

THREE THOUSAND THREE HUNDRED SIXTY-FIRST

REGULAR MEETING

Video Conference
Via Zoom
October 13, 2020

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held on Tuesday, October 13, 2020 via video conference (Zoom) at 7:00 p.m.

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

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Minutes

The minutes of the Board of Trustees Regular Meeting of Tuesday, September 22, 2020 were approved on a motion entered by Trustee Crandall, seconded by Trustee Arest, and carried unanimously.

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Bills & Payroll

Trustee Arest reported that he had audited the Abstract of Claims dated October 13, 2020 in the amount of \$1,826,820.71 which included \$79,953.75 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 Arest and seconded by Trustee Crandall, the following resolution was adopted unanimously:

RESOLVED, that the Abstract of Claims dated October 13, 2020 in the amount of \$1,826,820.71 is hereby approved.

Trustee Arest further reported that he had examined the payment of bills made in advance of a Board of Trustees audit totaling \$716,917.30 which were found to be in order and he moved that such payments be ratified.

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

RESOLVED, that payment of claims made in advance of a Board of Trustees audit totaling \$716,917.30 is hereby ratified.

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Mayor Samwick thanked Trustee Arest for his report on the Bills and noted that the new Village Treasurer is on the Zoom Virtual meeting this evening with the Board. He informed Village Treasurer Scaglione that the Board is thrilled to have her with them this evening and that they very much look forward to working with her.

Village Manager Pappalardo also welcomed Ms. Scaglione this evening as the new Village Treasurer. He stated that she started her tenure on Monday, October 5th and that she has been working closely with retired Treasure Mary Lou McClure, learning the Village's systems and operations. Mr. Pappalardo stated that Ms. Scaglione came to the Village from the City of Peekskill, where she served six years as their Controller. Previously to working for the City of Peekskill, she worked 10 years as Supervisor of Fiscal Services for the Town of Orangetown. He stated that she has significant experience in the private sector serving in the capacity of Controller, Financial Project Manager, Internal Auditor and Staff Accountant for one of the large public accounting firms. Ms. Scaglione has a BBA in public accounting and is a Certified Public Accountant in the State of New York. He welcomed her to the Village as well as welcoming her to her first official Village Board of Trustees meeting.

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Mayors Comments

Mayor Samwick stated "there are a number of topics I would like to cover in this evening in Mayor's comments.

First and most important, as many know there was a pedestrian fatality on Wednesday morning last week. Beverly Samuels, 79 years-old, was struck by a vehicle while walking on Crane Road near Church Lane and died as a result of her injuries.

Our community is deeply saddened by this tragedy and our hearts goes out to Ms. Samuels' family and friends. This is not the way any life should end.

As a Village, we must redouble our efforts to move in the direction of safer roads for all users.

As many know, traffic safety is a top priority for the Village Board. Our adopted FY 20/21 Budget included funding to initiate pilot projects to evaluate the effectiveness of traffic calming and other strategies, which might then be expanded to other areas of the Village. However, as the global pandemic settled on New York, we were forced to adopt stringent fiscal measures to control spending and conserve our reserves, resulting in many planned projects being placed on-hold, including the proposed engineering studies necessary to establish pilot corridors.

Amidst the continuing pandemic, anecdotal observation tells us there are fewer cars on the roadways and more pedestrians and bicyclists, though vehicular traffic appears to be on the rebound, potentially leading to increased conflicts.

In addition to the pilot projects placed on hold, the Village has requested authority through the New York Assembly to reduce the Village-wide speed limit to 25 mph, but that is not enough.

Our Traffic Safety Committee, comprised of public safety and engineering staff, continues to evaluate identified locations for the opportunities to reduce traffic speeds, vehicular and pedestrian conflicts at crosswalks, and eliminate visual obstructions creating hazardous conditions for all users, and more. But, that, too, is not enough.

The Scarsdale community and Village Board hunger for meaningful change in the status quo.

Ms. Samuel's untimely death is a harsh reminder that we must do more – as a municipal government, as an elected body representing Scarsdale residents, and as a community.

As individuals, please remain diligent in your efforts to drive safely.

Don't speed.

Come to a complete stop and don't slow roll through stop signs.

Be sure to stop for pedestrians trying to cross the road and be particularly cognizant of the potential for encountering a pedestrian or cyclist to be encountered on the roadway, allowing adequate space between you and the vehicle ahead to see a person or cyclist in-time to maneuver such that you are able to pass safely.

As pedestrians and cyclists, please do your part to be safe when navigating about the community.

Use the sidewalk when one is available.

Bikes should ride with traffic, while pedestrian walking on the street surface should walk facing oncoming traffic in order to monitor approaching vehicles and take any necessary evasive action—a statement worthy of repeating.

“ . . . in order to monitor approaching vehicle and take any necessary evasive action.”
The observation that we must caution people of all ages and abilities of the potential need to take evasive action is telling.

It tells us that our roadways need to be safer places for all users.

Accordingly, I have asked the Village Manager to obtain quotes from traffic engineers to study traffic calming measures in areas where data indicates the highest priority for enhanced pedestrian and bicyclist safety measures. Taking meaningful steps toward roadway

safety for all users is the most meaningful action each of us can take, individually and collectively, to honor Beverly Samuel's life.

Additional updates will be provided as they become available.

COVID-19 Update

As responsible citizens, we share an obligation to help reduce the spread of COVID-19. We must continue to maintain vigilance in adhering to public health guidance and legal mandates so as to help avert a local resurgence of the disease. Recent news about the appearance of transmission hotspots in New York serves as a stark reminder of our collective duty to continue to be attentive by making personal choices and taking necessary actions in support of the guidance and mandates that protect ourselves and others from COVID-19 exposure.

Please continue to practice social distancing, comply with the NYS mandate to wear a face covering in public spaces where you are unable to maintain at least six feet separation from others, wash or sanitize your hands frequently, avoid touching your face, stay home when you are not feeling well, and adhere to any applicable self-quarantine mandate triggered by travel to NY from a designated state.

Undertaking these efforts, while encouraging children, teens, and young adults to do the same, will reduce the likelihood that rigorous restrictions on businesses and our daily activities may need to be reinstated.

We've done a great job locally, so let's keep it up! Our safety remains in our hands.

Halloween

Like many holidays, observances and customs, Halloween will not be celebrated as we accustomed this year. While the Village Halloween Parade is cancelled because of the pandemic, there will be a virtual costume contest and the Village's treasured window painting will take place on Sunday, October 18, with appropriate COVID-19 safeguards in place.

The Village continues to await Trick-or-Treating guidance from the New York State and Westchester County Departments of Health. In the interim, however, the Centers for Disease Control (CDC) cautions that many traditional Halloween activities can be high-risk for spreading COVID-19 and has published guidance for holidays, including recommendations specific to Halloween. As reported by the Village Manager at the previous Village Board meeting on September 22, the CDC urges residents to avoid specified higher risk activities, such as traditional door-to-door trick-or-treating, employing appropriate precautions when participating in identified moderate risk activities, such as attending a costume party held outdoors where protective masks are used and people can remain more than 6 feet apart, and considering low risk alternatives, such as having a virtual Halloween costume contest. For more details on the CDC recommendations, review their online Halloween advisory information.

The Village will promptly post and distribute Halloween updates from the State and County Departments of Health, if and when they become available.

Village Board Work Session - Finance

The Village Board will hold a finance work session at 5:00 pm on Tuesday, October 27, to review status of the FY 2020-21 budget against the backdrop of continuing financial management activities in connection with COVID-19 revenue impacts. We will also discuss FY 2021-22 budget planning, as well as the appropriate target for Unassigned Fund Balance.

As you may be aware, prudent fiscal management contributes significantly to the Village's Aaa bond rating from Moody's. The Village Board and staff have continuously monitored the Village's financial position throughout the pandemic, having undertaken a variety of austerity measures to ensure continuing financial stability during a period of upheaval. Because of our early and aggressive efforts, we remain on solid footing today. Our continuing efforts, as reflected in the public work session scheduled for October 27, underscore our commitment in that regard.

Please see future announcements from the Village and/or check the Village website to obtain information on how to attend this and other important Village Board meetings and work sessions.

Ad Hoc Council to Combat Racism and Bias

The Ad Hoc Council to Combat Racism and Bias was formed by resolution of the Village Board on July 14, 2020. The Council continues to conduct invitation-only listening sessions to enhance its awareness of salient themes and to gather and consider insights and perspectives from people of varied racial and ethnic backgrounds residing in Scarsdale. Because of the potential sensitivity of the topic and the need to offer a safe space for people to express concerns and experiences freely, the listening sessions have not been open to the public. However, as the Council's work continues, there will be opportunity for broader public engagement.

As a refresher, the Ad Hoc Council's mission is to:

1. Create an anti-racist and anti-biased environment in Scarsdale that encourages inclusion and a sense of belonging for all residents – an environment that recognizes the value that each individual brings to our community.
2. Focus on listening and engagement to identify areas of tension in the community (specifically, where and how residents are experiencing discrimination or bias).
3. Use the information gathered to construct actionable recommendations, which may include such elements as educating the community, creating a safe and open place for the community to bring any race or bias issues to seek resolution, and other concrete recommendations derived from the work of the ad hoc Council.

The Council's members are diverse and include a majority of people of color, including individuals representing Scarsdale Family Counseling, the School District, Board of Education, Village staff, and Village Board.

Scarsdale Neighborhood Association Presidents (SNAP)

For those who may not be aware, SNAP is an organization comprised of the presidents of each of Scarsdale's 15 Neighborhood Associations ("NA"). Every resident of Scarsdale is eligible to join his/her NA, which is designated based on street address. All residents are encouraged to get in contact with the president of your NA and be placed on any mailing list maintained by your NA to help you remain informed and engaged in matters of interest and import in your neighborhood.

The purpose of SNAP is to help facilitate communication between the Village, School District, and residents, and to promote the welfare and neighborly spirit of Scarsdalians - both in each of their Neighborhoods and collectively as a group. The SNAP presidents meet together monthly, usually with the Mayor and at times for specific subject matter, Village staff members. The NA's are a great source of information, they advocate for common causes and issues, and they organize neighborhood events.

On behalf of the Village Board, I encourage every resident to join their Neighborhood Association and actively participate in the types of activities that make Scarsdale a wonderful community.

Scarsdale Public Library

I recently toured the Scarsdale Public Library and was very impressed with the renovation and addition work that has been completed – the transformation is truly remarkable! On behalf of the Village Board, I commend all who have contributed to the project's success, including Library and Village staff, the Library Board, and the many generous members of our community who contributed the funding necessary to make the project a reality.

Watch for more library reopening information over the coming weeks.

Leaf Management

As follow-up to the Village Manager's report at the September 22 Village Board Meeting, the 2020 Fall Leaf Collection Program starts this Monday, October 19th and continues until December 11th. The Village collects leaves piled loose at the curb line or leaves placed in biodegradable paper bags. Residents or their contractors may bring loose leaves to the Village Recycling Center at 110 Secor Road. The normal dumping fee is waived as long as contractors pre-register with the Village and provide proof of client residency.

Residents and contractors are reminded that all fall leaf piles must be placed in the area between the curb or pavement edge and one's private property line for collection by Village crews. Loose leaves placed on any part of the roadway are a public safety hazard and are a violation of the Village Code. Warning notices as well as violation notices will be issued. Your cooperation will ensure a cleaner and safer Village.

Often, the optimal solution for residents is to mulch-mow leaves on-site. Leaf mulching provides environmental health benefits to your lawn, while reducing phosphate runoff into waterbodies as well as the localized flooding and traffic hazards. Additional information regarding leaf mulching is available on the Village website at www.scarsdale.com on the Conservation Advisory Council page.

Thank you for your cooperation in managing your leaves responsibly.

Vote!

Seldom has our Country faced a more important election than the national election we will have three weeks from today, on November 3rd.

While many are concerned about voting during the pandemic, there are more ways to vote this year than we have had in the past. Absentee ballots are available to all registered voters who request such ballots by October 27th. Early voting is now available in New York State from October 24th through November 1st. I cast my first early ballot at the County Board of Elections in downtown White Plains during the primary elections this summer and it was quick and easy. There was plentiful hand sanitizer, cleaned pens and mandatory face coverings required to enter the building. Please go to the Westchester County Board of Elections website for a list of early polling locations and times as well as information on voting via absentee ballot. Of course, registered voters may also cast ballots as you would do ordinarily on Election Day, November 3rd.

Voting remains one of the most important rights we have as citizens and it is the most effective way for your voice to be heard. I strongly encourage all registered voters to cast your ballot.”

Mayors Assignments

The Mayor hereby appoints **Trustee Justin Arest** as **Deputy Mayor**, **Trustee Rochelle Waldman** as **Police Commissioner** and **Trustee Seth Ross** as **Fire Commissioner**.

The Mayor announces the following liaison assignments:

Ross: Board of Appeals; Board of Architectural Review, Planning Board; Scouts; Scarsdale Volunteer Ambulance Corps

Arest: Advisory Council on Arts; Cable Television Commission; Advisory Council on Communications; Scarsdale Business Alliance

Crandall: Conservation Advisory Council; Advisory Council on Scarsdale Senior Citizens; Advisory Council on Youth; Friends of the Scarsdale Parks; Scarsdale Junior League

Lewis: Town Board of Assessment Review; Council on People with Disabilities; Board of Ethics; Judicial Qualifications Advisory Council; Advisory Council on Technology

Waldman: Library Board; Advisory Council on Parks, Recreation and Conservation; Police Reform and Reinvention Committee; Scarsdale League of Women Voters; Ad Hoc Council to Combat Racism and Bias

Whitestone: Committee on Historic Preservation; Advisory Council on Human Relations; Historian; Scarsdale Chinese Association; Scarsdale Edgemont Family Counseling Services

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The Mayor announces the following Neighborhood Association assignments:

Ross: Greenacres; Murray Hill/Middle Heathcote; Secor Farms

Arest: Crane Berkely-in-Scarsdale; Fox Meadow; Overhill

Crandall: Bramlee Heights; Sherbrooke Park; West Quaker Ridge

Lewis: Old Scarsdale; Quaker Ridge; Scarsdale Meadows

Waldman: Drake-Edgewood; Heathcote

Whitestone: Arthur Manor; Colonial Acres; East Heathcote

Samwick: SNAP

Manager's Comments

None.

Public Hearings

Trustee Arest stated that it has been great working on the downtown Village Center Task Force and helping the Board, Village Staff and community to remove red tape so that the merchants can try to recover and the Village can have a vibrant downtown Village Center to the extent possible.

Trustee Arest stated that two public hearings are being heard this evening as he noticed at the last meeting. One is to amend Chapter 245 of the Village Code entitled Sidewalk Cafes, and the other is to amend Chapter 256, entitled Streets, Sidewalks and Public

Places. He noted that both of these are basically just extensions of the existing law for Chapter 245. Assistant Village Manager Richards, along with Village Engineer Goessl describe in the memorandum included in the packet some of the other criteria that will be required, for additional items, such as a tent, and perhaps heaters to be used outside now that the weather's changing – this is a different need than in previous years, with a different window for outdoor cafes. This is all being handled by Village staff and very well so; Village Engineer Goessl has been incredible in reaching out to the permit holders already, even while the Board is working on this and is obviously contingent on this local law being adopted, but just making sure that there's no lag after the expiration of the current law concerning Chapter 245, extension of the amendment to sidewalk cafes.

Trustee Arest continued, stating that as everyone should remember, at the June 9th Village Board meeting, the Board amended Chapter 256, entitled Streets, Sidewalks and Public Places to allow premises operating as a retail store, food service establishment, or sidewalk café, or as a nonresidential use, occupying any ground floor street facing space, the permission to display their goods, wares, merchandise, and food and beverages subject to obtaining a permit.

Trustee Arest noted that prior to this, merchants were prohibited from displaying such items on sidewalks. He stated that there are a total of 24 business owners who have permits and may avail themselves of displaying their goods on Village sidewalks, and if adopted, this local law will extend the previous amendment through December 31 2020 – that is the essence of the change. Both of these amendments are an extension through the end of the year.

At this time, Trustee Arest entertained a motion to open the public hearings for both amendments to Chapter 245 and Chapter 256, seconded by Trustee Crandall and carried by a unanimous vote.

Trustee Arest invited any members of the public to speak on the subject of these public hearings.

Marcy Berman-Goldstein, 10 Olmsted Road, stated that she is Co-President of the Scarsdale Business Alliance and would like to thank the Village board and staff, again, on behalf of the Scarsdale Business Alliance (SBA) for working with them to find creative solutions for their customers to shop and dine during this incredibly challenging time. She stated that the SBA fully supports the amendments to Chapters 245 and 256 of the Village Code, allowing the extension of sidewalk cafes for restaurants and utilization of storefront sidewalks through the end of this year.

Ms. Berman-Goldstein stated that there has been a tremendous amount of positive feedback from the business community and from their patrons. The ability to dine and shop outside has allowed them to serve their customers safely. Now more than ever everyone needs to support their local restaurants and shops, and amendments to the Code meets the needs of the merchants and consumers. She stated that the SBA looks forward to their continued collaborative partnership with the Village as they work to infuse the downtown center and all of the retail hubs in Scarsdale with a renewed sense of community and togetherness.

Trustee Arest stated that Ms. Berman-Goldstein from the SBA has been incredible as well as Village Engineer David Goessl and Village Planner Greg Cutler, and Assistant Village Manager Ingrid Richards for working very hard. They have all been speaking every week at a minimum and they have gone above and beyond.

Robert Berg, 17 Black Birch Lane, asked if there has been any data gathered analyzing the success of this plan. He asked how many restaurants participated and how many dinners have been served on the sidewalk cafes; also, how many stores have actually placed their wares on the sidewalk? He asked if there had been any requests to participate of other businesses, not located on the ground floor of the Harwood building or any other building to also locate their services outside, as he has requested at other Board meetings.

Trustee Arest responded to Mr. Berg that in terms of data, you know, he participates in the SBA Board meetings and interacts with merchants as well. He stated that there has been only one merchant that they have unfortunately lost during this pandemic recently, and many of them speak to efforts of the Village to actually helping them, perhaps not saving their business, but clearly making them better and making the downtown Village center much more vibrant than it had been in some cases, even previous to COVID, but certainly during COVID. In regard to Mr. Berg's question as to whether or not there have been any requests by other businesses not located on the ground floor of buildings to participate, he stated that he is not aware of any requests.

Trustee Arest stated that they have tried to work with fitness providers and some other things. He noted that in one case, there was a franchise issue that wouldn't allow them to take part using the Recreation Department, but they have offered the Recreation Department as an example to offer programs through fitness programs to residents to try to help those businesses as well. To date, he did not believe that any of them have gone through and taken them up on that. However, in terms of data, he stated that he has only heard positive feedback and as the SBA Co-President stated this evening, it has been a wonderful collaboration.

Trustee Arest noted that there were no further comments from the public regarding these two public hearings. Before requesting a motion to close the public hearings, he noted that as the Board knows, he is not a fan of voting on issues that are heard as public hearings on the same night, unless it is administrative or somewhat time sensitive. In this case, he felt that both amendments fall under both. The current law lapses at the end of this month, and this is just an extension of existing laws. For this he stated he will defer to the rest of the Board, but stated that he would be comfortable voting on this tonight. However, if anyone has an objection, he stated that he would like to know before he asks for a motion to close the public hearings.

As there was no objection from the Board, Trustee Arest asked for a motion to close the public hearings, so moved by Trustee Crandall, seconded by Trustee Lewis and carried by a unanimous vote.

Upon motion entered by Trustee Arest, seconded by Trustee Crandall, the following Local Law Amending Chapter 245 of the Scarsdale Village Code entitled Sidewalk Cafes was adopted by the vote indicated below:

INTRODUCTORY LOCAL LAW # 3 OF 2020
A LOCAL LAW AMENDING CHAPTER 245 OF THE SCARSDALE VILLAGE
CODE
ENTITLED SIDEWALK CAFES

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

§ 245-6. Regulations.

- A. The permit is valid from April 1 to December 31. Permits must be renewed annually. All existing two-year permits as of the date of this amendment shall continue until expired.
- B. Sidewalk cafes and their appurtenances must be removed by the first Monday in January, 2021.
- C. No outdoor music shall be permitted.
- D. When the associated food-serving establishment is not open and/or the sidewalk cafe is not in use, all furnishings, utensils, containers, chairs, tables, umbrellas or any other materials used in the operation of the sidewalk cafe or within the area used by the sidewalk cafe shall be neatly stacked, bundled or be stored in an approved manner.
- E. All sidewalk cafes shall close operations by 10:00 p.m. each night and shall not begin before 8:00 a.m. each morning.
- F. Sidewalk cafes and the public property on which they are located shall be kept neat and clean at all times and free from litter or any substance that may damage the sidewalk or cause pedestrian injury.
- G. The applicant shall be responsible for any damage caused to any sidewalk or public property.
- H. This amendment shall automatically expire on December 31, 2020 unless sooner repealed by the Board of Trustees.

EFFECTIVE DATE

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

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

Upon motion entered by Trustee Arest, seconded by Trustee Crandall, the following Local Law Amending Chapter 256 of the Scarsdale Village Code entitled Streets, Sidewalks, and Public Places was adopted by the vote indicated below:

INTRODUCTORY LOCAL LAW # 4 OF 2020
 A LOCAL LAW AMENDING CHAPTER 256 OF THE SCARSDALE VILLAGE CODE
 ENTITLED STREETS, SIDEWALKS AND PUBLIC PLACES

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

Section 1. The Code of the Village of Scarsdale is temporarily amended by repealing Section 256-1 thereof entitled "Permit Required to Obstruct" in its entirety and replacing same with the following:

§ 256-1 Permit required to obstruct.

- A. No person shall obstruct any street, sidewalk, public easement or other public place without first securing a written permit from the Village Engineer and complying with such regulations affecting obstructions as the Village Engineer may prescribe. The Village Engineer's decision to grant or deny a permit application shall be made within three business days after a completed permit application has been received by the Village. No owner or lessee of any premises in the Village shall permit any goods, wares or merchandise owned or controlled by him to be kept, stored, displayed or sold on or directly above any sidewalk adjoining such premises. No owner or lessee of any premises in the Village shall permit any refuse or waste from such premises to be kept or stored on or directly above any sidewalk adjoining such premises without first securing a written permit from the Village Manager and complying with such regulations and restrictions as may be prescribed in such written permit.
- B. Notwithstanding anything contained in Chapter 245 of this Code or subsection A above to the contrary, any owner or lessee of any premises operated as a retail store, food service establishment or sidewalk café as such terms are defined in this Village Code, or as a nonresidential use occupying any ground floor street-facing space, located in the Village Center and/or adjacent to any retail or food service establishment property in other areas of the Village, shall be permitted to display and/or sell on or directly above any sidewalk or other public space its goods, wares or merchandise, food and beverages subject to such

owner or lessee obtaining a revocable permit for same from the Village Engineer at his/her sole discretion. Such permit shall be subject to reasonable rules and conditions to be established by a committee comprised of two (2) members of the Village Board of Trustees as designated by the Mayor, the Village Manager or his/her designee, the Village Planner and the Village Engineer. Such permit shall be subject to any limitations or conditions of any executive order or equivalent, issued by the Governor of New York or the Westchester County Executive.

- C. Section 256-1(B) shall automatically expire on December 31, 2020 unless sooner repealed by the Board of Trustees.

Section 2. Section 256-1(B) shall automatically expire on December 31, 2020, unless sooner repealed by the Board of Trustees.

Section 3. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

EFFECTIVE DATE

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

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

Public Comment

Mayor Samwick opened the public comment portion of the meeting, noting that five minutes is allocated for each speaker. Shortly before the five minutes are up, Assistant to the Village Manager Aylone Katzin will hold up a time clock showing the final time elapsing.

Robert Harrison, 65 Fox Meadow Road, complimented the Mayor for his excellent report, noting that it was sensitive with the tragedy on Crane and Church Roads. It was a very informative report on many issues and he hoped that many people are listening to the meeting this evening. He strongly agreed with the Mayor’s advice that pedestrians walk against traffic as some of the roads are very narrow in the Village.

Mr. Harrison next spoke about the Scarsdale Open Youth Tennis Tournament, which he stated he has previously talked about. He stated that it has been publicized on the Scarsdale 10583 website and in the Scarsdale Inquirer on a number of occasions. As of last night’s deadline to sign up for the tournament, he reported that 28 of the Village’s youth has

signed up for the Scarsdale Open, which will take place this Thursday, October 15th at the Middle School Tennis Courts and then again on Friday, October 16th at 5:00 P.M. If it doesn't rain, then again on Saturday. There will have several divisions playing, based on their ability, and everyone will get a participation trophy. The champions will get champion trophies. The players consist of boys and girls age 6-18 years of all skill levels – beginner, novice, intermediate, and advanced. There are a full range of players that have signed up. I want to compliment Edith Fodor, who is a three year resident of Scarsdale. He stated that she has been very helpful to him. She created a poster for the tournament and they put the posters up around the tennis courts over the last week. She will be helping out on Thursday night as well. Mr. Harrison stated that if anyone is still interested in playing in the tournament, they can call him before midnight and he might be able to squeeze them in. He stated that they look forward to some good weather and a great tournament for our youth.

Robert Berg, 17 Black Birch Lane, stated that the Village has had a number of serious traffic incidents in the Village over the past couple of weeks -- the terrible fatality last week, and another terrible crash on Church Road a week or two before that. He stated that there is very little information available to the public about exactly what happened. The public doesn't know whether the victim was actually crossing the street or walking on the side of the street; he stated that they don't have the facts, and it would be helpful to have that information for residents to know what really transpired in both of these two terrible incidents. Although the police are still investigating the accidents and the County is involved as well, there should be preliminary reports and information made available to the public.

Mr. Berg stated that some of his friends in Edgewood have been trying for several years now to get a four way stop sign on one intersection and to date, the Village has not agreed to do so, and even though many of those residents signed a petition and all the neighbors came and spoke before the Board several times. He stated that it was inconceivable to him that the Village will not accommodate them on their street. While all of these terrible things have been happening, the Village won't take some basic steps where residents live in the area and deal with that problem, day in and day out. He stated that he has walked those streets and he understands their concerns. He stated that he hoped the Village would now be more sensitive to their concerns and install the four way stop sign.

As there were no further comments offered, Mayor Samwick closed the public comment portion of the meeting at this time.

Mayor Samwick asked Village Manager Pappalardo to speak briefly about the traffic incidents and the process by which stop signs or other traffic measures are addressed in the Village.

Village Manager Pappalardo stated that he did not have much information with regards to the accident on Church – that is still being investigated, as well as the accident with the pedestrian fatality, Ms. Samuels, who was walking against traffic. She was on the south side of Crane Road between the entrance to St. James the Less Church and Church Street. There is no sidewalk on that side of the street; she was walking between the shoulder line and the curb, which is perhaps a foot and a half or two feet wide. The motorist was driving eastbound on Crane towards Post Road. Apparently, based on the reports that they have received, there was some difficulty seeing with sun glare at that time of the morning

and the driver of the vehicle didn't see her and hit her. The County traffic investigation team has been called in to investigate this accident. He stated that there was no indication of any speeding; there were no skid marks. It was just a terrible accident.

Village Manager Pappalardo continued, stating that in regard to the requests the Village receives from residents for all restrictive traffic signs, including stop signs, they employ their Traffic Safety Committee, who meets on a regular basis to review these requests. They obtain as much statistical data as they possibly can before making any determinations. They look at the uniform manual of vehicle traffic control devices which is a nationwide document which guides all governments with these regulatory signs, and they make decisions based on that information. The Traffic Safety Committee consists of their Engineers, Officers in the Police Department who have some training in this area, and the Manager's office staff to manage it. They look at these sites, independent of each other, come back, and then look at the data that we have and make determinations.

In regard to the four way stop intersection at Nelson Road, the committee does not believe a four way stop sign is justified based on what he just explained. There was some visual obstructions out there and they worked very hard with the Code Enforcement officer to take care of all of those visual obstructions. That was the determination of the Committee at that time and they haven't changed their mind. He noted that he is not on this committee, but reporting on behalf of their work.

Trustee Arest stated that he appreciated the comments on traffic safety. He stated that he thinks it is great when residents take an interest in it. He stated that he also thinks that it is well known that it has been a priority of many on this Board, if not the entire Board for quite some time.

In regard to the Village Center, Trustee Arest stated that he forgot to mention is hearing from a large land owner in the Village Center, noting that some of the efforts that the Village has taken, including permitting the tent and sidewalk cafes and the selling of wares outside on the sidewalk - these have actually been pointed out by potential tenants looking at spaces in the Village Center as things that are appealing and that they may want to take advantage of, and reasons why they may want to come to Scarsdale. He stated that he thinks that they appreciate that there's a government and there's a community willing to work with them and try to support them. He stated that he also would like to just note that his understanding is that, and although he does not have hard numbers on this, but from what he has been told by people who are either land owners or real estate agents, the Village's vacancy rate is at some of the lower lowest levels in the area.

Mayor Samwick stated that with regard to his perspective with respect to Mr. Berg's comments and questions, one thing that he has learned is that he does not know about the traffic rules, and regulations and what dictates a stop sign. His intuition tells him that a stop sign is a safety measure. And in fact, what he's learned from the professionals is that too many stop signs actually reduce the effectiveness and safety of all of the stop signs, because if they are too frequent and too voluminous, you will actually find people going through them with more frequency. He stated that we are very fortunate that we do have professionals who can deal with these things and just what he has found in his limited experience is that they have a much better handle on this and more expertise in this arena,

and an obviously everyone is looking out for the safety of the residents, whether they be pedestrians, bicyclists or people who are driving cars.

Trustee Liaison Reports

Trustee Crandall stated that there's another Lunch and Learn meeting this Monday, October 19th from 1:00 PM to 2:00 PM under the Scarsdale food tent on Spencer place. She stated that the program is in regard to preparing for Medicare open enrollment. Diane Poonai of the Westchester County Department of Senior Services will answer questions about health insurance and Medicare. This program is free and open to all, although it is likely of most importance to our senior citizens. She stated that you should please bring your own lunch. For more information, contact Mary Ellen Sanger, Aging in Place coordinator, at 914-723-3281. Also, if you are a Scarsdale senior citizen who's feeling a bit isolated or stressed by the COVID situation, feel free to give Mary Ellen a call, you're not alone. According to Mary Ellen, our seniors are actually doing quite well; they're managing and they're able to get their food and get to their doctors' appointments, etc. But in general, they're feeling a bit bored and isolated, given the current virus situation. She asked that residents call your neighbors, and of course, call your mom, your dad, and any other older relatives that perhaps you can't see. In general, continue to be kind –we're in this together.

Trustee Waldman stated that she had the pleasure of touring the library with Mayor Samwick last week, and it is coming along; it looks great and it will be a huge asset to this community. We all look forward to the opening.

Trustee Waldman stated that books have been delivered from storage to the library and have begun being placed on the shelves. Computers will be delivered and set up in the week. The contractor was currently working on the punch list and finishing open items. Virtual programming for adults and children are continuing this fall and the schedule is on the website, which is www.Scarsdalelibrary.org.

Trustee Waldman stated that contact-less pickup and drop off of books at the Scarsdale loft is continuing. The library will be announcing when the loft will be closed so that those books can be moved to the library. This information will be shared on the library website banners announcing the reopening of the library, which will go up in the next couple of weeks, and they will be displayed at Village Hall, Chase Park and at 54 Olmsted. Finally, she announced that a vendor has been selected to run a cafe in the library and negotiations between the vendor and the Library Board are currently ongoing.

Trustee Lewis stated that last week he attended a meeting of the Advisory Council on Technology, chaired by Scott Rompala. The committee had the privilege of being briefed by the Village head of technology, Christopher O'Brien, who gave an excellent, very complete presentation on some of the software packages we use, and the conversation was

strategic in nature, thinking through how do we craft greater efficiencies from what we have. It was a very timely conversation, given the budget talks that we've embarked on and the challenges before us. The Advisory Council on Technology is preparing a comments to be shared with the Board later this fall with their preliminary conclusions.

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Trustee Arest stated that he inadvertently left former Deputy Mayor Jane Veron off the list of people on the downtown Task Force, and he wanted to note that she was kind enough to agree to stay on the Task Force. He stated that she is invaluable and thanked her.

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Trustee Whitestone reported that he attended the community partners' quarterly update meeting last week for the Scarsdale Youth Services Project. He stated that this is a partnership among the Village, the School District, and Scarsdale Edgemont Family Counseling Service. The project places a team of youth outreach workers into the community as a resource for adolescents and parents. Jay Genova, Scarsdale Edgemont Family Counseling Service executive director, gave an update on how the project has performed through its six independent programs. In terms of school-based services at the middle and high school, youth workers stayed busy over the summer with kids not in camp and have returned to schools in the fall. Mr. Genova observed that the Project is preparing for the mental health impact of the shorter, darker days of fall and winter ahead and potential future spikes in the pandemic. Overall, staff and participants are adjusting to our virtual existence, and the Youth Services Project has continued to provide needed counseling to the community at a time when such services have been more important than ever

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Trustee Lewis

Trustee Lewis stated that this resolution regarding the water main repair emergency purchase and replenishing the Water Fund capital budget is a discussion item that has appeared in their conversations in the past. He stated that everyone is quite familiar with the fact that we had a significant and troublesome water main break in August, reflecting the aging of our infrastructure. We had discussion of this in our September Board meeting, and the actions taken, as people may recall from that Board meeting, is that it was an emergency matter and we initially funded the repair of that water main break from our capital improvement fund for water related infrastructure. He stated that the Village has lots of other infrastructure needs, and so we need to replenish that infrastructure fund that will fund repairs, and this resolution covers that ground.

Upon motion entered by Trustee Lewis, and seconded by Trustee Arest, the following resolution regarding a Water Main Emergency Purchase – Replenish Water Fund Capital Budget was approved by the vote indicated below:

WHEREAS, pursuant to New York State General Municipal Law Section 103-4 and Section 3.5 of the Village Internal Control Policy, the Village Board of Trustees approved emergency funding, relative to a water main break on Crane Road, in the amount of \$110,155.66 via resolution dated September 22, 2020, attached hereto and made a part hereof; and

WHEREAS, said emergency expenses were properly charged and funded through the Water Fund Capital Improvements Account EWS-8310-DSTRB-CAPTL-500 50; and

WHEREAS, the Capital funds used for this purpose were previously allocated to fund certain capital improvement projects identified in the Water Fund Capital Budget and Plan; and

WHEREAS, in order to complete these budgeted capital projects, it is necessary and prudent to replenish the Capital accounts through a transfer of available Water Fund Fund Balance to the Water Capital Fund; now, therefore, be it

RESOLVED, that a total of \$110,155.66 from the Water Fund Fund Balance Account EWS-9999 9999-9999 be transferred to the Water Fund Capital Improvements Account EWS-8310-DSTRB-CAPTL-500 50 in order to replenish the Capital Fund to facilitate the completion of the planned and budgeted Capital projects.

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

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Trustee Ross

Trustee Ross stated that in regard to the following resolution regarding the award of VM Contract #1270, it is somewhat unusual in that we received two bids and are not accepting the lower of the two bids. Because of that, it warrants a little bit of explanation. Trustee Ross: We are accepting the one that was for an hourly rate of \$150 an hour. The other was for an hourly rate of \$135 an hour. We are accepting the higher of the two bids for a few reasons. One, the bidder who's been we're accepting is a shorter distance to the facility where it needs to be. It is a 60 mile and 65 minute trip as opposed to 126 mile and 130 minute trip. Additionally, a round trip to the further facility would not only result in higher transportation costs, but would also adversely affect departmental operations relative to operating short-staffed for a duration in excess of two hours. Also, the contract bid set

specifications requiring bidders to offer a web based fleet management software system. The lower bidder did not comply with that requirement, while the higher bidder did so. The absence of the software would make it much more difficult for staff to stay aware of past, present and future maintenance schedules and repairs and the software provides Fire Department staff easy access to all repair records, increasing vendor accountability. Trustee Ross stated that for anyone who would like further detail on the explanation he gave, they can refer to the memorandum on the subject, written by Fire Chief Seymour, which is on the website.

Upon motion entered by Trustee Ross, and seconded by Trustee Crandall, the following resolution regarding the Award of VM Contract #1270 – Fire Apparatus Maintenance Services was approved by the vote indicated below:

- WHEREAS,** the Village of Scarsdale Fire Department is committed to the protection and preservation of life, property and the environment from the adverse effects of fire and hazardous conditions through fire prevention, education, suppression and training; and
- WHEREAS,** due to the mechanical and operational complexities of the Village Fire Department apparatus, the Village contracts for certain repairs, service, and preventative maintenance work; and
- WHEREAS,** prospective bidders must to be able to facilitate a NYS Heavy Truck inspection, facilitate third party pump, aerial and ground ladder testing during annual preventative maintenance on each apparatus, as well as the ability to respond within 24 hours for emergency repairs, thus necessitating a business operating within close geographical proximity to Scarsdale, with said certifications and location requirements limiting the number of available and qualified bidders; and
- WHEREAS,** on July 14, 2020 the Village Board of Trustees rejected all bids associated with VM Contract #1269 Fire Apparatus Maintenance Services, as the bid specifications did not adequately provide for proper evaluation and determination of the lowest responsible bidder (Resolution attached); and
- WHEREAS,** the Village Manager reports that he publicly advertised for the receipt of bids on July 15, 2020, under VM Contract #1270 - Fire Apparatus Maintenance Services, while also distributing said packet to eight vendors; and
- WHEREAS,** the contract term is for one year, renewable for two additional one-year periods at the Village's option, with apparatus service charges based on hourly rates; and

WHEREAS, on the bid opening date of August 4, 2020, two bids were received, one from Campbell Freightliner, Montgomery, N.Y. and the other from Hudson Valley Fire Equipment, Brewster, N.Y.; and

WHEREAS, a thorough bid review determined that Hudson Valley Fire Equipment, LLC of Brewster, New York met all identified bid requirements and furthermore was deemed by the Fire Chief to be the bidder capable of offering the Village of Scarsdale Fire Department the most reliable and responsible apparatus repair service; now, therefore, be it

RESOLVED, that VM Contract #1270 - Fire Apparatus Maintenance Services be awarded to Hudson Valley Fire Equipment, LLC at the hourly service and trip rate charges identified on the VM Contract #1270 Bid Tabulation Sheet, attached hereto and made a part hereof, with recent total annual repair and maintenance expenses between \$45,000 to \$55,000; and be it further

RESOLVED, that all costs associated with this work be charged to the appropriate Department of Public Works and Fire Department Operating Budget accounts for FY 2020/21, subject to the availability of said funds and otherwise in consultation with the Village Manager and Treasurer; and be it further

RESOLVED, that the Village Manager is hereby authorized and directed to execute VM Contract #1270 on behalf of the Village of Scarsdale with said Hudson Valley Fire Equipment, LLC, for a period of one year, with the option to extend said contract for two additional one year periods.

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

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Trustee Waldman

Upon motion entered by Trustee Waldman, 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 \$21,740,217, inclusive of furniture and shelving, with over \$8,000,000 in project funding already raised through the Library Capital Campaign, courtesy of the philanthropy exhibited by Scarsdale residents; and

WHEREAS, the following donation has been offered to the Scarsdale Public Library Addition and Renovation Capital Improvement Project: Friends of the Scarsdale Library - \$2,800.82; and

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: \$2,800.82 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 \$2,800.82 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.

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Trustee Whitestone

Trustee Whitestone introduced the following resolution to Award VM Contract #1271 – Furnish and Deliver New 2020 (or newer) 3-Wheeled Sanitation Scooter(s). He stated that for many years, the Village did what it could to keep its veteran fleet of three-wheel Cushman sanitation scooters on the road. Cushman discontinued the scooters some time ago, and since then the Village on a number of occasions bought used models and treasure-hunted spare parts, because the Cushmans worked so well in our sanitation

approach. They're a key satellite vehicle -- quick and maneuverable for collecting trash from people's back yards and long driveways, and delivering their cargo to the "mother ship" large garbage trucks.

Trustee Whitestone continued, stating that eventually the Village found a replacement vehicle: the three-wheeled "GO-4," the first of which entered service in 2018, and it's now in the process of transitioning the satellite sanitation fleet. In the supporting memo from Public Works staff, they note they have field tested the GO-4 against a competing vehicle, which had limited battery life under operating conditions; the GO-4 is also in use by a number of other municipalities and is similar to the Cushmans in maneuverability and lift height, which matters for potential worker injury risk.

Trustee Whitestone stated that the Village reports a positive experience with its GO-4s and now has four in service, and three remaining aging Cushmans. Public Works staff have proposed purchasing a new GO-4, which is better suited for their uses than pickup trucks with Par-Kan inserts, which are less maneuverable and have a higher lift height. He noted that funding for a single unit is included in the FY20-21 Capital Budget.

Upon motion entered by Trustee Whitestone, and seconded by Trustee Crandall, the following resolution to Award VM Contract #1271 – Furnish and Deliver New 2020 (or newer) 3-Wheeled Sanitation Scooter(s) was approved by the vote indicated below:

- WHEREAS,** the "Cushman," a three-wheeled sanitation scooter deployed for decades by the Village to facilitate efficient sanitation collection operations, is no longer being manufactured, necessitating transition to a new type of scooter fleet; and
- WHEREAS,** pursuant to *VM #1271 – Furnish and Deliver New 2020 (or newer) 3-Wheeled Sanitation Scooter(s)*, staff advertised for bids in the Scarsdale Inquirer on September 11, 2020, having also advertised the opportunity through the Village website and the online procurement website, BidNet; and
- WHEREAS,** on the bid opening date, September 29, 2020, a single responsive bid in the amount of \$43,109.00 was submitted by Trius, Inc., 458 Johnson Ave., P.O. Box 158, Bohemia, NY 11716 for a customer-constructed GO-4 scooter, as identified on the attached bid tabulation sheet; and
- WHEREAS,** the Village field-tested the GO-4, which exhibited satisfactory results and field reliability, while also checking references with other municipalities currently using the scooter, all such references positive; and
- WHEREAS,** the Village has successfully contracted in the past with Trius, Inc., having been satisfied with their products and support; and

WHEREAS, the Village is authorized during the term of the one-year agreement to purchase any number of GO-4 scooters, customized to meet Sanitation operation specifications on a unit price basis of \$43,109.00, with a contract extension available for two additional one-year terms; now, therefore, be it

RESOLVED, that VM Contract #1271 – Furnish and Deliver New 2020 (or newer) 3-Wheeled Sanitation Scooter(s), be awarded to Trius, Inc., 458 Johnson Ave., P.O. Box 158, Bohemia, NY 11716, at the unit bid price of \$43,109.00, with funding for a single scooter purchase available in the FY 2020-21 Capital Budget Account H-5197-963 2021-050 Equipment-Garage Pool Vehicles; and be it further

RESOLVED, that the Village Manager is hereby authorized and directed to execute VM Contract #1271 on behalf of the Village of Scarsdale with Trius, Inc., and to undertake administrative acts as may be required under the terms of the contract; and be it further

RESOLVED, that the Village Manager is authorized to exercise the specified renewal options for VM Contract #1271, in the Village’s best interest.

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

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Written Communications

Village Clerk Conkling reported that two (2) communications have been received since the last regular Board of Trustees meeting. These written communications include responses from the Mayor, and may be viewed on the Village’s website at www.scarsdale.com.

- An email from Dr. Susan Fromer requesting a change in the Village Code regarding the hours permitting the use of leaf blowers from 8:00 a.m. to 9:00 a.m. and that only electric leaf blowers be permitted, completely banning the use of gas powered leaf blowers.
- An email from Neville Kapoor, Woodland Place, noting his concerns about speeding drivers in his neighborhood and suggested that the Village lower the speed limit on

side streets near the train station and Christie Place to 25 miles per hour, or keep police patrol on these streets at all times to enforce the speed limit.

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There being no further business to come before the Board, the meeting was adjourned at 8:10 P.M. on a motion entered by Trustee Crandall, seconded by Trustee Arest, and carried by a unanimous vote.

Respectfully submitted,

Donna M. Conkling
Village Clerk