

Village of Scarsdale



Marc Samwick, Mayor

Stephen M. Pappalardo,
Village Manager

Justin K. Arest

Office of the Village Manager

Lena Crandall

Scarsdale, New York 10583

Jonathan Lewis

914-722-1110

Seth Ross

Fax: 914-722-1119

Rochelle Waldman

www.scarsdale.com

Randall B. Whitestone

Village Board Limited Agenda

December 22, 2020

Village Board Meeting – 8:30 AM – [Zoom Online Meeting](#)

Members of the public wishing to participate in the meeting may do so online at <https://zoom.us/j/93183703358>, or by calling 1-929-436-2866 and entering the Meeting ID 931 8370 3358. To participate in public comment online, click “Raise Hand,” or dial “*9” if commenting by telephone.

Roll Call

Minutes

- Village Board Meeting of December 8, 2020

Bills

- Trustee Whitestone

Agenda Items

Trustee Arest

- Resolution re: Amend Taxicab, Taxicab Driver License and Badge Issuance Fees in the Fiscal Year 2020-2021 Fees and Charges Schedule

Trustee Lewis

- Resolution re: Calling for a Public Hearing on a Local Law Amending Chapter 256 of the Village Code Entitled Streets, Sidewalks and Public Places
- Resolution re: Calling for a Public Hearing on a Local Law Amending Chapter 245 of the Village Code Entitled Sidewalk Cafes

Trustee Waldman

- Resolution re: Authorization to Execute a Collective Bargaining Agreement with Local 1394 of the Uniformed Firefighters Association of Scarsdale
-

Future Meeting Schedule

Tuesday, January 12, 2020

- 7:00 PM – Village Board Regular Meeting – Zoom Video Conferencing Service (Subsequent Meeting Notice with Time and Format Changes to Follow)
-

Village Hall Schedule

Thursday, December 24, 2020

- Christmas Eve (Observed) – Village Hall Closed at 12:30 PM

Friday, December 25, 2020

- Christmas Day (Observed) – Village Hall Closed

Thursday, December 31, 2020

- New Year's Eve (Observed) – Village Hall Closed at 12:30 PM

Friday, January 1, 2021

- New Year's Day (Observed)– Village Hall Closed

THREE THOUSAND THREE HUNDRED SIXTY-FOURTH

REGULAR MEETING

Video Conference
Via Zoom
December 8, 2020

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held on Tuesday, December 8, 2020 via video conference (Zoom) at 7:00 p.m.

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

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Minutes

The minutes of the Board of Trustees Regular Meeting of Tuesday, November 24, 2020 were approved on a motion entered by Trustee Crandall, seconded by Trustee Whitestone, and carried unanimously.

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Bills & Payroll

Trustee Waldman reported that she had audited the Abstract of Claims dated December 8, 2020 in the amount of \$360,353.36 which included \$3,668.92 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 December 8, 2020 in the amount of \$360,353.36 is hereby approved.

In regard to the December 9, 2020 Medicare Reimbursements, Trustee Waldman reported that she had audited the Abstract of Claims in the amount of \$441,397.40 which included \$45,143.40 of Library Claims previously audited by a Trustee of the Library Board, which were found to be in 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 December 9, 2020 in the amount of \$441,397.40 is hereby approved.

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Mayors Comments

Mayor Samwick stated that he will speak about two items this evening. First, the continuing COVID crisis. He stated that Scarsdale is not alone in having seen a significant spike in COVID cases. Approximately a month ago, Scarsdale had 9 active cases. As of yesterday, that number has grown to 67. That is from 9 cases to 67 cases in approximately one month. Forty-four of those cases have occurred in the last week. He noted that we are on a difficult part of the trend line and the pandemic is clearly far from over.

Mayor Samwick stated that we are seeing a lot of spread now in individual residences. Therefore, we ask people to continue to be vigilant with whom you gather with in residential settings and in small settings, and encourage everyone to wear masks in those settings if you have somebody outside of your household inside of your house.

The Governor has set a limit of 10 people in any gathering as we are seeing the risks increasing and additional restrictions again on restaurants and other potential uses.

Mayor Samwick stated that COVID is really serious; it can have a long term impact on your health, and it spreads easily to people who are in close contact with you. He encouraged people to please wear a mask, wash and sanitize your hands, and practice social distancing. You don't need to have symptoms to spread the disease to somebody else. Children can get the virus too. He asked that the community not attend large gatherings indoors. If you are tested for COVID, he advised that you should stay at home and avoid others while you wait for your test results, and that you should certainly stay at home if you're not feeling well.

We do not want to see the number of cases rise, so it's incumbent on us to make small sacrifices now to protect our entire community moving forward -- our family and our friends, the people that we work with -- everybody. We don't need to panic, we've been through this before, but we do have to remain vigilant, and making small adjustments to our habits and taking precautions now to protect our friends and family will pay dividends in the future. We know the holidays are coming, and we know this is a hard time, but he asked that the community please help them protect you and your loved ones.

The Mayor stated that he would next like to speak about the budget process this year. The budget process is expanded from what we are accustomed to. The process will begin next Tuesday, December 15th at 6:00 p.m. The Board encourages extensive resident participation. He stated that this will be a challenging budget process that they will be going through.

The Board of Trustees will start next week with a very high level discussion and move on from there. The first pass at the budget numbers will be on Thursday, January 21, 2021 at 5:00 pm. They will have their full day work sessions, and are adding a second full day work session to the work that they normally do. Those will be held on Monday and Thursday, January 25 and 28, 2021, respectively, starting at 10:30 am. All of these meetings will be held via zoom. He encouraged everyone to attend.

Mayor Samwick stated that on Tuesday, February 2nd, the Board will have a meeting at 5:00 p.m.; on Wednesday, February 10th the Board will have another meeting at 5:00 p.m. and on Tuesday, March 9th, there will be another meeting at 5:00 p.m. In addition to that, there will be public briefing sessions on the Operating Budget on February 24th at 5:00 p.m. and on the Capital Budget on March 3rd at 5:00 p.m. More information is available on the Village website on how to access those meetings. If you are not able to attend those meetings and you wish to share your views with the Board, you should email him at mayor@scarsdale.com, or you can email any of the Trustees at their first initial, last name, @scarsdale.com. The Board wants to hear from the residents, particularly through this process.

Manager's Comments

None.

Public Comment

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

Robert Berg, 17 Black Birch Lane, stated that the Board is looking forward to public participation in the budget process. He stated that he has been asking to be allowed to speak as a member of the public during the work session. He stated that has always been the tradition of the Village Board pre-COVID; however, since the meetings are now held via zoom sessions, that's not permitted. He stated that he keeps writing to him to allow the public to speak during the work sessions, and it has not been allowed. He asked that the Board do that for the budget sessions going forward as he believed that this would be appreciated by the community members who would like to participate in these sessions. He stated that it is important that the Trustees get some public perspective on what is being discussed.

He stated that during the Freightway discussion earlier this evening, he would have liked to have made a few comments. He further stated that it was good to hear that the Board is putting the Freightway redevelopment project on 'deep freeze', as it is not the time to go forward with any redevelopment at this time. He stated that he knows that there is

\$100,000 that had been budgeted this year for the Freightway lawyers and consultants, and that \$3,000 has been spent so far. He asked what will be done with the remaining \$97,000 now that this project going into deep freeze. He added that the Freightway garage does need to be maintained, and that the Village will need that parking lot for the foreseeable future. It is important to keep it operating and maintained until a decision is made over the next few years. He urged that the garage be maintained as best as it can, and everything be done on a timely basis, and not let it get further deteriorated. He suggested that the Board appropriate those monies that have been already appropriated for the Freightway redevelopment project to maintaining the garage, as there is an immediate need for that.

Mayor Samwick responded that he believes that the Board probably expects that the money will be allocated exactly as Mr. Berg has mentioned, when they hear from the Village Manager during the budget process.

Robert Harrison, 65 Fox Meadow Road, agreed with Mr. Berg's comment that the Board entertain some brief questions from the audience during their work sessions.

Mr. Harrison stated that he had sent emails to the Board and the Village Manager requesting an update on the comfort station, with the status of the submission of the plans to the State Education Department. He asked who the point persons are for the Village and the School Board are on this project to make sure that it is going forward. He stated that he would like a response to that. He stated that he would like to also know what the status is in regard to the plans for the comfort station and whether or not the plans have been submitted to the State Education Department.

Mr. Harrison continued, stating that the Scarsdale Summer Youth Tennis League is continuing their fundraising effort to help support this project. He noted that he is the volunteer Director of the Scarsdale Summer Youth Tennis League and has been for 36 years. He stated that over 2,000 youth have participated in their programs, generally 40 to 60 children every summer except for this past summer. However, a new Scarsdale Open Tennis Tournament was held and Trustees Crandall and Arest helped out with the trophy distribution at the conclusion of that tournament.

In regard to the comfort station project, he again questioned the \$150,000 proposed cost for this project, noting that he didn't know how that number was arrived at as Village workforces will be involved in its construction. In regard to the fundraising effort on behalf of the Scarsdale Youth Tennis League, he stated that they are on their way to a \$10,000 gift to the Village and have raised over \$6,000 already to defray the costs of that project. He encouraged residents to become part of this effort, as this comfort station will be an asset to the community. It is not just for the people that play tennis, and the children and sports people who use the fields, but also for people who walk through the community. As Trustee Crandall noted at a previous Board meeting, people who enjoy walking through the community will have this comfort station at their disposal if needed.

Mayor Samwick thanked Mr. Harrison for his comments, stating that he was welcome to come back for the second public comments section of the meeting.

As there were no further public comments, this public comment section of the meeting was closed at this time by Mayor Samwick.

Trustee Liaison Reports

Trustee Crandall stated that she agrees with Mr. Berg and Mr. Harrison in that she would also prefer public comments during the Board's work sessions, provided that time allows such. She noted that when she was a volunteer in the Village, she took advantage of the ability to offer public comment, and stated that she felt it was only fair to allow their fellow citizens to have the same privilege.

Trustee Crandall reported that the Scarsdale Recreation Department is offering free exercise programs over Zoom for Scarsdale seniors, residents 60 years of age or older. The classes include Chair Yoga, Strength and Grace, as well as Tai Chi. Interested residents can register online now at www.scarsdale.com/recreation. You may also call the Recreation Department directly at 914-722-1160.

Trustee Crandall stated that a few weeks ago, the Village Board asked the Scarsdale Conservation Advisory Council (CAC) to prepare a report on the use of leaf blowers in the Village. This was after the Board received many complaints about noise and other issues related to the gas powered leaf blowers. The CAC has been working diligently, and they will be meeting tomorrow night. She stated that it is her understanding that they are close to finalizing their report.

Trustee Crandall respectfully requested of the Mayor that once the Board receives the report from the CAC, that the Board schedule a work session so that the Board can publicly discuss its findings and recommendations. She noted that the spring cleanup will be here before we know it.

Trustee Whitestone reported that the Scarsdale Drug and Alcohol Task Force, which is a program of the Scarsdale Edgemont Family Counseling Service, announced a Youth Mental Health First Aid course. He stated that they will try to answer the question, "Would you know what to do if a child was experiencing a mental health challenge or crisis?" The course is being held Thursday, December 17th from 9:00 am to 2:00 pm via zoom. More information is available at the website www.scarsdaledatf.org under the Events header. He stated that it sounds like a very worthwhile program.

Trustee Whitestone stated that he would like to read a note from the Arthur Manor Neighborhood Association:

"Dear Arthur Manor friends and neighbors,

We hope you are enjoying the start of the holiday season and that you and your loved ones are staying well during this challenging time.

Because of the risks associated with a public gathering during the pandemic, the Arthur Manor association has decided not to conduct its annual in-person holiday sing and tree lighting ceremony this year.

However, we want to acknowledge and send thanks to the Public Works Department of the Village for again putting up the lights on the large pine tree in Davis Park. The tree looks fantastic!

We look forward to the end of the pandemic and the resumption of all the activities we enjoyed so much with each other. We also hope that by the time the summer comes along, we can celebrate the 4th of July with our traditional parade and picnic.

Until then, we wish all of you the best this holiday season.

-The Arthur Manor Board of Directors”

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Trustee Arest gave the following report:

“This is an important update from the Reopening Task Force. While the Spencer Place tent might be gone and the picnic tables are likely to be removed in the coming week or two, please know that the Task Force is very much active and focusing on what we can do over the coming weather challenged months but also, how to reopen once again when the weather permits.

We have been working on determining which government policies have worked best, which could be improved and which new policies should be considered. We are doing our own research, our Village Planner, Greg Cutler, is speaking with other Planners, and we have received information from The Acceleration Project, The Scarsdale Forum, The Scarsdale Business Alliance and of course, Village Board Members and individual residents and merchants. Input from all stakeholders is crucial. And please know, no idea is too crazy or outside the box. We are trying to discuss all options. And we need your thoughts as soon as possible.

Of course, any recommendations that might be made relating to road and/or parking space closures for other uses, park space programming and uses, mask wearing regulations etc. have ramifications and present the possibility of unintended consequences. Our goal continues to be removing all unnecessary red tape and providing support to the community so that we can offset the horrible impact of COVID-19 and the associated restrictions on businesses to the extent possible. The upcoming months might be the most challenging for our retail outlets, restaurants, and service providers. PLEASE, share your thoughts and ideas with us by January 15 by emailing reopening@scarsdale.com.

The Task Force’s intention is to present its recommendations to this Board no later than our Board Meeting on January 26. But, as we look at the coming weeks and months of likely inclement weather, a COVID infection rate trending in the wrong direction, and likely

additional restrictions coming from Albany, the Task Force has one recommendation tonight. We believe the Village should amend sections 245 and 256 again to further extend the use of our sidewalks. We do not believe that such an act will be a panacea by any means, but, to the limited extent it might help our merchant, restaurant and service provider community operate more successfully, we believe it is the right thing to do.

Finally, the Task Force understands that there is sensitivity about using various spaces in new ways, and introducing new and very different ideas to our Village can create a bit of apprehension as well as a reflex for some to criticize. The Task Force believes long term changes require holistic planning and discussions with the Board of Trustees and Community. It is likely that the group will recommend that this Board consider funding such a focused and limited planning study to determine the community's vision for the longer term.

The Task Force understands its focus is short term. Our recommendations will suggest changes and adaptations specifically for the coming weeks and months. So, please be patient, open minded and help all stakeholders do what is possible to reopen stronger.”

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Trustee Waldman stated that she has the following comments from the Library Board:

*Contactless pick up and book drop off began last week on December 1 at 54 Olmsted and it is going well.

* The Library expanded the hours to Monday from 9am to 7pm; Tuesday to Friday from 9am to 5pm; and Saturday from 10am to 4pm. Based on demand, the Library will reassess hours and expand as needed. Patrons make appointments for same day pickups.

* In addition, the Apiary Cafe has also started and is available for breakfast and lunch pick up. Right now, you can place an order by calling them directly at 914-713-8674. Their menu is on the Library website. They will have a mobile app available shortly.

* If you have driven by the Library, you will see that some outdoor sculpture has been installed as part of the Library's art exhibition "Hindsight is 2020". You can view the sculpture on Olmsted Road and in front of the Library. The Library will have an indoor exhibit installed in January and once it is safe for patrons to enter the library for appointments, patrons will be able to view the exhibit. Videos of the exhibition will also be available on the website.

Trustee Waldman stated that the public should continue to check the Library website for details at scarsdalelibrary.org

Mayor Samwick encouraged the community to visit the Apiary Café, as Trustee Arest stated, shop local – visit Scarsdale's merchants and restaurants, as well as the professionals located in the Village Center and other commercial districts. Now, more than ever, these businesses need your support.

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Trustee Ross

Upon motion entered by Trustee Ross, and seconded by Trustee Crandall, the following resolution regarding Acceptance of a Gift from Mr. Sang Han, 27 Paddington Road, for the Scarsdale Fire Department, was approved by a unanimous vote:

WHEREAS, citing his understanding of the substantial funding needed to support the training, safety, and operational efficacy of career firefighters and volunteers, alike, Mr. Sang Han, 27 Paddington Road, is desirous of donating \$1,000 to the Scarsdale Fire Department, having expressed his thanks for the Department’s steadfast preparedness in protecting life, health, and property; and

WHEREAS, pursuant to Policy #106 of the *Village of Scarsdale Administrative Policies and Procedures Manual*, “Gifts to the Village of Scarsdale,” acceptance of all gifts valued at \$500 or more 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 \$1,000 from the Mr. Sang Han, 27 Paddington Road; and be it further

RESOLVED, that the \$1,000 gift be deposited into the Fire Department Gift Account (#TE 93-09); and be it further

RESOLVED, that the Village Board of Trustees hereby extends its thanks and appreciation to Mr. Han for his generosity.

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Trustee Waldman

The following resolution regarding Authorization to Execute a Collective Bargaining Agreement with Local 1394 of the Uniformed Firefighters Association of Scarsdale was TABLED upon motion entered by Mayor Samwick, and seconded by Trustee Crandall, and was approved by a unanimous vote:

WHEREAS, the Village of Scarsdale (“Village”) and Local 1394 of the Uniformed Firefighters Association of Scarsdale (“UFFA”) are parties to a Collective Bargaining Agreement (“CBA”) that expired on May 31, 2017, and an Arbitration Award which expired on May 31, 2019; and

WHEREAS, changes to the terms and conditions of employment were agreed upon by the parties and placed in the form of a Memorandum of Agreement dated December 01, 2020; and

WHEREAS, the membership of the UFFA approved the terms and conditions contained in the Memorandum of Agreement; and

WHEREAS, the Memorandum of Agreement between the Village and the UFFA regarding the terms and conditions of employment for the period June 01, 2019, through and including May 31, 2021, is being presented for approval by the Village of Scarsdale Board of Trustees; now, therefore, be it

RESOLVED, that the attached Memorandum of Agreement between the Village of Scarsdale and the UFFA dated November 30, 2020, regarding the terms and conditions of employment for the period June 01, 2019, through and including May 31, 2021, is hereby approved; and be it further

RESOLVED, that the Village Manager and Human Resources Director are hereby authorized to execute a Collective Bargaining Agreement between the Village of Scarsdale and the UFFA for the period June 01, 2019, through and including May 31, 2021, incorporating the terms and conditions of said Memorandum of Agreement.

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Trustee Whitestone

Upon motion entered by Trustee Whitestone, and seconded by Trustee Crandall, the following resolution regarding the Award of VM Contract #1252 – Fluoride System Upgrade at Reeves Newsome Water Supply Station was approved by the vote indicated below :

WHEREAS, the Village of Scarsdale was awarded a \$260,000 grant from the New York State Department of Health (NYSDOH) in October 2018 to fund 100% of the costs in connection with fluoridation and water quality improvements at the Reeves Newsom Water Supply Station; and

WHEREAS, an initial solicitation of bids pursuant to VM Contract #1252 Fluoride System Upgrade at Reeves Newsom Water Supply Station, resulted in four sealed bids received, of which all were significantly higher than the budgeted project cost received through the NYSDOH grant; and

WHEREAS, on September 22, 2020, the Village Board rejected all bids for VM Contract #1252 Fluoride System Upgrade at Reeves Newsom Water Supply Station, pursuant to New York State General Municipal Law §103, and further authorized the Village Manager to amend the bid specifications and re-bid the project in accordance with Scarsdale Village Code §57-7 and New York State General Municipal Law §103; and

WHEREAS, following a re-design of the project, a solicitation for bids pursuant to VM Contract #1252 Fluoride System Upgrade at Reeves Newsom Water Supply Station was published in the Scarsdale Inquirer, on November 03, 2020, as well as advertised on BidNet, the New York State procurement platform, and featured on the Village's procurement webpage; and

WHEREAS, the revised VM Contract #1252 included the base project ("base bid") and four optional components ("bid alternates") comprised of certain preventative maintenance work that can defer future maintenance labor and costs, in case the Village determines that it can afford any such items:

- A. Removal and replacement of chemical quills, removal and replacement of metering pump tubing and chemical transfer pump tubing;
- B. Installation of new transfer pump secondary containment pipe, and signal control wiring conduit from Bulk Tank to the Treatment Plan;
- C. Fluoride PLC/SCADA control upgrades;
- D. Removal and replacement of existing chemical resistant coating; and

WHEREAS, on the bid opening date of November 24, 2020, three sealed bids were received with the lowest responsible bidder offering a base bid of \$162,491, with the bid alternates totaling \$80,897, for a total bid price of \$243,388, submitted by OCS Industries, 327 Mill Street, Poughkeepsie, NY 12601, a firm meeting all bid qualifications, as identified on the Summary of Bids, attached herein; and

WHEREAS, in concurrence with the written recommendation received from PCI, the Village's consulting and design engineering firm for the project, attached herewith, and after review and agreement by the Village Attorney of the contract, bid process, and awarding the lowest responsible bidder, staff recommends that VM Contract #1252 Fluoride System Upgrade at Reeves Newsom Water Supply Station be awarded to OCS Industries for an amount not to exceed \$162,491 for the base components of the project; and

WHEREAS, after review of the bid alternate components, the Water Superintendent recommends awarding Optional Items A, B, and D, as listed on the Summary of Bids, for a total additional cost of \$40,647, bringing the total project award to \$203,138; and

WHEREAS, pursuant to the lowest responsible bids herein identified, there is sufficient funding in the \$260,000 grant proceeds to fund the project, however, should additional funding for change orders and/unforeseen conditions be necessary, balances from the October 27, 2020 Village Board approved \$2,000,000 Bond Resolution to fund Various Water System Improvements, as well as fund balances of \$144,475.14 from the completed Ardsley Road Water Tank Project, may be utilized; now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized and directed to execute VM Contract #1252 Fluoride System Upgrade at Reeves Newsom Water Supply Station, on behalf of the Village of Scarsdale with OSC Industries, 327 Mill Street, Poughkeepsie, NY 12601, in an amount not to exceed \$203,138, for the base project and bid alternates A, B, and D, as identified on the listed component pricing on the Summary of Bids, to be charged to the RNWSS Fluoride Upgrade Account EWS-8310-DSTRB-CAPTL-500 52, reimbursed through the NYSDOH grant, and to undertake administrative acts as may be required under the terms of the contract; and be it further

RESOLVED, that should additional project funding be required to complete the project, funds from the October 27, 2020 Village Board approved Bond Resolution for Various Water System Improvements as well as balances from the completed Ardsley Road Water Tank Project may be utilized.

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

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Written Communications

Village Clerk Conkling reported that five (5) communications have been received since the last regular Board of Trustees meeting. These written communications include responses from the Mayor, and may be viewed on the Village’s website at www.scarsdale.com.

- An email from Phyllis Finkelstein regarding the pros and cons of leaf mulch mowing.
- An email from Robert Harrison regarding the Scarsdale Open Youth Tennis held on November 8th.

- An email from Federico Kaune urging the Board to ban the usage of all gasoline powered lawn equipment.
- An email from Mark Nadler expressing his concerns over the process of land use approvals and the need for revision to the current procedures.
- An email from Rona Shamoon expressing her objection to the Scarsdale Business Alliance & Downtown Revitalization Committee's suggestion to remove the Colorado Spruce tree in Boniface Circle.

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There being no further business to come before the Board, the meeting was adjourned at 7:37 P.M. by a motion entered by Trustee Ross, seconded by Trustee Whitestone, and carried by a unanimous vote.

Respectfully submitted,

Donna M. Conkling
Village Clerk

RESOLUTION RE: AMEND TAXICAB, TAXICAB DRIVER LICENSE AND BADGE ISSUANCE FEES IN THE FISCAL YEAR 2020-2021 FEES AND CHARGES SCHEDULE

WHEREAS, Sections 272-6 and 272-17 of the Scarsdale Village Code authorizes the Board of Trustees of the Village of Scarsdale to set fees for each taxicab license, taxicab drivers license and badge issuance fees through the adoption of the annual Fees and Charges Schedule, attached herein by resolution, and

WHEREAS, via letter dated December 15, 2020, the business manager from Central Taxi of Scarsdale (Central Taxi) officially requested that the taxicab license, taxicab driver’s license renewal, and badge issuance fees for the 2021 calendar year be waived due to the deleterious impacts on Central Taxi’s business caused by the COVID-19 pandemic, which is expected to continue well into 2021, and

WHEREAS, since mid-March 2020, due to the COVID -19 pandemic and the widespread closures of businesses locally as well as in New York City, Metro North Railroad’s weekday train ridership fell precipitously; according to ridership data from Metro North, inbound and outbound boardings dropped roughly 95% and 79%, respectively devastating Central Taxi’s core business of driving commuters to and from the train station daily; and

WHEREAS, in calendar year 2020, the Village of Scarsdale issued 24 taxicab license and 63 taxicab driver renewal permits and badges totaling \$7,290 in total revenue, as demonstrated in the below chart, and

Type	Fee	CY 2020 # Issued	Total Fee
Taxicab License	\$120.00	24	\$2,880.00
Taxicab Driver renewals	\$45.00	63	\$2,835.00
Badge	\$25.00	63	\$1,575.00
Total			\$7,290.00

WHEREAS, based on discussions with Central Taxi they will operate no more than 10 taxicabs and renew only 20 taxicab driver’s licenses with badges for 2021,

having further requested that the Village waive the fees associated with these renewals; and

WHEREAS,

Village staff recommends that the Village Board provide the requested 10 taxicab licenses and 20 taxicab driver licenses without fee for the first six months of the annual renewal period of January 1, 2021 through June 30, 2021, with the annual fee for the second half of the year prorated at six months, as further described in the spreadsheet below; and

Section		2021 #	From	To
Taxicabs				
272-6	License for each taxicab		\$120	
	First half of the year			Free
	Second half of the year			\$60
	Subtotal	10		\$600
	Taxicab Driver's License Fee			
272-17	License Renewal		\$45	
	First half of the year			Free
	Second half of the year			\$22.50
	Subtotal	20		\$450.00
	Issuance of Badge		\$25	
	First half of the year			Free
	Second half of the year			\$12.50
	Subtotal	20		\$250.00
Total				\$1,300.00

WHEREAS,

Central Taxi provides critical transportation service for numerous Scarsdale residents, commuters, seniors, citizens and youth and as such, the Board of Trustees is desirous of assisting Central Taxi during this unprecedented pandemic resulting in significant loss of business, now, therefore be it

RESOLVED,

that the Village Board of Trustees herein amends the FY 2020-2021 Village-wide Fees and Charges schedule relative to taxicab, taxicab drivers license renewal, and issuance of the associated badge fees, by waiving the identified fees for the first six months of the calendar year, or January 1, 2021 through June 30, 2021 and prorating in accordance with the established fees for the second half of calendar year 2021.

Submitted by: Village Manager
 Date: December 16, 2020
 For: December 22, 2020

Central Taxi of Scarsdale
PO Box 83
Scarsdale, NY, 10583

December 15th, 2020

Village Management and Board
The Village of Scarsdale
1001 Post Road
Scarsdale, NY, 10583

Dear Village Management and Board,

In regards to the yearly licensing of taxicabs and taxicab licenses for the coming year, 2021, in a year of unprecedented hardship and loss. We ask that the Village takes the necessary steps to either extend the expiration date of the current taxi and taxi driver licensing permits from December 31, 2020 to December 31, 2021, or in the alternative, waive all Village fees associated with the 2021 renewals and waive the discretionary requirement of additional driver fingerprints.

The pandemic has been devastating for all, but especially so for the taxi drivers on the front lines as essential workers serving the community providing a necessary life line to those without other transportation options. We have never closed. We have continued to provide transportation and services to the elderly, young, support staff and essential workers. Our revenues are down approximately 90% from pre-Covid numbers. We suspended the insurance on 17 of our vehicles on March 17, 2020, and laid off 100% of our dispatch, clerical and support staff, and stopped paying our rents. We allowed those drivers brave or desperate enough to keep driving access to the remaining seven licensed and insured taxicabs. Until September, we did not ask any of the drivers to share the fares they collected or pay towards the continued costs of the company. Of those driver who continued to work in the early days of the pandemic, many got sick and two died.

We understand that the Village recognizes necessary service we provide, and to that end has offered to waive fees associated with license renewal for a period of time. Fifty percent the cost to the drivers of renewing their licenses is the fingerprinting fee. All current drivers were fingerprinted last in 2019. While section 272-21 of the Village code requires that drivers be fingerprinted, it does not say how often or require every year. If the Village is unable to extend the expiration date on the current licenses, we ask that they do not require the currently licensed drivers to get a new set of finger prints this year.

The drivers and management are looking to the Village response here as a validation of the service and sacrifices the men and women of Central Taxi of Scarsdale have made during the pandemic. Please show your support and appreciation.

Sincerely, Peter Blier
Manager Central Taxi of Scarsdale

RESOLUTION RE: CALLING FOR A PUBLIC HEARING ON A LOCAL LAW AMENDING CHAPTER 256 OF THE SCARSDALE VILLAGE CODE ENTITLED STREETS, SIDEWALKS AND PUBLIC PLACES

RESOLVED, that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Scarsdale at 7:00 PM on Tuesday, January 12, 2021, via Zoom video conferencing service to consider a proposed local law to amend Chapter 256 of the Scarsdale Village Code, entitled Streets, Sidewalks and Public Places, to amend Section 256-1 C allowing for owners and lessees in the Village Center or other owners or lessees of rental or food establishment properties in other areas of the Village, to store, display and or sell goods, wares and merchandise on or directly above Village-owned rights of way through December 31, 2021, and that members of the public wishing to present comments may do so online during the public comment phase of the hearing by accessing the meeting at <https://zoom.us/j/93183703358>, or by calling-in using 1-929-436-2866 and entering the Meeting ID, 931 8370 3358; and be it further

RESOLVED, that an [electronic copy](#) of the local law is available for public review on the Village website at www.scarsdale.com; and be it further

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

Submitted by: Village Manager
Date: December 15, 2020
For: December 22, 2020

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

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

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

“§ 256-1 Permit required to obstruct.

- A. No person shall obstruct any street, sidewalk, public easement or other public place without first securing a written permit from the Village Engineer and complying with such regulations affecting obstructions as the Village Engineer may prescribe. The Village Engineer's decision to grant or deny a permit application shall be made within three business days after a completed permit application has been received by the Village. No owner or lessee of any premises in the Village shall permit any goods, wares or merchandise owned or controlled by him to be kept, stored, displayed or sold on or directly above any sidewalk adjoining such premises. No owner or lessee of any premises in the Village shall permit any refuse or waste from such premises to be kept or stored on or directly above any sidewalk adjoining such premises without first securing a written permit from the Village Manager and complying with such regulations and restrictions as may be prescribed in such written permit.
- B. Notwithstanding anything contained in Chapter 245 of this Code or subsection A above to the contrary, any owner or lessee of any premises operated as a retail store, food service establishment or sidewalk café as such terms are defined in this Village Code, or as a nonresidential use occupying any ground floor street-facing space, located in the Village Center and/or adjacent to any retail or food service establishment property in other areas of the Village, shall be permitted to display and/or sell on or directly above any sidewalk or other public space its goods, wares or merchandise, food and beverages subject to such owner or lessee obtaining a revocable permit for same from the Village Engineer at ~~his/her~~ the Village Engineer's sole discretion. Further, any owner or lessee of any nonresidential use occupying any space above a ground floor shall be permitted to place on or directly above any sidewalk or other public space, a table for the pick up or drop off of goods, wares or merchandise provided such table shall not impede the view of or access to any ground floor establishment as referenced herein above, and subject to such owner or lessee obtaining a revocable permit for same from the Village Engineer at the Village Engineer's discretion. Such permit shall be subject to reasonable rules and conditions to be established by a committee comprised of two (2) members of the Village Board of Trustees as designated by the Mayor, the Village Manager or his/her designee, the Village Planner and the Village Engineer. Such permit shall be subject to any limitations or conditions of any

executive order or equivalent, issued by the Governor of New York or the Westchester County Executive.

- C. Section 256-1(B) shall automatically expire on ~~December 31, 2020~~ December 31, 2021 unless sooner repealed by the Board of Trustees.

Section 2. Section 256-1(B) shall automatically expire on ~~December 31, 2020~~, December 31, 2021, unless sooner repealed by the Board of Trustees.

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

EFFECTIVE DATE

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

Underline means addition.
~~Strikethrough~~ means delete.



VILLAGE OF SCARSDALE

To: Stephen Pappalardo, Village Manager

From: Gregory Cutler, AICP, Village Planner and Environmental Officer

CC: Ingrid Richards, Assistant Village Manager

Date: December 15, 2020

Re: SEQRA Compliance: Proposed Local Law to amend Chapter 256 of Village Code

The proposed local law amends Chapter 256 of the Scarsdale Village Code, entitled Streets and Sidewalks to 1) allow outdoor sales to continue through December 31, 2021, unless repealed earlier by the Board of Trustees and 2) allow for any owner or lessee of any nonresidential use occupying any space above a ground floor, to place on or directly above any sidewalk or other public space, a table for the pick up or drop off of goods, wares, and merchandise, subject to approval by the Village engineer, and provided they do not impede the view of or access to any ground floor establishment.

As described above, the proposed local law is considered a Type II Action, pursuant to SEQRA, NYCRR Part 617.5(c) (21 and 26) as the adoption of the local law constitutes routine or continuing agency administration and management, and is temporary in nature.

As a Type II Action, no further review is required pursuant to NYCRR Part 617, SEQRA.

Please let me know if you need additional information.

**RESOLUTION RE: CALLING FOR A PUBLIC HEARING ON A
LOCAL LAW AMENDING CHAPTER 245 OF THE
SCARSDALE VILLAGE CODE ENTITLED
SIDEWALK CAFES**

RESOLVED, that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Scarsdale at 7:00 PM on Tuesday, January 12, 2021, via Zoom video conferencing service to consider a proposed local law to amend Chapter 245 of the Scarsdale Village Code, entitled Sidewalk Cafes, to amend Section 245-6 A & B allowing sidewalk cafes to operate through December 31, 2021, and that members of the public wishing to present comments may do so online during the public comment phase of the hearing by accessing the meeting at <https://zoom.us/j/93183703358>, or by calling-in using 1-929-436-2866 and entering the Meeting ID, 931 8370 3358; and be it further

RESOLVED, that an [electronic copy](#) of the local law is available for public review on the Village website at www.scarsdale.com; and be it further

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

Submitted by: Village Manager
Date: December 15, 2020
For: December 22, 2020

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

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

§ 245-6. Regulations.

- A. The permit is valid from ~~April~~ January 1 to December 31. Permits must be renewed annually. All existing ~~two~~ one-year permits as of the date of this amendment shall continue until expired.
- B. Sidewalk cafes and their appurtenances must be removed by the first Monday in January, 2021-2022.
- C. No outdoor music shall be permitted.
- D. When the associated food-serving establishment is not open and/or the sidewalk cafe is not in use, all furnishings, utensils, containers, chairs, tables, umbrellas or any other materials used in the operation of the sidewalk cafe or within the area used by the sidewalk cafe shall be neatly stacked, bundled or be stored in an approved manner.
- E. All sidewalk cafes shall close operations by 10:00 p.m. each night and shall not begin before 8:00 a.m. each morning.
- F. Sidewalk cafes and the public property on which they are located shall be kept neat and clean at all times and free from litter or any substance that may damage the sidewalk or cause pedestrian injury.
- G. The applicant shall be responsible for any damage caused to any sidewalk or public property.
- H. This amendment shall automatically expire on ~~December 31, 2020~~, December 31, 2021 unless sooner repealed by the Board of Trustees.

EFFECTIVE DATE

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

Underline means addition.

~~Strikethrough means delete~~



VILLAGE OF SCARSDALE

To: Stephen Pappalardo, Village Manager

From: Gregory Cutler, AICP, Village Planner and Environmental Officer

CC: Ingrid Richards, Assistant Village Manager

Date: December 15, 2020

Re: SEQRA Compliance: Proposed Local Law to amend Chapter 245 of Village Code

The proposed local law amends Chapter 245 of the Scarsdale Village Code, entitled Sidewalk Cafes, to allow 1) allow sidewalk café permits throughout the full calendar year and 2) allow sidewalk cafes to operate through the first Monday in January 2022.

As described above, the proposed local law is considered a Type II Action, pursuant to SEQRA, NYCRR Part 617.5(c) (21 and 26) as the adoption of the local law constitutes routine or continuing agency administration and management, and is temporary in nature.

As a Type II Action, no further review is required pursuant to NYCRR Part 617, SEQRA.

Please let me know if you need additional information.

**RESOLUTION RE: **AUTHORIZATION TO EXECUTE A
COLLECTIVE BARGAINING AGREEMENT
WITH LOCAL 1394 OF THE UNIFORMED
FIREFIGHTERS ASSOCIATION OF SCARSDALE****

WHEREAS, the Village of Scarsdale (“Village”) and Local 1394 of the Uniformed Firefighters Association of Scarsdale (“UFFA”) are parties to a Collective Bargaining Agreement (“CBA”) that expired on May 31, 2017, and an Arbitration Award which expired on May 31, 2019; and

WHEREAS, changes to the terms and conditions of employment were agreed upon by the parties and placed in the form of a Memorandum of Agreement dated December 01, 2020; and

WHEREAS, the membership of the UFFA approved the terms and conditions contained in the Memorandum of Agreement; and

WHEREAS, the Memorandum of Agreement between the Village and the UFFA regarding the terms and conditions of employment for the period June 01, 2019, through and including May 31, 2021, is being presented for approval by the Village of Scarsdale Board of Trustees; now, therefore, be it

RESOLVED, that the attached Memorandum of Agreement between the Village of Scarsdale and the UFFA dated November 30, 2020, regarding the terms and conditions of employment for the period June 01, 2019, through and including May 31, 2021, is hereby approved; and be it further

RESOLVED, that the Village Manager and Human Resources Director are hereby authorized to execute a Collective Bargaining Agreement between the Village of Scarsdale and the UFFA for the period June 01, 2019, through and including May 31, 2021, incorporating the terms and conditions of said Memorandum of Agreement.

Submitted by: Village Manager
Date: December 01, 2020
For: December 08, 2020 – Tabled by Village Board

Resubmitted by: Village Manager
Date: December 16, 2020
For: December 22, 2020

MEMORANDUM OF AGREEMENT

("Memorandum")

Memorandum of Agreement by and between the negotiating committees of the Village of Scarsdale (the "Village") and the Uniformed Firefighters Association of Scarsdale, Inc. Local 1394, ALF-CIO (the "Association") dated this 30th day of November, 2020.

WHEREAS, the Village and the Association are parties to a Collective Bargaining agreement ("Agreement") which expired on May 31, 2017 and an Arbitration Award ("Award") which expired on May 31, 2019; and

WHEREAS, authorized representatives of the Village and the Association have engaged in negotiations in good faith in an effort to arrive at a successor agreement; and

WHEREAS, the parties have reached a tentative agreement which is subject to ratification by the membership of the Association and the Village Board of Trustees;

WHEREAS, the signatories below agree to recommend this Memorandum for ratification.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is hereby stipulated and agreed as follows:

1. The terms of the expired Agreement and Award that are not modified by the terms of this Memorandum shall be carried forward into the successor agreement.
2. All proposals made by either party during the course of negotiations that are not addressed in this Memorandum shall be deemed withdrawn.
3. Duration of Agreement: Article XVIII A of the Agreement shall be amended to reflect a two (2) year term commencing on June 1, 2019 and expiring on May 31, 2021. The other dates in the Agreement involving the

terms of the Agreement shall be conformed to the duration of the negotiated successor agreement.

4. Compensation: Article IV shall be amended by including the following:
 - a. Effective June 1, 2019, First Grade Firefighters salaries shall be increased by 2.75%, all in-grade Fire Fighters hired before June 1, 2019 shall receive a salary increase of \$2,887,63, and Fire Captains shall receive 28% above the rate of First Grade Fire Fighter; and
 - b. Effective June 1, 2020, First Grade Firefighters salaries shall be increased by 0%, all in-grade Fire Fighters shall receive a salary increase of \$0, and Fire Captains shall receive 28% above the rate of First Grade Fire Fighter.

5. Longevity: Article XIV, Paragraph N shall be amended by adding the following longevity schedule effective June 1, 2021:

Years Completed	Amount
7	\$750
12	\$850
17.5	3% of First Grade Firefighter Salary in effect at the time of payment

6. Vacation: Article VI shall be amended by adding the following:

“Effective January 1, 2021, employees will be granted vacations as follows: eleven (11) working days per year after completion of one (1) year of service; sixteen (16) working days per year after completion of three (3) years of service; twenty-one (21) working days per year after completion of ten (10) years of service.”

7. Insurance: Article XI shall be amended by adding paragraph I as follows:

"If a bargaining unit member was employed on or hired after June 1, 2019, and has completed ten (10) years of continuous service with the Village, predeceases his/her dependents during employment or after retirement, the Village shall continue, if permissible under the Empire Plan or other applicable insurance policy, to provide coverage to the bargaining unit member's dependents under such plan until the spouse remarries and/or is Medicare eligible and/or the children reach the age of 26, so long as the dependents contribute 25% of premium.

For UFFA:

Dan Moran Resident
[Signature] Vice President

For Village of Scarsdale:

[Signature] Village Manager, 12/1/2020

11/30/20



MEMORANDUM

To: Stephen M. Pappalardo, Village Manager

From: Angela Sapienza, Human Resources Director

Date: December 16, 2020

Re: Uniformed Firefighters Association of Scarsdale, Inc. Local 1394, AFL-CIO
("UFFA") Memorandum of Agreement

Enclosed please find a copy of the Memorandum of Agreement between the Village of Scarsdale and UFFA relative to the negotiation of a successor Collective Bargaining Agreement ("CBA") covering the period from June 1, 2019 to May 31, 2021. I have been advised by the UFFA's president that the UFFA membership has ratified this Agreement on November 27, 2020.

Negotiations began in February of 2020 for an Agreement that expired on May 31, 2017 and an Arbitration Award ("Award") which expired on May 31, 2019. Considerable time and effort has gone into the negotiation of a successor Collective Bargaining Agreement. Negotiations were both professional and amiable. This unit currently represents 38 Firefighters and 6 Fire Captains and has a total annual payroll of approximately \$4.5 million.

The terms of the Agreement are as follows:

1. Compensation: Article IV shall be amended with the following:
 - a. Effective June 1, 2019, salaries shall be increased by 2.75%; and
 - b. Effective June 1, 2020, salaries shall be increased by 0%.

2. Longevity: Article XIV, Paragraph N shall be amended by adding the following longevity schedule effective June 1, 2021:

Years Completed	Amount
7	\$750
12	\$850
17.5	3% of First Grade Firefighter Salary in effect at the time of payment

3. Vacation: Article VI shall be amended by adding the following:

“Effective January 1, 2021, employees will be granted vacations as follows: eleven (11) working days per year after completion of one (1) year of service; sixteen (16) working days per year after completion of three (3) years of service; twenty-one (21) working days per year after completion of ten (10) years of service.”

4. Insurance: Article XI shall be amended by adding paragraph I as follows:

“If a bargaining unit member was employed on or hired after June 1, 2019, and has completed ten (10) years of continuous service with the Village, predeceases his/her dependents during employment or after retirement, the Village shall continue, if permissible under the Empire Plan or other applicable insurance policy, to provide coverage to the bargaining unit member’s dependents under such plan until the spouse remarries and/or is Medicare eligible and/or the children reach the age of 26, so long as the dependents contribute 25% of premium.”

The calculated net cost to the Village of this Agreement is \$377,151 over the two year term of the agreement. I recommend that the Village Board approve the attached Resolution providing for the approval of the Memorandum of Agreement, while further authorizing the Village Manager and Human Resources Director to execute the Collective Bargaining Agreement. Please place this Resolution on the Board’s November 24, 2020 meeting agenda for their consideration.

Encl.