

THREE THOUSAND THREE HUNDRED FORTY-NINTH
REGULAR MEETING

Video Conference
Via Zoom
April 28, 2020

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held on Tuesday, April 28th, 2020 via video conference (Zoom) at 7:00 p.m.

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

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Minutes

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

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Bills & Payroll

Trustee Crandall reported that she had audited the Abstract of Claims dated April 28, 2020 in the amount of \$1,236,882.42 which includes \$32,548.16 in Library Claims previously audited by a Trustee of the Library Board which were found to be in order and she moved that such payment be ratified.

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

RESOLVED, that the Abstract of Claims dated April 28, 2020 in the amount of \$1,236,882.42 is hereby approved.

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Mayor Samwick requested a motion to amend the agenda to add the Special Town Board meeting, and the resolution contained therein, so moved by Trustee Arest, seconded by Trustee Crandall and approved by a unanimous vote.

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Mayor's Comments

Mayor Samwick gave the following comments:

“I hope you and your families are coping well and are staying healthy. As we continue to be on “pause”, I am struck by what has not been on pause: the outpouring of generosity and compassion from our residents. Coretta Scott King once said, “The greatness of a community is most accurately measured by the compassionate actions of its members.” Scarsdale, thank you for your extraordinary compassion, cohesiveness, and generosity. We live in a great community and that is because of you, our residents. Keep doing what you are doing. We will get through this together.

Recreation

Westchester County announced that it is holding Bicycle Sundays on the Bronx River Parkway in May and that it plans to opening marinas. The County reopened two of the County’s six golf courses, Mohansic and Hudson Hills, with the hope that proven appropriate social distancing will enable the other four County courses to reopen. The County Executive believes, as I do, that providing recreational opportunities inclusive of social distancing is important for residents’ health and well-being. The County Executive stated that he will continue opening recreational facilities for public enjoyment as conditions permit, having cautioned that keeping them open requires public respect for social distancing mandates.

Assessment Exemptions

This evening, there will be a public hearing relating to the proposed extension of time that people might have to file exemptions with the Village Assessor. Currently, Village Code stipulates that exemptions must be filed by May 1st. The proposed revised code would provide for an extension for taxpayers to file exemptions by June 16, 2020. Please note that this is a one-time change that relates only to 2020. Information is available on the Assessor’s page of the Village website – www.scarsdale.com. Anyone seeking additional information may contact the Village Assessor at 722-1133.

Land Use Boards

The Village is working to get the Land Use Boards - the Planning Board, the Zoning Appeals Board and the Architectural Review Board - back in service to residents via teleconference. Please look for announcements that are expected shortly.

Village Budget

The Village Board is scheduled to vote on adoption of the Village budget this evening, in accordance NYS requirements that Villages adopt budgets by May 1. A couple of high-level points about the budget I would like to make first. Village taxes represent only 18% of the total real estate taxes paid by Scarsdale residents – School (65%) and County (17%) taxes represent the remainder.

I was speaking with the Mayor of another Westchester village last week and he made a comment that resonated with me, “Residents understand village taxes very well because the benefit of the tax dollars come right back to them.” I admit that I hadn’t thought of Village taxes in that way before, but the mayor is correct - we receive the benefit of the services we pay for, including police and fire protection, sanitation, parks, recreation, paved and plowed streets, and much more. Nobody likes to pay more taxes and the Village Board works hard every year to manage tax burdens, balancing those burdens with the service levels we enjoy.

The approach the Village has taken to manage its current fiscal and FY 20-21 budgets since the advent of the pandemic is to:

1. Immediately enter into austerity operations with expenses limited to COVID-related responses and costs associated with the health, safety and welfare of Village residents and employees,
2. Identify near-term threats to revenues along with a downside analysis of these threats,
3. Identify sources of funds to fill the projected revenue gaps, and (iv) reduced the FY 20-21 budget by \$210,000, which directly relates to savings that result from an identified postponement in the opening of the newly renovated and expanded library and passing that benefit to taxpayers in the form of a reduction in FY 20-21 Village taxes.

These actions were responsible and decisive and provide adequate funds to cover near-term revenue threats along with tax relief to residents.

I will provide more extensive comments about the Village budget prior to voting on the adoption of the fiscal 20-21 budget.

Census

Please remember to complete your census questionnaire. The Census results determine the allocation of an enormous amount of federal disbursements, so please be counted to help our state, county and Village.

Health Insurance

New York State’s health exchange, New York State of Health, has reopened to provide coverage for those that have recently lost health insurance. Residents must apply for health insurance coverage by May 15th and within 60 days of losing their prior coverage. For more information, go to www.nystateofhealth.ny.gov.

Closing Remarks

While I haven’t mentioned many of the recurring themes of prior messages, please continue to join together and support our community by donating blood, plasma, personal protective equipment and more to our first responders and health professionals. We have already done so much, yet the needs are still great as we fight against this virus. As the weather

continues to improve, please make a point of social distancing, wearing face masks, and driving carefully. Our safety is in our hands.

As quoted in the beginning of my comments, our greatness as a community is measured by our acts of compassion towards others and towards each other. Let's continue to help where the needs are great and small and be there for one another.

I am looking forward to the time in the not-to-distant future when we are together in a park, on a tennis court, walking, at the Scarsdale pool, watching a parade in the Village Center, or enjoying our annual fireworks spectacular. Our spirit is being tested and we will come through the other side stronger, more cohesive and better.

Continue to practice social distancing, wear face masks in public settings, stay strong, and be well.”

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Manager's Comments

Village Manager Pappalardo gave the following report:

“Essential Village staff continue to function at Village Hall and the Police and Fire houses, DPW and Water Department facilities, since the Governor closed all other facilities in mid-March. All 14 Department Heads and many other staff members were issued laptops to work remotely from home and have done so successfully over the past 6+ weeks. This practice will continue at least until May 15th in accordance with the Governor's Executive Order. I'd like to provide a brief synopsis of departmental activities during the first six week period.

Every Village department has maintained an on-site presence at a Village facility. Contact with the residents is through reviewing voice mail messages and emails, both sent to our respective computers and responding daily. Messages have run the gamut from COVID-19 related operational questions to various permit issuance and tax related questions. Of course our first responders and field personnel do have contact, and have met with our residents individually practicing the requisite social distancing requirements.

“With respect to the individual departments, the Manager's Office continues to provide oversight and guidance to all departments including interpretations of the multitude of Executive Orders issued by the Governor, suspension of NYS state statutes and new COVID related legislation and local laws. Staff meets on Zoom a few times a week to review these items and share departmental information so the entire staff knows what each are doing. The Manager also speaks frequently with the department heads individually to discuss issues specific to each. The Manager's Office employs the COVID-19 Public Information Officer and all official Village community outreach emanates from this source. In addition, much time was spent on FY20-21 tentative budget discussions and preparation and transitioning to the current year austerity budget environment.

HR is assisting with certain Employee Executive Order interpretations, assisting Department Heads' with COVID-19 employee related questions, including establishing and adapting a protocol for testing, absences and return to work; as well as continuing to comply with all County Civil Service employment rules and regulations and our staff continues to evolve.

Emergency Public Safety Police and Fire Department and Public Works personal including the Water Department have been maintaining operations at their respective facilities. The Scarsdale Volunteer Ambulance Corps is maintaining operations at their headquarters on Weaver St. All of these first responder departments and/ or agencies have held up extremely well under very difficult circumstances. I am happy to report that as of today, all but two personnel, one in DPW, who is part of the custodial team, and a sole firefighter, are reporting to work to fulfill their shifts. Of course, our dedicated first responders have much to do for our success in this area, however the Village has managed the staff, knowing the importance of keeping these first responders healthy and working. Our ability to extend the length of our shifts, establish steady working crews to minimize department wide personnel exposure, deploy regular routine sanitizing of all active Village facilities, including emergency vehicles and apparatus, accomplished in-house by our Facilities Maintenance crews, and actively managing return to work policies and procedures for those employees out of work, have been the cornerstones of our success in this regard to date.

In addition to assisting SVAC on certain EMS calls, the Police Department continues daily patrols and has dealt with recent burglaries in the Village especially vehicle thefts. There have been arrests and our detectives continue to investigate. I remind residents to be sure to lock their vehicles while parked in the driveway and be sure the key fob and/or keys are not left in the vehicle. This has been an issue with more than one of the recent thefts. During patrols, Police are checking parks, playgrounds and other Village and School facilities closed based on NYS guidance to maintain social distancing and to slow the spread of the virus. The Chief reports that when told to leave a closed facility, residents and others have complied. We did have an incident last week in which a wedding reception was held in a back yard in Scarsdale at which social distancing was not practiced. The Police responded and issued summonses. I ask that all residents adhere to these closures until such time as we can safely reopen. We don't like our facilities to be closed any more than you do, but it is currently a public health necessity with potential dire results.

The Fire Department continues to respond to fire related calls from all three firehouses. This past week the Department instituted a public outreach and good will program whereby for a few hours twice weekly, our firefighters drive by homes and play the happy birthday song from the truck to a child whose birthday falls within the month. Volunteer Fire Company #1 is spearheading and members join our career firefighters with their antique fire engine on the visits.

SVAC has and continues to perform admirably with responding to emergency service calls, most COVID-19 related, treating our sick residents and transporting them to the hospital. The SVAC President reports that all of his members are still available for duty. Additionally, SVAC has been instrumental in securing much needed supplies and Personal Protective Equipment and is working closely with Village staff in this regard.

Sanitation Department operations continue daily. We have seen a 19% increase in garbage collection tonnage year-to-year. With so many people home now, this is not a surprise. The DPW Superintendent's plan to establish work teams consisting of Highway and Facilities personnel with Sanitation employees working alternate weeks has worked out very well and maintained healthy and working crews. The Recycling Center remains open daily and on Saturdays. The Sanitation Office, however, is closed. We ask all residents when visiting to wear masks and to stay in their vehicles and wait for a worker to come and remove what you have brought. Our Central Garage Mechanics continue to maintain our fleet in good working order.

The Water Department distribution system, water towers and pumping stations are all operating in good order. We have had a minimal number of water main and service line issues, allowing the Department to focus on maintaining the systems. We are gearing up for the hotter weather which brings more water use.

Other department heads are reporting to work to complete essential functions both in Village Hall and remotely. These include the Village Treasurer and select staff to complete the bi-weekly payroll and to issue and collect the 2020 Westchester County tax bills; prepare purchase orders and the bi-monthly bill list. The Village Clerks Office continues to review and process FOIL requests, prepare Village Board minutes and resolutions, publish legal notices, and unfortunately prepare and issuing an influx of death certificates and burial permits. The Building Department has inspected all open building permit sites and contacted the contractors to make the sites safe and close them. Pursuant to the Governor's Executive Order, a single tradesman is allowed to work at each site. The Building Inspectors and DPW staff have also contacted local gardeners of record to inform them that only maintenance work is allowed, no ornamental plantings. Building inspectors are enforcing these rules for contractors and landscapers. The Village Engineer and staff are issuing tree permits for emergency tree removals only. An incident occurred last week in Greenacres whereby a contractor clear-cut nine trees on the property, four located in the Village right-of-way, without a permit. Summonses and appearance tickets were issued last week to both the contractor and homeowner, in consultation with counsel, under both the applicable local laws and NYS Executive Orders, each carrying various fines. The Village Justice Court is aware of the pending case which is calendared for June 17th, conditioned on whether the Court/VH is open by then.

The Building Inspector and Village Planner are working with the Land Use Board chairs on preparing for Zoom meetings of the BAR, ZBA and Planning Board to start next month. The Justice Court remains closed with an eye toward reopening in mid-June, should the Governor allow. The Clerk has been contacting all defendants to inform them of the current Court closure and assure them of their due process rights. She is also managing the phone calls and other inquiries.

The Assessor and her staff are split between the office and home and continue working on preparing the Tentative Assessment Roll due on June 1st. There are two Assessment related items on the Board agenda this evening, one, a public hearing on a local law to extend the time period for senior citizens to file for certain senior tax exemptions, and the other to enter into an agreement for updated office software. A new Executive Order

was issued by the Governor today, allowing for annual Grievance Day to occur remotely. We will plan for this moving forward. Our new Assessor, Victoria Sirota is transitioning very well under difficult circumstances and we are happy to have her.

IT continues to do everything for everybody as it relates to desktops, lap tops, our system servers, those services in the cloud and cybersecurity protocols.

The Attorneys office continues to assist the staff with Executive Order and County local law interpretations and to stay up to date on the ever changing legal landscape with this pandemic.

Last but not least, the Recreation Department continues to consider their programming options in the context of current COVID-19 restrictions, anticipated easing of these restrictions and lead time necessary to provide the programs. After cancelling most of the spring programs, we are currently reviewing those offered in the summer. Decisions will be made on most summer programs, including the opening of the Pool Complex and Day Camp, by May 15th, the last day of the Governor’s current closure date for the existing social distancing requirements that prohibit most of the Recreation Department’s programs.

Thank you for the opportunity to provide this update.”

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Mayor Samwick thanked Village Manager Pappalardo and the department heads for their leadership and to the staff for pitching in and doing whatever needs to be done to make the Village run and for essential services to continue to be delivered.

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Public Hearing

Trustee Arest introduced the public hearing this evening to consider a proposed local law to Amend Chapter 269 of the Scarsdale Village Code Entitled Taxation.

Trustee Arest stated that the Village Assessor has been incredibly proactive in reaching out to our senior citizens to make sure they understand how the process will work to ensure that as many residents can get the exemptions that they are entitled to.

Trustee Arest stated that this local law is for an emergency extension for the filing of renewal application. This will move the deadline which is currently Friday, May 1st to June 16th, Grievance Day 2020.

Trustee Arest then opened the public hearing for comment.

Village Assessor Sirota stated that it is important to note that this law is specifically geared towards senior citizens who are applying for the low income senior exemption and this is specifically for those that have already enjoyed the benefits of this exemption in the

past. This is not for new applications and all other applications for exemptions are due on May 1st. That deadline has not been extended by the governor

Mayor Samwick asked that anyone wishing to be heard should raise their hand. He reiterated that this comment period is only with respect to this public hearing matter and not to anything else.

Robert Harrison, 65 Fox Meadow Road, stated that if you hadn't filed previously or if you hadn't filed for a couple of years, it sounds like you need to file.

Village Assessor Sirota responded that this is correct; the exemption deadline every year is May 1st.

Mr. Harrison stated that in his own case, he didn't file last year. Does he have to file by May 1st?

Village Assessor Sirota stated that he should provide his information and application to her office by May 1st. She stated that her office will review it and if it's not complete by May 1st, they will advise him of what additional information is required, but as long as the application is submitted, they will make every effort possible to process his application for the 2020 assessment role.

Mr. Harrison asked if he could download that application on the website and then file it or if it is all done electronically.

Village Assessor Sirota responded that he can do that or he can also contact their office. He can send them an email or call them at 722-1133. They always pick up their messages on a rolling basis during the day and he will be properly called back and they will be happy to discuss the particulars with him.

Mr. Harrison stated that there are several aspects of the exemption, depending on income levels. He wasn't sure if there is an excess exemption or something for people with low incomes, and then there's maybe the normal exemption.

Village Assessor Sirota stated that this exemption is for those individuals who are making less than \$37,400. There are other exemptions the enhanced star, and others that are available for senior citizens who are making more than that \$37,400.

Mr. Harrison asked if the enhanced star has an upper limit on it.

Village Assessor Sirota stated that this changes every year, but she believed that this year the adjusted gross income should be \$88,000 or less but he should feel free to call her office and they will go through all of your questions.

Mayor Samwick suggested that anyone who has any specific questions related to their circumstances should reach out to the Assessors department directly.

Mr. Harrison thanked Ms. Sirota for her efforts and welcomed her to Scarsdale.

Mayra Kirkendall-Rodriguez, Fox Meadow Road, asked how the Village is going to disseminate this important information that was just related because she stated that she is constantly running into people who aren't aware of all of these exemptions -- especially right now with the incredible income sensitivity in that particular demographic. She noted that Deputy Village Manager Cole is doing a brilliant job with Twitter; however, a lot of people aren't on Twitter. She asked what other ways they are going to get this information out there.

Village Manager Pappalardo stated that Ms. Sirota and her staff actually reached out to all of the previous recipients of the senior exemptions that were on record to inform them of this opportunity and remind them that they need to submit their most recent income tax statement.

Ms. Sirota stated that they have called several times and not just left messages. They have made sure that there is direct contact with these individuals, as they are the most vulnerable members of the community and they want to make sure that they continue to receive every possible exemption that that they are entitled to. That is one way; another way is on the Village's website. The Exemption deadline is specified. The Assessor's office has made themselves available for phone calls regarding questions on exemptions, etc. Contact has been primarily via direct telephone contact. Those are the primary modes of dissemination of this information.

Deputy Village Manager Cole added that he and Village Assessor Sirota will work together on a press release, just to get this out after our public hearing this evening so that any other seniors in Scarsdale that haven't received a phone call or have been able to be contacted by the Assessor directly through her extensive efforts will at least have that opportunity as well. He stated that they will use all the communication channels that they have available to not only communicate this particular senior exemption, but others that are available.

Ms. Kirkendall-Rodriguez thanked Ms. Sirota and Mr. Cole, stating that she has signed up for all the mailings. She stated that she will also get out the information via various information channels and stated that she appreciated all of them working on this.

Trustee Arest stated that he is very confident that Trustee Crandall, who is the liaison to the Advisory Council on Scarsdale Senior Citizens will keep the Chair of that Council apprised of all this information as well so that they can reach out to that contact list because this is very important information.

Trustee Crandall stated that she has been in touch with Carol Silverman, the Chair of the Advisory Council on Senior Citizens via email, and Ms. Silverman actually indicated that she was going to watch the Board meeting tonight. Ms. Silverman is also a member of the Communications Advisory Committee. She stated that it sounds like everyone's really going to make their best effort to make sure that our senior citizens are informed.

Trustee Arest then requested a motion to close the public hearing, so moved by Trustee Veron and seconded by Trustee Lewis, and carried by a unanimous vote.

Trustee Arest noted that he is usually very hesitant or unwilling to call for a vote directly following a public hearing; however, this matter is so time sensitive and important and the current deadline is May 1st, therefore, he suggested that the Board move forward and vote on this proposed local law this evening.

Upon motion entered by Trustee Arest, seconded by Trustee Crandall, the following local law to amend Chapter 269 of the Village Code of the Village of Scarsdale, Entitled Taxation is hereby adopted by the vote indicated below:

INTRODUCTORY LOCAL LAW # 1 OF 2020
A LOCAL LAW AMENDING CHAPTER 269 OF THE SCARSDALE VILLAGE
CODE
ENTITLED TAXATION

BE IT ENACTED by the Board of Trustees of the Village of Scarsdale as follows:

§ 269-21.1 Emergency extension for filing of renewal application

- A.** Purpose. The Scarsdale Village Code requires those persons aged 65 or older who want to apply for a partial exemption from real estate taxes to file an application therefore by no later than May 1 of each calendar year. The novel coronavirus pandemic may make it impossible for certain eligible persons to meet this deadline. So that such person do not miss the opportunity to file for such exemption, this local law extends the time for filing a renewal application for the 2020 assessment roll to coincide with the last date for filing an administrative complaint challenging an assessment appearing on the Village's 2020 tentative assessment roll.
- B.** The owner or all of the owners must file an application annually in the Assessor's office of the Village in which the real property is located. Applications must be filed in the Assessor's office on or before the taxable status date of the Town/Village assessment roll, which is May 1 of each calendar year. Notwithstanding the preceding sentence, the last date for filing renewal of such applications in 2020 shall be June 16, 2020.
- C.** Severability. Should any provision of this Local Law be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration of unconstitutionality or invalidity shall not affect any other provision of this Local Law, which may be implemented without the invalid or unconstitutional provisions.
- D.** The above date for filing renewal applications shall only be applied to 2020 renewal application.

EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

AYES

NAYS

ABSENT

Trustee Arest	None	None
Trustee Crandall		
Trustee Lewis		
Trustee Ross		
Trustee Veron		
Trustee Waldman		
Mayor Samwick		

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Public Comments

Mayor Samwick asked that public comments be limited, as usual, to five minutes, and he also requested that speakers not address the budget as that will be handled during the public hearing which will follow. If anybody wishes to be heard and has a comment, he requested that they please raise their hand on the Zoom application.

Dan Hochvert, 62 Woods Lane, read the following letter sent to the Scarsdale Inquirer from 4 former Scarsdale Mayors (dated April 21, 2020):

“Dear Neighbors:

Recently a petition has been circulating in town arguing for a \$2 million reduction in the Village budget. The proposal in the petition is an emotional pitch to a common financial desire -- to have one’s taxes go down, not up. However, the approach taken in the pitch does not withstand a common sense view of village operations. Approximately half of the reductions proposed are placed on the backs of our professional firefighters. Another quarter of what is proposed would come from our police force. The remainder is a grab bag of odds and ends which have been focused on by the Village Board and staff in the course of months of public budget meetings.

As to our firefighters and police, we read each week of numerous calls to these dedicated public servants. During this unprecedented public health crisis, residents are more dependent on their homes than normal, since most of us are “trapped” in them for extended periods. In many cases, our kids are stuck inside with us. Our seniors are being told not to go out at all if they can help it. These highly unusual circumstances would seem to increase the opportunity for mishaps and the need for services to respond to them. Many of the calls for help involve firefighters and/or police going into people’s homes, sometimes to deal with the issue that prompted the call. Those encounters require wearing personal protection equipment (PPE). And even with that, reports of these first responders coming down with COVID-19 are common.

Overtime shifts in firefighting are not caused by routine business. Overtime happens in emergency situations – when it takes more time than a shift to put out a fire, or there is need to report for duty because other firefighters are sick, or a major storm requires working in concert with Con Edison to guard downed and sparking power lines, closed intersections, etc.

Ironically, while the petition was being launched, Governor Cuomo was on TV asking for hazardous duty pay from the federal government for first responders and essential workers. The Governor is right. The approach taken by the petition is simply wrongheaded. We have a real crisis – we don't need an artificial one. Now is not the time to take a poorly thought out approach to the budgets of our first responders who are out there every day for us. The superficial allure of the petition is undercut by the negative effect its proposals would have on those we rely on to protect us.

The Village Board of Trustees has been playing its appropriate governance role with respect to the budget – providing guidance to staff, asking questions, setting priorities, and maintaining financial flexibility for the village as this public health crisis rapidly evolves. They have demonstrated that they are committed to following a logical process in assessing the fiscal picture going forward, representing all residents' best interests. They have earned and deserve our continued support as they and we work our way through this challenging time.

Very truly yours,
David Kroenlein
Dan Hochvert
Jon Mark
Bob Steves
Former Mayors of Scarsdale”

Mayor Samwick thanked former Mayor Hochvert for his service to our community. Everybody that is on the Board right now stands on the shoulders of those who came before us, and the responsible management of the Village is here because of the work that you and many others have done.

Randy Whitestone, 94 Sprague Road, thanked the essential workers, Village staff and the Village Board for all they have been doing. He stated that we haven't yet emerged on the other side of this very real, very personal crisis, but hopefully we are getting closer.

Mr. Whitestone stated that on the fiscal front, County Executive Latimer said recently that the rainy day has come, but it is a fiscal monsoon. He continued, stating that the Scarsdale Village budget needs to be a living dynamic document, and never more so than in the coming fiscal year. He stated that it is important to recognize where the pressure points are and with a municipal budget, the main levers are points of variability on the revenue side. He stated that we have been presented with different scenarios for property and sales tax collections, as well as for various fees. He stated that he would like to see those scenarios developed more in the months ahead.

On the revenue side sales tax has been hit hard. The County is much more dependent on sales taxes which account for 35% of its revenues versus only about 6% of Scarsdale's revenue. He stated that he would also like to hear more in the coming months which costs could vary. Although he understood the labor contracts situation, he would like to know more about pension costs.

Mr. Whitestone stated that Village Manager Pappalardo mentioned, the fact that garbage collection is up 19% due to people being at home and he would like to have the

continuing understanding of how those pictures on the both the revenue and the cost side may change in the coming months. He stated that he would like to see the Board and staff keep the community posted on a regular basis as the numbers move around.

Mr. Whitestone stated that it easy to lose sight of the magnitude of the heartbreak we're living through; we have lost loved ones, friends, and neighbors and many have lost jobs and are dealing with care or living situations they didn't anticipate. We will get through this as we had before. He stated that this has been an awful time but we will get through this with a sense of common purpose and mutual respect. Mr. Whitestone stated that he looked forward to the continuing budget discussion in 2021, hopefully with an improvement in the picture in time.

Robert Berg, 32 Tisdale Road, stated that he wanted state that the Board still has the opportunity to do the right thing for Scarsdale residents and cut the Village budget. He stated that while out walking his dogs around the neighborhood, he speaks with people and hears terrible stories about neighbors have lost their jobs, and others whose businesses have collapsed. He stated that some have had their salaries slashed, and others have seen their retirement savings shrivel. Worst of all he stated, is the endless stream of deaths mostly of our seniors. He stated that we are all hurting financially and otherwise.

Mr. Berg stated that he, along with his Voters Choice Party Colleagues, has studied this budget very carefully. Nearly a month ago we showed you how it's possible to make reasonable budget cuts without affecting essential services. He stated that some of their suggestions should not be controversial at all, such as the \$200,000 that is being appropriated for Freightway attorneys and consultants on a paused project, or the \$29,000 for attorney's books and periodicals for a Village attorney. However, the Board has refused to address these, and he stated that it is not okay to respond by brushing them off with 'it's complicated' as the Mayor said to him. The Board is freely taxing the residents for unnecessary items such as the \$200,000 for Freightway lawyers and consultants.

Mr. Berg asked that the Board consider the plight of the residents that can't shoulder the financial burden this year. He stated that under Governor Cuomo's executive orders authorizing the Village Board to conduct these public Village Board Meetings via zoom conferencing, the Village is required to prepare a verbatim transcript of each such meeting to date. He stated that he hasn't seen any such transcripts of these meetings that have any been prepared and if not, he wanted to know when they will be prepared and where will they be made available to the public, preferably on the Village website.

Mr. Berg next stated that he has reviewed the minutes of the Village Board meeting of April 14, 2020, and he noticed that there are no minutes of the Town Board meeting of April 14, 2020 that followed the Village Board meeting that evening. He stated that both the verbatim transcript and official minutes of that meeting are required. He further stated that as for the April 14th minutes, they are incomplete as they fail to include his discussion with Trustee Arest regarding the \$200,000 appropriation for Freightway lawyers and consultants in the budget. He stated that Trustee Arest stated that he did not anticipate there being any money expended on those Freightway uses. Mr. Berg stated that he responded by asking where that money was going to go and also stated that some proper accounting is necessary, otherwise it is fraud. And then later, the Mayor commented that maybe the Board was going

to spend the \$200,000 on the Freightway lawyers and consultants this year after all. He stated that there is nothing in the minutes reflecting these exchanges.

Mr. Berg then stated that last Friday evening Mayor Samwick issued a community update as an official Village press release on Village letterhead dated April 23rd. Mr. Berg stated that since the onset of this of this pandemic, the Mayor has released a couple of these community updates. Although that is laudable, in the section discussing the Village budget, the Mayor launched into a political diatribe against him and his fellow Voters Choice Party candidates for Village trustee.

Mr. Berg noted that he has lived in the Village for 18 years and has been a very active community volunteer the entire time. He stated that he served as President of the Crane Berkley Neighborhood Association, and held mostly officer roles in the Scarsdale Forum, including President. He has also served on the Board of Assessment Review for seven years. He stated that he has never seen a Mayor use his official position to denigrate other residents in such a fashion.

Mr. Berg stated that although the Mayor is the head of the Scarsdale Citizen's Non-Partisan Party, which has controlled Scarsdale politics for over 110 years, he questioned whether it was appropriate for the Mayor to use Village resources and the Village email system that residents sign up for to receive notices from the Village.

Zoe Berg, 32 Tisdale Road, stated that, in the interest of transparency, she is the daughter of Bob Berg, who is running for Village trustee in the upcoming Village election sometime in June. She stated that she is a proud graduate of Scarsdale High School and Barnard College where she studied environmental policy. She stated that she now works as the project director for Americans for Responsible Technology, a nonprofit organization that works directly with local, State, and Federal representatives to educate them about health risks associated with exposure to wireless radiation. She stated that she has lobbied Washington, DC countless times, attended conferences with leaders across the country, and built a national coalition of 120+ local 5G action groups across 37 states with a following of nearly 100,000 people.

Ms. Berg stated that she is here this evening to express her independent views of this administration's process and handling of the proposed Fiscal 2020-2021 Village budget. She stated that she is very frustrated and disappointed in the stonewall approach the local officials have taken during this time when we should be communicative and open to new ideas. She stated that this administration has been unresponsive to reasonable questions and concerns about where the residents' money is going and why property taxes are increasing during the greatest economic catastrophe since the Great Depression.

Ms. Berg continued, stating that democracy is about welcoming public discourse, and working together to find solutions that work for everyone. She stated that what she is seeing are closed minded individuals who are unwilling to respect and engage with people who have different points of view. She stated that residents are losing their jobs and struggling to get by, and will suffer the consequences of the actions taken tonight if this budget is passed. She stated that the members of this administration say that they hear the nearly 400- 450

residents who have signed the Voters Choice Party petition to lower property taxes and cut unnecessary spending out of this year's budget.

Although this administration says that they care, passing the current budget is an action that reinforces all of their hollow words. She finished by stated that she hoped that everyone can learn from this experience and come together and work together for a better Scarsdale in the near future.

Sean Cohen, 35 Chesterfield Road, stated that he felt that there are a lot of passions running around. He stated that he would like to quote the Governor who stated that the fact is there are no red or blue coronavirus deaths. If ever there was a time to put aside Pettiness and partisanship, it's now. Democrat or Republican, we're all in this together.

Mr. Cohen stated that he would like the Board to look at the Voters Choice Party petition as a working document, and draw their own conclusions; here might be some very valuable material there. He stated that if there was ever a time to put aside pettiness and partisanship, it is now.

Yingyong Chen, 122 Fox Meadow Road, thanked the first responders for doing such a great job during this challenging time. In regard to the Village Budget, he stated that he agrees with the speakers that came before him, and he is very disappointed to see the Board of Trustees insisting on passing this budget. They are ignoring the near unanimous community outcry for help in this tough economic times. He stated that passing this budget is an extraordinary waste and in his mind, a zero sense of fiscal responsibility or accountability.

Mr. Chen stated that the best way to get the residents that need relief or help is to put the money back into their hands, instead of trying to collect more tax. The residents do not authorize the Village overtax merely to have the flexibility to spend. The residents demand the immediate removal of unnecessary spending and the reduction of any unnecessary spending, and provide immediate tax relief to the residents. In regard to some comments that he has heard, he stated that he strongly objected to the notion that a responsible budgeting process is in some way not respecting the first responders, or Village employees. He stated that is completely false. He stated that the residents have always continued be generous and support their public servants or first responders; however, they do not authorize the Village in this tough time to stash money away.

Mr. Chen stated that this year's budget, with the unnecessary expenditures is not only unwarranted, but short sighted. It is likely that the Village and/or School District will be facing large reductions in State aid. In addition, the non-property tax revenue will likely decrease to a large extent. He stated that the Village needs to preserve as much financial firepower as possible for the residents. If there is an unexpected large expenditure, the Village will be prepared to meet those expenses. In his opinion, overburdening the residents with unnecessary expense and tax increases in this budget at this time is extremely unwise and dangerous.

Mr. Chen urged the Board to act in the best interests of the residents, listen to the community and vote this evening to disapprove this budget proposal as it stands now.

Jerome Wong, 194 Brown Road, Jerome Wong: No worries. Thank you. Yes, it's kind of unprecedented times and there needs to be financial responsibility and control. He stated that there should not be a tax increase when it's a matter of managing expenses. He again stated that it is a sign of fiscal responsibility to at least keep a flat budget rather than increasing the taxes in this environment.

Mayra Kirkendall-Rodriguez, Fox Meadow Road, thanked Village personnel and the Board for their work and volunteerism.

Ms. Kirkendall-Rodriguez stated that on March 31st she published a piece, stating that the COVID-19 economic crisis would be far worse than the 2007-2009 financial crisis. Unfortunately macroeconomic and market signals have deteriorated much more than when she spoke at that time. Both in research and work, looking at leading indicators, things are far worse. In New York, unemployment is at least 13% and that figure completely misses millions of people who do not qualify for that statistic.

She stated that a number of residents wrote and said that they wanted a number of them to put together a petition; they want to be able to communicate with the Board. And so, together with Voter's Choice Party trustee candidates Bob Berg, Sean Cohen, and Bob Selvaggio, they launched a petition on Sunday, April 19th. In the interest of transparency she wrote the Mayor and the Board of Trustees on the following day to let them know about the petition. The link was sent to them so they could track the signatures and the comments. She stated that she submitted the petition this morning and right now there are over 455 signatures.

Ms. Kirkendall-Rodriguez stated that there are salient themes in the comments in that petition: fiscal responsibility and sustainability, questioning whether employees take precedence over your own residents, and a Board out of touch with the residents and reality. Fiscal responsibility and long term sustainability are of paramount importance at this time, she stated that they urge the Village of Scarsdale not only to just pay lip service to residents, but also to take concrete actions and reduce unnecessary spending. Other residents said that Village government should be fiscally responsible to the residents. It seems too often the Village employees take precedence over taxpayers. Another resident said in tough times, we all have to tighten our belts. She stated that yet another resident said, that they agreed with the objective of this petition the Mayor and Board of Trustees have a fiduciary duty to scrutinize and challenge every single item on the budget and remove the ones that are unnecessary and bordering on frivolous.

Ms. Kirkendall-Rodriguez state that this is not the time for salary increases, and noted that there were many heartbreaking comments. One said these are extraordinary and difficult times. Senior residents said we can barely live here one woman said that she might have to leave. Another residence stated that they are not working and have not had income for the last three weeks, and as Scarsdale schools are closed under these circumstances, they expect a reduction in taxes. Another person said COVID-19 makes their life horrible; they have to stay home and have no income.

Ms. Kirkendall-Rodriguez stated that she personally believes that Scarsdale is only as strong as its most vulnerable residents, and it is because of them that she is actively involved and respectfully submits the petition urging the Board to lower taxes in the worst economic crisis since the Great Depression. She thanked the Board for their hard work.

Robert Harrison, 65 Fox Meadow Road, stated that this is an unprecedented situation; the latest figures for unemployment claims are up to 27 million people in the United States. This is about three or four times as much as back in the great recession of 2008-2009. He stated that he hoped the Board understood the seriousness of this. He stated that he spends his whole day watching what's going on in the economy and in the markets, and what's going on with individual companies and layoffs and reductions. Hopefully there will be some help for States and localities from Washington, but we can't count on it. However, we all have to tighten our belt and he used the word shared sacrifice, and repeated it. He stated that he did not see this in the budget.

Mr. Harrison stated that there is absolutely no reason to have a tax increase in this environment and he urged the Board to make some move to going down to a half a 1% increase, and as he understood it from his conversations with some of the Board, we need a 400,000 reduction to create a half of 1% increase in the budget. He stated that the Board should be able to find this; there is \$200,000 right off the top in Freightway. Then there are some other categories for supplemental services that could probably be cut by \$100,000. He noted that the non-union employees should forego their 2% increase, at least for six months. He stated that we've got to reduce the tax rate increase. He stated that he loved Mr. Chen's comments; he was terrific. The Board can't ignore the outcry from the residents. The Board has to do something to lower the tax rate increase. Residents already pay tremendous taxes in the Village. The residents want to stay here; the seniors want to stay here. He urged the Board to adjust this budget tonight.

Steve Pass, Shawnee Road, stated that he wanted to discuss a petition that was furiously circulated by a group called the Voters Choice Party. He noted that the proposals in the petition are an emotional pitch to a common financial desire to have ones taxes go down, not up. However, the approach taken in the pitch does not withstand the common sense view of village operations. He stated that this is probably why he cannot find a single Village in Westchester that has proposed lowering taxes this year, and everyone everywhere is struggling. Larchmont, Tarrytown, Pelham Manor, Ardsley, and Rye Brook are increasing their taxes. Pelham Manor is currently proposing an increase of 5.5%

Mr. Pass stated that it cannot be the case that all the elected officials in all of these areas are not empathetic, or insensitive or tone deaf. Rather, it's more likely that their hands are tied by a variety of facts and circumstances and they have to make the hard decision of raising taxes in this environment.

As to the answer as to why all of these Villages might be raising taxes right now? He stated that there are a few reasons, but the most significant factor is that the vast majority of spending in these budgets is for employee compensation and benefits, nearly all of which is subject to collective bargaining agreements and New York State mandates. Close to 80% of Village expenditures are contractually obligated to rise two and a half percent. Villages have little financial flexibility. Additionally, in considering Scarsdale's Village budget, of the \$60

million dollars budgeted, only about 70% or \$42 million come from property taxes. The remainder \$18 million comes from other revenue such as sales tax, mortgage tax, building permit fees, parking ticket fees, parking permit fees, etc. So this year the Village Board must address the usual budget issues.

Mr. Pass continued, stating that the Village is also confronted with the considerable uncertainty about how much money the Village can expect to receive from these other revenue streams. The Board of Trustees could panic and make big changes to services, have layoffs, etc. That would be hard to undo or they could raise enough money from property taxes that would cover the cost of services, even in a scenario in which the other revenue sources produce less than originally anticipated and without draining our reserves too much. The Board is forced by our present public health emergency to find a balance between reducing the costs it can control in the face of the emergency, while at the same time making sure the Village collects sufficient funds to assure the services we would expect can be provided. The Village and its residents deserve more than thoughtless political grandstanding at this time of crisis. The Mayor and Board of Trustees are working hard, in his opinion, to make sure that essential Village functions continue during this crisis and that the Scarsdale the residents cherish is still here for all of us when it ends. He stated that he supports the budget, and thanked the Board for all the work that they do.

Jeremy Gans, 45 Harvest Drive, thanked everyone for their hard work and sensitivity throughout the crisis.

Mr. Gans stated that over the weekend, Bob Berg made an unprovoked and completely out of the blue statement to him that 'he and his rich friends' do not think it is worthwhile to look for savings in this year's budget. He said that nothing could be further from the truth; no one in Scarsdale, Westchester, New York or the United States goes to their elected officials and says that they want higher taxes. He stated that he was a little surprised that the Voters Choice Party petition, titled 'lower Scarsdale taxes' didn't get even more signatures. He wondered who wouldn't want lower taxes, including the Trustees. He stated that his guess is that the Board has looked at every option possible, and do know that they have to make the taxes as low as possible. He stated that the trouble is, it's very easy to want lower taxes, however, it's much more difficult once you get into the details of a budget and have to decide what to cut.

Mr. Gans stated that when he looks at a budget, he looks at the services provided by the government, whether it's local, State, or national, and decide whether or not it makes sense. When looking at Scarsdale specifically, he stated that he thinks that it's important to keep in mind the overwhelming majority of voters that chose to live here in spite of the high taxes. Scarsdale is an incredible place to live; Mr. Berg may know better than I do if I'm rich, but he stated that he definitely feels richer for living in Scarsdale because the community is safe, there is great green space and recreation areas to utilize and recreational programs. We have wonderful schools, the taxes are used to maintain those activities and those Village parks, and to pay the wages of the first responders who keep us safe 365 days a year, but especially during this crisis. Taxes are the cost of living in a civilized society.

Mr. Gans stated that he wanted to be clear so that his comments are not misconstrued, he is not in favor of higher taxes and cuts should be made to the budget to

the extent possible, especially now it is vital to look at all expenditures. He stated that he did not necessarily agree with every single line in the budget, nor does it mean that every projection used to formulate the budget will be 100% right because projections, whether made by the Village, or the Voters Choice Party or anyone else are never 100% correct. However, we live in a community and overwhelmingly this budget serves the interests of the community; the cuts proposed by the Voters Choice Party would make us less safe, our public spaces less beautiful, and our schools less competitive. Mr. Gans stated that he understands the School budget is different, but that has been addressed as well. He stated that the Trustees have proposed a thoughtful budget that balances the expectations of its citizens and the economic challenges the next year is likely to bring.

Robert Selvaggio, 16 Rochambeau Road, stated that he would like to point out that 13% of New Yorkers are currently unemployed. He stated that a number of his friends in Scarsdale have been furloughed or have been laid off. He stated that he has taken a substantial pay cut himself and that his wife is not able to see patients at the moment, so she is also taking a pay cut.

Mr. Selvaggio stated that Scarsdale probably has a quarter of its population earning less than \$150,000 a year. He stated that this is not the time to be raising taxes.

Brice Kirkendall-Rodriguez, Fox Meadow Road, stated that he wanted to encourage the Board to consider that they not underestimate the broad scope of economic fallout from COVID-19. He has talked to neighbors that are seeing a 50% or even two thirds reduction in their household income, to say nothing of the losses that are market related or otherwise. He stated that he thought that what makes this particular circumstance so unique is the fact that it's so sudden
And creates a level of uncertainty that we have not seen since the Great Depression.

Mr. Kirkendall-Rodriguez stated that the idea of not raising taxes is an emotional issue, but there's empathy that one needs to apply in these circumstances, and even though it may not seem significant, a modest increase in the budget impacts the residents who are really uncertain about their futures. Those who are empty nesters are wondering whether they need to sell into a down market because they can't afford to be here. Families who worked very hard to get here are suddenly wondering whether this is the lifestyle they can maintain, and though it may seem insignificant to maintain a flat budget, and he stated that he is not personally advocating a cut in the budget, he felt that the Board can find what's necessary not to raise it.

Michael Levine, 54 Walworth Avenue, stated that he wanted to register his appreciation for the non-union civil servants who are at their workstations on duty helping us and keeping everybody else safe and taking risks themselves. He stated that he sees Village Manager Pappalardo and Deputy Village Manager Cole and others, clearly at Village Hall, and he wanted to express his appreciation

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

Mayor Samwick stated that he would like to make a few comments based on what he has heard this evening.

Mayor Samwick stated that the Village Board is not immune to this downturn. From what he has heard in his conversations with people, they are in the same boat as everybody else. He stated that the Board cares deeply about this community and he doesn't know anyone who hasn't been touched by what is going on right now. Does the Board want to lower taxes? Absolutely. He would like to lower taxes and would like to keep taxes flat.

He stated that what he said earlier when Mayor Hochvert called in, that the Board stand on the shoulders of those who came before them - and those who came before them had the foresight to have fiscal responsibility at the at the top of their list of priorities, always. This Board is no different and they are doing the same thing. Fortunately, those who came before us did an outstanding job and the Village has a very healthy fund balance and does not have too much debt. Scarsdale is viewed and rightfully so, as one of the premier communities in Westchester County -- we have a triple A bond rating, we have financial flexibility today.

When we discuss the budget vote, Mayor Samwick stated that the Board has taken a very responsible approach to managing the COVID-19 crisis. They immediately started tracking expenses in early February and went into budgetary austerity mode. They identified risks to revenue and as a result of that, identified ways to cover those risks with primary and secondary sources of capital.

The next approach the Board took was to see where they can cut the tax increase. And the Village is not alone in increasing taxes. A number of people have mentioned that they've looked at other communities, and he asked staff to look at other communities and Villages. Everybody's on a different time cycle; Cities and Towns have already adopted their budgets for this year. Villages are on June 1 fiscal year. So we are now all in the process of having to adopt our budgets by May 1st. When they looked at that list of 15 comparable communities, there were only four communities that had tax increases of less than one and a half percent. Does that mean that that's the right thing to do? No, again, if we had our druthers, we would strongly prefer to have a zero increase or to have a decrease.

Mayor Samwick continued, stating that as people have also alluded to, there are fixed costs associated with running a Village, and that is something that we all have to deal with. However, when you also look at that group of 15 Villages that were surveyed, you also see two thirds of that group had increases over two and a half percent in the tax levy in the coming fiscal year, and a third had increases over three to three and a half percent. This illustrate what it is like to operate a Village and what it's like to show fiscal responsibility for a Village.

Mayor Samwick stated that Scarsdale is in the lower third of the comparable Villages that we surveyed. The Board would love to do better; we take our fiduciary responsibility very seriously. We would love to be able to deliver the services we do or even more for less money.

Mayor Samwick stated that the discussions the Board is going to have over the coming months are also critically important, and those are the discussions where they are going to look at those tradeoffs. They are going to look at the services that we have, and they are going to look at the cost savings that might be able to be delivered by modifying the level of services or potentially sacrificing those level services.

The Board takes this job very seriously; fiscal responsibility is really one of the cornerstones of what they try to achieve, day in and day out, and never has that been more important than it is today. The Board clearly recognizes the economic circumstances that we are under and we will continue to work very hard to try to deliver that responsible balance between who we are as a community over the long term and fiscal savings that might be able to be delivered in the short term. If anyone has any comments or any questions, the Board members are all available. Mayor Samwick stated that his email is mayor@scarsdale.com and the Trustees emails are the first letter of their first name and their entire last name, @scarsdale.com. The Board wants to hear from the residents and wants to engage in a dialogue with every budgetary decision that we make. These discussions will be held in public and decisions will be based on not only what the seven of them believe, but what the Board hears from the residents. He asked that the community continue to stay involved as this process evolves.

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Trustee Liaison Reports

Trustee Veron stated that she has two reports this evening.

“The first is a library update. The Building Committee reports that the Olmsted Road construction site is open and work is progressing, with COVID precautions instituted. To date, there have been no cases of coronavirus reported by the contractors. Keeping the project on pace allows the Village to control costs, and the building is on track to be substantially completed this summer. For those of you closely following the library’s progress, the delayed delivery of light fixtures coming from Canada (the one that was causing a domino effect of other slowdowns) arrived on-site last week and have now been installed.

As I reported at the last Board meeting, thanks to careful management and prudent oversight by Director Beth Bermel and Village Capital Project Manager Paul Zaichek, among others, the Library will be able to cover additional costs resulting from the current project delay without any new burden to the Village taxpayers. Moreover, Extension contracts also have been successfully negotiated with all project team members with favorable terms for Scarsdale (as you’ll see in the forthcoming resolutions).

The Building Committee will be posting on the library website updated photos of the renovated and expanded space for the community to enjoy.

Speaking of the website, Director Beth Bermel notes that there is much to be had digitally.

1. The library continues to offer online programs and other virtual resources-- especially the new "Librarians Corner," blog and calendar.
2. They have eblasts on the website to stay up to date.
3. And social media announcements on Facebook and Instagram.
4. Director Bermel has been in discussions with WLS and her fellow Library Directors as we all try to determine the safest and most prudent course forward to open our buildings.

Now for the Scarsdale Business Alliance and local merchant community update. Our residents regularly reach out to ask how to support our local businesses during this crisis (more on that later). The SBA, in turn, has been devoting energies toward supporting those on the frontlines.

Last month, the SBA worked, in collaboration with other community volunteers, to provide meals to White Plains Hospital healthcare workers, and this month they will honor all of the hospital's nursing staff. Spearheaded by Zachys and in support of National Nurses Week coming up May 6-May 12, this special initiative will honor and thank our dedicated nurses. Nurses will each receive a bottle of wine from Zachys and its industry partners, and nurses will also participate in daily raffles with gifts donated by our local merchants. Residents and others who want to help can buy gift cards from 10583 businesses and direct those contributions toward the raffle. Please act quickly as the deadline is May 1.

During this crisis, the Scarsdale Business Alliance has graciously offered provisional membership to all 10583 businesses. The SBA has kicked off a website redesign so that every Scarsdale business can be featured. Once unveiled, the SBA website will be a single repository of all information for our local businesses with updates, offers and reopening information, and I will keep you posted."

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Trustee Waldman gave a report from the Safe Coalition, stating that April is "Sexual Assault Awareness Month" and that Wednesday, April 29th, which is tomorrow, is "Denim Day." She stated that Denim Day has become a symbol of protest against erroneous and destructive attitudes about sexual assault. The Village Board and staff traditionally show their support of Denim Day by wearing jeans to the Board of Trustees meeting. Trustee Waldman stated that although those watching cannot see the Board in person, they are all wearing jeans. The Safe Coalition and the Scarsdale Edgemont Family Counseling Services will be participating virtually in Denim Day tomorrow. They are encouraging community members to make a social statement by wearing jeans tomorrow as a visible means of protest against the misconceptions that's around sexual assault. Trustee Waldman asked that the community please join them with their families and wear jeans and post their pictures to the Safe Coalition Facebook page at www.facebook.com/ScarsdaleCoalition, or send your pictures to Lauren Pomerantz at lpomerantz@scarsdaleschools.org. Although we are all separated in our homes, we can come together as a community to show our support.

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Trustee Crandall stated that she wore a denim shirt in support of Denim Day. However, she stated that “I would like to thank Village Manager Pappalardo, Village Engineer David Goessl, and our Police Department for their serious response to the unauthorized clear cutting of 9 mature trees at 81 Greenacres Avenue. Village Manager Pappalardo, would you please tell residents who to call and what number to call if they are concerned that healthy trees are being removed without a permit during the stop work order, both during the week and on weekends?”

Village Manager Pappalardo stated that during the week they can call the Engineering Department at 722-1102; and they can also call 722-1110, which is the Village Manager’s office and they will get that call and redirect it to the correct location. The Police Department is a 24-hour operation, so any one is welcome to call them at 722-1200, their non-emergency line. On the weekends he recommended that one should call the Police Department and they will go out and check the site and take the appropriate action.

Trustee Crandall stated that she really appreciates everyone's help with protecting the tree canopy, especially now that we decided to cancel the tree order for street trees. She thanked everyone for their teamwork and concern; it is appreciated by many.

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Trustee Arest

Trustee Arest reported on the statements of expense and revenue for the various funds of the Village for the first ten months of fiscal year 2019-2020.

General fund appropriations were 77.49% spent as of March, 2020 as compared to 77.80% in 2018-2019.

General Fund Revenues other than property taxes are \$13,374,512 through March 2020 compared with \$13,442,720 in the first ten months of last year. This represents a decrease of \$68,206 from 2018-2019. Overall revenue from Special Assessments and Delinquent Tax collections increased \$59,339. Gross receipts taxes are down \$37,600. Sales tax receipts increased \$365,400 reflecting the increase in the County Sales Tax rate that took effect in August. Building Permit revenue (included in License and Permit category) increased \$112,700 from last year. Again, overall, (inclusive of building permits), License and Permit revenue is up \$119,400. The largest impacts in the Insurance Recovery and Equipment sales of \$143,800 are in the reimbursement for special details which is up \$50,800 from last year and the receipt of over \$94,100 from Con Edison for paving reimbursement. Parking revenue is flat. Investment earnings declined \$29,000 reflecting lower rates and longer maturities. Recreation revenue dropped \$132,000 as the spring activities were cancelled due to the COVID-19 virus. Departmental Revenue declined \$102,400 since 2018-2019 was impacted by a late snow reimbursement and there was a significant drop in parking fines, also related to the COVID-19 virus and the need to shelter in place. Mortgage Tax dropped \$279,700, Court fines are down \$204,300 and State aid is down \$186,600 as New York State has changed the timing of the AIM related aid to the end of the fiscal years (Town and Village). Revenue from property rentals is up \$27,400.

The actual collection of Village taxes through March, 2020 is at 99.68%. This is down 3 basis points from last year's collection rate.

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Village Manager Pappalardo stated that this virus became a serious concern in February. He stated that Village Hall was closed on March 16th, and since that time, Village business as it relates to fees for services and Program Fees has effectively ceased. The Village is currently focusing primarily on essential services to the residents. He noted that if you take a look at a comparison between certain departmental revenues during the month of March for our fiscal year 2019 and the current year 2020, you can really see the effects of COVID-19.

Village Manager Pappalardo noted the drop in parking meter fees as commerce and traffic in general is extremely slow and the parking demand is low. They have seen a steady weekly decline and parking meter income with this week's collection is roughly 10% of the average weekly collection. It took a month to lose 90% of the parking meter revenue just one month into this pandemic. Recreation fees are down as we cancelled all of our spring programming, an 85% loss in revenue in one month. There has been a decrease in court fines as well as departmental permits for the Clerk and also for our land use boards. There is roughly a 50% decrease from \$28,000 to \$14,000. These are significant adverse impacts on some of our operational departmental revenues and we can expect to see these losses of revenues continue with the next few months ahead until the Village can reopen its doors for business.

Mayor Samwick stated that these are the changes we expected. Nothing here is out of the ordinary when you see our revenue in scenario one and scenario two. It's important as we go along to differentiate between items that we don't expect to collect and timing issues. And then lastly, the last point he stated that he'd like to make is with regard to recreation fees, which Trustee Arest mentioned earlier. There is not just a revenue impact on recreation fees. What that means is if we have a program, we're going to have an expense and we're going to get revenue. And so, by and large, it's a rule of thumb that may work but it may not necessarily work in each individual case. We are going to see roughly a 90% decrease in the expense item associated with the revenue increase that has fallen, so with recreation fees it's important to look at a net number, not just a revenue number.

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Upon motion entered by Trustee Arest, and seconded by Trustee Crandall, the following resolution regarding Adoption of FY 2020-21 Village Budget was approved by a vote of 6-1 indicated below:

WHEREAS, pursuant to Section 5-508 (3) of the New York State Village Law, a public hearing on the 2020-21 Tentative Budget was held on April 14, 2020; and

WHEREAS, pursuant to Section 5-508 of the Village Law, the Board of Trustees must adopt the budget no later than the first day of May; and

- WHEREAS,** the onset and continuing development of the Coronavirus COVID-19 pandemic precipitated modifications to the current year FY2019-20 Budget through transfers of budgeted expenditures from various identified departmental and non-departmental accounts to a newly created COVID-19 contingency account for emergency related expenses and to protect against anticipated significant losses in non-property tax revenues; and
- WHEREAS,** an additional sum of \$1,705,000 representing FY 2018-19 year-end closeout fund balances assigned to certain capital improvement projects, was further identified as available for COVID-19 related matters; and
- WHEREAS,** to further protect against discretionary spending the Village Manager instituted an austerity spending policy with allowable expenses limited to COVID-19 related emergency operations and those primarily linked to the protection of public health, safety and welfare; and
- WHEREAS,** the Village Board via Resolution on March 24, 2020, modified the FY 2020-21 Tentative Budget by reducing the General Fund transfer to the Capital Fund by \$300,000 and the General Fund Transfer to the Central Garage Internal Service Fund by \$40,000, with the resulting \$340,000 placed in the aforementioned contingency account for COVID related matters during the FY2020-21; and
- WHEREAS,** at the conclusion of the April 14, 2020 Public Hearing on the FY2020-21 Tentative Budget, the Village Board publically discussed an amendment to the Budget by reducing the General Fund Transfer to the Library Fund by \$210,000 and reducing the overall Budget expense by the same amount resulting in a decrease in the year-to-year tax levy from 1.96% to 1.45%; and
- WHEREAS,** the FY2020-21 Tentative Budget included 2% salary increases for 47 non-union employees representing department heads, managerial and confidential employees and others; and
- WHEREAS,** recognizing that the adverse budgetary impacts related to the COVID-19 emergency will continue into FY2020-21, eliminating these non-union salary increases from a fiscal management standpoint is prudent at this time, but in no way reflects on the hard work, dedication and professionalism of our non-union staff, not only under normal circumstances, but never as evident in their day-to-day management, operations and service delivery during this unprecedented COVID-19 emergency; now therefore be it
- RESOLVED,** that the FY 2020-21 Tentative Budget filed on March 20, 2020, is hereby adopted as the Budget of the Village of Scarsdale for the fiscal

year June 01, 2020, to May 31, 2021, with following amendments included:

1. That the General Fund transfer to the Library Fund be reduced by \$210,000 for a revised total of \$3,788,163 and that this reduction be reflected in the total FY2020-21 Budget expenditures.
2. That the 2% salary increases for all applicable non-union personnel totaling \$97,000 for All Funds be eliminated, with the \$83,500 charged to the General Fund placed in the contingency account established for COVID related matters, and the balance placed in the appropriate contingency accounts in the Water or Central Garage Internal Service Funds; and be it further

RESOLVED, that the several amounts stated in the columns entitled “2020-21 Adopted” in the Appropriations Schedules of the budget document, including the total amounts listed in the Position Summary Schedules for salaries and wages, are hereby appropriated for the objects and purposes specified; and be it further

RESOLVED, that the salaries, benefits and other terms and conditions of employment for employees represented by a bargaining unit be provided in accordance with contract terms; and, that salaries, benefits and other terms and conditions of employment of employees covered by written agreements be provided in accordance with such written agreements; and, that benefits and other terms and conditions of employment for non-union employees not covered by written agreements be paid in accordance with budgetary provisions as provided by the adopted Fringe Benefit Policy for non-union employees; and be it further

RESOLVED, that the sums enumerated in the columns entitled “2020-21 Adopted” in the Revenue Schedules of the budget document including estimated revenues and appropriated fund balances, are hereby made available for the purpose of financing such appropriations.

AYES

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

NAYS

Trustee Lewis

ABSENT

None

Trustee Arest noted that with regard to: eliminating the non-union salary increases as reflected in the above resolution in no way reflects on the hard work, dedication and professionalism of the non-union staff, not only under normal circumstances, but never as evident as now.

Before the vote was taken as noted above on the foregoing resolution regarding the FY 2020-2021 Village Budget, the Trustees offered their comments.

Trustee Arest made the following comments:

“Oversight of a community’s finances is one of the most important roles of a trustee. And in this capacity, and everything we do, we are governed by New York State Law and of course the constitutions of both NY State and the United States of America. I mention this because the steps we must take in devising and implementing our financial plans are regulated. For example, NY State Village Law Section 5-508 speaks to the “Adoption of [a] Budget”. We were obligated to hold a public hearing on or before April 15th and during the notice period leading to the hearing, we were not allowed to make changes. Once the public hearing was closed, we were then permitted to make changes BUT, we also must adopt the budget no later than May 1st. There has not been an executive order to change this mandated timeline.

As my record over the past two years clearly reflects, process is of the utmost importance to me, and I am willing to vote against a measure due to a lack of process. I believe strongly in meetings, conversations and debates. I believe in consensus when possible and that the disagreements that get us there make our decisions better. I believe in a data driven approach. Up until the creation of the tentative budget, I think our process was well considered. Countless hours were spent creating the budget and reviewing and revising it. I think that the two reports, drafted by independent, well respected, non-partisan resident organizations that attended our budget meetings, recognized those efforts. I appreciate their support for not only how we got here but also our plan moving forward.

Understanding that we are living through a health crisis that has created an economic crisis and therefore the restraints that we have on resources- our staff is working around the clock and many are putting their own health at risk- I believe we have acted sensibly and with great care. Unlike previous years, this vote tonight is not the culmination of our work, it is something of a beginning. The tentative budget filed, was the result of hard work, long hours, and prudent fiscal planning and as always, done in good faith. The steps taken to date, this evening’s vote and the meetings to come are all indicative of this Board’s commitment to a process based on knowledge and focused on ensuring our community’s fiscal well-being.

We will continue to have meetings to discuss our needs and make appropriate changes.

And, I will stand by my words: I, as one Trustee, believe that should the economic crisis not recede, certain, possibly many line items included in the budget will not be feasible. But not because there was never a will to complete them or that they were frivolous in nature. It is because we will be in a position where we must choose not to proceed in order to protect our community's finances and that is why the budget for FY 20-21 must be flexible and adapt to our needs. Do I know how bad things will get and exactly which items will need to be sacrificed to solve the deficit we face? No. At this point no one can.

There are two changes included in this resolution: one to reduce the Library's operating budget and use those savings to directly reduce the tax levy, and therefore the taxes our residents pay. The second is a reallocation of a planned salary increase for non-union employees to the COVID Contingent Account. Both changes are necessary now because without action, the monies would be allocated and at least partially distributed and unavailable for tax relief and additional protection from the crisis later.

It is important that the resolution passes because, without it, we would be faced with higher taxes for our residents and less money in our COVID account. Village Law Section 5-508 specifically states that if we do not affirmatively adopt the budget by May 1, that the previously filed tentative budget and only changes made by resolution, "shall constitute the budget for the ensuing fiscal year."

What allows us to make changes- as we intend- while operating under an austerity policy is also NYS Village Law. Section 5-520 speaks to General Budgetary Controls. To summarize, money can only be spent for what it is earmarked for unless, another official action of this board is made, and only then can it be reallocated. And this is what we will do over the coming months, through meetings which are, as always, open to the public and welcoming of resident input.

Last meeting, I tried to lay out the levers available to address our budget and the tools that we have to potentially lower the tax levy. Our tentative budget is 69% funded by property taxes. If the deficit predicted in Scenario 2 is correct, our tax levy will account for 74% of our revenue and as predictions get worse that number only grows. Our primary and short-term options for dealing with deficits are borrowing and use of fund balance, but both are limited and have longer term implications. Service reductions, which must be on the table, could be a long-term solution but must be made with better data and widespread community input.

This is why I am in favor of starting to map out our new budget process, including a review of services and community engagement, as soon as possible. I understand that many hurdles, including time constraints on staff, will exist throughout this health crisis and for a period of time beyond due to an inescapable backlog. We need to plan how to deal with this so that we are prepared and can continue to be proactive.

Of course, the work needed to properly evaluate our budget and the included services and infrastructure projects will be both quantitative and qualitative. But it is important to recognize that the data and statistical analyses that will be part of that needs to be considered carefully. I am currently reading a book by John Kay and Mervyn King titled "Radical Uncertainty." Kay and King are two of the most prestigious British economists with the latter serving as Governor of the Bank of England during the 2008 financial crisis and the Great Recession. I learned of the book from a review by Martin Sandbu published in the Financial Times. Mr. Sandbu refers to the book as, "*An eloquent rant against the faux-precision of mathematical models.*" He writes that, the authors' pet peeve, "*is the standard approach to uncertainty in economics and related disciplines, which requires a comprehensive list of possible outcomes with well-defined numerical probabilities attached. This is an impoverished and, at times even fraudulent, approach to decision-making, they argue. Apart from stable and repeated situations, they explain, probabilities do not exist; or they and their possible outcomes are unknowable; or all the above at once. All that probabilistic analysis does in other cases — usually where good decision-making matters most — is, at best, give a false sense of precision. By an arrogation of impossible scientific respectability, probability analysis can turn evidence-based policy into policy-based evidence.*"

Again, there will certainly be a time in the near future when this Board must and will more heavily rely on various sources of data. But for now, we have made major changes to the current fiscal year budget as well as 2020-21 to reallocate and/or earmark funds to protect our finances. This path forward under a fiscal austerity policy allows us to make better decisions with more community input and also ensures continuity of essential services.

I want to conclude speaking directly to the tax increase. On a resident's tax bill, our Village tax portion will increase by 1.46%. Village taxes cover all of our municipal services such as public safety, sanitation, water department, building department and all of other everyday services and account for roughly 18% of our total property taxes. The balance, of course, is separate from our Village government and is comprised of County taxes at roughly 17% and the remaining 65% is School taxes.

None of us are immune to the impacts of COVID-19 and I am in favor of doing everything I can in my role as your trustee to help. And that is why my message to anyone in the community who genuinely does not understand how we can increase taxes in the current environment is that all of us take this role extremely seriously, we are deftly aware that our decisions have implications and that we would not, in fact could not, advocate for

any increase if we did not believe it is necessary at this point. I understand that many in our community are out of work, have seen their businesses severely impacted, and their savings diminished; there are residents who are rightfully worried, and those worries have nothing to do with political opportunism. I pray for better times for all of us financially, but my main concern currently is for all of our health and safety as well as the financial health of our village.

We must also realize that the tools we have in planning our budget are not the same as those used by our County, State and Federal Governments. Among other differences, we do not have the ability to print or borrow virtually unlimited amounts of money. And, we cannot “save” money by passing responsibilities to lower levels of government in the form of unfunded mandates. Our property taxes are spent to deliver services and infrastructure maintenance and improvements.

I would be remiss if I did not recognize that two of the strongest advocates for a property tax freeze or reduction have also been two of the biggest proponents of aggressive uses of borrowing and fund balance in recent years. They have both separately argued that the village has been irresponsible for not using those tools more. Let’s be clear, had previous boards succumbed to the pressure from these individuals, we would be far less prepared to deal with the current crisis and the result would unequivocally be a much higher, more significant property tax increase. We are fortunate that this board and previous boards along with our dedicated staff have exercised fiscal prudence and taken steps that have allowed us to wait and act from knowledge rather than be forced to act now out of panic or fear.

Again, I believe that by passing this budget tonight, we as a Board will have reaffirmed our commitment to continue to evaluate our budget and make necessary changes in the coming months. As I said on the dais in Rutherford Hall almost two months ago, we must always hope for the best but plan for the worst. If we are facing something as bad as some of the more bearish economists are suggesting, our plan, will ensure we are prepared.

Our village has de facto term limits on its elected leaders. If we had chosen the politically expedient path, you would see seven trustees insisting on a tax reduction or at least a freeze. We might become more popular today and might not even be in these seats or facing reelection when the detriment of unwise choices comes back to haunt us. However, we, as individuals and as a collective board, look at our job as doing what is best for our community, not what might be in our own political interests. We are doing what we and your Village Staff believe is the best action to look after and protect the Scarsdale we all love.”

Trustee Veron then gave her comments on the budget as follows:

“In preCOVID days, what feels like another lifetime, we finalized the tentative Village budget. After months of rigorous analysis, discussion and debate, we struck just the right balance - providing services our residents valued, investing in our future, and being responsible fiduciaries to our taxpayers.

Then COVID hit, and my knee jerk reaction was to cut taxes to the bone - no matter what. I knew that people would be hurting, and I wanted to do whatever I could to help. But when I moved past my emotional response, I realized that what felt good now would likely have perilous results later.

While I want to give taxpayer relief, how much is responsible to cut? Is it worth risking not having the wherewithal to pay our emergency workers overtime if COVID thinned their ranks? Could I justify not being able to regularly pick-up virus-infected trash? And what about the unanticipated costs that will likely arise? Just tonight, we have a resolution to buy more police uniforms with a note that we disposed of some because of COVID contamination. Could I have foreseen that?

The Village Board has discretion over 18% of your total tax bill. School and County taxes account for approximately 65% and 17%, respectively. Of the approximately \$59MM Village budget, over 75% is non-negotiable - contractually obligated personnel-related or state-mandated expenses. The Village budget pays for services you rely upon - police, fire, sanitation, sewers, water, roads, and recreation.

While none of us knows how the future will unfold, from this vantage point at this moment in time, non-property tax revenue will likely be in a precipitous decline, and we anticipate a revenue shortfall. In the ensuing months, Scarsdale will likely need to do more with less.

We are all keenly aware of the harsh economic conditions before us, and we want to make the best short, medium and long term decisions for our Village. So you can follow along, I will share our process.

Here's the Short term:

As soon as COVID struck, we took immediate action.

- First, by resolution on March 24, we instituted austerity measures, built up a COVID emergency account using '18-19 fund balance and redirected funds from the '19-20 budget, and ran multiple scenarios pressure testing assumptions.
-
- Next, on April 14, we proposed tax payer relief, decreasing the proposed tax levy from 1.96% to 1.45%.

Tonight, we will vote on the revised budget that includes a property tax decrease and a proposed cut to salary increases for nonunion Village employees. It seems incongruous to defer hard earned increases to those who are working without break during this

unprecedented time, but in preparing for the worst, we are choosing to allocate those funds to the COVID emergency account.

We have also sought relief for hardship cases to aid our residents in dire financial straits. We will opt into County legislation to permit deferral and late payment reductions, and we are seeking options to provide other forms of leniency to those hardest hit.

The budget before us this evening was informed by all of these short term measures, and I support it. I am comfortable that we made good decisions given what we know now and feel grateful that we have the flexibility to make even tougher choices later. Respected civic groups including the League of Women Voters and the Scarsdale Forum endorse our budget.

I'm always a planner, and I feel best when I am doing. Did I want to develop contingency plans beyond those we already articulated, imagining all of the potentialities of this crisis? Of course. In fact, I was a nuisance clamoring for more budget meetings to discuss alternate eventualities. But the pushback was this - how could we ask any more of the Village staff at this moment when they are working without sleep to keep our residents safe and secure? How could we require them to evaluate departmental expense or other line items when they are already short staffed handling the emergency? This can wait and it should. What would we really get without real time data, resident input, and perspective?

So here's the medium and long term:

This budget journey is just beginning. It is impossible to know right now how deep and far reaching the wrath of COVID19. There will be tough decisions that we will need to make together with data, analysis, and public conversation. Together, we will arrive at what is fundamental to Scarsdale and at what cost.

How much of the way we do things in Scarsdale will need to change? How much change will our residents desire or tolerate? What did we learn through past crises that can help us now? What have we learned in our quick pivot now that will inform how we work in the future?

We want to take care with our decision making. We saw the lasting implications of the 2008 financial crisis. During that emergency, we cut spending on roads and endured the fallout later. We postponed investment in DPW equipment and had a hefty tax bill thereafter. We can't defer capital expenditures forever. We have an aging infrastructure that requires investment so bridges stay strong, sewers function properly, and water flows easily.

The conversations we will need to have together are complex and nuanced. We need your collective wisdom and good faith commitment. What we do know now is that we will need to rethink what we do and how we do it. Disruption presents opportunity. We will be measured in our approach, data driven, and inclusive. We will institute an open process to engage the public. Your Village Board is entrusted to protect the long term health of Scarsdale, and we will do that job.

None of us is untouched by this crisis. We as a Village have already suffered tragic loss. What I hope more than anything is that tragedy ceases, those on the frontline get relief, and that all of you, our residents and your loved ones, stay safe, healthy and strong”.

Trustee Ross offered the following comments on the budget:

“First of all, I very much appreciate my fellow Trustees’ comments and the thoughts shared by four deservedly very well respected former Mayors and the perspective on our budget as a whole that they reflect. Before we vote on the budget, in my role as Fire Commissioner, I'd like to say a few words about the Fire department component of the budget. Questions have been raised in connection with holiday pay, personal leave, pay overtime, and utilization of volunteer firefighters with thanks to Chief Seymour for educating you on these matters. I would like to offer the following with respect to holiday pay. Holiday pay is a mandatory subject of collective bargaining in New York State. This benefit was negotiated in good faith by the Village and the Uniform Firefighters Association and as a standard provision. In collective bargaining agreements for career fire departments, the collective bargaining agreement provision provides for 12 hours of pay and each member's rate of pay for 12 holidays. The benefit is paid annually in December. Personal leave is also part of the collective bargaining agreement.

The collective bargaining agreement indicates that firefighters are entitled to five personal leave days while captains are entitled to six personal days. \$155,726 is based on each member utilizing all of their personal day's coverage for personal leave absences. On training overtime, certain training is not available internally. Examples are code enforcement recertification and arson investigation recertification. This type of specialized training is provided through the Westchester County Fire training center, the State's Fire Academy and others. Live fire training cannot be done on duty due to the number of members required to participate in order to keep the Village protected while this training takes place.

Overtime covers short and long term vacancies, personal leave, sick leave, on the job and off the job injuries to workers, workers compensation, and vacancies created through retirements prior to replacement.

Regarding our volunteer firefighters, while the volunteers play an integral role, we must remember that only about half of them are interior certified, meaning that half are not trained to enter an immediately dangerous to life and health atmosphere -- it is also important to note that most of our volunteers work outside of the Village at are not available during the daytime hours.

Now I hope that these remarks have not gone too far into the weeds, because I think that at this stage, it's really important that we have a broad and overarching perspective today. I do believe, though, that, that there are certain aspects of the operation of our fire department that are really not well known in the community. And that, I think, our residents are better off knowing and to have a better understanding of Fire Department operations and budgeting.”

Trustee Crandall next spoke on the budget resolution before the Board:

“It’s important for the community to know that we focused on keeping the tax levy low throughout our winter public budget hearings, well before the pandemic hit. We also kept the water rates where they are even though we know there will be significant costs in the future to maintain and update the old infrastructure. The Village Board and staff worked diligently to ensure value for every dollar of revenue.

Now that we are in the midst of this crisis, and have heard the community, the tentative budget has been slightly modified to provide some taxpayer relief. Although we don’t know what challenges lie ahead, it is our best, data-driven projection at this point in time.

Going forward, we have the flexibility to adjust budget allocations. Of course, it’s paramount that we follow the principles of good governance as defined by the United Nations: “...participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive...follows the rule of law...responsive to the present and future needs.” Of particular importance to many is that the “...concept of efficiency...also covers the sustainable use of natural resources and the protection of the environment.” (What is Good Governance? United Nations Economic and Social Commission for Asia and the Pacific, www.unescap.org/sites/default/files/good).

We must all work towards this ideal of good governance as we face the future. It’s up to us as your Village government to provide information on a timely basis together with properly noticed public work sessions for constructive dialogue. I hope that many of you will take the time to read past Village Board minutes, the Scarsdale Forum and Scarsdale League of Women Voters Budget reports, follow new information and thoughtfully contribute to the process. Let us know your suggestions by writing to Mayor@scarsdale.com with a copy to the Village Clerk, Donna Conkling, email address dconkling@scarsdale.com. We need to work together as neighbors, not as adversaries, for the best interests of our community.”

Trustee Lewis spoke next in regard to the FY 2020-2021 Village budget:

“A little historical context - in 1942 former Mayor Warren Cunningham explained that the purpose of Scarsdale nonpartisan officeholders was to give Scarsdale “the best possible business administration”. He did not say that our duty is to agree with each other at all times. His statement which appears on the website of the Scarsdale Citizens Nonpartisan Party is that our objective is the best result.

With regard to tonight's budget resolution and my vote on it, I believe there is the world before COVID-19 and the world after COVID-19. I am very proud of this Board and the process that led to our original budget with regards to the current budget. I believe that in recent Board meetings and in our one working group session on the budget back in March, we never asked or addressed what I believe is the key strategic question. What is the

right level of taxation for this time? What is the proper level of taxation for this new period we saw abruptly ended? What is the right level of taxes consistent with the best possible business administration now?

Our core business is essential services and public safety. I want to acknowledge a recent letter by four former Scarsdale Mayors. Kronlein, Hochvert, Mark and Steves - I know these four individuals and respect them greatly. I agree with their conclusion that it is critically important we maintain full budget support for our first responders, our Police department and a Fire department. In this emergency, nothing is more important as Trustees in maintaining the critical services, including sanitation and water that keep our neighbors safe and healthy.

My view is that the best possible way to ensure that we will always maintain critical services at appropriate levels is by insuring our Village balance sheet is strong, flexible and stress-tested by a variety of scenarios, including a worst case one. Reserves are our last line of defense if we want to maintain public safety at optimal levels, we need to maintain reserves to have financial flexibility and plan in advance how we will respond should reserve levels fall. We have not done that exercise yet.

To that end, one work sessions on the budget should occur in an up tempo manner, perhaps every two weeks, perhaps alternating weeks with traditional Board of Trustees meetings. In these sessions we will be debating a priority list of items that we would consider cutting in the future to maintain our strong financial position should this become tax staff resources during a period of crisis; I believe we do not need additional staff support to discuss our strategic goals. This board is capable of discussing important strategic goals without significantly or unreasonably drawing on staff time. This type of planning is essential, in my view, to secure our ability to pay for a fully funded level of essential services, even the darkest scenarios too. In these work sessions we should revisit our scenarios one and two, and define a scenario three worst case scenario. There's yet to be any conversation at Board meetings about possible adverse shocks to our cost structure that would negatively impact our financial position. These cost structure shocks could include an unexpected surge over time and increase required contributions to state pension plans, to the stock market sell off, amongst other factors. These should be discussed and modeled soon. A particularly great concern is the need to create contingency plans regarding reserve levels if revenues fall more and costs rise more, our reserves will drop. There is likely a level of reserves this Board will view as an absolute minimum requirement to maintain a flexible and effective financial profile. We've not discussed this, we could consider framing this conversation in terms of the fiscal stress indicators monitored by the State Controller.

The analysis noted above, would be for me important inputs to evaluating a budgets fitness for these times. Finally, my own view is that this is a time of great pain and suffering. There should be no tax increase. We show solidarity with our neighbors through actions and I believe no increase would have been the strongest possible initial statement of solidarity - being in solidarity with our customers, our taxpayers is good government and good for business. While many Westchester communities may still be raising taxes, I believe we should hold ourselves to our own standard.

I have great admiration for my fellow Board members and for our Village Manager Steve Pappalardo, and his entire staff who have shown great strength and resiliency in this crisis. I want to thank all for their public service. Thank you.”

Mayor Samwick next gave his comments on the 2020-2021 Fiscal Year Village Budget:

“The Village’s top priority has been, and must continue to be, the health and safety of our community. The fiscal health of Scarsdale, however, also remains atop our priorities. That is why steps have been taken since February to ensure that the Village is prepared to manage its fiscal affairs.

Actions Taken to Date

The Village started by quickly and decisively implementing austerity mode, meaning that Village spending is limited to operating costs associated with the current state of emergency as well as the health, safety and welfare of residents and Village employees. The Village then quickly moved to running initial scenario analyses based on current economic conditions and identifying funding sources to protect us from these fiscal threats.

The Village then moved to identifying funding that has allowed us to responsibly lower the tax burden initially proposed in the budget. The budget we will be voting on contains a 1.45% increase in the tax levy, which amounts to a \$95 annual increase in taxes based on the average Village assessed value.

Future FY 20-21 Budget Plans

The Village Board has repeatedly affirmed our commitment to review Village finances regularly and make as many budget revisions as needed as the pandemic and its aftermath continue to unfold. Our actions to date and into the future will be from an informed position, with the latest data and best visibility possible. We have taken quick, decisive action. We do not believe it to be prudent to take actions out of panic or fear. And, we will certainly not make decisions based on any political interest. That is not who we are as a community. On the contrary, we have a very long history of responsible, long-term financial stewardship that we will not abandon. This long-term focus on financial stability and strength is widely recognized, including the recognition received by our long-standing AAA credit rating, and has provided the Village with the financial flexibility to manage the economic impact of the pandemic.

The Village also benefits structurally from the ability to revise its budget continually throughout the year. As we work through the pandemic and gain better visibility, services and projects will be reevaluated. If we need to cut services in the future, we will do so carefully, thoughtfully, and with community input. Budget decisions may have unintended consequences and it is our job to consider those to the extent possible, and not to act in haste.

Non-Partisan Budget Reviews and Comparable Community Information

Personally, I take comfort in the extensive work done by two non-partisan, century-old local institutions – The Scarsdale League of Women Voters and The Scarsdale Forum. These

organizations attended all of the Village's budget meetings and prepared thorough reviews of the proposed FY 20-21 Village budgets. Both organizations asked probing questions about the budget and engaged in deep and thoughtful debate before coming to independent consensus statements that support adoption of the proposed FY 20-21 Village budget.

I asked staff to review the tax levy changes that are proposed or implemented by other Westchester villages. We selected villages because villages are all on the same fiscal timeline with the fiscal year starting on June 1st. Please note that cities and towns have different fiscal years and are therefore not comparably positioned with respect to their potential to adjust to the current economic conditions. Of the 15 villages that were surveyed, there are four villages with increases below 1.5%, which include one village below 1% and Scarsdale with a 1.45% increase. Notably, there are 10 of the 15 villages surveyed, or 2/3's of the villages, with tax levy increases of 2% or higher with 5 of those above 3%, of 1/3 of the villages surveyed. Again, nobody likes to see taxes increase – not the residents and not the Village Board.

Nature of Village Operations

It is important to recognize that operating a village is different in many ways from operating a business. An important element to immediately note is the essential nature of much of the work that is done by the Village. A primary element of providing village services that is also important to note is that about 75% of the costs are personnel-related. Further, a meaningful majority of personnel-related costs are subject to collective bargaining agreements, which are contractual obligations that may not be unilaterally reopened during the term of the labor contract.

The Village has a number of other costs that are fixed or relatively fixed, such as debt service, utilities, facilities maintenance, trash disposal fees and more. As one quickly sees, villages operate with high proportion of fixed and quasi-fixed costs. What do we get in exchange for these relatively fixed costs – a stable delivery of essential and other services, including police and fire protection, sanitation services, road maintenance and much more. So, as I mentioned earlier in my comments, Village residents receive direct benefit from the taxes we all pay with a meaningful percentage of the services that we receive deemed to be essential.

Summary

The Village Board will continue to be proactive and work to make, in its judgment, the best fiscal decisions for all of Scarsdale. And, we will do it together with the community to balance, as optimally as possible, the tradeoff between costs and services delivered.”

Trustee Arest stated that in regard to the next resolution authorizing the execution of a software agreement with Software Consulting Associates, Inc., he would like to make the following comments:

“We have used PAS, Property Assessment System, designed by SCA, now a Government Brands Company, for assessment administration since 2002. Because we also

use SCA products for Tax Collection, Geographic Interface and Building, Planning and Engineering functions, using PAS provides certain operational efficiencies and allows us to work with fewer FTE's that some other municipalities need to stay on top of manually integrating their systems.

The downside with PAS, besides the fact that it has reached the end of its end of life and the lack of support that comes with that, has been that it lacks a mass appraisal valuation function. Some municipalities use RPSv4 which does have such a feature but again, does not interface with our other systems.

New York State has been working with Tyler Technologies to create a new RPS version, called ACES. While the state still hopes to have something completed by the end of 2021, many professionals with at least some involvement believe that to be very optimistic.

In addition to the lack of integration, opting for ACES would also require a lengthy and costly transfer of data which could also result in the loss of some data.

SCA 2.0 will be cloud based and also will include a mass appraisal valuation function. And, while we make the commitment to SCA now, we are not financially responsible until the product is delivered after Scarsdale has tested it and, there are protections in place in case SCA does not meet the included representations and warranties.

I should also note that a very thorough memorandum is included from our Assessor which shows that potential concerns were considered and addressed. The belief at this time is that pricing for the software will be significantly higher once it is available and that committing now is providing us with favorable pricing.

I should note that this agreement has been in the works for some time. Some of the original conversations included a commitment and payment upfront without the delivery of any product, just a promise. I credit our Village Manager with ensuring that the recommended arrangement protects us and thank him and the Assessor's office with their work in getting this done."

Upon motion entered by Trustee Arest, and seconded by Trustee Crandall, the following resolution regarding Authorization to Execute a Software Agreement with Software Consulting Associates (SCA) a Division of Government Brands, was approved by the vote indicated below:

WHEREAS, the Scarsdale Village Assessor's office has been utilizing the Property Assessment System ("PAS") designed by SCA, now a Government Brands Company, for assessment administration since 2002; and

WHEREAS, PAS is the official property record management system of both active and historical parcels within the Village, enabling tracking of parcel data, including owner changes, parcel merges, splits and all inventory information such as parcel acreage, dwelling size, condition, amenities and site improvements, exemption status, parcel assessment, creation of customized and state mandated reports, including tax rolls which

are utilized by the Treasurer to calculate property tax bills for County, Village, School and Special Districts levies; and

WHEREAS, PAS is one of several SCA products utilized by the Village, including Tax Collection, GIS (Geographic Interface) and Municipality 5.0 (utilized by Building, Planning and Engineering). This multi – modal approach enables integration between multiple departments creating numerous efficiencies including, but not limited to, the elimination of duplicate data entry and information sharing; and

WHEREAS, similar to other SCA software products, PAS has reached the end of its technical lifespan and SCA has experienced difficulty in providing support for this platform, and the outdated user interface posing difficult challenges; and

WHEREAS, SCA has undertaken to upgrade the assessment software (PAS 2.0) to a Cloud Based application storage eliminating the need for local software installation and maintenance on user desktops; and

WHEREAS, cloud data is protected by industry standard security assessment, network firewall and threat detection services, with PAS 2.0 intended to have all the features of the current platform with multiple operational benefits enabling the Village to further enhance and build upon the property record system that has been developed since the 2014 town-wide revaluation, including enhanced reporting capability of both mandated and customized reports, a stable processing environment and timely customer service; and

WHEREAS, PAS currently lacks a mass appraisal valuation function which is necessary for any future Village-wide revaluation, as adapting PAS to accommodate the 2014 and 2016 mass revaluation projects proved to be complicated and inefficient, resulting in errors requiring time-consuming manual corrections; and

WHEREAS, since mass revaluation is currently not state mandated, there are few viable software options with respect to the mass valuation module utilized by municipalities throughout NYS; and

WHEREAS, SCA has recently developed upgraded software products for both the tax collection and building, engineering and planning operations, with both products purchased by the Village and currently functioning successfully as designed; and

WHEREAS, the most prevalent software in NYS, known as RPSv4, has also reached the end of its technical useful lifespan and new software is currently in the development stage with a target delivery roll-out beginning in 2023 to pilot municipalities and existing users and years later to municipalities not currently using RPSv4 software; and

- WHEREAS,** the data conversion from our highly customized PAS to ACES would require specialized assistance and this effort is anticipated to be labor intensive, time consuming and complicated, resulting in data loss; and
- WHEREAS,** with the all-encompassing budgetary impacts on the NYS budget due to the Coronavirus pandemic, timely completion of the ACES product is in doubt; and
- WHEREAS,** the target delivery date of PAS 2.0 is January 2021, and SCA is currently offering the product to municipalities via a software license agreement (Agreement) without any financial commitment until the product is delivered, installed and successfully tested; and
- WHEREAS,** favorable pricing has been extended to municipalities committing now, and once the product is complete, the upgrade fee and maintenance costs double; and
- WHEREAS,** the Agreement proffered by SCA is for a three year term at a one-time upgrade fee of \$34,000 with an additional annual maintenance & support fee of \$10,200, the first year of which is payable upon written notice of software delivery and installation of PAS 2.0. The maintenance fee includes support services as well as commercially released updates and upgrades to the licensed software; and
- WHEREAS,** SCA warrants for a period of one (1) year from delivery and installation that PAS 2.0 meets, at a minimum, the current system's functional requirements, all applicable Village staff are adequately trained on the new software and that the Village is satisfied with the adaptation and a seamless migration from the old to the new system; and
- WHEREAS,** failure to meet the warranties outlined in the Agreement may result in return of the one-time upgrade fee in full and the pro-rata portion of any annual maintenance and support fee paid; and
- WHEREAS,** the Agreement has been reviewed, extensively negotiated and approved as to form by the Village Attorney; now, therefore, be it
- RESOLVED,** that the Village Manger is herein authorized to execute a Software License and Support Agreement with Software Consulting Associates, Inc., a New York corporation, with its principal place of business at 54 Elizabeth Street, Suite 17, Red Hook, New York 12571 ("LICENSOR") for property assessment software services, in substantially the same form as attached hereto, for a three year term and one-time fee of \$34,000 and annual maintenance fee of \$10,200; and be it further

RESOLVED, that the Village Manager is authorized to perform all administrative acts pursuant to the Agreement; and be it further

RESOLVED, that software development and first year maintenance cost pursuant to the Agreement, be charged to the following General Fund Assessment Department Operating Accounts for the amounts identified below, with the maintenance fees for years two and three of the Agreement subject to adequate budgetary appropriations:

<u>Account #</u>	<u>Amount (\$)</u>
A 1355-Adm – Certs – 100-1	24,000
A 1355-Adm – Certs – 400.458	15,000
A 1355-Adm – Adm – 400 .409	5,200

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

Upon motion entered by Trustee Arest, and seconded by Trustee Veron, the following resolution regarding Awarding VM Contract #1264 – Furnish and Deliver Police Uniforms was approved by the vote indicated below:

WHEREAS, pursuant to the collective bargaining agreement between the Village of Scarsdale and the Scarsdale Police Benevolent Association, all sworn Officers in the Police Department receive replacement uniforms every other year; and

WHEREAS, an appropriation of \$38,100.00 is provided for in the Police Department’s FY 2020/21 General Fund Operating Budget for the purchase of uniforms for the Scarsdale Police Department; and

WHEREAS, the Village Manager reports that on February 28, 2020, a receipt of bids was publically advertised under VM Contract #1264 – Furnish and Deliver Police Uniforms, and notices were sent to six vendors; and

WHEREAS, on the bid opening date of Tuesday, March 24, 2020, two responsible bids received from New England Uniform LLC of 356 Main Street, Danbury CT 06810, at a bid price of \$26,634.62, and Galls, LLC., of

1340 Russell Cove Road, Lexington, KY 40505, at a bid price of \$24,690.61; and

WHEREAS, Galls, LLC., is the lowest responsible bidder, having previously provided quality police uniforms to the Village based on staff experience; and

WHEREAS, the COVID-19 Emergency Operation has resulted in the necessity to discard a number of police uniforms due to potential contamination during the course of assisting with EMS service calls, further increasing the need for these new uniforms; now, therefore, be it

RESOLVED, that VM Contract #1264 – Furnish and Deliver Police Uniforms be awarded to Galls, LLC., of 1340 Russell Cove Road, Lexington, KY 40505, at a bid price of \$24,690.61; and be it further

RESOLVED, that the cost of same be charged to the appropriate Police Department FY 2020/21 General Fund Budget accounts subject to the availability of adequate funds; and be it further

RESOLVED, that the Village Manager is hereby authorized to execute VM Contract #1264 – Furnish and Deliver Police Uniforms with Galls, LLC., of 1340 Russell Cove Road, Lexington, KY 40505, at a bid price of \$24,690.61, and to take all administrative acts in accordance with the contract.

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

Trustee Lewis

Upon motion entered by Trustee Lewis, and seconded by Trustee Veron, the following resolution regarding Authorization to Execute an Agreement for the Drake-Edgewood Sanitary Sewer Evaluation Study (SSES) and to Reallocate Capital Budget Appropriations was approved by the vote indicated below:

WHEREAS, a public presentation before the Village Board of Trustees took place on November 12, 2019, to discuss historical flooding in the Hutchinson River corridor and the related sanitary sewer backups along Barry Road; and

WHEREAS, subsequently, the Village’s consultant engineer on the Mamaroneck District SSES, H2M Engineers & Architects (“H2M”), 1025 Westchester Avenue, Suite LL01, White Plains, NY 10604, was briefed on our expanded SSES needs and was requested to provide a proposal for additional SSES work in the Arthur Manor and Drake-Edgewood neighborhoods; and

WHEREAS, H2M responded with a proposal to provide the needed fieldwork and engineering services, with estimated project costs to be \$137,662, for which H2M’s fee is for a total not to exceed \$109,624 and the balance of estimate, \$28,038 will be paid to National Water Main Cleaning Company of Kearny, NJ by the Village under VM #1222, with final costs of the project based on field quantities and optional wet weather televising; and

WHEREAS, The Village Treasurer confirms that the following unspent appropriations, totaling \$138,596, representing accrued savings for each line item, are available to be reallocated for the needed Drake-Edgewood SSES work, inclusive of approximately \$944.00 in contingency funding:

H 8597-965-2015-012 Drainage DPW Cleaning & TV Inspection	\$1,219.00
H 8597-965-2015-016 Drainage Inflow/Infiltration Analysis	\$15,000.00
H 8597-965-2016-016 Drainage Inflow/Infiltration Analysis	\$25,000.00
H 8597-965-2017-012 Drainage DPW Cleaning & TV Inspection	\$1,000.00
H 8597-965-2017-017 Drainage DPW Catch Basin Cleaning	\$6,377.00
H 8597-965-2018-012 Drainage DPW Cleaning & TV Inspection	\$30,000.00
H 8597-965-2018-017 Drainage DPW Catch Basin Cleaning	\$30,000.00
H 8597-965-2019-011 Drainage Improvements	\$30,000.00

; and

WHEREAS, H2M has performed the existing SSES services satisfactorily and are capable of providing the additional scope of services; now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to execute the attached agreement with H2M Engineers & Architects, 1025 Westchester Avenue, Suite LL01, White Plains, NY 10604, in substantially the

same form as to hereto and to undertake all administrative acts required pursuant to the terms of the Agreement; and be it further

RESOLVED, that the Village Manager is hereby authorized to reallocate \$138,596 from the identified Drainage Capital Budget cost center accounts to the Sanitary Sewers cost center account #H 8120-965 2018-096, Sanitary Sewers-SSES Study & CMOM.

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

Upon motion entered by Trustee Lewis, and seconded by Trustee Veron, the following resolution regarding Awarding VM Contract #1265 – Catch Basin Cleaning Services was approved by the vote indicated below:

WHEREAS, the Village’s annual storm sewer system preventative maintenance program, is a critical public health, safety and welfare measure and required in compliance with NYSDEC Phase II Stormwater Regulations; and

WHEREAS, said program includes the annual cleaning of approximately 1,600 catch basins on a cyclical basis, using a combination of Village and contractual services as a flood and pollutant mitigation measure; and

WHEREAS, the most recent VM Contract for this work, VM Contract #1198, was awarded by the Board of Trustees on April 12, 2016, and has now expired, with its successor, VM Contract #1265 – Catch Basin Cleaning Services, having been advertised in the Scarsdale Inquirer on February 28, 2020, as well as posted online through the Hudson Valley Purchasing Group/Bidnet; and

WHEREAS, on the bid opening date of March 17, 2020, five sealed bids were received, with the lowest responsible bid for Option A – Catch Basin Cleaning & Associated Flow Lines 10 ft. in All Directions, submitted by Fred A. Cook Jr. Inc., (Cook) P.O. 271, Montrose, NY 10548 at a unit bid cost of \$49.50 per catch basin, with Cook having also submitted a bid of \$1.00/linear foot for Option B - Jetting Flow Lines Beyond 10 Feet, which tied for the lowest bid received for Option B (see attached Bid Tabulation Sheet); and

WHEREAS, staff recommends that VM Contract #1265 – Catch Basin Cleaning Services, Options A and B, be awarded to Fred A. Cook, Jr. Inc., P.O. Box 71, Montrose, NY 10548, a company that has previously and satisfactorily performed this work for the Village; now therefore be it

RESOLVED, that the Village Manager is hereby authorized to execute VM Contract #1265-Catch Basin Cleaning Services, for a two-year term, with Fred A. Cook, Jr., Inc., P.O. Box 71, Montrose, NY 10548, at a unit bid price of \$49.50 per catch basin and \$1.00 per linear foot for jetting flow lines beyond ten feet, at the aforementioned unit bid prices, for a total cost not to exceed \$30,000 in available FY19/20 DPW Operating and Capital Budget funding, and additional appropriations identified in the FY 20/21 Budget, should those funds be made available; and be it further

RESOLVED, that the costs associated with VM Contract #1265 – Catch Basin Cleaning Services be charged to the FY19/20 and FY20/21 General Fund Operating Account # A-1490-HWY-STDRN-400 499, and Capital Fund Account #H 8597-965 2020-017, at the unit bid price for Option A of \$49.50 Per Catch Basin and Associated Flow Lines, and \$1.00 per liner foot for Option B - Jetting Flow Lines Beyond 10 Feet, for a not to exceed amount of \$30,000 in FY19/20 budgeted appropriations; and be it further

RESOLVED, that the use of these budgeted appropriations for both FY19/20 and FY20/21 may be further restricted in accordance with current and future fiscal austerity measures related to adverse financial and budgetary impacts associated with the COVID-19 Pandemic; and be it further

RESOLVED, that the Village Manager shall take all administrative acts required pursuant to the terms of the Contract, including exercising the option to renew for two additional one-year terms, subject to adequate budget appropriations.

AYES

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

NAYS

None

ABSENT

None

Upon motion entered by Trustee Lewis, and seconded by Trustee Crandall, the following resolution regarding Authorization of a Public Drainage Easement Agreement – 38 Brite Avenue - was approved by the vote indicated below:

- WHEREAS,** Kenneth Rilander and Nancy Rilander are the owners (hereinafter “Owner”) of certain real property located at 38 Brite Avenue (hereinafter “Property”), as shown on the official tax map of the Village of Scarsdale as Section 4.10, Block 10, Lot 731, which is currently under review for a Village-issued building permit for renovation of the existing home and full reconstruction of the attached garage on this lot; and
- WHEREAS,** upon review for the issuance of such building permit, an existing 10-foot drainage line easement (“1939 Easement”), attached hereto, previously dedicated to the Village of Scarsdale was identified; and
- WHEREAS,** as a condition of Village permit requirements and approvals relative to said renovations, the Owner is required to re-route the existing 10-foot public drainage line, which is the subject of the 1939 Easement, with all related costs borne by the Owner; and
- WHEREAS,** the Village Engineer reviewed the proposed work as part of an application for Storm Water Management and Erosion Control Permit; and
- WHEREAS,** as a condition of Village approvals for permit related to the renovation of the residence, the owners are required to enter into a perpetual easement agreement with the Village of Scarsdale to allow the Village to maintain, repair, and/or replace the drainage system and appurtenances through the portion of the Property, more accurately depicted and described in Exhibit B and Exhibit D of the Easement Agreement; now, therefore, be it
- RESOLVED,** that pursuant to the New York State Village Law §4-412(3)(1), the Board of Trustees of the Village of Scarsdale hereby accepts the dedication of the relocated public drainage line, more accurately described in Exhibit B and Exhibit D, attached hereto and made a part hereof; and be it further
- RESOLVED,** that the Village Board hereby authorizes the Village Manager to execute, in substantially the same form as attached hereto and made a part hereof, the Easement Agreement related to a relocated public drainage line at 38 Brite Avenue; and be it further
- RESOLVED,** that the Village Manager is herein authorized to undertake all administrative acts that may be required pursuant to the terms of the Agreement; and be it further

RESOLVED, that the Owner, Kenneth Rilander and Nancy Rilander, or their representative, shall record the Easement Agreement in the Office of the Clerk of the County of Westchester, Division of Land Records.

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

Trustee Veron

Upon motion entered by Trustee Veron, and seconded by Trustee Crandall, the following resolution regarding Authorization to Execute an Extension for Library Project Construction Management Services and to Transfer Supporting Funds was approved by the vote indicated below:

WHEREAS, the Village Board authorized a \$583,000 Construction Management Services (CM) agreement with Savin Engineers (Savin), Pleasantville, NY, on May 23, 2017, providing 19 months of full-time CM Services, expiring February 29, 2020; and

WHEREAS, pursuant to the Village Internal Control Policy, the Village Manager authorized an additional \$7,534.08 to the Savin CM agreement for reimbursable expenses, yielding a revised total of \$590,534.08; and

WHEREAS, the project is now projected to be substantially complete by the end of August 2020, thus requiring an additional six months of full-time CM Services for the period of March 2020 through August 2020, beyond which there remain two months of part-time project closeout services included in the original agreement; and

WHEREAS, the monthly fee for four of the six additional months of CM Services has been negotiated down from the contractual rate of \$25,717 to \$23,350 per month, with the remaining two months to be billed at 2017 hourly rates in an amount not to exceed \$23,350 per month, resulting in a total potential increase of \$141,100 and a not-to-exceed contract total of \$731,634.08; and

WHEREAS, continuing CM services is critical to successful project completion and, due to cost savings realized through prudent Library personnel management during construction, a portion of the funding to support

the additional work is available from Library Fund Balance; now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to execute an extension to the Savin Engineers Construction Management Services Agreement in substantially the same form as attached hereto, for a total potential increase of \$141,100, and the Village Manager is further authorized to undertake administrative acts as may be required under the terms of the contract; and be it further

RESOLVED, that \$63,500 from the Library Fund Balance and \$77,600 from accrued interest on Library Gift Donations be transferred to the Library Construction Management Services Capital Account #HL-7497-964-2018-078G.

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

Upon motion entered by Trustee Veron, and seconded by Trustee Crandall, the following resolution regarding Authorization of Change Orders for VM Contract #1244 – Electrical, Scarsdale Public Library Renovation and Expansion Project was approved by the vote indicated below:

WHEREAS, VM Contract #1244 – Electrical, Scarsdale Public Library Renovation and Expansion, was awarded by the Village Board of Trustees on June 26, 2018, to the lowest responsible bidder, Healy Electric Contracting Inc. (Healy), 4 Fisher Lane, White Plains NY, for a total contract award of \$2,233,000; and

WHEREAS, during the course of construction, the combination of certain unanticipated field conditions and added project features expanded the scope of work, necessitating associated change orders in connection with VM #1244; and

WHEREAS, in accordance with Section 2.9 of the Village’s Internal Control Policy, the Village Manager authorized Change Orders EC-01 thru EC-07, totaling \$77,369, for a revised contract grand total of \$2,310,369, with additional change orders requiring Village Board review and approval; and

WHEREAS, Change Orders EC-08 and EC-09, totaling \$142,950, as described in the attached summary, have been reviewed by Village staff, Savin Engineers, the Village’s construction management firm, and Dattner Architects, the Village’s architectural firm, and were deemed reasonable for the scope of work proposed, requiring Village Board of Trustees consideration pursuant to Section 2.9 of the Village’s Internal Control Policy; and

WHEREAS, taking into account change orders EC-01 through EC-09, totaling \$220,319, the revised Electrical VM #1244 contract total is \$2,453,319 representing a 9.8% increase, overall; now, therefore, be it

RESOLVED, that in accordance with Section 2.9 of the Village of Scarsdale Internal Control Policy, change orders EC-08 and EC-09, totaling \$142,950, as described in the attached, are herein authorized for VM Contract #1244 - Electrical, Scarsdale Public Library Renovation and Expansion project; and be it further

RESOLVED, that said additions and modifications be paid utilizing the available unencumbered approved project funding balances identified in the attached spreadsheet

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

Written Communications

Village Clerk Conkling reported that fourteen (14) communications have been received since the last regular Board of Trustees meeting. All written communications include responses from the Mayor, and may be viewed on the Village’s website at www.scarsdale.com.

- Eight (8) communications were received from the following persons in regard to the Tentative Fiscal Year 2020-2021 Village Budget:
 - Dr, Andrew Blank
 - Jimmy Fink
 - Sandy & Alan Frommer
 - Mayra Kirkendall Rodriguez (2)
 - Joe Lawrence
 - Francisca Sabadie & Robert Dwyer

- Jerome Wong
 - Tim Foley, President of the Scarsdale Forum on behalf of the Fiscal Affairs Committee
-
- An email from Susan Levine regarding leaf mulching and the Village Budget
 - An email from Diane May regarding COVID-19 and social distancing.
 - An email from Vik Mehta regarding the Village taxation policies.
 - An email from Camille Roche regarding COVID-19 testing.
 - An email from Stuart Silver regarding a request for tax relief.

There being no further business to come before the Board, the meeting was adjourned at 10:00 P.M.

Respectfully submitted,

Donna M. Conkling
Village Clerk