

THREE THOUSAND THREE HUNDRED FORTY-SIXTH

REGULAR MEETING

Rutherford Hall
Village Hall
March 10, 2020

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held in Rutherford Hall in Village Hall on Tuesday, March 10, 2020 in Rutherford Hall at 8:00 p.m.

Present were Mayor Samwick and Trustees Arest, Crandall, Ross, Veron, and Waldman. Also present were Village Manager Stephen Pappalardo, Acting Village Attorney Steinman, Village Treasurer McClure, and Assistant to the Village Manager Katzin.

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Minutes

Before approval of the minutes, Trustee Crandall made an amendment to her comments made at the last Village Board meeting held on February 25, 2020.

Trustee Crandall stated that it is a minor correction, in that when she was speaking about the bag change, she was under the impression that the merchants in the Village would not be charging a fee for paper bags. However, she learned the next day that one of the local merchants is charging a fee for paper bags. This was the only amendment she had to the minutes

The minutes of the Regular Board of Trustees Meeting of Tuesday, February 25, 2020 as amended were approved on a motion entered by Trustee Crandall, seconded by Trustee Arest and carried unanimously.

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Bills & Payroll

Trustee Veron reported that she had audited the Abstract of Claims dated March 10, 2020 in the amount of \$444,204.08 which includes \$6,547.09 in Library Claims previously audited by a Trustee of the Library Board which were found to be in order and she moved that such payment be ratified.

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

RESOLVED, that the Abstract of Claims dated March 10, 2020 in the amount of \$444,204.08 is hereby approved.

Trustee Veron reported that she had examined the payment of bills made in advance of a Board of Trustees audit totaling \$76,111.62 which were found to be in order and she moved that such payments be ratified.

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

RESOLVED, that payment of claims made in advance of a Board of Trustees audit totaling \$76,111.62 is hereby ratified.

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Before moving on to the next agenda item, Mayor Samwick stated that he would like to invite Alison Singer, Vice President of the Scarsdale School Board of Education to the podium to speak on behalf of the School Board regarding the closure of all schools.

Ms. Singer thanked the Board of Trustees for inviting her to speak this evening on behalf of the Board of Education and the School District.

Ms. Singer gave the following statement: “The Scarsdale Board of Education acknowledges the challenging situation we are currently facing due to COVID-19. We are grateful for the leadership of our Superintendent, Thomas Hagerman, his Cabinet, and our school administrators, who have been diligent in their response to community concerns over the last several weeks. We recognize the incredible scope of the work before them and are grateful for the coordinated efforts of so many of our school personnel – efforts that have amplified exponentially in recent days. We have faith and confidence in our school leadership, our teachers, and our staff to help the Scarsdale Schools and its students through this challenging time and ask the Scarsdale community for its every support.

I would like to summarize the current situation and the considerations the District has used while making decisions with respect to the Coronavirus outbreak and specifically the current closure of our schools. As the community knows, on Sunday night, the District Administration was informed that one of our faculty members in the Middle School tested positive for COVID-19. The District made the determination to close schools based on the recommendation of the local Department of Health. This recommendation was delivered after the Department of Health interviewed the affected faculty member and determined that there was a chance of exposure to our students, faculty, and community. While the faculty member had close contact with a relatively small number of people in comparison to the larger Middle School population, the interconnectedness of the school and District made it necessary to close all seven of our school buildings. Specifically, there are a total of 36 faculty, students, and parents who have been asked to quarantine for 14 days since the date of their contact with the affected staff member. All 36 have been, or will be in the coming days, tested for COVID-19. While we hope that all of the testing is negative, it is possible that some of these tests could prove positive. That outcome would require more testing and investigation. Additionally, some of the staff being tested have roles and contact across District buildings. Given that possibility, we are continuing to recommend that our families

take precautions to limit their interactions and practice the social distancing explained in our previous communication(s). Please understand that District Administration and the faculty are operating under these same recommendations.

District and building Administrative teams are in near-constant communication in an effort to manage this unusual situation thoughtfully and creatively. They have been meeting virtually every day to promote communication, plan, and problem solve. They continue to focus on three critical areas:

- **Health and Safety:** working with the State and local Department of Health to follow up on any Coronavirus related concerns as they develop, and providing communication and support to our community of students, families, and staff members.
- **Continued Instruction:** communicating our systems and plans for continued instruction.
- **Operations and Communications -** completing the thorough disinfection of all buildings and buses and other District vehicles; continuing our Business and reporting functions and responsibilities remotely; daily community and staff communications, meetings, etc.

Yesterday, the NYS DOH and the NYS Education Department issued [further guidance to schools](#). In it, they state, “that early, broad and sustained community containment strategies are effective in reducing the spread of the virus. These community containment interventions are scalable and flexible so that local public health and education authorities can use these tools based on the local situation.” The school closure, suspension of meetings and activities, and precautions against gathering that we have urged reflects our use of some of the interventions available to us to make every attempt to reduce disease transmission and associated illness during this outbreak. We understand that people want additional information and have continued questions. Given the guidance and restrictions we have received, the District feels strongly that any public meetings, including Board meetings, would run counter to these recommendations.

As an alternate, the District and building administration are working diligently to answer any questions which are received via email. We are also making sure to frequently expressed questions and concerns to our wider communications. We strongly encourage the community to continue to contact us via email with any questions or concerns. Thank you.”

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Mayor's Comments

Before the start of Mayor's comments, Mayor Samwick stated that he would like to offer the community, and especially the Chinese community within Scarsdale a heartfelt apology. He stated that he tried to find an infectious disease physician to speak with us this evening to inform the community on the facts surrounding the COVID-19 crisis as there is so much misinformation circulating. He stated that he personally spoke with the doctor on

more than one occasion and was very clear with the direction he was given, for everything to be scientific, fact based, and consistent with the CDC, and State and County Departments of Health. What we witnessed this evening was outside of those bounds, and Mayor Samwick apologized, "from the bottom of my heart". It was not acceptable, it is not what this community is. We are better than that, we are inclusive, and we are welcoming. For any damage that this has done, he wished that he could undo it, but all he could offer is his sincere apologies.

Mayor Samwick offered the following Mayor Comments:

"For the past few weeks, the Village has been actively engaged in preparation and planning for potential impacts related to the spread of COVID-19 in our community. As you know, the School District is closed through March 18th as a result of a positive case of COVID-19 of a non-resident employee of the District. We have been focused on ensuring that the essential functions and services of our government are able to continue despite a potential outbreak.

I want to be very clear that, from the information we currently have, the overwhelming majority of our population is not at great risk and the spread of fear and misinformation will only be detrimental to our neighbors. Please rely on your health care providers and official sources such as the Village, the County and State Departments of Health and CDC websites for accurate information.

You will notice that we are seated differently this evening. The Village has implemented social distancing guidelines in accordance with recommendations by the State Department of Health. This particular focus is both out of concern for the health and welfare of the community but also to ensure the continuity of government. Present at this meeting are our full Village Board and senior members of staff; maintaining distance guidelines are important. Our previous meeting also included our Chiefs of Police and Fire, President of SVAC as well as Village Department Heads. For the same reasoning, the Village announced earlier that non-statutorily required meetings at Village Hall are suspended until further notice and those meetings that do take place will do so with the same social distancing requirements in place. Put in the inverse, non-land use board and Village Board meetings will be canceled until further notice. Again, this action is designed to preserve public health and contain the spread of COVID-19.

The Village Manager and I, among others, have been in regular contact with our County and State governments. The Village relies on the County and State Departments of Health, who also work closely with the Centers for Disease Control at the Federal level, for public health-related matters. This multi-jurisdictional approach to widespread health issues is designed to provide professional and comprehensive health services to those in need.

I will now update the facts. As of our most recent update at 11:15 am today, there are 173 confirmed cases of COVID-19 in New York State with 108 of those cases located in Westchester County. At this point, we have not been notified of any positive cases of Scarsdale residents. This may change in the coming days and if it does change I encourage all residents to pull together, as we always do in trying times. I have already had residents reach out to me to see how they can help their neighbors with food deliveries and offering

other forms of assistance. One of the best things about Scarsdale is the caring and giving community we share. We are likely to see that side of Scarsdale shine in the coming weeks.

According to the CDC website, “While information so far suggests that most COVID-19 illness is mild, a report out of the country with the most cases suggests serious illness occurs in 16% of cases.” The report continues to state that more than 90% of those with serious illness resolved favorably.

People are encouraged to be diligent in conducting their day-to-day activities. Specifically, people are encouraged to:

- Wash your hands often with soap and water for at least 20 seconds. If soap and water are not available, use an alcohol-based hand sanitizer.
- Avoid touching your eyes, nose and mouth with unwashed hands.
- Avoid close contact with those who are sick. Close contact is usually defined as a distance within six feet.
- Stay at home when you are sick.
- Cover your cough or sneeze with a tissue and discard the tissue in a covered trash receptacle. If a tissue is not available, use the inside of your elbow. Do not use your hands to cover a cough or sneeze.
- Clean and disinfect frequently touched surfaces, such as doorknobs, handrails, desks, tables, computers, phones, and other high-touch areas.

Cases of COVID-19 in our area are community spread, so adherence to the guidelines I have just outlined will help to protect people. In addition, we recommend that you use social distancing of six feet or more when with others. We have implemented social distancing for this event and will continue to do so for all public gatherings at Village Hall until further notice.

If you exhibit symptoms of COVID-19, namely cough, fever, trouble breathing or pneumonia, please contact your primary care provider immediately. The State Department of Health has established a Novel Coronavirus Hotline, which is available 24 hours a day at 888-364-3065. People who are under self-quarantine or exposure to a known case may call 866-588-0195. The State is responsible for testing of potential COVID-19 cases and has established parameters for those who may be tested. Please go to the State Department of Health website or call one of the previously mentioned phone numbers to obtain more information on whether you or someone you know may be tested.

If you are sick:

- Stay home.
- Drink plenty of fluids.
- If you have a fever, stay home for at least 24 hours after your fever is gone without the use of fever-reducing medicines.
- Keep sick members of the household away from others. If you have a separate room, that is best.

- Use soap and water and a bleach and water solution for cleaning. If using bleach, mix one cup of chlorine bleach with 5 gallons of water.
- Avoid sharing personal items.
- Anyone at high risk for complications should speak with their health care provider for more information.

At 5:00 pm this afternoon, the Village Board met with Village staff to discuss the Village's preparedness relative to the potential spreading of COVID-19. The Village Manager will present a high-level summary of that meeting in his comments. For those who were not able to attend that meeting or watch the live stream, the meeting was recorded and will be available for replay on the Village's website. The Village website has a designated page devoted to COVID-19 which contains very comprehensive information and resources, includes regular updates, background information and links to the County, State, CDC, Scarsdale School District and much more."

In regard to the Village Election, Mayor Samwick stated "There is an upcoming Village election on March 18th for three open Village Trustee positions as well as for the Village Justice. The election is scheduled from 6:00 am to 9:00 pm at the Scarsdale Congregational Church at One Heathcote Road. There are discussions about potential changes to the election given the circumstances surrounding COVID-19. If there are any changes, the Village will issue the relevant information and will post the same on the Village website. In the meantime, we continue to plan for the March 18th election. The Village is working closely with the Scarsdale Congregational Church and County Election officials to maintain stringent cleaning and disinfecting practices throughout the day. People are able to bring their own pens, hand sanitizer, or gloves to the polling place, if they so desire.

Registered voters are reminded that they are able to complete absentee ballots, provided that they meet certain criteria including traveling outside of the Village on Election Day or illness. Absentee ballot applications are available on the Village website and at Village Hall. The deadline to submit an absentee ballot application is March 10th if submitted by mail or until March 16th if delivered in person to the Village Clerk at Village Hall. Information on absentee ballots is also available on Village website. Every absentee ballot will be counted. Residents can call the Village Clerk, Donna Conkling, at 722-1175 for more information.

The Village will work hard to maintain the cleanliness of the polling environment and we encourage all residents to exercise your right to vote. Voting is one of the most important things we do and doing so this year, in particular, demonstrates the significance of our right to vote. Voting is one of the most important things we do, and doing it this year, in particular, demonstrates the significance of our right to vote."

Concerning the 2020 Census, Mayor Samwick stated, "The 2020 Census is kicking off this week. While the timing of the Census is not optimal, I would like to remind residents of the importance of completing your census data. Billions of federal dollars are allocated to states, counties and municipalities based on the results of the Census. So please complete your census questionnaires.

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Manager's Comments

Village Manager Stephen Pappalardo stated that the Board did have a work session earlier on COVID-19 and he did give a statement. He stated that he just wanted to assure the community that the Village administration is hard at work trying to maintain our local government operations and services, as in this building with our dedicated staff that make the effort to come to work and do what they need to do – we've made provisions to keep them as safe as possible – providing additional hand sanitizer and guidelines concerning handwashing. Cleaning of this building has been increased, as well as other Village facilities. The emergency services have been working very diligently. A number of new plans have been put in place based on this particular situation. They are coordinating all of their work and contingency plans have been put in as well to try to keep people safe. He assured residents that their emergency services operations are functioning – plans are in place if something happens, including mutual aid with other communities and bringing in outside contractors if needed. This is a situation that evolves on a daily basis. He stated that he wants the community to feel comfortable that the Village continues to maintain services. He suggested that residents keep checking the Village website at www.scarsdale.com every day and visit the corona virus site on the homepage as that is frequently updated with the latest information.

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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. For those who wish to speak further, there will be a second public comment period at the end of the meeting as well.

Mayra Kirkendall-Rodriguez, Fox Meadow Road, thanked the League of Women Voters for a very good municipal event that took place last Thursday. This was the candidate forum and it was the only event in Scarsdale to see all six candidates vie for Trustee for the March 18th Village Election. She noted that there is a myth that there is very good vetting of the candidates and issues in Scarsdale.

Ms. Kirkendall-Rodriguez stated that she watched the livestreamed 5:00 p.m. COVID-19 meeting today and stated that what she saw was this doctor attacking Chinese people and speaking ill of them as well as professors from Harvard and John Hopkins. She asked where there vetting was of this doctor, why did no one look at his speech or criteria. Also, when he continued with his speech, she asked why no one cut him off. She stated that this is not the first time these kinds of comments have been made against the Chinese residents in Scarsdale. She noted that when she and Chinese residents were advocating for Mandarin in the middle school, Scarsdale10583 told Chinese people and her that we needed to go and learn English first. Also, she stated that there is a myth of inclusion in Scarsdale as well. We don't see people of color in the boards. There is over 20% of Asians, Hispanics, and African Americans in this town. If you look at the Library Board, the League of Women Voters, and the Forum, we are

not there. The current Scarsdale Citizens Non Partisan Chair as well as Trustees Arest and Crandall made sure that no person of color, specifically herself, would lead that group. She asserted that in the 109 years of its existence, the Scarsdale Non Partisan party has never nominated a person of color. The leadership needs to learn a lot about being inclusive.

Ms. Kirkendall-Rodriguez continued, stating that the CNC does not vet the candidates. It is time to do some vetting – we never vetted property assessors in this town, the Freightway finalists were never vetted. She stated that Trustee Arest was in the subcommittee and she has yet to see any numbers which she FOILED for as well as data and other information back in October and she has not yet received all the information she was looking for.

Mayor Samwick stated that right now it is time for inclusion and cohesion and this divisiveness and innuendo is not appropriate at this time.

Caroline Cai, 10 Carstensen Road, thanked the Mayor and Village leaders for setting up the presentation on COVID-19 and for behaving like leaders in very decisive and certain terms. She stated that it was not just the tone but the content that the doctor presented at that presentation which contained misinformation that could damage the public's health response. She suggested the Village implement a remedial plan that would include sending out an email to the wider community that includes the comment that Mayor Samwick earlier but that also provides information on what the community should do to protect themselves and their family in dealing with this spreading virus. She stated that she was told that the speaker was recommended by the County Department of Health and has spoken in other communities. She stated that she hoped that this was not the case as his presentation contained misinformation. Some sort of public forum properly addressing the issue of the virus would be helpful.

Mayor Samwick noted that misinformation is dangerous right now, and the reason the doctor was invited to present was for the exact opposite reason than what happened. They were seeking a science and fact based message that was consistent with CDC and the County and State Departments of Health so that all the information would be uniform. He stated that they will be working on a remedial plan. Mayor Samwick stated that he will be reaching out to the doctor and seeking an apology from him tomorrow.

Jeff Wong, Scarsdale resident since 2013, stated that when he heard the streaming of the doctor's presentation this evening on his way home he was outraged. Misinformation is as harmful as the virus itself. He stated that he listened to Dr. Anthony Fauci at a press conference and his information was the opposite of the doctor speaking earlier this evening. He stated that as the previous speaker stated, they would like to see the Mayor and staff work with the Chinese community to see how to remediate the damage done by this doctor's presentation as much as can be done. Misinformation is very harmful.

Mayor Samwick stated that he feels badly about being an accomplice to what happened and he will do whatever it takes to make amends. If Mr. Wong would like him to attend a meeting of the community to help bridge this gap, he will be there.

A resident of Scarsdale (name inaudible) stated that she was looking to obtain additional professional advice from the doctor speaking at the presentation earlier today but was

shocked to hear that he was spreading rumors instead of being professional and offering reliable information. She stated that the doctor said the corona virus originated in China because the people there eat bats, which is a rumor. She stated that a BBC journalist in an article he published, stated that this was a rumor. She noted that what worries the Chinese community here are the consequences of what the doctor presented, which may generate hatred and misinformation, especially when the children go back to school and talk about it. She added that they really appreciate what the Mayor has said and added that it is no one's fault but the damage is done. They hope that the Mayor, Village Board and staff will do something to remediate the damage.

Mayor Samwick stated that our children are remarkable and valuable to all of us, and the last thing we want to do is create any kind of situation that might be detrimental to our children. He again offered to go into the schools with whomever they would like to accompany him and make sure there is a very strong message of inclusion being shown to our children as well as our adults.

Trustee Veron stated that she would also like the community to know that this Mayor was the one who initiated the role of her serving as liaison to the Chinese community and it is the first year they have done that. She stated that she had the privilege of meeting with them along with the Village Manager, noting that the Village's role is to welcome them to the community. The diversity of opinion and background only serves to make us better and stronger. That was the goal in outreach and she stated she wanted to reconfirm their commitment to the Chinese community and all of the communities that make up the entirety of Scarsdale.

Mayor Samwick, speaking for himself, although he knows the Board also feels this way, stated that we are better and stronger and smarter because of diversity. That is the mantra by which the Board tries to govern and that they believe in their hearts.

Robert Berg, 32 Tisdale Road, stated that he appreciated that the Village put the 5:00 p.m. session together today; however, he too was appalled by the comments of the doctor. He stated that what makes things worse is that the Mayor or the Board members told him to stop. He could have been told he was out of line and to stop.

Mayor Samwick stated that he was 'owning' that – the Board is not responsible for cutting him off – he is. The reason he did not cut him off is not an acceptable reason. The Mayor stated that he was preparing his remarks for this meeting as he has been busy with other things such as managing COVID-19 on behalf of the Village and did not have time to finish his prepared remarks. He stated that he was not fully aware of what was happening as it was happening; for that he is sorry. Going forward, his prepared remarks can wait and he will speak off the cuff. He noted that he needs to be fully present when someone is speaking in this room. He apologized for that as well.

Mr. Berg stated that he really came to speak about the Village Election scheduled for March 18th. He noted that the Village Manager was speaking about the election and the health risks it poses at the 5:00 p.m. meeting. Although he fully agreed and that we should take all precautions and he shares the Village Manager's concerns, he stated that New York State Law does not allow for the postponement of an election. In the case of a natural disaster, generally

the election goes forward in perhaps an alternative location. The election cannot be postponed absent legislative action or Executive Order from the Governor. The only historical precedent we have is 9/11, which was Primary Day in New York State. After the attack, by Executive Order, the Governor suspended voting. The legislature then reconvened in special session and enacted special legislation scheduling the continuation of the election for two weeks later.

Mr. Berg continued, stating that absent of that type of action, the election must go forward and the Village needs to make sure that the conditions at the polling place allow for a healthy and safe election. He explained how the cleaning and sanitizing should take place, as well as social distancing. He also stated that you have to follow the rules in regard to absentee ballot voting and that a mass mailing of those ballots cannot be done. People have to apply in person at this point to obtain an absentee ballot. He stated that this is an important election and that people should come out and vote and do it in a healthy manner so that no one is at risk.

Mayor Samwick agreed that this an important election; people are being encouraged to vote. With respect to Mr. Berg's comments regarding New York State Law, he stated he is correct. He stated that the Village will not and cannot make any attempt to change the election date or the location due to the timing at this date. He stated that there have been daily phone calls with the State and County government that he and the Village Manager have been on, seeking guidance on many issues. One of the most important is the election and how to handle it. There has been some discussion at a very high level – there is a limited state of emergency in place right now. There have been some discussions about the Governor expanding the state of emergency to include the election and reschedule it for a later date. That has not yet been determined, so the Village continues to await direction from the State – this is not something that will be decided locally.

Mayor Samwick continued, stating that the Village is respecting New York State Law in regard to absentee ballot voting and everything else about the election, stating that there is no choice but to do this and that is why the Village Manager stated that we are preparing for the election to be held on March 18th. The Village will continue to abide by State law until we are directed otherwise.

Jeremy Gans, Harvest Drive, thanked the Board of Trustees and the Village staff for taking their time and effort during this challenging time as well as the School Board and School Administration. Hopefully this will pass before too long and that Scarsdale stays healthy and that the children return to school in a few weeks. In regard to the Village election, he felt he had to set the record straight in terms of some things that an earlier speaker mentioned. Personally, he loves that Scarsdale has not succumbed to the in-fighting of partisan politics that plague so many neighboring towns. However, people have difference of opinions and once in a while there will be opposing slates. This election is not about differences of opinion. The Voters Choice campaign is based almost entirely on falsehoods. Regarding vetting of the nonpartisan slate, 30 people representing all the elementary school districts choose the candidates to nominate. Men and women, young and old, from every part of Scarsdale and every type of background. Who nominated the opposing slate? This is a serious question.

Mr. Gans continued, speaking about the vetting done during the discussions on the Freightway redevelopment project. There were countless meetings, there was no closed process

– everything was open. He has pointed out portions of documents to Mr. Berg who claims certain information was not available in terms of MTA involvement in the project. He stated that if a campaign is centered around this, and the candidates are vetted, at the very least we can expect that those candidates read the documents that have been publicly available for years and they didn't look at that very basic information.

Mr. Gans stated that furthermore, there was a call to get back to respect. To call members of the nonpartisan party committee 'lying ladies and members of the establishment elite'? That is what that campaign is based on. If this were differences of opinion, that's fine, but slandering volunteers of this community is not just a step too far, it is a mile too far. It is not what Scarsdale is about. This is not about differences of opinion, this is about something more. This is an attempt to gaslight one of the most intelligent places in the United States of America. We are better than this as a community, we deserve better than this from our nominees, whether they are the incumbents or an opposition slate. We deserve better; it is tearing this community apart.

Robert Harrison, 65 Fox Meadow Road, stated that both he and his wife have been heavily involved in civic activities in Scarsdale over the past 40 years of their residence here. He complimented the Mayor on the job he has done and on his sincerity and that he is doing a good job during a difficult period. He stated that we have a great Village and a great Village staff as well as a great Village Manager.

Mr. Harrison stated that he was glad that everyone turned out this evening but asked those that get up to speak to not only mention their names, but their street address including the number as well. He then stated that everyone has to work together to prevent community spread of COVID-19. He stated that the Asian community in Scarsdale is valued and was glad that many showed up this evening for the Board meeting. He then mentioned the summer youth tennis league he has run for years as a volunteer at the Scarsdale Middle School tennis courts and welcomed their children to participate.

Mr. Harrison noted that he was glad that the Vice President of the School Board was present at the meeting this evening to give some details regarding steps that the School District is taking regarding COVID-19. He stated that he has 4 grandchildren in the Scarsdale schools and of course value their safety as well as the other children. We all have to work together to stop the spread of this virus.

Mayor Samwick reminded those present that they would have a second opportunity to be heard during a second public hearing period at the end of this meeting.

Vivien ----- (last name inaudible), stated that she has been a resident of Scarsdale for 10 years. She stated that when she returned home from work in Manhattan, her 8 and 10 year old children were watching television and were listening to the misleading information being given by the doctor. She had to explain to her children about the misinformation regarding Chinese culture. She hoped that the Village and community could help her answer some of her children's questions and she would appreciate any action the Board takes to undo the harm that was done by the doctor's presentation.

Mayor Samwick again apologized and stated that if she would like him to meet with her

children, he would be happy to do so.

Ms. Vivien --- stated that the Chinese community is doing a lot to help their community and their Chinese neighbors. A friendly environment is needed during this difficult time.

Mayor Samwick agreed that the community needs to work together during difficult times; this is what Scarsdale is all about.

Mary Li, Rock Creek Lane, stated that she just moved to Scarsdale from Boston in September. She stated that she wanted to address comments regarding many Asians wearing masks. She stated that if you are wearing a mask before developing symptoms of the Corona Virus, you are helping to not spread the virus.

Ms. Li then stated that she read an article on the Chinese American website of a woman, Cheng Tao, who wrote about returning to China to be with her parents during a spring festival time. Even with the virus outbreak, she traveled home to be with her parents during the festival and then she returned. She used sanitizer that her husband placed in the garage upon her return which she used. She self-quarantined herself in the basement for 14 days, knowing that she came from an area with the outbreak of the virus. Ms. Li stated that she felt amazed and inspired by this woman who took it upon herself to self-quarantine after being in an infected area.

Mayor Samwick thanked Ms. Li for sharing the story of Ms. Tao.

Cheng Tao, 121 Brambach Road, was present in the audience and introduced herself as the person who wrote the article the previous speaker mentioned. She stated that Scarsdale is a great community and thanked the Mayor and the Board for all their hard work; it is very much appreciated. The story she shared in the Chinese community is her example of the whole Chinese community. She is just one of the Chinese who are very responsible and inclusive and want to protect the community, including the children. She said she didn't hear what the doctor said, but people in the community talked about it and it was definitely very disturbing for her, and first time she has heard such misinformation broadcasted to the whole community and it was shocking. Everyone works so hard to create these inclusive communities. She emphasized that we need to do the right thing here – damage has already been done, but there are a lot of things we can do as the Mayor mentioned. We have to stop misinformation, which is even more dangerous than the virus. We should work with our schools when the children go back to school – what are the kinds of things we can do that would be useful for the children to discuss that are fact based and inclusive. The Chinese community is looking forward to working together to build a better community and do the right thing for us and our children.

Mayor Samwick stated that Ms. Tao's actions are an inspiration to us all and thanked her. He also stated that the Board shares her view that we have to work to repair the damage that has been done and he assured her that he and the Village Board are 100% committed to doing that work.

A resident that did not introduce himself thanked the Mayor and for his apology to the Chinese community. He stated that it is very important that people unite in a time of crisis such as this. He was shocked that the Village aired such a divisive message on live television today.

He expressed his concern over what other children will say to his children when they go back to school. How do their children respond to questions that may be posed to them? He also expressed his concern about the possibility of hate crimes against the Chinese in Scarsdale. Who will be responsible for that if something of that nature happens here? He stated that if the Village puts out a disclaimer regarding the presentation that was aired earlier today, it must be on a public channel that will reach the same audience. Also, this presentation should not be aired again. Perhaps a physician who is qualified can be invited to give a presentation with fair and correct information so the entire community can benefit from that.

Mayor Samwick thanked the speaker for his suggestions; he stated that the presentation aired today will not be aired again. He stated is happy to have his apology aired on the public channel as well as putting it on the website and placing it in the Scarsdale Inquirer. Also, having a fact based presentation is a good idea. He added that this meeting is being televised and will be replayed.

Zhang Wuhong, 19 Kent Road, asked who hired the doctor who spoke earlier today?

Mayor Samwick stated that the doctor was not hired or paid. He stated that he asked the doctor to speak as he had heard from other communities that he had been asked to speak for them and had given good presentations. The Mayor stated that he was trying to have an infectious disease physician present to the community a public service on the corona virus outbreak. Obviously, it didn't work out that way.

Ms. Wuhong stated that she was shocked when she heard what the doctor had to say. Instead of helping us, he promoted dividing the Village. He used the Village broadcast to deliver misinformation in a racial language. What he said could potentially create bullying in the schools and hate crimes in the community. She was also upset to hear him attack very well known professors and doctors from Harvard, Presbyterian Hospital, and John Hopkins. She added that we shouldn't blame anyone if any natural disaster or virus strikes. We should help each other to combat this virus. She stated that her daughters were shocked, disappointed and embarrassed by what they heard. She requested a formal apology from the doctor in the local newspaper and the Board should do whatever they can do to mitigate the damage done by this presentation.

Mayor Samwick responded to Ms. Wuhong's comments, stating that the Village will be seeking a formal apology which is important to the community; the comments made were not acceptable. He also stated that there is no blame for any pandemic. He also agreed that we should be working together to help each other and they are very upset for what happened with this doctor's presentation and apologized once again.

Dara Gruenberg, 24 Hampton Road, thanked the Trustees and staff for the countless hours they have put in to taking care of this community in the midst of this crisis. She also thanked everyone who attended the meeting this evening to speak with facts. Participation is important; she hoped that this situation will resolve as soon as possible.

Ms. Gruenberg stated that she would like to address the accusations made by Ms. Kirkendall-Rodriguez this evening. She stated that she has been on the CNC for three years and is currently the Chair of the Scarsdale Citizen's Non Partisan Party. The CNC's vetting is

extensive; they call many references on all candidates and then have extensive deliberations to select the best nominees. Providing privacy to those who run is not the same thing as being opaque. However, it is confidential. Anyone who is a Scarsdale resident and a United States citizen can apply. They reach out to many people to run for Trustee; she stated that she has reached out to 60 people during her three years on the CNC. The most common answer she receives is that they do not want to be personally attacked.

As to the accusation about the Scarsdale Forum, Ms. Gruenberg continued, which Ms. Kirkendall-Rodriguez has said over and over again, that she, Lena Crandall, and Justin Arest served on that committee many years ago didn't select her because we were racist. That is baseless and false. Our selections are never about race, religion, gender or sexual orientation. We choose the best candidate for the job. Tim Foley is an excellent President of the Forum and she stated that she is proud to have been on the committee that selected him. Anyone who knows her knows that she is inclusive. We need to work together and not harm each other.

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

Trustee Arest stated that there are only so many times he can remain quiet when he is defamed by the same person. In the past it has usually been anonymous, so he appreciates the fact that it was said in person this evening. In this case, the racist claim came from keeping any non-white woman off of it was clearly an implication of racism. Just because you didn't use the word doesn't mean it isn't racism. What is even more disappointing that is in the past and even now, the fact that your un-vetted candidates won't renounce those comments and won't stand up and say they are against lies and the vitriol in this wonderful community that we live in is extremely telling of their character. He apologized to everyone for having to listen to this tonight but he wanted to thank everyone who came to this meeting because clearly COVID-19 doesn't care about your race, nationality or religion - the whole purpose of this meeting was to show a united front of being against misinformation and reduce panic and show the community what we are trying to do for everyone. If you live in this community, we are working tirelessly – the Mayor, the Village staff, everyone is working tirelessly to making sure everything is being done. He stated that he understands that the message might be partially lost and for that he is truly sad and sick inside. He asked that everyone understand that all of the hard work that is being done is to make sure that everyone is safe and that their services will continue and that we can continue to be a wonderful inclusive place. He again expressed his appreciation for everyone coming to the meeting this evening.

Trustee Veron stated that it has been a very difficult time for all of us, particularly those in the Chinese community; however, she felt positivity in that we all came together to share thoughts. As liaison to the Scarsdale Chinese Association, she had emailed their board regularly and offered to have the SCA participate in the government in any way that made sense for them. She believes that to represent well, we must hear from all constituents in the community and encourage them to share their thoughts with us. Her goal and the board's goal is to continue the dialogue and continue to forge strong relationships. The silver lining to this painful experience is that we have come together, and the community sees that broad involvement is encouraged.

Trustee Lewis stated that this evening we all heard offensive comments from a doctor

by a community that appreciates respect and balance and truth. This was unacceptable. Comments were made by the doctor that were offensive to the Chinese community in Scarsdale. We abhor prejudice, misinformation, and we stand with the Chinese community who are valued, our neighbors, and we are grateful that they are here. We face difficult times, we must rise to the occasion, we can do better. We are a diverse and respectful community. We are a community that strives to do better and challenges each other. We lift each other up; we may stumble but we will persevere. He thanked everyone for being here this evening.

Trustee Crandall stated that Ms. Kirkendall-Rodriguez made accusations against her this evening. She stated that she was a member of the nominating committee and she is sorry that Ms. Kirkendall-Rodriguez was not selected. Trustee Crandall stated that when she was President of the Forum, she immediately put her in a position of authority as Co-Chair of the Education Committee because she saw her intelligence. Trustee Crandall stated that she was aware of her involvement in the international community at the Fox Meadow School and she was the person she was looking for. She stated that she was the daughter of immigrants; she grew up in a small town where they had to hide their background – she is of Russian descent – that was the worst thing to be during the Cold War. She told everyone that her mother was Polish and her father was Czech. They had to celebrate the American Christmas even though she was Russian Orthodox. Everything had to be American. She only speaks English because everything was English in the home. That was for their survival; her father was the town doctor. She stated that she wanted Ms. Kirkendall-Rodriguez bring everyone together as a community. But today she hears angry words, but everyone here is smart and she believed everyone is here in Scarsdale for the same reason she is. She believes everyone here is smart and that it doesn't matter what we look like. What matters is how we are as people. She stated that she has one judge, and she is not afraid to face that judge because she has acted with honor in all of her volunteer services; she tries to be the change in the world that she would like to see. She loved what she heard here this evening; let's work together. The community can reach out to any of the Board, her phone number is 914-725-9241, or cell phone 914-874-3779.

Trustee Crandall stated that they also need to be kind to the Village staff and the people who work in the community. She learned from her father that the most valuable thing in the world was one friend. We need to calm things down and work together to fight this virus; it is important.

Mayor Samwick reminded everyone present that there will be another public comment session so people can speak again. He stated that he is encouraged that the people are present at the meeting this evening and spoke. He wants people to be here because they want to be here and not because they have to be. He thanked everyone again.

* * * * *

Trustee Liaison Reports

Trustee Veron stated that she had a brief report this evening regarding the Scarsdale Business Alliance. She stated that this morning the Scarsdale Business Alliance Board met via Zoom to discuss many business issues including the coronavirus. As we all know, the coronavirus has widespread economic impacts. Even more than ever, our merchants encourage residents to support the local economy. Merchants discussed serving their clients

however they prefer: in store, through delivery, phone or online purchasing. They also reiterated their vigilance in keeping their establishments clean to protect their employees and customers.

* * * * *

Trustee Crandall reminded that in Scarsdale, we look out for our senior citizens. If you are a senior citizen watching this evening and are concerned about the coronavirus or just everyday life, the Village has an aging in place coordinator. Her name is Mary Ellen Sanger and her phone number is 914-723-3281. The aging in place program is offered together with our tax dollars and also through Scarsdale Edgemont Family Counseling Service. It is a free service – Ms. Sanger can provide resources from the County and State, she can help with referrals; she knows the people at Meals on Wheels. Trustee Crandall encouraged interested residents to reach out if they need services. One can look at the back of the Scarsdale Community Calendar and there is a whole directory of organizations and Ms. Sanger’s contact information is there under Scarsdale Edgemont Family Counseling. Also, the Scarsdale Police Department has a program named ‘R.U.O.K.’ If you ask them to, the Police Department will call you once a day if you are concerned that you may fall, etc. If you register with the Police Officer Glasser at the Police Department, call 914-722-1200. There are other senior events that have been cancelled temporarily due to the virus, but you can find them in a brochure that recently came out from the Recreation Department.

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Trustee Arest

Upon motion entered by Trustee Arest, and seconded by Trustee Ross, the following resolution regarding Adopting FY 2019-2020 Village Investment Policy was tabled by a unanimous vote for purposes of further review and discussion.

- WHEREAS,** the Village’s Investment Policy applies to all monies available for investment in the various funds maintained by the Village, further providing that the Village Board review and approve the Policy on an annual basis at a minimum; and
- WHEREAS,** the Village Board last reviewed and adopted the Investment Policy, Policy # 501 of the *Village of Scarsdale Administrative Policies & Procedures Manual*, on November 13, 2018; and
- WHEREAS,** recognizing the importance of the Village’s Investment Policy, Village staff, on an annual basis, reviews said policy and recommends any proposed modifications to the Village Board for consideration; and
- WHEREAS,** staff performed said review and recommended certain changes, primarily housekeeping in nature, which are included in the proposed policy dated March 10, 2020 attached hereto; now, therefore, be it

RESOLVED, that Village Administrative Policy # 501 – “Investment of Village Monies,” – updated March 10, 2020 and attached hereto, is herein adopted.

Trustee Crandall

Upon motion entered by Trustee Crandall, and seconded by Trustee Arest, the following resolution regarding Acceptance of a Gift for Installation of a Geodesic Dome at the Weinberg Nature Center was approved by a unanimous vote:

WHEREAS, to support unique local organic food production and sustainability programming at the Weinberg Nature Center, the Department of Parks, Recreation and Conservation purchased a geodesic dome in June 2019; and

WHEREAS, recognizing the educational value of the geodesic dome greenhouse, and the contribution it can make by providing year-round access to low-cost, nutritious food for Weinberg’s eclectic animal collection thereby reducing operating costs while enhancing animal health and well-being, the Friends of Weinberg Nature Center have enthusiastically donated the sum of \$8,461.01 for the professional installation of the dome in support of the hydroponic and aeroponic agricultural techniques, which have proven to be effective tools in combatting world hunger; and

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

RESOLVED, that the Village Board of Trustees hereby accepts the gift of \$8,461.01 from the Friends of Weinberg Nature Center for the materials necessary to professionally install the geodesic dome at the Weinberg Nature Center; and be it further

RESOLVED, that the Board of Trustees hereby extends their thanks and appreciation to the Friends of Weinberg Nature Center for this generous gift to the community.

Trustee Lewis

Before reading the resolution, Trustee Lewis called attention to the supporting memorandum submitted by the Village Engineer to the Village Manager. He stated that the

memo provided excellent back up and provided some key points from the memorandum that are not in the resolution.

Upon motion entered by Trustee Lewis, and seconded by Trustee Veron, the following resolution regarding Awarding VM Contract #1258 – Sanitary Sewer Excavation and Repair was approved by the vote indicated below:

- WHEREAS,** pursuant to the ongoing multi-year Sanitary Sewer Evaluation Study, which seeks to identify conditions in our underground sewer infrastructure, pipe locations have been identified as requiring excavation and replacement have been identified, requiring contractual support from a qualified firm; and
- WHEREAS,** a bid solicitation for VM #1258 – Sanitary Sewer Excavation and Repair was published in the Scarsdale Inquirer on Friday, January 31, 2020, and notification of the bid opportunity was also provided through one construction journal, as well as sent directly to 13 vendors known to provide the needed services; and
- WHEREAS,** on the bid opening date, February 20, 2020, ten bids were received, with the lowest responsible bid received from Westchester Hills Landscaping Inc., West Harrison, NY 10604 (Westchester Hills); and
- WHEREAS,** Westchester Hills has confirmed their understanding of the scope of services, has previously performed satisfactory services for the Village under other contracts, as well as for other peer communities, and staff recommends awarding VM #1258 – Sanitary Sewer Excavation and Repair to Westchester Hills as the lowest responsible bidder; now, therefore, be it
- RESOLVED,** that VM Contract #1258 – Sanitary Sewer Excavation and Repair Work, be awarded to Westchester Hills Landscaping Inc., West Harrison, NY 10604, at the unit bid prices itemized in the attached bid tabulation sheet, with represented total cost based on estimated work quantities and expenses for a total not to exceed budgeted appropriations, or an estimated maximum of \$121,475.00; and be it further
- RESOLVED,** that the cost of same be charged to Capital Budget Fund Account #H 8120-965 2019-096 Sani Sewers – SSES Study Repair Work, or to the appropriate sanitary sewer account, as determined by the Village Treasurer; and be it further
- RESOLVED,** that the Village Manager is hereby authorized to execute VM Contract #1258 on behalf of the Village of Scarsdale with Westchester Hills Landscaping Inc., West Harrison, NY 10604, and to undertake administrative acts as may be required under said agreement.

AYES

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

NAYS

None

Trustee Ross

Upon motion entered by Trustee Ross, and seconded by Trustee Veron, the following resolution regarding Authorization to Execute a License Agreement with Verizon, New York, Inc. was approved by the vote indicated below:

- WHEREAS,** the Board of Trustees of the Village of Scarsdale after public hearing and extensive public discussion unanimously adopted Local Law No. 7 of 1995, amending certain Chapters of the Village Code, including Chapter 310-89, changing certain provisions to require legal nonconforming uses in residential areas to obtain a special permit to continue such nonconforming use; and
- WHEREAS,** that Local Law eliminated telephone exchanges as a permitted use in an A-3 residential zone pursuant to a special permit and, instead, established telephone exchanges as a permitted use in commercial areas of the Village; and
- WHEREAS,** the Verizon (formerly New York Telephone Company and NYNEX) Central Office located on a 28,574 sq. ft. site at 1021 Post Road, identified on the Village tax map as Sec. 3, Blk. 2, Lot 4, became a legal nonconforming use in a residential area as a result of the adoption of Local Law 7 of 1995; and
- WHEREAS,** Chapter 310-89 of the Village Code includes a provision which requires a legal nonconforming use in a residential zone to register with the Village by obtaining a Special Use Permit from the Planning Board; and
- WHEREAS,** pursuant to Chapters 310-67 and 310-89 of the Village Code, the Planning Board granted a Special Use Permit to Verizon to continue its operation in a residential area as a legal nonconforming use in 1997; granted a renewal in 2001, and based on certain conditions, renewed the Special Use Permit on December 20, 2006, subsequently amended on January 29, 2007, for a period of three years commencing January 1, 2007; and, on November 18, 2009, granted a

five year renewal from January 1, 2010, through December 31, 2014; and, on November 14, 2014, granted a five year renewal from January 1, 2015, through December 31, 2019; and, on November 20, 2019, granted a five year renewal from January 1, 2020, through December 31, 2024; and

- WHEREAS,** certain conditions of the Planning Board Special Use Permit renewal resolutions limit the number of Verizon trucks allowed to access the telephone exchange site while excluding Verizon from parking their trucks and/or vehicles at the parking lot of the adjacent Church of the Latter Day Saints and the Village-owned parking lot adjacent to the Village tennis courts on the north side of Wayside Lane; and
- WHEREAS,** in order to compensate for this diminished site access and parking options, Verizon communicated to the Planning Board their interest in requesting a License Agreement from the Village to allow up to four (4) Verizon vehicles to park in the Village Hall parking lot; and
- WHEREAS,** the Village Board of Trustees approved a License Agreement for use of the four (4) Village Hall spaces on February 13, 2007, which has since expired; and
- WHEREAS,** Verizon has recently requested a new license agreement with the Village to continue to utilize, on a non-reserved basis, four (4) parking spaces on the north side of the Village Hall Lower Parking Lot; and
- WHEREAS,** pursuant to §290-49.1 of the Village Code, the Village Hall Parking Lot is considered a special purpose off-street parking site, whereby no parking other than that directly related to the purpose of the facility is permitted unless otherwise allowed by the Village Manager; and
- WHEREAS,** the proposed License Agreement, attached hereto, is revocable and may be cancelled at any time for any reason by the Village upon thirty (30) days written notice to Verizon; and
- WHEREAS,** pursuant to the License Agreement, Verizon will indemnify the Village from any liability arising from the use of these four (4) parking spaces, maintain adequate liability insurance coverage as approved by the Village Attorney, and pay the Village an annual license fee of \$1,600.00; and
- WHEREAS,** Village staff believes that sufficient parking currently exists at the Village Hall Parking Lot to accommodate Verizon and that the use of this lot by Verizon will help to achieve the Planning Board's objective of improving pedestrian and traffic safety in the vicinity of 1021 Post Road and the quality of life for residents in this neighborhood, and as

such, the Village Manager has agreed to allow for said Verizon parking; now, therefore, be it

RESOLVED, that the Village Board concurs with the Village Manager in executing a license Agreement with Verizon, New York Inc., in substantially the same form as attached hereto, permitting the use of four (4) parking spaces on the north side of the Village Hall Lower Parking Lot, with said Manager undertaking all administrative acts required under the terms of the agreement.

AYES

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

NAYS

None

Written Communications

Village Clerk Conkling reported that one (1) communication has 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.

- An email from Mayra Kirkendall-Rodriguez with concerns regarding the Board of Ethics. A response from the Mayor is included.

There being no further business to come before the Board, the meeting was adjourned at 9:53 PM on a motion entered by Trustee Arest, seconded by Trustee Veron and carried unanimously.

Respectfully submitted,

Donna M. Conkling
Village Clerk