

Village of Scarsdale



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Stephen M. Pappalardo,
Village Manager

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Rochelle Waldman

Village Board Agenda

March 10, 2020

Agenda Review Meeting - 7:30 PM - Trustees Room

Village Board Meeting - 8:00 PM - Rutherford Hall

Roll Call

Pledge of Allegiance

Minutes

- Village Board Meeting of February 25, 2020

Bills & Payroll

- Trustee Veron

Mayor's Comments

Manager's Comments

Public Comments

Trustee Liaison Reports

Agenda Items

Trustee Arest

- Resolution re: Adopting FY 2019-2020 Village Investment Policy
-

Trustee Crandall

- Resolution re: Acceptance of a Gift for Installation of a Geodesic Dome at the Weinberg Nature Center
-

Trustee Lewis

- Resolution re: Awarding VM Contact #1258 – Sanitary Sewer Excavation and Repair
-

Trustee Ross

- Resolution re: Authorization to Execute a License Agreement with Verizon, New York Inc.
-

Written Communications (1)

- Mayra Kirkendall-Rodriguez – Board of Ethics

Town Board Agenda

Town Board Meeting
March 10, 2020
Rutherford Hall, Village Hall

Roll Call

Minutes

- Town Board Meeting of February 11, 2020
 - Special Town Board Meeting of February 25, 2020
-

Reports

- Report of the Custodian of Taxes as of February 29, 2020
-

Public Comments

Future Meeting Schedule

Monday, March 9, 2020

- 6:15 PM – Joint Village/School Board Meeting – Learning Commons Scarsdale High School, 2 Brewster Road.

- Village Board Work Session – Trustees Room – Immediately following the 6:15 Joint Village/School Board Meeting

- 1. Personnel Matters; Including Boards, Councils and Committee Positions/Vacancies

(The Village Board will convene in Executive Session to discuss personnel matters)

Tuesday, March 10, 2020

- 5:00 PM – Village Board Work Session – 3rd Floor Meeting Room
- 1. COVID-19 – Village of Scarsdale Update

- 6:00 PM – Village Board Work Session – 3rd Floor Meeting Room

- 1. Land Use: Bulk Review Committee – Presentation of Report to Mitigate Bulk in new Construction

Wednesday, March 18, 2020

- 6:00 AM – 9:00 PM – Village Elections – Congregational Church, 1 Heathcote Road

Tuesday, March 24, 2020

- 8:30 PM Village Board Meeting

THREE THOUSAND THREE HUNDRED FORTY-FIFTH

REGULAR MEETING

Rutherford Hall
Village Hall
February 25, 2020

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held in Rutherford Hall in Village Hall on Tuesday, February 25, 2020 in Rutherford Hall at 8:00 p.m.

Present were Mayor Samwick and Trustees Arest, Crandall, Ross, Veron, and Waldman. Also present were Village Manager Stephen Pappalardo, Assistant Village Manager Richards, Village Attorney Pozin, Deputy Village Attorney Garrison, Village Treasurer McClure, Village Clerk Conkling, and Assistant to the Village Manager Katzin.

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Trustee Arest entered a motion at 8:03 p.m. to amend the agenda this evening to conduct a Town Board meeting first as there is only one resolution which some of the attendees at this meeting have come to witness, seconded by Trustee Crandall and carried unanimously.

At 8:15 p.m., following the adjournment of the Special Town meeting, the Village Board of Trustees meeting resumed at this time.

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Minutes

The minutes of the Regular Board of Trustees Meeting of Tuesday, February 11, 2020 were approved on a motion entered by Trustee Crandall, seconded by Trustee Veron and carried unanimously.

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Bills & Payroll

Trustee Waldman reported that she had audited the Abstract of Claims dated February 25, 2020 in the amount of \$2,150,421.54 which includes \$81,598.52 in Library Claims previously audited by a Trustee of the Library Board which were found to be in order and she moved that such payment be ratified.

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

RESOLVED, that the Abstract of Claims dated February 25, 2020 in the amount of \$2,150,421.54 is hereby approved.

* * * * *

Mayor's Comments

Mayor Samwick offered the following comments:

“The Board recently received an update that the total amount spent to date over a three-year period on the potential redevelopment of the Freightway parking garage is approximately \$282,000. The three component pieces of that amount are approximately: (i) \$85,000 for the Visioning Study that started in 2017 and was completed in 2018; (ii) \$82,000 for legal costs, which include review and preparation of the Request for Expressions of Interest and the Request for Proposals as well as ongoing legal advice and guidance to the Board; and (iii) \$115,000 to the planning consultant that drafted the RFP, analyzed the responses to the RFEI and RFP, performed a number of analyses requested by the Board, attended numerous meetings and provided ongoing advice and counsel. The significance of this project to the Village warrants the meaningful time spent by the Board, Village staff, resident members of the Steering Committee and consultants, and money, devoted to it to date.

With that said, the Board recognizes its fiduciary responsibilities with respect to taxpayer dollars as well as to the future of our Village Center and, specifically, this critical piece of Village-owned property. The Board will continue to have that concern in mind as it address issues related to this question in the future.

I would like to remind the community that the Board paused the Freightway process based on overall Board and public dissatisfaction with the proposals submitted to date and to provide the public with an additional opportunity to be heard. Only after the Board has evaluated the community's comments will the Board discuss what might come next. To be clear, the Board has no specific plan or timeline with respect to Freightway. As we have stated on many occasions, the net fiscal impact of any development at Freightway must be unambiguously positive for current Village residents and taxpayers, the School District and not harm the quality of the education that our children receive. The Village Board continues to abide by that pledge to the community and we will continue to endeavor to balance future dollars spent on Freightway with the potential to enhance the Village Center in a productive and responsible manner.

Shifting gears, the State of the Village was presented on February 13th. While I do not want to repeat the address, which is available in full on the Village website, I think it is important to convey some of the main themes of the address this evening.

I am pleased to report that the state of the Village is strong.

By at least one prominent external measure, the Village is in excellent financial shape, as Moody's has once again reaffirmed the Village's AAA credit rating.

Reinvesting in our community is a major pillar of Scarsdale's long-term management plan and there are no shortages of projects to discuss. The following projects represent major highlights over the past year: (i) the public library renovation and expansion is continuing and is expected to reopen later in 2020, (ii) 6.5 miles or over 8% of Village roads were paved, (iii) the conversion of over 1,500 streetlights to energy-efficient LED light fixtures has been completed, (iv) the Popham Road Fire Station renovation and modernization is complete and the Fire Department is currently operating at the new fire station, (v) the Board recently adopted the New York State Climate Smart Communities pledge, positioning the Village for further environmental initiatives as well as new NYS grant opportunities, (vi) the Village reached a major milestone of recycling over 1 million pounds of food scraps in December, as well as (vii) continuous investment in our infrastructure for potable water, storm water, and sanitary sewers and much more.

Looking forward, required investments in the Village's water system are expected to cost \$34 million in addition to the over \$10 million invested over just the past four years. The Village will continue to seek grant funding where available to cover water system investments but there will be meaningful costs that must be paid by water system customers, namely our residents.

The Board clearly recognizes the burden placed on residents by recent water rate increases and has paused further rate increases in the FY20-21 budget pending the results of the Master Plan of the Water Distribution System that will commence within the coming months. During this time, the Village plans to engage a water rate consultant to assist us with creating a long-term water rate structure that balances the capital needs with well thought out responsible rate increases to our customers. The Village will provide regular updates on the important work being done on our water system and the Master Plan will be posted online upon its completion.

Other planned Village capital projects include work on the sanitary sewer distribution system, our iconic pool complex, the Heathcote Road Bridge, traffic safety and calming measures, the Hutchinson River Flood Mitigation project and cyber security, among other things.

The Village Board is acutely aware of the issues with retail vacancies in our Village Center. Our Village Center is a crown jewel of Scarsdale and the Village is committed to working collaboratively with property owners, tenants and residents to create a vibrant hub for our community to enjoy. The Scarsdale Business Alliance has quickly become an invaluable partner in improving our Village Center and we continue to seek more opportunities to enhance the Village.

One of the challenges of running the Village is effectively communicating with the community – both inbound and outbound. We encourage residents to: (i) visit the Village website and sign up for the Scarsdale Official and other items on Notify Me, (ii) attend Board meetings or less formal Coffees with the Mayor, and (iii) email your elected officials. We want to hear from you and we are listening.

One of the many great things about Scarsdale is our nonpartisan political system. Over 100 years ago, Scarsdale put in place an early form of its political system to combat the bitter partisan feuding of the day. The nonpartisan system has evolved continuously and has stood the test of time as our Village has become a model that many communities seek to emulate.

Our system encourages a wide diversity of thought and lively debate that is based on mutual respect and active listening. We seek extensive community input and we strive to build consensus. We benefit from having our elected leaders represent the community as a whole without embedded interests and we strive to maintain a high degree of integrity. Our nonpartisan system encourages a wider range of participants that might not otherwise volunteer their time to serve the community. As a direct result of our political system, we have avoided corruption, graft, nepotism, campaign finance debts and unscrupulous business dealings in Scarsdale. Our form of government is not perfect, but it has proved over the decades to be well suited for dealing with matters of shared community concerns and the delivery of municipal services desired by residents.

Scarsdale is a wonderful place to live and raise a family – it has been for a very long time and I have no doubt that it will continue to remain so given the natural beauty of our Village in a Park, pervasive spirit of volunteerism, outstanding school system, high level of municipal services, close proximity to New York City and successful track record of our nonpartisan system.

I am pleased to mention that the next Coffee with the Mayor will be Tuesday, March 3rd at 6-7:30 p.m. at Starbucks in the Village Center. I am very happy that Trustee Crandall will be joining me. All are welcome and encouraged to join us to share their views on Village matters.

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Manager's Comments

Village Manager Stephen Pappalardo stated that he would like to give the following brief statement this evening on local efforts with regard to the CoronaVirus.

“As we’ve all been following the daily reports on the CoVID-19 infectious disease, better known as the Corona Virus, I thought I would update the Board and community on the current situation within the Village of Scarsdale. Like all other local governments in Westchester, the Village does not employ a health department, as we all utilize the Westchester County Health Department for health related issues within our jurisdictions. The County Health Department is further informed and guided by the New York State Health Department and in the case of CoronaVirus, the Center for Disease Control as well. The County Health Department has held press conferences on the Coronavirus, and provided frequent updates on the County’s website as the health related issues and actions unfold. They have also provided guidance to local government First Responders on the safe and proper handling of service calls. The Scarsdale School District has also been guided in this regard with specific instructions provided by the NYS Health Department which are currently in effect. A copy of the District’s current protocol is included on the front page of

its website with the NYSDOH detailed guidance document included. Please know that Scarsdale's Chief of Police meets frequently with the District's Head of Security and the District's Director of Special Education and Student Services and matters such as this and will continue to do so as this CoronaVirus situation develops.

“Currently there are no known cases of the CoronaVirus in New York State and to both the County and NYS Health Departments report that the risk to residents and students is very low. The New York/New Jersey area airports have taken precautions with travelers returning from certain countries with known CoronaVirus cases, to complete questionnaires about their travels, symptoms and contact information upon arrival. Protocols are in place for travelers deemed at risk from self-home isolation to video monitoring of individuals placed on home isolation for the 14 day incubation period. There have been no CoronaVirus cases in Westchester, but should a traveler be recognized as high risk for the Virus, they would be subject to an involuntary home quarantine and Westchester County's Emergency Response Agency, referred to as 60 Control, and would be notified. 60 Control in turn would notify the local Police Department of the presence of this case within their municipality.

Please know that Scarsdale's local emergency response departments, specifically the Police and Fire Departments and the Scarsdale Volunteer Ambulance Corps (SVAC), met three weeks ago, and in conjunction with the County Health Department's specific product guidance, equipped their departmental personnel with protective gear, including gloves, eye protection, masks, and a certified disposable respirator. Additionally, based on NYS and County Health Department best management practices, the Police Department's Patrol Lieutenant issued a Patrol Bulletin on February 5th on handling Suspected CoronaVirus Dispatch and Response calls. Calls for patient conditions involving fever, respiratory issues, cough, shortness of breath, flu like symptoms or general malaise, now require the dispatcher to ask if the individual had recently traveled abroad to one of the high risk areas. If answered in the affirmative, SVAC and Police Department will be dispatched with SVAC personnel responsible for handling the patients. SVAC will also notify the receiving hospital of a potential infected patient in route. In addition, if there were other parties present and in contact with the patient, the Police Department will immediately contact the County Health Department to report. I would also mention that Scarsdale Police Chief Matturro hosted a meeting today with more than a dozen local Police Chiefs to discuss, amongst other items, the Coronavirus and this response protocol is consistent throughout the County.

Additionally, the Village's Police Department maintains our so-called “Best Aid” Intermunicipal agreement with Eastchester, Bronxville and Tuckahoe to activate a Joint Coverage Action Plan if warranted amongst these jurisdictions.

Please note that as of today there are 53 confirmed cases of the Coronavirus in the United States, with none in NYS. That being the case, Coronavirus is a real threat, evolving on a daily basis, and should be taken very seriously. However, as stated by the County Health Commissioner, through maintaining proper awareness, staying informed and taking proactive measures, like washing your hands frequently and vigorously for 20 seconds each time, you can significantly help to prevent yourself from infection. Thank you.”

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Public Comments

At this time, Mayor Samwick opened public comment; he reminded everyone that there is a five minute limit; a chime will sound after four minutes. There will be a second public comment period at the end of the meeting as well.

Robert Berg, 32 Tisdale Road, stated that he is a non-partisan candidate for Village Trustee of the Voters Choice Party in the upcoming Village Election to be held on March 18th.

Mr. Berg stated that at the last Village Board meeting held on February 11th, he noted that he asked the Board for the number of comments the Village has received and where and when the comments would be made available to the public. He did not get an answer at that time and now, two weeks later would like to have an answer.

Both Mayor Samwick and Village Manager Pappalardo did not have the information available as to the number of comments received. However, Mayor Samwick stated that as he mentioned two weeks ago, the process by which the comments are being evaluated which is by having staff take a look at all of them. The comments would not just be aggregated and put into one place, but sorted through and analyzed as to specific issues. This is a more complex analysis that takes longer to do. Mayor Samwick stressed that this Board has not made any decisions on the Freightway issue.

Mr. Berg stated that no one is asking for the comments to be separated into categories, they just want to review all of the comments.

Mayor Samwick stated that the comments will be made available to the public; however there is not a set time for their release as they are being evaluated now. The comments are not being withheld; the Board has not seen them either.

Mr. Berg next stated that at the last meeting he had asked how much had been spent to date on lawyers and consultants in respect to the Freightway project. He submitted a FOIL request and the Village Manager responded to same. He stated that the total encumbered amount is \$317,619.55. In August 2017, Desmond, a consultant hired by the Village conducted a condition survey of Freightway, determining that Freightway needs approximately \$2.3 million in repairs. The amount paid for that study was not included in the amount provided by the Village Manager.

Village Manager Pappalardo stated that this expense was considered part of the Capital Budget and could or could not be considered part of the Freightway project. However, he stated that he believed that cost was less than \$10,000. He stated that he would get that information for Mr. Berg.

Mr. Berg then asked if the Freightway condition survey had been updated; Village Manager Pappalardo stated that he would have to ask the Village Engineer – as far as he knows, this has not yet been done.

Mr. Berg noted that AKRF initially was only to charge \$50,000 for its work in regard to reviewing the design of the Freightway project; now the fee to date is \$117,503. Additionally the Village has paid a land surveyor \$15,835 to conduct a survey of the Freightway property. Finally, he stated that the Village has encumbered to pay the law firm of McCullough Goldberger and Staudt \$100,000 to date.

Mr. Berg stated that the Board has spent nearly \$325,000 and there is no specific plan or time line.

Mayor Samwick stated that the amount spent that Mr. Berg mentioned are amounts spent and encumbered. Encumbered may or may not be spent. The number that has been spent is less than \$300,000. He further stated that the significance of this project to this Village warrants meaningful time spent by the Board, staff, members of the Steering Committee and consultants to date. This is a critical Village asset.

Mayra Kirkendall-Rodriguez, Fox Meadow Road, stated that she is the campaign chair of the Voters Choice Party 2020 Trustee candidates Bob Berg, Sean Cohen, and Robert Selvaggio. She invited the Mayor, Board of Trustees and all Scarsdale residents to come to meet the Voters Choice party candidates this Sunday, March 1st at Bob Berg's home. RSVP voterschoiceparty@gmail.com. She also invited everyone to their Town Hall Freightway Redevelopment and Scarsdale Sustainability on March 12th at 7:30 pm at Scarsdale Village Hall. The candidates have accepted the invitation of the League of Women Voters to participate in the candidate forum on March 5th at 7:30 pm also at Village Hall.

Ms. Kirkendall-Rodriguez stated that she feels very lucky to live in the United States and here in Scarsdale where they have the freedom of speech to discuss important municipal issues and to have the legal right to create political parties and give voters a choice. Here in Scarsdale is the Scarsdale Citizens Non Partisan Party of which the Mayor and all of the Trustees are members. They are selected by the Citizens Nominating Committee – those members run for office. The CNC has their own process where they are not allowed to ask any questions of the potential candidates. The Voters Choice Party, of which she is currently the Campaign Chair believes that candidates should be vetted by the people directly. There are a number of events and private meetings so the residents can vet the candidates. She stated that the slate of candidates on the Voters Choice Party ballot are longtime residents of Scarsdale and are dedicated to keeping the small town character of Scarsdale, clean and safe streets and parks and affordability for all residents.

Ms. Kirkendall-Rodriguez listed her volunteer activities in numerous Scarsdale Organizations which she noted has allowed her to meet a diversity of residents from all over the world. She stated that the Voters Choice Party candidates stated that municipal challenges must be faced with a political process that is quality of life and data driven, more welcoming and inclusive of all residents. She stated that Village Hall lacks a long term financial plan nor has the Village created a downtown revitalization or Freightway redevelopment plan that should be presented to all residents for input. Change is needed at Village Hall. Their platform is that they believe in insuring that the Village does not commit to Freightway redevelopment or other municipal projects without undertaking thorough due diligence. They also believe in affecting a political process that is transparent, responsive to residents' needs, accountable to taxpayers and offer a more congenial and open process for residents. In addition, they believe in keeping an

eye Scarsdale's fiscal sustainability and maintaining tax levels no higher than they are today. She added other items on the Voters Choice Party's platform to improve the quality of life in Scarsdale.

Ms. Kirkendall Rodriguez wished everyone a peaceful Lenten season beginning tomorrow on Ash Wednesday.

Robert Harrison, 65 Fox Meadow Road, speaking as the Chair of the Scarsdale Taxpayer Alert, complimented Mayor Samwick on his State of the Village presentation before the Scarsdale Forum. He stated that it was a terrific speech and wished that it could have been videotaped.

Mayor Samwick stated that the text of his State of the Village presentation is available on the Village's website, www.scarsdale.com.

Mr. Harrison stated that the Board is doing a good job on the Village budget. He noted that the School budget is currently at a 3.15% increase which in his opinion should be decreased. He further stated that he was glad that Village Manager Pappalardo discussed the serious situation surrounding the CoronaVirus.

As there were no further comments, Mr. Samwick closed the public comment session at this time.

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Trustee Liaison Reports

Trustee Crandall stated that she was looking forward to joining Mayor Samwick at "Coffee with the Mayor" to be held at Starbucks on Tuesday, March 3rd at 6:00p.m.

Trustee Crandall continued, stating that "starting This Monday, March 1, 2020, a new bag waste reduction law will take effect in all of New York State. This new law bans stores from giving out plastic carryout bags. There are a few exemptions for items like produce and some pharmaceuticals. Our local merchants are prepared. They are not charging any fee for paper. Westchester County, however, may impose a 5 cent fee on paper bags at some point in the future. We will let you know when that happens.

As a consumer, you can help the environment by Bringing Your Own Bag when you shop. Every time you use a reusable bag, or simply say "no" to a paper bag, you are doing your part to prevent litter and waste. As always, the goal is zero waste. Every effort counts. For more information see <https://www.dec.ny.gov/chemical/50034.html>

On another note, the Friends of the Scarsdale Parks have been working with Brian Gray, the Village Superintendent of Parks, Recreation and Conservation on planning the 6th annual Community Planting Day for Saturday, May 2nd. The focus is on restoring the trees removed for a storm water engineering project along the South Fox Meadow Brook in Harwood Park. Stay tuned for more details."

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Trustee Arest

Trustee Arest reported on the statements of expense and revenue for the various funds of the Village for the first eight months of fiscal year 201-2020.

General fund appropriations were 64.16% spent as of January, 2020 as compared to 65.58% in 2018-2019.

General Fund Revenues other than property taxes are \$11,360,937 through January 2020 compared with \$11,292,585 in the first eight months of last year. This represents an increase of \$68,078 from 2018-2019. Overall revenue from Special Assessments and Delinquent Tax collections increased \$53,978. Gross receipts taxes are down \$27,500. Sales tax receipts increased \$138,600 reflecting the increase in the County Sales Tax rate that took effect in August. Building Permit revenue (included in License and Permit category) increased \$81,100 from last year related to a large receipt. Again, overall, (inclusive of building permits), License and Permit revenue is up \$104,500. The largest impacts in the Insurance Recovery and Equipment sales of \$200,500 are in the reimbursement for special details which is up \$64,200 from last year and the receipt of over \$94,100 from Con Edison for paving reimbursement. Parking revenue is flat. Investment earnings declined \$65,400 reflecting lower rates and longer maturities. While Recreation revenue improved \$29,900, Departmental Revenue declined \$90,700 since 2018-2019 was impacted by a late snow reimbursement and there were significant purchases of food recycling materials and disposal fees. Mortgage Tax dropped \$279,700, Court fines are down \$105,700 and State aid is down \$134,200 as New York State has changed the timing of the AIM aid to the end of the fiscal years (Town and Village). The decline in property rentals reflects a timing difference in the receipts and the expiration of some leases.

The actual collection of Village taxes through January, 2020 is at 99.46%. This is down 13 basis points from last year's collection rate.

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Trustee Arest introduced the following resolution, stating "the Village, Board and Staff, is always looking at Fees and Charges to ensure that they are reasonable for those that are directly impacted, adequate to offset the costs associated with providing a various service, and of course fair to the community. These fees and charges provide the Village with important non-property tax revenues.

As part of the significant time spent drafting, reviewing and modifying the 2020-2021 budget, certain line items in the Village-Wide Fees and Charges Schedule were either created or modified. New fees were added within the Village Clerk, DPW and Land Use Board categories and recognize areas where compensation for services rendered to specific applicants had not previously been recouped or in terms of legal fees for specific applications, adapts our system to our new contractual agreement with our Village Attorney.

For fees that were modified, either under the Village Clerk or Parking, these fees either had not been increased for some time and were updated or were determined to be unbalanced and in need of calibration. One late fee was modified to be more fair, understandable and encourage compliance.”

Upon motion entered by Trustee Arest, and seconded by Trustee Veron, the following resolution as amended regarding Establishing Fiscal Year 2020-21 Village-Wide Fees and Charges was adopted by the voted indicated below:

WHEREAS, Local Law # 4 of 1976 states that all fees and charges be established at least once a year by resolution of the Village Board of Trustees; and

WHEREAS, on an annual basis, the Village reviews its schedule of Village-Wide Fees and Charges relative to current operating costs, chronology of previous increases, and the completion of comparative municipal surveys in conjunction with review and discussion with the Board of Trustees as part of the annual budget review process; and

WHEREAS, for Fiscal Year 2020-21, fee modifications are provided for:

Village Clerk:

- Facility Rental Fee
- Dog License Fees
 - Spayed/Neutered
 - Unspayed/Unneutered (4 months +)
 - Late Permit Renewal Fee

Department of Public Works & Village Engineer:

- Hourly Inspection Fee – Construction, Engineering

Planning Board, BOA, BAR & CHP:

- Planning & Zoning Bd. Legal Review Fee

Parking:

- Parking Permits
 - Freightway Resident Annual Permit
 - Freightway Resident Semi-Annual Permit
 - Freightway Non-Resident Annual Permit
 - Freightway Non-Resident Semi-Annual Permit
 - Scarsdale Merchant Annual Permit
 - Scarsdale Merchant Semi-Annual Permit; and

WHEREAS, the Village Board reviewed and discussed the proposed FY 2020-21 Village-Wide Fees & Charges Schedule at their budget meetings on January 29 and February 10, 2020, recommending at the February 10, 2020 meeting, that the Full Board approve the revised Schedule attached hereto dated February 11, 2020; now, therefore, be it

RESOLVED, that the FY 2020-21 Village-Wide Fees & Charges Schedule dated February 11, 2020, attached hereto and made a part hereof, is herein adopted, effective June 01, 2020, with the exception of the Planning & Zoning Bd. Legal Review Fee, which shall take effect beginning March 01, 2020 for the March 2020 Planning Board meeting; and be it further

RESOLVED, that the Village Clerk is hereby directed to publish notice of the changes to the Village-Wide Fees and Charges Schedule.

AYES

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

NAYS

None

ABSENT

Trustee Lewis

Trustee Crandall

Upon motion entered by Trustee Crandall, and seconded by Trustee Ross, the following resolution regarding Authorization to Approve Rental of Leaf Transfer Parking Lot at Crossway Field was approved by the vote indicated below:

WHEREAS, in order to provide parking for law enforcement personnel working the 2020 US Open Golf Tournament at Winged Foot Golf Club, Mamaroneck, NY, the United States Golf Association (USGA) approached the Village regarding the rental of the leaf transfer parking lot at Crossway Field from Monday, June 15, 2020, through Sunday, June 21, 2020; and

WHEREAS, during the summer months, the 80 space leaf transfer parking lot is infrequently used as overflow parking for Scarsdale Pool Complex patrons on rare occasions when the onsite Pool Lot is full; and

WHEREAS, the Recreation Superintendent is confident that the Village can adequately handle parking for Pool patrons and other Parks, Recreation and Conservation operations, while accommodating the USGA's parking request and assisting the contiguous Town of Mamaroneck, who is hosting this major golf tournament; and

WHEREAS, the USGA and the Village of Scarsdale have negotiated a proposed License Agreement for the exclusive use of the 80 parking spaces, for a licensing fee of \$3,000, which is consistent with parking rates for this event as provided to the County of Westchester County; now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to enter into a license agreement with the USGA, in substantially the same form as attached hereto, for the use of 80 parking spaces within the leaf transfer parking lot at Crossway Field from Monday, June 15, 2020, through Sunday, June 21, 2020, for the daily parking by law enforcement officials who will be shuttled once a day to and from the Winged Foot Golf Club; and be it further

RESOLVED, that the USGA shall pay the Village an advanced fee of \$3,000 for the use of said leaf transfer lot in accordance with all other provisions identified in the license agreement.

AYES

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

NAYS

None

ABSENT

Trustee Lewis

Trustee Ross

Trustee Ross stated that before presenting this resolution, he pointed out that the agreement originally attached to the resolution included a few erroneous references to the School District, which has now been corrected to refer to the Village.

Upon motion entered by Trustee Ross, and seconded by Trustee Crandall, the following resolution regarding Authorization to Execute an Intermunicipal Agreement with Westchester County for the Use of Voting Machines was approved by the vote indicated below:

WHEREAS, the Village of Scarsdale (“Village”) will conduct the Annual Village Election on Wednesday, March 18, 2020, necessitating the use of the Westchester County Board of Elections’ voting equipment in connection with said election; and

WHEREAS, the Westchester County Board of Elections (“County”) has prepared a formal Agreement with respect to the use of said equipment, a copy of which is attached hereto and made a part hereof; and

WHEREAS, pursuant to the terms of the Agreement, the County will provide the use of six Optical Scan Voting Machines, one Ballot Marking Device, and three Privacy Booths, as well as the technicians necessary to operate the voting systems; and

WHEREAS, the Village will be responsible for costs associated with transporting the equipment, ballot printing, provision of election inspection personnel, and obtaining appropriate insurance, as detailed in the Agreement; and

WHEREAS, the Village Attorney has reviewed the attached Agreement and approved as to form; now, therefore, be it

RESOLVED, that the Village Board of Trustees herein authorizes the Village Manager to execute the attached Intermunicipal Agreement with the County of Westchester, in substantially the same form as attached hereto, for the use of voting equipment in connection with the March 18, 2020 Village Election, as detailed in the Agreement.

AYES

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

NAYS

None

ABSENT

Trustee Lewis

Upon motion entered by Trustee Ross, and seconded by Trustee Veron, the following resolution Requesting Amendments to New York State Criminal Justice Reforms was approved by the vote indicated below:

WHEREAS, in 2019 the New York State legislature adopted certain amendments to New York’s criminal justice statutes, and while it was widely recognized that some reform was warranted, several of the adopted changes in the laws, specifically as they pertain to discovery, are overly broad and vague, resulting in unintended consequences at the municipal government level; and

WHEREAS, the shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply are likely to result in significant budgetary, property tax, and justice implications for municipalities, including the Village of Scarsdale, relative to police department and local justice court operations; and

WHEREAS, the discovery reforms mandate prosecutors disclose all evidence to the defense within 15 days of arraignment for criminal charges, even if the defendant is not in custody; and

WHEREAS, enlarging the scope of material that a prosecutor must review and deliver within 15 days of arraignment may overwhelm the ability of Village Police and Justice Court personnel to prosecute cases while managing misdemeanor and felony caseloads, including the prosecution of vehicle and traffic and local code violations in compliance with the new discovery mandates; and

WHEREAS, arraignment must now take place within 20 days of desk appearance ticket issuance, which could result in the Village Justice Court convening more frequently; and

WHEREAS, any savings associated with these reforms will accrue to Westchester County relative to the reduction of defendants in the County jail; and

WHEREAS, the Village is already challenged with operating within the now-permanent 2% tax cap, managing numerous unfunded mandates and the fact that we have not received an increase in general purpose state aid (AIM funding) in 11 years; now, therefore, be it

RESOLVED, that the Village of Scarsdale supports the following set of amendments proposed by the New York State Conference of Mayors, consistent with the intent of the criminal justice reforms while allowing for more effective and affordable implementation:

1. Ensure that cities and villages are provided with additional financial and operational support to offset the cost of these mandated measures;
2. Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
3. Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
4. Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis; and
5. Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order; and be it further

RESOLVED, that this duly adopted resolution of the Village of Scarsdale be forwarded to Governor Andrew Cuomo, Senate Majority Leader and

Scarsdale’s Senate Representative Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, and Scarsdale’s Assemblywoman Amy Paulin.

<u>AYES</u> Trustee Arest Trustee Crandall Trustee Ross Trustee Veron Trustee Waldman Mayor Samwick	<u>NAYS</u> None	<u>ABSENT</u> Trustee Lewis
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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 \$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 - \$76,670.91; \$500.00 from the Carol K. Pforzheimer and Carl A. Pforzheimer Fund; and, \$500.00 from the Gellin Zalaznick Foundation, Inc.; and

WHEREAS, pursuant to Policy #106 of the Village of Scarsdale Administrative Policies & Procedures Manual, entitled “Gifts to the Village of Scarsdale,” 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 gifts toward the Scarsdale Public Library Addition and Renovation Project:

\$76,670.91 the Friends of the Scarsdale Library; \$500.00 from the Carol K. Pforzheimer and Carl A. Pforzheimer Fund; \$500.00 from the Gellin Zalaznick Foundation, Inc.; and be it further

RESOLVED, that the Village Treasurer take the necessary steps to complete the transaction and accept the financial gift totaling \$77,670.91 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, the Carol K. Pforzheimer and Carl A. Pforzheimer Fund, and the Gellin Zalaznick Foundation, Inc., for their generosity and commitment to the Scarsdale Public Library and the community it serves.

Before reading the resolution, Trustee Veron noted that just as last year, with the first Annual Scarsdale Music Festival, the Scarsdale Art Association outdoor art show is held simultaneously, providing an enhanced experience for those attending.

Upon motion entered by Trustee Veron, and seconded by Trustee Crandall, the following resolution regarding the Scarsdale Art Association Annual Outdoor Art Show in Chase Park was approved by the vote indicated below:

WHEREAS, the Scarsdale Art Association has held an Annual Outdoor Art Show in Chase Park for over 19 years, which has been well received by the community; and

WHEREAS, the event organizers recently filed a permit application to hold the 2020 Outdoor Art Show in Chase Park on Saturday, September 12, 2020, and Sunday, September 13, 2020; and

WHEREAS, upon completion of the event, the participants will restore all public areas utilized to the same condition as they existed before the Outdoor Art Show; now, therefore, be it

RESOLVED, that, pursuant to Chapter 240 of the Scarsdale Village Code, the Village Manager is hereby authorized to issue a special event permit to the Scarsdale Art Association to utilize the Village-owned Chase Park for the purpose of holding the Outdoor Art Show on Saturday, September 12, 2020, and Sunday, September 13, 2020.

AYES

Trustee Arest
Trustee Crandall
Trustee Ross
Trustee Veron

NAYS

None

ABSENT

Trustee Lewis

Trustee Waldman
Mayor Samwick

Trustee Waldman

Upon motion entered by Trustee Waldman, and seconded by Trustee Arest, the following resolution regarding Authorization to Conduct the 50th Annual 15K/4M Road Races was approved by the vote indicated below:

WHEREAS, for the past 50 years, the Village of Scarsdale Parks, Recreation and Conservation Department has partnered with the Scarsdale Antiques Running Club to sponsor an annual 15K, 4-mile, and Kids Fun Run road races on the same day in the Fox Meadow and Greenacres neighborhoods; and

WHEREAS, this year’s race is proposed for Sunday, March 29, 2020, from approximately 9:00 AM to 12:30 PM, as per the attached special event application and accompanying course map; and

WHEREAS, the Scarsdale Police Department and Village Manager recommend Village Board approval of the application, inclusive of necessary staff support activities, such as implementing traffic control activities and measures, event management, and public notification of race day detours; now, therefore, be it

RESOLVED, that the Board of Trustees of the Village of Scarsdale herein approves the Parks, Recreation, and Conservation Department application to conduct the 50th annual 15K, 4-mile, and Kids Fun Run road races on Sunday, March 29, 2020, in the Fox Meadow and Greenacres neighborhoods in accordance with the course map attached hereto and inclusive of necessary staff support functions, public outreach and event management.

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

NAYS
None

ABSENT
Trustee Lewis

Written Communications

Village Clerk Conkling reported that five (5) communications have been received since the last regular Board of Trustees meeting. All written communications may be viewed on the Village's website at www.scarsdale.com:

- Two (2) emails from John Gliedman regarding traffic safety at intersections, as well as questions relating to the frequency of meetings of the Traffic Safety Committee. Mayor Samwick's responses are included.
- An email from Polly Klein requesting sanitation box pick up once per week. Mayor Samwick's response is included.
- An email from Michael Levine with his additional comments regarding the proposed Freightway project.
- An email from Mayra Kirkendall Rodriguez regarding the proposed Freightway redevelopment, including an updated petition in opposition to the project. A response from Mayor Samwick is included.

Public Comments

Mayor Samwick opened the second public comment session, noting that the same guidelines apply for time limits for speakers as the initial public comment period.

Mayra Kirkendall-Rodriguez, Fox Meadow Road, stated that there is no official non-partisan system in Village government in Scarsdale or anywhere in the United States. She was concerned that residents would become confused by any comments referring to the non-partisan party as a system. She stated that the system refers to a single political party, the Scarsdale Citizens Non Partisan Party, which has ruled Scarsdale government for the last 109 years. She stated that this is not an official system. Citizens are permitted to create political parties. She noted that she volunteered in the Scarsdale Procedure Committee in order to give a few recommendations on how to improve the Citizens Nominating Committee, which selects the candidates for Trustees and Mayors behind closed doors. The Procedure Committee did not agree with her recommendations.

Ms. Kirkendall-Rodriguez stated that the Voters Choice Party is also non-partisan. She urged everyone to vote on March 18th at the Scarsdale Congregational Church from 6:00 a.m. through 9:00 p.m. She again wished everyone a peaceful Lenten season.

Robert Harrison, 65 Fox Meadow Road, again speaking as the Chair of the Scarsdale Taxpayer Alert, offered his congratulations to the new Assessor appointed earlier this evening. In regard to the expenses concerning the Freightway redevelopment project that Mr. Berg commented this evening, he stated that he has always been concerned about what the Village spends on consultants. He urged the Board to keep these expenses down.

Mr. Harrison next commented on the resolution concerning the parking for the law enforcement officials working at the USGA tournament at the Winged Foot Golf Club, stating that the Village could have requested a larger payment to permit the use of the Leaf Transfer Parking lot.

Mr. Harrison again stated that it would have good to have the Mayor's State of the Village speech on the Village's cable channel and questioned why this media is not being utilized. Mayor Samwick informed Mr. Harrison that there has been a staffing change in the Cable office. Once a permanent replacement has been hired for that office, normal operations will resume.

Mr. Harrison ended by stating that Penn State will be holding their famous dance marathon this weekend – students will dance for 48 hours without sitting down to raise money to fight pediatric cancer at the Hershey Medical Center in Hershey, Pennsylvania. There are currently 25 Scarsdale students at Penn State. He stated that they raised \$11.6 million this year.

There being no further comments, Mayor Samwick closed the second public comment session at this time.

Future Meeting Schedule

- *Monday, March 9, 2020* – 6:15 PM – Joint Village/School Board Meeting - Scarsdale High School, 2 Brewster Road, Rm. 170-72
- *Monday, March 9, 2020* – Village Board Work Session re: Personnel/Boards & Councils – Trustees Room
- *Tuesday, March 10, 2020* – 6:00 PM – Village Board Work Session (Land Use: Bulk Review Committee) – Trustees' Room
- *Tuesday, March 10, 2020* – 7:30 PM – Agenda Committee Meeting – Trustees' Room
- *Tuesday, March 10, 2020* – 8:00 PM – Village Board Meeting – Rutherford Hall

FY 2020/21 Budget Discussions

Briefing Sessions – 3rd Floor Meeting Room

- Thursday, February 27, 2020 – 7:00 PM – Operating Budget
- Wednesday, March 4, 2020 – 7:00 PM – Capital Budget

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

Respectfully submitted,

Donna M. Conkling
Village Clerk

**RESOLUTION RE: ADOPTING FY 2019-2020 VILLAGE
INVESTMENT POLICY**

WHEREAS, the Village’s Investment Policy applies to all monies available for investment in the various funds maintained by the Village, further providing that the Village Board review and approve the Policy on an annual basis at a minimum; and

WHEREAS, the Village Board last reviewed and adopted the Investment Policy, Policy # 501 of the *Village of Scarsdale Administrative Policies & Procedures Manual*, on November 13, 2018; and

WHEREAS, recognizing the importance of the Village’s Investment Policy, Village staff, on an annual basis, reviews said policy and recommends any proposed modifications to the Village Board for consideration; and

WHEREAS, staff performed said review and recommended certain changes, primarily housekeeping in nature, which are included in the proposed policy dated March 10, 2020 attached hereto; now, therefore, be it

RESOLVED, that Village Administrative Policy # 501 – “Investment of Village Monies,” – updated March 10, 2020 and attached hereto, is herein adopted.

Submitted by: Village Manager
Date: March 03, 2020
For: March 10, 2020

Memo



To: Stephen M. Pappalardo, Village Manager

From: Mary Lou McClure, Village Treasurer

CC: Robert A. Cole, Deputy Village Manager

Date: February 4, 2020

Re: Investment Policy Amendments

Pursuant to the December 18, 2019 discussion on the Village Investment Policy, attached are the resulting Policy revisions for the Board's consideration. The following comments address concerns expressed at the meeting.

The current policy, adopted November 13, 2018, references a Finance Committee and an investment committee is now contemplated pursuant to the discussion. In the period leading up to the organizational meeting in April 2019, the Mayor, recognizing that the historical practice of all Board members attending all scheduled committee meetings defeated the purpose of a committee system, decided to transition these committee meetings into working sessions of the full Board. Consistent with this approach, the Annual Meeting Resolution adopted by the Board of Trustees' on April 9, 2019, omitted any previous reference to committees and committee appointments. The Board is now functioning with all Board members attending all Board scheduled work sessions unless any member has a conflict. Since the Board formally adopted that approach at the organizational meeting last spring, I eliminated any reference to a Finance Committee in the attached Investment Policy. Under the current system, the Full Board, in its work sessions for the annual audit review, the budget process and other financial matters, is essentially and effectively functioning as the previous Finance Committees had.

Additionally, prior to adopting the work session format, the Board had conducted a survey of other communities. The practice of municipal governing bodies utilizing a work session format was the norm in most local governments in Westchester.

The balance of proposed amendments to the Investment Policy are as follows:

1. Text changes for clarification purposes with one correction of a NYS Statutory citation;
2. M&T Bank added and Wells Fargo Bank eliminated as Depository;
3. Eliminated Repurchase Agreements as an investment option for the Village Treasurer;
4. Increase to the maximum allowable investment amounts in the authorized depositories.

RE: INVESTMENT OF VILLAGE MONIES

POLICY: #501

ORIGINAL DATE: 08/15/95

APPROVED BY: Board of Trustees Resolution

REVISION DATE: 08/13/96, 08/12/97, 08/11/98, 07/27/99, 08/15/00, 04/09/02,
08/13/02, 08/10/04, 08/09/05, 04/10/07, 09/25/07, 12/09/08, 01/12/10, 01/11/2011,
11/12/13, 11/12/14, 11/10/15, 11/09/16, 11/14/17, 11/13/18

MOST RECENT ADOPTION DATE: ~~11/13/18~~ 03/10/20

1. Purpose

1.1 To outline the investment policy of the Village of Scarsdale which will apply to all monies available for investment in the various funds maintained by the Village, including the following:

- General Fund
- Special Revenue Funds (Including Town of Scarsdale)
- Capital Projects Fund
- Enterprise Funds
- Internal Service Funds
- Fiduciary Funds
- Library Fund

2. Policy

2.1 The primary objectives of this investment policy are:

- A. To conform with all applicable statutory requirements (legal);
- B. To adequately safeguard principal (safety);
- C. To provide sufficient liquidity to meet all operating requirements (liquidity);
- D. To obtain a reasonable rate of return (yield).

INVESTMENT COMMITTEE

~~2.2 The Finance Committee of the Board of Trustees of the Village of Scarsdale shall act as the Investment Committee. The Investment Committee shall, at least annually, review the investment policy and submit it to the Board of Trustees for approval.~~

VILLAGE BOARD AS FISCAL FIDUCIARY

2.2 For the purposes of this Policy, an Investment Committee may be appointed by the Mayor to, at least annually, review the Investment Policy prepared by the Village Treasurer, and submit it to the Village Board of Trustees for their approval. In the absence of such an Investment Committee, the Village Board of Trustees, in their fiduciary responsibility and consistent with General Municipal Law §39, shall act in this capacity.

DELEGATION OF AUTHORITY

2.3 The Village Board's responsibility for administration of the investment program is delegated to the Village Treasurer who ~~shall~~may establish written procedures for the operation of the investment program consistent with these investment guidelines and subject to the review and approval of the Investment Committee, or in their absence, the Village Board. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on records incorporating descriptions and amounts of investments, transaction dates, and other relevant information. The operating procedures shall be reviewed, at least annually, for appropriateness and compliance by the Investment Committee or the Village Board in the absence of an Investment Committee, and by the Village's independent auditors ~~for appropriateness and compliance.~~ Absent any written procedures, this Investment Policy shall constitute the operating procedures.

PRUDENCE

2.4 All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Village of Scarsdale to govern effectively.

2.5 Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

2.6 All participants involved in the investment process shall refrain from personal and business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

DIVERSIFICATION

2.7 The Village of Scarsdale will diversify its deposits and investments by financial institution, unless fully collateralized as noted in Section 2.10, and by maturity scheduling.

INTERNAL CONTROLS

2.8 All moneys collected by any of the officers or employees of the Village shall be transferred to the Village Treasurer within three days of collection, or within the time period specified by law, whichever is shorter. The Village Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition; that ~~executed~~ executed transactions are ~~executed~~ accomplished in accordance with management's authorization; and that said transactions are recorded properly, and ~~are~~ otherwise managed in compliance with applicable laws and regulations.

DESIGNATION OF DEPOSITARIES

2.9 The banks and trust companies authorized herein for the deposit of monies are JP Morgan Chase, HSBC, ~~Wells Fargo~~ M & T Bank, and the Cooperative Liquid Assets Securities System ("CLASS").

COLLATERALIZING OF DEPOSITS

2.10 In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Village of Scarsdale, including certificates of deposit and special time deposits (~~together with agreed upon~~ including any interest, ~~if any, and any~~ or costs ~~or expenses~~ arising out of the collection of such deposits upon default), in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by a pledge of "eligible securities" as scheduled in Appendix A hereto with an aggregate "market value," as defined in said Section 10, at least equal to the aggregate amount of such excess. The Village Treasurer shall have the discretion to require that the amount of any such pledge ~~shall~~ have a market value of more than 100% of the amount of such excess if, in the Village Treasurer's judgment, such requirement would not have a significant adverse effect on yield.

SAFEKEEPING AND COLLATERALIZATION

2.11 Eligible securities used for collateralizing deposits shall be held by the depository bank or trust company or a designated custodial bank subject to security and custodial agreements. The security agreement shall provide that eligible securities are being pledged to secure the deposits of the Village of Scarsdale together with agreed-upon interest, if any, and costs or expenses arising out of the collection of such deposits upon default. The security and custodial agreements shall also include all other provisions necessary to provide the Village of Scarsdale with a perfected security interest in the eligible securities and to otherwise secure the Village of Scarsdale's interest in the collateral, and may contain other provisions that the Village Treasurer deems necessary. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events ~~which will enable~~ enabling the Village of Scarsdale to exercise its rights against the pledged securities.

2.12 The custodial agreement shall provide that securities held by the custodial bank or trust company, as agent of and custodian for the Village of Scarsdale, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also provide that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of the eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility.

2.13 The Village Treasurer shall enter into security and custodial agreements with the authorized depositories and custodians, subject to the approval of each agreement by the Village Attorney. Such agreements may be in the form of model agreements provided to local governments by the Comptroller of the State of New York.

PERMITTED INVESTMENTS

2.14 As authorized by Section 11 of the General Municipal Law, the Village of Scarsdale authorizes the Village Treasurer to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- A. Special time deposit accounts in designated depositories, subject to the collateral requirements outlined in Sections 2.10 through 2.13;
- B. Other money market accounts associated with these depositories subject to the collateralization requirements outlined in Sections 2.10 through 2.13;
- C. Certificates of deposit issued by designated depositories, subject to the collateral requirements outlined in Sections 2.10 through 2.13;
- D. Obligations of the United States of America;
- E. Obligations issued or fully guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- F. Obligations of the State of New York.

REPURCHASE AGREEMENTS

2.15 Repurchase agreements are authorized subject to the following restrictions:

- A. All repurchase agreements must be entered into subject to a Master Repurchase Agreement;
- B. All repurchase agreements will be limited to a maximum maturity of 5 days;
- C. Trading partners are limited to banks or trust companies authorized pursuant to this Policy;
- D. Pledged securities shall be limited to obligations of the United States of America and obligations issued or fully guaranteed by agencies of

- the United States of America where payment of principal and interest is fully guaranteed by the United States of America;
- E. No substitution of securities will be allowed.

PURCHASE OF INVESTMENTS

2.16 The Village Treasurer is authorized to contract for the purchase of investments: [as follows](#):

A. Directly, ~~including through a repurchase agreement~~, from an authorized trading partner.

B. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article ~~5G3-A~~ of the General Municipal Law where such program meets all the requirements set forth in State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Village Board of Trustees.

2.17 Investment of Bond Proceeds – Consistent with NYS Local Finance Law, Section 165.00, the proceeds of bond issues shall be deposited into a special account. The Investment of the bond proceeds will be governed by Section 2.14 of this policy. Investment maturities will be timed to insure that funds are available to meet expenditure needs. In addition, investment options will be sensitive to the arbitrage rebate that may be required by the federal government if investment yields exceed the bond's interest rate.

AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

2.18 The Village of Scarsdale shall maintain a list of financial institutions and dealers approved for investment purposes. All financial institutions with which the Village conducts business must have a senior debt rating of at least A by at least two of the leading rating agencies. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The list of financial institutions and dealers shall be evaluated annually.

REPORTING

2.19 The Village Treasurer shall submit periodic (no less than quarterly) investment reports to the Investment Committee, [or the Village Board in the absence of an Investment Committee](#), disclosing investment activity during the period, including descriptions, amounts, rates of interest and maturity dates.

2.20 The Village Treasurer shall prepare an annual report within 60 days of the end of the fiscal year. This report shall include the amount of interest earned, the effective annual yield, and a schedule of investments held by the Village at fiscal year-end.

3. Procedures

3.1 Investments will be limited to those authorized in the Investment Policy.

3.2 The investment selection process for certificates of deposit will utilize competitive quotations from at least three authorized depositories, where practicable.

3.3 Each investment transaction will be made by written authorization. If the authorization is initially given verbally, a written authorization will be sent the same day by the Village Treasurer to the appropriate financial institution or dealer.

3.4 All investment authorizations and confirmations will be promptly checked against the Village Treasurer's investment records by another Village employee.

3.5 The Village Treasurer will maintain a file of written investment authorizations and confirmations.

3.6 The Village Treasurer will maintain a record of all investment transactions including descriptions, amounts, rates of interest, maturity dates and earnings.

3.7 The Village Treasurer will determine on a regular basis that obligations have been pledged by the depositories in accordance with the agreements in place.

3.8 The Village Treasurer will maintain a list of financial institutions and dealers approved for investment purposes and will ensure that dealers are rated at least AA by at least two of the leading rating agencies. As of ~~January 11, 2011,~~ January 31, 2020 the list includes JP Morgan Chase, HSBC, ~~Wells Fargo Bank,~~ M&T Bank, Signature Bank, ~~Hudson Valley Bank~~ and the Cooperative Liquid Assets Securities System ("CLASS").

3.9 The Village Treasurer will report investment activity in accordance with the provisions contained in the Investment Policy.

3.10 The maximum amount which may be kept on deposit at JP Morgan Chase, ~~HSBC, and Wells Fargo Bank~~ and HSBC is set at \$70 million.

3.11 The maximum amount which may be invested in the following financial institutions is as follows:

CLASS:	\$ 15 <u>20</u> million
M&T Bank:	\$ 15 <u>30</u> million
Signature Bank:	\$15 million
Hudson Valley Bank:	\$2 million

APPENDIX A

SCHEDULE OF ELIGIBLE SECURITIES

(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

(ii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.

(iii) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public monies.

[\(iv\) Zero coupon obligations of the United States government marketed as "Treasury Strips" backed by the full faith and credit of the United States government.](#)

RESOLUTION RE: ACCEPTANCE OF A GIFT FOR INSTALLATION OF A GEODESIC DOME AT THE WEINBERG NATURE CENTER

WHEREAS, to support unique local organic food production and sustainability programming at the Weinberg Nature Center, the Department of Parks, Recreation and Conservation purchased a geodesic dome in June 2019; and

WHEREAS, recognizing the educational value of the geodesic dome greenhouse, and the contribution it can make by providing year-round access to low-cost, nutritious food for Weinberg’s eclectic animal collection thereby reducing operating costs while enhancing animal health and well-being, the Friends of Weinberg Nature Center have enthusiastically donated the sum of \$8,461.01 for the professional installation of the dome in support of the hydroponic and aeroponic agricultural techniques, which have proven to be effective tools in combatting world hunger; 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 of Trustees hereby accepts the gift of \$8,461.01 from the Friends of Weinberg Nature Center for the materials necessary to professionally install the geodesic dome at the Weinberg Nature Center; and be it further

RESOLVED, that the Board of Trustees hereby extends their thanks and appreciation to the Friends of Weinberg Nature Center for this generous gift to the community.

Submitted by: Village Manager
Date: March 4, 2020
For: March 10, 2020

Village of Scarsdale



Memorandum

Parks, Recreation, and Conservation Department

To: Stephen M. Pappalardo, Village Manager
From: Brian Gray, Superintendent PRC
Date: February 14, 2020
Re: Acceptance of Gift – Funds for the installation of a geodesic dome at the Weinberg Nature Center

In June of 2019, the Village of Scarsdale Department of Parks, Recreation and Conservation purchased a geodesic dome to be erected at the Weinberg Nature Center that will create the ability for increased programming unique to the Center.

The geodesic dome will generate a year-round horticulture operation that will feed numerous animals at the Center as well as provide programming opportunities for children ages 5 – 17, consisting of sustainability education, organic farming and local food production, and understanding the importance of how both hydroponic and aeroponics can help combat world hunger.

In order to properly erect the geodesic dome in a manner that will withstand both weather elements and increased foot traffic, as well as install important programming amenities such as electricity to run the hydroponic system, Village staff approached the Friends of Weinberg Nature Center for funding. The Friends of Weinberg Nature Center enthusiastically wrote a check to the Village in the amount of \$8,461.01, which will pay for the following: electricity to be brought into the dome, a flooring system consisting of item #4 subsurface, filter fabric, brick pavers, and a railroad tie border, as well as Hilti anchors to anchor the dome to the flooring.

Pursuant to Internal Control 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. The estimated value of the costs associated with the installation of the geodesic dome at the Weinberg Nature Center is \$8,461.01. Accordingly, the Friends of Weinberg Nature Center has issued a check in the amount of \$8,461.01 for the completion of the aforementioned project.

Attached please find a Resolution and supporting documentation for the Village Board’s consideration at their meeting on March 10, 2020.

Friends of Weinberg Nature Center
455 Mamaroneck Rd, Scarsdale NY 10583

February 14, 2019

Dear Department of Parks, Recreation and Conservation, the Village of Scarsdale,

In this time of development and upgrading at the Weinberg Nature Center, the Friends of Weinberg provide \$8,461.01 to the Department of Parks, Recreation and Conservation, the Village of Scarsdale, for the geodesic greenhouse project. Enclosed is our check for the project which is broken down in (5) quotes (see attached).

Electrical: \$4477.00 Nick's Electrical Service

Base Materials: \$3088.63 Sammarco Stone and Supply

Filter Fabric \$246.98 Home Depot

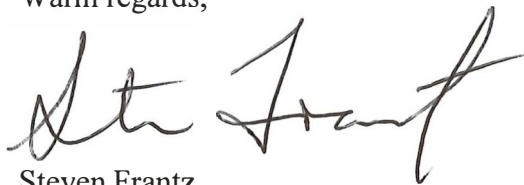
Hilti Anchors \$48.40 Home Depot

Railroad tie border: \$600.00 Home Depot

The gift will be used by the Department of Parks, Recreation and Conservation, Village of Scarsdale to provide electricity and ground cover for the geodesic dome.

This gift will contribute to a year-round horticulture operation at the Weinberg Nature Center. The geodesic dome project will include important lessons on sustainability, organic farming and local food production.

Warm regards,



Steven Frantz

Board Member, Friends of Weinberg Nature Center



Geodesic Dome Project

- Electrical \$ 4477.00
- Base materials \$3088.63
- Filter Fabric \$246.98
- Hilti Anchors \$48.40
- Railroad tie border \$600.00

- Total \$ 8461.01



48 Grand Street ◊ New Rochelle, NY 10801
P: (914) 723-1133 F: (914) 723-0101

February 12, 2020

Village of Scarsdale
1001 Post Road
Scarsdale, NY 10583
pzaicek@scarsdale.com

Re: New Greenhouse
Weinberg Nature Center
455 Old Mamaroneck Road
Scarsdale, NY 10583

Proposal

We at Nick's Electric Service, hereby submit our quotation to provide all necessary labor and material for the installation of electrical work at the above referenced location.

Scope of work:

- To install 60-amp service from Nature House Basement panel to Shed
- To install new circuit breaker panel in Shed
- To re-feed driveway/roadway lights
- To install new weather-proof panel and GFI receptacle at Greenhouse location

Note:

- All trenching and site restoration done by Village of Scarsdale

Our price for the above labor and materials shall be in the amount of:

Four Thousand Four Hundred Seventy-Seven Dollars and 00/100 ~ (\$4,477.00)

N.Y. state sales tax not included if applicable

Proposals are only valid for 30 days.

Upon signing the proposal, 50% of the total cost will be due. The balance will be due upon completion.

Work area is to be environmentally safe. Asbestos abatement, encapsulation and hazardous material related work not provided for in this proposal.

All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from the above specifications will be executed only upon written change order and will become and extra over and above this agreement. All work to be performed during normal business hours. All workmanship is guaranteed for a period of one (1) year.

Our workers are fully covered by Workers' Compensation and all work is covered by Public Liability Insurance.

Respectfully yours,

Nicholas Camillone

Accepted By

SAMMARCO STONE AND SUPPLY, INC.
173 OAK STREET
NEW ROCHELLE, NY 10801
www.sammarcostone.com
PHONE: (914) 636-6563

PAGE NO 1

WE NOW OFFER A PIGGY BACK FORKLIFT
 FOR YOUR DELIVERY NEEDS

CUST NO: 24125 JOB NO: 000 PURCHASE ORDER: REFERENCE: TERMS: NET 30 DAYS CLERK: EP DATE / TIME: 2/10/20 2:25

TERMINAL: 557

SOLD TO:
 VILLAGE OF SCARSDALE
 POST ROAD

SHIP TO:

EXP. DATE: 2/11/20

SCARSDALE NY 10583
 914-722-1150

TAX: 002 NON TAXABLE ACCOUNTS

ESTIMATE: 955746

LINE	SHIPPED	ORDERED	UM	SKU	DESCRIPTION	SUGG	UNITS	PRICE/ PER	EXTENSION
1		12	YD	DITEM4	ITEM 4 - DELIVERED	71.42	12	57.14 /YD	685.68 N
3									
4		1	YD	DITEM4	ITEM 4 - DELIVERED	71.42	1	57.14 /YD	57.14 N
5		1	EA	OTB	ONE TON BAG - 1 YARD	12.96	1	12.96 /EA	12.96 N
6		3	YD	DCSAND	CONCRETE SAND - DELIVERED	66.74	3	53.39 /YD	160.17 N
7		3	EA	OTB	ONE TON BAG - 1 YARD	12.96	3	12.96 /EA	38.88 N
8		3240	EA	C2HPRO	4 X 8 HOLLAND RUBY/ONYX	3.28	720	2.79 /SF	2,008.80 N
9					6 BUNDLES				
10		1	EA	FAIM125	FLATBED DELIVERY	125.00	1	125.00 /EA	125.00 N
					RSTROBEL@SCARSDALE.COM				

TAXABLE 0.00
 NON-TAXABLE 3088.63
 SUBTOTAL 3088.63

TAX AMOUNT 0.00

TOTAL 3088.63



TOT WT: 0.00

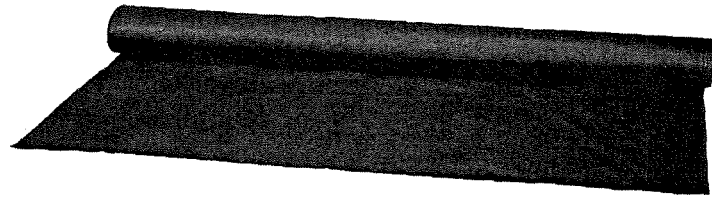
X _____
 Received By

2/13/2020

6 ft. x 300 ft. Black Polypropylene Non Woven Filter Fabric-35-6-300 - The Home Depot

Home / Outdoors / Garden Center / Landscaping / Landscape Fabric

Internet #204268187 Model # 35-6-300



Save to Favorites

6 ft. x 300 ft. Black Polypropylene Non Woven Filter Fabric

★★★★☆ (20) Write a Review

\$123⁴⁹

Handwritten: +2 - \$246.98

Quantity

-	1	+
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Available for pickup
February 18 - February 19

We'll send it to Port Chester for free pickup

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or

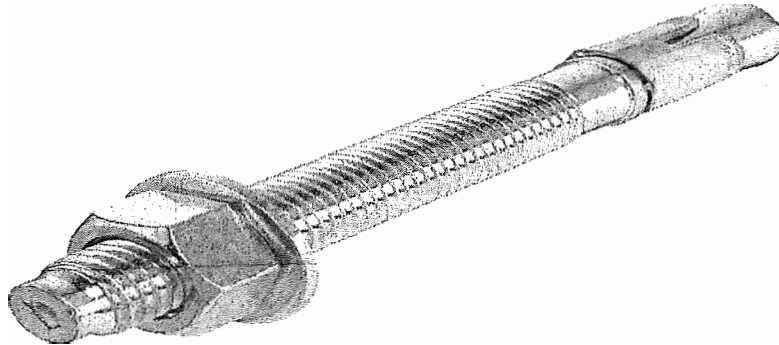
We'll Deliver It to You

2/13/2020

Hilti 1/2 in. x 4-1/2 in. Kwik Bolt 3 Long Thread Carbon Steel Expansion Anchors (12-Pack)-3512309 - The Home Depot

Home / Hardware / Fasteners / Anchors / Masonry & Concrete Anchors

Internet #204993014 Model # 3512309 Store SKU #1000049098



Live Chat

Save to Favorites

Hilti

1/2 in. x 4-1/2 in. Kwik Bolt 3 Long Thread Carbon Steel Expansion Anchors (12-Pack)

★★★★★ (6) Write a Review

\$24²⁰

- x 2 = 48.40

Package Quantity: 12

2

Quantity

Have a question?

Chat with a Home Depot expert.

Live Chat

CHAT NOW

Pick Up In Store Today

Aisle 15, Bay SC2 Text to Me

3 in stock at Port Chester

Add to Cart

Check Nearby Stores

**RESOLUTION RE: AWARDING VM CONTRACT #1258 – SANITARY
SEWER EXCAVATION AND REPAIR**

WHEREAS, pursuant to the ongoing multi-year Sanitary Sewer Evaluation Study, which seeks to identify conditions in our underground sewer infrastructure, pipe locations have been identified as requiring excavation and replacement have been identified, requiring contractual support from a qualified firm; and

WHEREAS, a bid solicitation for VM #1258 – Sanitary Sewer Excavation and Repair was published in the Scarsdale Inquirer on Friday, January 31, 2020, and notification of the bid opportunity was also provided through one construction journal, as well as sent directly to 13 vendors known to provide the needed services; and

WHEREAS, on the bid opening date, February 20, 2020, ten bids were received, with the lowest responsible bid received from Westchester Hills Landscaping Inc., West Harrison, NY 10604 (Westchester Hills); and

WHEREAS, Westchester Hills has confirmed their understanding of the scope of services, has previously performed satisfactory services for the Village under other contracts, as well as for other peer communities, and staff recommends awarding VM #1258 – Sanitary Sewer Excavation and Repair to Westchester Hills as the lowest responsible bidder; now, therefore, be it

RESOLVED, that VM Contract #1258 – Sanitary Sewer Excavation and Repair Work, be awarded to Westchester Hills Landscaping Inc., West Harrison, NY 10604, at the unit bid prices itemized in the attached bid tabulation sheet, with represented total cost based on estimated work quantities and expenses for a total not to exceed budgeted appropriations, or an estimated maximum of \$121,475.00; and be it further

RESOLVED, that the cost of same be charged to Capital Budget Fund Account #H 8120-965 2019-096 Sani Sewers – SSES Study Repair Work, or to the appropriate sanitary sewer account, as determined by the Village Treasurer; and be it further

RESOLVED, that the Village Manager is hereby authorized to execute VM Contract #1258 on behalf of the Village of Scarsdale with Westchester Hills Landscaping Inc., West Harrison, NY 10604, and to undertake administrative acts as may be required under said agreement.

Submitted by: Village Manager
Date: March 4, 2020
For: March 10, 2020

Village of Scarsdale



Memorandum

Engineering Department

To: Stephen M. Pappalardo, Village Manager
From: David A. Goessl, P.E., Village Engineer
Date: February 28, 2020
Re: VM Contract #1258 Sanitary Sewer Excavation and Repair Work

As you are aware, the Village has currently been performing sanitary sewer repair work for defective sections of municipal piping identified in the Mamaroneck Valley Sanitary Sewer District Sanitary Sewer Evaluation Study (SSES) prepared by H2M Architects + Engineers. Most of the rehabilitation work completed to date has been performed using trenchless technology via cured in place pipelining (CIPP) under a contract in place with National Water Main Cleaning Company. Trenchless technologies such as CIPP are often considered very cost effective means to rehabilitate pipes. However, not all pipes are candidates for such. Pipes that are found to be partially collapsed and/or significantly deformed are generally not candidates for a CIPP repair. The SSES findings did establish a schedule of pipe locations where the degree of pipe defect required excavation and replacement, leading to issuance of VM #1258 to solicit bids.

On Friday, January 31, 2020, the Village of Scarsdale advertised in the Scarsdale Inquirer for the receipt of bids pursuant to VM Contract #1258 Sanitary Sewer Excavation and Repair Work. Additionally, the bid documents were directly distributed to thirteen (13) contractors known to possess the requisite experience for sanitary sewer excavation and repair. On the bid opening date, Thursday, February 20, 2020, the Village Treasurer received ten (10) bids and prepared the bid tabulation summary attached herewith. The lowest responsive bidder was received from Westchester Hills Landscaping Inc., West Harrison, NY 10604, in the total amount of \$121,475.00.

Staff has met with the firm onsite and confirmed their understanding of the bid specifications, work schedule, and overall expected project outcomes. References were also checked, with only positive feedback received. Furthermore, the bid total was within the anticipated range of cost and budgeted funds to cover related expenses. Based on this review, staff recommends awarding a contract to the low bidder as summarized above at the unit bid prices provided for on their form of proposal, for amounts not to exceed allocated resources established in budgetary fund H 8120-965 2019-096 Sani Sewers – SSES Study Repair Work.

Accordingly, please place the attached resolution on the March 10, 2020, agenda for Village Board consideration.

CC: Robert Cole, Deputy Village Manager
Jeffrey Coleman, P.E., Superintendent of Public Works

Village of Scardale
 Bid Opening
 For Contract VM 1258

CONTRACT:	Sanitary Sewer Excavation and Repair Work		Joseph Carducci, Inc.		Montesano Bros. Inc.		M. Zonzini		Gentle Construction Corp		MTS Infrastructure LLC.		ELQ Industries, Inc.		Westchester Hills Landscaping		Peter J. Landi Inc.		Paladino Concrete Creations, Corp.		Joken Development Corp.		
DATE:	Thursday, February 20, 2020		505 Concord Avenue		76 Plain Avenue		466 North Avenue		451 Old Nepperhan Ave.		135 Lafayette Ave.		567 Fifth Avenue		119 Park Ave		13 Bradhurst Ave.		315 N. Mac Quisten PkWy		9 Behway Place		
TIME:	2:00 PM		Mamaroneck, NY 10543		New Rochelle, NY 10801		New Rochelle, NY 10801		Yonkers, NY		White Plains, NY 10603		New Rochelle, NY 10801		West Harrison, Ny 10604		Hawthorne, Ny 10532		Mount Vernon 10550		White Plains, NY 10601		
Item	Item Description	Unit	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total		
Item No. 1	Saw Cutting of Asphalt Pavement - Proposal to provide all labor, materials and overhead and costs necessary to saw cut asphalt pavement prior to excavation and or final restoration.																						
	400 Linear Feet @ _____ per Linear Feet (LF) \$	400	LF	\$ 6.00	\$ 2,400.00	\$ 4.00	\$ 1,600.00	\$ 5.00	\$ 2,000.00	\$ 1.00	\$ 400.00	\$ 7.50	\$ 3,000.00	\$ 4.25	\$ 1,700.00	\$ 7.00	\$ 2,800.00	\$ 5.00	\$ 2,000.00	\$ 10.00	\$ 4,000.00	\$ 3.75	\$ 1,500.00
Item No. 2	Excavation, Removal and Disposal of Asphalt Pavement Materials - Proposal to provide all labor, materials and overhead and costs necessary to excavate, remove and properly dispose of asphalt																						
	80 Square Yards @ _____ per Square Yard (SY) \$	80	SY	\$ 75.00	\$ 6,000.00	\$ 35.00	\$ 2,800.00	\$ 25.00	\$ 2,000.00	\$ 123.00	\$ 9,840.00	\$ 185.00	\$ 14,800.00	\$ 23.00	\$ 1,840.00	\$ 20.00	\$ 1,600.00	\$ 100.00	\$ 8,000.00	\$ 95.00	\$ 7,600.00	\$ 10.00	\$ 800.00
Item No. 3	Trench Excavation, Removal and Removal and Disposal of Road Bed Materials - Proposal to provide all labor, materials and overhead and costs necessary to excavate, remove and properly dispose of road bed materials including any rock, pipe, brick, block or non earth material encountered in the trench.																						
	160 Cubic Yards @ _____ per Cubic Yard (CY) \$	160	CY	\$ 250.00	\$ 40,000.00	\$ 125.00	\$ 20,000.00	\$ 60.00	\$ 9,600.00	\$ 225.00	\$ 36,000.00	\$ 175.00	\$ 28,000.00	\$ 160.00	\$ 25,600.00	\$ 55.00	\$ 8,800.00	\$ 75.00	\$ 12,000.00	\$ 140.00	\$ 22,400.00	\$ 66.00	\$ 10,560.00
Item No. 4	Furnishing and Installation of Medium Stone Materials - Proposal to provide all labor, materials and overhead and costs necessary to furnish, install, grade, compact and consolidate medium stone gravel bedding and backfill materials.																						
	25 Cubic Yards @ _____ per Cubic Yard (CY) \$	25	CY	\$ 200.00	\$ 5,000.00	\$ 110.00	\$ 2,750.00	\$ 40.00	\$ 1,000.00	\$ 38.00	\$ 950.00	\$ 135.00	\$ 3,375.00	\$ 100.00	\$ 2,500.00	\$ 185.00	\$ 4,625.00	\$ 200.00	\$ 5,000.00	\$ 130.00	\$ 3,250.00	\$ 42.00	\$ 1,050.00
Item No. 5	Furnishing and Installation of Gravel Bedding Materials (3/4" Nom. Size) - Proposal to provide all labor, materials and overhead and costs necessary to furnish, install, grade, compact and consolidate fine stone gravel bedding and backfill materials.																						
	30 Cubic Yards @ _____ per Cubic Yard (CY) \$	30	CY	\$ 200.00	\$ 6,000.00	\$ 90.00	\$ 2,700.00	\$ 40.00	\$ 1,200.00	\$ 55.00	\$ 1,650.00	\$ 125.00	\$ 3,750.00	\$ 61.00	\$ 1,830.00	\$ 185.00	\$ 5,550.00	\$ 75.00	\$ 2,250.00	\$ 130.00	\$ 3,900.00	\$ 30.00	\$ 900.00
Item No. 6	Furnishing and Installation of 10" Diameter SDR-35, PVC Sanitary Sewer Pipe - Proposal to provide all labor, materials and overhead and costs necessary to furnish and install new water tight sanitary sewer pipe to line and grade including all of the necessary fittings and																						
	60 Linear Feet @ _____ per Linear Feet (LF) \$	60	LF	\$ 210.00	\$ 12,600.00	\$ 520.00	\$ 31,200.00	\$ 300.00	\$ 18,000.00	\$ 60.00	\$ 3,600.00	\$ 300.00	\$ 18,000.00	\$ 1,018.00	\$ 61,080.00	\$ 55.00	\$ 3,300.00	\$ 800.00	\$ 48,000.00	\$ 200.00	\$ 12,000.00	\$ 530.00	\$ 31,800.00
Item No. 7	Sewer Lateral Transfer and Connection - 8" x 8" x 4" or 10" x 10" x 4" Lateral Connection "wye" Fitting, SDR-35 PVC Sanitary Sewer Pipe, FERNCO Adapter - Proposal to provide all labor, materials and overhead and costs necessary to furnish and install new water tight sanitary sewer pipe "wye" adapter for residential sewer lateral connections including new spur section (up to 4') of 4" SDR-35 pvc pipe connected to existing lateral with an approved water tight FERNCO adapter including any additional trenching and backfill beyond bid item # 3 pay limits.																						
	4 Each @ _____ per Each (EA) \$	4	EA	\$ 750.00	\$ 3,000.00	\$ 6,900.00	\$ 27,600.00	\$ 300.00	\$ 1,200.00	\$ 175.00	\$ 700.00	\$ 750.00	\$ 3,000.00	\$ 677.00	\$ 2,708.00	\$ 575.00	\$ 2,300.00	\$ 2,000.00	\$ 8,000.00	\$ 5,000.00	\$ 20,000.00	\$ 500.00	\$ 2,000.00
Item No. 8	Furnishing and Installation of Processed (Recycled) "Item 4" Aggregate Materials - Proposed to provide all labor, materials and overhead and costs necessary to furnish, install, grade, compact and consolidate and backfill processed "Item 4" aggregate materials.																						
	100 Cubic Yards @ _____ per Cubic Yard (CY) \$	100	CY	\$ 125.00	\$ 12,500.00	\$ 75.00	\$ 7,500.00	\$ 40.00	\$ 4,000.00	\$ 15.00	\$ 1,500.00	\$ 125.00	\$ 12,500.00	\$ 37.00	\$ 3,700.00	\$ 75.00	\$ 7,500.00	\$ 60.00	\$ 6,000.00	\$ 75.00	\$ 7,500.00	\$ 25.00	\$ 2,500.00
Item No. 9	Furnishing and Installation of Controlled Density "K-Crete" Materials - Proposal to provide all labor, materials and overhead and costs necessary to furnish install, and consolidate controlled density backfill materials when specified by the Village Engineer in lieu of bid item No. 8, including, furnishing, handling, installing and removing steel road plates.																						
	100 Cubic Yards @ _____ per Cubic Yard (CY) \$	100	CY	\$ 250.00	\$ 25,000.00	\$ 225.00	\$ 22,500.00	\$ 180.00	\$ 18,000.00	\$ 195.00	\$ 19,500.00	\$ 175.00	\$ 17,500.00	\$ 120.00	\$ 12,000.00	\$ 210.00	\$ 21,000.00	\$ 130.00	\$ 13,000.00	\$ 150.00	\$ 15,000.00	\$ 180.00	\$ 18,000.00
Item No. 10	Asphalt Pavement Patch Restoration - Proposal to provide all labor, materials and overhead and costs necessary to furnish, install and compact NYS DOT Item 403.13 and 403.17 hot mix asphalt materials for permanent patch repair (3 lifts at 2" each)																						
	120 Square Yards @ _____ per Square Yard (SY) \$	120	SY	\$ 150.00	\$ 18,000.00	\$ 98.00	\$ 11,760.00	\$ 60.00	\$ 7,200.00	\$ 58.00	\$ 6,960.00	\$ 62.50	\$ 7,500.00	\$ 71.50	\$ 8,580.00	\$ 75.00	\$ 9,000.00	\$ 100.00	\$ 12,000.00	\$ 210.00	\$ 25,200.00	\$ 125.00	\$ 15,000.00

Village of Scardale
 Bid Opening
 For Contract VM 1258

CONTRACT:	Sanitary Sewer Excavation and Repair Work				Joseph Carducci, Inc.		Montesano Bros. Inc.		M. Zonzini		Gentile Construction Corp		MTS Infrastructure LLC		ELQ Industries, Inc.		Westchester Hills Landscaping		Peter J. Landi Inc.		Paladino Concrete Creations, Corp.		Joken Development Corp.		
DATE:	Thursday, February 20, 2020				505 Concord Avenue		76 Plain Avenue		466 North Avenue		451 Old Nepperhan Ave.		135 Lafayette Ave.		567 Fifth Avenue		119 Park Ave		13 Bradhurst Ave.		315 N. Mac Quisten PKWY		9 Behay Place		
TIME:	2:00 PM				Mamaroneck, NY 10543		New Rochelle, NY 10801		New Rochelle, NY 10801		Yonkers, NY		White Plains, NY 10603		New Rochelle, NY 10801		West Harrison, Ny 10604		Hawthorne, Ny 10532		Mount Vernon 10550		White Plains, NY 10601		
Item	Item Description			Unit Quantit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	
Item No. 11	Trench Shoring - Proposal to provide all labor, materials and overhead and costs necessary to furnish, install and remove heavy flumber tight sheeting or provide all labor, materials and overhead and costs necessary to furnish, supply and install approved shoring box as required per OSHA Regulations.																								
	1 Lump Sum @ _____ per Lump Sum (LS) \$			1	LS	\$ 4,500.00	\$ 4,500.00	\$ 9,000.00	\$ 9,000.00	\$ 2,000.00	\$ 2,000.00	\$ 3,800.00	\$ 3,800.00	\$ 35,000.00	\$ 35,000.00	\$ 4,266.00	\$ 4,266.00	\$ 500.00	\$ 500.00	\$ 15,000.00	\$ 15,000.00	\$ 35,000.00	\$ 35,000.00	\$ 14,600.00	\$ 14,600.00
Item No. 12	Maintenance & Protection of Traffic - Proposal to provide all labor, materials and overhead and costs necessary to protect the work zone as well as pedestrian and vehicle traffic.																								
	TOTAL AMOUNT OF BASE PROPOSAL ITEMS 1-12:					\$ 135,000.00		\$ 139,410.00		\$ 66,200.00		\$ 84,900.00		\$ 146,425.00		\$ 125,804.00		\$ 66,975.00		\$ 131,250.00		\$ 155,850.00		\$ 98,710.00	
ADD/ALT Item No. 1	Furnishing and Installation of 8" thru 10" Diameter SDR-35, PVC Sanitary Sewer Pipe - Proposal to provide all labor, materials and overhead and costs necessary to furnish and install new water tight sanitary sewer pipe to line and grade including all of the necessary fittings and pipe adapters. This ADD/ALT Item is inclusive of all traffic control, saw cutting of pavement excavation and disposal of road bed materials and sanitary pipe materials and covers the furnishing and installation of trench shoring, steel plates & protections, piping, fittings and pipe bedding.																								
	80 Linear Feet @ _____ per Linear Feet (LF) \$			80	LF	\$ 1,062.50	\$ 85,000.00	\$ 520.00	\$ 41,600.00	\$ 475.00	\$ 38,000.00	\$ 300.00	\$ 24,000.00	\$ 300.00	\$ 24,000.00	\$ 1,453.00	\$ 116,240.00	\$ 235.00	\$ 18,800.00	\$ 1,500.00	\$ 120,000.00	\$ 225.00	\$ 18,000.00	\$ 530.00	\$ 42,400.00
ADD/ALT Item No. 2	Sewer Lateral Transfer and Connection - 8" x 8" x 4" or 10" x 10" x 4" Lateral Connection "Wye" Fitting, SDR-35 PVC Sanitary Sewer Pipe, FERNCO Adapter - Proposal to provide all labor, materials and overhead and costs necessary to furnish and install new water tight sanitary sewer pipe "Wye" adapter for residential sewer lateral connections including new spur section (up to 4') of 4" SDR-35 PVC pipe connected to existing lateral with an approved water tight FERNCO adapter including any additional trenching and backfill beyond bid item ADD/ALT No. 1 pay limits and is inclusive of all necessary items as noted in ADD/ALT Item No. 1.																								
	4 Each @ _____ per Each (EA) \$			4	EA	\$ 700.00	\$ 2,800.00	\$ 6,900.00	\$ 27,600.00	\$ 300.00	\$ 1,200.00	\$ 1,900.00	\$ 7,200.00	\$ 760.00	\$ 3,040.00	\$ 677.00	\$ 2,708.00	\$ 675.00	\$ 2,700.00	\$ 2,000.00	\$ 8,000.00	\$ 5,000.00	\$ 20,000.00	\$ 575.00	\$ 2,300.00
ADD/ALT Item No. 3	Furnishing and Installation of Processed (Recycled) "Item 4" Aggregate Materials - Proposed to provide all labor, materials and overhead and costs necessary to furnish, install, grade, compact and consolidate and backfill processed "Item 4" aggregate materials.																								
	50 Cubic Yards @ _____ per Cubic Yard (CY) \$			50	CY	\$ 125.00	\$ 6,250.00	\$ 75.00	\$ 3,750.00	\$ 40.00	\$ 2,000.00	\$ 15.00	\$ 750.00	\$ 125.00	\$ 6,250.00	\$ 37.00	\$ 1,850.00	\$ 75.00	\$ 3,750.00	\$ 50.00	\$ 2,500.00	\$ 75.00	\$ 3,750.00	\$ 91.00	\$ 4,550.00
ADD/ALT Item No. 4	Furnishing and Installation of Controlled Density "K-Crete" Materials - Proposed to provide all labor, materials and overhead and costs necessary to furnish install, and consolidate controlled density backfill materials when specified by the Village Engineer in lieu of processed Item 4 (ADD/Alt Item No 3)																								
	50 Cubic Yards @ _____ per Cubic Yard (CY) \$			50	CY	\$ 250.00	\$ 12,500.00	\$ 225.00	\$ 11,250.00	\$ 180.00	\$ 9,000.00	\$ 195.00	\$ 9,750.00	\$ 175.00	\$ 8,750.00	\$ 120.00	\$ 6,000.00	\$ 210.00	\$ 10,500.00	\$ 130.00	\$ 6,500.00	\$ 150.00	\$ 7,500.00	\$ 350.00	\$ 17,500.00
ADD/ALT Item No. 5	Asphalt Pavement Patch Restoration - Proposal to provide all labor, materials and overhead and costs necessary to furnish, install and compact NYS DOT Item 403.13 and 403.17 hot mix asphalt materials for permanent patch repair (3 lifts at 2" each)																								
	50 Square Yards @ _____ per Square Yard (SY) \$			50	SY	\$ 150.00	\$ 7,500.00	\$ 98.00	\$ 4,900.00	\$ 60.00	\$ 3,000.00	\$ 58.00	\$ 2,900.00	\$ 62.50	\$ 3,125.00	\$ 117.00	\$ 5,850.00	\$ 75.00	\$ 3,750.00	\$ 102.00	\$ 5,100.00	\$ 210.00	\$ 10,500.00	\$ 180.00	\$ 9,000.00
ADD/ALT Item No. 6	Furnish and Install Manhole - Proposal to provide all labor, materials and overhead and cost necessary to furnish, and install precast manholes as specified by the Village.																								
	2 Each @ _____ per Each (EA) \$			2	EA	\$10,000.00	\$ 20,000.00	\$ 9,000.00	\$ 18,000.00	\$ 4,500.00	\$ 9,000.00	\$ 13,500.00	\$ 27,000.00	\$ 6,550.00	\$ 13,100.00	\$ 12,250.00	\$ 24,500.00	\$ 7,500.00	\$ 15,000.00	\$ 7,000.00	\$ 14,000.00	\$ 10,500.00	\$ 21,000.00	\$ 8,700.00	\$ 17,400.00
ADD/ALT Item No. 7	Maintenance & Protection of Traffic - Proposal to provide all labor, materials and overhead and costs necessary to protect the work zone as well as pedestrian and vehicle traffic.																								
	TOTAL AMOUNT OF BASE PROPOSAL ITEMS 1-7:			-		\$ 134,050.00		\$ 107,100.00		\$ 62,200.00		\$ 71,600.00		\$ 58,265.00		\$ 157,148.00		\$ 54,500.00		\$ 156,100.00		\$ 80,750.00		\$ 93,150.00	

Village of Scardale
 Bid Opening
 For Contract VM 1258

CONTRACT:	<i>Sanitary Sewer Excavation and Repair Work</i>			<i>Joseph Carducci, Inc.</i>		<i>Montesano Bros. Inc.</i>		<i>M. Zonzini</i>		<i>Gentile Construction Corp</i>		<i>MTS Infrastructure LLC.</i>		<i>ELQ Industries, Inc.</i>		<i>Westchester Hills Landscaping</i>		<i>Peter J. Landi Inc.</i>		<i>Paladino Concrete Creations, Corp.</i>		<i>Joken Development Corp.</i>							
DATE:	Thursday, February 20, 2020			505 Concord Avenue		76 Plain Avenue		466 North Avenue		451 Old Nepperhan Ave.		135 Lafayette Ave.		567 Fifth Avenue		119 Park Ave		13 Bradhurst Ave.		315 N. Mac Questen Pkwy		9 Behway Place							
TIME:	2:00 PM			Mamaroneck, NY 10543		New Rochelle, NY 10801		New Rochelle, NY 10801		Yonkers, NY		White Plains, NY 10603		New Rochelle, NY 10801		West Harrison, Ny 10604		Mount Vernon 10550		White Plains, NY 10601									
Item	Item Description	Unit Quantit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total					
	TOTAL AMOUNT OF BASE PROPOSAL ITEMS 1-12:			\$ 135,000.00		\$ 139,410.00		\$ 66,200.00		\$ 84,900.00		\$ 146,425.00		\$ 125,804.00		\$ 66,975.00		\$ 131,250.00		\$ 155,850.00		\$ 98,710.00		\$ 98,710.00					
	TOTAL AMOUNT OF BASE PROPOSAL ITEMS 1-7:			\$ 134,050.00		\$ 107,100.00		\$ 62,200.00		\$ 71,600.00		\$ 58,265.00		\$ 157,148.00		\$ 54,500.00		\$ 156,100.00		\$ 80,750.00		\$ 93,150.00		\$ 93,150.00					
	TOTAL AMOUNT OF PROPOSAL			\$ 269,050.00		\$ 246,510.00		\$ 128,400.00		\$ 156,500.00		\$ 204,690.00		\$ 282,952.00		\$ 121,475.00		\$ 287,350.00		\$ 236,600.00		\$ 191,860.00		\$ 191,860.00					
	Certified Check or Bank Check or Cash not less than 5% of total bid		9819816604	\$ 14,000.00			9104806270	\$ 6,420.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -					
	Bid Bond 5% of total bid					Bid Bond 5%	\$ 12,325.50			Bid Bond 5%	\$ 7,825.00		Bid Bond 5%	\$ 10,234.50		Bid Bond 5%	\$ 14,147.60		Bid Bond 5%	\$ 6,073.75		Bid Bond 5%	\$ 14,367.50		Bid Bond 5%	\$ 11,830.00		Bid Bond 5%	\$ 9,593.00

I, Maria Colotti, do hereby certify that the above is a true and complete listing of all bids received on this date for Contract #VM 1258.

Maria Colotti 02/20/2020
 Signature Date

RESOLUTION RE: AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT WITH VERIZON, NEW YORK INC.

WHEREAS, the Board of Trustees of the Village of Scarsdale after public hearing and extensive public discussion unanimously adopted Local Law No. 7 of 1995, amending certain Chapters of the Village Code, including Chapter 310-89, changing certain provisions to require legal nonconforming uses in residential areas to obtain a special permit to continue such nonconforming use; and

WHEREAS, that Local Law eliminated telephone exchanges as a permitted use in an A-3 residential zone pursuant to a special permit and, instead, established telephone exchanges as a permitted use in commercial areas of the Village; and

WHEREAS, the Verizon (formerly New York Telephone Company and NYNEX) Central Office located on a 28,574 sq. ft. site at 1021 Post Road, identified on the Village tax map as Sec. 3, Blk. 2, Lot 4, became a legal nonconforming use in a residential area as a result of the adoption of Local Law 7 of 1995; and

WHEREAS, Chapter 310-89 of the Village Code includes a provision which requires a legal nonconforming use in a residential zone to register with the Village by obtaining a Special Use Permit from the Planning Board; and

WHEREAS, pursuant to Chapters 310-67 and 310-89 of the Village Code, the Planning Board granted a Special Use Permit to Verizon to continue its operation in a residential area as a legal nonconforming use in 1997; granted a renewal in 2001, and based on certain conditions, renewed the Special Use Permit on December 20, 2006, subsequently amended on January 29, 2007, for a period of three years commencing January 1, 2007; and, on November 18, 2009, granted a five year renewal from January 1, 2010, through December 31, 2014; and, on November 14, 2014, granted a five year renewal from January 1, 2015, through December 31, 2019; and, on November 20, 2019, granted a five year renewal from January 1, 2020, through December 31, 2024; and

WHEREAS, certain conditions of the Planning Board Special Use Permit renewal resolutions limit the number of Verizon trucks allowed to access the telephone exchange site while excluding Verizon from parking their trucks and/or vehicles at the parking lot of the adjacent Church of the Latter Day Saints and the Village-owned parking lot adjacent to the Village tennis courts on the north side of Wayside Lane; and

WHEREAS, in order to compensate for this diminished site access and parking options, Verizon communicated to the Planning Board their interest in requesting a License Agreement from the Village to allow up to four (4) Verizon vehicles to park in the Village Hall parking lot; and

- WHEREAS,** the Village Board of Trustees approved a License Agreement for use of the four (4) Village Hall spaces on February 13, 2007, which has since expired; and
- WHEREAS,** Verizon has recently requested a new license agreement with the Village to continue to utilize, on a non-reserved basis, four (4) parking spaces on the north side of the Village Hall Lower Parking Lot; and
- WHEREAS,** pursuant to §290-49.1 of the Village Code, the Village Hall Parking Lot is considered a special purpose off-street parking site, whereby no parking other than that directly related to the purpose of the facility is permitted unless otherwise allowed by the Village Manager; and
- WHEREAS,** the proposed License Agreement, attached hereto, is revocable and may be cancelled at any time for any reason by the Village upon thirty (30) days written notice to Verizon; and
- WHEREAS,** pursuant to the License Agreement, Verizon will indemnify the Village from any liability arising from the use of these four (4) parking spaces, maintain adequate liability insurance coverage as approved by the Village Attorney, and pay the Village an annual license fee of \$1,600.00; and
- WHEREAS,** Village staff believes that sufficient parking currently exists at the Village Hall Parking Lot to accommodate Verizon and that the use of this lot by Verizon will help to achieve the Planning Board's objective of improving pedestrian and traffic safety in the vicinity of 1021 Post Road and the quality of life for residents in this neighborhood, and as such, the Village Manager has agreed to allow for said Verizon parking; now, therefore, be it
- RESOLVED,** that the Village Board concurs with the Village Manager in executing a license Agreement with Verizon, New York Inc., in substantially the same form as attached hereto, permitting the use of four (4) parking spaces on the north side of the Village Hall Lower Parking Lot, with said Manager undertaking all administrative acts required under the terms of the agreement.

Submitted by: Village Manager
Date: March 4, 2020
For: March 10, 2020

PARKING LICENSE AGREEMENT

AGREEMENT made this 4th day of February, 2020 between the VILLAGE OF SCARSDALE (hereinafter "Village") a municipal corporation having its principle office and place of business in the Village Hall, 1001 Post Road, Scarsdale, New York and VERIZON NEW YORK INC., (hereinafter "Verizon or "Licensee") a corporation with an office and place of business located at 140 West Street, New York, New York, 10007.

WHEREAS, the Village is the owner of the real property and appurtenances including parking spaces situated in an outdoor two-level parking area forming a part of the property commonly known as the Scarsdale Village Hall at 1001 Post Road, Scarsdale, New York, 10583, and

WHEREAS, the Licensee owns a building located at 1021 Post Road which has operated for decades as a telephone exchange pursuant to Special Use Permits approved by the Village Planning Board, and

WHEREAS, these Special Use Permits are for 5-year terms with the permit renewed by the Village Planning Board on November 20, 2019 with a term running from January 1, 2020 through December 31, 2024 and

WHEREAS, the telephone exchange building is adjacent to private single family residences and homeowners have expressed concerns over the years relative to the amount of Licensee truck traffic adversely impacting their quality of life, and

WHEREAS, these concerns persist with the current applications, and over the years, the Village has helped periodically to alleviate a portion of the Licensee traffic by

providing certain parking spaces at the Village Hall parking lot, an arrangement in which the Planning Board and Licensee are interested in re-establishing, and

WHEREAS, Licensee is desirous of utilizing, on a non-reserved basis, four parking spaces on the north side of the lower lot at Scarsdale Village Hall, and

WHEREAS, the Village Board of Trustees deems it to be in the best interest of the Village to grant a revocable License Agreement to the Licensee in accordance with the terms of this Parking License Agreement.

NOW, THEREFORE, in consideration of mutual covenants and agreements set forth herein, the Village and Licensee agree as follows:

1. **GRANT:** The Village hereby grants to Licensee a revocable Parking License, subject to the terms and conditions set forth herein, on a non-exclusive basis for the use of four parking spaces on the North side of the Lower Level of the outdoor parking lot at Scarsdale Village Hall.
2. **USE:** Verizon shall use the four parking spaces for the parking of one Verizon truck or Verizon vehicle in each space. Verizon shall not use the spaces for any other purpose whatsoever. Verizon acknowledges that parking availability is not guaranteed and is on a first-come, first-served and non-reserved or exclusive basis. There shall be no overnight parking.
3. **LICENSE:** Verizon acknowledges and agrees that this is a temporary license to use the four parking spaces above-referenced on a month-to-month basis and that this license is revocable and may be cancelled at any time for any reason by the Village upon thirty (30) days written notice to Licensee.

4. **ANNUAL PARKING FEE:** In consideration of the grant by the Village to Verizon of the within parking license for the parking of four (4) Verizon trucks or vehicles, Verizon shall pay an annual license fee of Four Hundred Dollars (\$400.00) per space payable in one lump sum payment of One Thousand Six Hundred Dollars (\$1600.00) upon the execution hereof for all of the four licensed parking spaces. In the event that any time the parking license granted hereunder is terminated during the course of a consecutive twelve (12) month period, the Village shall refund the proportionate unearned license fee. This proportional unearned license fee is to be based on a monthly fee of Thirty-Three and 33/100 Dollars (\$33.33) per space and a total of One Hundred Thirty-Three Dollars (\$133.00) per month, for all four spaces, but for the convenience of the parties, payable by the Village to Verizon within sixty (60) days of a written request.
5. **RULES:** The Licensee shall abide by any and all reasonable rules and regulations concerning parking and use of the licensed parking spaces as adopted by the Village from time to time. Licensee shall park within the four parking spaces, one Verizon truck or vehicle per space and shall not interfere with or obstruct ingress or egress in and from any other parking space within the parking area. Other than parking of a Verizon truck or vehicle, Licensee shall not store any other items of personalty in the parking spaces including, without limitation, containers of gasoline, oil or any other petroleum products. The Licensee shall not clean, wash or repair

any of the Verizon trucks or vehicles while parked in the parking spaces or in any part of the Scarsdale Village Hall Parking Lot.

6. **INSURANCE:** Licensee will maintain liability insurance issued by an insurance company licensed to do business in the State of New York, and shall deliver to the Village a certificate of insurance evidencing liability insurance coverage in the amount of One Million Dollars (\$1,000,000.00) per occurrence and Three Million Dollars (\$3,000,000.00) in the aggregate. Said policy of insurance and certificate of insurance shall name the Village of Scarsdale as additional named insured.
7. **RISK OF LOSS:** Licensee shall use the parking spaces at Licensee's own sole risk. The Village shall not be responsible or liable to Verizon for (i) any damage caused to Licensee's vehicles whether caused by fire, water or other forces or elements; violation(s) of law; or any negligence on the part of the Village or the Village's agents, servants or employees, or by any other persons; (ii) any loss of the Licensee's vehicles or to any accessories attached thereto or to any contents placed therein whether by theft or otherwise; or (iii) any personal injury or death to the Licensee or Licensee's agents, servants, employees, invitees or guests while in or about the parking spaces except to the extent caused by Village's gross negligence.
8. **INDEMNIFICATION CLAUSE:** The Licensee hereby agrees to defend, indemnify and hold the Village harmless from and against any and all actions, claims, judgments, costs and expenses, including reasonable

attorney's fees, arising out of Licensee's use of the parking spaces and/or the operation of Licensee's trucks or vehicles within the Scarsdale Village Hall Parking Lot.

9. **NO SERVICES:** The Village shall not be required to provide any services whatsoever to the Licensee.
10. **REPAIRS:** The Village shall maintain the parking spaces. The Licensee shall make no repairs, changes, decorations, alterations to the parking spaces, except for any damage caused to the parking lot and spaces by Licensee's trucks and/or vehicles.
11. **NOTICE:** Any notice required or permitted to be given under any provision of this revocable Parking License Agreement shall be given by certified mail, return receipt requested, or by Federal Express or like courier service, addressed to the party for whom it is intended at the address set forth in this agreement or at such other place as such party may from time to time designate by like notice. Notice shall be deemed given two (2) days after mailed by certified mail, return receipt requested and one (1) day after deliver by Federal Express or like courier service. Notice to the Village shall be sent to: Village of Scarsdale, Scarsdale Village Hall, 10001 Post Road, Scarsdale, New York, 10583, Attention: Village Manager. Notice to Verizon shall be sent to: Verizon Global Real Estate, Attention: Lease Administration, 7701 E. Telecom Parkway, Mail Code FLTDSB1W, Temple Terrace FL 33647, and

12. **ASSIGNMENT:** Licensee shall not assign its rights under this agreement, and any such assignment shall be null and void.
13. **ENTIRE AGREEMENT:** This Parking Agreement contains the entire understanding of the agreement between the parties with respect to its subject matter and all prior negotiations, discussions, commitments, representations, agreements and understandings heretofore had between the parties hereto with respect to the matters set forth herein are merged herein. This agreement shall be governed and construed in accordance with the laws of the State of New York. This agreement may not be modified or amended except in writing signed by the parties.

Approved as to form:

Stephen M. Pappalardo, Village Manager



Verizon New York Inc.

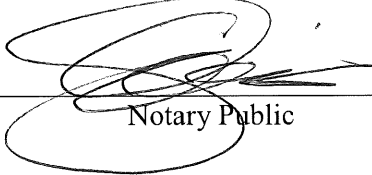
By: *Michael Hudson*
Title: *Dir. Global Real Estate*

CORPORATE ACKNOWLEDGEMENT

STATE OF ~~NEW YORK~~ ^{New Jersey})
: ss.:
COUNTY OF ~~WESTCHESTER~~ ^{Somerset})

On this 4 day of February, 2020, before me personally came Michael Hudson, to me known, who, being by me duly sworn, did depose and say that he/she is the DIRECTOR of Verizon New York Inc., the corporation described in and which executed the above instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by authority of the governing body of said corporation, and that he/she signed his/her name thereto by like authority.

Affix stamp or seal



Notary Public



MUNICIPAL CORPORATION

STATE OF NEW YORK)
: ss.:
COUNTY OF WESTCHESTER)

On this _____ day of _____, 2020, before me personally came Stephen M. Pappalardo, to me known, who, being by me duly sworn, did depose and say that he is the Village Manager of the Village of Scarsdale, the municipal corporation described herein and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such municipal corporate seal that it was so affixed by Act of the governing body of said municipal corporation, and that he signed his name thereto by like Act.

Affix stamp or seal

Notary Public

CASE #18 OF 2019

2. Verizon New York, Inc.
1021 Post Road
Sec. 3, Blk. 2, Lot 4
Renew the Special Use Permit to continue operations of the Scarsdale Central Office facility as a legal nonconforming use in a residential district

The Board considered the application of Verizon New York, Inc., Case #18 of 2019, to renew the Special Use Permit, pursuant to Chapters 310-67 and 310-89, to continue operations of the Scarsdale Central Office facility as a legal nonconforming use in a residential district at 1021 Post Road and, upon motion duly made and seconded, unanimously adopted the following resolution:

- WHEREAS: the Board has considered the subject application pursuant to the State Environmental Quality Review Act and Chapter 152 of the Village Code; now therefore be it
- RESOLVED: that after careful examination of the site and evaluation of the information submitted on the plans and on the EAF, the Board determined that such application for a renewal of a Special Use Permit “where there will be no material change in permit conditions or scope of permitted activities” is a Type II Action pursuant to 6 NYCRR Part 617.5(c) (32) and no further review is required pursuant to such regulations; and
- WHEREAS: in 1995, the Village of Scarsdale amended certain Chapters of the Village Code including changing provisions to require legal nonconforming uses in residential areas to obtain a special permit from the Planning Board to continue such nonconforming use; and
- WHEREAS: the amendments eliminated telephone exchanges as a permitted use in Residence A zoning districts pursuant to a special permit and, instead, established telephone exchanges as a permitted use in commercial areas of the Village; and
- WHEREAS: the Verizon (formerly New York Telephone Company) Central office located on a 28,574 sq. ft. site at 1021 Post Road, became a legal nonconforming use in a residential area as a result of the adoption of the amendments; and

WHEREAS: the Village Code defines telephone exchanges as, "...a telephone company central office in which lines are connected to permit telecommunications service. Such central office does not serve as a supply depot or dispatch point for external work orders for a telephone company or as manufacturing or repair facility or include wholesale distribution operations or retail sales or include storage of trucks or other industrial equipment..."; and

WHEREAS: Chapter 310-89 as amended includes a provision which requires a legal nonconforming use in a residential zone to register with the Village by obtaining a Special Use Permit; and

WHEREAS: the amendments provide that the Planning Board, upon the filing of an application for such special permit, shall hold a public hearing and thereafter "determine (a) whether a nonconforming use exists on the site, (b) if such nonconforming use exists, what terms and conditions applied to the lawful use of the property immediately prior to the date upon which the use became nonconforming, and c) whether the use of the property at the time of the Special Use Permit proceeding is in full compliance with such immediately prior terms and conditions. In making the determination in clause (c), the applicable Board shall consider all factors which may be pertinent under such immediately prior terms and conditions, which in particular cases may include, without limitation, building design, functional uses, emissions (noise, vibration, smoke, dust, odors or others), hours of operation off-street parking, traffic, lighting, landscaping and screening...."; and

WHEREAS: in a legal challenge to the amendment to the Village Code, State Supreme Court Justice Joan B. Lefkowitz found the amendments to be constitutional and specifically found "...that New York Telephone company has vested rights to continue the use and operation of a telephone exchange at the Scarsdale Central Office at its present location... upon the conditions previously imposed"; and also found the Village Code as amended did not prohibit continuation of a nonconforming user's vested rights, but provided for a procedure to monitor nonconforming uses, recognized that Special permit procedures are commonly used to regulate nonconforming uses and that reasonable conditions may be placed on the issuance of such a permit; and

WHEREAS: following the filing of the Court's decision, New York Telephone Company applied for a Special Use Permit pursuant to Local Law No. 7 of 1995 on August 23, 1996; and

WHEREAS: the Planning Board granted New York Telephone Company the Special Use Permit to continue operations in a residential area as a legal nonconforming use with certain conditions, pursuant to section 310-67G of the Scarsdale Village Code for a period of five years; and

- WHEREAS: as conditions to the permit, the Planning Board required the applicant to cooperate with the Village to monitor the telephone exchange use; urged the applicant to instruct and monitor its employees to prevent inappropriate behavior; urged the applicant to reduce unneeded traffic at its facility and encouraged employee parking at Village Hall and required the emergency generator be equipped with adequate sound baffling equipment to meet Village noise standards; and
- WHEREAS: on June 27, 2001 Verizon applied for a renewal of the Special Use Permit to continue the operation of a legal nonconforming use in a residential district pursuant to Chapter 310-67A(5) of the Village Code; and
- WHEREAS: on September 19, 2001 the Planning Board approved the application of Verizon for a Special Use Permit to continue operations in a residential area as a legal nonconforming use, again with certain conditions for a five year period to run from January 1, 2002 to December 31, 2006; and
- WHEREAS: on August 24, 2006 Verizon applied for a renewal of the Special Use Permit to continue the operation of a legal nonconforming use in a residential district pursuant to Chapter 310-67A(5) of the Village Code; and
- WHEREAS: on December 20, 2006, the Planning Board approved the application of Verizon for a Special Use Permit to continue operations in a residential area as a legal nonconforming use, again with certain conditions for a three year period and, on January 24, 2007, amended the resolution to clarify some of the conditions; and
- WHEREAS: the conditions included the maintenance of new work rules, video monitoring and surveillance activities, limits on truck traffic to a weekday daily average of five trucks and the filing of semi-annual traffic reports with the Village to verify the traffic levels; and
- WHEREAS: on October 16, 2009, Verizon applied for a renewal of the Special Use Permit to continue the operation of a legal nonconforming use in a residential district pursuant to Chapter 310-67A(5) of the Village Code; and
- WHEREAS: the applicant submitted the required semi-annual traffic reports and stated the work rules remained in place, the surveillance activities had been maintained and would be continued and the truck traffic had been reduced well below the limits; and

WHEREAS: on November 18, 2009 the Planning Board renewed the Special Use permit for a period of five years running from January 1, 2010 through December 31, 2014 which maintained the prior conditions; and

WHEREAS: on November 14, 2014, Verizon applied for a renewal of the Special Use Permit to continue the operation of a legal nonconforming use in a residential district pursuant to Chapter 310-67A (5) of the Village Code which was approved by the Planning Board on December 10, 2014 for a period of five years from January 1, 2015 through December 31, 2019; and

WHEREAS: on September 30, 2019, Verizon applied for a renewal of the Special Use Permit to continue the operation of a legal nonconforming use in a residential district pursuant to Chapter 310-67A (5) of the Village Code

WHEREAS: the applicant submitted the required semi-annual traffic reports and stated the work rules remain in place, the surveillance activities have been maintained and would be continued and the truck traffic was reduced well below the limits; and

WHEREAS: the Board considered the application at its October 23, 2019 meeting and held the matter over for additional information including clarification of the traffic data, and the current work rules and operations; and

WHEREAS: the applicant submitted additional information; and

WHEREAS: the Board members have visited the site and are familiar with the application materials; now therefore be it

RESOLVED: the Planning Board finds the applicant is operating a central office facility at the site as a nonconforming use subject to the Special Use Permit granted in 1997; and be it further

RESOLVED: the Planning Board finds there is no evidence that the central office facility serves as a supply depot, manufacturing or repair facility, wholesale distribution operation, retail sales facility, or facility for storage of trucks or other industrial equipment; and be it further

RESOLVED: that prior conditions in effect at the time of the 1997 Special Use Permit shall apply to the continued operations of the facility and bar the following:

- (a) the storage or keeping of trucks or industrial material at the site; and
- (b) manufacturing or heavy repair work at the site; and
- (c) the display and sale of merchandise at the site; and

- (d) the parking of applicants' vehicles in the Church of the Latter Day Saints' parking lot and the parking area on the northerly side of Wayside Lane adjoining the Village owned tennis courts; and be it further

RESOLVED: that prior conditions adopted in the 2006 Special Use permit as amended and as restated below shall apply to the continued operations of the facility:

(a) the applicant, based on its stated commitment to eliminate unneeded traffic, shall reduce all vehicular traffic to the maximum extent possible at the central office facility with specific exceptions including and limited to: necessary, management-authorized repair work, emergency operations and repairs, testing of backup power equipment, mail delivery, on-site equipment installation, property management activities and co-locator traffic. With the exception of extraordinary circumstances, properly documented, Verizon truck traffic shall not exceed a weekday daily average of 5 trucks; and

(b) the applicant shall provide the Village with semi-annual reports from a licensed professional traffic engineer with the results of random traffic monitoring of Verizon's compliance with the conditions imposed in conjunction with this approval of the renewal of the Special Use Permit and such report shall distinguish between truck traffic and other vehicular traffic; and

(c) the applicant shall continue to implement the new work rules prohibiting all Verizon trucks from driving to the central office facility with specific exceptions including and limited to: necessary, management-authorized repair work, emergency operations and repairs, testing of backup power equipment, mail delivery, on-site equipment installation and property management activities, to insure, with the exception of extraordinary circumstances, properly documented, Verizon truck traffic does not exceed a weekday daily average of 5 trucks; and

(d) the applicant shall continue to implement, maintain and operate the video monitoring system 24 hours a day, 7 days per week to help enforce the work rules mentioned above by capturing the license plates of all vehicles traveling on Locust Lane to the Central Office, the number of cars or the presence of any Verizon vehicles parked in the Verizon parking lot and/or the Church of Latter Day Saints parking lot and/or the fire lane and shall maintain tapes and records for a six month period to coincide with the semi-annual traffic reports required herein and, in addition, submit such tapes and records to the Village upon request; and be it further

RESOLVED: in light of the above findings, the Planning Board approves the renewal of the Special Use Permit for Verizon to continue operations in a residential district as a legal nonconforming use pursuant to Chapters 310-67 and 310-89 of the Village Code at 1021 Post Road for a period of five years running from January 1, 2020 through December 31, 2024.

* * * * *

Donna Conkling

From: Mayra Rodriguez Valladares, MRV Associates <mrvassoc@yahoo.com>
Sent: Tuesday, March 03, 2020 6:29 AM
To: Mayor
Cc: Trustee Lewis; Trustee Veron; Trustee Ross; Trustee Waldman; Trustee Crandall; Trustee Arest; Donna Conkling
Subject: : Board of Ethics (5)

CAUTION: External sender.

Good morning,

I hope that you all are doing well. I look forward to an update on what reforms of the Board of Ethics will take place and when. How is it appropriate that the Campaign Chair of your party, the Scarsdale Citizens Non-Partisan Party is on the Board of Ethics?

The Board of Ethics should be independent of Village personnel and Village officials. Right now if a resident wants a conflict of interest or ethics issue investigated, the Board of Ethics cannot do anything unless the Board of Trustees asks for such an investigation. How is this an example of good governance?

And no trustee or mayor who contributed to the library capital campaign or who ran the fund raising efforts should in any way now be involved in auditing anything related to the library renovation or its finances. Again, this is not a good example of good governance.

Mayors and Trustees should not ever appoint their spouses and siblings to Village councils and committees. With the incredible number of highly educated residents in our beautiful Village, there is a lot of talent that can be deployed in these committees and councils without having to resort to picking relatives. And Ms. Jane Curley should have never been removed from the Board of Assessment Review without any explanation whatsoever. Her level of quantitative and real estate expertise is incredibly impressive. It is unfortunate that patronage is more important than expertise.

Unfortunately, you also never answered my questions about potential conflicts of interest with Freightway. Have any of you ever worked or work with East End Capital, LCOR, or Avalon? When you leave office can you go work with these companies? There should be a rule put in place that Village officials must not work with anyone who gets business from the Village for at least a couple of years. How long did you know that East End Capital was buying up buildings on Garth Road in order to then compete for the Freightway Redevelopment project? These are the kinds of issues that an independent Board of Ethics would be able to investigate. Presently, potential conflicts of interests and questionable auditing practices are not being investigated. Ratings agencies increasingly look at governance and operational risk. Please fix these problems before Moody's takes notice.

Best regards,
Mayra

[MRV Associates](#)
[Senior Forbes Contributor](#)
[LinkedIn](#)
[Twitter](#)

Tel: +1-212-491-9153

From: mrvassoc <mrvassoc@yahoo.com>
Sent: Friday, February 28, 2020 5:16 PM
To: Mayor <mayor@scarsdale.com>
Cc: Trustee Lewis <jlewis@scarsdale.com>; Trustee Veron <jveron@scarsdale.com>; Trustee Ross <ross@scarsdale.com>; Trustee Waldman <rwaldman@scarsdale.com>; Trustee Crandall <lcrandall@scarsdale.com>; Trustee Arest <jarest@scarsdale.com>; Donna Conkling <dconkling@scarsdale.com>; Steve Pappalardo <spappalardo@scarsdale.com>
Subject: Re: Board of Ethics (4)

Thanks for writing. Would you please provide details and a timeline?

As I wrote a couple of years ago and last week, Scarsdale trustees and mayors have allowed appointing relatives of Board members to committees and councils. How is this appropriate?

How is it appropriate that the Board of Ethics is not independent of Village personnel and the Board of Trustees?

Why are trustees who contributed to the library fundraising or who led the fundraising campaign involved in auditing any financial matters related to the library?

The aforementioned practices are highly irregular and expose Village Hall to a wide range of conflicts of interests.

Regards,
Mayra

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Mayor <mayor@scarsdale.com>
Date: 2/28/20 16:49 (GMT-05:00)
To: "Mayra Rodriguez Valladares, MRV Associates" <mrvassoc@yahoo.com>
Cc: Trustee Lewis <jlewis@scarsdale.com>, Trustee Veron <jveron@scarsdale.com>, Trustee Ross <ross@scarsdale.com>, Trustee Waldman <rwaldman@scarsdale.com>, Trustee Crandall <lcrandall@scarsdale.com>, Trustee Arest <jarest@scarsdale.com>, Donna Conkling <dconkling@scarsdale.com>, Steve Pappalardo <spappalardo@scarsdale.com>
Subject: Re: Board of Ethics (3)

Thank you for your email, Mayra. A review of the Village's Ethics Code is in process.

Best,

Marc

Sent from my iPhone

> On Feb 28, 2020, at 8:18 AM, Mayra Rodriguez Valladares, MRV Associates <mrvassoc@yahoo.com> wrote:
>

> CAUTION: External sender.

>

> Good morning,

>

> I wanted to remind you of my email below.

>

> Regards,

> Mayra

>

>

> MRV Associates

> Senior Forbes Contributor

> LinkedIn

> Twitter

>

>

> Tel: +1-212-491-9153

>

>

>

> -----Original Message-----

> From: Mayra Rodriguez Valladares, MRV Associates <mrvassoc@yahoo.com>

> Sent: Wednesday, February 19, 2020 10:28 AM

> To: 'Mayor' <mayor@scarsdale.com>

> Cc: 'Trustee Lewis' <jlewis@scarsdale.com>; 'Trustee Veron' <jveron@scarsdale.com>; 'Trustee Ross' <ross@scarsdale.com>; 'Trustee Waldman' <rwaldman@scarsdale.com>; 'Trustee Crandall' <lcrandall@scarsdale.com>; 'Trustee Arest' <jarest@scarsdale.com>; 'Donna Conkling' <dconkling@scarsdale.com>; 'Steve Pappalardo' <spappalardo@scarsdale.com>

> Subject: RE: Board of Ethics (2)

>

> Thank you for writing back. I look forward to hearing from you.

>

> Best regards,

> Mayra

>

>

> MRV Associates

> Senior Forbes Contributor

> LinkedIn

> Twitter

>

>

> Tel: +1-212-491-9153

>

>

>

> -----Original Message-----

> From: Mayor <mayor@scarsdale.com>

> Sent: Wednesday, February 19, 2020 10:03 AM

> To: Mayra Rodriguez Valladares, MRV Associates <mrvassoc@yahoo.com>

> Cc: Trustee Lewis <jlewis@scarsdale.com>; Trustee Veron <jveron@scarsdale.com>; Trustee Ross <ross@scarsdale.com>; Trustee Waldman <rwaldman@scarsdale.com>; Trustee Crandall <lcrandall@scarsdale.com>;

Trustee Arest <jarest@scarsdale.com>; Donna Conkling <dconkling@scarsdale.com>; Steve Pappalardo <spappalardo@scarsdale.com>

> Subject: Re: Board of Ethics

>

> Thank you for your email, Mayra. I will respond to your email in more depth in the future.

>

> Marc

>

> Sent from my iPhone

>

>> On Feb 19, 2020, at 9:55 AM, Mayra Rodriguez Valladares, MRV Associates <mrvassoc@yahoo.com> wrote:

>>

>> CAUTION: External sender.

>>

>> Good morning,

>>

>> I trust that you had a good weekend. I write to recommend respectfully that significant changes be made to the Scarsdale Village Board of Ethics. In the Marc, Hochvert, and your administrations, the Board of Trustees has appointed brothers, wives, and your Scarsdale Citizens NonPartisan Party (SCNP) campaign managers to a wide range of important committees and councils. I wrote Mayor Hochvert several times about potential conflict of interest and/or the appearance thereof. He stated that he saw nothing wrong with this practice. When I wrote to the Board of Ethics pointing out these issues, I was surprisingly informed that the Board of Ethics cannot research or look into a matter unless the Board of Trustees makes such a request. I was shocked to learn that this process exists. Shouldn't the Board of Ethics be completely independent of the Board of Trustees and of Village Personnel? How is it possible that the Village Treasurer and a Trustee are in the Board of Ethics? If a Scarsdale resident had concerns about potential conflicts of interest in your administration, budgets, Freightway Redevelopment or any other municipal issues, who can investigate these if the Board of Ethics can only act if you request it? You also have appointed one of your campaign managers to the Board of Ethics. How is this appropriate? She exercised her right to be your campaign manager. How can she be neutral if any matter is brought up before the Board of Trustees, especially related to the library, since she has also been in various roles related to the library?

>>

>> Additionally, is it appropriate that any current trustee or mayor, who either contributed money to the library renovation or headed the capital campaign for the library renovation, is involved in any way in any matter related to the library, especially an audit of its financial matters? The essence of an auditor is independence.

>>

>> As a finance professional who works in risk audit and compliance matters, I highly encourage you to make significant changes to the Board of Ethics, so that it is completely independent of Village personnel and the Board of Trustees.

>>

>> I look forward to hearing from you.

>>

>> Best regards,

>> Mayra Kirkendall-Rodriguez

>>

>>

>> MRV Associates

>> Senior Forbes Contributor

>> LinkedIn

>> Twitter

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>> Tel: +1-212-491-9153

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>

TOWN BOARD MEETING

Rutherford Hall
Town of Scarsdale
February 11, 2020

A Meeting of the Town Board of Scarsdale was held in Rutherford Hall of Village Hall on Tuesday, February 11, 2020 at 9:01 p.m.

Present were Mesdames Crandall, Veron & Waldman; and Messrs. Arest, Lewis, Ross, and Samwick. Also present were Village Manager Pappalardo, Deputy Village Manager Cole, Town Counsel Pozin, Assistant Village Manager Richards, Custodian of Taxes McClure, Town Clerk Conkling, Deputy Town Counsel Garrison, and Assistant to the Village Manager Katzin.

Mr. Samwick presided.

* * * * *

Minutes

The minutes of the Town Board Meeting of January 14, 2020 were approved on a motion entered by Mr. Arest, seconded by Mr. Ross, and carried unanimously.

* * * * *

Report of the Custodian of Taxes

Custodian of Taxes McClure noted that the Board has received the January 2020 Town of Scarsdale Balance Sheets and Cash Receipts and Disbursements reports. As of the end of January, 98.95% of the 2019 School tax levy has been received and remitted to the School District. This is down 35 basis points from last year's collection rate of 99.30%.

In addition, 99.65% of the County tax levy has been collected. This is up slightly from last year's rate of 99.58%. Total uncollected 2019 taxes are \$1,609,699 at the end of January compared with \$1,122,202 at this time last year, an increase of \$487,497.

Delinquent taxes have increased \$146,641 from \$1,057,557 in January 2019 to \$1,204,198 at the end of January 2020. Another set of reminder notes will be sent out in March prior to the filing of the list of delinquent taxes with the County.

* * * * *

Public Comments

Mayor Samwick opened the second public comment session and requested that anyone wishing to be heard to please step forward.

Sean Cohen, 35 Chesterfield Road, stated that he had some questions regarding the conversion of the streetlights to LED. He noted that there were some concerns regarding the

effect of LED's on the human eye. He stated he would like to know if any study has been done on that. In addition, he asked if anyone has looked at using solar power for the streetlights.

Mr. Cohen noted that a graph published by the Scarsdale Forum indicated that there was a large increase in traffic issues in 2017 due to speeding issues and asked if there was a study done in this regard or any data to back up that information.

Village Manager Pappalardo replied that the Village has accident information; however, he could not speak to that in any specificity this evening. He stated that the 25 mph speed limit on an area wide basis is something that the Village has been considering and there is an opportunity with legislation in New York that has been prompted by the Village's assemblywoman. This Board and Village staff has been advocating for that and there are a number of reasons why. He stated that he would be glad to share that with Mr. Cohen off-line and have that conversation.

Mr. Cohen stated that he would appreciate that and thanked Village Manager Pappalardo.

Trustee Veron noted that the Board had a meeting earlier this evening to discuss traffic safety. Deputy Village Manager Cole led the meeting and provided detail in terms of the legislation at the State and what local governments could do, as well as issues surrounding traffic calming. Data that monitors the frequency of accidents was discussed; the Police Department gave a detailed discussion on how enforcement is approached. Three areas of traffic safety were discussed this evening – education, engineering and enforcement. Trustee Veron noted that since the entire Board was present for this discussion, any of the Board members could speak to Mr. Cohen and give him information in this regard.

Mr. Cohen stated that he would appreciate that because having lived in the Village a long time, he was wondering what was driving the rapid rise in traffic accidents in 2017. Lowering the speed limit might not be the only answer.

Mayor Samwick stated that one of the things that was discussed this evening was that nothing happens in a vacuum, including any speed limit change. It has to be accompanied by education, engineering and enforcement, engineering and education being mandatory. Enforcement is already occurring. In terms of the speed limits, one of the factors that inhibits the Board's ability to enhance traffic safety is a State requirement that the Village cannot reduce the area speed limit below 30 mph. Over time, it has become very apparent that 30 mph is simply too fast for a number of the roads in the Village, especially the smaller residential roads. This is something that the Board has been talking about for quite some time and some of the statistics surrounding it in terms of traffic and pedestrian safety are very impactful. He suggested that Mr. Cohen look back in former Board meeting minutes and look at some of the statistics surrounding this.

Mr. Cohen stated that he would be interested in looking at these statistics and stated that he was certain that on some roads it would be appropriate. He stated that he was concerned about a blanket lowering of speed limits in the Village.

Mayor Samwick responded that a blanket lowering was not contemplated. What was contemplated was a blanket ability to reduce the speed limit on Village roads.

Trustee Arest explained that there are two different versions of the legislation attempting to be advanced by Assemblywoman Paulin. One of them would give the Village the option to lower the speed limit to 25 mph on some roads, the other one would be a blanket reduction to 25 mph but would give the Village the ability to leave whatever it determines is appropriate at 30 mph. There are two different ways to look at it; he didn't believe there was any intention to lower the speed limit more than the appropriate and necessary number of roads to 25 mph.

Mr. Cohen again stated that he would like to see the data behind the spike in traffic accidents in 2017 and see if they are speed related.

Trustee Ross reminded the community that the bulk of this Board's deliberation was in work sessions, not in these Board meetings. The work sessions are open to the public and that is really where they will find very serious discussion of this issue and others. The Board did have a very lengthy and thoughtful and comprehensive discussion this evening with the Police Department, the Village Manager, and the Public Works Superintendent. Comments are welcome now, but those comments are more helpful if received at that meeting. Trustee Ross reminded the community to look out for those work sessions and attend them – they are open to the public and they are very important.

Ron Schulhof, Springdale Road, Chair of the LED Streetlight Committee, stated that he would like to address two of the questions the previous speaker brought up regarding the LED streetlights. Ninety percent of the streetlights in Scarsdale have been converted to LED in the last several years. Regarding aesthetics and glare concerns, he stated that this is something the committee was at the forefront of not only in New York State, but across the country. He explained the different pilot trials – different lights, different styles, at several locations that the committee had the lights erected for public input. They also looked at many communities with LED streetlights and feels that Scarsdale did better with the quality and aesthetics of the streetlights as they were not so quick to install the lights. The last piece left is the downtown area and they are planning a pilot for that. Information on the LED streetlights can be found on the website at www.scarsdale.com and search for LED streetlights.

Mr. Cohen stated that he did not ask about the aesthetics of the streetlights.

Mr. Schulhof stated that in regard to the LED lighting effect on people, the AMA came out with a report on concerns of that nature. He noted that the LED lighting in Scarsdale far exceeds safety requirements that they were looking at in terms of color and glare, not only in terms of effects on people, but on the environment and animals.

In regard to Mr. Cohen's second question on solar powered LED streetlights, Mr. Schulhof stated that there are solar powered streetlights available and there are some in Westchester. The committee did visit those sites to see if they were feasible and they found that they are very expensive and are typically seen in a place that does not have electricity, for example near a football field. They have kept up with the company that manufactures those lights to be notified of any changes and if there are any grants available. However, they were not feasible for a mass installation on the scale Scarsdale was looking for. If anyone in the community has any questions, the committee can be reached at led@scarsdale.com.

Mayor Samwick thanked Mr. Schulhof for all the work the LED Committee has done; they have done an excellent job.

Robert Harrison, 65 Fox Meadow Road, speaking as the Chairman of Scarsdale Taxpayer Alert. He thanked Mr. Schulhof for the details he provided on the LED streetlights and for all the work that has been done. He also noted his support for the resolution concerning the Climate Smart Communities Pledge that was adopted by the Board earlier this evening.

Mr. Harrison thanked the Mayor for the manner in which he conducts the Board meeting.

Regarding the pool permits increase of 17%, he stated his concern that the increase may prevent a good number of residents from purchasing them. He also stated that he is very concerned that the meetings of the Parks and Recreation Advisory Council are not published and their agenda should be known by the community. The Council should have an open meeting if they are going to discuss fees and charges. He asked the Board to correct that. The agenda should be on the Village Hall lobby bulletin board and on the Village's website.

Mr. Harrison stated that the Scarsdale Forum, with Madelaine Eppenstein and Tim Foley is working on a Climate Resilience resident survey.

Mr. Harrison also noted that he sent in his comments on Freightway on the website late on Sunday and received an automatic response that it was received. He reminded the Board that he suggested the Village look again at the plan for Freightway proposed by Simon Brienes; he was a well-known Scarsdale architect and had a design that was talked about in 1998. He stated he felt we need an L-shaped project around a plaza with retail on the ground and offices and apartments above. He asked if anyone has sat down with Martin Ginsburg, who did the work on Christie Place.

Mr. Harrison stated that the meeting held earlier this evening on traffic and safety was not televised; it should have been.

Mr. Harrison stated that there were no copies of the agenda for this meeting available on the table outside of the meeting room.

Mr. Harrison next asked about the speed control signs on Fox Meadow Road; is a study being done on Fox Meadow Road?

Village Manager Pappalardo stated that the speed indicators are moved around the Village. There have been speeding complaints on Fox Meadow Road.

Mayor Samwick responded to Mr. Harrison's comment concerning the meeting this evening that was not televised; he stated that his strong preference was to video tape and televise the meeting. However, there have been some personnel changes in the Cable office and unfortunately that is impacting some of their ability to video tape some meetings. There are also some equipment changes being done there.

Mr. Harrison again asked if the Village Attorney would comment as to whether the Village can hire independent contractors for the municipal pool.

Village Attorney Pozin stated that he did not know the answer to that question.

As there were no further comments, Mr. Samwick closed the second public comment session at this time.

Future Meeting Schedule

- *Tuesday, February 25, 2020* – 6:00 PM – Village Board Work Session (Cyber Security Executive Session) – Trustees’ Room
- *Tuesday, February 25, 2020* – 7:30 PM – Agenda Committee Meeting – Trustees’ Room
- *Tuesday, February 25, 2020* – 8:00 PM – Village Board Meeting – Rutherford Hall

FY 2020/21 Budget Discussions

- *Tuesday, March 10, 2020* – 6:30 PM – Trustees’ Room (There may be another item added to the agenda of this meeting necessitating a start time of 6:00 PM – TBA and location TBD)

Briefing Sessions – 3rd Floor Meeting Room

- *Thursday, February 27, 2020* – 7:00 PM – Operating Budget
- *Wednesday, March 4, 2020* – 7:00 PM – Capital Budget

Village Hall Schedule

- *Wednesday, February 12, 2020* – Lincoln’s Birthday – Village Hall Closed
- *Monday, February 17, 2020* – President’s Day – Village Hall Closed

There being no further business to come before the Board, the meeting was adjourned at 9:27 P.M. on a motion entered by Ms. Veron, seconded by Ms. Crandall, and carried unanimously.

Donna M. Conkling
Town Clerk

SPECIAL TOWN BOARD MEETING

Rutherford Hall
Town of Scarsdale
February 25, 2020

A Special Meeting of the Town Board of Scarsdale was held in Rutherford Hall of Village Hall on Tuesday, February 25, 2020 at 8:05 p.m.

Present were Mesdames Crandall, Veron & Waldman; and Messrs. Arest, Ross, and Samwick. Also present were Village Manager Pappalardo, Town Counsel Pozin, Assistant Village Manager Richards, Custodian of Taxes McClure, Town Clerk Conkling, Deputy Town Counsel Garrison, and Assistant to the Village Manager Katzin.

Mr. Samwick presided.

* * * * *

Resolution:

Trustee Arest stated that “As many are aware, former Assessor, Nanette Albanese unexpectedly resigned from her position on Friday, March 1, 2019. The Village wasted no time setting up a plan and I am very proud that the hard work of many has led us to the appointment before us tonight, just less than one year later. I would be remiss if I did not make a few comments of appreciation before proceeding. I am a huge advocate of process and ensuring that the proper steps are taken by the right people in order to promote the best decisions and hopefully the best outcomes. But, regardless of how impressive of a plan could be implemented in terms of a search, without stability in our Assessor’s office over the past year, none of it would have been possible. We are all very grateful for the hard work and substantial time put in by our Village Manager to ensure our incredible professionals had the resources they needed, including the important addition of Edye McCarthy as a consultant. Thank you to Edye for her assistance. I need to extend a big thanks to Ms. Jane Lawrence who I imagine would never have believed anyone had they told her she would have served as Acting Assessor for a year. She continued to say yes when Scarsdale needed her and for that we should all be grateful. To say that her service was integral would still be an understatement.

Finally, quick thanks in the interest of time, to all of the participants of our search committee, the outside professionals that aided us and at times educated us, former HR Director Adil Tahir and current HR Director Angela Sapienza-Martin who did most of the leg work and helped us stay organized, and former Mayor Dan Hochvert, current Mayor Samwick and Village Manager Pappalardo for their leadership and unwillingness to ever panic.

Over the course of this process we received over 30 resumes from interested applicants. Of those, over a dozen candidates were seriously considered and many of them were interviewed multiple times by the search committee as well as the Board of Trustees. The road to get here might have been a little longer than anticipated but, I could not be more pleased to introduce Scarsdale to Victoria Sirota.

Victoria comes to Scarsdale from the Town of North Castle where she has served as its Assessor for 8 years. She holds a BS in Accounting and a BA in Russian from Rutgers University

where she graduated Phi Beta Kappa. Victoria is a CPA and spent fifteen years in the accounting and taxation fields until deciding to take a step back and spend more time with her family.

Victoria's career in municipal assessments began in 2012 when she was appointed to be the sole assessor for the Town of North Castle. Victoria, along with the assistance of her professional staff in North Castle prepares, maintains and defends an assessment roll of approximately 4,800 properties for the purposes of taxation for the Town (that includes the hamlets of North White Plains, Armonk and Bedford-Banksville), five school districts, Westchester County and various special districts. Victoria is a member of the Institute of Assessing Officers. Otherwise known as the IAO, it is chartered by the New York State Board of Regents. An assessor with an "IAO" designation, such as Victoria, is recognized as one who has achieved the highest level of professional competence in his or her field. Additionally, Victoria is a member of the NYS Assessors Association where she plays a valuable role on its Legislative Committee, and, an Executive member and also Past President of the Westchester County Assessor's Association.

Victoria is looking forward to working with our community and encourages residents to call and/or stop by the Assessor's office with any questions related to exemptions, assessments or even just to introduce yourself."

Mr. Arest noted that the resolved clause below is slightly amended from the original to match up with the statutory term which ends September 30, 2025.

Upon motion entered by Mr. Arest, and seconded by Ms. Veron, the following resolution regarding the Appointment of the Town Assessor was adopted by the voted indicated below:

WHEREAS, Section 310 (2) of the New York State Real Property Tax Law, Article 3, Title 2 has fixed the term of appointed Assessors in New York State for six years, commencing on the first day of October, 1971, and each sixth year thereafter; and

WHEREAS, former Scarsdale Assessor Nanette Albanese, whose most recent six year term commenced on October 1, 2013, and would otherwise have expired September 30, 2019, retired from her full-time position on March 01, 2019, after which she agreed to serve in a part-time capacity to assist with the completion of the 2018 small claims assessment reviews (SCARs) in conjunction with the 2019 Tentative Assessment Roll, said 2018 SCAR's having settled and Ms. Albanese no longer employed by the Town; and

WHEREAS, Jane A. Lawrence, was appointed Acting Assessor for the Town of Scarsdale on May 28, 2019, while the Town Board and staff continued their recruitment efforts to appoint a full-time Assessor, and has performed admirably over the past nine months overseeing the completion of the 2020 Tentative and Final Assessment Rolls, the Grievance and SCAR processes, tax exemption administration, construction inspections and subsequent assessment revisions, and working with the Office of Real Property Services on establishing the Village's 2020 Residential Assessment Ratio and Equalization Rate; and

WHEREAS, the Town Board concluded its recruitment process earlier this month and is desirous of appointing Victoria Sirota as the Town's Sole Assessor; and

WHEREAS, Ms. Sirota has been employed as the Sole Appointed Assessor in the Town of North Castle since 2012, and while meeting the statutory minimum qualification standards established for such office by the New York State Board of Real Property Services, also holds the distinction of being designated and certified as a member of the Institute of Assessing Officers (IAO) as well as designation as a New York State Certified Public Accountant (CPA); now therefore be it

RESOLVED, that Victoria Sirota meets the minimum qualification standards pursuant to Section 310 of the Real Property Tax Law, and is hereby appointed as the Sole Assessor for the Town of Scarsdale for a term, commencing March 09, 2020, and expiring on September 30, 2025, at compensation determined by the Town Board.

AYES

Mr. Arest
Ms. Crandall
Mr. Ross
Ms. Veron
Ms. Waldman
Mr. Samwick

NAYS

None

ABSENT

Mr. Lewis

Mr. Samwick welcomed Ms. Sirota, stating that the Board was very happy to have her here. He also echoed Trustee Arest's words concerning the Assessor's office and thanked the office for their hard work over the past year. The office did a tremendous job maintaining the Village's assessment function. He thanked them very much for their hard work, professionalism and dedication. He congratulated Ms. Sirota again.

Village Manager Pappalardo echoed the comments made – he welcomed Ms. Sirota, the Village staff are very happy to have her here. The Assessor's office staff – Jane, Margaret and Teresa are terrific – he couldn't have asked them to do anything more. The Village owes a debt of gratitude to Jane for stepping up as she did to the position of Interim Assessor. He stated that he appreciated all of the hard work done by that office and had wanted them to attend this evening's meeting so they could hear it from him and the Board. He stated that the Assessor's office has strict deadlines to follow which would wait for no one. The office stepped up and did a great job. He thanked them all, as well as Edye McCarthy who was very helpful to the staff and helpful in finding candidates for the position of Assessor.

Ms. Sirota stated from her seat in the audience section that she was happy to begin working with the Village of Scarsdale.

There being no further business to come before the Board, a motion to exit the Special Town Board meeting at 8:15 p.m. was entered by Mr. Ross, seconded by Ms. Crandall and carried unanimously.

Donna M. Conkling
Town Clerk