PBA; and

WHEREAS, the Memorandum of Agreement between the Village and the PBA regarding the terms and conditions of employment for the period June 01, 2019, through and including May 31, 2025, is being presented for approval by the Village of Scarsdale Board of Trustees; now, therefore, be it

RESOLVED, that the Memorandum of Agreement between the Village and the PBA dated January 14, 2020, regarding the terms and conditions of employment for the period June 1, 2019, through and including May 31, 2025, is hereby approved; and be it further

RESOLVED, that the Village Manager and Human Resources Director are hereby authorized to execute a Collective Bargaining Agreement for the period June 01, 2019, through and including May 31, 2025, between the Village and the PBA, incorporating the terms and conditions of said Memorandum of Agreement.

<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 Waldman and seconded by Trustee Veron, the following resolution regarding Termination of VM Contract #1247 – Grounds Maintenance was approved by the vote indicated below:

WHEREAS, pursuant to the results of sealed bids submitted to the Village on January 11, 2019, under VM Contract #1247—Grounds

Maintenance, Landscape Concepts, 253 Route 100, Somers, NY 10589, was awarded a two-year contract for said services on February 26, 2019 (resolution attached), with the two-year term expiring March 26, 2021; and

WHEREAS, following completion of the first year’s scope of services, Landscape Concepts requested to terminate the balance of the Contract; and

WHEREAS, pursuant to Section 12 of the General Conditions of VM Contract #1247, the Village is permitted to cancel the contract after the first year, and the Department of Parks, Recreation and Conservation recommends the request be granted without penalty; now, therefore, be it

RESOLVED, that the Village Manager is herein authorized to terminate VM Contract #1247 with Landscape Concepts, 253 Route 100, Somers, NY 10589, which is hereby released of its year-two obligations under VM #1247—Grounds Maintenance; and be it further

RESOLVED, that the Village Manager is herein authorized to undertake a new solicitation for bids pursuant to VM Contract #1259 – Ground Maintenance.

<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		

Written Communications

Village Clerk Conkling reported that three (3) 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.

- A report of the Scarsdale Forum Municipal Services Committee dated January 22, 2020 on Updates to the Scarsdale Forum 2015 & 2018 Traffic Reports.
- An email from Mayra Kirkendall Rodriguez regarding vehicles speeding on Fox Meadow Road. A response from Lt. Grgas is attached.
- An email from Howard Weinberg with suggestions on better commuter traffic flow in response to the proposed Freightway redevelopment plans.

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There being no further business to come before the Board, the meeting was adjourned at 9:01 PM on a motion entered by Trustee Veron, seconded by Trustee Ross and carried unanimously.

Respectfully submitted,

Donna M. Conkling
Village Clerk