

THREE THOUSAND THREE HUNDRED THIRTY-SECOND

REGULAR MEETING

Rutherford Hall
Village Hall
August 13, 2019

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held in Rutherford Hall in Village Hall on Tuesday, August 13, 2019 at 8:25 P.M.

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

* * * * *

The minutes of the Board of Trustees Limited Agenda Meeting of Tuesday, July 23, 2019 were approved on a motion entered by Trustee Veron, seconded by Trustee Ross and carried unanimously.

* * * * *

Bills & Payroll

Trustee Lewis reported that he had audited the Abstract of Claims dated August 13, 2019 in the amount of \$1,288,907.34 which includes \$31,242.37 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 13, 2019 in the amount of \$1,288,907.34 is hereby approved.

Trustee Lewis then reported that he had examined the payment of bills made in advance of a Board of Trustees audit totaling \$306,405.65 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 \$306,405.65 is hereby ratified.

* * * * *

Mayor's Comments

Mayor Samwick stated that “there are three items I would like to discuss this evening. First, the Board just came from meetings about security in the Village. The earlier meeting focused on cybersecurity and overall security. We are going to hear from the Chief of Police shortly about the about some of the things we can do to help ourselves. So I am going to focus my comments more on cybersecurity.

Following the ransomware attack on Baltimore in early May, the Village Manager and I spoke to review the Village’s cybersecurity measures. Chris O’Brien, the Village’s IT Director, presented the current status of the Village’s cybersecurity along with recommendations for enhancement of security measures designed to protect the Village’s computers and network. The Board was actively engaged in this discussion and is very supportive of the Village’s proposed cybersecurity enhancements. While there are no guarantees that the Village’s technology infrastructure is free from cyber threats, the Board made it clear to staff that securing the Village is a high priority. We will continue to have an active dialogue with respect to this. A follow-up meeting will be scheduled in the future.

Very briefly, with respect to our conversation with Chief Andrew Matturro, we talked a lot about what the Police Department does – the accreditation, we are one of the nationally accredited Police Department, and I believe we are the only one in Westchester. On a personal level, every interaction I’ve had with the Police force as a resident, as a Trustee, as a former Police Commissioner and now as Mayor, has just seemed from top to bottom throughout the organization that the Chief has built, a level of professionalism, extreme integrity, very highly trained police force that is actively engaged in our community and I really just want to thank you for all you do, Chief and your entire department, keeping us safe every day. There are no guarantees in this world, but all we can do is be as prepared as possible and you do an excellent job there. So thank you, and we’ll hear more from you shortly.

Second, you may have heard or noticed when you are shopping now, that the State of New York recently approved and, as of August 1st, implemented an increase in Westchester County’s sales tax rate by 1% to 8 3/8% which brings Westchester’s sale tax rate in line with neighboring counties. While we do not like to see any increases in taxes, we are encouraged by the recognition by the County and State of the burden placed on the Village residents in the form of over-reliance on property taxes. By way of background, approximately 2/3 of Village revenues are derived from real estate taxes. That is the highest percentage in recent memory and places a real burden on property owners.

You may have seen projections that indicate that the Village may see up to \$900,000 of incremental revenue from its share of the new sales taxes. There are a couple of components that I would like to address to manage our expectations. First, the first dollars generated by the new sales tax will be used to cover approximately \$180,000 of State aid that is being discontinued. Second, sales tax collections vary based on a number of factors, including retail sales, overall economic conditions, and therefore, the projections can be somewhat fluid.

While we are cautiously optimistic that the sales tax revenue will help to diversify the Village's revenues and reduce reliance on property taxes, the Village will err on the side of caution and wait to see how the Village's share of the incremental revenues materializes. The Village will look at actual revenues generated and the reduction in State aid over the coming months and will use the actual historical track record to address these line items when we commence our 2020-2021 budget process around the New Year.

Lastly, I am very pleased to report that the Village has purchased its first electric vehicle, a Nissan Leaf, to use in the Village's auto pool. With current incentives of \$12,000 per vehicle available through the Federal, State and County government grants, it actually costs less today to purchase an electric vehicle than a comparable traditional gas-powered vehicle. Also, our expected maintenance costs will be materially lower with the electric vehicle. The Leaf has a 120 mile per gallon equivalent and generates zero-emissions so it is very environmentally friendly. To sum it up, we are very excited and very proud of our first electric vehicle purchase. The Village will monitor the electric vehicle's use, performance and maintenance and, if it operates as expected, we will look to acquire more electric vehicles as our fleet of comparable vehicles is ready for replacement.

Manager's Comments

Village Manager Pappalardo thanked Mayor Samwick for reporting on the electric vehicle purchase. He stated that he did not have anything to report this evening but stated that he will call on Police Chief Andrew Maturro to speak for a few minutes on security measures and other information that will be helpful to the Village residents.

Chief Maturro thanked the Mayor and Village Board for allowing him to reinforce our message for Crime Prevention for our residents. He encouraged residents to visit the Village's website and view the videos on the Police Department's presentation on Crime Prevention that they have made in the past. He also wanted to encourage the residents to contact the Police Department at any time, 24 hours a day, immediately if they see any suspicious or unusual

behavior. The Police Department can be contacted on their business line – 722-1200 or emergency line of 911. He reminded residents that when they call from a cell phone they will most likely be connected to the State Police and they have to advise the call taker that need to be connected to the Scarsdale Police Department.

Chief Matturro stated that the Scarsdale Police Department offers crime prevention presentations to the community and as an effort to minimize the crimes of opportunity from happening, he made the following recommendations:

- Residents should consider using home video surveillance systems. Using these surveillance systems provide valuable evidence to law enforcement, and the systems can be configured to transmit data offline where it can't be tampered with and can be retrieved at a later time.
- Residents should make their home appear occupied, leaving lights on, televisions on and/or radios on timers when they are away. Also, they should use motion sensor lights to light the perimeter of their homes and making the home more difficult to enter by using quality locks for exterior security.
- All exterior doors should have quality deadbolts and locking systems – residents should always put their alarm on when they are not at home.
- Be an observant neighbor. Immediately notify the police of any suspicious activity if you see something happening.
- Be cautious about using social networking services like Twitter and Facebook to broadcast when you are away on vacation and letting people know about your comings and goings.
- If you are selling your home, be cautious of using virtual tours to display the layout of your home and its contents on the internet.

Chief Matturro stated that he appreciated the opportunity to reinforce this information, and stated that ‘If you see something, say something’.

Public Comments

Mayor Samwick opened public comment at this time, with a reminder that there will be a chime after four minutes that indicates that the speaker has one minute remaining.

Noelle Wolfson, Esq. of Hocherman, Tortorella and Wekstein, stated that she is counsel for Cooper Lots, LLC which is owner of 2 Cooper Road in the Village’s A-1 District. She noted that on the Board’s agenda this evening is a proposed resolution to set a Recreation Fee for the subdivision of this property. The Planning Board recently approved a subdivision to divide one lot into three lots. The existing house will be retained on one lot and two new

residences will be constructed on the other two lots. By letter dated July 26th, a request was made to the Board to set the Recreation Fee at 4% of lot value. She asked the Board to confirm that they have received this letter, to which Mayor Samwick responded affirmatively.

Ms. Wolfson stated that they are renewing that request this evening to set the fee at 4% of lot value. The subdivision will create only two new dwelling units in the Village; an addition of two new households/approximately 8 new residents. Although the Village authorizes the imposition of a fee in lieu of parkland for newly created residential lots, Constitutional limitations on that authority require that the fee be directly proportional to the impact that the population growth resulting from the subdivision will create for the recreational services in the Village. The draft resolution currently before the Board considers setting the fee at 5% of lot value which would be \$125,000 per lot or \$250,000 for the subdivision. The imposition of this fee is not proportional to the impact that the additional residents would have on recreational facilities in the Village.

Robert Harrison, 65 Fox Meadow Road, speaking as the Volunteer Director of the Scarsdale Summer Youth Tennis League for the 35th year. He stated that they had their concluding evening which the Mayor attended and helped with the trophy presentation. A tennis tournament is held at the conclusion of the program and a pizza and ice cream party followed. He thanked Bob Kaczmarek and Brian Gray of the Recreation Department, who helped during pre-season and helped with publicity for the program. The Recreation Department also provided a port-a-potty for the program and other activities at the Middle School Field. He thanked his two meet directors, Eric Jacobson and Nick Bernard and also gave the names of the winners of the match. He stated that there were over 30 participants in the program and everyone received a participation program. He made special mention of Amy Kornberg and Sarah Wong, high school students, who will be trying out for the high school tennis team. He stated that they were very good coming to the program for the round robin plays. He added that it was a great season.

Mr. Harrison next stated that the Village has been doing a great job of paving a lot of streets. He lives on Fox Meadow Road, and on Crane Road to Wayside Lane, that part of Fox Meadow Road has not yet been paved. It is in bad shape and if there is any extra money, it would be nice to get that area of the road paved.

Mayor Samwick thanked Mr. Harrison for his work with the youth tennis league for 35 years, adding that he has had a very positive impact on the community. It is very much appreciated.

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

Trustee Liaison Reports

Trustee Crandall stated that the work of the Conservation Advisory Council (CAC) continued through the summer. They met on July 10th to discuss potential projects for the upcoming year. They are participating in the Westchester County Climate Crisis Task Force which is looking at a variety of issues involving climate change. The CAC is also looking at a number of trees and the need for shade for the parks, especially around the various playgrounds in the Village. The CAC has also been appearing at public events to sell food composting kits. Trustee Crandall advised the community that those interested in participating in the food waste recycling program may still purchase the kits at the Recycling Center on Secor Road or simply appear at one of the upcoming community events.

Trustee Veron stated that the Village Board passed a resolution this summer permitting the Scarchella music festival on Saturday, September 14th. The Scarsdale Business Alliance will host its first annual Scarchella music festival. It will be a day filled with music, food, drinks and family fun activities. This was inspired by other similar festivals throughout the country and will bring the community together, increase vitality in the Village Center, and enable the community to enjoy the talent of local musicians. Several bands will be performing as well as local high school students. In addition, in honor of their 75th anniversary, Zachy's will be sponsoring two tasting tents in Boniface Circle from 12:00 pm to 5:00 pm with hundreds of wines available to sip and enjoy from numerous wineries around the world. To enhance the festivals, there will be food trucks as well as local restaurants, who will be offering delicious food for people to enjoy. The Scarsdale Police Benevolent Association will be hosting a cookout barbecue. The event will be held rain or shine

Mayor Samwick thanked Trustee Veron for all the work she has done to help the Village Center. Everyone is very excited about this event.

Trustee Ross reported that this past Saturday morning, from 10:00 am to noon, along with Trustees Lewis and Waldman, he spoke to a number of residents at the Scarsdale Pool. This was an event that had been planned and publicized in the Village's ongoing effort to make its elected officials available to the residents in communications in any number of settings. They enjoyed speaking to the residents, questions were asked and answered, and some suggestions were received. It is something they plan to continue doing. He stated that it was very worthwhile and very enjoyable.

Mayor Samwick thanked Trustees Ross, Lewis, and Waldman for doing this. He stated that 'Coffee with the Mayor' will continue again in September.

Trustee Veron added to her report, the Scarchella event is planned to be a zero waste event, and stated that the Conservation Advisory Committee is also providing information on the food waste recycling program and kits for purchase.

Trustee Arest

Upon motion entered by Trustee Arest, and seconded by Trustee Crandall, the following resolution regarding Fiscal Year 2018-19 Transfer to Capital Budget for Village Hall Underground Fuel Storage Tank Removal and Replacement Project was approved by a unanimous vote:

WHEREAS, Pursuant to the provisions of Section 5-520 of the New York State Village Law, the Board of Trustees, by resolution, may transfer funds from existing and unexpended balances; from a contingent account; from available cash surplus or unanticipated revenues within a fund; or by borrowing; and

WHEREAS, pursuant to the FY 2017-18 final audit, the Village Board had identified funds available in the assigned General Fund balances to be used for the removal and replacement of the Village Hall underground fuel storage tank (UST); and

WHEREAS, based on the preliminary FY 2018-19 audit results, sufficient funding still exists for certain 2019-2020 capital projects, including the estimated \$100,000 for the Village Hall UST project; now, therefore, be it

RESOLVED, that a sum of \$100,000 from the FY 2018-19 General Fund Balance, as represented in preliminary audit results, be appropriated to the FY 2019-20 Capital Fund account, as specified below, for the removal and replacement of the Village Hall underground fuel storage tank, as follows:

FROM:

A-9999-9999-9999 Use of Fund Balance	\$100,000
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TO: A-9990-TRNFR-TRNFR-950-9550-.0

General Fund Transfer to Capital:	\$100,000
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TO: H-1000-030-5031-0	
Transfer from General Fund	\$100,000
TO: H-1997-961-2020-101	
Village Hall Underground	\$100,000;
Fuel Storage Tank Removal	

;and be it further

RESOLVED, that pursuant to Village Law Section 5-520, the Board of Trustees hereby authorizes and directs the proper Village officers to modify the FY 2019-20 Budget by making said transfer.

Upon motion entered by Trustee Arest, and seconded by Trustee Crandall, the following resolution regarding Subdivision Recreation Fee, 2 Cooper Road; Section 14, Block 3, Lot 9, 10 was approved by the vote indicated below:

- WHEREAS,** Section 7-730-4 of New York State Village law authorizes planning boards to reserve land in a subdivision for park, playground or other recreational purposes, and take money in lieu of land in cases where suitable park lands of adequate size cannot be properly located on a subdivision plat, the amount of said money to be established by the Village Board of Trustees; and
- WHEREAS,** on May 22, 2019, the Planning Board approved the three-lot subdivision of 2 Cooper Road, creating two new lots, after finding the proposed subdivision would not have a significant negative environmental impact pursuant to the State Environmental Quality Review Act (SEQRA) and Chapter 152 of the Village Code, Environmental Quality Review; and
- WHEREAS,** on June 26, 2019, the Planning Board recommended a payment in lieu of contribution of land after finding that the dedication of land for park, playground, or recreation purposes is not feasible in view of the small amount of land available in this three-lot subdivision; and
- WHEREAS,** the Village initiated a study of Village athletic facilities in 2000, conducted by Ward Associates, for an inventory of existing facilities and an analysis of existing and future needs, which identified improvements to existing Village and School facilities for increased use and a plan for increasing the inventory to meet the community

needs; and

WHEREAS, the Village Department of Parks, Recreation and Conservation provides a variety of facilities to meet the interests and needs of the community, which includes parks, playgrounds, ball fields, and an outdoor pool; and

WHEREAS, the Village Department of Parks, Recreation and Conservation develops a Five-Year Capital Plan which calls for the replacement of facilities and equipment, as well as additional facilities that will be needed in the future; and

WHEREAS, in May 2018 the Village Board adopted the Guidelines and Fee Schedule for monetary payment in lieu of land for new building lots and determined the Recreation Fee for new lots is a range from 4% to 6% of the 2018 lot value, as estimated by the Village Assessor and verified by an independent analysis; and

WHEREAS, the fee charged to the applicant in lieu of land being conveyed for recreational purposes bears a substantial relationship to the cost of providing recreational facilities and the acquisition of land for recreational purposes; now, therefore, be it

RESOLVED: the Board of Trustees hereby accepts the recommendation of the Planning Board that the applicant, Cooper Lots LLC, pay to the Village an amount equal to 5.0% of the Guideline Value of a lot in the A-1 zoning district, pursuant to the 2018 Subdivision Recreation Fee Schedule, or \$125,000 in lieu of a contribution of land for park, playground, or other recreational purposes for each of the two new buildable lots resulting from the subdivision of property at 2 Cooper Road, identified on the Village tax map as Section 14, Block 3, Lot 9.10.

AYES

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

NAYS

None

ABSENT

None

Upon motion entered by Trustee Arest, and seconded by Trustee Crandall, the following resolution regarding Authorization to Execute an Intermunicipal Agreement with Westchester County for Prisoner Transportation Services was approved by the vote indicated below:

WHEREAS, to reduce County costs associated with transportation of prisoners remanded to the Westchester County Jail to and from the Village of Scarsdale Municipal Court, and to help maintain Scarsdale Municipal Court operational efficiency, the Scarsdale Police Department has provided prisoner transportation services to Westchester County for over twenty years on a reimbursement basis pursuant to an Intermunicipal agreement; and

WHEREAS, Westchester County recently proffered a new Intermunicipal Agreement for Prisoner Transportation Services for a two-year term, commencing January 1, 2019, and ending December 31, 2020; and

WHEREAS, in accordance with the terms of the Agreement, Westchester County will reimburse the Village of Scarsdale for prisoner transportation and related services as per the Agreement's Appendix A rate schedule; and

WHEREAS, in view of reduced overall costs associated with prisoner transportation, as well as improved local control of the Scarsdale Municipal Court schedule, the Scarsdale Chief of Police recommends approval of the proposed Agreement; now, therefore, be it

RESOLVED, that the Board of Trustees hereby authorizes the Village Manager to execute, in substantially the same form as attached hereto, an Intermunicipal Agreement with Westchester County for the provision of reimbursed prisoner transportation services on the County's behalf; and be it further

RESOLVED, that the Village Manager is hereby authorized to undertake any administrative acts required under the terms of the agreement.

AYES

Trustee Arest
Trustee Crandall
Trustee Lewis
Trustee Ross
Trustee Veron
Trustee Waldman

NAYS

None

ABSENT

None

Mayor Samwick

Upon motion entered by Trustee Arest, and seconded by Trustee Veron, the following resolution regarding Authorization to Execute an Interlocal Agreement for Membership in the State of Texas Region VIII Education Service Center's Interlocal Purchasing System (TIPS) was approved by the vote indicated below:

- WHEREAS,** Cooperative purchasing undertaken in compliance with New York State procurement law, NYS GML §103 (16), provides an opportunity to obtain goods and services at reduced cost by leveraging the purchasing power of multiple local government members, while at the same time reducing administrative burden associated with procurement efforts; and
- WHEREAS,** The Interlocal Purchasing System (TIPS), also known as the TIPS Purchasing Cooperative, is a political subdivision in the State of Texas, known as the Region 8 Education Service Center, which uses strict competitive bidding processes to make cooperative purchasing contracts available to local governments nationwide and, as such, complies with all requirements of New York State procurement law, NYS GML §103 (16); and
- WHEREAS,** TIPS membership is free, with no purchasing obligation or liability, and supports the Village's ability to achieve the objective of letting contracts to the lowest responsible bidder or on the basis of best value in a manner consistent with NYS procurement law; now, therefore, be it
- RESOLVED,** that the Village Manager is hereby authorized to execute an Interlocal Agreement with Region VIII Education Service Center, Pittsburg, TX, in substantially the same form as attached hereto, to become a member of the Interlocal Purchasing System, also known as the TIPS Purchasing Cooperative, in order to support our overarching procurement goal of letting contracts to the lowest responsible bidder or on the basis of best value in a manner consistent with NYS procurement law; and be it further
- RESOLVED,** that the Village Manager is herein authorized to undertake any administrative acts as may be 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 Sale of Surplus Village Fleet Equipment was approved by the vote indicated below:

- WHEREAS,** pursuant to Village Policy #202 – Disposal of Surplus Property, the Village Manager is authorized to declare as surplus any items of scrap metal, used equipment, motor vehicles, and any other property, provided that any such item valued at \$5,000 or more shall only be disposed following either a sealed bid offering or a public auction, with the final sale requiring Board of Trustees approval by resolution; and
- WHEREAS,** on May 20, 2019, the Village Manager declared the items described in the attached memo as surplus and recommended them to be sold via an online auction, publically held by Auction International of Buffalo, New York; and
- WHEREAS,** the Village Manager reports that Public Works Vehicles #706, a 2002 Bombardier Sidewalk Snow Plow, and #408, a 2004 Hyundai HL757-7 Loader, were certified to him in the attached staff memorandum as having no further use or need to the Village, having exceeded their useful service lives; and
- WHEREAS,** the online auction ended on July 15, 2019, with a total of 88 bids for Vehicle #706, culminating in a final bid of \$8,300, and 113 bids for Village vehicle #408, culminating in a final bid of \$26,200, with no other surplus items described in the attached memo having exceeded a \$5,000 sale price; and

WHEREAS, in the interest of efficiently completing the auction sales, it is recommended that the sale of Public Works Vehicles #706 and #408, as described herein and in the attached memorandum, be approved by the Village Board in accordance with Policy #202 – Disposal of Surplus Property; now therefore be it

RESOLVED, that the Village Board of Trustees hereby approves the final sale of surplus Public Works Vehicles #706 and #408, for an amount totaling \$34,500; and be it further

RESOLVED, the proceeds from the sale, totaling \$34,500, will be placed in the General Fund Revenue Account #A 1000020 2665-0 – Sale of Equipment, Trucks and Cars.

AYES

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

NAYS

None

ABSENT

None

Trustee Ross

Upon motion entered by Trustee Ross, and seconded by Trustee Veron, the following resolution regarding Authorization to Execute a License Agreement with Scarsdale Volunteer Ambulance Corps to Install Radio Equipment on the Boniface Tower was approved by the vote indicated below:

WHEREAS, the Village of Scarsdale owns a parcel of land located at 72 Garden Road and identified on the Tax Map of the Village of Scarsdale as Section 16, Block 1, Lot 19; and

WHEREAS, the Village owns, operates and maintains a water storage tank (“Water Tower”) on said property; and

WHEREAS, Scarsdale Volunteer Ambulance Corps (“SVAC”) is desirous of receiving a license agreement for the installation and maintenances of one antenna and radio equipment on the Water Tower to enhance SVAC’s radio transmitting and receiving capabilities; and

WHEREAS, the installation and maintenance of this antenna will benefit the residents of the Village of Scarsdale by improving radio capabilities for this critical lifesaving emergency medical service; and

WHEREAS, the Village is desirous of accommodating SVAC by the grant of a revocable license to permit SVAC to make such improvements and installation; and

WHEREAS, SVAC will indemnify and hold harmless the Village in all actions, claims, judgments, costs or expenses arising from said installation and maintenance of SVAC’s antenna and radio equipment on the Water Tower, while providing the Village with a certificate of liability insurance naming the Village as an additional insured, at limits approved by the Village Attorney; now therefore be it

RESOLVED, the Village Manager is herein authorized to execute a no-fee revocable license agreement with the Scarsdale Volunteer Ambulance Corps, in substantially the same form as attached hereto, in connection with the installation of certain radio receive and transmitting equipment on the Village-owned Boniface Water Tower and property at 72 Garden Road, to improve communications and better enable SVAC to perform critical emergency medical services on behalf of all Scarsdale residents.

AYES

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

NAYS

None

ABSENT

None

Upon motion entered by Trustee Ross, and seconded by Trustee Crandall, the following resolution regarding Authorization to Execute a Software License and Service Agreement for Upgrade to Muncity 5 was approved by the vote indicated below:

WHEREAS, Village Hall has used successive versions of Muncity software, provided by Software Consulting Associates, Inc., 54 Elizabeth Street, Suite 17, Red Hook, New York 12571 (SCA), since 2007 to

support Building and Planning Department needs, as well as Public Works work order tracking, which was later added; and

WHEREAS, the latest software version, Muncity 5, is provided under a cloud- and browser-based Software as a Service (SaaS) model, offering many desirable feature enhancements and increased reliability; and

WHEREAS, SCA will provide the software upgrade and first year of service for a total of \$24,027, \$22,000 of which was budgeted for in the FY 19/20 Capital Budget, with the balance of \$2,027 available from the FY 19/20 Information Technology Operating Budget; and

WHEREAS, under the SaaS model, there is a \$16,370 annual service agreement fee which supports software maintenance and updates, resulting in increased performance and reliability when compared to maintaining the software on Village servers, as is presently the case; now, therefore, be it

RESOLVED, that the Village Manager is herein authorized to execute a Software License and Service Agreement with Software Consulting Associates, Inc., 54 Elizabeth Street, Suite 17, Red Hook, New York 12571, in the amount of \$24,027 for year one, as well as subsequent annual SaaS fees in the amount of \$16,370 per year, as will be annually adjusted according to the terms of the Agreement; and be it further

RESOLVED, that the costs associated with year one of the Agreement be charged to FY 19/20 Capital Budget Account H-1997-961 202-102 in the amount of \$22,000 with the balance of \$2,027 charged to the FY 19/20 Information Technology Operating Budget, and subsequent annual SaaS fees in the amount of \$16,370, or as annually adjusted according to the terms of the Agreement, to be included in the respective proposed Information Technology Operating Budget.

AYES

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

NAYS

None

ABSENT

None

Upon motion entered by Trustee Ross, and seconded by Trustee Crandall, the following resolution regarding Calling for a Public Hearing on a Local Law Amending Chapter 37 of the Scarsdale Village Code Entitled Ethics 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 on Tuesday, September 10, 2019, at 8:00 p.m. to consider a proposed local law to amend Chapter 37 of the Scarsdale Village Code, entitled Ethics; and be it further

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

AYES

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

NAYS

None

ABSENT

None

Trustee Veron

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

WHEREAS, the Scarsdale Library Master Plan, dated June 10, 2013, supported by the Scarsdale Village Board of Trustees via resolution dated April 8, 2014, identified a number of building renovations and additions that would transform the Library into a multi-purpose community asset for future generations, maintain its preeminent status among free public libraries in the County and State, enhance its technological capacity to further library services, and create a physical environment constituting a welcoming and versatile learning center; and

WHEREAS, the Library Addition and Renovation Project is anticipated to cost \$20,176,755, inclusive of a 5% construction cost contingency, with over \$8,000,000 in project funding already raised through the Library

Capital Campaign, courtesy of the philanthropy exhibited by Scarsdale residents; and

WHEREAS, the following donations has been offered to the Scarsdale Public Library Addition and Renovation Capital Improvement Project: Friends of the Scarsdale Library - \$50,000.

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

RESOLVED, that the Village Board hereby accepts the following gift toward the Scarsdale Public Library Master Plan Improvement Project: \$50,000 from the Friends of the Scarsdale Library; and be it further

RESOLVED, that the Village Treasurer take the necessary steps to complete the transaction and accept the financial gift totaling \$50,000 and deposit said funds into the Library Capital Campaign Account; and be it further

RESOLVED, that the Board of Trustees hereby extends their heartfelt thanks and great appreciation to the Friends of the Scarsdale Library for their generosity and commitment to the Scarsdale Public Library and the community it serves.

Trustee Waldman

Upon motion entered by Trustee Waldman, and seconded by Trustee Crandall, the following resolution regarding Authorization to Execute a Memorandum of Agreement with Scarsdale-Edgemont Family Counseling Service for the FY 2019/20 Aging in Place Initiative was approved by the vote indicated below:

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 2019/20 Aging In Place program funding request of \$49,306.79, attached herewith, representing a year-to-year increase of \$1,622.77; and

WHEREAS, the adopted FY 2019/20 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 \$49,306.79 to support the Aging In Place program, as described in the attached MOA, be charged to the FY 2019/20 General Fund Budget Account # A-9990-HUMSV-ADULTS-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		

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

WHEREAS, South East Consortium for Special Services, Inc., is a voluntary not-for-profit corporation whose sole purpose is to provide therapeutic recreation services to Westchester County youth and adults with physical, developmental, learning, and emotional disabilities; and

WHEREAS, the Consortium provides these services through an Interagency Agreement with member municipalities, including the City of Rye, Towns of Eastchester, Pelham and Mamaroneck, the Villages of Bronxville, Mamaroneck, Port Chester, Rye Brook, and Tuckahoe, and the Town/Villages of Harrison and Scarsdale; and

WHEREAS, the Village has participated in this program since its inception 38 years ago, having found it to be a very beneficial and successful endeavor; and

WHEREAS, the Village of Scarsdale’s cost to participate in the Consortium for 2019 is \$16,334, which remains unchanged since 2008; now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to execute an Interagency Agreement, in substantially the same form as attached hereto, with South East Consortium for Special Services, Inc., to provide special recreation programs for disabled individuals in Scarsdale for the 2019 program year; and be it further

RESOLVED, that the 2019 program year cost of \$16,334 is hereby approved and shall be charged to the FY 19/20 Recreation Department Operating Budget Account #A-7020- REC-DISAB-400-499, where sufficient funds are budgeted and available.

<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 Waldman, and seconded by Trustee Crandall, the following resolution regarding Rejection of Bids for VM Contract #1293 – Winston Field Drainage Improvements was approved by the vote indicated below:

WHEREAS, the Village Manager reports that staff publicly advertised in the Scarsdale Inquirer on June 10, 2019, for the receipt of bids pursuant to VM Contract #1293 – Winston Field Drainage Improvements,

having also published the notice to Bidnet and sent it directly to six vendors capable of completing the necessary scope of work; and

WHEREAS, although the project budget anticipated a design solution involving installation of curtain drains throughout the field, the project design professional determined that, given soil composition and the goal of making the field playable within a 24-hour period following a rain event, a more significant level of field renovation would be required than was originally anticipated and the project bid documents were prepared accordingly; and

WHEREAS, on the bid opening date, July 02, 2019, four bids were received, all of which significantly exceeded appropriated project funding, reflecting the difference between the level of work initially anticipated at time of budget preparation and the extensive field renovation later determined necessary during the design phase; and

WHEREAS, recognizing the significant gap between appropriated funding and the bids received, staff recommends rejecting all bids, undertaking an effort to examine alternatives and investigate alternate funding sources, potentially including either state or federal grants, and continuing to operate Winston Field under present conditions until the project is proposed for a future Capital Budget; now, therefore, be it

RESOLVED, that the Village Board, pursuant to Section 103 of the New York State General Municipal Law and Section 57-7 of the Village Code, hereby rejects all bids received for VM Contract #1293 – Winston Field Drainage Improvements; and be it further

RESOLVED, that Village Staff will investigate potential alternatives to achieve the 24-hour playable field objective, as well as possible state or federal grant opportunities to support the needed Winston Field improvements.

AYES

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

NAYS

None

ABSENT

None

Upon motion entered by Trustee Waldman, and seconded by Trustee Veron, the following resolution regarding an Appointment to the Board of Architectural Review was approved by a unanimous vote:

WHEREAS, the Board of Architectural Review (BAR) consists of seven (7) members appointed by the Village Board for three-year terms; and

WHEREAS, on June 25, 2019, the Village Board appointed member Mera Faddoul as an alternate member, as per her request, leaving one vacancy on the Board; and

WHEREAS, the Village Board met on July 09, 2019 to discuss potential candidates and reviewed and discussed the application of Brad Cetron, 28 Oxford Road, to fill said vacancy and agreed that Mr. Cetron should be appointed as a full member to fill the unexpired term of Mera Faddoul; now, therefore, be it

RESOLVED, that Brad Cetron, 28 Oxford Road, is herein appointed as a full member of the Board of Architectural Review, to fill the unexpired term of Mera Faddoul, effective immediately for a term ending April 05, 2021, or until such time as a successor is appointed.

Written Communications

Village Clerk Conkling reported that three (3) communications have been received since the last regular Board of Trustees meeting. She noted that all written communications may be viewed on the Village's website at www.scarsdale.com.

- An email from Susan Levine regarding visibility of house numbers.
- An email from Mark Lewis regarding Moody's Investor Service comments on the use of added sales tax revenues by municipalities.
- An email from Julie Zhu, Harcourt Road, concerning Butler Field lights proposal.

There being no further business to come before the Board the meeting adjourned at 9:15 P.M.

Donna M. Conkling
Village Clerk