

THREE THOUSAND THREE HUNDRED FIFTY-SEVENTH
REGULAR MEETING

Video Conference
Via Zoom
August 11, 2020

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held on Tuesday, August 11, 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, Deputy Village Attorney Garrison, 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, July 28, 2020 were approved as amended on a motion entered by Trustee Crandall, seconded by Trustee Ross and carried unanimously.

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Bills & Payroll

Trustee Lewis reported that he had examined the payment of bills made in advance of a Board of Trustees audit totaling \$99,858.79 which were found to be in order and he moved that such payments be ratified.

Upon motion duly made by Trustee Lewis 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 \$99,858.79 is hereby ratified.

Trustee Lewis further reported that he had audited the Abstract of Claims dated August 11, 2020 in the amount of \$1,002,171.22 which included \$513.75 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 Lewis and seconded by Trustee Crandall, the following resolution was adopted unanimously:

RESOLVED, that the Abstract of Claims dated August 11, 2020 amount of \$1,002,171.22 is hereby approved.

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Mayor Samwick stated that this evening the Board has invited a few people to join them to address the community based on the storm that we had a week ago and the very difficult aftermath. He stated that Susan Tolchin, representing the Senate Majority Leader in our State, Senator Andrea Stuart Cousins.

Ms. Tolchin stated that Senator Andrea Stuart Cousins asked her to talk to the Scarsdale Village Board this evening, and Ms. Stuart Cousins thanked them for inviting her. She is sorry that she cannot be with the Board this evening, so she sent her in her stead. Ms. Stuart Cousins wanted to make sure that she told them how outraged she is and how she has been aggressively seeking information from Con Edison since this whole thing started a week ago. She is very aware of this situation and she spoke to the Mayor today in this regard. Ms. Tolchin stated that she spoke to Con Edison yesterday, and they had promised that the electric would be restored by 3:00 pm; however, this didn't happen. Con Edison was supposed to have 95% of the outages restored, but again, they did not. And again, the outages were supposed to have power restored by 3:00 p.m., which again did not happen. She stated that Scarsdale is not alone in communities that didn't make this goal to restore power. Con Edison's goal is now to get everybody in Scarsdale restored by 11:00 pm. There are now 15 crews in Scarsdale doing maintenance work, so hopefully that goal will be met.

Ms. Tolchin stated that she has heard from many Scarsdale residents, as well as many people throughout the County, and how hard this has been for everyone. Residents are telling her that they do not see any crews, and don't understand why service restoration has not even been started. They also don't know why they weren't told early on how they could get money back from spoiled foods – she noted that this whole process is not a good process, either.

Ms. Tolchin stated that there will be a joint public hearing between the Senate and the Assembly regarding this matter on August 20th and this assembly will be led by four different committees. In this way, everyone will have an opportunity to ask questions why Con Edison was so ill prepared for this storm. Did they not have enough crews, why weren't the crews working at night? There are all kinds of questions that that we want answered and the majority leader has asked her to make sure that she reached out to the Scarsdale Mayor and Board of Trustees to get any particular questions or comments.

Ms. Tolchin stated that the committees that are involved in this hearing are the Corporation Committee, the Telecommunications Committee, who will be hosting this, the Environmental Conservation Committee and even Homeland Security, because when power goes out there is a problem with security.

Ms. Tolchin stated that it has been an awful week and she wished that she could tell the residents that everything is going to be fine, as of 11:00 p.m., which is Con Edison's goal.

She noted that the Senator will be forwarding the Village Board's comments as well as her own. She stated that she has been up to date on every single comment and everything that's come in and she has been on the calls with Con Edison. Ms. Tolchin stated that Senator Stewart Cousins is as angry and frustrated as we all are.

Mayor Samwick thanked Ms. Tolchin for her comments and stated that the Board greatly appreciates the Senate Majority Leader's support and help with all of this. He stated that the Board will definitely put together a list of questions and concerns and as to how difficult of a time as this has been, and they want to make sure that it's not repeated in the future.

Assemblywoman Amy Paulin spoke next, thanking the Village Board for inviting her to the to the Village Board meeting. She stated that this last week throughout the whole county, particularly in Scarsdale, has been a horrible, terrible addition to what we are already going through with COVID, and that her home's power was just was restored in the middle of last night. She stated that she knows that there are still hundreds of families without power; Scarsdale was one of the hardest hit communities in terms of its percentage of population.

Ms. Paulin stated that as majority leader staff indicated, she has also been on calls with the leadership in Scarsdale and the elected leadership and Village Manager Steve Pappalardo to be able to communicate those concerns. They are so many concerns we thought after Super storm Sandy, for which her home was without power for eight days and now this storm; we thought we really had addressed so many of the problems. In reviewing the Public Service Commission report on the Kylie Quinn storm, she looked at United Westchester, which, a former mayor had participated in as an executive board member, and she stated that what scares her most, frankly, is that Con Edison did what we expected them to do from those reports, so it makes her think that we have to really step it up as a State in order to accomplish the goal. We know there's going to be more storms. We know there's going to be more problems. She stated that climate change has shown us that we can't have that these types of problems, the storms are no longer once in a lifetime and we really need to think outside the box. We can no longer depend on mutual aid to fix this, it's not that simple. We need to be thinking about a major solution, whether it's underground wires or some other solution such as additional staff for Con Edison on regular basis. We cannot depend on Texas and Florida to supply us with their workers; we really need to be thinking outside those lines. It is not solely just keeping Con Edison accountable, that is not the goal here. It is one of the goals, but it is not the singular goal, the bigger goal is to make sure that when we do have these storms that we are not adversely impacted for as long as we have been impacted for this storm.

Ms. Paulin assured the Board that as the Chair of one of the committees that is going to be hosting this hearing on August 20th that we are going to be asking all of those questions and we are not just going to be asking those questions. We're going to be following up to ensure that this does not happen again. This must be solved, and we must have a long time solution. She stated that she will be going to be doing everything in her power, and in using her brain power and using all of the brainpower that we have collectively in this community, and to be able to do that for the long term. She encouraged the public to participate in the August 20th hearing. She stated that she will be able to provide a link to be

able to do that shortly, and hopefully, through our collective effort, we will make sure that this kind of activity, this prolonged outage situation does not occur again.

Mayor Samwick thanked Assemblywoman Amy Paulin for her support throughout this entire process. He stated that he has been in contact with her and that she has been in contact with the Village Manager, and noted that the work she is going to do with the perspective and historical knowledge she has is very valuable. He stated that hopefully, change can be implemented going forward.

County Executive George Latimer spoke next, stating that it was a pleasure for him to join the Board meeting this evening, and stated that Ms. Paulin outlined the situation very well in her comments. He stated that the County does not have direct authority over the utilities and that includes not only the problems with Con Edison, but the problems that we're having with Altice, though Verizon seems to perform pretty well. In the northern part of the County, NYSEG seems to do pretty well, but Con Edison's performance was really miserable.

County Executive Latimer stated that the hearings at the State level are critical, and the Governor was very blunt in his assessment that he would threaten the franchise for any of these utility companies and pull them, that being within his power to do so. He continued, stating that this storm, even more so than bigger storms, attracted anger and intensity because the storm itself was not a Super storm Sandy, and it wasn't a Hurricane Irene. This was a hurricane and tropical storm that had a lot of wind and blew through in about three hours and caused this kind of damage. It has been a week and in some places, power is still not restored. Mr. Latimer noted that he hoped that the County government was helpful in clearing the Bronx River Parkway, which is our job. He stated that he thought that the utility company is just not staffed for these kind of events; they made an analysis of workforce and the cost of having a workforce sufficient to deal with a crisis like this, and they're just simply understaffed to handle these things. Now, they may come once every couple of years, every, you know, the Riley Quinn incident was two and a half years ago. Con Edison is going to need to be forced to take additional action and he stated that he has proposed very generally an idea that needs a lot of work to become a functional idea, but we need some type of utility reserve entity that can be called on in an emergency with the same basic concept as when you call up the National Guard. These are people who can perform military functions, but they're not in the military full time every day of their life. However, they are trained and will be there when called into service. It is in some ways what a combination Fire department does with the volunteers to some degree. We would have to pay proper wages to the men and the women that would come to do the work.

Mr. Latimer stated that the bottom line is, there were a certain number of incidents around this County and around the region, and Con Edison had far less than the needed available men and machinery to handle it at that moment. He stated that he lives near Playland and that he saw the trucks coming in from Iowa, Indiana, West Virginia, etc., and this was on Saturday night, which is a long way from the Tuesday event, even if he assumes that it takes them a full day to open up roads. That is still a long time to get a call from mutual aid and to have mutual aid respond. It is clear that we have a structural problem that has to be addressed and he believes it is a manpower issue.

Mr. Latimer stated that there are discussions about what it would take to bury the wires everywhere. That would be extremely expensive, although there are probably some areas that should have wires buried. He stated that there also needs to be discussion about paying a penalty, and relieving people of some of their bill costs because they were out of service for a period of time. At some point when you're five days out there has to be a financial rebate for the customers who are out for that length of time, as well as the loss of food and other things along those lines.

Mr. Latimer stated that they are facing so many different issues; police reform, and COVID-19 – but the bottom line is, we're resilient people and we deal with the issues on the ground, those of us who are in local government, County government and the State as well. However, those of us in local government don't have a choice. We're not here to discuss the issues, we are here to try to resolve them and solve them. If the County can be more helpful to the Village, they are happy to do that.

Mayor Samwick thanked County Executive Latimer, stating that he has really been a tremendous partner to the Village during his years in office, and the Village really appreciates all that he does and all that he has done throughout this storm event.

Trustee Arest stated, "I want to thank Assemblywoman Paulin, County Executive Latimer, and Ms. Tolchin on behalf of Senate Leader Stewart-Cousins for meeting with us tonight on short notice while hundreds in our community are still without power. In fact, according to the latest numbers I have seen on Con Ed's website a few minutes ago, over 4% of Scarsdale Customers are still without power. As you have all stated, this is unacceptable. Obviously the focus now is getting everyone's power restored but we all have to move quickly to figure out how to prevent this in the future. I understand that certain steps are needed in government to affect change but I very much hope and expect that the joint hearing next week in Albany will not be the beginning and the end. Amy has already said it will not be the end and she will be integrally involved which of course is reassuring! But we also know what the issues are. We have vulnerable power lines and are dependent on out of state municipal aid crews when they fail. What would have happened if the entire east coast had been battered by Isaias? Would residents have been without power for months?

Trees are certainly part of the issue. I did not support the last amendment to our local tree code and would welcome a work session to discuss what I see as possible deficiencies. It needs to protect our character as a village in a park but must also give flexibility to homeowners who are genuinely concerned for health and safety. We also need to be honest that our tree code is not the biggest inhibitor to tree removal. It is the cost of the tree removal. Even in instances where a permit fee and replacement tree are required, this is usually only a fraction of the cost to a homeowner to have a large tree removed. I think the Village can help with this and we should discuss this as well at our work session.

But ultimately, we need to look at burying our power lines. It is possible it could cost approximately \$80mm to bury just lines in Scarsdale. But my question is, why is anyone talking about us having to do it and pay for it? Why aren't we demanding that Con Edison do it for us? It would be expensive. Con Ed has about 34,000 miles of overhead electrical lines, at the rough number of \$1mm per mile that could cost \$34bn. But, as County

Executive Latimer said well, we do not have to bury all of them; we can be strategic. Con Ed is a monopoly and therefore has no competition. Its net income in 2017 was roughly \$1.53 Billion, yes, billion with a B. It was about \$1.38 Billion in 2018, and \$1.34 Billion in 2019. The State needs to force them to take action. If the State was to mandate that they bury the lines in their service area over the next ten years, it could be done. They should be forced to reinvest into the system to protect us in the future and would likely still be profitable over the time it would take to conduct the work. I think Governor Cuomo has shown extraordinary leadership over the past months. During the past week, he again threatened to revoke the utility's franchise. That threat is only effective if the utility believes it could happen. Let's work together, and make them act and, if they do not then let's do exactly that, let's ask the Governor to revoke their franchise.

I would welcome any comments you may have on what I have proposed but I would also appreciate to know what we can do as a local government to help. I am just one of 7, but I believe we as a body are committed to ensuring change occurs and welcome a continued partnership in this endeavor. We cannot just allow this to end with a report and promises of the same repairs that have gotten us nowhere. Thank you."

Trustee Veron stated that we are all beyond frustrated by the sustained power outages in our community, and despite repeated assurances, we find ourselves in this unacceptable predicament, time and time again. We've pleaded, demanded, cajoled, but to no avail, and it's not getting better, it's getting much worse. She stated that she has been on the Village Board for over four years and it feels like Groundhog Day.

Trustee Veron stated that it seems to be the same areas are repeatedly impacted. And so, almost without fail that we know the weak spots in our community. She asked if the Village can provide that detail; it seems that Con Edison's data is inaccurate and the information flow is imperfect. She informed County Executive Latimer that the Village wants to give the County with what it needs to enable us to be proactive and asked how we can advance that.

Mr. Latimer stated that one of the things that Scarsdale can do it and every community can do, is determine if there are specific parts of the Village that had been hit multiple times in the exact same place. That would take the sort of underground knowledge of the community that the local officials have. He stated that he served as a Councilman to his home community, and Ms. Paulin was on this Village Board at one point in time. It's that kind of granular knowledge and if you can analyze the areas that were hit hardest over the last three major storms that would be of particular help. This may lend ourselves to identify a portion of the wires that could go underground. There may be specific places that if the wires are placed underground, they will avoid that particular break and that break might represent a circuit that puts people out in a whole neighborhood.

Mr. Latimer stated that the other thing that the County would be happy to do with Scarsdale in concert is to look at the Bronx River corridor which goes through the Scarsdale community and determine what, if anything, in terms of our foliage or our infrastructure on the Bronx River Parkway somehow negatively affects the Village. Village Manager Pappalardo can interact with people to do a survey to come up with specific items; if there

are specific capital projects that the County can do on the Bronx River, which is their responsibility, and it could benefit the neighborhoods of Scarsdale.

Mr. Latimer stated that they would be happy to put those things on their agenda. If Steve Pappalardo can give them a call tomorrow morning, and they can get the right people together, they can start moving on those projects.

Ms. Tolchin stated that all of these comments will be very beneficial for the Majority Leader to hear so that she could bring that information and concerns to the hearing. She added that initially, Scarsdale had about 3,000 outages at the initial storm, and now there are approximately 300 outages left. She stated that New York City's boroughs were turned on before Westchester and that is another thing that needs to be brought up at the hearing. Con Edison made certain decisions to put their fleets in certain places and Westchester was not at the top of their priority list. She stated that she want the Village Board to know that they are aware that this is something that is of much concern to the Majority Leader. She stated that they have also been in touch with Cablevision, because that's another issue. There are places in Scarsdale and in the surrounding areas that have power, but don't have internet.

Mayor Samwick thanked Ms. Tolchin and stated that they have noticed that Westchester seems to be taking a backseat to New York City in regard to restoration efforts. It is something that they have heard a lot of people complain about and it is a real issue.

Trustee Lewis stated that as someone who's been out of power for a week, and as someone who's been working from home as so many of us are during this pandemic, it is unacceptable to have these delays. Based on what he has seen, Con Edison was unprepared. They failed in their strategic preparation and tactical execution. They failed in their understanding of how important it is to restore power when so many work from home. He stated that they failed in their ability to deliver on their own stated service recovery dates on multiple occasions and therefore we need to hold Con Edison to a higher standard. He stated that the Village of Scarsdale needs to think through more broadly what we need, and to define what victory looks like beyond just getting recovery after the storm. We need a 21st century infrastructure that has built up to help our residents recover faster, and we need environmental policies that mitigate the hazards posed by this era of extreme weather conditions and they should be part of our own strategic plan.

Trustee Lewis stated that the Village will need to collaborate with the County, the State and the Federal Government to realize this ambition and hopefully we can begin the strategic planning process in the fall during our work sessions.

Mayor Samwick thanked County Executive Latimer for joining the Village Board meeting this evening. He stated that the Village really appreciates his ongoing support and his attendance this evening has been very helpful to the Board.

Mayors Comments

Mayor Samwick stated that “unfortunately, and unbelievably, we are still deeply in recovery and restoration mode from the impacts of the tropical storm that hit Scarsdale one week ago today. I hear you. I see the hardship you are enduring. Many of you have reached out to me with emails, texts and phone calls and have expressed your frustration. I have also driven and walked around our neighborhoods each day and completely understand the circumstances you are enduring. I have spoken with many residents – elderly, infirmed, people with newborns, and so many others – and the hardships and inconveniences that you have endured and that some continue to endure. I, too, am outraged by Con Ed’s lackadaisical response to the tropical storm. It is especially frustrating to deal with Con Ed’s weak storm response in this time of COVID with so many of us working from home and with our children at home with us.

If only Con Ed operated as efficiently, professionally and responsibly as our Village does in an emergency situation. Village staff have performed extremely well through this storm event, as they always do and, on behalf of all Village residents, I would like to thank them. Unfortunately, our staff is not able to restore power.

Staff has been working around the clock every day and has been working across departments to open roadways, remove trees, place stop signs at traffic lights that are still without power, perform various safety related tasks, collect storm-related debris and waste and so much more. We are very fortunate to have such a dedicated and capable staff, headed up by our Village Manager, Steve Pappalardo, who sets a great example with his caring approach to Village residents and who regularly keeps us abreast of the post-storm response.

Staff started working with Con Ed before the storm as well as preparing the Village for the storm and the post-storm response. During the storm, Village staff responded to over 100 calls for service. After the storm, Village staff and I have been in consistent contact with Con Ed, the County, the Governor’s region representative, and our State legislators. In fact, our State Assemblywoman, Amy Paulin, County Executive, George Latimer, and Susan Tolchin from our State Senator and Majority Leader Andrea Stewart-Cousin’s office are joining us this evening to provide an update of the State and County efforts to manage the storm response and to hold Con Ed accountable for its wholly inadequate post-storm response.

We have also started planning our after-action communication with the Public Service Commission, the overseeing body for licensed utility providers in New York State, including Con Ed.

I know you don’t want to hear yet another statement of frustration and fury about Con Ed’s power restoration efforts. I know you don’t want to hear how this time, the post-event oversight of Con Ed will be different. I don’t want to hear these things and I don’t want to say these things.

We have all lost faith and confidence that future storm responses will materially differ from what we have experienced this week. Nevertheless, I promise that the Village will push hard for substantive changes in Con Ed’s future storm responses. While we may feel like Sisyphus endlessly trying to push the boulder of reasonable storm response levels up

the mountain, we will not stop on our quest. We will write letters, meet with people and be very vocal with our State and regulatory bodies. We will represent you to the best of our ability. We ask that you also participate in this endeavor – we can accomplish more when we work together. Let Con Ed and the Public Service Commission hear from us with a clear, articulate and united voice.

Back to Scarsdale. This storm is yet another event in the past few months where we have had to come together as a community and help each other. I have once again seen many examples of people sharing their homes, meal tables, showers, washing machines, portable generators, wifi and power outlets with their neighbors. While it is heartwarming to see the generosity of spirit and strong sense of community that we share, we have been through an enormous amount together over the past five months. The depth of our spirit of community is exemplary and has really been put to the test. We continue to pass with flying colors. And, my pride to be able to call Scarsdale home continues to grow as I see neighbor helping neighbor yet again. As our Governor would say, we are Scarsdale strong and we will get through this challenge together.”

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Manager's Comments

Village Manager Pappalardo thanked the Mayor for his recognition of the hardworking Village Staff. He then gave the following report:

“Since the Mayor, Assemblywoman Paulin and Sue Tolchin from Speaker Stewart-Cousins Office have discussed the Con Ed issues relative to power restoration, I'd like to take a few minutes to report on the Village's storm preparation and actions relative to Isaias. Based on weather reports calling for wind gusts of up to 70 MPH and the potential for up to 4 inches of rain in a short period of time, Village emergency services personnel prepared accordingly in advance.

1. DPW contacted our Con Ed Municipal Liaison to confirm contact information, establish communication protocols, and discuss the levels of support. By taking this initiative, the Village was better prepared on day one of the recovery and received a greater number of Con Ed support crews included a single restoration crew who was able to restore power on a limited basis;
2. All emergency services departments prepared for an “all hands on deck” emergency activation, providing advance notice of the need to be available should the storm severely impact Scarsdale;
3. The Department of Public Works personnel prepped all trucks and heavy equipment to be task ready to deploy resources without delay during and immediately after the storm;
4. Recognizing the potential for flooding based on the weather reports, DPW proactively cleared catch basins and lowered water course levels where possible to reduce the likelihood of basement and overland flooding, in the days immediately preceding the storm. Fortunately, the rain totals predicted never materialized.
5. Police, Fire and EMS personnel similarly made advance preparations with personnel and equipment, including advance deployment of portable stop signs and barricades,

while checking equipment operations such as water pumps for potential home basement flooding, flashlights, and activating the Volunteer Firefighters. SVAC prepared their ambulances to operate on standby at the firehouses and DPW facilities if needed.

The storm impacted the Village on Tuesday August 4th with most of the damage occurring over a two hour period from 2-4pm. The storm damage resulted in a total of 124,000 Con Ed power outages in Westchester County, second only to Hurricane Sandy in Con Ed's history. Con Ed reported 3200 outages in Scarsdale throughout the Village, including the Village's Boniface Water Tower, DPW Central Garage and Sanitation Office. Immediately after the storm, Village emergency operations assessments identified a total of 56 roads or sections of roads closed due to downed trees and wires. Police and Fire Department personnel secured locations with live wires present by barricading roads and placing portable stop signs at traffic signal intersections with outages. Eventually generators were connected to traffic signals on arterial roadways to temporarily power the signals for traffic safety. Village DPW crews worked to clear roads of trees not encumbered with live wires and completed that work over the following day and a half. Con Ed personnel spent the first few days assisting the Village with "Cut and Clear" crews, to open closed roadways by deactivating the live wires at the street closure locations so Village crews could remove the trees. Currently there is a single road closure in Secor Farms involving live wires awaiting Con Ed's attention.

Con Ed Power restoration began in earnest on Friday August 7th.

In an effort to assist residents with individual property cleanup immediately after the storm, the Village temporarily authorized free disposal of organic storm debris at the Recycling Center for residents and their contractors, with proper homeowner verification of Scarsdale origin. This opportunity has been well utilized as large amounts of material are arriving at the Center daily. The free storm debris disposal program will expire on close of business, Saturday, August 22.

In addition, Highway crews have been working daily to clear roadside yard waste and Sanitation crews continue to collect on Thursdays and Fridays in accordance with the Sanitation and Recycling schedule. The Village has also arranged for NYSDOT crews to assist us with roadside collection of large yard waste material with their heavy equipment, having collected over 14 tons yesterday. This past Saturday Highway and Sanitation worked throughout the Village collecting roadside storm-related yard waste including larger tree sections, logs and branches and collected 33 tons of material. Between the Village crews, residents and landscapers a total of 114.6 tons of yard waste was dumped at the Recycling Center this past Saturday. In anticipation of this extraordinary amount, the Village coordinated with the County Dept. of Environmental Facilities to provide additional tractor trailers for us to load to be hauled from the Center to the County's compost facility. As most municipalities are not working on weekends, the County provided a single dedicated tractor trailer truck to Scarsdale which made four trips back and forth and hauled 104.1 tons from the Center. As such we were able to haul what we collected on Saturday, creating additional space to accept more yard waste this week which continues to come in. We will continue to work with the County to receive these additional trailers.

The Pool Complex on Mamaroneck Road lost power during the storm but reopened on Monday after power was restored on Saturday. In order to provide relief from the heat for residents without electricity at their Scarsdale homes, the Village has waived the fee, for non-permit members, to enter the pool for the remaining duration of your power outage. There you can cool off in the pools, shower, charge your electronic devices and get a bite to eat at the concession stand. In order to gain no-charge admission, proof of residency must be provided, including youth.

Please know that the Manager's Office, DPW and Police personnel have been working seven days a week from the onset of the storm to proactively communicate with the public, via press releases and Blackboard Connect calls and interacting directly with individual residents in person, via phone, and email. We've visited individual homes to help assess and handle various situations, including checking survey maps relative to tree locations, and providing general information on storm recovery efforts and timing.

We have been present on all daily Con Ed Westchester County municipal official conference calls, relaying the information on outages, locations, specific problem areas with continued live wires present on roadways, issues with the Con Ed's Outage Map, and comments and concerns received from our residents in general.

The one action Village officials cannot perform is the act of restoring your power, which I realize is the source of most of your frustration. As I have told or written many of our residents on the phone and via email respectively, I am sorry for your loss of power and the many adverse impacts resulting, especially after a full week. Every individual outage is important, particularly to the resident or business experiencing the issue. Con Ed reported today on their conference call that, with the exception of a handful of customers, with what they refer to as embedded outages with secondary problems, electrical power will be restored to all of their Westchester customers by 11:00pm this evening. Let's hope this time they deliver for all of our residents still suffering without power. Thank you."

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Village Manager Pappalardo stated that he had one other report to give which he mentioned earlier during the Board's work session that the Village parking permit sales will begin in September.

"Village parking permit sales will begin Tuesday September 01, 2020, for annual and semi-annual commuter permits. As you know, this past June, the Village extended the 2019-2020 permit expiration date by three months until September 30, 2020 to reflect the loss of use by many of our permit holders from March forward due to the COVID-19 Pandemic. As we approach the new sale period, all 2020-2021 prospective permit holders should be aware of changes to the sale process. First, 2020-2021 permits will be active starting on October 01, 2020, with annual permits expiring September 30, 2021, and semi-annual permits expiring March 31, 2021. Second, all 2020-2021 permit applications must be submitted through the mail or front-door drop box. Permit applications can be submitted via mail at Village Clerk's Office, 1001 Post Road, Scarsdale, NY 10583, or placed in the Village Hall drop-box located to the right of the exit door on the right side of the building. Detailed information on each of the permits offered by the Village will be available on the

website next week and also in the Scarsdale Inquirer in the Friday August 21st and August 28th editions. Questions should be directed to the Village Clerk's Office at 914-722-1175 or email clerk@scarsdale.com. Thank you."

Village Clerk Conkling stated that information on parking permit sales will be on the Village's website no later than Thursday. An ad will be placed in the Scarsdale Inquirer announcing parking permit sales the last two Fridays in August. Signs will also be posted in Freightway alerting permit holders to the new sales period.

Village Manager Pappalardo mentioned that he received a complaint about cigarette butts in the stairwell in the Christie place garage from someone who's continuing use the parking area on a daily basis. He stated that he thinks it is some of the workers in the stores on Christie Place.

Mayor Samwick asked Village Clerk Conkling for an update on the upcoming Village Election to be held on September 15th.

Village Clerk Conkling reported that a press release regarding the deadlines for submission of absentee ballot applications will be sent to the media. She noted that she is still waiting on legislation to be signed by the Governor which will permit people to apply for absentee ballots based on a concern about contracting an illness. Both the Senate and the Assembly did pass this legislation, and it has been delivered to the Governor and is awaiting his signature. When the Governor signs this legislation, that information can be decimated to the public as well. All Village Election information is available on the Village's website, and residents may start applying for absentee ballots now.

Mayor Samwick encourage everyone to vote in the Village Election coming up on September 15th.

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Public Comments

Mayor Samwick opened the public comment portion of the meeting, which he stated will be subject to a 5 minute limit. He noted that there is a second public comment section held at the end of the meeting, provided that occurs before 10:00 p.m.

Randy Whitestone, 94 Sprague Road, stated that he wanted to echo the comments that were very well stated by the Village Board members about the issue with power in Scarsdale and in our surrounding communities. He stated that Con Edison is obviously a big part of the problem. He agreed with Assemblywoman Amy Paulin in that we have to seek long term solutions because these storms are becoming more frequent. He stated that he knows that we are all very focused on that and are very upset, on behalf of neighbors who are still without power, fully a week after the storm.

Mr. Whitestone thanked the Village staff for all the work they've been doing in this storm period. And obviously, it extends back to March in the round the clock work they've been doing it the pandemic.

Mr. Whitestone added that earlier this evening, there was a very interesting budget work session which provided a fascinating case study into how behaviors shift in times of stress and he felt that this is a welcome beginning of a continuing conversation on what kind of Village we want to be going forward from a budgetary standpoint, it's a conversation we need to have. He stated that we have some information now that he felt is very helpful and informative. There's some indications from Trustee Arest and others that we will have these budget sessions more frequently and will be assessing what we're seeing real time and on the ground in terms of how the shifts in expenditures and revenues will take place; some of these changes will be permanent. However, he stated that continued sensitivity analysis, continued analysis of flows of funds, and how the levels of different parts of the budget interact are all very important. He stated that he looks forward to having these conversations going forward and having a more strategic understanding of how the budget will change on a permanent basis after the immediate crisis hopefully has passed.

Robert Harrison, 65 Fox Meadow Road, stated that he is a 40 year resident who suffered some power outages over the years, including Hurricane Sandy. He stated that when he was on the Board of Trustees they worked 24/7 to try to clear the 150 trees that were down in that storm, which was much worse than this storm. He stated that he has had some email exchange with Village Manager Pappalardo, and wanted to compliment him and his staff on their responsiveness to try to get power restored in the Village. He again stated that this storm was nowhere close to the intensity of Super storm Sandy, it was brief and very, very difficult with the winds.

Mr. Harrison complimented Trustee Veron and all of the people that have worked on: Compliments to Jane and all the people that have worked the business activity in the Village and having the tent erected for people to dine.

It was noted that the tent withstood the high winds of the storm.

In regard to tennis permit holders, Mr. Harrison stated that he just received the current number of permit holders today, which is 500. He stated that he is working with the Recreation Department now to be able to hold youth tennis at the Middle School by the end of August. He also noted that the Scarsdale pools have been great and complimented the Recreation Department for that as well.

Robert Berg, 32 Tisdale Road, stated that he wanted to talk a bit about the storm. He stated that he has lived in Scarsdale now for 18 years and many of these storms, and they've all gone through with the same result - loss of power throughout the Village for a week or even two weeks with Sandy, and there's a phrase that's attributed wrongly to Albert Einstein and that is, Insanity: the definition of insanity is doing the same thing over and over and over again and expecting different results. And it seems to me that we go through the same storms, one after another in town here and we always have power failures like we have, and we don't do anything different. He stated that the answer is really pretty simple. A lot of the most of the outages are caused by Village trees falling on Con Ed's wires.

Mr. Berg stated that from his experience, more than half the trees that fall down are within the Village right way, falling on power lines in the Village right of way, and that's

something we can deal with in advance and requires the Village which is responsible for its own trees in the Village right of way, to cut the limbs that are overhanging the wires or interspersed in the wires. He stated that if you look at each road, even after all these storms, you can still see some massive trees with their limbs interspersed over and through the wires and nothing is done about it. He stated that he knows that the Village tried to cut down limbs a number of years ago, and people were complaining that they were cutting the trees, stating that the tree canopy was being ruined. He stated that we will continue to have power outages because of the tree canopy overhanging the wires. One of his neighbors on Popham Road had a massive 150 year old tree and a huge branch fell off the tree and was threatening her house. He stated that he looked at the branch saw that the whole tree could crash on her house and she was frantic. She didn't know what to do and he helped her and got her to the right people, because the Village sent out a crew and took down the entire tree. He noted that the tree stump was completely hollow in the middle; the Village put a plate on top of it and bolted the plate onto the tree trunk. This was a tree that was not examined which was seriously diseased and dying, and this massive tree could have crushed her house and fallen onto traffic on Popham Road. He stated that the Village has a real legal responsibility to maintain its trees on its right of way - a lot of those trees are falling on the power lines and causing a lot of these problems which can be proactively dealt with now by going out there with tree crews. He stated that Con Edison is willing to help out and do its part to clear the trees because they don't want the trees falling on their lines.

Mr. Berg stated that the Village has to be much more aggressive in clearing the trees from the Village right of way, which are adjacent to the power lines. Additionally, he stated that we should go back and revisit the Village Tree Code, noting that he had strongly opposed the recent amendments that were made. He stated that those amendments disincentivized residents from cutting trees that people felt were a danger to their homes, that near their houses and their power lines. He stated that he had a horrible experience of a massive Village tree taking crushing the roof of his home during a microburst/mini tornado in 2006. Although he used to love trees, he is now a little bit nervous about trees, and people should have the right to take them down without being penalized.

Mr. Berg stated that the Village can get ahead of this problem without burying the power lines – we are never going to do that because it would cost \$85 million; it's not going to happen. So the Village can take dramatic steps now.

Trustee Liaison Reports

Trustee Crandall stated that she is liaison to the Conservation Advisory Council and takes great interest in our environment, but of course, public safety is one of our number one duties and, she has been listening to the comments of not only Mr. Berg, but from others about our trees. She said that it is important, to have trees analyzed by a certified arborist. She stated that everyone should have their trees inspected by a certified arborist. With respect to the Village owned trees, during the budget session that the Village Board had earlier this evening, she suggested that the next budget session be focused in part on preparation for future storms. We know that with climate change more storms are coming and we already have the weather forecast for this year. She stated that the approach would

be to conduct an inventory of all of the Village trees, and there's a way to do it. This is done by arborist who can assess the trees and rank their safety. Then they would also identify areas for future planting. She stated that the trouble with trees is that we actually need them to help us in the battle against climate change. Trees provide shade, which we need on hot days, we need them to absorb the storm water that falls during storms and they also help to slow the wind. We need to protect the ones that are still healthy and good, but of course we need to address the ones that pose a hazard to our community.

Trustee Crandall stated that she spoke with the regional forester with the New York Department of Environmental Conservation who is assigned to this area. His name is George Profous, and he's willing to come to Scarsdale to talk to us to help us with future planning.

Trustee Crandall stated that Village staff does a great job, but given the increased severity of the storms, we really need to make sure that we're working with the most up to date scientific approach because the science always evolves. She thanked Village staff for working overtime. She added that they need to put pressure on Altice because quite a few people were without their internet connections and with so many folks working from home, it was quite hard on them, along with the loss of power that was tragic for many, especially those with medical situations.

Trustee Veron stated that "The Scarsdale Business Alliance and the Village have been working to create as much normalcy and vibrancy as possible in Scarsdale's retail hubs. We had a very successful several weeks since I last reported. Here are the highlights:

1. The Sidewalk Sale was a tremendous success. As you know, we offered extended days and closed streets, affording customers an opportunity to shop at a comfortable social distance. It was wonderful seeing our retail hubs abuzz and to hear registers ringing. This morning at the SBA board meeting, merchants expressed great appreciation to their patrons who came out to support our local businesses - so helpful to their cash flow.
2. Chalk the 'Dale was a new, great addition to the Sidewalk Sale. The event sponsored by the SBA and run by rising SHS students Anna Feldstein and Katie Han attracted 100 residents who created beautiful chalk art on our Village streets. A special thank you to Jordan Copeland who captured the artistry with his drone photography and to village staff for providing assistance. Participants loved the experience and asked when they could chalk again.
3. The Dine the 'Dale tent, managed by the SBA and sponsored by property owners and leading organizations has become the jewel of the Village Center. It is beloved by our community and there is constant utilization with a great vibe. Tables are full even in the heat of summer. The SBA is working to raise funds to extend the tent through the end of October. Just today, we spoke about considering the extension of outdoor dining into November with heated tents and flaps and we are exploring the feasibility with the Village.
4. ProPark and the Village have coordinated to permit Garth Road restaurants to tent underutilized parking spaces for outdoor dining.

5. As to vacancies, we have seen very positive developments. Wilson & Son Jewelers has announced that they will be moving from Chase Road to the center of the Village, taking over vacancies created by the closure of Daniel Trissi, Sam Lehr, Petticoat Lane and Space NK. Mike Wilson noted today during the SBA meeting that they are returning to their roots, back to the Harwood Building where his grandfather opened in 1932. We are heartened by the Wilson's investment in the long term health of our village and look forward to the ribbon cutting for their brand new renovated space in early 2021.

Aiko, the tenant who took over from Langes, just received their liquor permit and will be opening their doors shortly. And real estate agents have seen an uptick in interest in other vacancies from the likes of restaurants and wine bars. The suburbs have become an attractive alternative for small businesses.

And before I close on the business part of my report, I want to underscore how incredibly productive it's been to have weekly meetings with designated members of Village staff. We have the Assistant Village Manager Ingrid Richards, we have Greg Cutler, our new planner, and also David Goessl from the Engineering Department who joins us as well as Trustee Arest and Marci Berman Goldstein from the SBA. So it's been incredibly collaborative productive and we're able to advance initiatives very speedily.

Today, phone lines, internet, and Wi Fi have returned to the Library Loft. The pick-up of books is continuing, with patrons making reservations for pick-up.

The online programs that our residents are enjoying and the book clubs and activities for children will continue throughout the summer, but some require registration, so please check out the library website. Adult trivia night will be held on Thursday, August 20th at 7:00 pm; again go to the website to sign up.

For those of you who are interested, the library on Olmsted that is gorgeously renovated, weathered the storm with no damage. Although power was lost, it was restored over the weekend and work continues with furniture coming in.”

Mayor Samwick stated that before moving on to the agenda items, he would like to ask Village Manager Pappalardo to speak on the Village's tree management policy as there may be a little bit of confusion concerning this topic. He stated that he has been all around different neighborhoods other than Scarsdale over the past week. He stated that he was in Bergen County, New Jersey, Nassau County, and has family in Fairfield County, and friends in Rockland County, and nobody fared any differently than Scarsdale did with the storm event.

Mayor Samwick stated that the Village has very active full time tree trimming crews specifically for this reason, and asked the Village Manager to describe a little bit about that and let people know that this is something that we're actively engaged in on a day to day basis.

Village Manager Pappalardo stated that the Village does have a dedicated tree crew. He explained that of the pieces of equipment that the Village purchased with the funding that the Village provided in the capital budget, a few years ago for highway equipment, was a boom truck. The tree crews that use it state that it is a great piece of equipment. The crew goes out every day; there's a lot of tree work to be done out there. The crew is out 250 days a year for the most part, except during the snow season when the tree crew is out plowing the roads, but otherwise they're out there every day. The Village has so much tree work that we actually contract out for additional tree work. We put a contract out every year and spend anywhere from \$50,000 to \$70,000 a year to have certain trees removed by outside contractors who have even better equipment and higher buckets that can get way up in the air.

Village Manager Pappalardo stated that as an aside from a workers compensation standpoint, we pay more premium for the position of tree trimmer than any other position in the Village. Tree trimmers have a very dangerous job, even considerably more dangerous than police and firefighters in the eyes of the workers compensation insurance industry. But, he stated, they're out there every day. They're pruning and removing trees when they're dead. The Village also employs a consulting arborist who comes in. With the experience of our highway foreman and DPW workers who are out in the field every day, if they see any trees that need attention, the arborist will come in and he will inspect those trees, and he will either design a safety pruning plan for that tree, or if it needs to come down because it's dead and dangerous, the Village removes it.

Village Manager Pappalardo stated that the tree crew works on hundreds of trees a year. That being the case, the Village also plant trees and has a program every spring. When the Village takes a tree down in front a home and in the right of way, the Village works with the resident if they're interested or not interested in replacing that tree. He noted that they have taken some heat for that from some folks who feel that the trees are in the Village right of way. The Village should control that and decide on their own, whether or not a new tree should go in or not. But, you know, we feel that the homeowner is going to be living with that situation. To get to the public comment that was made today, due to the storms, some of our residents that have seen the damage that the trees can cause don't want a new tree. So we respect that and we don't plant it. When we do have utility lines present on any roadway, we do not plant trees that will grow into those primary and secondary wires for Con Edison, as well as the Verizon wires. The Village has been working with the Friends of the Scarsdale Parks for many years now, and they've helped us to pick out trees that will grow so that that maximum height, and they will be below those power lines. The Village offers those trees, depending on where you live and where your power lines are. We certainly realized a number of years ago that we didn't want to exacerbate the issues that were brought up earlier with trees going into the utility wires. He stated that it has worked out well; they try to find native species and so forth.

Village Manager Pappalardo stated that it is a combination of recognizing the fact that these trees need to be pruned and when they're dead they need to be removed because they become dangerous. He also noted that the Village replaces in kind, because there is that whole other issue of tree canopy.

Trustee Arest

Upon motion entered by Trustee Arest, and seconded by Trustee Crandall, the following resolution regarding an Intermunicipal Agreement Between Westchester County and the Village of Scarsdale for Access to the Westchester County Repository for Integrated Criminalistic Information (RICI) was approved by the vote indicated below:

WHEREAS, Westchester County maintains a system called the Westchester County Repository for Criminalistics Information (“RICI System”) to provide for the electronic transmission and storage of criminal record and police blotter information to authorized law enforcement agencies; and

WHEREAS, the type of information that is transmitted and stored on the system includes, but is not limited to, arrest records, booking, and detention or incarceration data, including name, address, social security number, physical description, telephone number, fingerprints, palm-prints, photographs, and related data; and

WHEREAS, the information is stored chronologically on a central computer maintained by the County and is shared by multiple law enforcement agencies having access to the system; and

WHEREAS, it is in the interest of public safety that the Scarsdale Police Department (SPD) and other law enforcement agencies cooperate in the lawful sharing of the aforementioned records; and

WHEREAS, SPD currently has access to the system through an Intermunicipal Agreement with the County of Westchester that has been effective since November 1, 2014, though it has since expired on October 31, 2019, with the County having recently provided a successor agreement; and

WHEREAS, SPD recommends renewal of the Intermunicipal Agreement with the Westchester County for a five-year period, from November 01, 2019, through October 31, 2024; now, therefore, be it

RESOLVED, access to the RICI system constitutes a public safety imperative and the Village Manager and Chief of Police are hereby authorized and directed to execute the Intermunicipal Agreement in substantially the same form as attached hereto, and to undertake any administrative acts required under the terms of the agreement.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	None	None

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

Trustee Lewis

Upon motion entered by Trustee Lewis, and seconded by Trustee Crandall, the following resolution regarding the Awarding of VM Contract #1268 – Cleaning, Televising, and Cured-in-Place Pipelining and Other Rehabilitation Work for Storm and Sanitary Sewers was approved by the vote indicated below:

- WHEREAS,** preventative maintenance and cost-effective rehabilitation is critical to sustaining the capacity and proper functioning of the Village’s storm and sanitary sewer system; and
- WHEREAS,** the most recent contract for cleaning, televising, and cured-in place pipelining expired in June 2020; and
- WHEREAS,** pursuant to *VM #1268 – Cleaning, Televising, Cured-in-Place Pipelining and Other Rehabilitation Work for Storm and Sanitary Sewer Lines*, the Village advertised for bids in the Scarsdale Inquirer on Friday, June 05, 2020, having also provided direct notice to four vendors known to supply the services; and
- WHEREAS,** on the bid opening date, July 07, 2020, two bids were received, with the lowest responsible bid of \$1,255,675 having been received from National Water Main Cleaning Company, 1806 Newark Turnpike, Kearney, NJ, 07032-4314 (NWMCC), the same company presently providing such services satisfactorily for the Village of Scarsdale; now, therefore, be it
- RESOLVED,** that *VM #1268 – Cleaning, Televising, Cured-in-Place Pipelining and Other Rehabilitation Work for Storm and Sanitary Sewer Lines*, a two-year contract, be awarded to National Water Main Cleaning Company, 1806 Newark Turnpike, Kearny, NJ, 07032-4314, at the unit bid prices itemized in the attached bid tabulation sheet for an amount not to exceed \$1,255,675, through September 01, 2022, subject to adequate annual fiscal year budget appropriations; and be it further
- RESOLVED,** that the Village Manager is hereby authorized to execute VM #1268 on behalf of the Village of Scarsdale with National Water Main Cleaning Company of Kearny, NJ, 07032-4314, and to undertake

administrative acts as may be required under said agreement; and be it further

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

RESOLVED, that the Village Manager is authorized to renew VM Contract #1268 for one additional year at the same unit bid prices subject to the availability of adequate budget appropriations.

<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		

Village Manager Pappalardo stated that he wanted to make something clear regarding the previous resolution – this is a large number, \$1.2 million. It is a two year contract but more importantly is that these are unit prices. So therefore, we can determine how much of this work we're looking to do on an annual basis. This is not a lump sum contract. So that everyone understands, the Board did not commit the Village to \$1.25 million worth of sewer work. The Village will use this money on an as needed basis. Understanding the budgetary and fiscal climate we're in right now, he wanted to make that clear.

Upon motion entered by Trustee Lewis, and seconded by Trustee Crandall, the following resolution regarding the Award of VM Contract #1269 – Leaf Vacuum Machine Parts, was approved by the vote indicated below:

WHEREAS, the Public Works Department undertakes an annual Fall Leaf Collection program for Village residences, supported by a maintenance and replacement program; and

WHEREAS, staff solicits bids to supply associated equipment parts on an annual basis, with this year's solicitation, VM #1269 – Leaf Vacuum Machine Parts, having been published in the Scarsdale Inquirer on June 19, 2020, as well as advertised through the online procurement platform, BidNet; and

WHEREAS, on the bid opening date of July 07, 2020, two bids were received, as detailed in the attached bid tabulation sheet, with the lowest

responsible bid of \$23,330.97 having been received from Lecal Equipment Inc., 901 West Pike Street, Jackson Center, OH 45334; and

WHEREAS, reference checks on Lecal Equipment, Inc., were positive, citing their professionalism, quality equipment and parts, and fair prices; now, therefore, be it

RESOLVED, that VM #1269 – Furnish and Deliver Leaf Vacuum be awarded to Lecal Equipment Inc., 901 Pike Street, Jackson Center, OH 45334, at the unit bid prices attached hereto and made a part hereof, for a total not to exceed \$23,330.97 based upon estimated quantities; and be it further

RESOLVED, that the cost of the items purchased be charged, subject to the availability of adequate FY 2020/21 budget appropriations, to General Fund Accounts #A-1490-HWY-LFCOL-400 462 and #A-1490-HWY-LFCOL-200 20; and be it further

RESOLVED, that the Village Manager is hereby authorized to execute VM #1269 – Leaf Vacuum Machine Parts with Lecal Equipment Inc., 901 Pike Street, Jackson Center, OH 45334, and to undertake all administrative acts as may be required under said agreement.

<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		

Before voting in favor of the resolution above, Trustee Veron stated that she was curious about the useful life of the parts that they are buying; how long they will last.

Village Manager Pappalardo responded that these parts usually last a season; sometimes we can get a few seasons out of them and that's why you see this as a recurring item. He noted that it is very important for these vacuum machines to work properly. If they don't, there are big problems.

Trustee Veron thanked Village Manager Pappalardo for his response.

Trustee Ross

Upon motion entered by Trustee Ross, and seconded by Trustee Crandall, the following resolution regarding Authorization of Fee Acquisition of Village Property on Tompkins Road was approved by the vote indicated below:

- WHEREAS,** the New York State Department of Transportation (herein “DOT”) plans to install a new traffic light at the five-directional intersection of New York State Route 22/Post Road, Tompkins Road, Olmsted Road and Ross Road, which involves installation of two new traffic light bases on the northwest and southeast corners of the intersection, opposite from the existing poles located on the northeast and southwest corners; and
- WHEREAS,** due to the limited State right-of-way land to facilitate installation of one of the new traffic signal poles, the DOT has expressed interest in acquiring a 70 square foot area comprising the southern tip of Tax Lot 14.01.4D, a triangular lot formed by the corner of Post Road and Tompkins Road; and
- WHEREAS,** in accordance with New York State Eminent Domain Procedure Law (EDPL) §304, an offer of \$7,600 has been made by the DOT to the Village as payment in full for the so designated portion and pursuant to §503(B) of the EDPL the Village has 90 days to either accept the offer in full, or accept said offer as an advance payment without prejudicing the Village’s legal right to challenge the value subject to a final determination by a court in an Eminent Domain proceeding; and
- WHEREAS,** in order for the Village Board to make a knowledgeable and informed decision with regard to acceptance of the Offer of Just Compensation, the Village Assessor consulted with the appraisal firm of Sterling Appraisals, Inc., who subsequently indicated that the Offer of Just Compensation in the amount of \$7,600 is reasonable given the current and potential value of the subject property; and
- WHEREAS,** the DOT provided an Agreement for Advance Payment that authorizes a full payment to the Village of the Offer of Just Compensation, which the Village Attorney found to be in order and recommends that the Agreement proceed to the Village Board for authorization; now, therefore, be it
- RESOLVED,** that the Village Manger is herein authorized to execute the Agreement for Advance Payment in substantially the same form as attached hereto, and to complete the W-9 Taxpayer Identification Form for the Village of Scarsdale as requested by the DOT; and be it further

RESOLVED, that the Village Manager is authorized to perform all administrative acts to effectuate the Fee Acquisition and Agreement for Advance Payment identified in the aforementioned legal documents.

<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 a Termination and Release Agreement was approved by the vote indicated below:

WHEREAS, Melinda Witmer and William Koenig (hereinafter “Witmer/Koenig”) are the owners of certain real property known as 54 Park Road, identified on the Village of Scarsdale Tax Map as Section 16, Block 03, Lot 7 (the “Witmer/Koenig Property”); and

WHEREAS, Richard and Janette C. Gee (hereinafter “Gee”) are the former owners of the abutting property known as 83 Garden Road, identified on the Village of Scarsdale Tax Map as Section 16, Block 03, Lots 3 & 11 (the “Gee Property”), having recently closed on sale of same; and

WHEREAS, there are certain water pipe(s), mains, lines, and appurtenances running through the Witmer/Koenig Property from Park Road to the Gee Property (the “Encroachments”); and

WHEREAS, neither the Witmer/Koenig nor Gee chains of title reveal that the Gees or Village of Scarsdale (the “Village”) have any legal interest permitting or authorizing said Encroachments on the Witmer/Koenig Property; and

WHEREAS, the buildings located on the Gee Property previously received water from the Village via the Encroachments running from the Park Road water main through the Witmer/Koenig Property; and

WHEREAS, in July 2020, by agreement of the parties, the Village disconnected the water service to the Gee Property from the Park Road water main and the Gee’s completed the requisite work to establish new water

service for the Gee Property from the municipal water main located in Garden Road, thus rendering the Encroachments on the Witmer/Koenig Property no longer required for any purpose; and

WHEREAS, in July 2020, Witmer/Koenig and the Gees entered into a termination and release agreement, whereby the Gees agreed to forever release, quitclaim, and terminate any legal rights and/or entitlements they may have had to utilize and/or maintain the Encroachments on the Witmer/Koenig Property; and

WHEREAS, in furtherance of the foregoing, the Village and Witmer/Koenig wish to enter into a similar termination and release agreement with respect to the Encroachments; now, therefore, be it

RESOLVED, that the Village Manger is hereby authorized to execute a termination and release agreement, in substantially the same form as attached hereto, with Melinda Witmer and William Koenig, 54 Park Road, Scarsdale N.Y. 10583, to forever release, quitclaim, and terminate any and all rights, title, easements, licenses, reservations of right and/or entitlements the Village may have to own, utilize, and/or maintain the Encroachments on the Witmer/Koenig Property; and be it further

RESOLVED, that Witmer/Koenig shall promptly record said agreement in the Westchester County Clerk’s Office indexed against the Witmer/Koenig Property.

<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 Waldman

Upon motion entered by Trustee Waldman, and seconded by Trustee Veron, the following resolution regarding Authorization to Execute a Memorandum of Agreement with Scarsdale-Edgemont Family Counseling Service for the FY 2020/21 Aging in Place Initiative was approved by the vote indicated below (6-0; 1 Recused):

WHEREAS, Scarsdale-Edgemont Family Counseling Service (SFCS) has provided a myriad of social services to the community for many years; and

WHEREAS, included among these services is the Aging In Place Initiative, a program jointly funded by the Village of Scarsdale (Village) and SFCS, which endeavors to meet the evolving challenges of Scarsdale’s active, healthy, and highly educated senior citizen community through the delivery of services, including outreach and engagement, emotional support, short-term counseling, in-home assessments, advocacy, education and information, and intergenerational programming; and

WHEREAS, SFCS has submitted its Fiscal Year 2020/21 Aging In Place program funding request of \$51,605 attached herewith, representing a year-to-year increase of \$2,298; and

WHEREAS, the adopted FY 2020/21 budget includes adequate funding for the Aging In Place program, as further described in the attached Memorandum of Agreement (MOA) and discussed by the Village Board during budget development; now, therefore, be it

RESOLVED, that the Village Manager and Mayor are hereby authorized to execute the attached Aging In Place MOA with Scarsdale-Edgemont Family Counseling Service in substantially the same form as attached hereto, with the Manager also authorized to undertake administrative acts as may be required under said agreement; and be it further

RESOLVED, that \$51,605 to support the Aging In Place program, as described in the attached MOA, be charged to the FY 2020/21 General Fund Budget Account # A-9990-HUMSV-ADULTS-400 499.

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

Upon motion entered by Trustee Waldman, and seconded by Trustee Veron, the following resolution regarding Authorization to Execute a Memorandum of Agreement with Scarsdale-Edgemont Family Counseling Service for the FY 2020/21 Youth Services Project was approved by the vote indicated below (6-0; 1 Recused):

WHEREAS, in 1984 the Village of Scarsdale, Scarsdale Union Free School District and Scarsdale-Edgemont Family Counseling Service recognized the need for a safety net for youth and emotional support for their parents which led to the creation of the Scarsdale Youth Services Project; and

WHEREAS, the Youth Services Project, is a partnership of the Village of Scarsdale, Scarsdale Union Free School District and Scarsdale/Edgemont Family Counseling Service, that provides challenging programs for youth and parents that build confidence and strengthen the character of youth in grades six through twelve, provides outreach to parents, makes available support groups, offers parenting for prevention strategies as well as other challenging programs; and

WHEREAS, the current agreement expires August 31, 2020, and Scarsdale/Edgemont Family Counseling Service has proffered a successor agreement to the Village which continues to include a provision allowing the School Superintendent and Village Manager limited flexibility to adjust the agreement fee for certain unforeseen personnel matters effecting the provision of counseling services provided by the Scarsdale-Edgemont Family Counseling Services; and

WHEREAS, the term of the proposed agreement is for one year, commencing September 1, 2020, and terminating August 31, 2021, at a total cost of \$537,292, representing a \$20,485 or 3.96% increase year-to-year, to be distributed equally between the Village and Scarsdale Union Free School District at \$268,646 for each government; and

WHEREAS, the Village Board provided a \$264,931 appropriation in the adopted FY 2020/21 General Fund Budget, and subsequently approved an additional allocation of \$3,715 at its May 26, 2020, regular meeting, resolution attached hereto and made part hereof, for the purposes of funding the Youth Services Project; now, therefore, be it

RESOLVED, that the Mayor and Village Manager are herein authorized to execute the Memorandum of Agreement between the Village of Scarsdale, Scarsdale Union Free School District and Scarsdale/Edgemont Family Counseling Service, in substantially the same form as attached hereto, and that the Village Manager is further authorized to perform all necessary administrative acts in connection therewith; and be it further

RESOLVED, that all costs associated with this agreement be charged to the FY 2020/21 General Fund Budget Account # A-9990-HUMSV-YOUTH-400 499.

AYES

Trustee Arest
Trustee Crandall
Trustee Ross
Trustee Veron

RECUSED

Trustee Lewis

NAYS

None

ABSENT

None

Trustee Waldman
Mayor Samwick

Upon motion entered by Trustee Waldman, and seconded by Trustee Crandall, the following resolution regarding Authorization to Execute an Interagency Agreement with South East Consortium for Special Recreation Services Inc. was approved by the vote indicated below:

- WHEREAS,** South East Consortium for Special Services, Inc., 740 West Boston Post Road, Suite 318, Mamaroneck, NY 10543, (“SECSS”), is a voluntary not-for-profit corporation with the sole purpose of providing therapeutic recreation services to Westchester County youth and adults with physical, developmental, learning, and emotional disabilities; and
- WHEREAS,** SECSS provides these services through an one-year intermunicipal agreement with the following member municipalities: the Town/Villages of Scarsdale and Harrison, Villages of Mamaroneck, Port Chester, and Rye Brook, Towns of Eastchester, Mamaroneck, and Pelham, and the City of Rye; and
- WHEREAS,** SECSS has provided valuable recreation services to the Village of Scarsdale continuously for approximately 39 years, benefitting persons with disabilities and their families by promoting physical health and psychological well-being through the provision of specially designed recreation programs, activities, and events, both online and in-person, including such examples as the recent five-week Virtual Camp launched in response to COVID-19 restrictions; and
- WHEREAS,** pursuant to the proposed agreement, Scarsdale’s contribution is \$16,334 for the 2020 program year, an amount unchanged since 2008, for residents to access programs and services seven days per week, every month of the year; now, therefore, be it
- RESOLVED,** that the Village Manager is hereby authorized to execute the 2020 annual Interagency Agreement with South East Consortium for Special Services, Inc., in substantially the same form as attached hereto, to provide special recreation programs for Scarsdale residents with disabilities and further to execute any administrative acts as may be required pursuant to the Agreement; and be it further
- RESOLVED,** that the \$16,334 annual fee for the services provided in the Interagency Agreement be charged to the Recreation Department Operating Budget Account #A-7020-REC-DISAB-400 499.

<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		

Written Communications

Village Clerk Conkling reported that fifty (50) 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.

- Two (2) emails from Robert Harrison; one requesting that the middle school tennis courts open for doubles play, and in his second email he congratulates the Recreation Department and Pool Complex staff for an excellent reopening of the Scarsdale Pool complex.
- An email from Steven Goldstein regarding the ongoing violations in the Village concerning the gas leaf blower ban as set forth in the Village Code during the period of June 1st through September 30th.
- Forty-seven (47) emails from residents throughout the Village expressing their concerns about the loss of electrical power to their homes and the restoration efforts by the utility company

There being no further business to come before the Board, the meeting was adjourned at 8:45 P.M. on a motion entered by Trustee Ross, seconded by Trustee Crandall, and carried by a unanimous vote.

Respectfully submitted,

Donna M. Conkling
Village Clerk