

THREE THOUSAND THREE HUNDRED SEVENTIETH

REGULAR MEETING

Video Conference
Via Zoom
March 9, 2021

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held on Tuesday, March 09, 2021 via video conference (Zoom) at 7:00 p.m.

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

Minutes

The minutes of the Board of Trustees Regular Meeting of Tuesday, February 23, 2021 were approved as amended on a motion entered by Trustee Crandall, seconded by Trustee Whitestone, and carried unanimously.

Bills & Payroll

Trustee Waldman reported that she had audited the Abstract of Claims dated March 9, 2021 in the amount of \$330,165.83 which included \$573.35 in Library Claims previously audited by a Trustee of the Library Board.

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

RESOLVED, that the Abstract of Claims dated March 9, 2021 in the amount of \$330,165.83 is hereby approved.

Mayors Comments

Mayor Samwick stated “I am going to start by discussing the tax payment penalty very briefly before the manager speaks more about it.

Tax Payment Penalty

The Village is acutely aware of the pain facing a number of residents as a result of the addition of a two-payment option for school and Village taxes due over the past nearly 10 months. This change has created some confusion and that has, unfortunately resulted in tax penalties accruing to people impacted by the change to a two-payment system. To reiterate what I've said previously, the VB enacted a two-payment system solely to benefit taxpayers during an extreme health and fiscal impact. We deeply regret that anyone has been harmed by this Village Board action that was designed to help people. The Village Manager will discuss this in more detail during Manager's comments.

The American Rescue Plan

Last night I received an email from Senator Majority Leader Schumer's office about the proposed American Rescue Plan, the \$1.9 trillion plan that has been approved by the Senate and is awaiting approval by the House of Representatives before being presented to President Biden for his signature.

Senator Schumer's office prepared an explanation of what the \$360 billion State and Local Government Rescue Plan means to New York State municipalities. The preliminary estimate, and I would like to stress that this is a preliminary estimate, for Scarsdale is \$1.96 million. These funds will carry restrictions, including but limited to:

- Funds may be used for costs associated with responding to the COVID-19 public health emergency or its negative impacts.
- To support workers performing essential work during the COVID-19 public health emergency.
- To cover revenue losses caused by the pandemic.
- To make necessary investments in water, sewer or broadband infrastructure.
- Funds may not be used by states or localities to cover the costs of pension funds and states may not use funds to offset a reduction in taxes.

These funds, should they be approved by the House and the President, will help Scarsdale offset the economic impacts resulting from the COVID-19 pandemic. The largest impact on the Village from the pandemic is the loss of \$1.4 million of parking revenue in the current fiscal year. Other revenue shortfalls are expected to come from Village Court fines (\$400,000), Interest Income (\$400,000) and Sales Taxes (\$200,000). These four line items total expected revenue shortfalls of approximately \$2.4 million.

The Village has been able to weather this fiscal storm as a result of decisive action by the Village Manager, Village Treasurer and the Board of Trustees. In the early days of the pandemic, the Village Treasurer and Manager recommended to the Village Board that funds be set aside to cover expected revenue shortfalls. In total, \$2.25 million has been set aside and is projected to be used to cover expected revenue shortfalls in the current and subsequent fiscal years. In addition, the Treasurer and Manager identified \$1.7 million of funded capital projects that could be funded with debt, thereby enabling the reallocation of these encumbered funds to other budget line items that faced COVID-related impacts. Lastly, the Village Manager implemented austerity spending measures, which limit spending to necessary items and items addressing the health, safety and welfare of the Village and its

residents. These three actions have successfully positioned the Village to weather the current fiscal storm.

The Village acted quickly to ensure that to continue to deliver central services throughout the pandemic, including sanitation pickup, water distribution, as well as fire and police protection. Much was asked of the Village staff, as people were asked to bravely face unseen and relatively unknown dangers. To make sure that residents were protected, people throughout the organization were asked to expand their job descriptions, including people on road and tree crews handling sanitation pickup and water pump operators while working in solitary conditions to protect each other's health, and building inspectors performing remote inspections, and so much more.

One other thing that non-unionized employees were asked to do is forego their annual 2% salary increases, while we asked so much of our employees, we asked them to bear a financial burden as well. Earlier this evening the Village Board met and discussed potentially using some funds from the American rescue plan funds to show appreciation for what our Village staff has done for us in this case. Our staff that are not subject to collective bargaining agreements - we're seeking to potentially restore their 2% salary increases retroactive to June 1st, which is the start of the current fiscal year. We now are going to get a more detailed analysis of that from our Village staff, including a revision to the Court fines in the coming 2021-22 budget, reducing that revenue line item by \$100,000 to better reflect our actual experience in that line item as well as a couple of other minor items, including enhancing Meals on Wheels funding by about \$1,500.

So, over the coming days, we will see a memorandum in that regard. We have also added a meeting this coming Monday evening, at 6:00 p.m. to review and finalize this Board's approval of the tentative budget which needs to be filed by next Friday.

Village Manager, thank you and your staff for all that they have done for us over the past 12 months. We hope that the restoration of the annual 2% salary adjustment conveys the great appreciation that Village residents have for all that staff does for us – day in, day-out, come rain, shine, snow, or even a pandemic. Thank you, Steve.

Village Manager Search

As most know, our Village Manager, Steve Pappalardo, has notified me and the Village Board of his intention to retire in early July. The Village Board along with the Village's Director of Personnel and Risk Management interviewed two highly qualify firms to conduct the search for Scarsdale's next Village Manager.

Tonight we are pleased to welcome to Joellen Cademartori, the Chief Executive Officer for the Executive Recruitment firm of GovHR. The Board is poised tonight to approve GovHR to perform the recruitment of our next Village Manager. GovHR is an Illinois based firm established in 2009 having conducted several hundred public sector recruitments at all levels of governments in over 30 states. The Village Board selected GovHR after conducting a competitive interview process. Joellen, the floor is yours.”

Joellen Cademartori stated that she just wanted to say hello and thanked the Board for engaging her company to help with very important search.

Ms. Cademartori gave an overview of GovHR, stating that they are a national firm and that she owns company with another woman, whose name is Heidi Vorhees. The company has been around for a long time, under different names, and she stated that they have one consultant that has been with them since the 1970's. All of their consultants have worked in local government, so our knowledge base is not only in general administration, but it's also in all of the technical areas of local government.

Ms. Cademartori stated that as they work with the Village of Scarsdale, if there was ever a need to bring somebody in for some technical knowledge, they have people that focus in Public Safety, community development, economic development, and finance technology. They have a very wide group of people that work with them. Their company will be working with the Board on a national search to cast a very wide net to bring some excellent candidates forward.

Ms. Cademartori stated that in regard to her own background, she worked in local government for 24 years - she worked in Massachusetts in central Massachusetts and on Cape Cod. She also worked in North Carolina and her final position was in the City of Evanston, Illinois. She stated that she left that position to start the company GOV temps in 2011, which was their first company. She stated that she has had a lot of experience working in similar capacities. Her company will help guide the Village Board through this search, because it is very important that they bring in a very qualified and competent person to replace the well esteemed and very well respected current Village Manager.

Mayor Samwick stated that the Board is looking forward to working with her in this very important search for the Village and noted that this is a process that the Board wants to have in a very open and inclusive manner with the entire Community.

Mayor Samwick stated that before closing Mayor's comments, he would like to remind everyone that Tuesday, March 16th is the Village Election, and residents will be voting for a new Mayor and for three open Trustee slots. The election will be held at the Scarsdale Congregation Church from 6:00 a.m. to 9:00 p.m.

Mayor Samwick asked the Village Clerk to clarify any deadlines for submitting an absentee ballot for the upcoming election.

Village Clerk Conkling responded that in terms of deadlines for obtaining an absentee ballot, she reminded everyone that tomorrow, March 10th, is the last day that her office can mail an absentee ballot to a resident requesting same. After March 10th, residents may come to the Clerk's office and personally apply and immediately obtain an absentee ballot up until Monday, March 15th at 5 p.m. The absentee ballots themselves may be submitted up through the close of the polls at 9 p.m. on Election Day, March 16th.

Manager's Comments

Village Manager Pappalardo stated, "I am speaking tonight in response to the numerous emails and calls that staff are receiving from taxpayers having failed to remit timely tax payments, citing confusion with the two-installment option authorized in June 2020. Although over 94% of taxpayers remitted timely payment, approximately 6% did not. As a consequence, many of those failing to remit timely payment experienced significant late penalties.

My comments are intended to help all taxpayers become aware of the issue, so others may avoid the problem in the future, as well as to inform Scarsdale taxpayers of the regulatory constraints the Village must operate within as we respond to requests for relief, which we are unauthorized to grant.

Before describing the Village's communication outreach to inform taxpayers of the two-payment option, reminding them of the upcoming due dates, and illuminating the Village's statutory obligations related to late payment penalties, I want to be sure everyone is aware of the genesis of the two-installment option.

Recognizing the financial impact of COVID-19 on the local, national, and global economies and the associated stress placed upon Scarsdale businesses, families, and other property owners, the Village and School Boards worked together to authorize property tax payments to be paid in two installments, with the Village Board's resolution authorizing a two-payment system having been passed at their June 09, 2020 meeting. From that point forward, staff endeavored to alert taxpayers of the option and remind them of upcoming due dates. Next, I will highlight some of our outreach efforts.

A number of efforts were undertaken to notify Scarsdale taxpayers of the opportunity to pay property taxes in two installments, alert them of the due dates, and remind them of late payments, including penalties and interest due. Specifically, the following efforts were made:

On June 09, 2020, the Village Board considered and approved a local law authorizing real property taxes to be paid in two installments Village Board's resolution. The penalty-free due dates and penalty schedules were included in the agenda item and residents spoke and wrote in favor of the two-payment system being authorized, as presented.

On June 17, 2020, Mayor Samwick distributed an Open Letter to Scarsdale Community through our press release system, Notify Me, which all taxpayers may subscribe to in order to receive text and/or email notifications of important official news and information. The Open Letter was also distributed through Twitter. Among other topics, Mayor Samwick spoke to the transition to a two-payment tax billing system, having cited the Village Board's rationale of seeking to assist property owners amidst the pandemic, as well as having announced the date payments would be due without penalty for both the Village and School taxes.

When Village tax bills were issued in July, a notice was included with the bills, clarifying penalty-free due date extension information granted by Governor Cuomo's Executive Order No. 202.36, as well as reminding property owners of tax due dates. During the last week in August, School tax bills were issued with the two separate payment coupons.

After immediately receiving calls from tax payers, we realized an error in the bills whereby the stated amounts due on the bills were conflicting. On September 01, 2020, a press release was issued through Notify Me alerting taxpayers that there was an error in printing the School Tax Bills. On September 4, 2020 an article was included in the Scarsdale Inquirer, and on September 11, 2020, a second corrected bill, along with a letter of explanation, was mailed to each property owner. Again, this matter did not involve due dates or penalties, but rather clarified amounts due for each of the two installment payments.

In addition, Delinquent notices on the Village taxes were mailed in September.

On December 23, 2020, a press release was issued through Notify Me, reminding taxpayers of the dates that Second Installments were due for the Village and School taxes without penalty or interest, which were December 31 and January 31 respectively.

Delinquent notices of the First School Installment were mailed mid-October.

In January 2021, Tax Statements were mailed, listing all tax payments made during the calendar year, as well as a listing of outstanding bills.

Notably, both tax payment stubs included the appropriate due dates and amount of penalty that would accrue if unpaid by the due date. Additionally, the two-installment system was widely covered in local print and online media, as well as referenced during public meetings of the Village Board subsequent to their June 2020 authorization of the two-installment system.

In view of the foregoing, the Village's communication efforts exceeded minimum legal standards by a significant margin, yet, roughly 6% of Scarsdale taxpayers failed to remit timely payment. A portion of such taxpayers are now requesting relief for having remitted late payment, but the Village is prohibited from granting such requests.

Importantly, once a late payment occurs, New York State Law both prescribes the late penalty and interest and mandates that the Village collect it – neither the Town nor Village of Scarsdale are authorized to waive, reduce, or reimburse the statutory penalties and interest.

Some residents have inquired about the specific statutory citations limiting our ability to provide penalty relief. In response, I offer the following citations:

School taxes: Westchester County Administrative Code, Section 283.221 - Item 6

Village Taxes: NYS Real Property Tax Law, Section 1432

Town/County Taxes: Westchester County Administrative Code, Section 283.221 –
Item 1

Additionally, it should be noted that although New York Real Property Tax Law § 1182 provides the limited exception to waive penalties where a municipality finds that it would be in the best interests of the tax district to do so, the Counsel for the New York State Board of Equalization and Assessment issued an opinion (Volume 6: Opinions of Counsel SBEA No. 28) stating that "there is no provision of law which would permit a waiver of penalties and interest arising out of a failure to make timely payment of tax bills." Furthermore, the Village may not accept payment of less than the full amount of taxes and penalty due (Volume 2: Opinions of Counsel SBEA No. 86).

Some residents have asked why other Westchester communities have different schedules for assessing penalties in connection with late tax payments. However, the foregoing citations apply to all Westchester villages and towns, though cities are treated differently under NYS law. Thus, if a taxpayer is comparing like tax penalties, i.e., school v. school, town v. town, etc., the result should be that the penalty schedules actually do all coincide with NYS and County law.

In closing my comments on this topic, we deeply regret that some Scarsdale taxpayers became subject to penalties and interest after having not remitted timely payment. We appreciate that there were growing pains for both the Village and taxpayers with the two installment system after paying taxes in full one time for as long as the Town/Village of Scarsdale has been collecting taxes. However, please again note that neither the Town nor Village of Scarsdale have legislative authority to waive, reduce, or reimburse any penalties or interest arising from a late payment – all such penalties and interest must be remitted in full pursuant to State and County tax law.

Thank you for taking the time to listen to this elongated explanation, and please contact the Treasurer's Office at 914.722.1170 if you have any question about your tax bill, including the total amount due, which again, must be remitted in full if not already paid."

Public Comment

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

Robert Berg, 17 Black Birch Lane, stated that the search for the Village Manager is probably the most important search that's ever conducted for a Village staff person, and GovHR seems to have a great background on paper, but he is concerned that GovHR is simultaneously doing a search for the Mamaroneck Town or Village administrator. He feels that this raises a question as to the possibility of a conflict of interest as Mamaroneck is very similar to Scarsdale in both the needs of the community and the qualifications for the Administrator/Village Manager. He asked how the Board would deal with who gets what may be the one great candidate.

Mayor Samwick stated that Mr. Berg had an excellent question which the Board has discussed as well and there are a number of different answers. He stated that it is a competitive marketplace in general terms and you are always competing against other people, regardless of whether you have the same recruiter or not. He stated that they have also found that among the top firms it is very challenging to find someone who's not working very close to home.

Mayor Samwick stated that they are going to have a robust process and he agreed with Mr. Berg that this is the most important search that is done in the Village and it's certainly one that they are all engaged in and taking very seriously.

Robert Harrison, 65 Fox Meadow Road, Chair, Scarsdale Taxpayers Alert, stated that he was concerned about the proposed 3.42% tax increase. He noted that there was a very good discussion at the work session earlier this evening at 6:00 p.m. He stated that he strongly favored a 2% increase and urged the Board not to increase taxes more than 2%. He noted that the School Board is proposing only a 1.93% tax increase.

Mr. Harrison also noted that approximately 10% of Scarsdale property owners did not pay their taxes on time to avoid penalties; he is concerned that they are having problems financially which is one of the reasons he feels the Village tax increase should not exceed 2%.

Mayor Samwick stated that the Board and staff always wants to keep the taxes low. He stated that the Village budget is very different from the School budget in that they have very different revenue sources. The school's revenues are largely focused on real estate taxes. He stated that if you look at the Village's budget, you are looking at approximately a \$1.4 million shortfall in parking revenue this year, and on top of that another \$400,000 of Court fines, of which is mostly parking related. The incoming interest income is \$40,000 short, so it's really not an apples-to-apples comparison to look at what the School District is doing, relative to what the Village is doing.

Mayor Samwick stated that the Board appreciates Mr. Harrison's contributions and participation as with the prior speaker, Mr. Berg, and to the League of Women Voters and the Scarsdale Forum representatives that have been present throughout these meetings, which are very long and thorough.

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

Trustee Liaison Reports

Trustee Crandall stated that "Several hazard trees were recently cut in Harwood Park by the following Village employees: Highway Foreman Frank Cipriano, Tree Trimmers Steve Pospisil and Roberto Lua, Mobile Equipment Operators Dexter Kirton and Dominick D'ippolito, and Laborer Timothy Minogue. Former Mayor and current Friends of Scarsdale Parks Director Dan Hochvert alerted Assistant Superintendent of Public Works Tyler Seifert

who made the arrangements. Mr. Seifert is also talking to the School District about gravel that was plowed together with snow from the High School Parking lot along the edge of the parkland blocking the entrance.

Mayor Hochvert identified the hazard trees and instructed the crew on how to leave the limbs and trunks on site to rebuild the soil and provide habitat for wildlife in this restored area. Harwood Park was once a snow dumping ground for the Village until the Friends started planting native trees and shrubs from the New York State Trees for Tribes Program.

It's this kind of partnership between the Village and the Friends of Scarsdale Parks that helps to protect our open spaces and parklands. Many thanks to all involved!"

Trustee Waldman reported as Liaison to the Library, stating that the library is in the last stages of finalizing its plans to reopen in a limited capacity. The library hopes to announce its plan shortly and will be posting information on its website, as well as communicating via social media.

Trustee Waldman stated that the library teen librarian Jennifer Brinley has started a Teen Advisory Board to work with the library on planning programs and events of interest to teens. The Library Board had their first meeting last Saturday, and they are starting to plan programs of interest for teens. The library has also created a weekly teen services newsletter providing information on programs, books, and services.

Now that students are back in the high school for full days, the Apiary Café at the library would love to provide lunches. Students can order ahead and pick up their lunch during their lunch breaks. The order form is available on the website and through the App ChowNow. She stated that teens should check the library website for updates and to sign up for the teen newsletter.

Trustee Arest stated that he wanted to quickly mention that the Scarsdale Business Association (SBA) has announced the Dine the Dale Tent which will be happening in the coming weeks; this was a very successful program which gave restaurants additional revenue to support their businesses, and hopefully gave other merchant additional patrons indirectly – window shopping, etc. They are very optimistic that this will give residents and others the opportunity this year to be COVID safe and to enjoy the Village Center. He stated that if anyone has comments or suggestions, they are always listening and appreciate any input

Trustee Arest

Trustee Arest explained this resolution is a result of a direct request from the Advisory Council on Communications and that there have been many conversations over months about this. This comes out of their work in improving communications in the Village, the reason why this Council was originally created as ad hoc. He stated that in the original Constitution of the Council, there was a certain period where people can serve on more than one council or board and that would end after two years, which is where we are now. The Council feels very strongly that the ability to serve on one or more than one Board or Council is a benefit to that Council in that it keeps them more 'in the know' and enables them to more easily share information with other Boards and Councils. In addition, this would make them more knowledgeable about different subject matters that impact the Village. The other request from the Council was to increase the population of the Council from maximum of 9 to now 12. The Council hopes that this will allow the Council to increase diversity on the Council, by increasing the numbers, ensuring that more people are able to serve.

Trustee Arest stated that the Council has moved to more of a subcommittee model; they do a lot of work on that on that Council and the hope is that by working in subcommittees they can get more people involved and more people responsible for various things reporting back to the Council as a whole.

Trustee Arest stated that he has had the pleasure of serving as liaison to this Council; it is a very important Council for the Board and for the Community.

Upon motion entered by Trustee Arest, and seconded by Trustee Crandall, the following resolution to Amend the Constitution of the Advisory Council on Communications was approved by the vote indicated below:

WHEREAS, operating under a subcommittee structure, the Advisory Council on Communications (ACC) has adroitly advanced their charge, namely: cultivating and maintaining public interest in and access to official communications; identifying and encouraging implementation of leading municipal public communication strategies; supporting transparency and promoting community participation in local government affairs; and, assisting in early identification of specific issues or community concerns that merit deployment of an official communications strategy; and

WHEREAS, the ACC provides critical support to staff in developing and implementing communication strategies amidst a dynamic information landscape, calling for a combination of routine, special-purpose, and emergency communications, with the need for such support and assistance outstripping the available time of our ACC volunteers, necessitating an increase in the authorized membership to a number not to exceed twelve persons, including the chair; and

WHEREAS, there is substantial civic value in cross pollination between membership of the many Village of Scarsdale volunteer boards, commissions, and councils and the ACC, an observation which supports authorizing any member of the ACC to also be a member of one other Scarsdale board, council, or commission; and

WHEREAS, amendments to the Constitution of the Advisory Council on Communications are necessary to effectuate the changes described herein and reflected in attached redline version of the ACC Constitution, requiring Village Board consent and adoption; now, therefore, be it

RESOLVED, that the Village Board consents to increasing the ACC’s membership to a number not to exceed twelve, including the chair, and authorizing any member of the ACC to have concurrent membership on one other board, council, or commission; and be it further

RESOLVED, that the Constitution of the Advisory Council on Communications is hereby immediately amended to incorporate the changes described herein and reflected in the attached redline version attached hereto and made a part hereof.

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

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Trustee Crandall

Before reading the next resolution, Trustee Crandall gave some background information, stating that Scarsdale currently limits the use of gas-powered leaf blowers from June 1st to September 30th of each year. After hearing repeated complaints about noise from gas powered leaf blowers from residents, the Village Board asked the Conservation Advisory Council (CAC) to study the issue. The CAC submitted a report to the Board entitled “Mitigating the Health, Environmental and Quality of Life Impacts of Gas Leaf Blowers”. This was completed by the CAC in December 2020. On January 12, 2021 the CAC presented its findings, together with three potential amendments to Chapter 205 during a public work session. All options allow the use of electric powered leaf blowers throughout the year.

Trustee Crandall stated that Option One provides for quiet days, January through September, and additional quiet days on Saturdays, Sundays, and Mondays during the leaf season from October 1st through December 31st.

Option Two provides for quiet days Saturdays, Sundays, and Mondays during the leaf season, the winter months, and into the spring to April 30th.

Option Three provides for quiet days on Saturdays and Sundays during leaf season, the winter months and into the spring until April 30th.

Trustee Crandall stated that all of the options limit the use of gas powered leaf blowers by golf course operators within 100 feet of a residential property line throughout the year.

After deliberations and hearing from the public and staff, the Village Board voted to bring three potential draft laws to a public hearing. Draft One is the same as the CAC's Option One; Draft Two is the same as Option Three but she noted that this draft should also provide for quiet days from January 1st until March 31st. This was a point that was suggested by Mayor Samwick, and it was part of the Board's motion. She requested that this change be made.

Trustee Crandall continued, stating that Draft Three implements Option Three immediately with Option One commencing in January 2022.

The Board is bringing three options to the community because the Board agreed that they wanted to hear more from residents and the professional landscaping industry. She stated that in the meantime, Village staff met with representatives from the landscaping industry and the Village Board decided to hold another work session this Thursday, March 11th at 5:00 p.m. However, in the meantime, the Board also agreed to bring this resolution forward this evening, calling for a public hearing at the next Village Board meeting.

Responding to Trustee Crandall's question as to whether it was necessary for the Board to hold a work session on this topic on Thursday, or just proceed to the public hearing at the next Board meeting, Mayor Samwick responded that there is new information that has come about through the Village's meeting with the turf and landscaping association and its members. He stated that it would be beneficial to share this with the Village Board and the community.

Trustee Crandall stated that people are also invited to submit emails to mayor@scarsdale.com and clerk@scarsdale.com to communicate with the Village Board on this and all topics.

Trustee Crandall stated that it is important that Village staff update scarsdale.com with the correct version of the draft legislation so that the public has clear notice.

Trustee Lewis requested that the new information that has been received be distributed to the Board before Thursday's meeting.

Trustee Crandall stated that there was a memo to the effect that Jeff Coleman met with representatives of the turf and landscape association; she stated that her assumption is that the Board will hear more about that and have an opportunity to ask questions.

Village Manager Pappalardo stated that he will send out that report to the Board, and noted that it was just an electronic email summarizing the discussions that staff had with the turf and landscape representatives. He added that he also had some concerns that he would like to talk about as well, regarding enforcement, which may have budgetary impacts, so he stated that this meeting is needed if for nothing else, in the context of the budget impact.

Trustee Arest added that he had inquired about whether the idea of impacting golf courses and limiting the use of gas-powered leaf blowers within 100 feet of a residence was applicable; he stated that he would like to have a conversation about the impact on Village land, as well as School property. He also wondered about possible impacts on County property such as Saxon Woods Golf Course. He asked why the Village is limiting the use on golf courses. He stated that the Town of Greenburgh has not done anything on this yet, but his question is, is this being taken out for now as the intention of the CAC was to limit the use within 100 feet from an actual house, not the property line. He stated if this language is going to stay in the local law, he stated that he would hope that just as the Village reached out to the landscaping associations, that the Village would also reach out to the golf courses, and potentially the School District. He stated that he thinks it should be fair for everyone and should impact everyone the same. Additionally, the Board should have a better understanding of the cost implications and what their feelings are as well.

A discussion ensued between Trustee Crandall and Village Attorney Pozin regarding the possibility of amending the legislation before the public hearing and whether or not the hearing would need to be re-noticed; however, Village Attorney Pozin stated whether or not the law were to be made more lenient, or if the Board intends to add the School District and the County properties to make the law more stringent, the Board can continue as planned and if something comes up in the interim, the meeting would need to be re-noticed anyway. As things stand now, the Board can still move forward if there is no change in course.

Trustee Lewis stated that the public hearing should be scheduled as the Board wants to have an impact this spring.

After further discussion among the Trustees, Village Attorney Pozin suggested that the Board proceed, and then they can discuss it. If the other issues become significant, they can be added and then there will perhaps be an additional delay.

Upon motion entered by Trustee Crandall, and seconded by Trustee Whitestone, the following resolution regarding Calling for a Public Hearing on a Local Law Amending Chapter 205 of the Scarsdale Village Code Entitled Noise Pertaining to Gas-Powered Leaf Blowers was approved by the vote indicated below:

RESOLVED, that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Scarsdale at 7:00 PM on Tuesday, March 23, 2021, via Zoom video conferencing service to consider from among three (3) different versions of a proposed local law to amend Chapter 205

of the Scarsdale Village Code, entitled Noise to amend Sections 205-1.G, 205-2.B, and 205-2.D, pertaining to gas-powered blowers, and that members of the public wishing to present comments may do so online during the public comment phase of the hearing by accessing the meeting at <https://zoom.us/j/93183703358>, or by calling-in using 1-929-436-2866 and entering the Meeting ID, 931 8370 3358; and be it further

RESOLVED, that an [electronic copy](#) of the local law is available for public review on the Village website at www.scarsdale.com; and be it further

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

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

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Trustee Ross

Trustee Ross stated that the next resolution relates to an application made in May of last year for a Certificate of Appropriateness. He stated that in October last year, the Committee on Historic Preservation denied the application and the property owner submitted an appeal to this Board. The Board of Trustees, sitting as an Appeals Board, held a special meeting on February 4, 2021. This evening, the Board of Trustees will be voting on the Adoption of Findings from that meeting. Trustee Ross then summarized the Findings (following this resolution).

Upon motion entered by Trustee Ross, and seconded by Trustee Lewis, the following resolution regarding Findings of the Village of Scarsdale Board of Trustees in Connection with the Appeal Application for 11 Dolma Road was approved by the vote indicated below:

WHEREAS, pursuant to Chapter 182 of the Village Code, the Committee on Historic Preservation (“CHP”) by decision dated October 5, 2020, denied an application seeking approval of a certificate of appropriateness to demolish the house at 11 Dolma Road; and

WHEREAS, pursuant to Village Code Section 182-11, the CHP’s said decision was appealed to the Board of Trustees; and

WHEREAS, on February 4, 2021, the Board of Trustees held a special meeting at which time it heard said appeal; and now therefore be it

RESOLVED, that the Board of Trustees hereby adopts the Findings which are annexed hereto and incorporated herein, denying on appeal the application for a certificate of appropriateness to demolish the house at 11 Dolma Road.

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

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**FINDINGS OF THE VILLAGE OF
 SCARSDALE BOARD OF TRUSTEES**
 In connection with the Appeal
 Application for
 11 DOLMA ROAD, SCARSDALE, NEW
 YORK

WHEREAS, the property known as 11 Dolma Road, Scarsdale, New York is an “English Norman” style single family house with a pool house and pool. This single- family home was designed by the architect Julius Gregory, and built by Walter J. Collet in 1928¹; and

WHEREAS, by application dated May 27, 2020, Sarah Binetter, as agent for the property owner Onedol Rock Holdings LP, (hereinafter the “Applicant”), submitted an application to the Committee on Historic Preservation (the “CHP”) seeking approval to demolish the above-described house, pool house and pool /spa (the “Application”); and

WHEREAS, Chapter 182 of the Village Code of the Village of Scarsdale (the “Village Code”) entitled “Historic Preservation” establishes the criteria with which the CHP shall make a determination on whether to approve or deny an application such as the subject Application as follows:

“In making a determination whether to grant an application for a certificate or to deny such application and require that the building in question be preserved, the Committee shall consider the level of significance in American history, architecture, archeology, engineering

and culture present in the building, as well as the integrity of location, design, setting, materials and workmanship, and

- (1) That the building is associated with events that have made a significant contribution to broad patterns of Village, regional, state or national history; or
- (2) That the building is associated with the life of a person or persons of historical significance; or
- (3) That the building is the work of a master; or
- (4) That the building embodies the distinctive characteristics of a type, period or method of construction that possess high artistic value; or
- (5) That the building has yielded or may be likely to yield information important in prehistory or history.”

¹ The pool house and pool were constructed approximately 2000 to 2001.

WHEREAS, the Application was initially heard by the CHP on June 30, 2020, and was adjourned to September 29, 2020, for further written submissions, factual research and to afford the CHP members the opportunity to inspect the property which was vacant and gated, and further heard on such later date; and

WHEREAS in a decision dated October 5, 2020, after applying the criteria found in Village Code §182-5, the CHP found that the building is the work of a “master” architect as that term is defined in § 182-2 of the Code, and that it embodies the distinctive characteristics of a type, period or method of construction that possesses high artistic value, whereupon it denied the request for a Certificate of Appropriateness requiring the preservation of the building²; and

WHEREAS, Section § 182-11 of the Village Code provides that any applicant aggrieved by a determination of the CHP may appeal to the Village Board of Trustees (the “Village Board”). The Village Code also provides that during the appeal, the Village Board shall not be bound by the record adduced by the CHP; and

WHEREAS, by letter dated October 29, 2020, the Applicant appealed the denial determination of the CHP to the Village Board; and

WHEREAS, Village Board, the Applicant and the CHP agreed that the appeal would be heard on February 4, 2021, and that the Village Board’s

decision on the appeal would be rendered on or before March 1, 2021; and

WHEREAS, On February 4, 2021, the Village Board held a de novo hearing to determine whether the house meets the criteria under § 182-5 of the Village Code requiring its preservation; and

WHEREAS, during the appeal hearing, the Applicant was represented by Lawrence Otis Graham, Esq., Andrew Schriever, Esq. and Kristen Motel, Esq. of Cuddy & Feder LLP, White Plains, New York, and the CHP was represented by James Staudt, Esq. and Patricia W. Gurahian, Esq. of McCullough, Goldberger & Staudt, LLP, White Plains, New York; and

WHEREAS, the record of proceedings relating to the Application includes expert reports prepared by Andrew Scott Dolkart, Professor of Historic Preservation at the Columbia University Graduate School of Architecture who was retained on behalf of the CHP, and who participated in the Appeal on behalf of the CHP; and

WHEREAS, the record also includes expert reports by Emily T. Cooperman, M.S., Ph.D, Senior Architectural Historian of the firm of Paulus, Sokolowski and Sartor, LLC, retained by the Applicant, who also participated in this appeal; and

WHEREAS, the Village Board is familiar with the facts of this matter, including the denial having reviewed the record of the hearing held by the CHP on this matter, the aforementioned expert reports, an amicus report submitted by the granddaughter of Julius Gregory, correspondence and documentation provided in connection with this appeal on behalf of both the Applicant and the CHP, and visited the site;
NOW THEREFORE BE IT

RESOLVED, that in considering the level of significance in American history, architecture, archeology, engineering and culture present in the house, as well as the integrity of location, design, setting materials and workmanship, in addition to applying the criteria specified in Village Code § 182-5, the Village Board agrees with many of the conclusions of Professor Dolkart which combine to conclude that 11 Dolma Road is worthy of preservation, and makes the following findings of fact:

- A. 11 Dolma Road is a significant architectural structure and is an excellent example of an English Norman style house. The house features a prominent round tower with a polygonal roof set at the intersection of the two wings, irregular picturesque massing, a steep roof, shallow eaves, diaper patterned brickwork, juxtaposition of brick and stone and other sophisticated features.

The manipulation of materials creates a “scenographic effect” by giving the illusion that the house has been weathering on the property for centuries.

- B. Many of the homes on Dolma Road were built by Walter Collet, who was responsible for the construction of many notable houses in the Village. The 2012 Survey describes Dolma Road as “a short street lined with exclusive houses on large lots, most erected between 1926 and 1929, primarily for wealthy businessmen and their families.” The 2012 Survey further notes the following: “Considering the size and scale of the houses along Dolma Road, it is remarkable that they survive with such integrity. A few entrances have been altered and additions have been sensitively made, but the street retains the ambiance of a prime suburban locale of the early twentieth century.”
- C. Contiguous with 11 Dolma Road is the property known as 100 Mamaroneck Road. The public record for 11 Dolma Road and 100 Mamaroneck Road show that the two parcels were marketed and sold as part of a single transaction. When seen as combined, 11 Dolma Road and 100 Mamaroneck Road are comprised of approximately five (5) acres in total. The main house is in excess of 8,000 square feet, situated toward the front of the property with a circular driveway and private gated entrance. The pool and pool house are located on the eastern portion of the property and to the rear of the main house. The combined property was recently featured as the cover photograph in a New York Times Real Estate Section article entitled “Living in Scarsdale, N.Y.: A Pricey Suburb With an Old World Air,” which was published on December 4, 2019 and remains highly visible online when searching for “Scarsdale.” The caption of the photograph of 11 Dolma Road in the New York Times article states: “Scarsdale, an affluent town in Westchester County, has no shortage of large and stately homes, including those along Dolma Road in the Murray Hill neighborhood.”
- D. The level of significance of the architecture of the house at 11 Dolma Road is discussed in Point 3 below. However, it is worth noting here that 11 Dolma Road was developed by Walter Collet, a known builder in Scarsdale famous for quality homes that have stood the test of time. Professor Dolkart states that Collet is “one of the most active subdivision planners and builders in Scarsdale and an individual who did a great deal to establish the character of the village. It is homeowners such as Lyon [the original owner of 11 Dolma Road], developers such as Collet, and the architects with whom they worked who created the character of Scarsdale that is so sought after today.” Professor Dolkart opines that the Dolma/Sherbrooke Development is, perhaps, Collet’s most notable contribution to the character of Scarsdale. Collet’s construction of 11 Dolma contributes to the integrity of the materials and workmanship of the house.

² The pool house and pool were expressly excepted from the CHP's determination and the Applicant was invited to reapply to the CHP for solely the demolition of the pool house and pool. As such, they are not presently before the Village Board for consideration.

Having enumerated its above findings of fact with respect to the general considerations of significance of the house at 11 Dolma Road, the Village Board hereby makes further findings of fact under the more specific criteria enumerated in Village Code § 182-5. Notably, satisfaction of only one of the five said criteria was necessary for the CHP's denial of the subject application for a Certificate of Appropriateness to demolish a potentially historic building. While the CHP's decision of October 5, 2020, identified two of the five criteria as support for its denial of such Certificate, the Village Board finds in this appeal that three of these specific criteria support the denial of the Application to demolish the house at 11 Dolma Road as follows:

1. *Whether the building is associated with events that have made a significant contribution to broad patterns of Village, regional, state or national history:*

The Village Board agrees with Professor Dolkart that 11 Dolma Road “contributes to the most important issue in the history and development of Scarsdale, the major suburbanization of the village which largely occurred in the second and third decades of the twentieth century.” 11 Dolma Road: Final Comments, Andrew S. Dolkart, January 2021. Professor Dolkart goes on to explain that “[t]here would be no Village of Scarsdale, as we know it, without this important development brought about by changing cultural and economic conditions in urban America” which he enumerates as follows: (i) the expansion and modernization of commuter rail lines as brought about by the electrification of the Harlem Line in 1913, (ii) the development of parkways and the increasing popularity of the automobile for both leisure and commuting as evidenced in the opening of the Bronx River parkway in 1922, (iii) the decline in the availability of single family homes in New York City resulting in a migration to the suburbs by those who did not wish to live in apartment houses; and (iv) the general appeals of “country” life for affluent households. Id. at p. 6. The Village Board agrees that the house at 11 Dolma Road is an excellent example of a house from the peak years of this era of suburbanization, and its builder Walter Collet was an important figure in this history of development as well. The house at 11 Dolma Road clearly satisfies this criterion.

2. *That the building is associated with the life of a person or persons of historical significance.*

The Village Board embraces Professor Dolkart's learned opinion that Julius Gregory was a master architect (see Point 3, below) and acknowledges that he was a resident of Scarsdale, and also recognizes that Walter Collet was an important builder and developer. However, despite a spirited debate, the Village Board does not agree

that either Mr. Gregory or Mr. Collet was a person of “historical significance.” Accordingly, the Village Board does not find that the house at 11 Dolma Road is associated with the life of a person or persons of historical significance.

3. *That the building is the work of a master.*

The Village Code defines “Master” in pertinent part as “[a] figure of generally recognized greatness in a field, a known craftsman of consummate skill...” Village Code § 182-2. Based upon information contained in the record and the testimony of Professor Dolkart before the CHP and on this appeal, the Village Board finds that Julius Gregory was, in fact, a “Master” architect. The Village Board believes the record before it indeed establishes Mr. Gregory’s *bona fides* as a Master.

Professor Dolkart’s 2020 report notes of Julius Gregory’s status as a Master as follows: Gregory developed a successful career with a specialization in the design of freestanding, suburban houses in revival styles. Gregory evinced a talent for the creative design of houses in a wide variety of styles, favoring, in particular the Tudor Revival, the English Cottage, the French Norman, and the American Colonial styles. Gregory’s talent for designing in different styles, in different materials, and on different types of sites is made evident in a photo spread of three houses published in the New York Herald Tribune in 1930. The caption notes that “The three houses which we are showing this week are by Julius Gregory. They represent three different types of the work of this architect. One is of clapboards and shingles; one of fieldstone, and one of stucco and stone. . . . Although entirely different in character, there is a certain similarity in design.

Not only does it note that his houses were widely published, but it emphasizes that they were not simply banal copies of historic architecture, but were adaptations that combined a deep appreciation of traditional design with more contemporary issues in the use of materials and in the treatment of architectural forms.

Gregory had an extraordinarily diverse practice, designing suburban homes at all different scales, from small houses for middle-class families, to the large upper middle-class houses of Scarsdale, to estates. It is wrong to categorize his significance as solely a designer of small houses. Gregory excelled at the design of houses at every scale. Gregory’s talents were recognized during his lifetime, notably in his appointment as an architectural

consultant to two prestigious and popular design journals, *House and Garden* and *House Beautiful*. He also designed model homes sponsored by these two journals and for *Country Life* as well. His buildings were recognized with several awards, most notably an American Institute of Architects award in 1930 “for the distinguished qualities in design and charm of his residential work.”

*

The Lyon Residence is unquestionably the work of a master. Julius Gregory was among the finest architects specializing in suburban home design in the New York area in the post-World War I period. He designed houses of a very high quality at varying scales and in a variety of popular styles. Gregory was well-regarded during his lifetime, as is evident in his writings, publications, and, most significantly in the role that he played in advising several of the most prestigious house design magazines in America. The fact that there has not been extensive writing about Gregory in recent decades is not a reflection on his talents, but an indication that American architectural historians have largely ignored the traditional architecture of the early decades of the twentieth century, the architecture that created the character of Scarsdale and so many other suburban communities across the United States. There is no book about this aspect of American design. This is a serious gap in the literature on American architectural history. I have been undertaking research on this phase of American design, notably in the New York area, and can state that without question, Julius Gregory was a leader (aka a master) of this movement.

Notably, the *amicus* report submitted to the CHP by Julius Gregory’s granddaughter Ann Gregory Cefola provides a unique perspective on the architect’s background, in particular his upbringing, life history, work history and recognition. Ms. Cefola cites various publications that featured Mr. Gregory’s work and lists his accolades. Most notably, Mr. Gregory designed 42 homes in Riverdale’s Fieldston District that was created by Frederick Law Olmsted and conferred with landmark status by the New York City Landmarks Preservation Commission. Within Scarsdale and surrounding villages, Mr. Gregory designed The Bannerman House (2 Elmdorf Drive), 35 Popham Road/1 Chase Road, 50 Brewster Road, 3 Church Lane, 53 Old Orchard Lane, as well as The Wilputte House in New

Rochelle, among others listed in the written materials. Ms. Cefola points out Julius Gregory's many recognitions in the following publications: *Architecture* (1918), *House and Garden's Book of Houses* (1919), *The American House* (1922), *American Country Houses of Today* (1922), *Interior Architecture: The Design of Modern American Homes* (1927) and regularly in *The American Architect and Building News*, *The American Home*, *Architectural Forum*, *The Architectural Record*, *The Architectural Review*, *Arts and Decoration*, *Country Life* and *The New York Times*. Ms. Cefola's submission also mentions that Mr. Gregory shared his expertise in popular magazines such as *House and Garden*, *Better Homes and Gardens*, and *Good Housekeeping*. Her submission also references more modern publications such as *The Guide to New York City Landmarks* (2008), *Long Island Country Homes and Their Architects, 1860-1940* (1997), *Maynard L. Parker: Modern Photography and the American Dream* (2012) and *Tastemaker* (2017).

Ms. Cefola lists Julius Gregory's awards: Honorable Mention, Christian Herald Church Building Competition (1928), The National Better Homes Architectural Competition Prize (1929), Honorable Mention for Distinguished Qualities in Residential Work (1930), the Architectural League of New York Special Mention (1930), the Architectural League of New York The American Architect Gold Award (1932).

Julius Gregory's Obituary in the *New York Times* echoes Ms. Cefola's account, reporting that: "Mr. Gregory, whose designs for home magazines caused some of his houses to be reproduced widely across the country, was essentially a transitional architect. His work, often adapting newer concepts to traditional styles, was a bridge to the designs of later, modern architects . . . Over the years his plans frequently won awards from professional societies."

It is noted that the CHP had previously determined Julius Gregory to be a Master in connection with another property in Scarsdale. In January 2017, the CHP denied the application for the demolition of 53 Old Orchard Road. That denial was based on Mr. Gregory's longstanding and diverse career, mentioning his involvement with the Fieldston District noted above, and his design of various churches (which are also outlined in Ms. Cefola's report) and his aforementioned *New York Times* Obituary.

4. That the building embodies the distinctive characteristics of a type, period or method of construction that possesses high artistic values.

As the Village Board found above, 11 Dolma Road is an architecturally significant structure and an excellent example of an English Norman style house. The house features a prominent round tower with a polygonal roof set at the intersection of the two wings, irregular picturesque massing, a steep roof, shallow eaves, diaper patterned brickwork, juxtaposition of brick and stone and other sophisticated features. The manipulation of materials creates a "scenographic effect" by giving the illusion that the house has been weathering on the property for centuries. Although renovations have been made to the original house,

those renovations are “sympathetic” to the original design, are “minor” and “sensitively done.” In fact, according to Professor Dolkart, the drawings for the renovations made in 1941 with respect to the dormer relocation/replacement were prepared by Simon Zelnik (who was himself an architect of repute) and provide that all new work shall match the present in every respect. The alterations to the rear of the house while substantial in terms of square footage and impact upon the house are not visible to the public, as they are hidden from the view on Dolma Road and are shielded by the extensive acreage between the rear elevation and Mamaroneck Road. As Professor Dolkart noted further, preservation does not “freeze” a building. Most buildings go through changes over the years; and therefore one must consider the integrity of the building. Having done so, we conclude that the house at 11 Dolma Road maintains the integrity of its architectural design.

5. *That the building has yielded or may likely yield information important in prehistory or history.*

The Village Board considered whether the house at 11 Dolma Road has or may yield important historical information. While the house is certainly a snapshot of a bygone era in Scarsdale, and stands as testament to Julius Gregory as a master architect, and Walter Collet as a significant builder and developer in the area, the Village Board struggled with the application of this particular criterion in this instance. Indeed, the preservation of this house will preserve the ability of scholars and other interested parties to witness the house in person in all of its design glory which may not be apparent in photographs or drawings. Nevertheless, the Village Board cannot conclude that preservation would yield information important in *prehistory* or *history*, per se.

RESOLVED, that based upon the foregoing and having found that 11 Dolma Road meets the requirements of Village Code § 182-5(A)(1), § 182-5(A)(3), and § 182-5(A)(4) the Village Board denies the request for a certificate of appropriateness to demolish the house at 11 Dolma Road. The Village Board was not asked to opine on the pool house and pool located at 11 Dolma Road and therefore this decision does not pertain to said ancillary facilities.

* * * * *

Trustee Waldman

Upon motion entered by Trustee Waldman, and seconded by Trustee Crandall, the following resolution regarding an Intermunicipal Agreement with Westchester County to Provide for a Reimbursement for the Scarsdale Youth Sports Program was approved by the vote indicated below:

WHEREAS, the Village of Scarsdale offers numerous youth sports programs that provide opportunities for children to experience an array of sports with the purpose of developing technical skills and promoting self confidence among all ages and ability levels; and

WHEREAS, the Village of Scarsdale has received reimbursement for its Youth Sports Program from the County of Westchester, for approximately 30 years, as it is defined as a Positive Youth Development Program that enhances the experience of youth who participate; and

WHEREAS, Westchester County has agreed to reimburse the Village an amount not to exceed \$3,688.00, payable quarterly for the recently completed January 1, 2020 - December 31, 2020 program year, requiring the execution of an Intermunicipal Agreement for a term retroactive to the 2020 program year in order for the Village to receive the aforementioned reimbursement; now, therefore, be it

RESOLVED, that the Village Board of Trustees herein authorizes the Village Manager to execute the Intermunicipal Agreement between the Village of Scarsdale and Westchester County in substantially the same form as attached hereto and to undertake all administrative acts required pursuant to the terms of the Agreement.

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

Trustee Whitestone

Trustee Whitestone stated that he would like to thank the Village Manager, and stated that they will have future opportunities to say goodbye to Steve, and this is a

milestone in doing so. He stated that Steve has been an amazing person to work with over all these years in Scarsdale and added that there is some poignancy to this, but they are not saying goodbye just yet.

Trustee Whitestone stated that there is an agreement and some background attached to the resolution. The Board heard earlier from Joellen Cademartori of Gov HR and stated that he is hopeful that as many Village residents as possible get to interact with her during this process. He stated that Ms. Cademartori is quite impressive and as a Board, they are certainly pleased to meet her and discuss this process.

Upon motion entered by Trustee Whitestone, and seconded by Trustee Crandall, the following resolution regarding a Professional Service Agreement with an Executive Search Firm – Village Manager Recruitment/Replacement was approved by the vote indicated below:

- WHEREAS,** Scarsdale Village Manager Stephen M. Pappalardo recently announced his retirement effective July 12, 2021, after six years in this post and 33 years of employment with the Village of Scarsdale; and
- WHEREAS,** relative to its responsibility and authority, the Village Board of Trustees is desirous of engaging an executive search firm to assist the Board with the recruitment and replacement of this important management position; and
- WHEREAS,** in assisting the Village Board with this effort, the Human Resources Director identified two qualified public sector executive search firms, both of whom were separately interviewed by the Board; and
- WHEREAS,** subsequent to these interviews, reference checks, and follow-up discussions, the Village Board is desirous of engaging the Illinois-based firm of GovHR to conduct the recruitment for the Scarsdale Village Manager position; and
- WHEREAS,** since its establishment in 2009, GovHR consultants have conducted 450 recruitments in 31 states in counties, cities, towns and villages, with its business increasing by at least 30% in each year; and
- WHEREAS,** Ninety four (94%) of GovHR's clients rate its service as "Outstanding", while their consultants are experienced local government practitioners having served in local government Chief Executive Officer positions in communities functioning under the Council/Manager Form of Government; and
- WHEREAS,** the principal of GovHR proposed to lead the Scarsdale search has experience in local government, separately serving in the positions of

Human Resources Director and Assistant County and Town Manager, having supervised all county and municipal departments during her tenure; and

WHEREAS, GovHR is currently performing a similar executive search in Westchester County for the Town Administrator position in the Town of Mamaroneck; and

WHEREAS, GovHR will employ a six-phased recruitment process for the Scarsdale search over a 3-5 month period, including: Position Assessment, Announcement and Brochure; Advertising, Recruitment and Outreach; Candidate Evaluation and Screening; Presentation of Recommended Candidates including the public; Interviews and Screening; and Candidate Appointment; and

WHEREAS, the recruitment fee for this engagement is \$18,500 plus advertising costs of roughly \$2,500, and any associated additional ancillary expenses; and

WHEREAS, in the interest of time and so as not to delay the commencement of the recruitment, the Board informed the Village Manager to finalize the professional service agreement and execute, prior to adding to the March 9, 2021 Village Board meeting agenda; now, therefore, be it

RESOLVED, that the professional services agreement with GovHR USA, having its principal offices at 630 Dundee Road, Suite 130, Northbrook, IL 60062, attached hereto and made a part hereof, is herein approved, Nunc Pro Tunc; and be it further

RESOLVED, that the \$21,000 fee for these professional recruitment services, plus any additional ancillary costs, be charged to Capital Project Planning Acct. H 1997-961 2020-105, where sufficient funds are available.

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

* * * * *

Trustee Whitestone stated that the next resolution concerns an interesting agreement with Westchester County to provide for reimbursement for the Scarsdale Edgemont Family Counseling Services Youth Services Project. He stated that as liaison to the Scarsdale Edgemont Family Counseling Services, he can attest to the important and needed work they've been doing over the past year when we've needed more than ever.

Upon motion entered by Trustee Whitestone, and seconded by Trustee Crandall, the following resolution regarding an Intermunicipal Agreement with Westchester County to Provide for a Reimbursement for the Scarsdale Edgemont Family Counseling Services Youth Services Project was approved by the vote indicated below:

WHEREAS, the Village of Scarsdale and the Scarsdale Union Free School District fund the Scarsdale Edgemont Family Counseling Service (SFCS) Youth Services Project, which is a prevention and crisis intervention program for youth who are growing up in a period of stress and turbulence; and

WHEREAS, the Village of Scarsdale has received reimbursement for the Youth Services Project from the County of Westchester, for approximately 30 years, as it is defined as a Positive Youth Development Program that improves the experience of youth who participate; and

WHEREAS, Westchester County has agreed to reimburse the Village an amount not to exceed \$3,418 payable quarterly for the January 1, 2020 - December 31, 2020 program year; and

WHEREAS, Westchester County requires execution of an Intermunicipal Agreement (IMA) in order for the Village to receive the aforementioned reimbursement; and

WHEREAS, James Genova, Executive Director of SFCS, has affirmed in a letter dated June 26, 2020, attached herein, that SFCS will administer and run the Youth Services Project program in accordance with the terms and conditions of the IMA and will assume all obligations of the Village under the IMA; now, therefore, be it

RESOLVED, that the Village Board of Trustees herein authorizes the Village Manager to execute the Intermunicipal Agreement between the Village of Scarsdale and Westchester County in substantially the same form as attached hereto and to undertake all administrative acts required pursuant to the terms of the Agreement.

AYES

Trustee Arest

Trustee Crandall

NAYS

None

ABSENT

None

Trustee Lewis
Trustee Ross
Trustee Waldman
Trustee Whitestone
Mayor Samwick

* * * * *

Written Communications

Village Clerk Conkling reported that twelve (12) communications have been received since the last regular Board of Trustees meeting. All of these written communications may be viewed on the Village's website at www.scarsdale.com under Written Correspondence.

- Seven (7) emails have been received in support of renaming Crossway Field, The Richard "Rippy" Phillipps Field at Crossways".
- Five emails were received from the following regarding property tax penalties:
 - Caren Zelicof
 - Debbie Farahmand
 - Joan Silverman
 - Marian Schoen
 - Robert Harrison

* * * * *

There being no further business to come before the Board, the meeting was adjourned at 8:16 P.M. by a motion entered by Trustee Arest, seconded by Trustee Crandall, and carried by a unanimous vote.

Respectfully submitted,

Donna M. Conkling
Village Clerk