

THREE THOUSAND THREE HUNDRED TWENTY-SEVENTH
REGULAR AGENDA MEETING

Rutherford Hall
Village Hall
May 28, 2019

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held in Rutherford Hall in Village Hall on Tuesday, May 28, 2019 at 8:00 P.M.

Present were Mayor Samwick, Trustees Arest, Crandall, Lewis, Ross, Veron, and Waldman. Also present were Village Manager Pappalardo, Deputy Village Manager Cole, Village Attorney Sapienza-Martin, Village Treasurer McClure, Village Clerk Conkling, and Deputy Village Attorney Garrison.

The minutes of the Board of Trustees Regular Meeting of Tuesday, May 14, 2019 were approved on a motion entered by Trustee Crandall, seconded by Trustee Ross and carried unanimously.

Bills & Payroll

Trustee Ross reported that he had audited the Abstract of Claims dated May 28, 2019 in the amount of \$1,183,382.63 which includes \$54,422.19 in Library Claims previously audited by a Trustee of the Library Board which were found to be in order and he moved that such payment be ratified.

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

RESOLVED, that the Abstract of Claims dated May 28, 2019 in the amount of \$1,183,382.63 is hereby approved.

Mayor's Comments

Mayor Samwick noted that the meeting is running a little late this evening and apologized to the viewing audience. He stated that he has a Proclamation to read to acknowledge "National Gun Violence Awareness Day". He stated that the Board would like

to encourage the residents and others to reflect upon gun violence and to do what we can to address this issue. He then read the following portion of the Proclamation:

“Now, Therefore, I, Marc Samwick, Mayor of the Village of Scarsdale, do hereby proclaim Friday, June 07, 2019 to be

National Gun Violence Awareness Day

In the Village of Scarsdale and behalf on all Village residents, I am pleased and proud to join all associated with National Gun Violence Awareness Day and herein encourage all residents to support their local community efforts to prevent gun violence and to honor and value human life.”

He then went to the podium and presented the proclamation to Patricia Colella and asked her to give her address at this time:

Ms. Colella of 180 Bradley Road, New York State Chapter of Moms Demand Action for Gun Sense in America, made the following statement:

“Good evening. My name is Patricia Colella and I would like to thank Mayor Samwick for officially proclaiming Friday, June 7, 2019, to be National Gun Violence Awareness Day in the Village of Scarsdale.

On that day, and at events nationwide throughout the weekend of June 8th and 9th, thousands of Americans will honor the victims and survivors of gun violence by wearing orange. The statistics about gun violence in the U.S. are staggering and horrifying. Every day, 100 Americans are killed by gun violence. 2017 - - the latest year for which statistics are available -- was an especially devastating year.

According to the Centers for Disease Control, in 2017, for the first time in modern history, substantially more Americans were killed with firearms than in motor vehicle accidents. Data from the CDC shows that **39,773** people were killed by gun violence in 2017 – approximately 1,100 more than were killed by motor vehicle accidents.

Just for a moment, let’s let that gun violence statistic sink in. **39,773** people died from firearms in 2017. That is an average of 108 people per day. The CDC also reported that sixty percent of those gun deaths in 2017 were self-inflicted. In addition, on average, there are almost 13,000 gun homicides every year. Sadly, Americans are 25 times more likely to be killed with guns in homicides than people in other high-income countries.

So, what can the Village of Scarsdale, the citizens of Scarsdale, and communities across the country do to help prevent gun violence? They can raise awareness by talking about the issue and wearing orange on Friday, June 7th. Why the color orange? Orange is

the color that Hadiya Pendleton's friends wore in her honor after she was shot and killed in Chicago in January 2013 at the age of 15 — just one week after performing at President Obama's 2nd inaugural parade.

Hadiya's friends chose the color orange because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life. After her death, Hadiya's friends asked us to stand up, speak out, and Wear Orange to raise awareness about gun violence. Hadiya should now, on June 2nd, be celebrating her 22nd birthday.

The color orange has a long and proud history in the gun violence prevention movement. Whether it's worn by hunters in the woods of Pennsylvania, activists here in New York, or Hadiya's loved ones in Chicago, orange honors the more than 100 lives cut short and the hundreds more wounded by gun violence every day -- and demands action. Orange expresses our collective hope as a nation — a hope for a future free from gun violence.

To help honor Hadiya and the tens of thousands of victims of gun violence in America, a national coalition of organizations has designated June 7, 2019, the first Friday in June, as the 5th National Gun Violence Awareness Day.

I am here as the Membership Lead of the New York State Chapter of Moms Demand Action for Gun Sense in America, which was founded in the wake of the shooting at Sandy Hook Elementary School. In the 6 years since that tragic day, Moms Demand Action for Gun Sense has expanded to include a chapter in every state, with more than 5 million supporters dedicated to ending the epidemic of gun violence in our nation.

Across the country, Moms Demand Action for Gun Sense works with students, survivors, mayors, law enforcement officers, faith leaders, teachers, doctors, and all kinds of Americans who know there is more we can do to prevent gun violence. Together we advocate for stronger laws and policies that will save lives, and we are proud to be a driving force behind many Wear Orange events. We pledge to do all we can to keep firearms out of the wrong hands and encourage responsible gun ownership to help keep our children and loved ones safe.

Anyone can join this campaign by pledging to Wear Orange on Friday, June 7th, to help raise awareness about gun violence and honor the lives of gun violence victims and survivors. On behalf of Moms Demand Action for Gun Sense in America, and her family, friends, and community here in Scarsdale. I thank Mayor Samwick and the Village of Scarsdale for supporting us in this important movement. Thank you."

Mayor Samwick thanked Ms. Colella and thanked those that came with her this evening. It is a very important message – the Village is glad to do whatever small part it can.

Mayor Samwick stated that there are three items that he would like to discuss this evening.

“The first is in regard to the tentative assessment roll and Grievance Day.

The annual Tentative Assessment Roll for 2019 will be filed this week or Monday June 3rd at the latest, as the statutory June 1st filing date falls on a Saturday this year. Letters will simultaneously be mailed to all property owners whose year-to-year assessments have changed. The Tentative Roll will also be posted on the Village website the week of June 3rd so all residents can review their assessment information. Tuesday, June 18th is Grievance Day. Property owners have a window to grieve their tax assessments between the issuance of the tentative assessment roll and June 18th. This is the one opportunity each year that property owners may challenge their property assessments and have the opportunity to meet with the Board of Assessment Review to discuss their assessments. This process is governed by New York State law and is not subject to modification or adjustment by the Town or Village.

We encourage all property owners to carefully review their 2019 tentative assessments and to file a grievance if they have a dispute with their assessed value. As you review your assessment notice, please note that the valuation date is July 1, 2018 and that the 2019 equalization rate is 94.75%. To convert the assessed value to the estimate of fair market value of your property, divide your assessed value by .9475. Property owners interested in filing a grievance and/or meeting with the Board of Assessment Review on Grievance Day, should contact the Assessment Office at 722-1133. All Grievance Day meetings with the BAR are by appointment only. Additionally, if you have any questions as you review your assessment information, please call the Assessment Office or view the Assessor’s tab on the Village website – www.scarsdale.com.

The second item I would like to discuss is an update with respect to the Freightway redevelopment project.

Earlier today, the Board met in executive session with AKRF to review a draft of the Request for Proposal document for the redevelopment of the Freightway Site and to incorporate public comments into the document prior to its release – which is expected in mid-June. We would like to remind people that the Board goes into executive session to discuss Freightway to protect the value of this important Village asset.

The Village Board started the public engagement of the Freightway redevelopment process with the formation of the Freightway Steering Committee and a community outreach process that resulted in a Visioning Study. The Board is committed to actively

engaging the public as it proceeds through an open process that includes public meetings, such as the Community Engagement Forum that took place on May 15th.

We encourage residents to view the Freightway Community Engagement Forum on Scarsdale Public TV and to continue to share your comments with the Board. There will continue to be opportunities for the public to comment on the redevelopment of Freightway as specific proposals from developers are presented and as the land use process takes place.

The last item I would like to address is the addition of second public comment period to the Village Board meetings.

As you will notice on this evening's agenda, we will commence a second Public Comment period at the end of this and future regularly scheduled Board meetings. The second Public Comment period is being added to enhance the opportunity for residents to express their views to their elected officials and is consistent with this Board's encouragement of communication.

The guidelines for the second Public Comment period will be consistent with the guidelines that are in place for the existing Public Comment period, with the inclusion of one additional parameter – there will be an 11:00 pm conclusion to the second Public Comment period and the second period will not take place in the event the regular business meeting is not concluded by 11:00 pm. Also, note one modification – speakers may speak once at each Public Comment period.

We look forward to hearing from you. Thank you.”

Manager's Comments

Village Manager Pappalardo stated that the first report he has this evening is to clarify for the sanitation collection mix-up they experienced today – there was some confusion this morning with the Tuesday/Friday trash pickups. A portion of the Tuesday/Friday trash pickup route was started this morning in error but discontinued once Public Works staff learned of the mistake. He apologized for any inconvenience caused by the unanticipated trash pickups which differed from the public schedule. Because of the holiday on Monday, the schedule changed this week. The published schedule remains accurate and should be followed.

Village Manager Pappalardo next spoke on some capital improvement projects that are either ongoing in the field or working on in the office in terms of planning.

Last week there was a long discussion on the Popham Road Firehouse. The project is substantially complete with the Fire Department set to re-occupy the building next month. The main reason for this project was to rectify significant building structural deficiencies. The cost of this project was \$4.7 million.

Village Manager Pappalardo the Scarsdale Public Library is undergoing major renovations. The project consists of a total renovation of the existing building and a new addition, at a total cost of \$21.7 million; \$9.9 million in Village bond and \$8 million that the Library is fundraising. The project began in August of 2018 and is anticipated to be completed in the spring of 2020.

In regard to the Boniface water tank rehabilitation, Mr. Pappalardo stated that this project involves the scraping and painting of the inside and outside of the 1.7 million gallon steel Boniface water tank, which is located on Garden Road. The Village plans to bid the project this summer and begin work in September. Work will stop in December and restart in March 2020 until May 2020. Estimated project cost is \$1.5 to 2 million.

Village Manager Pappalardo stated that the Village was recently awarded a \$1.6 million State grant to rehabilitate the supporting abutment structures of the Heathcote Road bridge over the Heathcote bypass. The grant agreement is currently being reviewed and will be placed on a future Village Board meeting this summer. The project is currently in the pre-design engineering consultant selection stage. The bridge is safe with temporary abutment supports installed as an interim measure in 2015. It is anticipated that construction will begin in the 3rd or 4th quarter of 2020.

The next item that Mr. Pappalardo discussed was the Girl Scout House exterior painting. The painting of the exterior wood trim of the Girl Scout House is anticipated to commence in the fall of 2019. Planned interior work includes house painting and carpet replacement.

Some of the wood panels in Rutherford are deteriorating and the lower section of the wall will be overlaid and refinished. The remaining wood panels will be refinished as required. It is hoped to have this work done later this summer into early fall. Additionally, the front canopy in front of Village Hall is scheduled to be replaced this summer; the roof has surpassed its useful life and is leaking in several locations. There is also a roof drain that will be replaced. A 5,000 gallon underground storage tank along the side of the building is over 40 years old, well past its life expectancy, is scheduled to be removed and replaced with an above ground fuel storage tank. The existing tank is fine, it has been tested. This project will be done this summer as well. The funding for these projects are in the Capital Budget.

Village Manager Pappalardo stated that the last project he wanted to mention was the Wynmor Park playground. The project includes tennis court resurfacing, perimeter fencing, new preschool play equipment, drainage, grading and landscaping. The Village

worked very closely with the East Heathcote Neighborhood Association on this project. The project has been delayed for a number of reasons, but it is hoped to have the project complete by this summer.

Village Manager Pappalardo stated that the next item he has is the Federal EPA Storm water Phase II regulations. This time of year the Village has an obligation under these Federal regulations to report on the work that has been done to meet the minimum control measures that they have established. He explained that in the year 2000, the EPA promulgated rules establishing its Phase II National Pollutant Discharge Elimination System Storm Water Program. This Phase II ruled required all operators of what they referred to as Municipal Separate Storm Sewer Systems – MS4s with populations under 100,000 residents to implement a storm water management program as a means to control public discharges from their MS4s. The goal of the program was and still is to reduce pollutant storm water discharges from these MS4s to local streams and rivers and ultimately ending up in navigable waters of the Federal Government. These pollutants can impair the water ways thereby discouraging recreational use of the resource contaminating drinking water supplies and interfering with the habitat for fish, other aquatic organisms and wildlife.

Operators of regulated MS4s are required to design their programs to reduce the discharge of pollutant to the maximum extent practicable. Implementation requires the development of BMP's and achievement measurable goals to satisfy each of six identified minimum control measures.

The six minimum control measures that are dealt with are:

1. Public Education and Outreach
2. Public Participation and Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Runoff Control
5. Post Construction Runoff Control
6. Pollution Prevention and Good Housekeeping

As an MS4, Scarsdale must report annually to the State Department of Environmental Conservation (DEC), the agency that administers the Federal Phase II Program on behalf of the Federal EPA in New York. The Annual Report details Scarsdale's implementation of our reported goals and BMP's for all six of the minimum control measures. The report must be filed with the State by June 1st each year and must be reported publically each year at a Village Board meeting. A copy of the report is filed with the Village Clerk and will be posted on the website.

Village Manager Pappalardo introduced Public Works Superintendent Jeffrey Coleman, who will report on what has been done this year as it relates to the six control measures.

Superintendent of Public Works Jeffery Coleman approached the podium to present his report as follows:

“As described by the Village Manager, the Village’s Stormwater management program has been developed, adopted and implemented in accordance with New York State DEC’s Best Management Practices.

As was stated, the Village must comply with six minimum control measures that serve as the basis for the Village’s permit. The minimum measures are developed to maintain water quality at the discharge points of the village’s storm sewer system. These six minimum measures are:

- Public Education and Outreach
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination (IDDE)
- Construction Site Stormwater Runoff Control
- Post-Construction Stormwater Management
- Pollution Prevention/Good Housekeeping for Municipal Operations

The Village is required to submit an “Annual Report” to the NYSDEC to document compliance with these minimum measures.

I’d like to review some of the highlights of the Report:

For the reporting year ending on March 9, 2019, The Village of Scarsdale continued to use the services of Dolph Rotfeld Engineering to prepare the annual MS4 report. The report is comprehensive, and input from multiple Village Departments was required. This includes staff from the Manager’s Office, Department of Public Works, Building and Engineering. The final submission is readily available on the Village’s website and in the offices of Village Clerk and Village Engineer.

I’ve broken down the highlights of this year’s report based on each of the minimum measures. It should be noted that some of the information can be credited to more than one measure.

Minimum Measure 1 – Public Education and Outreach

This category is designed to inform the public about activities that impact water quality in our stormwater system.

- The electronic kiosk in the lobby of Village Hall continues to show informational slides that repeat on a segmented loop. The Village continues to install

stormwater related posters in the billboard located in Village Center near the Post Office.

- Stormwater plans, informative tips and links to key references are posted to our Stormwater Management section of the Village website.
- Information for residents on leaf mulching and receiving voluntary participation continues to provide benefits to our drainage system by reducing the volume of leaves that may enter the system.
- Information on refuse recycling was distributed, via annual mailing, to 5,900 households from the Sanitation division of Public Works.
- The informational signs at the Library rain garden and the stenciling or tagging of municipal catch basins are other example of public education and outreach.

Minimum Measure 2 – Public Involvement/Participation

This minimum measure addresses education, and gets the public involved with stormwater quality improvement.

- The Village hosts and encourages Arbor Day plantings in parks and open spaces and also cleanup days.
- This forum, the presentation of this annual report and ability for public comment, is another requirement for Minimum Measure 2, or public participation.
- Lastly, voluntary groups such as the Friends of Scarsdale Parks and the Conservation Advisory Council are other public venues which often promote the message of the Village when it comes to environmental concerns, education and involvement.

Minimum Measure 3 – Illicit Discharge Detection and Elimination

Under this category, the Village of Scarsdale is required to document the annual inspections of its outfalls. An outfall is defined as the portion of a separate storm water system (MS4) that discharges into a watercourse or water body. The Village of Scarsdale has 44 outfalls in the Mamaroneck, Hutchison River Valley and Bronx River Valley watersheds. All of the outfalls were previously mapped and are part of our GIS data set.

- During this reporting period, the Village inspected and screened 40 of the 44 documented outfalls for abnormal dry weather flows. Looking for signs of illicit discharge. None were found.
- The Building and Engineering Department staff are trained in detecting illicit discharges and are continually inspecting properties that abut or contain open water courses.

- The Village has continued to cooperate with the US EPA and NYS Office of Attorney General on previously detected illicit discharges found along the Bronx River Valley.
- The Village is continuing its inflow and infiltration sewer lining work within the Mamaroneck sewer district which has the benefit of reducing the instance of sanitary sewer overflows and sanitary sewer exfiltration. This work will continue through the next reporting period.

Minimum Measure 4 – Construction Site Stormwater Runoff Control

In general, all construction activities that disturb more than 500 SF of land (or 200 SF in the Sensitive Drainage Area of the Village), require a stormwater permit from the Village of Scarsdale. However all projects that result in a disturbance of more than one acre of land also require an additional permit from the New York State Department of Environmental Conservation.

- During this reporting period, 2 projects in the Village have been authorized for disturbance of more than one acre and eight (8) other projects continued to operate under State permits issued in prior years. These projects are monitored by the Village for compliance.
- Prior to heavy rain events, an email blast is forwarded to all contractors with active work sites reminding them to inspect and shore up their silt fencing and other protective devices.

Minimum Measure 5 – Post Construction Stormwater Management

Stormwater management systems that are installed as part of a State permit must be mapped and regularly maintained.

- The plantings within the detention areas of Georgefield Park, Cooper Green, and the Library Rain Gardens are maintained throughout the year. Sediment that is collected in these systems is removed and properly disposed of.
- The 34 catch basin inserts were inspected and serviced by DPW crews.
- And, during pre-storm rain event activities, Public Works staff inspect natural and manmade open channels and water courses.

Minimum Measure 6 – Stormwater Management for Municipal Operations

This last category is often referred to a municipality’s “housekeeping program”. Under this minimum measure the Village reported that:

- 16 acres of parking lots were swept and maintained,

- 1,620 curblin miles of streets were swept,
- Over 500 catch basins were inspected and cleaned, including the 34 previously mentioned catch basin inserts. This includes those cleaned through the use of the recently acquired Vac-all, vacuum excavation machine.

In terms of municipal projects, the Village is currently undertaking the repairs identified in the Sanitary Sewer Evaluation Study (the SSES) for the Mamaroneck Valley Sewer District and those will continue through the next reporting period. Also underway is the design and permitting work associated with water quality and flood mitigation improvements at Cayuga Pond, which will also continue during the next reporting period.

That was a summary of our annual MS4 report to New York State. I would be happy to answer any questions at this time. Also, for the public's benefit, we also take comments and questions on the program throughout the any time through the Village Engineer's office."

Trustee Lewis complimented DPW Superintendent Coleman on an extraordinarily thorough report. This report, similar to a sustainability report demonstrates the fact that the Village strives to have a positive impact on the environment. He asked Mr. Coleman to elaborate on the statement he made concerning working and cooperating with the EPA on whatever outstanding issues face the Village.

DPW Superintendent Coleman stated that issues relative to stormwater and illicit discharge flow are naturally for the Village's own administrative regulations to those of the DEC. In between that, the Village also involves the County Health Department at times when those types of things are discovered, and then further up the line would be any enforcement action that would be required by the EPA; for example, any large type of egregious situation that they might come across. There is nothing at the present time.

Village Manager Pappalardo next introduced a representative from the NYSERDA Community Energy Engagement Program, in cooperation with Cornell Cooperative Extension. Collin Adkins is an educator from Cornell Cooperative who will offer the presentation.

Mr. Adkins stated that he is a Community Energy Advisor with Cornell Cooperative Extension and has been working on a regional program for the Seven County Mid-Hudson Region. He is the Westchester County's local energy advisor, and the best contact information for him is telephone number 845-677-8223, extension 113 or his email address, cda37@cornell.edu. He gave a short presentation on available resources to help people pay their energy bills in making their home more energy efficient. He mentioned a few programs that are funded by a "Systems Benefit Charge" (a line item on your utility bill). This money

can help residents achieve some level of incentive. He mentioned the Energy Star program which offers free home energy assessments to New Yorkers as long as you are below the 200% of the area median income. This program is eligible for owners, renters, and people living in multi-family buildings up to 4 units. If you meet further income guidelines, the moderate income category (\$83,450 for family of four) – if you make less than that, you can get cost share to do the upgrades recommended to you in that home energy assessment report up to 50% or \$4,000. If you meet even further income guidelines and are considered a low income resident or less than \$55,176 you can get 100% of those eligible upgrades paid for by the State up to a certain project maximum.

Mr. Adkins stated that the State is heavily investing in parts of Westchester affected by the Con Edison Natural Gas Moratorium. To help customers affected by this, there is an extra \$125 million to help them invest in cleaner, more renewable sources of heating and cooling. NYSERDA also offers incentives for large multi-family buildings, electric charging stations and electric vehicles, and energy assessments for small businesses through the Green Jobs Green New York Energy Study Program. Mr. Adkins stated that as utility rate payers, we all pay into these programs and he encouraged community members to take advantage of it and find out what you are eligible for.

In response to a question from Deputy Village Manager Cole, Mr. Adkins stated that the \$125 million that he mentioned comes through the State's Clean Energy Action Plan which lifts the cap a little on the existing programs, so it gives more incentives for the cost share portion of the assisted home performance. There is low interest financing access if one has the home energy assessment and has the work done recommended by the building performance institute gold star certified contractors. There are a doubling of the incentives for the air source and ground source heat pumps.

Information on this presentation will be posted on the Village's website, www.scarsdale.com.

Public Comments

Mayor Samwick opened public comment at this time.

Robert Harrison, 65 Fox Meadow Road, stated that last Wednesday the Mayor and Village Manager gave the residents a nice opportunity to come to a meeting at the Girl Scout House. He stated that there were several residents present who expressed concern about lights at Butler field. He stated that he has always been a big supporter of sports, however, he also has great respect for individual property rights and protecting home values. There is an indication that these lights could be on 80 ft. tall stanchions and he has a great concern about the impact of these proposed lights on the values of the residential properties

surrounding Butler field. He had questions about what the driving force is to install these lights. It seems like the Village should be very actively involved in what decisions are made with respect to these lights as the Village owns the land that the School leases on this site. Will the lights be on every night, Monday through Friday, or just the weekends? He also expressed his concerns about light and noise pollution. At the School Board meeting where this was discussed, concerts were mentioned as well as sports events, using these lights at the field. He asked the Mayor if he had an update on this matter.

Mayor Samwick stated that the only update that the Board has at this moment is that there is a meeting being scheduled between the Village and the Board of Education – he and the Deputy Mayor, Village Manager, Village Attorney, and the Police Chief will be meeting with certain members of the Board of Education and their staff.

As no further comments were offered, the Mayor closed the Public Comment portion of the meeting.

Trustee Liaison Reports

Trustee Ross reported the Greenacres Neighborhood Association will be hosting its Spring Fling and New Resident Welcome Party on June 1st from 5:00 pm to 8:00 pm at Hitchcock Church. The cost of \$10.00 per person or \$15.00 per couple, payable at the door. Attendees need not be members of the Greenacres Neighborhood Association or Greenacres residents.

Trustee Crandall reported that “The Friends of Scarsdale Parks just completed another successful year of advocating for the protection and maintenance of our green public spaces, as well as several hands on planting and weeding projects.

The Friends recently donated five hybrid oak trees from the Cornell University Urban Horticulture Institute. These were planted in George Field Park by the Village Recreation Department. According to FOSP, this 10-acre parkland is linked to events dating to the American Revolutionary War. Around the time of the Battle of White Palms on October 28, 1776, the British camping in or close to the area that is now the Greenacres neighborhood clashed with Continental forces. British General Howe's headquarters at the time was nearby on Mamaroneck Road, while Washington's headquarters was in White Plains. FOSP envisions the hybrid oak project at George Field Park as both a restoration milestone and a commemoration of Scarsdale's historic connection with the Revolutionary War and the fight for independence by the patriots who created our nation. If you would

like to learn more or perhaps help out in some way, you can view the Friends' website at www.friendsofscarsdaleparks.org.”

Trustee Veron reported on Village Center activity. She stated that “on Thursday, May 23rd, rainy skies cleared and the Village Center was abuzz with activity.

In the morning, we welcomed back the Farmers Market in Boniface Circle. Shoppers availed themselves of fresh produce and prepared foods and had the chance to catch up with their favorite vendors.

Later that afternoon, the Mayor unveiled a public art mural entitled Wing the Dale which hangs on the brick wall of DeCicco’s Market on East Parkway. The mural was the product of a true collaboration. Designed by Scarsdale High School Arts Honor Society students under the direction of teacher Janna Johnsen, the Wings are part of a global movement which portrays human-sized, interactive wings in cities worldwide. The goal is to elevate the message of hope and peace. Everyone is encouraged to photograph themselves and friends in the wings and post and tag their photo on Instagram with the wingthedale hashtag. Those who post will be eligible to win exclusive Wing the Dale merchandise designed by the art students.

While photos continued snapping at Wing the Dale, further down Spencer Place at Chase Park, Rock the Dale got started. Brought to you by the newly formed Scarsdale Arts Council, Rock the Dale featured a live music performance courtesy of the Ibex Band. Walter’s food truck and zero waste continued to be cornerstones of the event. It was such a positive to see so many community members who came out to enjoy the vibrancy of the Village Center.

Village activity continues. The Farmers Market will be back again this Thursday, with an even greater selection of vendors, and will continue to operate Thursdays from 10:00 am to 2:30 pm through mid-November.

The Scarsdale Business Alliance would also like the public to join their upcoming event. They are hosting a meet and greet event at Zachy’s on Thursday June 6, from 6-8 pm. The public is invited to enjoy food, wine and conversation.”

Trustee Arest reported as liaison to the Fox Meadow Neighborhood Association, stating that tomorrow evening is their annual meeting at the Fox Meadow Tennis Club at 7:00 pm. For more information about joining the Fox Meadow Neighborhood Association, or general information, interested parties may view the website at www.foxmeadowna.com.

He stated that he looks forward to attending the meetings and potentially answering any questions.

Mayor Samwick noted that Trustee Arest has three items on the agenda this evening, one of which will be held over until after the end of this Village Board meeting and a Town Board meeting is opened.

Trustee Arest

Trustee Arest reported on the statements of expense and revenue for the various funds of the Village for the first eleven months of fiscal year 2018-2019.

General fund appropriations were 83.53% spent as of April 2019 as compared to 82.98% in 2017-2018.

General Fund Revenues other than property taxes are \$14,080,089 through April 2019. After adjusting for the sale of 32 Ferncliff (\$956,300) in the first quarter of last year, and the sale of Ladder 28 (\$199,175) in the third quarter of last year, the resulting total represents a decrease of \$134,108 from the 2017-2018 figure of \$15,369,672. Overall revenue from Special Assessments and Delinquent Tax collections declined \$8,600. Sales tax receipts are up \$102,000. Building Permit revenue (included in License and Permit category) is down \$205,600 from last year. Again, overall (inclusive of building permits), License and Permit revenue is down \$262,600. The largest impacts in the Insurance Recovery and Equipment sales is the reduction in the reimbursement for special details because Con Edison finished much of the gas main replacement work last year and the impact of the sale of Ladder 28. Parking revenue and departmental fees are up a combined \$134,200 and the increase in investment earnings of \$119,900 offset the drop in Recreation revenue of \$52,400, Mortgage Tax of \$146,300 and (partially) in the building permits. Cable TV and gross receipts taxes increased \$18,100. Unrestricted State Aid was reduced \$16,500.

The actual collection of Village taxes through April, 2019 is at 99.77%. This is an increase of 15 basis points from last year's collection rate.

Before reading the following resolution, Trustee Arest explained that the amendment to Chapter 81 of the Scarsdale Village Code entitled Police Department is to remove the special policemen provision in the Code. The special policemen force was actually disbanded in 1987, yet this part of the Code has remained there. The amendment will also adjust the amount charged for police on special duty from 20%, which was to cover the fringe benefits but is no

longer sufficient, to language that will have the Village reimbursed for the actual amount expended.

Upon motion entered by Trustee Arest, and seconded by Trustee Crandall, the following resolution Calling for a Public Hearing on a Local Law Amending Chapter 81 of the Scarsdale Village Code entitled Police Department was approved by the vote indicated below:

RESOLVED, that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Scarsdale to be held in Rutherford Hall in Village Hall at 8:00 p.m. on Tuesday, June 11, 2019, to consider a proposed local law to amend Chapter 81 of the Scarsdale Village Code, entitled Police Department; and be it further

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

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

Trustee Ross

Upon motion entered by Trustee Ross, and seconded by Trustee Veron, the following resolution regarding Authorization to Execute a License Agreement – 8 East Parkway was approved by the vote indicated below:

WHEREAS, Scarsdale Improvement Corporation (hereinafter “Licensee”) is the current owner of certain real property known as 8 East Parkway, identified on the Village Tax Map as Section 02, Block 05, Lot 01 (hereinafter “Property”); and

WHEREAS, the Licensee is desirous of installing and maintaining a transitional pedestrian ramp, hand railing, and related ADA compliant improvements in the Village right-of-way in front of the Property (hereinafter “Improvements”); and

- WHEREAS,** the Licensee has requested that the Village Board approve a license agreement to permit the installation and maintenance of said Improvements at the Licensee's expense in accordance with the associated plans, included as "Exhibit A" of the License Agreement, attached hereto and made a part hereof; and
- WHEREAS,** the Village Engineer visually inspected the area and recommended to the Village Attorney the granting of a revocable license agreement, as the depicted Improvements would not create a visual or other obstruction or hazard; and
- WHEREAS,** the Licensee is responsible for all future maintenance and repairs of the Improvements in the Village right-of-way; and
- WHEREAS,** Licensee will indemnify and hold harmless the Village in all actions, claims, judgments, costs, or expenses arising from said maintenance and use of the Improvements, as well as provide the Village with a certificate of liability insurance naming the Village as an additional insured, at limits approved by the Village Attorney; and
- WHEREAS,** the granting of said revocable License Agreement will not interfere with the Village's present or future use and maintenance of said Village right-of-way; now, therefore, be it
- RESOLVED,** that the Village Manager is herein authorized to execute a revocable license agreement, in substantially the same form as attached hereto, with Scarsdale Improvement Corporation, 14 Harwood Court, Scarsdale, NY 10583, to install and maintain a transitional pedestrian ramp way, hand railing, and related ADA compliant improvements in the Village right-of-way at their property, located at 8 East Parkway, in accordance with the associated plans attached as "Exhibit A" of said License Agreement; and be it further
- RESOLVED,** that Licensee herein agrees to indemnify and hold the Village of Scarsdale harmless in all actions, claims, judgments, costs or expenses arising from said installation, maintenance, and use of the Improvements, and to provide the Village with a certificate of insurance naming the Village as an additional insured at limits approved by the Village Attorney; and be it further
- RESOLVED,** pursuant to the Fiscal Year 2018/19 Village-Wide Fees and Charges Schedule, the Licensee shall pay the Village the sum of \$1,250.00 as an administrative fee associated with the preparation and execution

of the License Agreement, as well as an annual maintenance fee of \$150.00 for each year the encroachment remains in-place.

<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 Ross and seconded by Trustee Crandall, the following resolution regarding a Uniformed Firefighters Association Fundraiser for the Muscular Dystrophy Association was approved by a unanimous vote:

WHEREAS, Through a combination of volunteerism and philanthropy, both directly and through the organizations to which they belong, Village employees demonstrate support for Scarsdale community values, including participating in a variety of local and non-local activities and fundraisers benefitting worthwhile causes near and far; and

WHEREAS, the Scarsdale Uniformed Firefighters Association (UFFA) has requested that the Village of Scarsdale authorize a “Fill the Boot” fundraising effort in support of the Muscular Dystrophy Association, to be held in the public areas near the Scarsdale Train Station on East Parkway and on Depot Place: now, therefore, be it

RESOLVED, that the Village Board herein approves and supports the UFFA’s efforts for a “Fill the Boot” fundraiser in the public areas near entrances to the Scarsdale Train Station on June 20, 2019, and September 20, 2019, from 6:00 AM to 9:00 AM, for the benefit of the Muscular Dystrophy Association.

Trustee Veron

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

- WHEREAS,** the Scarsdale Library Master Plan, dated June 10, 2013, supported by the Scarsdale Village Board of Trustees via resolution dated April 08, 2014, identified a number of building renovations and additions that would transform the Library into a multi-purpose community asset for future generations, maintain its preeminent status among free public libraries in the County and State, enhance its technological capacity to further library services, and create a physical environment constituting a welcoming and versatile learning center; and
- WHEREAS,** the Library Addition and Renovation Project is anticipated to cost \$20,176,755, inclusive of a 5% construction cost contingency, with over \$8,000,000 in project funding already raised through the Library Capital Campaign, courtesy of the philanthropy exhibited by Scarsdale residents; and
- WHEREAS,** the following donation has been offered to the Scarsdale Public Library Addition and Renovation Capital Improvement Project: Friends of the Scarsdale Library - \$17,786.44.
- WHEREAS,** pursuant to Policy #106: “*Gifts to the Village of Scarsdale*” of the Village of Scarsdale Administrative Policies & Procedures Manual, acceptance of all gifts valued at \$500 or greater must be approved by the Village Board of Trustees; now, therefore, be it
- RESOLVED,** that the Village Board hereby accepts the following gift toward the Scarsdale Public Library Master Plan Improvement Project: \$17,786.44 from the Friends of the Scarsdale Library; and be it further
- RESOLVED,** that the Village Treasurer take the necessary steps to complete the transaction and accept the financial gift totaling \$17,786.44 and deposit said funds into the Library Capital Campaign Account; and be it further
- RESOLVED,** that the Board of Trustees hereby extends their heartfelt thanks and great appreciation to the Friends of the Scarsdale Library for their generosity and commitment to the Scarsdale Public Library and the community it serves.

Upon motion entered by Trustee Veron, and seconded by Trustee Ross, the following resolution regarding the Scarsdale Business Alliance Annual Sidewalk Sale was approved by a unanimous vote:

- WHEREAS,** the Scarsdale Business Alliance, comprised of Scarsdale merchants, has requested permission to hold the annual Village Center Sidewalk Sale from Thursday, July 25, 2019, through Saturday, July 27, 2019, from 10:00 AM to 6:00 PM each day; and
- WHEREAS,** Sidewalk Sale participants shall furnish public liability insurance naming the Village of Scarsdale as an additional insured, as well as execute an indemnification agreement; and
- WHEREAS,** all other licenses and permits relative to tents, assembly, amusement devices, or sale of food must be secured in advance by participating merchants and vendors, with any necessary permit available on-site for inspection during the event; and
- WHEREAS,** upon completion of the event, the participants will restore all public areas utilized to the same condition as before the Sidewalk Sale; and
- WHEREAS,** the use of the public right-of-way will be limited to Village Center sidewalks and two designated parking spaces on Chase Road for food truck use; now, therefore, be it
- RESOLVED,** that the Scarsdale Business Alliance is hereby authorized to use the public right-of-way, as described herein, for the purpose of holding the annual Sidewalk Sale on Thursday, July 25, Friday, July 26, and Saturday, July 27, 2019, from 10 AM to 6 PM each day; and be it further
- RESOLVED,** that all participants shall furnish in advance of the event the required public liability insurance and executed indemnification agreement referenced in this resolution; and be it further
- RESOLVED,** that the \$125.00 tent permit fee in conjunction with the 2019 Sidewalk Sale is herein waived by the Village Board, subject to participating merchants filing an application and securing the necessary Fire Department approval; and be it further
- RESOLVED,** that the Village Manager is herein authorized to approve the attached application for a Special Event Permit.

Written Communications

Village Clerk Conkling reported that eleven (11) communications have been received since the last regular Board of Trustees meeting. Please note that all written communications may be viewed on the Village's website at www.scarsdale.com.

- Five (5) communications were received concerning the proposed installation of lights at Butler Field from the following residents:
 - Aggy Shawn
 - David Jansky
 - Janet Korins
 - Kathy & Jake Stahler
 - A letter to the Board of Education signed by 14 residents.

- An email from Mayra Kirkendall-Rodriguez with questions concerning the Village's payment to JF Ryan for revaluation services.
- An email from Susan Levine concerning the road conditions around Heathcote School.
- An email from Robert Berg regarding Village Board meeting public comment time limitations.
- An email from Michael Levine regarding the proposed Freightway site redevelopment project.
- An email from Mary Blumenthal-Lane expressing her concerns about the removal of trees in the Village.
- An email from David Jansky regarding the importance of sidewalks surrounding the schools in Scarsdale.

There being no further business to come before the Board, on a motion entered by Trustee Veron, seconded by Trustee Ross and carried unanimously, the meeting adjourned at 9:24 P.M.

Donna M. Conkling
Village Clerk