

THREE THOUSAND THREE HUNDRED TWENTY-EIGHTH
REGULAR AGENDA MEETING

Rutherford Hall
Village Hall
June 11, 2019

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held in Rutherford Hall in Village Hall on Tuesday, June 11, 2019 at 8:17 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 28, 2019 were approved on a motion entered by Trustee Crandall, seconded by Trustee Ross and carried unanimously.

Bills & Payroll

Trustee Veron reported that she had audited the Abstract of Claims dated June 11, 2019 in the amount of \$842,040.83 which includes \$7,364.16 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 Veron and seconded by Trustee Crandall, the following resolution was adopted unanimously:

RESOLVED, that the Abstract of Claims dated June 11, 2019 in the amount of \$842,040.83 is hereby approved.

Trustee Veron then reported that she had examined the payment of bills made in advance of a Board of Trustees audit totaling \$41,880.82 which were found to be in order and she moved that such payments be ratified.

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

RESOLVED, that payment of claims made in advance of a Board of Trustees audit totaling \$41,880.82 is hereby ratified.

Mayor's Comments

Mayor Samwick gave the following report:

“There are three items I would like to discuss this evening.

The first item is the Filing of the Tentative Assessment Roll and Grievance Day. The annual Tentative Assessment Roll for 2019 has been filed and letters have been mailed to all property owners whose year-to-year assessments have changed. 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.

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, 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. You do not need to have a meeting with the BAR to grieve your taxes; you can file your paperwork in advance of June 18th. 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 to the redevelopment of the Freightway Parking Garage.

This evening, the Board met in executive session with AKRF to review an advanced draft of the Request for Proposal document for the redevelopment of the Freightway Site. The release of the RFP is expected to occur within the next week or two. The RFP will be posted shortly thereafter on the Village website.

At this point, we expect responses to the RFP to be received in mid-September with the next public meeting expected to occur in October.

There will be a number of 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 discuss is the Joint Meeting with the School Board. On June 19th, next Wednesday, there will be a joint meeting of the Village and School Boards to discuss the proposed light installation at Butler Field. This will be the first meeting of the full Village Board covering the proposed lights at Butler Field. Prior to this meeting the Deputy Mayor, Village Manager, Village Attorney, Village Planner, Chief of Police and I met with the President of the School Board, the School Board's counsel, the Superintendent of Schools, the Assistant Superintendent of Business and the Athletic Director.

At that meeting, it was determined, at a minimum and as an appropriate starting place, that the Village's ownership of the land under Butler Field warranted a joint meeting between the two Boards.

Before the prior meeting, Village Counsel had commenced a review of the operative lease documents as well as relevant Village and State codes in an effort to determine the requirements under the lease agreement governing Butler Field, the land use process and compliance with adopted guidelines. Review is ongoing and we look forward to learning more about this project at the joint meeting of the Boards.

We encourage residents to attend the joint meeting, which will be held at the Scarsdale Congregational Church diagonally across the street from Village Hall at 6:30 p.m. on June 19th. We look forward to seeing you there. If you cannot attend the meeting, we will be videotaping the meeting and the recording will be available online.

Thank you.”

Manager's Comments

None.

Public Hearing

Trustee Ross stated that he would like to open the public hearing scheduled this evening regarding a proposed local law to amend Chapter 81 of the Scarsdale Village Code entitled "Police Department". He pointed out that this proposal is to eliminate the provision in the Village Code authorizing the appointment of Special Policeman; citizens

who would serve without pay as Police Officers in certain specific instances. This change to the Code is supported by Chief of Police Andrew Matturro. A memorandum written by Chief Matturro explaining his position on the matter together with the proposed change to the law is attached to this evening's agenda on the Village website.

At this time, Trustee Ross requested any public comment on this matter. As no comments were offered by the public hearing was closed on a motion entered by Trustee Veron, seconded by Trustee Crandall, and carried unanimously.

Trustee Arest noted that this vote was to close the public hearing and at the next meeting the proposed local law will be on the agenda for a vote by the Board.

Public Comments

Mayor Samwick opened public comment at this time. He reminded people that there is a public comment section at this time, and then a second public comment section at the end of the Town Board meeting, providing that this occurs before 11:00 p.m. As another reminder, there is a five minute limit for speaking. There will be a chime sounded after four minutes have past so that the speaker will have an indication that they have one minute remaining to speak.

Robert Harrison, 65 Fox Meadow Road, spoke as the volunteer Director of the Scarsdale Summer Youth Tennis League. They are about to start their 35th year at the Scarsdale Middle School tennis court. The program will begin on Monday, July 15th. This program is for youth boys and girls between the ages of 6 years old and 18 years old. Tennis will be played Monday through Thursday nights from 6:00 p.m. to 8:00 p.m. Last summer the group played approximately 450 matches during the program. The League works directly with the Scarsdale Recreation Department. There are registration forms as well email registration. He urged parents and youth to sign up for the July program. The program will finish up with a tournament and ice cream party which the Board members are invited to. Over the years, more than 25,000 youths have participated on the Middle School tennis court. Mr. Harrison stated that he can be contacted at 725-0962 or via email at proscars@aol.com.

Mr. Harrison added that he watched the School Board meeting last night and it seemed that they passed several resolutions related to the lighting at Butler Field. He asked the Board if they were aware of that and how it might affect their joint meeting.

Mayor Samwick thanked Mr. Harrison for all the work he has done for the tennis program – 25,000 participants is extraordinary. With respect to the School Board, the

Village Board is aware of last night's meeting and will be getting a package in advance of their meeting with the School Board next week.

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

Trustee Liaison Reports

Trustee Lewis stated that as liaison to the Town Board of Assessment Review, he met with members Tom Giordano and Bob Berg for dinner at Metro Restaurant to discuss said Board. A wonderful neighborhood association meeting and dinner at the Old Scarsdale Neighborhood Association hosted by Brice and Mayra Kirkendall Rodriguez.

Trustee Lewis continued, noting a morning walk through Quaker Ridge and Scarsdale Meadows hosted by the President of those neighborhood associations, Melanie Spivack. He stated that she helped him appreciate how tough the streets and sidewalks can be when cyclists use them as their pathways for both adults and children. A community hackathon in cycling wrapped in an exploration of ideas generated by the calm streets movement would be an interesting project to consider in partnering with Scarsdale District's Center for Innovation.

Trustee Lewis stated that the Village is lucky to have the intellectual firepower of their friends and neighbors. Interacting with our neighbors on matters of property taxation and the accuracy and equitableness of that taxation is at the heart of the work of the Town Board of Assessment Review and long term community volunteers Tom Giordano and Bob Berg both helped him appreciate the importance of planning and processing that work and both educated him on the work of the committee. As mentioned by the Mayor, Grievance Day is later this month and he thanked the entire membership of the Town Board of Assessment Review for their work.

At the Old Scarsdale Neighborhood Association meeting, Trustee Lewis reported that Ray Pappalardi gave a thorough presentation regarding lighting at Butler Field. There was also considerable discussion about Freightway and neighbors present at the meeting provided valuable feedback. Results from detailed surveys about reinvigorating the Village Center, conducted by the Scarsdale Forum were discussed.

With regard to the Neighborhood Association dinner, the role of the Freightway Development in the long term fiscal sustainability of the community was discussed. Sustainability related issues, the transformation and technology in transportation that is occurring in daily life was also discussed. Other discussion items included sharing space

safely with cyclists. Thinking through on how the Village supports a transformation in transportation will be important to consider in long term planning and budgeting.

Trustee Crandall reported as liaison to the Conservation Advisory Council, stating that she had the honor of presenting two sets of proclamations to Ron Schulhof and Michelle Sterling. The first was at the annual meeting of Federated Conservationists of Westchester County and second was at the annual meeting of the Bronx River Sound Shore Audubon Society. She noted that it is her belief that networking, such as Mr. Schulhof and Ms. Sterling have done with the food scrap recycling program, not only with the neighboring municipalities but also with Westchester County, which has a Climate Crisis Task Force, that perhaps there will be a glimmer of hope in terms of improving the environmental conditions. She congratulated Ron and Michelle once again for all they do for Scarsdale, but for those in other communities as well.

Trustee Arest wished Mayor Dan Hochvert a Happy Birthday.

In regard to the Advisory Council on Communications, Trustee Arest stated that there was a soft launch weeks ago of the Village website resident tab (not to be confused with the new resident tab). This resident tab has a wealth of information; whether it be for seniors, to stay informed, the community calendar, emergency preparation and notifications, utilities and Village services, Recreation Department, and other links. He also reminded residents to sign up for 'Notify Me' for notices of meetings and emergency alerts. Trustee Arest thanked the Council and Deputy Village Manager Rob Cole and IT Director Chris O'Brien.

Trustee Veron stated "I attend the Scarsdale Business Alliance monthly board meetings and would like to report on the one I attended last week. At that meeting, the Alliance welcomed four additional merchants to the Board as well as a summer intern and set their strategic priorities: Quarterly events like the Health, Beauty and Wellness fair, upcoming Sidewalk Sale and fall festival - among others. In addition, the SBA is committed to conducting Meet and Greets where merchants will gather with the community. Their inaugural Meet and Greet took place last Thursday at Zachys and was buzzing with energy and positivity. Also, thank you to Assistant to the Village Manager Josh Ringel for attending the meeting to foster communication between the Village and merchant community. I would also like to remind the community that the Farmers Market is open on Thursday's from 10:00 a.m. -2:30 p.m. in the Village Center."

Trustee Arest

Upon motion entered by Trustee Arest, and seconded by Trustee Crandall, the following resolution regarding Levy of Village Taxes for 2019-2020 was approved by the vote indicated below:

WHEREAS, Pursuant to the provisions of Section 17-1722 of the New York State Village Law, the Board of Trustees must levy Village taxes for the current fiscal year not later than the twenty-fifth day of June; and

WHEREAS, in order to allow sufficient time to process the tax bills, it is necessary that this resolution be adopted at the Board of Trustees meeting on June 11, 2019; now, therefore, be it

RESOLVED, that pursuant to Village Law Section 17-1722 there be levied and assessed against the taxable property in the Village of Scarsdale, as contained on the last completed single Village/Town assessment roll, the sum of \$41,207,438.00, being the net amount to be assessed and collected in accordance with the 2019-2020 Budget adopted on April 23, 2019, which, sum together with the other revenues estimated in said budget, shall be applied to the purposes set forth in said budget, as described in the attached Tax Warrant summary; and be it further

RESOLVED, that pursuant to Real Property Tax Law Section 1432 (1), the Village Treasurer is hereby authorized and directed to collect said amount; and be it further

RESOLVED, that pursuant to Real Property Tax Law Section 1432 (2), the Board of Trustees hereby determines that on all such taxes remaining unpaid after August 1, 2019, a two percent (2%) penalty will be added for the first month and an additional one percent (1%) for each month or fraction thereof until paid; and be it further

RESOLVED, that the Village Clerk shall cause to be published in the Scarsdale Inquirer notice of collection of the taxes levied herein.

AYES

Trustee Arest
Trustee Crandall
Trustee Lewis
Trustee Ross

NAYS

None

ABSENT

None

Trustee Veron
Trustee Waldman
Mayor Samwick

Trustee Lewis

Upon motion entered by Trustee Lewis, and seconded by Trustee Ross, the following resolution regarding Authorization to Execute an Amendment to the 2018-2019 New York State Indexed Lump Sum Municipal Snow and Ice Agreement was approved by the vote indicated below:

WHEREAS, pursuant to Section 12 of the New York State Highway Law, the New York State Department of Transportation (NYSDOT) is responsible for snow and ice removal on State routes and highways, but in the interest of public safety and operational efficiencies it may elect to have this work performed by a host municipality pursuant to an inter-municipal agreement; and

WHEREAS, in the interest of public safety and plowing expediency, NYSDOT has contracted with the Village of Scarsdale since 1999 to undertake on its behalf snow and ice removal for the 15.7 lane miles of State-owned roads falling within village limits, with the last amendment to the Indexed Lump Sum Municipal Snow and Ice Agreement having occurred on April, 24, 2018, thereby extending the expiration to June 30, 2019; and

WHEREAS, during severe winters which requiring municipalities to perform snow and ice removal services in excess of the ten-year average, the NYSDOT amends the inter-municipal agreement to provide additional compensation for the added work burden, as was last done on August 14, 2018, in response to the severity of the 2017-18 snow season; and

WHEREAS, due to the severity of the winter storms during the 2018-19 season, the NYSDOT has proffered Amendment B, which increases the 2018-19 Snow and Ice Season reimbursement by \$6,236.04, resulting in a new total reimbursement of \$32,219.54; and

WHEREAS, in order for the Village to obtain these additional funds, the Village Board must authorize execution of the proposed Amendment B to the 2018-19 Snow and Ice Agreement; now, therefore, be it

RESOLVED, that the Village Board of Trustees hereby authorizes the Village Manager to execute Amendment B to the 2018-19 Snow and Ice Agreement between the Village of Scarsdale and the New York State Department of Transportation in substantially the same form as attached hereto and to undertake all administrative acts necessary pursuant to the amendment.

<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 Renewing VM Contract #1222, Cleaning, Televising, and Cured-in-Place Pipe Lining for Storm and Sanitary Sewers was approved by the vote indicated below:

WHEREAS, On August 8, 2017, the Village Board of Trustees authorized the Village Manager to execute VM Contract #1222, Cleaning, Televising, and Cured-in-Place Pipe Lining for Storm and Sanitary Sewer Lines on behalf of the Village of Scarsdale with National Water Main Cleaning Company of Kearny, NJ 07032-4314, for a two-year term (resolution attached); and

WHEREAS, VM Contract #1222 allowed for a Village option to renew the two-year contract for an additional one-year period at the unit bid prices itemized in the contract; and

WHEREAS, National Water Main Cleaning Company (NWMCC) has been diligently working with Village DPW and Engineering staff on CCTV investigative and remediation work for storm and sanitary sewers, including repair work of defective sanitary sewers identified in the 2017 Sanitary Sewer Evaluation Study (SSES) of the Mamaroneck Valley Sewer District; and

WHEREAS, Village staff recommends that the Village Board extend VM Contract #1222 for a third year, as the unit bid prices are fair and the ongoing

SSES remediation work is time-sensitive relative to certain pending litigation and settlement discussions with the court; now, therefore, be it

RESOLVED, that the Village Manager is herein authorized to extend VM Contract #1222, Cleaning, Televising, and Cured-in-Place Pipe Lining for Storm and Sanitary Sewer Lines, with National Water Main Cleaning Company of Kearny, NJ, 07032-4314, for one additional year, expiring June 01, 2020, with National Water Main Cleaning Company of Kearny, NJ, 07032-4314, at the unit bid prices itemized in the Articles of Agreement attached hereto and made apart hereof; and be it further

RESOLVED, that the cost of same be charged to the appropriate sanitary sewer or storm drainage accounts, as determined by the Village Treasurer; and be it further

RESOLVED, that the Village Manager is hereby authorized to undertake all administrative acts as may be required under said VM 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		

Upon motion entered by Trustee Lewis, and seconded by Trustee Crandall, the following resolution regarding Calling for a Public Hearing on an Application by the Village of Scarsdale for a Westchester County Community Development Block Grant to Fund a Village Hall Elevator Upgrade 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 25, 2019, to consider the submission of an application for a Westchester County Community Development Block Grant for an elevator upgrade at Scarsdale Village Hall, located at 1001 Post Road; and be it further

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

Trustee Ross

Upon motion entered by Trustee Ross, and seconded by Trustee Crandall, the following resolution regarding Calling for a Public Hearing on an Application by the Village of Scarsdale for a Westchester County Community Development Block Grant to Fund Girl Scout House Upgrades was approved by the vote indicated below:

ESOLVED, 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 25, 2019, to consider the submission of an application for a Westchester County Community Development Block Grant to fund upgrades to the Girl Scout House, located at 37 Wayside Lane; and be it further

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

Trustee Veron stated that she was happy to see the Village moving forward with respect to the Girl Scout House; the senior population is an active user of the Girl Scout House and have been working with the Village to find areas for improvement and she knows they will be delighted.

Written Communications

Village Clerk Conkling reported that two (2) 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.

- An email from Julie Zhu, 11 Harcourt Road regarding democracy and the proposed lights at Butler Field.
- An email from Susan Levine regarding communication between Village officials and the residents of 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 8:50 P.M.

Donna M. Conkling
Village Clerk