Village of Scarsdale

Office of the Village Manager

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Jonathan I. Mark, Mayor

Matthew J. Callaghan
Carl L. Finger
Deborah Pekarek
Marc Samwick
William Stern
Jane Veron

Stephen M. Pappalardo,
Village Manager

Village Board Agenda

August 9, 2016
Agenda Committee Meeting - 7:30 PM – Trustees Room
Village Board Meeting - 8:00 PM - Rutherford Hall

Roll Call _____

Pledge of Allegiance _____

Minutes

- Village Board Meeting of July 26, 2016 _____

Bills & Payroll

- Trustee Pekarek _____

Mayor's Comments _____

Manager's Comments _____

Public Comments _____

Committee Items

Finance Committee – Trustee Samwick

- Resolution re: Appropriation of Insurance Reimbursement _____
- Resolution re: Acceptance of a Gift for the Scarsdale Public Library Addition and Renovation Project _____
- Resolution re: Acceptance of a Gift to the Scarsdale Public Library _____

Law Committee - Trustee Finger

- Resolution re: Authorization to Execute an Agreement with the Scarsdale Teen Center, Inc. _____
- Resolution re: New York City Water Rate Review by the New York State Department of Environmental Conservation _____

Municipal Services Committee – Trustee Pekarek

- Resolution re: Intent to Act as Lead Agency for SEQRA Review of Cayuga Pond Stormwater and Sediment Reduction Water Quality Improvement Project _____
- Authorization to Execute Change Order #1 to a Professional Services Agreement for Resolution re: Scarsdale Public Library Additional Subsurface Investigation and Analysis Services _____
- Resolution re: Rejection of Bids for VM 1187 – Rehabilitation of Ardsley Road Water Storage Tank _____
- Resolution re: Acceptance of Bids for VM 1201 – Tree Work _____
- Resolution re: Scarsdale Concours Car Show _____

Personnel Committee – Trustee Veron

- Resolution re: Re-Appointment to the Committee for Historic Preservation _____

Other Committee Reports _____

Liaison Reports _____

Written Communications (37)

- Revaluation (26)
- Library Renovation (4)
- Grasscycling (4)
- Roger Neustadt – Speeding
- Ron Schulhof & Michelle Sterling – Food Scrap Recycling
- Susan & Stephen Samtur – 36 Herkimer Rd Pool

Town Board Agenda

Town Board Meeting
August 9, 2016
Rutherford Hall, Village Hall

Roll Call

Minutes

- Town Board Meeting of July 12, 2016
- Special Town Board Meeting of July 26, 2016

Reports

- Report of the Custodian of Taxes as of July 31, 2016

Resolutions

- Resolution re: Real Property Tax Law (RPTL 556), Application for Refund and Credit of Certain Real Property Taxes for the Property at 14 Gorham Road, Scarsdale NY

Future Meeting Schedule

Tuesday, August 9, 2016

- 7:15PM – Personnel Committee
    - Boards, Councils and Committee Positions/Vacancies

(It is anticipated that a motion will be offered to move into Executive Session to discuss personnel matters)

Wednesday, August 17, 2016

- 6:55PM – Committee of the Whole
    - 2016 Property Tax Assessment Revaluation Project –Presentation by Consultant J.F. Ryan Associates

Tuesday, August 23, 2016

- 8:30AM - Village Board Meeting – Limited Agenda

Tuesday, September 13, 2016

- 6:30PM – Finance Committee
    - Review of FY 2015/2016 Financial Statements with Independent Auditors

Village Hall Schedule

Monday, September 5, 2016

Labor Day – Village Hall Closed

THREE THOUSAND TWO HUNDRED FIFTY-NINTH

LIMITED AGENDA MEETING

Trustees' Room
Village Hall
July 26, 2016

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held in the Trustees' Room in Village Hall on Tuesday, July 26, 2016 at 8:30 A.M.

Present were Mayor Mark, Trustees Callaghan, Finger, Pekarek, Samwick, Stern, and Veron. Also present were Acting Village Manager Cole, Assistant Village Manager Richards, Village Attorney Esannason, Deputy Village Attorney Garrison, Village Treasurer McClure, Village Clerk Conkling and Assistant to the Village Manager Ringel.

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The minutes of the Board of Trustees Regular Meeting of Tuesday, July 12, 2016 were approved on a motion entered by Trustee Callaghan, seconded by Trustee Pekarek, and carried unanimously.

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Bills & Payroll

Trustee Finger reported that he had audited the Abstract of Claims dated July 26, 2016 in the amount of $1,634,022.47 which includes $61,509.31 in Library Claims previously audited by a Trustee of the Library Board which were found to be in order and he moved that such payment be ratified.

Upon motion duly made by Trustee Finger and seconded by Mayor Mark, the following resolution was adopted unanimously:

RESOLVED, that the Abstract of Claims dated July 12, 2016 in the amount of $385,660.91 is hereby approved.

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Personnel Committee

Upon motion entered by Trustee Veron , and seconded by Trustee Pekarek, the following resolution regarding an Appointment to the Conservation Advisory Council was adopted by a unanimous vote:

WHEREAS, the Conservation Advisory Council (Council) was created to advise The Village on the development, management, and protection of its natural resources and consists of nine members appointed by the Village Board for two-year terms; and

WHEREAS, a long-standing vacancy currently exists on the Council; and

WHEREAS, the Village Board's Personnel Committee met on July 19, 2016, and discussed the application of Joan S. Weissman, 3 Kingston Road, for a position on the Conservation Advisory Council; and

WHEREAS, the Personnel Committee recommends to the full Village Board that Joan S. Weissman be appointed to serve as a member of the Council; now, therefore, be it

RESOLVED, that Joan S. Weissman, 3 Kingston Road is herein appointed to the Conservation Advisory Council for a term expiring April 2, 2018, or until such time as a successor is appointed.

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Upon motion entered by Trustee Veron, and seconded by Trustee Pekarek, the following resolution regarding an Appointment to the Advisory Council on Scarsdale Senior Citizens was approved by the vote indicated below:

WHEREAS, the Advisory Council on Scarsdale Senior Citizens (Council) was created in 1985 by Resolution of the Village Board of Trustees to advise and assist the Village Board in matters concerning the senior citizens of the Village of Scarsdale; and

WHEREAS, pursuant to the Council's constitution, membership shall be comprised of such number of Scarsdale residents as may be appointed by the Village Board, each for a two-year term; and

WHEREAS, the Village Board's Personnel Committee met on July 19, 2016, and discussed the application of Natasha Rose, 10 Ridgecrest East, for a position on the Advisory Council on Scarsdale Senior Citizens; and

WHEREAS, the Personnel Committee recommends to the full Village Board that Natasha Rose be appointed to serve as a member of the Council; now, therefore, be it

RESOLVED, that Natasha Rose, 10 Ridgecrest East, is hereby appointed to the Advisory Council on Scarsdale Senior Citizens for a term ending April 2, 2018, or until such time as a successor is appointed.

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There being no further business to come before the Board, Trustee Finger moved to adjourn the meeting at 8:33 A.M., seconded by Trustee Pekarek and carried by a unanimous vote.

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Donna M. Conkling
Village Clerk

RESOLUTION RE: APPROPRIATION OF INSURANCE REIMBURSEMENT

WHEREAS, the Scarsdale Police Department utilizes seven marked vehicles to perform preventative patrol and respond to emergency calls for service, as well as for other Police Department operations including traffic and parking enforcement around the schools; and

WHEREAS, one of these necessary patrol vehicles, a 2015 Ford Police Interceptor Sedan (SPD#8), was damaged beyond repair in a motor vehicle accident that occurred in April 2016; and

WHEREAS, the Village recently received an insurance claim reimbursement in the amount of $22,714.32 for this vehicle, which is critical to maintaining adequate operational fleet size, and it is anticipated that the combination of the insurance reimbursement and salvage of undamaged equipment will allow SPD#8 to be replaced with a comparable vehicle, with any shortage to be covered through SPD's operating budget; and

WHEREAS, it is now necessary for the Village Board to appropriate said reimbursement to the Capital Fund for the purpose of purchasing a new police vehicle; now, therefore, be it

RESOLVED, that the Village Board of Trustees herein appropriates the insurance reimbursement of $22,714.32 from the FY 2016/17 General Fund Revenue Account identified below to the appropriate Capital Fund Project Account as follows:

Amount:	**From**:	**To**:
$22,714.32	A-1000-022 2680-01 (Insurance Recoveries)	H-3197-962 2017-031 (Police-Vehicles);

and be it further

RESOLVED, that the 2016/17 Capital Budget be amended to reflect these additional funds.

Submitted by: Village Manager
Date: August 5, 2016
For: August 9, 2016

RESOLUTION RE: ACCEPTANCE OF A GIFT FOR THE SCARSDALE PUBLIC LIBRARY ADDITION AND RENOVATION PROJECT

WHEREAS, the Scarsdale Library Board completed a Master Plan dated June 10, 2013, which identifies a number of building renovations and additions that will increase the capacity of the Library to provide a broader range of rapidly evolving library services while maintaining popular traditional collections and programs by offering a more balanced utilization of the building space within a safe, attractive and inviting comfortable environment, said master plan supported by the Scarsdale Village Board of Trustees via resolution dated April 8, 2014 (attached); and

WHEREAS, the improvements identified in the Master Plan will 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 that will be a welcoming and versatile learning center; and

WHEREAS, the Scarsdale Public Library Board, at their October 21, 2013 meeting, authorized the retention of the fund raising consulting firm of Plan A Advisors, P.O. Box 165, Thornwood, NY 10594, to design and conduct a capital campaign to implement such a project, subsequently identified in the July 20, 2015 Schematic Design Report prepared by Dattner Architects, at an estimated construction cost of $16,500,000 and total project cost of approximately $19,500,000; and

WHEREAS, in accordance with a Village Board request at a March 07, 2016, Committee of the Whole meeting, the Library Board and Architect value engineered the schematic design plans, reducing the total project cost to $17,900,000, as identified in Option A-1 (attached), which the Architect presented at the July 19, 2016, Committee of the Whole meeting; and

WHEREAS, The Friends of the Scarsdale Library has offered to donate the gift of $10,000 to the Scarsdale Public Library Addition and Renovation Capital Improvement Project; and

WHEREAS, pursuant to Policy #106: "*Gifts to the Village of Scarsdale*" of the Village of Scarsdale Administrative Policies & Procedures

Manual, acceptance of all gifts valued at $500 or greater must be approved by the Village Board of Trustees; now, therefore, be it

RESOLVED, that the Village Board hereby accepts the gift of $10,000 from the Friends of the Scarsdale Library toward the Scarsdale Public Library Master Plan Improvement Project; and be it further

RESOLVED, that the Village Treasurer take the necessary steps to complete the transaction and accept this financial gift of $10,000 and deposit it in the Library Capital Campaign Account; and be it further

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

Submitted by: Village Manager
Date: August 4, 2016
For: August 9, 2016

RESOLUTION RE: ACCEPTANCE OF A GIFT TO THE SCARSDALE PUBLIC LIBRARY

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; and

WHEREAS, the Henry Laird Smith Foundation, as directed by Jeannette Sloan Warner, wishes to make an unrestricted $1,000 donation to the Scarsdale Public Library; now, therefore, be it

RESOLVED, that the Village Board of Trustees hereby accepts the unrestricted gift of $1,000 to be used toward Scarsdale Public Library general operating expenses and extends its thanks and appreciation to the Henry Laird Smith Foundation and Jeannette Sloan Warner for this generous gift to the community; and be it further

RESOLVED, that the Village Treasurer is herein directed to deposit said gift of $1,000 in the Scarsdale Public Library Budget Account TE-91-.22 – "Miscellaneous Gifts."

Submitted by: Village Manager
Date: August 4, 2016
For: August 9, 2016

RESOLUTION RE: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH THE SCARSDALE TEEN CENTER, INC.

WHEREAS, the Village of Scarsdale (Village) and the Scarsdale Union Free School District (District) have provided financial support to The Scarsdale Teen Center, Inc., for its operation since 1998-1999 and are desirous of continuing to fund a recreational and social program for community youth; and

WHEREAS, the term of the renewal agreement is for one (1) year, commencing September 1, 2016, and terminating August 31, 2017, pursuant to which the Village will provide $87,500 in annual funding to the Teen Center, payable in two equal installments of $43,750 on September 15, 2016, and March 15, 2017; and

WHEREAS, the Board of Education represents that the District will provide an additional amount of $65,000 in program support during the term of the Agreement and, consistent with past practice, deposit said funding with the Village for subsequent disbursement to the Teen Center; and

WHEREAS, the Village Board, in conjunction with the Board of Education, will continue to evaluate future funding of the Teen Center, with any such funding commitments to be linked to program performance and the Teen Center's ability to increase revenues and operate on a more self-sustaining basis; now, therefore, be it

RESOLVED, that the Village Board of Trustees herein approves $87,500 in 2016-2017 funding to The Scarsdale Teen Center, Inc., as appropriated in the adopted Village Fiscal Year 2016-2017 General Fund Budget, and recognizes the Scarsdale Board of Education's commitment to fund an additional amount of $65,000 from the District's Fiscal Year 2016-2017 Budget; and, be it further

RESOLVED, that the Village Manager is herein authorized to execute the Agreement between the Village of Scarsdale and the Scarsdale Teen Center, Inc., in substantially the same form as attached hereto; and, be it further

RESOLVED, that the Village Manager is herein authorized to undertake administrative acts that may be required pursuant to the terms of the Agreement.

Submitted by: Village Manager
Date: August 4, 2016
For: August 9, 2016

RESOLUTION RE: NEW YORK CITY WATER RATE REVIEW BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, the Village of Scarsdale has appeals pending before the New York State Department of Environmental Conservation (NYSDEC) of the Entitlement Rate increases adopted by the New York City Water Board (NYC) for Fiscal Years of 2015 (5.13% increase) and 2016 (9.87% increase), and before the New York Public Service Commission of the excess rates adopted by NYC for Fiscal Years 2014 (5.60% increase), 2015 (3.35% increase) and 2016 (2.97% increase); and

WHEREAS, the Village of Scarsdale also wishes to challenge the entitlement increase of 1.25% and excess water rate increase of 2.1% adopted by NYC for Fiscal Year 2017; and

WHEREAS, the NYSDEC will review the Entitlement Water Rate imposed by NYC if appropriately requested to do so; and

WHEREAS, since the Village receives all of its water from the NYC water system, the Village Manager recommends that the Village of Scarsdale authorize the petition to NYSDEC to review and establish the Entitlement Water Rate to be imposed by NYC for the taking of water from their system; now, therefore, be it

RESOLVED, that the Village Manager is hereby directed to authorize the firm of Dichter Law LLC, 488 Madison Avenue, New York, NY 10022, to submit a petition to the New York State Department of Environmental Conservation to review and establish the Entitlement Rate to be imposed by New York City for the taking of water from their system; and be it further

RESOLVED, that the Village Manager is hereby authorized and directed to provide proper verification for this request as required by the New York State Department of Environmental Conservation in a form that will satisfy the requirements of the New York State Department of Environmental Conservation.

Submitted by: Village Manager
Date August 1, 2016
For: August 9, 2016

RESOLUTION RE: INTENT TO ACT AS LEAD AGENCY FOR SEQRA REVIEW OF THE CAYUGA POND STORMWATER AND SEDIMENT REDUCTION WATER QUALITY IMPROVEMENT PROJECT

WHEREAS, the 2009 Village Wide Comprehensive Stormwater Management Plan found that the Sheldrake River Drainage Basin is one of the most complicated, flood-prone drainage basins in the Village; and

WHEREAS, the Village has aggressively pursued grant funding to support both water quality and flood mitigation projects in the Sheldrake River Drainage Basin and completed several 2015 projects within the Sheldrake River critical sub-drainage basin SR-3, including infrastructure improvements and sediment removal to enhance both capacity and flow rates; and

WHEREAS, in December of 2015 the Village was awarded a $1.4 million Water Quality Improvement Project (WQIP) from the New York State Department of Environmental Conservation requiring a 25% ($350,000) local match, a portion of which can be met through in-kind services, to continue these efforts with the Cayuga Pond Stormwater and Sediment Control Project (the Cayuga Pond project); and

WHEREAS, Cayuga Pond, located in the SR-3 critical sub-drainage basin, is also within the Federal Emergency Management Agency (FEMA) designated 100 year flood plain; and

WHEREAS, the proposed Cayuga Pond project has several water quality and flood mitigation components, including removing accumulated silt to restore the depth of the pond to its original bottom elevation, constructing a sediment forebay/spill pond to trap sediment and reduce downstream impacts, and installing a pump station to manage pre and post stormwater flow and provide additional detention capacity; and

WHEREAS, the Village Board of Trustees has considered the project pursuant to the State Environmental Quality Review Act (SEQRA) and Chapter 152 of the Village Code; and

WHEREAS, there are three agencies with permitting, funding, or approval authority for this project, known as involved agencies pursuant to SEQRA as follows; the New York State Department of

Environmental Conservation with funding and permitting authority, the United States Army Corps of Engineers with permitting authority, and the Scarsdale Village Board of Trustees with funding and approval authority; now, therefore, be it

RESOLVED, upon review of the Full Environmental Assessment Form, the Village Board determines that the proposed action, as described above, is an Unlisted Action pursuant to SEQRA, 6 NYCRR 617.2(ak); and be it further

RESOLVED, that the Village Board of Trustees hereby declares its intent to act as Lead Agency pursuant to 6 NYCRR 617.6 (b) for the purpose of conducting a coordinated environmental review of the Cayuga Pond project and directs staff to transmit the Full Environmental Assessment Form to the involved agencies mentioned above with notification that a Lead Agency must be agreed upon within 30 days of said transmittal.

Submitted by: Village Manager
Date: August 5, 2016
For: August 9, 2016

RESOLUTION RE: AUTHORIZATION TO EXECUTE CHANGE ORDER #1 TO A PROFESSIONAL SERVICES AGREEMENT FOR SCARSDALE PUBLIC LIBRARY SUBSURFACE INVESTIGATION AND ANALYSIS SERVICES

WHEREAS, Dattner Architects (Dattner), the Village's Architect for the Scarsdale Library Addition and Renovation project, completed the pre-schematic and schematic design phases of the project in September 2015; and

WHEREAS, to design the proposed basement modifications, addition foundations and all other geotechnical aspects of the proposed project, a subsurface investigation, analysis and report with recommendations was necessary; and

WHEREAS, Hage Engineering (Hage), Dattner's structural engineering consultant, prepared the general requirements for the subsurface investigation and analysis based on the schematic design documents prepared by Dattner; and

WHEREAS, the Village solicited proposals for the subsurface investigation and analysis and received the lowest responsible proposal from Richard S. Kessler, P.E., Consulting Geotechnical Engineer (Kessler), Little Falls, NJ for $41,760; and

WHEREAS, via resolution of May 10, 2016, the Village Board of Trustees authorized the Village Manager to execute a professional services agreement with Richard S. Kessler, P.E., Consulting Geotechnical Engineer (Kessler), 59 Jacobus Avenue, Little Falls, NJ 07424, for $41,760 to provide Geotechnical Engineering Services for the Scarsdale Public Library Addition and Renovation Project subsurface investigation and analysis (attached); and

WHEREAS, the subsurface investigation as outlined in said agreement commenced on June 2, 2016, and after the 3rd of the 15 borings was completed at a cost of $28,912.50, the work was suspended as a result of conditions described in the Kessler Subsurface Investigation and Analysis Report of July 13, 2016 (attached); and

WHEREAS, Kessler, in consultation with Dattner Architects, modified the technical requirements of the subsurface investigation and developed a change order titled "Proposal for Resumption of Subsurface Investigation and Analysis" (attached), totaling $40,915, which represents an additional $28,067.50 in added project cost; now, therefore, be it

RESOLVED, that the Village Board of Trustees hereby authorizes the Village Manager to execute the attached June 21, 2016 proposal identified as Change Order #1 to the aforementioned May 10, 2016 agreement with Richard S. Kessler, P.E., Consulting Geotechnical Engineer, 59 Jacobus Avenue, Little Falls, NJ 07424, to provide additional Geotechnical Engineering Services for the Scarsdale Public Library Addition and Renovation Project subsurface investigation and analysis; and be it further

RESOLVED, that the additional Geotechnical Engineering Services identified in Change Order #1 be funded utilizing the available balances in the Library Capital Campaign Fund, specifically Account # HL-7497-964 2016-074 Library Capital Preliminary Project Services; and be it further

RESOLVED, that the Village Manager is herein authorized to undertake administrative acts that may be required pursuant to the terms of the Change Order #1 proposal.

Submitted by: Village Manager
Date: August 5, 2016
For: August 9, 2016

RESOLUTION RE: REJECTION OF BIDS FOR VM CONTRACT #1187 – REHABILITATION OF ARDSLEY ROAD WATER TANK

WHEREAS, the 750,000 gallon Ardsley Road Water Storage Tank requires an entire roof replacement, interior and exterior painting, and other safety and security upgrades to demonstrate compliance with various State and Federal guidelines; and

WHEREAS, via resolution dated May 26, 2015, attached, the engineering consulting firm of Professional Consulting, Inc., (PCI) was hired to provide the necessary engineering design services, cost estimates, and public bidding services; and

WHEREAS, based on PCI's preliminary cost estimate, the Board of Trustees provided an appropriation of $1,400,000 in the FY 2016/17 Capital Budget for the Ardsley Road Water Tank rehabilitation; and

WHEREAS, the Village Manager reports that on June 22, 2016, he publicly advertised for the receipt of bids under VM Contract # 1187 – Rehabilitation of the 750,000 gallon Ardsley Road Water Tank, having sent proposals to fourteen vendors; and

WHEREAS, on the bid opening date of July 21, 2016, one bid was received from Scaturro Bros. Inc./Alpine Paint, 16 Chester Ave, Congers, NY 10920, for a total of $2,750,000, which was nearly double the PCI estimate; and

WHEREAS, in accordance with the attached recommendation letter, PCI attributed the lack of bids to prospective bidders experiencing difficulty identifying a specialty roofing contractor required for the project, the higher than expected project cost due to a number of variables, and, as such, recommended rejecting the bid and further modifying the bid specifications prior to rebidding the project; and

WHEREAS, staff recommends rejecting the sole bid received pursuant to VM #1187 and rebidding the project subject to revisions and reductions to the project scope and review and consideration of the project funding plan; now, therefore, be it

RESOLVED, that the Village Board, pursuant to Section 103 of the New York State General Municipal Law and Chapter 57-7 of the Village Code, herein rejects all bids for VM Contract #1187; and it be further

RESOLVED, that the Village Manager is hereby authorized to reject the bid documents for the Ardsley Road Water Tank Rehabilitation in accordance with the New York State General Municipal Law, and to re-bid the project after adequate review and revisions to the project scope and funding.

Submitted by: Village Manager
Date: August 5, 2016
For: August 9, 2016

RESOLUTION RE: AWARDING VM CONTRACT # 1201 – TREE WORK

WHEREAS, due to the volume of tree maintenance needs, necessity for assistance during emergencies and off-peak hours, and to protect the health, safety and welfare of the community, the Village requires contract support from a private tree care company; and

WHEREAS, on June 24, 2016, the Village Manager reports that he publicly advertised for the receipt of bids under VM Contract # 1201 – Tree Work, sent bid proposals via BidNet, and mailed bid proposals to five contractors to provide tree pruning and removal services; and

WHEREAS, the contract includes three separate proposals for pricing – Proposal A – Bucket Truck with Operator, Two Ground Men & Wood Chipper (Daily), Proposal B – Same as "A" for overtime hours, and Proposal C – 100 ft. Crane w/ Operator and Two Ground Men (Hourly); and

WHEREAS, on the bid opening date of Tuesday July 12, 2016, three sealed bids were received with the lowest responsible bid received from Almstead Tree & Shrub Care Company LLC, 58 Beechwood Avenue, New Rochelle, NY 10801, at the following prices: Proposal A – $2,521.00/day, Proposal B – $375.00/hour, Proposal C – $419/hour; and

WHEREAS, the contract term is two years, retroactive to June 1, 2016, through May 31, 2018, with an option to renew for one additional year at a price increase of four percent; now, therefore, be it

RESOLVED, that VM Contract #1201 – Tree Work, is awarded to Almstead Tree & Shrub Care Company LLC, 58 Beechwood Avenue, New Rochelle, NY 10801, for a two year term at the following prices: Proposal A – $2,521.00/day, Proposal B – $375.00/hour, Proposal C – $419/hour, and; and be it further

RESOLVED, that the cost for FY 2016/17 be charged to General Fund Account # A-1490-HWY-SHDTR-400-483-1, for which $80,000 is budgeted, with the work for year two of the contract FY 2017/18 subject to adequate budget appropriations; and be it further

RESOLVED, that the Village Manager is hereby authorized and directed to execute VM Contract # 1201 with Almstead Tree & Shrub Care Company LLC, 58 Beechwood Avenue, New Rochelle, NY 10801; and be it further

RESOLVED, that this contract may be extended by the Village Manager for an additional one-year period subject to the availability of adequate budget appropriations; and be it further

RESOLVED, that the Village Manager is herein authorized to undertake administrative acts as may be required under the terms of the contract.

Submitted by: Village Manager
Date: August 5, 2016
For: August 9, 2016

RESOLUTION RE: SCARSDALE CONCOURS CAR SHOW

WHEREAS, Scarsdale Concours has requested permission to hold the 13th Annual Scarsdale Concours Car Show in the Village Center on Sunday, October 2, 2016; and

WHEREAS, the Scarsdale Concours Car Show requires the temporary closure of several streets in the Village Center (map attached), including Spencer Place, Harwood Court, Boniface Circle, and Chase Road, with the Scarsdale Police Department overseeing the street closures and providing traffic control during the event; and

WHEREAS, the Scarsdale Concours Car Show is an event coordinated by dedicated volunteers, including former Scarsdale High School students and Village residents, and has been successfully held in the Village of Scarsdale for the past twelve years; and

WHEREAS, the event draws over 100 antique car owner participants, hundreds of spectators, dozens of sponsors, involves showcasing vintage and new cars, and generates proceeds which are donated to local service organizations, including the Scarsdale/Edgemont Family Counseling Service, Paulie Strong Foundation, and Scarsdale Police Benevolent Association Warrior and Family Assistance Fund; now, therefore, be it

RESOLVED, that the Village Board is desirous of accommodating this event and grants permission to hold the 13th Annual Scarsdale Concours in the Village Center on Sunday, October 2, 2016, conditioned on the timely receipt of a certificate of insurance listing the Village of Scarsdale as an additional insured; and be it further

RESOLVED, that the Village Manager is herein authorized to execute the attached Village Event Permit form.

Submitted by: Village Manager
Date: August 4, 2016
For: August 9, 2016

RESOLUTION RE: **RE-APPOINTMENT TO THE COMMITTEE FOR HISTORIC PRESERVATION**

WHEREAS, in accordance with Village Code §182-3, the Village Board of Trustees may appoint up to seven members and one alternate to the Committee for Historic Preservation ("CHP") for three year terms; and

WHEREAS, Matthew D. Schwarz was appointed to the CHP for a term expiring on April 4, 2016, or until such time as a successor is appointed; and

WHEREAS, Matthew D. Schwarz has expressed an interest in being re-appointed to the CHP; now, therefore, be it

RESOLVED, that Matthew D. Schwarz, 26 Montrose Road, is herein re-appointed to the Committee for Historic Preservation ("CHP") for a term expiring April 1, 2019, or until such time as a successor is appointed.

Submitted by: Village Manager
Date: August 4, 2016
For: August 9, 2016

TOWN BOARD MEETING

Rutherford Hall
Village of Scarsdale
July 12, 2016

A Meeting of the Town Board of Scarsdale was held in Rutherford Hall of Village Hall on Tuesday, July 12, 2016 at 10:25 p.m.

Present were Mesdames Pekarek and Veron; and Messrs. Callaghan, Finger, Stern, and Mark. Also present were Village Manager Pappalardo, Deputy Village Manager Cole, Assistant Village Manager Richards, Town Counsel Esannason, Deputy Town Counsel Garrison, Custodian of Taxes McClure, Town Clerk Conkling, and Assistant to the Village Manager Ringel.

Mr. Mark presided.

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Minutes

The minutes of the Town Board Meeting of June 14, 2016 were approved on a motion entered by Mr. Finger, seconded by Ms. Pekarek, and carried unanimously.

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Report of the Custodian of Taxes

Custodian of Taxes McClure stated that the Board has received the Town financial reports for June 2016.

She reported that 98.80% of the County tax levy has been collected. This is slightly ahead of last year's collection rate of 98.57%.

The Treasury staff is presently collecting the 2016-2017 Village Tax. She asked residents to please call 722-1170 if they did not receive a bill or have any other questions.

The balance of the 2015 school tax levy of $876,329 was remitted to the school district on June 6, 2016. This is an increase of $261,222 over the transfer last year of $615,108.

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Resolutions

Before the resolution was presented, Mr. Mark explained that certain members of the Board had grieved their assessments, therefore per standard procedure, their grievances are referred to the Town of Mamaroneck. This resolution refers to Trustees Callaghan and Finger, who will both recuse themselves from the vote.

Upon motion by Ms. Veron, seconded by Ms. Pekarek the following resolution regarding an Intermunicipal Agreement with the Town of Mamaroneck to Represent the Town of Scarsdale in

Grievance Proceedings and any other Proceedings Challenging the 2016 Assessed Valuations was adopted by the vote indicated below:

WHEREAS, current members of the Scarsdale Village Board of Trustees, Town Board, and Town Board of Assessment Review recently filed grievance petitions challenging the 2016 assessed valuation for properties they own within the Town/Village of Scarsdale, specifically 49 Carman Road, 38 Butler Road, 26 Overhill Road, and 27 Sheldrake Road; and

WHEREAS, the Village Attorney, appointed by the Village Board of Trustees, serves as Counsel to the Town of Scarsdale and may be called upon to advise, appear, and defend grievances and SCAR proceedings involving the Town; and

WHEREAS, the Town Assessor, appointed by the Town Board, is charged, together with the Town Counsel, with the responsibility of defending grievances and SCAR petitions; and

WHEREAS, to avoid a potential conflict of interest or the appearance of impropriety, the Town of Mamaroneck has agreed to represent the Town of Scarsdale in the aforementioned grievances and any subsequent proceedings regarding these cases; and

WHEREAS, General Municipal Law § 119-o authorizes a municipality to jointly enter into or assign a municipal function to another municipality by execution of an intermunicipal agreement with that municipality; now, therefore, be it

RESOLVED, that the Town/Village Manager is herein authorized to execute an intermunicipal agreement with the Town of Mamaroneck in substantially the same form as attached hereto and conditioned on the execution of same by the Town of Mamaroneck, to have the Assessor for the Town of Mamaroneck represent the Town of Scarsdale in the grievance proceedings and any subsequent proceedings involving the challenges to the 2016 assessed valuation of the properties located within the Town/Village of Scarsdale at 49 Carman Road, 38 Butler Road, 26 Overhill Road, and 27 Sheldrake Road; and be it further

RESOLVED, that the Town of Scarsdale shall abide by any recommendation from the Town of Mamaroneck Assessor or any determination from the grievance and SCAR proceeding should one be filed; and be it further

RESOLVED, that the Town of Scarsdale shall reimburse the Town of Mamaroneck for any and all costs in connection with the grievance proceedings for said properties and any other proceedings challenging the 2016 assessed valuations.

AYES	NAYS	ABSENT	RECUSED
Ms. Pekarek	None	Mr. Samwick	Mr. Callaghan
Mr. Stern			Mr. Finger
Ms. Veron			
Mr. Mark			

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Upon motion by Mr. Finger, seconded by Ms. Pekarek the following resolution Authorizing Settlement with Steven Greenberg was adopted by a unanimous vote:

WHEREAS, Steven Greenberg, the former owner of property located at 271 Fox Meadow Road, also identified on the Town/Village tax map as Section 4, Block 1, Lots 993 and 957, commenced multiple lawsuits in New York State Supreme Court on various grounds, including but not limited to, selective reassessment, excessive reassessment, due process and civil rights violations, and other related assessment violations; and

WHEREAS, these lawsuits were brought against the Board of Trustees of the Town of Scarsdale, the Board of Trustees of the Village of Scarsdale, the Board of Assessment Review of the Village of Scarsdale, Village employees Nanette J. Albanese, Wayne D. Esannason and Alfred A. Gatta, as well as the Tax Commissioner for the County of Westchester and the Scarsdale Union Free School District; and

WHEREAS, the subject lawsuits were filed in years 2008, 2009, 2010, 2011, 2012, 2013 and 2015; and

WHEREAS, Mr. Greenberg also commenced an action against the Town/Village of Scarsdale in Federal District Court, which was subsequently dismissed; and

WHEREAS, on May 10, 2016, a conference on all pending matters was held before Supreme Court Justice, Bruce Tolbert, who directed the parties to meet prior to June 10, 2016_ and attempt to resolve all of the valuation issues concerning Mr. Greenberg's former property, as well as other claims; and

WHEREAS, pursuant to the Court's directive, the parties, including the Town/Village's outside counsel, Terry Rice, Esq., met on June 8, 2015 and agreed to settle all of the outstanding claims and valuation issues for a sum of thirty-five thousand ($35,000.) dollars; and

WHEREAS, the Town/Village's outside counsel recommends that the Town/Village Board accept the offer of settlement subject to Mr. Greenberg discontinuing, with prejudice, all of the pending lawsuits against the Town/Village, it's employees, the Westchester County Tax Commissioner and the Scarsdale Union Free School District, and that mutual releases be executed by Mr. Greenberg and the Town/Village; now, therefore, be it

RESOLVED, that the Town Board of the Town/Village of Scarsdale accepts the proposed settlement offer stated in the attached Release subject to the conditions set forth above and authorizes the Village Manager to take all administrative acts necessary to effectuate the settlement of all pending litigation with Mr. Greenberg.

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Future Meetings

Mr. Mark announced the following future meeting schedule:

- *Tuesday, July 19, 2016* – Committee of the Whole Meeting – 6:30 P.M. – 3rd Floor Meeting Room
- *Tuesday, July 26, 2016* – Village Board Meeting – Limited Agenda – 8:30 A.M. – Trustees' Room

* * * * * * * *

On a motion entered by Mr. Finger, seconded by Ms. Pekarek, the Town Board meeting adjourned at 10:34 P.M.

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Donna M. Conkling
Town Clerk

SPECIAL TOWN BOARD MEETING

Trustees' Room
Village of Scarsdale
July 26, 2016

A Special Meeting of the Town Board of Scarsdale was held in the Trustees' Room of Village Hall on Tuesday, July 26, 2016 at 8:33 A.M.

Present were Mesdames Pekarek and Veron; and Messrs. Callaghan, Finger, Samwick, Stern, and Mark. Also present were Acting Village Manager Cole, Assistant Village Manager Richards, Town Counsel Esannason, Deputy Town Counsel Garrison, Custodian of Taxes McClure, Town Clerk Conkling, and Assistant to the Village Manager Ringel.

Mr. Mark presided.

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Resolutions

Upon motion by Ms. Veron, seconded by Mr. Samwick, the following resolution regarding an Appointment to the Town Board of Assessment Review was adopted by a unanimous vote:

WHEREAS, the Town Board of Assessment Review consists of three to five members appointed by the Town Board for five year terms, with said Assessment Review Board traditionally functioning as a five member body; and

WHEREAS, Board member Dorothy Finger resigned her position on the Town Board of Assessment Review effective July 21, 2016, creating a vacancy on the Board to fill her unexpired term, or until September 30, 2017; and

WHEREAS, the Village Board's Personnel Committee met and discussed an application of Jane Curley, 7 Hamilton Road, for a position on the Town Board of Assessment Review; and

WHEREAS, the Personnel Committee recommends to the Full Town Board that Jane Curley be appointed to fill the unexpired term of Dorothy Finger, subject to successful completion of the introductory training course mandated by New York State; now, therefore, be it

RESOLVED, that Jane Curley, 7 Hamilton Road, is hereby appointed to the Town Board of Assessment Review, subject to successful completion of New York State mandatory training pursuant to Real Property Tax Law §523(2), to fill the unexpired term of Dorothy Finger for a term effective upon completion of said training and expiring on September 30, 2017.

Before the vote took place on the above resolution, Mr. Mark noted to the Town Counsel that he understood arrangements had been made for Ms. Curley to receive her training for the above appointment.

Town Counsel Esannason stated that the Westchester County Tax Commissioner has agreed to provide personal training for Ms. Curley and she is scheduled to receive said training on Wednesday or Thursday of this week. The Village has forwarded Ms. Curley a copy of the transcript of the June 21, 2016 Board of Assessment Review's Grievance Hearings so that she may review them and familiarize herself with what has transpired so far. There have been three meetings; however, the Village has not received the additional transcripts as of yet.

Ms. Veron added that Ms. Curley has had conversations with other members of the Board of Assessment Review so that she can understand the responsibilities of the job.

Mr. Mark stated that the Village thanks Dorothy Finger for her many, many years of service to the Village. She has served in many capacities including Village Trustee, and he thanked her for accommodating the Village in this way. Mr. Mark also thanked Ms. Curley for stepping up and taking on a considerable workload in the middle of the summer.

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Future Meetings

Mr. Mark announced the following future meeting schedule:

- *Tuesday, August 9, 2016* – Agenda Committee Meeting – 7:30 P.M. – Trustees' Room
- *Tuesday, August 9, 2016* – Village Board Meeting– 8:00 P.M. – Trustees' Room

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Other Discussion

Ms. Pekarek noted that the traffic study has been received and a Municipal Services Committee meeting needs to be scheduled to review that sometime in the fall. Mr. Mark noted that at the Agenda Meeting on August 9th, the Board members will take a look at their calendars and schedule this meeting.

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Acting Village Manager Robert Cole stated that John Ryan will attend a public meeting scheduled for Wednesday, August 17, 2016 at 6:55 P.M. to make a presentation and be available to answer questions. This notice will go out promptly and will be distributed to the appropriate media outlets to give residents sufficient time to plan to attend the meeting. The meeting will be recorded so that people may watch it on the cable channel.

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Custodian of Taxes McClure asked the Town Board if they had received her email concerning the scheduling of a Finance Committee meeting with the auditors to present the results of the 2015-2016 Audit on Tuesday, Sept. 13, 2016 prior to the regular Board Meeting that evening. The Board members present stated that they did receive the email and most had already replied affirmatively.

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Mr. Callaghan asked if any thought has been given to having an investigation regarding the revaluation with people outside of Scarsdale. Mr. Mark stated that this had been discussed a number of times with Ms. Kirkendall-Rodriguez, Josh Frankel and Bob Berg. They had suggested the IAAA Organization to do this investigation. However, Mr. Ryan is on the Executive Board of the IAAA and is also one of their senior instructors and teaches many courses on mass appraisal for that organization. Therefore, an investigation by that group itself would not seem to be an independent one if they were to review the work of one of their Board members. There are perhaps other organizations that might do that but his own personal thought is that right now the Village has at least two opinions on the assessed value in the Village. We have the 2014 opinion of Tyler Technologies and the opinion of Ryan for the 2016 revaluation, and then residents such as Ms. Kirkendall-Rodriguez have their own opinion. Getting a third opinion, which would either agree with Tyler or Ryan or somewhere in the middle would simply add to the confusion over what is right here. Mr. Mark stated that he did not see the value in spending taxpayers' dollars for this nor did he see it as being useful. As the Village Attorney has pointed out a number of times, there is a roadmap to deal with the over assessments; the grievance process is being pursued as it should be. In terms of under assessments, the grievance process does not address that at all.

Mr. Mark noted that the Village finds itself in this situation because the prior Board in all good faith thought that in response to critiques of the Tyler revaluation, doing another revaluation right away would solve the issues that were raised in 2014. To say that it did not come out as expected would be the understatement of the morning.

Mr. Mark stated that his own view is that in terms of those under assessments, if another revaluation is going to be done, it should be thoughtfully considered --- the suggestions that have been made by Ms. Kirkendall-Rodriguez and others in her group that the Village have an Ad-Hoc Committee of residents assist with their thoughts on who might be an appropriate firm to do that, are all very good suggestions and should be followed up. However, because the grievance process is there to address the overages, we should listen to what Mr. Ryan has to say on August 17th. At some point we will also hear from the Village Assessor to address some of the incorrect information that is out there. Then thoughtfully, the Board will think about when and if another revaluation should be done and done in a way that everyone can agree there is an appropriate way to do it with an appropriate firm.

Village Attorney Esannason added that the New York State Office of Real Property Services is doing an independent review. Mr. Mark noted that this will be a review of the overall modeling; it will not be a house by house assessment of the work that was done. Once that Office finishes their review, they will either agree that the Village is at 100% or if the Village is not at 100% will pose some equalization ratio to reflect their view. That will be an independent look at the revaluation but not in the way that Mr. Callaghan is speaking of. However, it will be another data point and a significant one because they are a State agency.

Mr. Callaghan next asked if the Village has looked into hiring a contract lawyer to look into Ryan's contract with the Village to make sure that he has abided by the terms of the contract.

Village Attorney Esannason stated that they are now in the process of reviewing the contract and going over items with Mr. Ryan that require clarification as to whether or not the deliverables have been satisfied. Mr. Ryan has been made aware of issues the Village is concerned about and items that the Village should receive.

It was noted that both Mr. Ryan and the Assessor will be present at the August 17th meeting prepared to respond to questions from the residents. It is hoped that a representative from the New York State Office of Real Property Services will also be present.

Mr. Mark stated that although there are not usually public comment sessions at a Limited Agenda meeting, however, members of the public took time out of their day to attend this meeting. He asked those present if they had any particular questions about what has been discussed thus far.

Robert Harrison asked if the Village was still holding the $40,000 payment for Mr. Ryan. Mr. Mark replied that the Village is still holding the payment; however, in the interest of full disclosure, Mr. Mark informed Mr. Harrison that the Village is going to pay Mr. Ryan an hourly fee to attend the August 17th meeting. The $40,000 payment is being held subject to the review of his contract.

Mayra Kirkendall-Rodriguez thanked the Board for having Mr. Ryan attend the meeting scheduled for August 17th. She implored the Village to answer the questions that they have submitted to date before this meeting.

Michael Levine stated that there is a group of residents in Scarsdale that can understand answers to their questions at a more technical and specific level. It becomes frustrating to this group when the responses don't go to that depth.

Mr. Mark replied that the Village Manager has made Mr. Levine's point to Mr. Ryan in a phone call; that message has been conveyed.

Robert Harrison asked about the list of sales that was used for the revaluation; Mr. Mark stated that he has been told that Mr. Ryan is going to address that question at the August 17th meeting.

Mr. Mark thanked everyone for attending the meeting this morning.

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There being no further business to come before the Board, the Town Board meeting adjourned at 8:50 A.M.

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Donna M. Conkling
Town Clerk

RESOLUTION RE: **REAL PROPERTY TAX LAW (RPTL 556), APPLICATION FOR REFUND AND CREDIT OF CERTAIN REAL PROPERTY TAXES FOR THE PROPERTY AT 14 GORHAM ROAD, SCARSDALE, NY**

WHEREAS, Petitioners, Richard G. and Lucille A. Fontana, owners of property located at 14 Gorham Road, which is identified as Section 06, Block 11, Lot 3B on the official tax map of the Town of Scarsdale, filed Applications for Refund and Credit of Real Property Taxes on June 30, 2016, for certain years at issue; and

WHEREAS, as a result of owner remittance of a certified survey of the property to the assessor, it was shown that various prior assessment rolls reflected an error of land size for the property, .41 acre rather than .23 acre, which error went unnoticed by the property owner, resulting in taxes paid above fair value; and

WHEREAS, in accordance with the applicable three-year statute of limitations for refunds resulting from a clerical error, refunds for taxes paid for the following tax periods are owing:

- April 1, 2016 County taxes;
- April 1, 2015 County taxes, July 1, 2015 Village taxes and 2015 School taxes;
- April 1, 2014 County taxes, July 1, 2015 Village taxes and 2014 School taxes;
- July 1, 2013 Village taxes and 2013 School taxes; and

WHEREAS, in a June 30, 2016, letter from the Executive Director of the Westchester County Tax Commission, as attached hereto, the Executive Director determined that a clerical error occurred, as defined in RPTL §550.3(c) and recommended that the applications for refunds that total $17,769.83, representing the excess 2013, 2014, 2015, and 2016 taxes described above, paid by the property owner and as further detailed in the attached worksheet, be approved by the assessing body, the Town of Scarsdale; now, therefore, be it

RESOLVED, that the Town Board acknowledges and agrees with the findings of the Westchester County Tax Commission that Petitioner's Applications for Refund and Credit of Real Property Taxes for the tax years 2013, 2014, 2015, and 2016 constitute a correctible error necessitating the refund of applicable County, Village, and School taxes in the amount of $17,769.83; and be it further

RESOLVED, that Petitioner's Applications for Refund and Credit of Real Property Taxes for the tax years 2013, 2014, 2015 and 2016 are herein approved and that the Town Manager is directed to communicate the Town Board's determination to the Petitioner and effectuate the refund of said taxes set forth and described herein.

Submitted by: Town Assessor
Date: August 4, 2016
For: August 9, 2016

Donna Conkling

From:	Mayra Rodriguez Valladares <mrvassoc@yahoo.com>
Sent:	Wednesday, August 03, 2016 9:35 AM
To:	Mayor; Manager's Department; Attorney's Office; Clerk's Department; Steve Pappalardo; Nanette Albanese; Patrick McEvily; Robert Cole; Donna Conkling
Subject:	Letter to Assemblywoman Galef: Property Assessments in New York

Dear Mayor Mark,

I trust that you are well. I wanted to let you know that since mid-June a number of us have been writing to Assemblywoman Amy Paulin to apprise her of the damaging effects of the Scarsdale revaluation on numerous residents. Her chief of staff recommended that if we wanted legislation on oversight of assessments, we should write to Assemblywoman Galef, which a number of us are now doing.

In the interest of transparency, Mr. Mayor, I send you a copy of the letter.
Ms. Conkling, may I ask you kindly to please include this letter and all else I have written in the last couple of weeks on your site when you upload the letters on the village website this coming Monday. I thank you for your time and efforts, Ms. Conling.

Best regards,
Mayra Kirkendall-Rodriguez

----- Forwarded Message -----

From: Mayra Rodriguez Valladares <mrvassoc@yahoo.com>
To: galefs@assembly.state.ny.us
CC: Paulina@assembly.state.ny.us
Sent: Wednesday, August 3, 2016 8:50 AM
Subject: Property Assessments in New York

Assemblywoman Sandra Galef
2 Church Street
Ossining, NY 10562

3 August 2016

Dear Assemblywoman Galef,

I trust that you are well. Thank you for your dedicated service to improving the life of New Yorkers. My name is Mayra Kirkendall-Rodriguez. I am a capital markets and bank regulatory consultant and trainer, and I am resident of Scarsdale, New York.

Since mid-June, I have been corresponding with Assemblywoman Amy Paulin's staff about the havoc that a property revaluation has wreaked upon Scarsdale residents. Scarsdale's Mayor and Board of Trustees approved a revaluation in January 2015 which was carried out in the spring of 2016 with little oversight by Scarsdale Village personnel and even less so by elected officials. A contractor from Newbury, Massachusetts, J.F. Ryan was hired in a no-bid contract and he proceeded to used a flawed model, completely inappropriate for Scarsdale, to conduct the property assessment. A team of very quantitative residents and I have found numerous problems with Ryan's model such as over 40% of relevant

sales data are missing, data manipulation, and lack of validation or auditing. We also have found numerous irregularities in the Village Assessor's office as to how she barely monitored Ryan or had the expertise to know what he was doing. Upon further research, we have found that J.F. Ryan has had problems with his assessments in municipalities in Vermont and Connecticut.

Since you are chair of the Real Property Tax Committee, I write to implore you to consider introducing and passing legislation that would require oversight of assessments in municipalities across the state of New York. These assessments have significant tax implications on the livelihood of residents across our state. The complete lack of oversight gives room for an incredible amount of cronyism, inequitable and abusive tax burden upon residents, and possibly even corruption.

Numerous Scarsdale residents have written and spoken to Mr. John Wolham of the The New York State Department of Taxation and Finance. While he has listened politely to our concerns, his office has no enforcement powers. As he answered me when I asked what his office can do if he finds problems in a town assessment, 'even if there were to be fraud, our office has no enforcement powers.' This leaves residents with no recourse but to spend money on appraisers, lawyers, and tax services to try to correct errors or willful blindness on the part of municipalities.

Please let me know to whom in your office I can speak, and I would be happy to call and give more details. In the meantime, here are just a few of the articles that residents

and we have published in the local media about this detrimental revaluation.

http://bit.ly/1PPBiQ1
http://bit.ly/29KgWbh
http://bit.ly/1UlJCG0
http://bit.ly/28Op1f1
http://bit.ly/29Jm2ol
http://bit.ly/292zqji

Here are articles about J.F. Ryan in other municipalities.

http://bit.ly/28X9QBk
http://bit.ly/2a9FVSa
http://bit.ly/292rDXC
http://bit.ly/29ZJvC5
http://bit.ly/2ah8Hmb

I look forward to hearing from you soon.

Best regards,
Mayra Kirkendall-Rodriguez

Mayra Rodriguez Valladares

Managing Principal
MRV Associates, LLC.
mrv@post.harvard.edu
+1-212-491-9153

Twitter: @MRVAssociates
http://www.MRVAssociates.com
http://www.linkedin.com/in/mrvassociates

MRV Associates Newsletter: http://bit.ly/1RakaSd

From: Gary Levy <Gary.Levy@CohnReznick.com>
Sent: Wednesday, July 13, 2016 4:57:13 PM
To: Mayor; Attorney's Office
Subject: Re-Val

Gentlemen,

I have attended numerous town hall meetings on the subject and the Ryan Model. Clearly, the model is flawed. On my block alone, new houses that are twice as large and very modern are assessed very close in value to smaller older homes. It is exhausting to sit through meetings and extremely upsetting to hear that there is nothing you can do. I realize this is something your predecessors did and you a stuck with those decisions. While you can't throw out the Ryan Model, you can hold who every made these decisions, reviewed this work and submitted this Re-val to NYS without any thought accountable. Terminate them.

You have an obligation to protect the future of our town and our residents.

Gary Levy, CPA
Partner
Hospitality Industry Practice Leader
Tel: 646-254-7403
Mobile: 917-747-7284
Fax: 646-834-4155
Gary.Levy@CohnReznick.com
vCard | Bio

From: hfweitz@verizon.net <hfweitz@verizon.net>
Sent: Wednesday, July 13, 2016 1:38 PM
To: Mayor
Cc: Attorney's Office
Subject: Reval

Dear Mayor Mark: After attending three reval hearings before the Board of Trustees over the past month, my wife and I are extremely perplexed at the intransigent position taken by you and the trustees.
Perhaps most significant is what is perceived by attendees as the cold shoulder given by the board to residents living in the village for 20 or more years. We have listened to the pleadings of some of the seniors living in the smaller homes saying that they will be forced to leave for financial reasons due to the huge increases in assessed valuations. My wife and I have lived here for 50 years and never before has there been an episode so detrimental to the residents and the Village as a whole. If Ryan's body of work was accurate by standards of mass valuations then residents would have no argument, but given the highly educated presentations made to the board by several residents coupled with the strange absence of Ryan and the village assessor at the meetings, we believe that you and the trustees have a duty to consider ways to right a wrong.
At last night's meeting, one of the trustees volunteered that the Village had sent a list of questions to Ryan. That is indeed a positive step because if Ryan did not comply with all the terms of his contract, the Village should take action to void the findings by Ryan under the contract on nonperformance grounds having nothing to do with the restrictive provisions of the NY Real Property Law.

Last night a resident highlighted to the Board several contractual provisions that seemed to require Ryan to deliver certain preliminary written reports to the Village, and the Assessor in particular. I am a retired attorney, but not retired so long as to not remember that a party to an agreement must comply with all material terms of that agreement. Otherwise that party can be held to have breached the agreement. My hopes are that you, the Board and the Village Attorney will see the nonperformance aspect as an opportunity to rid the Village of an ill entered into and performed contract with Ryan.

Everything else aside, how is it possible that in two years some homes increase in value by hundreds of thousands of dollars while others decline by like amounts. Thus, if the Board adopts the Ryan valuations, the only logical conclusion to be drawn is that the Tyler valuations were severely inaccurate and if such is the case, the Village should bring suit against Tyler to recover fees paid. The Board cannot have it both ways, saying on the one hand Tyler's work was valid and on the other hand, saying Ryan's work was valid. Their works are not in the same universe.

The Village has always had a policy of preserving open space. Let the Village also continue to have a policy of good government so that people can have faith in the people who govern them.

We trust that you and the Board will proceed in a manner that best serves the interests of the Village and the residents you represent.

Howard and Frieda Weitz
29 Lawrence Road

Sent from my iPad

July 18, 2016

Dear Mayor Mark and Village Trustees,

We have never grieved our taxes before, support funding of high quality village services, and do not believe in budgeting to a nonsensical, state-imposed tax cap. Although we do not believe such should be criteria for being heard on a subject of importance to the community, we are also long-time, civically engaged Scarsdale residents.

We are grieving our 2016 assessment but are now even more concerned with a broader issue of governance in the most recent revaluation process and its effect on the Scarsdale community. Our chief immediate concern is that the spirit of community in Scarsdale will be undermined as residents continue to be left in limbo with regard to the legitimacy of the Village's latest property revaluation.

Based on public statements by the Village Assessor, Manager and Trustees, it was our understanding that our Village government did evaluate the results of first 2014 revaluation and did conclude that, overall, Tyler Technologies succeeded in addressing long-standing inequities in Scarsdale property assessments but that the application of the Tyler model also resulted in some "outliers," which warranted an "update" of the first revaluation process.

At his November 17, 2015 public presentation, Mr. J.F. Ryan corroborated this predominantly positive evaluation of the results of the Tyler process in asserting, "Overall, our conclusion is that there remains a strong demand for real estate here in the community," with continued strong market conditions across all value ranges," including "high-end properties here in the community, as evidenced not only by the number of sales but the selling price."

There is more than sufficient reason to suspect that something went awry between the articulated policy goal of merely correcting 2014 revaluation "outliers" and the final results of the 2016 Ryan revaluation process. For example,

- Multiple residents with expertise in relevant fields have provided analyses suggesting that the Ryan model may have "undone" the 2014 revaluation and inequitably shifted the tax burden from larger properties back onto smaller properties; the analysis of Brice Kirkendall-Rodriguez, in particular, corroborates what we understood to be the Village's same nuanced conclusions with regard to the Tyler evaluation; and even the analysis of one resident who favors the outcome of the application of the Ryan over the Tyler methodology nonetheless entails a serious critique the former.

- While you may not have heard from a majority of Scarsdale home owners, significantly more residents have filed grievances than after the Tyler

revaluation, and they have done so in the absence of a period with which to review their property data with the Assessor's Office, and over a much more rushed time frame during which information required to fully understand one's new assessment was either difficult and time consuming to access, not immediately available, or available only after the grievance filing deadline, such as in the case of the statistical charts and the crucial fact that that the Village's entire value increased by only 0.58%.

- Although Mr. Ryan asserted on November 17, 2015 that "data accuracy and consistency is critical, particularly as it relates to subjective variables," our examination of valuation detail sheets of properties across the Village in order to understand our property's assigned characteristics identified numerous examples of inconsistency in the application of "traffic," "grade" and other qualifiers that undermine the credibility of the results and support the contention of residents with expertise that the tax burden has been inequitably and unjustifiably shifted. [*Please feel free to review the multiple examples we provided to the Board of Assessment Review in support of our grievance application.*]

- We also have yet to hear a convincing rationale for the Ryan model's apparently arbitrary use of elementary schools to define neighborhoods in lieu of units with actual, physically distinctive and homogeneous characteristics, such as Scarsdale's neighborhood zones, when, according to the New York State Office of Real Property Services Assessor's Manual (page 37): "Geographical neighborhood boundaries are influenced by such factors as:
    - homogeneity
    - land use
    - social trends
    - economic trends."

  The manual does state, "Locally defined neighborhood codes should be data collected if they are reliable and accurate;" however, Ryan has not offered any basis for considering Scarsdale elementary school areas to be either reliable or accurate.

- Finally, the level of care and thoroughness applied in the 2016 reval are now in question owing to glaring administrative oversights. For example,
    - Border properties that actually pay partial taxes to Eastchester were altogether mistakenly assessed; and
    - On July 15 we learned from raising a question at the Assessor's Office that one large property (10 Morris Lane) had been inspected in April as a result of extensive renovations; yet, the property's improvements somehow never got factored into its 2016 final assessment.

Despite these and numerous other issues and concerns that residents continue to raise,

the Village Trustees and/or Assessor have yet to either publicly defend or announce an intention to investigate what went wrong with the recent Ryan revaluation. However, it is critical not just for those grieving their assessments but also for the entire community to know whether or not our local leaders endorse the overall process and results of the Ryan revaluation.

In order to maintain public confidence in government, it is critical that our leaders explain and confer legitimacy on their policy actions and provide transparency when there are disputes, especially given that no decision will ever please everyone in the community. This fundamental expectation of governance applies equally to both policies that are straightforward and readily understood, such as the collection of grass clippings, and those that involve complex, esoteric statistical models, such as the two recent property revaluations. As former American Mathematical Society director and current Math for America president John Ewing has written (2011), "Mathematical models have limitations. They do not by themselves convey authority for their conclusions. They are tools, not magic."

Conversely, if human errors, unintended consequences and/or mismanagement contributed to a flawed revaluation, our leaders must be in position to identify what went wrong in order to learn from mistakes and thereby ensure the community's progress toward a regular schedule of accurate and equitable property re-assessment.

We therefore ask that you immediately seek an independent investigation of the 2016 Ryan revaluation and a review of available options by independent, outside experts prior to certifying the assessment in September. Moreover, although we are appalled by the lack of civility in tone expressed at recent Village Board meetings, we understand why people are both angry and dismayed and believe the Trustees could go a long way in addressing valid emotions by committing to such reasonable actions.

It is insufficient to simply to tell residents to grieve their new assessed values. At your November 17, 2015 meeting, Mr. Ryan asserted that it was "industry standard practice" for assessors to "address right away" with owners any "wrong characteristics" that may have been assigned to their property. However, contrary to "industry standard practice" and to the first revaluation process, there was no such opportunity for an exchange with our Village Assessor. Instead, we and other residents were told we must commit to the grievance process, which has meant that in many, if not most, cases, homeowners have been told to "go and seek an independent appraisal."

Under the circumstances, requiring homeowners to seek an appraisal is also unjust. It is the job of our Village Assessor to ensure not just accuracy but equity in assessments. As Mr. Ryan pointed out at the November 17 meeting, a "single property appraisal" has "a different set of constraints" than does a mass appraisal by the Village Assessor, "who is not only concerned with how accurate the value is" but also that "like properties are

treated in similar fashion – the notion of fairness, equity, which is "not something" that single appraisers "have to worry about."

Moreover, as resident Brian Nottage points out in his 7/12/16 letter, "systematic underassessment [*of a portion of the market*], if present, makes it harder for any individual to challenge their assessment, potentially perpetuating inequity." Various residents have made a plausible case suggesting a current under-assessment of the largest and over-assessment of Scarsdale's smallest properties. The fact that the aggregate assessed value of Village property increased by only 0.58%, while smaller properties in Edgewood and other neighborhoods increased by 20% and more, alone, places the burden on our Village government to show that all properties in Scarsdale were assessed fairly and that the result has not placed an unequal or disproportionate tax burden on the owners of smaller properties.

Finally, in addition to our concern about prolonging an unresolved situation with potential to pit community members against one another, we are deeply concerned about the possibility that the application of the Ryan methodology could result in the following three unintended longer-range consequences to the community:

1) Older residents on fixed incomes already in Scarsdale's smallest homes will not be able to bear the increased tax burden and will have no place to move but out;
2) The Ryan methodology's effective blurring of lines between Scarsdale's defined neighborhood zones will reduce the price points of entry into Scarsdale home ownership and thereby further reduce socio-economic diversity; and
3) This revaluation approach will serve to discourage smaller property holders from investing in the maintenance of their properties and accelerate the trend to tear down and replace older, smaller homes with much larger ones, often more than double in size, on small parcels that have been stripped of mature, canopy trees throughout Edgewood and elsewhere in Scarsdale, thus further undermining the community's expressed value in maintaining Scarsdale as a "village in a park."

Respectfully submitted, with sincere thanks for your service, time and consideration,

Dan Moretti
Mary Beth Evans
16 Edgewood Road
mbemore@aol.com
(914) 725-8115

Stephen Pappalardo
Scarsdale Village Manager
Scarsdale NY 10583

August 1, 2016

Dr. Mr. Pappalardo

The purpose of this letter is to express my extreme displeasure at the 2016 home Reval and specifically the newly assessed value of our home at 92 Penn Road.

My complaint may be somewhat of a surprise in that its not valued at too high a price but that it is too low and does not in any way reflex the actual value in the market place. Specifically, in the 2014 Reval our home was reduced to an assessed value of $1,447MM which resulted in a reduced tax charge of $5,000. This seemed reasonable to me as we had never grieved any tax charge and had no real idea of the homes value except what nearby homes in our area were selling for. The 2016 Reval further reduced our homes value to $1,150MM which now seems exceptionally low considering the most recent sales of homes very close to ours. For example, the home directly across the street at 85 Penn Road sold in March of 2015 for $1,548MM.The square footage of this home was much smaller than ours (2,575 sq. ft. vs. 3,247) while the lot was slightly larger. The new owners tore the house down and rebuilt a much larger structure considerably increasing the value of this property. Most recently, our immediate next door neighbor at 102 Penn Road just sold their home in June for about $1,500MM. This home is also smaller than ours and is on a smaller piece of property. Interestingly, our home is valued by our insurance company at $2,200MM based on its estimate to rebuild. Lastly, newly rebuilt homes on Penn Road and nearby streets such as Rural and Harvest are going for anywhere from $3,500 -$5,000MM. So, unless I am missing something how does the Ryan company assessment reflect marketplace reality? It simply does not.

One other erroneous point that was part of the Ryan assessment is that Penn Road is a heavy traffic area. This is impossible as Penn Road is basically a short circular street with only 23 homes that leads to nowhere in particular. In fact, Penn Road was once designated a private road in Scarsdale. The only traffic is from owners, guests and service people. It is not a cut through street like nearby Crossway or a major thoroughfare such as Weaver Street or Heathcote Road. Those are heavily trafficked routes not a short residential street.

I am not especially interested in paying higher taxes than warranted, but I am more than willing to pay my fair share. It is quite clear that the Ryan assessment is not based on factual data it also appears they did not do any real homework in basing home values. The Ryan Reval was not only an ill conceived project that should never have taken place at considerable cost with a different and obviously poor methodology. Yet, the Village cries they have no money to fix the disintegrating streets and are trying to cut back on services to save money, but were able to find sufficient funds to replicate a process that had just been done two short years before.

This entire project reflects poorly not only on your office but also on the assessor who shows total disregard for residents and their issues and on the entire Board of Trustees who obviously knew nothing about the Ryan protocol just that it would assist their insatiable quest for a higher tax base.

Mr. Village Manager (Steven), you grew up under Lowell Tooley a dean among village managers. This could never have happened under his guidance and you must well know it. He was too smart, too ethical and cared too much about Scarsdale. He listened to issues raised by residents and found solutions.

Alfred Gatta never filled Lowell's shoes during his unfortunate tenure. All he cared about was increasing taxes and providing less service. Scarsdale Village needs leadership which is sorely lacking on many levels and this is an opportunity to step up and rectify an egregious example of poor judgment by throwing out the Ryan Reval. I may not have to pay higher taxes, but what is the real issue here is how inappropriate the entire process has become and the discredit it brings to our Village and its residents who support it.

Respectfully,

C. Jeffrey Stein

Donna Conkling

From: Barry Kula <kulam@optimum.net>
Sent: Sunday, July 31, 2016 4:00 PM
To: Mayor
Cc: Clerk's Department
Subject: 2016 Property Reval

Date: July 30, 2016

To: Mayor Jonathan Mark, Mayor of Scarsdale

From: Barry Kula and Emma Kula, residents and property owners at 300 Boulevard, Scarsdale, NY 10583

RE: 2016 Scarsdale Property Reval

Dear Mayor Mark:

I am writing to express my objection to the 2016 Scarsdale property revaluation that I and my neighbors believe is unfair, illegal and flawed, and should be disqualified given it major problems. We ask for your help with this as we have, to date, not received adequate action or response from you and the board of our local Scarsdale government and believe that state law may have been broken.

Please post my letter on the Village site as I understand that my fellow Scarsdalians have also communicated there objections in recent letters to you, that based on the facts surrounding the reval and its flawed methodology and poor modeling, we residents believe that something needs to be done to disqualify this revaluation and revert to the 2014 reval.

As you know, there has been much protest at recent Scarsdale Village board meetings and many articles written about our situation. With this in mind, we respectfully ask that you read these pieces and help us as many of us have experienced wild swings in our property valuations following J.F. Ryan's recent reval. This flawed reval has raised significant concerns regarding the legality and competence of this reval process as well as the confidence in both our property values and, we believe, our local government officials who have not adequately responded to the concerns of our community.

The reval is especially egregious to older people and those with smaller properties who are disproportionately and adversely affected, warranting some serious consideration by our local government as well as potential interjection and oversight by the state.

Here are just a few of the articles, which have appeared thus far, in the local media explaining the significant problems with J.F. Ryan's opaque model and the Scarsdale revaluation.

http://bit.ly/293JQUQ
http://bit.ly/295tmLV
http://bit.ly/297CEVt
http://bit.ly/28VH4f9
http://bit.ly/1UlJCG0
http://bit.ly/1UX9Ag3

http://bit.ly/1PPBiQ1
http://bit.ly/28Op1f1
http://bit.ly/292zqji

Here are some articles showing that JF Ryan's valuation model has been criticized in other municipalities in Vermont and Connecticut. This further warrants the potential for the state to review the process as there was no bid and JF Ryan was awarded this contract that we believe they have not adequately delivered on based on the services they were contracted to deliver.

http://bit.ly/28X9QBk
http://bit.ly/28ZfEJ6
http://bit.ly/292rDXC

The experts in modeling and methodology around financial modeling have demonstrated that the 2016 Ryan real was seriously flawed, was not put out to bid, was awarded at a significantly reduced cost to the monitor of the 2014 reval yet the model was completely changed, over 40% of the recent sales data was not included, property values fluctuated 45%-65% in just 2 years while anyone buying or selling real estate know that is not the reality of the market, methodology and data surrounding he Ryan reval has not been share, Mr Ryan has not appeared before the board or community to address questions, and state law may have been broken.

We appreciate any review from your office and involvement in any way possible to insure that the law has not been broken and that members of our community can be given a fair and equitable resolutions to this train wreck of a real that our board was warned about prior to moving forward with it. Thank you in advance for your assistance.

Sincerely,
Barry Kula & Emma Kula

Donna Conkling

From: Barbara Wabeck <barbarawabeck@gmail.com>
Sent: Saturday, July 30, 2016 6:16 PM
To: Clerk's Department
Subject: Ryan reevaluation

To whom it may concern:
I Barbara Wabeck at 11 Windmill lane urge you to sue J. F. Ryan for a flawed evaluation. After the Tyler evaluation The court at White Plains lowered my tax basis to 925,000 but Ryan neglected to check it out and raised the rate $200,000. He has no real methods and doesn't pay attention to true facts .
Sincerely,
Barbara Wabeck

Sent from my iPad

Donna Conkling

From: Ashley tang <tang.ashley@gmail.com>
Sent: Friday, July 15, 2016 9:42 AM
To: Mayor; Manager's Department; Clerk's Department
Subject: Wrong and Unfair AV of 109 Brambach Road, Scarsdale

Hi,

We have done some simple analysis for several other houses with exactly same or better condition than ours in our same street. This information is from public records in scarsdale village website. All these have consistently show how this assessment is totally wrong and unfair. Since the tax is used to mainly cover town and school cost for all residents, unfair value means we are going to pay unnecessary extra money for other residents in this town. This is just NOT right.

Several other houses even with better condition have been only assessed ONLY as $950,000 ~ $975,000 in **the same street in the same neighborhood although ours AV is $1,200,000. All of them were built in or or after 2000, with same lot size, square footage, and structure as our property. After deduct the same land value $675,000. my house value was WRONGLY assessed($520,000) to be almost TRIPLE or DOUBLE of other houses ($200,000)in the same or better condition. All these houses details can be found in scarsdale website, you can choose house address from the following and it shows you all details**

http://www.scarsdale.com/Home/Departments/InformationTechnology/PropertyInquiry.aspx

Details:

Our property information is as following:
109 BRAMBACH RD
2016 Tentative AV 1,200,000 with land AV 675000 and house AV 520,000, 2015 AV is 1,064,000 . This house did not have any update in the past 6 years and no update except basement since it was built 15 years ago.
Lot Area 0.11 acres, Living Area 2413, Year Built 2000

Below are a few properties on the same street in the same neighborhood. All of them were built at or after 2000, with same lot size, square footage, and structure as our property. But the 2016 tentative AV on our property are so much higher than the others.

Our property information is as following:
109 BRAMBACH RD
2016 Tentative AV 1,200,000 with land AV 675000 and house AV 520,000, 2015 AV is 1,064,000 with land AV 425,000 and house AV 639,000 . This house did not have any update in the past 6 years.
Lot Area 0.11 acres, Living Area 2413, Year Built 2000

Comparing to 119 Brambach Road, our AV is **33.3% higher** even with a smaller lot size.
Comparing to 122 Brambach Road , our AV is **26.3% higher** and they are newer than our house built in 2003 and living condition is better. similar case applied to 121 Brambach Road which is built in 2010

Brambach #108, #109(our house), which are facing or next to each other, were built by one builder at the same year with same materials. But our AV is much higher.

119 BRAMBACH RD
2016 Tentative AV 900,000 with land AV 700,000 and house AV **ONLY $**200,000
Lot Area 0.12 acres, Living Area 2335, Year Built 2000
(same builder built similar house in same year 2000. All are relative new houses in scarsdale. This house AV ONLY 200,0000 which is ONLY 38.4% value of our house AV 520,000)

122 BRAMBACH RD
2016 Tentative AV 950,000 with land AV 675,000 and house AV **ONLY $**275,000 , Their 2015 AV is 95,900, without any reason, the AV even went down?
Lot Area 0.11 acres, Living Area 2273, Year Built 2003
(This house was built in 2003 which is much newer and much better condition than our house, however their house AV ONLY 275,000 which is 52.8% value of our house AV 520,000)

108 BRAMBACH RD
2016 Tentative AV 975,000 with land AV 675000 and house AV **ONLY** $300,000. Their 2015 AV is 93,200.
Lot Area 0.11 acres, Living Area 2092, Year Built 2001
(same builder built the two house in same year in 2000. They are in similar size. This house AV is ONLY 300,000 which 57.7% of our house AV 520,000. There total AV only have 42,000 increase . at the same time, our total AV has been increased 140,000)

Thanks

Liying Tang and Shengquan Peng

Donna Conkling

From: Avner Reggev <areggev3@hotmail.com>
Sent: Monday, July 25, 2016 1:57 PM
To: Clerk's Department
Subject: 2016 reval

Hi

I am a 22 year resident of Scarsdale, and I have never seen such inept and unfair handling of Village affairs as we now with the JF Ryan reval. The Village should demand that Ryan reformulate it's fatally flawed model and come up with a better model that will result in better fitting estimates ALL recent sales. I urge the Trustees to immediately start discussion with Ryan to that end. It will be a good idea to include Mayra Kirkendall-Rodriguez in such discussions. Should Ryan be unable or unwilling to go ahead with such discussion the Board of Trustee should use any means, including legal to force the issues

Thanks

Avner Reggev
25 Woodland Place
Scarsdale

July 12th Remarks Before The Board of Trustees

Good evening,

I am Mayra Kirkendall-Rodriguez from Fox Meadow.

Forty-two days into this disastrous 2016 revaluation, the village has yet to have J.F. Ryan or the village assessor answer any questions. There is no transparency in Scarsdale and the revaluation was not done in good faith. Elected officials have done nothing. Some of you have been in elected office since 2010. Many of you lived through the 2014 reval. You should at least encourage assessor to solve this egregious revaluation. Renown Nobel Laureate, Elie Wiesel, may he rest in peace, said that "Action is the only remedy to indifference: the most insidious danger of all" Trustees, stop being indifferent. Unfortunately, you are forgetting the 'trust' part of your title.

Scarsdalians, I urge anyone who has not watched the little publicized April 21st 2016 village meeting to do so. The very few residents who knew about the meeting turned up and asked J.F. Ryan good questions about model governance and oversight and received incredibly evasive answers, when receiving any. In that meeting, Trusteed Marc Samwick asked Ryan if he would be using a new model and the answer was 'yes.' Unfortunately neither the assessor nor elected officials asked about who would validate or audit the model. I find it incredible that on April 21st, Ryan still had not done calculations, and that you did not set a timeline for him to hand over data or a preliminary report. According to your own contract with him, he was supposed to have data approved by the Village assessor.

At the April 21st meeting, Ryan claimed that his goal was 'accuracy and uniformity' and that 'no one should pay more than their fair share.' Interestingly, Ryan stated 'one associate(not even Ryan, some college aged kid this) reviewed property characteristics from public way' Did any of you vet his associates? This person missed the trains, the county maintenance facility and parkway.

According to Ryan the Scarsdale 'assessor has the local knowledge and answered specific questions' Where is that public information on those interactions? Ryan stated that model 'calibration would happen until June 1.' This means that Scarsdale village intentionally designed the program, so that by the time residents were notified, we had **no** recourse but go through the painful, time consuming and expensive exercise of grieving.

Ryan said 'that he would give all documentation and would be transparent.' This never happened, and Scarsdale elected officials, the village manager and village assessor never required Ryan to do anything.

Mr. Samwick, you caught Ryan's calculation error. Was that not a hint that this person might not be the best to do a serious model? Ironically, Ryan stated that 'Public confidence is

important, so if a number does not make sense, we need to look at it.' That also did not happen.

We submit that on the basis of the analysis we have produced to you, the re-val represents an **unequal assessment** for many residents of Scarsdale. We have shown you that without documenting why, Ryan did not use over 40% of actual sales and proceeded to manipulate construction grades and traffic multipliers. The recently released Village graphs show that the town's entire value increased by only 0.58%; however, a great portion of the properties in Edgewood, Quaker Ridge, parts of Fox Meadow and smaller segment of properties across the village increased by 20% and far higher. In short, a whole segment of the town is assesed at a disproportionately high rate and as a result, will be required to pay a disproportionately high tax.

On the basis of this, as well as the statistical analysis quite a number of quantitative Scarsdalians have presented to you, we believe that courts likely would find that we have met the very minimal burden of proof that is required for an unequal assessment challenge.

The burden should be on the **Village** to show that the values of other properties in the village were valued by the same standards. We should not have to go to court to get the Village to recognize this – the data on their own present what the law calls a *prima facie* case of unfair re-assesssment.

Indeed, the taxpayer's burden of proof is only to establish an unjust tax verdict by "substantial evidence." This is a very low burden of proof -- far less than a preponderance of the evidence-- and as a result, ***the burden of proof is on Scarsdale*** to justify its assessments of our properties in relation to the assessment of other properties.

Mr. Samwick you asked Ryan if he was using a different model from Tyler's. He said 'yes,' Yet when we met the Mayor and you, you told me that he told you that he was *tweaking*. That is **not** what Ryan said public. You have been in real estate since 1986 You also have an MBA in Finance and Real Estate from Columbia where you would have taken a class on NPV modeling and stats. You would have learned about model noise, which is what happens when you change models. You would have taken a class in stats and learned about outliers. You would have also taken a class on leadership. Have you used any of those skills in the last couple of months in your role as a trustee??

Mr. Finger, you are a lawyer and in real estate. In a March 2015 interview with Scarsdale10583.com, you claimed that you would use your critical analysis during board meetings. What happened to your critical thinking during the whole reval process? Also two weeks ago, you said you were sorry that we are upset. The more you kept talking, I was convinced that you were going to break out a bottle of bourbon and a banjo and sit on a three legged couch to sing a country song about how you feel our pain. Mr. Finger, I am from Texas. I did not like country music then, and I am not about to start liking it now. You do not feel our pain. In fact, all trustees and current mayor are completely untouched by the reval; your

assessments barely changed or went down. The previous mayor, in fact, had his assessment decrease considerably.

To you my fellow Scarsdalians, I urge you **not** to take this sitting down. Please write at ScarsdaleMayra@yahoo.com to get on our distribution list. Please write to the attorney general Eric Schneiderman, the NYS Department of Taxation and Finance, and to state and congressional representatives.

Please let the world know that Scarsdale's village personnel and our elected officials have shown their indifference to the havoc which they have wreaked upon us. Tell the world that our so called leaders do not value numeracy, good governance, or the wellbeing of **all** residents in our beloved Village of Scarsdale. Albert Camus said that, 'Where there is no hope, one must invent hope.' It is only pessimistic if you stop with the first half of the sentence and just say, 'There is no hope.' Like Camus, we must persevere and find hope.

Donna Conkling

From:	Mayor
Sent:	Tuesday, July 26, 2016 12:32 PM
To:	Manager's Department; Attorney's Office; Clerk's Department; Nanette Albanese; Patrick McEvily; Steve Pappalardo; Robert Cole; Donna Conkling; Mayra Rodriguez Valladares
Subject:	Re: August 17th Meeting

Dear Ms Kirkendall-Rodriguez-- Responding to your questions below:

1. In the past, Mr. Wolham has not brought a colleague from his office when he attended meetings like the one scheduled for August 17th. For your reference, Mr. Wolham is the Regional Director of the Southern Region of the Office of Real Property Tax Services, a division of the NYS Department of Taxation.
2. It is not contemplated that anyone from the IAAA or similar organization will be at the meeting.
3. The Village agreement with J.F. Ryan is being reviewed by the Village Attorney and the Village Manager. Independent counsel has not been retained to do the review you reference.

Very truly yours, Jon Mark

From: Mayra Rodriguez Valladares <mrvassoc@yahoo.com>
Sent: Tuesday, July 26, 2016 10:41 AM
To: Mayor; Manager's Department; Attorney's Office; Clerk's Department; Nanette Albanese; Patrick McEvily; Steve Pappalardo; Robert Cole; Donna Conkling
Subject: August 17th Meeting

Dear Mayor Mark,

Thank you for announcing this morning that J.F. Ryan will finally come to Scarsdale residents to answer questions. As you know, we have been requesting this since June 14th. As I stated this morning, we respectfully encourage you to have Ms. Albanese, Mr. McEvily, and any other Village Assessor staff present. We hope that Mr. Pappalardo is in attendance as well.

Ms. Albanese has already been forwarding all of our emails and taking the time to scan Scardale Inquirer articles for

J.F. Ryan. We hope that this means that he will have clear and defensible answers to all of our questions.

Please confirm if anyone in addition to John Wolham from the NYS Department of Taxation and Finance will be present August 17th? Will anyone from the International Association of Assessing Officers or any such body be present at the meeting?

Would you kindly clarify if independent counsel has been hired to review whether J.F. Ryan and the Assessor fulfilled their responsibilities under the contract? We have yet to see evidence that they fulfilled their responsibilities.

Also, the FOIL for the missing sales is due today. We look forward to receiving it.

We look forward to hearing from you soon.

Best regards,
Mayra Kirkendall-Rodriguez

Mayra Rodriguez Valladares

Managing Principal
MRV Associates, LLC.
mrv@post.harvard.edu
+1-212-491-9153

Twitter: @MRVAssociates
http://www.MRVAssociates.com
http://www.linkedin.com/in/mrvassociates

MRV Associates Newsletter: http://bit.ly/1RakaSd

Original Message
From: Mayor <mayor@scarsdale.com>
Sent: Thursday, July 21, 2016 16:38
To: Manager's Department; Attorney's Office; Clerk's Department; Steve Pappalardo; Donna Conkling; Nanette Albanese; Patrick McEvily; Robert Cole; Mayra Rodriguez Valladares
Subject: Re: FOIL #1

Dear Ms. Kirkendall-Rodriguez -- This acknowledges receipt of your email.

Very truly yours, Jon Mark

From: Mayra Rodriguez Valladares <mrvassoc@yahoo.com>
Sent: Thursday, July 21, 2016 4:15 PM
To: Mayor; Manager's Department; Attorney's Office; Clerk's Department; Steve Pappalardo; Donna Conkling; Nanette Albanese; Patrick McEvily; Robert Cole
Subject: FOIL #1

Dear Mayor Mark,

I hope that you are well. We have been analyzing the communications that Village Hall sent on our first FOIL. We are very disturbed to see that J.F.Ryan and the Village Assessor's personnel had errors in the model even as late as June 1, 2016. We still have yet to see evidence that J.F. Ryan's model design, assumptions and data were validated and audited by professionals with modeling expertise. It is highly irregular that J.F. Ryan and Village Assessor's personnel were making all kinds of subjective changes to construction grades and traffic multipliers even up to the last possible moment without documenting why this was happening. In a number of the communications, it is clear that there is very little model risk governance.

Also, why is it that the Assessor's office still cannot answer why there are 159 actual sales missing from the model and where is the documentation to explain the missing data? It is clear from the emails that neither Ms. Albanese nor Mr. McEvily know the answer.

We are also very troubled that Ms. Albanese is constantly forwarding numerous residents' emails and local media articles to J.F. Ryan and yet does not answer our phone calls or emails. Does she work for J.F. Ryan or for Scarsdale residents? It is also strange that while she forwards emails to him, we are not seeing his response. To what email address is he responding?

It is also disappointing to see Ms. Albanese criticize a number of Scarsdale residents and you as well, Mr. Mayor. We have yet to see any evidence that Mr. Pappalardo is managing Assessor personnel properly.

Surely our taxes need to be managed better.

Ms. Albanese what are the hand written notes on page 38 of the Vetting document talking about someone overbilling and manipulating data? To what does the phrase 'fat hogs get slaughtered' refer?

In mid-June you have an email stating 'as Texas goes so does New York.' To what does that refer?

Where is the preliminary report that Ryan was supposed to hand in as per the contract?

Mayor Mark, we again recommend that if you refuse to invalidate this very badly run revaluation, you should get an independent modeler and counsel to review this disaster.

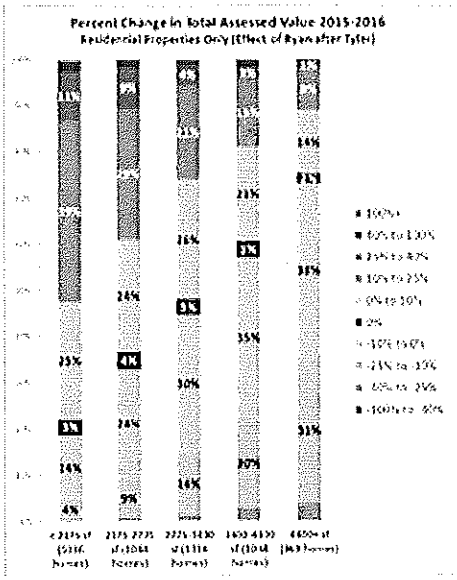
Regards,
Mayra Kirkendall-Rodriguez

Mayra Rodriguez Valladares
Managing Principal
MRV Associates, LLC.
mrv@post.harvard.edu
+1-212-491-9153

From: Marcus Reidenberg <mmr47@cornell.edu>
Sent: Saturday, July 23, 2016 3:30 PM
To: Mayor
Cc: Clerk's Department
Subject: reval

Dear Mr. Mark:
I have been following the reval correspondence in the Inquirer and on the web sites of Scarsdale and Scarsdale10583.
My own view is that such a big difference in the two assessments of fair market value only 2 years apart indicates that one or both of them must be very wrong as can be seen in the table below from Scarsdale10583. Forty percent of the small homes could not have gone up in value by more than 10% in these 2 years and 31+ percent of the big homes could not have gone down by more than 10%. One or both of these assessments has to be badly flawed.
Since Ryan was the monitor from Scarsdale of the first (Tyler) assessment, Ryan effectively approved Tyler's assessment. Now, 2 years later, Ryan states that the assessment Ryan approved was really invalid and badly flawed. This makes no sense.
I urge that an independent audit or review of both assessments be made so that we can understand the reasons for this huge difference in the assessments made 2 years apart. Suggestions for how the village can determine fair market value of the houses in Scarsdale should also be made by the independent reviewer.
Yours truly,

Marcus Reidenberg
39 Greenacres Ave.



Donna Conkling

From: M. Hill <thehillfam@msn.com>
Sent: Thursday, August 04, 2016 2:15 PM
To: Clerk's Department
Subject: Ryan Revaluation - Protest

Dear Ms. Conkling,

We believe that Scarsdale Village should void the 2016 Revaluation, because it is based on a flawed model and opaque process.

During the 2014 re-assessment, our home was visited twice by Tyler Tech (as we were selected by the village for a random 2nd verification of the assessment). In addition, we had a meeting with a rep. from Tyler one-on-one, to contest the square footage calculations of our home. After the meeting with Tyler, and the follow-up adjustments by the village, we felt the 2014 assessment was fair. Now based on a Ryan "drive-by" our assessment has increased to a number that is larger than the original Tyler assessment. How can that be acceptable? We support the voiding of the Ryan Assessment.

Margaret & Gerry Hill
5 Jefferson Rd.
Scarsdale, NY 10583

Donna Conkling

From: malenitb@verizon.net
Sent: Sunday, July 17, 2016 6:08 PM
To: Mayor; Clerk's Department
Subject: Scarsdale 2016 Ryan Reval

Dear Mayor Mark,
As a long time resident of Scarsdale I am writing to you regarding the recent Ryan reval. It is apparent based on my own reval, others residents in my area and the many, many Scarsdale residents that have come forward to communicate their own reval errors, that the 2016 reval is seriously flawed and needs to be voided. Based on my attendance at the town hall meetings, I've been extremely disappointed with the trustees and your own indifference to the facts that have been presented that clearly identify the reval as unsound, and froth with defects and inconsistencies. Categorizing the facts that have been presented at these meetings as merely opinions and remarks is an insult to the intelligence of the residents that brought them forward to you and the board. Not taking any action and hiding behind the threat of lawsuits is a complete lack of integrity. You have an ethical obligation to your office and the residents you represent to take the only corrective action available to you at this time, and void the Ryan reval.
I would appreciate it if this email is posted to the Village site.
Sincerely,
Robert Malenitza

Donna Conkling

From: Ran's Gmail <liuran26@gmail.com>
Sent: Tuesday, July 26, 2016 3:38 PM
To: Mayor
Cc: Clerk's Department
Subject: Protest for using JF Ryan assessment

Simply based the dramatic difference between the two assessments, one by Taylor and another by JF Ryan, which equals a astonishing 53% increase on my small house of 1600 sqrt, I am entitled to shout out loud, JF Ryan's ASSESSMENT IS TRASH!! Can someone imagine a 1600 sqrt on a busy big road selling for 1.25MM? Can someone imagine such a small house can appreciate 53% in two years? Would JF Ryan himself take my house for this price? I will sell it to him in no time. They used a lousy model that has no data basis, no in-person walk through and not even a drive through of many locations, they simply manufactured some numbers that fit the budge goal of this township and that make the big house owners happy and small house owners cry. I strongly suspect there a corrupted deal made between JF Ryan and the township when they were hired for the project. What is the point of having two assessments in a row just to result in huge swings on property values and cause chaos to the peaceful lives of residents? Our tax money should not be wasted so mindlessly and irresponsibly. We demand a justice to our livelihood in this town that we residents built. We are now being compelled out of this beautiful town. The end result of all these craziness caused by JF Ryan is that town will receive smaller tax $$$ simply because of outflow of discontent people like me. Is this your Goal, Mayor?

Owner of 4 kathy lane

RE: Scarsdale Assessment

FROM: Ray Silverman, 250 Madison Road

Would you hire an employee without checking his/her references? Why wasn't the Ryan Company's past results investigated? Shouldn't that have been a standard way of hiring an assessment company? Find out what their track record was and if their assessments were affirmed in towns where these new assessments were challenged. Their results in Norwalk and Westport, Connecticut have been challenged and results of assessments in Vermont are also under question.

Just because the town of Scarsdale has the right to hire a company without competitive bidding and investigations, doesn't mean it is the right way of hiring a company whose result can have such a significant effect on the town and its taxpayers.

Ryan is using a square footage assessment model for smaller homes (approximately 2000 square feet) and then doubling the assessment for homes that are four times the size. That these mega mansions should only be assessed twice as much is beyond comprehension. Home valuation is largely based upon square footage.

A small home in Scarsdale is often purchased as a starter home for a young family and is usually purchased at the top of the family's budget. These families (and often retirees) usually have considerably less disposable income than someone who owns an 8,000 square foot home. An 8,000+ square foot home is usually for the very affluent, with considerable disposable income. These larger homes have every amenity and are often newer or have been completely renovated. The value of these oversized homes is considerably more than double the value of a 2000 sfh.

What the Ryan assessment is doing is pushing the owners of smaller homes out of Scarsdale because of the tax overvaluation of their homes. They are the backbone of Scarsdale. The families in smaller homes moved to Scarsdale because of the excellent school system and those breadwinners are willing to make considerable sacrifice to make these schools available to their children. Retirees prefer living in a home in which they have lived for decades and are on a fixed income. They have

no ability to earn more in the future. While they pay school taxes, they do not use the schools. They are an income/tax asset for Scarsdale.

The basic premise of the Ryan assessment is also at fault. It seems to be based on the future value of a rising real estate value of homes. In fact, luxury home sales in New York City are falling. As has happened in the past, and will soon migrate to Scarsdale. There are a fixed number of people who can afford homes that cost many millions of dollars. Once the prices of homes remain stable or start falling will Ryan's assessment be reduced and redone, costing yet more money to the tax payers in Scarsdale?

I request that the town of Scarsdale bring a lawsuit against the Ryan company in hopes that tis re-evaluation be made null and void.

Thank you.

Ray Silverman

Board of Trustees
Scarsdale, NY

Hello,

I know I have been slow to follow up on my earlier analyses, but my wife and I did have a nice time on a cruise and a few days in Lisbon.

Back with the Tyler reval, eventually, I was able to audit much of the process. By this I mean I could reproduce the math by which Tyler went from the raw sales data to the model formulas and the selection of the comparables. Once I had confidence that I could reproduce Tyler's process in this way, I able to discern why I disagreed with certain elements of it.

So far, I have not been able to audit most of John Ryan's work in a similar way. Basically, nothing has been posted that explains how John went from the raw sales data to the neighborhood "multipliers", the bathroom "coefficients", and the other multipliers and coefficients. Just last week, I submitted a FOIL requesting this information and other information.

It is obviously a problem if John (and Assessor Albanese) eannot explain the actual math behind these mathematically derived elements.

In the event that members of the Board or village management have the opportunity to discuss things with John, I wanted to bring to your attention that he explicitly committed to providing this information at the November 17, 2015, meeting of the Committee of the Whole. The following starts at about 07:30 of the "Part 2 of 2" that is on the website for that meeting.

> Michael Levine: Well one question, even preliminary, is your model a -- what would be called a -- linear regression, a multiple linear regression using least squares, as was Tyler's?
>
> John Ryan: That process is still going on right now. When you talk about...
>
> ML: Tyler's model, I could take....
>
> JR: You want me to answer the question or not?
>
> ML: Okay.
>
> JR: Okay. What you just described is what we call a calibration technique. We're looking at multiple calibration techniques to try to model why people pay what they pay for properties here in the jurisdiction. .
>
> ML: All right.

JR: So, ordinary least squares which you are referring to is just another calibration technique. We're considering a number of different calibration techniques.

ML: I'm not saying you should or you shouldn't use it. I just wondered what you are doing. With Tyler's model, once I had the sales data, I could reproduce the model exactly using Excel, using the standard multiple linear regression. I would like to be able to do that once your model is complete. So, I'm anticipating, I'm trying to understand, what your model is, or your models, and what the inputs are, and what the mathematical techniques...

JR: That's a fair request, and when the time is appropriate, I'm, we'll be more than happy to share that information.

ML: Okay. Thank you.

In other words, I told him I wanted to be able to reproduce his model, starting with the sales data, and he told me that, "when the time is appropriate" he would "share that information."

Thanks,

Mike Levine
July 25, 2016

From: xin liu <xinliu987@yahoo.com>
Sent: Wednesday, July 13, 2016 2:42:22 PM
To: Mayor
Subject: Dear Mayor -

Please consider invalidating the revaluation on the grounds that J.F. Ryan and the village assessor did not fulfill the contract.

Simply - we purchase our house on 13 Hampton Rd for $1.7 mm in July last year and got assessed for $2mm. This is a glaring error, which indicates how wrong JF Ryan method is.

Xin Liu
Resident at 13 Hampton Rd.
914-713-8827

From: Bal1998 <bal1998@aol.com>
Sent: Thursday, July 14, 2016 9:10 AM
To: Mayor
Subject: From Resident Susan Levine...about the Ryan Reval

Dear Mayor Mark and Trustees..

I agree entirely with Robert Berg and Robert Harrison and their presentation at the July 13 Village Board meeting.

I do think that in fairness another person should be added to the BAR for the Reval work.. and Dorothy Finger should be asked to resign.

I also believe that the Ryan Reval should be voided for all the reasons given by those who speak so well and have given more than enough justification for that.

My husband and I are 47 year Scarsdale residents..
Seniors..
who cannot afford the increase in our taxes as the result of what we believe to be our large over assessment by Ryan..way above the Tyler assessment.
We live on a tiny .15 piece of land in Heathcote and have the second smallest house in the entire neighborhood..and the oldest. Built in 1929. Unimproved.

I am disappointed in how little you are willing to do for those of us in this position.. despite the fact that you have been offered various grounds upon which you can act to Void the Ryan reval.

Tyler's reval has already been grieved..over 2 years.. so it would seem that your actions would not result in a huge wave of new grievances our Village Attorney has contended.

In any case...I do think that this latest Reval was a big mistake..

Ryan did not act in our best interests of our Village...

and that it appears that the huge Reductions for those in Murray Hill were passed along as Increases for those of us on the smallest pieces of property..the smallest and oldest homes.. like mine..and to people who can least afford the increases.

Respectfully submitted...

Susan Levine
Ardmore Road

Donna Conkling

From: Sheila <sirl4@aol.com>
Sent: Monday, July 25, 2016 1:11 PM
To: Clerk's Department
Subject: Revaluation!

Attention Scarsdale Clerk,

I have been a Scarsdale resident for the past 38 years. For most of that time I was a single mom and sole supporter of my family. With many changes occurring when my children were young, I decided to stay in Scarsdale and provide some stability for them. I knew the school system was outstanding and that they would receive an excellent education and they did. It was challenging to say the least, and often I worked several jobs a week, for years. My children did well at school and both went on to college and law school. Now that I am a senior and recently retired, I find myself faced with an enormous challenge – an unfair assessment of my home. After the Tyler assessments, my 2100 sq. ft. 1952 ranch, on .4 acre went down $400. Despite the size of the plot, my property is unique in that it sits below street level, on a slope, situated between two main streets and has a rather large water channel which dissects my property and provides an easement for the town. My home is modest, the rooms small and the land, not very appealing to most. Based on these factors, I thought the Tyler assessment fair. However, after a ride-by, by Ryan Associates, my assessment went up 50% for an additional $10,000. Just when I thought I could "take a breather," I am faced with this serious dilemma. Social Security goes up in small amounts (dollars) if at that, and I am now faced with accumulating an amount in the thousands to pay my April tax bill. Please do not turn your backs on the many residents who have been here for decades and have paid their fair share throughout the years. Many of us have been active participants in this community. We served on committees and PTA boards, were Village Club members and school coaches. We helped to build this amazing town. And so, having given of our time and dedication to Scarsdale, we are dismayed and heartbroken hearing that there is **nothing that can be done** to correct the recent assessments. We are living in a world where similar sentiments are echoed daily. But look around, things are certainly not improving. I think the time has come to join together and use our talents, abilities and minds and begin to make things better for all!

Sincerely,

Sheila Stempler

From: Sara Kober <sara.kober@gmail.com>
Sent: Wednesday, July 13, 2016 1:52 PM
To: Mayor
Cc: Attorney's Office
Subject: Ryan revaluation.

The latest revaluation by Ryan is completely flawed and should be discarded in it entirety. As long time residents (over 20 years) we are disappointed in the mayor as well as the trustees who allowed this poorly conceived second revaluation to be finalized. Large properties are paying less, small properties are paying more. My 1/2 acre lot with a modest 1950s house actually increased BOTH times. Moreover, our tax dollars are being wasted on these repetitive revaluations designed not to correct a perceived issue in the original reval (plenty of people filed grievances and had their day in court) but to satisfy an outspoken minority of wealthy residents who will now receive a tax break to which they aren't entitled.

Sara and David Kober

Sent from my iPhone

Donna Conkling

From:	phylstagg@aol.com
Sent:	Tuesday, July 26, 2016 11:51 AM
To:	susan.savage@tax.ny.gov; orpts.southern@tax.ny.gov
Cc:	Clerk's Department
Subject:	please void the 2016 Scarsdale reval

Dear Susan Savage and John Wolham --

Please do whatever you can to help void the flawed 2016 Scarsdale reval. It was a train-wreck that happened and hammered seniors like me and my husband who had hoped to stay in our lovely but now almost unaffordable home.

By copy of this we are urging our village board and mayor, as Bob Harrison so aptly suggests, to sue J.F. Ryan for a refund of fees paid and resulting damage it caused so many residents.

Thank you,

Phyllis Stagg-Pilla and Ed Pilla
11 Gorham Rd.
Scarsdale NY 1053

ROBERT J. BERG

SPEECH TO BOARD OF TRUSTEES

Good evening. Robert Berg, 32 Tisdale Road.

I am a sitting member of the Board of Assessment Review which is presently engaging in the grueling process of reviewing the unprecedented 1,050 property owner tax grievances arising from the 2016 Ryan revaluation.

I speak tonight as a private citizen and not on behalf of the Board of Assessment Review.

The demands being placed upon the FOUR ACTIVE MEMBERS of the Board of Assessment Review as a result of the Ryan TRAINWRECK of a revaluation are overwhelming and unfair.

The situation has been exacerbated by the UNEXPLAINED REFUSAL of the fifth member of the Board of Assessment Review, Dorothy Finger, to hear any cases.

Certainly, no one on the Board of Assessment Review asked Ms. Finger to sit this year out. She has chosen to do so of her own volition, and yet, she wants to remain on the Board of Assessment Review.

Given the crazy workload of the BAR this year, Ms. Finger's decision NOT TO DO HER JOB AND NOT TO RESIGN is simply ridiculous.

When Ms. Finger announced that she was recusing herself from all cases on Grievance Day, I immediately told the Village Attorney that the BAR needs a FULL BENCH and that he should find us a replacement ASAP.

I have since repeated my request to both the Village Attorney, the Village Manager, and the Mayor on several occasions.

So WHERE DO WE STAND IN MID-JULY, 3WEEKS AFTER GRIEVANCE DAY?

NOTHING HAS CHANGED!

We remain a four man team, with one of our members about to embark on a long-planned 2 ½ week vacation.

That means we'll be down to the statutory minimum of 3. We can only sit if ALL THREE REMAINING MEMBERS are available.

This puts the active members of the BAR under terrible and unfair pressure.

WE ALREADY HAD TO CANCEL A PLANNED PUBLIC GRIEVANCE HEARING ON JUNE 29 AT THE LAST MINUTE BECAUSE WE COULDN'T GET A QUORUM. 40 PEOPLE HAD SIGNED UP TO PRESENT, AND WE HAD TO RESCHEDULE FOR THE MORNING OF JULY 1, RIGHT BEFORE THE LONG HOLIDAY WEEKEND. THAT WASN'T RIGHT.

We have to give up four hours, two to three evenings per week every week this summer to CLEAN UP A MESS THAT YOU CREATED.

AS WE TRY TO DO JUSTICE FOR OUR FELLOW RESIDENTS, you can't even impress upon Ms. Finger the need for her to resign and for you to find a replacement to ease our burden.

With a fifth BAR member, we could work out a rotating schedule to have a legal quorum of three members, while giving two members a

break. That needs to happen NOW! BUT YOU ARE DROPPING THE BALL YET AGAIN!

SHAME ON YOU! YOU JUST KEEP YOUR HEADS BURIED IN THE SAND AND HOPE THIS WILL ALL GO AWAY!

WHERE'S THE LEADERSHIP? WHERE'S THE JUDGMENT? WHAT'S WRONG WITH THIS PICTURE?

YOU'VE HEARD FROM ME AND MANY OTHERS IN THE COMMUNITY OVER THE PAST FEW WEEKS HOW SCREWED UP THE RYAN REVALUATION IS AND HOW NEGATIVELY AND UNFAIRLY THIS REVALUATION HAS IMPACTED MANY RESIDENTS, ESPECIALLY SENIORS IN SMALL HOUSES IN EDGEWOOD AND IN FOX MEADOW.

LET ME PUT SOME FLESH ON THOSE BONES.

I'VE BEEN A MEMBER OF THE BAR FOR SEVERAL YEARS NOW. NORMALLY, ON GRIEVANCE DAY, A COUPLE, OR MAYBE A DOZEN, GRIEVANTS COME BEFORE US TO ARGUE THEIR CASES. WE'VE NEVER HAD TO HOLD A SECOND DAY OF HEARINGS.

EVEN AFTER THE TYLER REVAL TWO YEARS AGO, WE FINISHED OUR HEARINGS ON GRIEVANCE DAY, THOUGH WE WENT PRETTY LATE.

THIS YEAR, NEARLY 200 GRIEVANTS CAME BEFORE US TO ARGUE. THIS IS AN ASTONISHINGLY HIGH NUMBER.

WE WOUND UP HOLDING THREE DAYS OF HEARINGS.

I INVITED THE MAYOR TO ATTEND THE HEARINGS, AND HE AND TRUSTEES VERON AND PEKAREK DID. THEY GOT A CHANCE TO HEAR HEART-WRENCHING STORIES ABOUT HOW THIS FLAWED REVAL IS IMPACTING MANY OF OUR RESIDENTS, ESPECIALLY SENIORS, WHO FEAR THEY WILL HAVE TO SELL THEIR HOMES AND LEAVE THEIR BELOVED COMMUNITY.

SOME WHO CAME BEFORE US, WHO HAVE LIVED IN SCARSDALE FOR MORE THAN 50 YEARS, LITERALLY WERE CRYING AS THEY BEGGED FOR RELIEF. THIS WAS HEART-WRENCHING AND INFURIATING AS WE HAD TO SUGGEST TO MANY THAT THEY SHOULD GO OUT AND GET AN INDEPENDENT APPRAISAL AT THEIR OWN EXPENSE TO SUPPORT THEIR GRIEVANCE.

THERE ARE PLENTY OF SENIORS IN THIS VILLAGE WHO HAVE BARELY ENOUGH MONEY TO KEEP THE LIGHTS ON, AND WE'RE ASKING THEM TO SPEND SEVERAL HUNDRED BUCKS TO DISPROVE THE FAULTY RYAN VALUATIONS ON THEIR PROPERTIES. THIS IS JUST SO WRONG.

THE BOARD OF ASSESSMENT REVIEW HAS NOW MOVED INTO THE DELIBERATIONS AND DECISION PHASE OF OUR WORK.

WE HAVE MET THREE TIMES FOR 3 ½ TO 4 HOURS EACH SESSION. THAT'S ABOUT ALL WE CAN DO EACH SESSION BEFORE FATIGUE REALLY KICKS IN.

WE ARE MEETING AT LEAST TWICE EACH WEEK IN THE EVENINGS.

TO DATE, WE HAVE REACHED DECISIONS ON 154 CASES. SO WE SEEM TO BE AVERAGING ABOUT 50 DECISIONS PER SESSION.

AT THIS RATE, WE'LL NEED A TOTAL OF 21 SESSIONS TO COMPLETE OUR WORK.

IT IS IMPORTANT TO REMEMBER THAT THE FOUR OF US WORKING ON THE BOARD OF ASSESSMENT REVIEW ARE VOLUNTEERS. WE ARE FAMILIAR WITH REAL ESTATE VALUES IN SCARSDALE, BUT WE ARE NOT TRAINED REAL ESTATE APPRAISERS OR ASSESSORS.

FACED WITH AN OVERWHELMING DOCKET, WE DO THE BEST WE CAN TO DO JUSTICE. BUT INSTEAD OF A RIGOROUS ANALYTICAL PROCESS USING A WELL-CONCEIVED AND TESTED MODEL, ALL WE CAN DO IS LOOK AT THE RYAN VALUATION AND THE EVIDENCE THE GRIEVANT PROVIDES AND MAKE A SEAT OF THE PANTS JUDGMENT AS TO THE VALIDITY OF THE GRIEVANCE.

THIS IS WHAT YOU ARE GETTING AFTER PAYING TYLER A MILLION BUCKS AND RYAN $110,000 TO GIVE HIS SEAL OF APPROVAL. THIS IS WHAT YOU GET AFTER PAYING RYAN ANOTHER HALF MILLION DOLLARS TO CREATE CHAOS IN THE ASSESSMENT ROLL. AND YOU'VE IMPOSED ENORMOUS OUT OF POCKET EXPENSES AND ANXIETY ON THE COMMUNITY.

I'M VERY PROUD OF THE WORK THE BOARD OF ASSESSMENT REVIEW IS PERFORMING THIS SUMMER. BUT WE SHOULD ALL RECOGNIZE THAT THIS IS A HELL OF A WAY TO RUN A RAILROAD.

NOW FOR SOME STATISTICS – OF THE 154 CASES WE'VE DECIDED SO FAR, WE'VE REDUCED VALUATIONS IN 94 CASES.

WE HAVE LEFT 60 CASES UNCHANGED.

THUS, WE'VE GRANTED REDUCTIONS IN 61% OF THE CASES WE'VE DECIDED.

THIS IS AN INCREDIBLY HIGH PERCENTAGE OF REDUCTIONS. IN MY EXPERIENCE, THE BOARD OF ASSESSMENT REDUCES VALUATIONS FOR ABOUT 20% OR LESS OF THE GRIEVANCES PRESENTED.

EVEN IN THE LAST REVALUATION TWO YEARS AGO, WHEN 956 GRIEVANCES WERE FILED, THE BOARD OF ASSESSMENT REVIEW REDUCED VALUATIONS ON SLIGHTLY OVER 200 PROPERTIES – OR JUST OVER 20%.

(Note: 956 grievances were filed in 2014. 735 were appealed following the BAR decision. That leaves 221 which were reduced (or for a small number, were not reduced but not appealed).

SO THE 61% NUMBER WE'RE SEEING SO FAR IS EXTRAORDINARILY HIGH.

MOREOVER, MANY OF OUR ADJUSTMENTS SO FAR HAVE BEEN VERY SUBSTANTIAL.

NORMALLY, WHEN WE MAKE REDUCTIONS, THEY ARE NOT DRAMATIC – OFTEN $25,000 OR $50,000, EVEN ON LARGE PROPERTIES.

THIS TIME, WE ARE FREQUENTLY REDUCING PROPERTIES BY $100,000, $200,000, OR EVEN $900,000. AND MANY OF THESE REDUCTIONS ARE ON SMALL HOUSES ON TINY PLOTS.

IT'S A BIG DEAL TO REDUCE A PROPERTY IN EDGEWOOD FROM $950,000 TO $800,000, BUT WE ARE DOING SO WHEN JUSTICE REQUIRES.

THERE ARE JUST SO MANY FLAWS AND ERRORS IN THE RYAN VALUATIONS. FOR INSTANCE, MOST PROPERTIES THAT ARE SPLIT BETWEEN TOWNS – THAT IS, PART OF THE PROPERTY IS IN EASTCHESTER AND PART IN SCARSDALE OR PART IS IN MAMARONECK AND PART IN SCARSDALE – ARE TREATED BY RYAN AS IF THE PROPERTY IS ENTIRELY WITHIN SCARSDALE AND VALUED ACCORDINGLY. THE MODEL DOESN'T CATCH THE FACT THAT THE PROPERTIES ARE SPLIT. ALL THESE VALUATIONS MUST BE CORRECTED.

IN OTHER CASES, WE SEE THE MAGNIFIED IMPACT OF THE UNIFORM 1.3 FOX MEADOW MULTIPLIER, WHICH CAUSES SMALL PROPERTIES ON THE EASTCHESTER BORDER TO SUFFER SUBSTANTIALLY INFLATED VALUATIONS.

WE ARE TRYING TO REDUCE THE RYAN-INFLATED VALUATIONS TO THE EXTENT WE CAN AND TO THE EXTENT THAT GRIEVANTS PROVIDE US WITH SUBSTANTIATION FOR LOWERING THEIR VALUATIONS.

WE HAVE ALREADY REDUCED VALUATIONS BY MILLIONS OF DOLLARS.

WE EXPECT TO REDUCE VALUATIONS BY MILLIONS MORE AS WE WORK THROUGH THE CASES.

BUT REMEMBER – THIS IS A ZERO SUM GAME. WHATEVER REDUCTIONS WE PROVIDE TO GRIEVANTS WILL HAVE TO BE MADE UP BY INCREASING THE TAX RATE THAT OTHER PROPERTY OWNERS MUST PAY. MY GUESS IS THAT THE VILLAGE TAX RATE AND SCHOOL TAX RATE WILL GO UP SIGNIFICANTLY NEXT YEAR ON ACCOUNT OF THESE ADJUSTMENTS.

ALSO REMEMBER THAT WE CANNOT INCREASE VALUATIONS ON PROPERTIES THAT ARE UNDERASSESSED BECAUSE OF THE RYAN MODEL.

THERE'S NOW A TREMENDOUS UNDERVALUATION OF THE LARGER PROPERTIES AS THE RESULTS OF THE TYLER REVALUATION HAVE LARGELY BEEN UNDONE BY THE RYAN REVALUATION.

THE ONLY WAY THESE UNDERASSESSMENTS CAN BE RECAPTURED IS BY VOIDING THE RYAN REVALUATION OR BY UNDERGOING ANOTHER REVALUATION.

WE ARE IN A TERRIBLE STATE OF AFFAIRS BROUGHT ABOUT BY TERRIBLE DECISIONS OF THIS BOARD. AND THIS BOARD WAS WARNED AT THE OUTSET NOT TO GO FORWARD WITH THE RYAN REVALUATION BUT CHOSE TO DO SO EVEN UP TO THE END OF APRIL OF THIS YEAR, WHEN IT HAD THE LAST CLEAR CHANCE TO AVOID THE TRAIN WRECK.

I'VE HEARD A LOT ABOUT THE ANGST THE VILLAGE BOARD MEMBERS ARE SUFFERING AFTER THIS REVAL.

WHAT I HAVE NOT HEARD IS ANY MEA CULPAS!

THERE'S NO ACCOUNTABILITY. THERE'S JUST THE PASSING OF THE BUCK AND THE KICKING OF THE CAN DOWN THE ROAD.

RESIDENTS HAVE ASKED THE MAYOR AND BOARD FOR AN INDEPENDENT INVESTIGATION OF THE RYAN REVAL. IN RESPONSE, RADIO SILENCE.

AS OF JUNE 28, 2016, OUR VILLAGE MANAGER TOLD US THAT A FINAL INSTALLMENT PAYMENT WAS DUE TO JF RYAN. HOW MUCH WAS DUE? HAS THAT PAYMENT BEEN MADE?

IN LIGHT OF THE FLAWS IN THE RYAN MODEL, IS THE VILLAGE INTENDING TO WITHHOLD PAYMENT?

WHAT ARE THE NEXT STEPS, IF ANY, THE VILLAGE IS GOING TO TAKE IN CONNECTION WITH THIS MESS? PLEASE LET US KNOW.

THANK YOU.

Donna Conkling

From: Richard Adelaar <rha1313@gmail.com>
Sent: Friday, July 22, 2016 8:58 PM
To: Clerk's Department
Subject: Reval

I believe the J.F.Ryan reassessment estimates come a lot closer to actual market values than the Tyler Technologies reassments.In my case,Tyler assessed my house at 46 Fenimore Road at $1,765 000. I grieved the assessment and got it down to $1,450,000. I put it up for sale this year and signed a contract for $1,325 000.I believe Tyler is a lot more inept than Ryan.The people who ended with higher valuations obviously don't like it.The remedy is the grievance process.

Richard Adelaar

Donna Conkling

From:	Mayor
Sent:	Tuesday, July 26, 2016 12:22 PM
To:	Donna Conkling
Cc:	Steve Pappalardo; Robert Cole; Bill Stern; dpekarek@verizon.net; Marc Samwick (marc.samwick@verizon.net); Carl Finger; Matt Callaghan; Jane Veron
Subject:	Fw: JF Ryan's Midsummer Night's Dream

FYI. JM

From: Mayor
Sent: Tuesday, July 26, 2016 12:14 PM
To: robertbergesq@aol.com; Wayne Esannason; Nanette Albanese
Subject: Re: JF Ryan's Midsummer Night's Dream

Dear Mr. Berg -- In scheduling the August 17th meeting we did our best to balance timing (mid-summer) with the request from other residents for such a meeting as soon as possible which request has been pending since mid-June. Note, some of the residents referred to were present at the Board meeting this morning. We also had to persuade Mr. Ryan to come, as there was at least a question as to whether he was contractually required to do so, and in any event had to take his schedule into account.

While the August 17th date is not optimal for the reason you suggest, we felt that on balance it was preferable to have the meeting sooner rather than later and so will go ahead as planned. The Board was contemplating that the Village Assessor be present at the meeting as well -- that suggestion was also made by a resident attending this morning's meeting -- and the Village staff is working on that piece as well.

Very truly yours, Jon Mark

From: robertbergesq@aol.com <robertbergesq@aol.com>
Sent: Tuesday, July 26, 2016 9:53 AM
To: Mayor; Wayne Esannason; Nanette Albanese
Subject: JF Ryan's Midsummer Night's Dream

Dear Mayor Mark, I understand that you announced at this morning's "not so limited" agenda meeting that you have arranged for John Ryan to come to a public meeting in Scarsdale on August 17, 2016 at 6:55 pm. Thank you very much for doing so. However, I strongly suggest that the date of Mr. Ryan's appearance be moved to early September -- shortly after Labor Day. As you know too well, the Ryan revaluation is a matter of utmost concern to many Scarsdale residents. But in Mid-August, in the Northern Hemisphere, ordinary business in the real world largely stops as many are away on vacation. Scheduling the meeting after Labor Day will allow many more residents to attend and will eliminate any suggestion that the timing of this meeting has been designed to minimize the turnout and residents' focus. In addition, I urge you to have our Village Assessor and her staff participate in the meeting. Thanks very much for your consideration of my request. Best regards, Bob.

Robert J. Berg, Esq.
Law Office of Robert J. Berg

Robert J. Berg PLLC
32 Tisdale Road
Scarsdale, New York 10583
(914) 722-0579
(914) 522-9455 (cell)

From: ML Perlman <themlperlman@gmail.com>
Sent: Thursday, July 21, 2016 12:26 PM
To: Mayor
Subject: Library Project - ML Perlman Follow Up Comments

Dear Mayor and Trustees -

Speaking as a private citizen here: I wanted to clarify some of my comments I made during the July 19th meeting about the library project. I personally never supported the photovoltaic panels. Photovoltaic panels are only 2 small 'points' on the LEED Consultant's outline of feasibility (page 99 of Dattner Report) - they are also very very very expensive. Can't justify that high cost.

What I recommended emphatically was that the MEP Engineer (Mechanical Electrical Plumbing) engineer complete the energy and water model so that the Trustees understand the ongoing costs of the building after completion. That is just a good 'best practice' that will definitively verify for you and residents the virtues of the project long term.

Regarding sustainability, I definitely support that the Library Project target an industry sustainability standard of some kind - if not LEED then another certification. If you think of LEED like a college degree, while a person can be smart and capable without a reputable college degree, having a reputable third-party certification of one's intelligence and capability is used to verify such claims publicly. It is important the the public and the Trustees have a way to verify private claims of energy efficiency and sustainability to current and future residents.

I support building sustainably because sustainability in the built environment services three key goals for residents: (i) fiscal responsibility through reduction in utilities costs, (ii) personal health and wellness, and (iii) reduction in use of our environmental resources.

Other libraries in the region have received favorable press for the certifications achieved:

For example, the Mamaroneck Library is a very similar project:

http://realestate.lohudblogs.com/2014/03/17/mamaroneck-public-library-achieves-leed-gold-status/

This certification can bring additional value and distinction to this important village amenity.

Generally, I think this library would be a wonderful addition and upgrade to the Village. Having the opportunity for private funding to offset the costs of the project during a time of historically low interests rates is an ideal time for the Village to take on this project. However, I appreciate the care with which the Trustees are considering this opportunity.

For the avoidance of any doubt, I would support the Trustee's decision to pass on this opportunity if they felt the project might compromise the Village's financial stability.

Thank you for your attention of this important opportunity for the town.

ML

Sent from my BlackBerry 10 smartphone.

Dear Mayor Mark,

I trust that you are well. As a member of the Scarsdale Forum, I write in support of the report that the Forum's Municipal Services Committee published in June. In particular, I hope that the Board of Trustees, Village personnel, and you have taken a good look at its Executive Summary.

> RESOLVED, that the Report of the Committee (1) supporting the request by the Village of Scarsdale that the Library should pursue economies and prioritization of design features in a revised proposal for the Scarsdale Public Library renovation and expansion project; (2) advocating that the Library board, building committee and architect should be required to justify their design choices based on a cost benefit analysis; (3) recommending that the proposal should continue to meet the Library's mission and program goals, while offering a fiscally tenable plan that would not present any imprudent risk to the Village and its taxpayers; and (4) recommending that the Library should explain to the public how a level of service and functionality consistent with 21st century healthful built environment and energy efficient standards might be achieved while reducing the projected expenditure for the project, and should further make public the alternative plans drawn to accomplish the primary goals of the project at lower cost, be approved.

The full report is here, http://bit.ly/1U817MP.

Personally, in my view, given the significant numeracy challenges at Village Hall that residents have witnessed during the Scarsdale 2016 revaluation, lead me to recommend that it is imperative that Village Hall arm itself with quantitative

residents who can determine the true cost of renovating the library. Moreover, you should carefully analyze how disbursing a single cent to the library will impact the Scarsdale budget and what tax implications it carries for residents. Transparency at every step is critical.

Moreover, please do not issue any more bonds of any type before having strong quantitative people look at the impact of an issuance on Scarsdale's leverage and credit rating. A big bond issue should be put forth in a referendum to the residents of Scarsdale.

Scarsdale's current investment grade rating is not guaranteed for life.

Best regards,
Mayra Kirkendall-Rodriguez
Fox Meadow Road

From: james allocco <jallocc@yahoo.com>
Sent: Monday, July 18, 2016 10:46 PM
To: Mayor
Subject: Proposed Library Renovations

Dear Mayor Mark,

I am writing in reference to the Library Board's proposed renovation plan. I will be unable to attend tomorrow's Trustee meeting on the subject and would like to share the following comments with you and the Trustees.

My home is within walking distance to the library, and I would directly benefit from the improvements in the library plan. Having said this, I believe the Village has more pressing needs. For example, our streets and sidewalks are in terrible condition now and will continue to deteriorate at a much greater pace than our repair budget allows.

A second example is the deferral of the majority of the work recommended by the Comprehensive Stormwater Management analysis published in February 2009. Although we have been fortunate to have avoided major weather events since Super Storm Sandy; we cannot forget the terrible flood damage that will occur in so many homes in our Village when the weather trend inevitably changes for the worse.

I commend the Friends of the Library for producing a comprehensive improvement proposal with the best of intentions, but request that the Village Board address other, more critical Village infrastructure deficiencies as a priority.

Best Regards,

James Allocco
Ross Road

Donna Conkling

From: Bal1998 <bal1998@aol.com>
Sent: Wednesday, July 20, 2016 8:20 AM
To: Clerk's Department
Subject: To the Mayor and Trustees..about the Library Proposal

Dear Mayor Mark and Village Trustees..

The old joke when building or renovating something
used to be that it would "take twice as long and cost
three times as much" as estimated.

Except that it was not always a joke.

Regarding the Library Renovation Proposal..
to which I am Opposed..some thoughts.

There are three excellent Village amenities that resulted
from Village and /or Village and Private partnerships..

They include the Scarsdale Pool Complex..

the Kids Base Little School building and programs..

and the Scarsdale Volunteer Ambulance Corps
Building and services.

Their New Buildings/Programs did not exist before the
combined Village and private efforts..and they have enhanced
our lives enormously.
There was an absolute Need for those projects.

The Library Proposal does not meet
that standard of need.
The Library already exists and serves our community well..
as it has for over 60 years..
During Hurricane Sandy..when our Village lost power and
my home was without heat for 9 days..I spent part of
each day in the Library...It was a wonderful refuge
and I was grateful for it.

It is a place of tranquillity and study..with everything
that such a place should have..with books

and other materials always available..
a warm and inviting atmosphere..light and airy...
comfortable seating...a private conference room..
a large room for performances and programs..
a children's area...

and it is never too crowded..although the parking lot is sometimes almost full.
It is exactly what a Scarsdale Village Library should be..

I believe..as I think many village residents would believe..
if they knew about the Proposed 18 Million Dollar renovation project...that the Necessary Repairs should be done to keep the Library as it is...or to improve its current function.

To close the Library for 2 years is unthinkable.

What a terrible idea..aside from the cost of doing so..
and considering having a small temporary facility in its place.
The possibilities for disaster abound.

A Renovated Library is Not Needed.

Doing the repairs that Are Needed and keeping our Library as lovely as it now is..in its beautiful current setting..allowing it to continue to serve the people of Scarsdale as it now does..
is the best possible course of action..in my view.

I would hate for it to become even more of a magnet for people who live outside of Scarsdale..if it were to have amenities like a Cafe..or a teen gathering capacity...

Even now... it does attract numbers of people from other towns who often spend a good part of their day there.
I know it is part of the Westchester Library system..and that is permitted..
but I do not think that our Village funds should be used to create unnecessary additional enhancements that might encourage many others to use our Library facilities.

The other old joke is "If it is Not Broke..Don't Fix It".
Except that it also is not really a joke.

It involves opening a can of worms.

Already the Boring Costs are almost double the estimate.
A small sign of things to come ..if we continue on
this unnecessary and very expensive path.

Whose idea was this anyway?

Surely not the idea of the thousands of residents who
use and love the Library just as it is.

I am one of them.

Thanks very much for listening.

Susan Levine

From: Rona <ronasrules@gmail.com>
Sent: Wednesday, July 13, 2016 1:39 PM
To: Mayor; Manager's Department
Subject: Grass clippings

To the mayor, board of trustees and Village Manager, I understand that you are considering stopping grass clipping pickup and charging extra if my gardener wants to drop off clippings at the recycling center. The article in the newspaper said that you had been informed that leaving clippings in the lawn was good for the grass. This is most definitely not the case during periods of fast growth (in the Spring), when grass must be cut twice a week for grass-clipping recycling to not damage the lawn. Cutting the grass twice a week is highly impracticable. Also the clippings, unless buried under the grass, do not decompose and add nutrients but just either blow away or sit there and rot.

Also, there are many mature trees on our property and mulching the large quantity of leaves produced in the Fall would be equally impracticable as it would also destroy the lawn. So I equally oppose your attempts to stop bulk leaf pickup.

I am very environmentally conscious, but deeply resent the Board trying to save money for the Village by your poorly-informed efforts that will either cost me more money or ruin my lawn.

My husband and I are over 65 and doing our own grass cutting (or delivering the clippings to the recycling center) is no longer a practical option. I cheerfully pay our school taxes, although we have had no children in the schools in over a decade, but bitterly resent the types of reductions in services that you are threatening, which I feel are based on questionable presumptions and discriminate against senior citizens.

I would greatly appreciate a response to this letter.

Sincerely,

Rona Shamoon
48 Edgewood Road
Scarsdale
914723-2426

From: Rona <ronasrules@gmail.com>
Sent: Wednesday, July 13, 2016 2:11 PM
To: Mayor
Subject: Re: Grass clippings

Thank you, Jon. I did not attend the last Village Board meeting at which this issue came up because I had to attend a funeral that day, but still wanted to make my feelings known. As I was not aware of the results of last night's vote, appreciate your prompt response.
Rona
On Wednesday, July 13, 2016, Mayor <mayor@scarsdale.com> wrote:
Dear Ms. Shamoon -- Thank you for your email. At the meeting of the Village Board last night, the Board did not approve a proposed change in the Village Code that would have stopped grass clipping pick-up. Therefore, grass clipping pick-up will continue for the present.

From: proscars@aol.com <proscars@aol.com>
Sent: Tuesday, July 12, 2016 2:35 PM
To: Mayor; jmark58@aol.com; bill.stern@yahoo.com; dpekarek@verizon.net; carlfingerscarsdaletrustee@gmail.com; marc.samwick@verizon.net; MJC49C@gmail.com; jveron.villagetrustee@gmail.com; Steve Pappalardo; Benedict Salanitro; Wayne Esannason
Subject: Vote Against the Elimination of Grass Clipping Collection

We urge the Mayor and Trustees to vote against the elimination of grass clipping collection in Scarsdale. As Lynn and Merrill Clark stated at the last meeting the care of a private homeowner's lawn should be up their discretion. Those who want homeowners to keep their grass clippings should use education to inform homeowners.

At the last meeting supporters of elimination stated that Harrison was the only town of 43 in Westchester that does not pick up grass clippings. What was NOT told to you is that Harrison DOES NOT have a dump location to deposit grass clippings. We confirmed with the Town of Harrison today that the Harrison dump was closed years ago !!!

Scarsdale residents have great anger over the flawed reval and 3.70 % Village tax increase. This is not the time to reduce Village services and add cost to residents to have their grass clippings removed .

Bob Harrison, Chairman
Scarsdale Taxpayer Alert
65 Fox Meadow Road
Scarsdale, NY 10583

914 725-0962
914 646-4054 (cell)

Donna Conkling

From: Bal1998 <bal1998@aol.com>
Sent: Monday, July 18, 2016 4:30 PM
To: Clerk's Department
Subject: To Trustees Callahan..Pekarek..Veron...Regarding the Grass Recyling Vote

Hello Trustees Callahan..Pekarek..and Veron.....

As someone who is in favor of Grass Recycling in our Village..
knowing that the Village properties around town are already operating
with that process in place...
I respectfully would like to inquire as to what "additional data"
you need in order to possibly make your decision in favor of the
grass recycling process as policy in Scarsdale.

The Number of Tons of Grass Clippings that require Village
Pickup throughout the spring and summer growing season
has been stated more than once by Village Manager Pappalardo..
and the numerous benefits to lawns is well known..as well
as visible throughout town.

As someone who has seen its "miracle" first hand..
my gardener doing grass recycling for the first time this season..
I can see absolutely no downside...No muss..No Fuss..
No Bags of Clippings sitting in the street for many days...
and my lawn is happy.

As I always like to remind all the Trustees..along with the Mayor..
much of our Village remains Uninformed with regard to this matter...
along with most other Village matters..since many residents do not get
or read The Scarsdale Inquirer or watch Channel 75 or 43 on Cable Television.
**My 15 neighbors on my one block street have no idea that
Grass Recycling has even been proposed.**

Thus I caution you Not to think that because you have
not had many people speak in favor of the issue at your
Board Meetings that people do not care about it.

They are just Uninformed about it..and totally uneducated about
how is can be a positive thing for us ..our lawns..
and the Village work load...

My contention is that you yourselves should give the

process a try...
Ask your Landscapers to leave the Grass Clippings in place on your properties..assuming that you do have your lawns mowed regularly.
See how that works. That may be all of the Data that you need.

**You might let your Landscaper also know that you will Not pay him any less for leaving the Clippings in place on the Lawn...
That is the fear that the landscapers have...
and why they might protest the change.

Thanks very much for listening.

Susan Levine
Ardmore Road

From: Roger Neustadt <roger@geminicapitalgroup.com>
Date: July 21, 2016 at 8:37:26 PM EDT
To: Robert Cole <rcole@scarsdale.com>, Janet Bell <jgbell75@gmail.com>
Subject: Speeding

Robert -

I called the police again this evening as I was nearly run down by a BMW convertible making the corner from Penn to Franklin. It was operated by a young man who it seems was headed toward Weaver. I can only assume he was cutting through from crossway. It has been eight months since you appeared at our neighborhood meeting and not a single thing has happened. Is this really the level of importance that our village places on the safety of its citizens? I continue to hear from residents that this lack of action is nothing more than they expected. Such a sad thing to hear and so unnecessary.

Sent from my iPhone

From: Ron Schulhof <rkschulhof@gmail.com>
Sent: Wednesday, July 13, 2016 11:27 PM
To: Mayor; Marc Samwick; Bill Stern; Deborah Pekarek; Carl Finger Scarsdale Trustee; Matt Callaghan; Jane Veron
Cc: Michelle Sterling
Subject: Follow up on Food Scrap Recycling

Dear Board

Thank you for taking the time yesterday to discuss food scrap recycling. As discussed, we are now at the time to decide whether or not to move forward with this project. Additional progress cannot be made without formal Board and Village support. If the Board decides to move forward, our recommendation is to form a joint Resident/Village staff committee with the charge of developing a food scrap recycling pilot program.

An official committee with a clear directive from the Board is needed because in our experience Village Management will not otherwise productively engage with volunteers. The most recent Village Management communication on this project only confirmed their lack of commitment to this initiative - if a sincere desire to accomplish a goal exists, the first sign of an obstacle is not a reason to give up.

As you all know, it takes considerable time and effort to work on initiatives such as this for the community. We are happy to do so. It will however only make sense for us to devote time to this project if the Board's support for it exists and is clearly communicated to us as well as to Village Management. This project may be challenging. It will require finding ways to yes in the face of easy no's. Yet it will be rewarding and have a positive impact on our community.

Thank you as always for your service and please advise us of your decision.

Ron and Michelle

To: Planning Board

My husband and I express our opposition to a proposed pool at 36 Herkimer Rd.

There are a few basic but extremely important issues to consider in protesting this pool.

First, the pool proposed is in the 100 foot wetland buffer zone. This buffer is provided to help maintain wetlands. According to Scarsdale Village 171 'MITIGATION PLAN The plan prepared by an applicant when the applicant has demonstrated that either losses or impacts to the wetlands or wetlands buffer are necessary and unavoidable and have been minimized to the maximum extent practicable.'

These wetlands and buffer have been a sanctuary for local fish and fowl. Disturbance to the surrounding buffer with a pool will effect this natural habitat and as stated by Scarsdale above, is certainly **'avoidable and not necessary.'**

According to the NY State Wetlands Act, "New York has lost almost half of its historic wetlands to such activities as filling and draining. However, wetlands are valuable to the people and environment of New York State. Wetlands provide areas for recreation, education and research. They also provide valuable open space, especially in developing areas where they may be the only green space remaining."

Scarsdale Board of Trustees state this: 'It is therefore the policy of the Board of Trustees of the Village of Scarsdale to protect its citizens and those of downstream communities, including future generations, by preventing the further despoliation and destruction of wetlands and watercourses within the village while taking into account varying ecological, water quality, economic, recreational and aesthetic values. Activities that may damage wetlands functions or cause the loss of wetlands and watercourses should be avoided and, where avoidance is not practicable, minimized to the fullest practicable extent.'

Second, my husband, I and our 4 children have lived in Scarsdale for almost 40 years.

We have supported the community and our local Herkimer Road Association. My husband and I both coached our children's teams, I was a PTA Vice President both in Quaker Ridge and the Middle School. I volunteered on many boards and have maintained a position on our Herkimer Road Association.

As for our professional careers, my husband publishes a magazine entitled: Back in The Bronx and I was dubbed the Original Coupon Queen almost 40 years ago by the Today Show. A title I still proudly hold and continue to expand.

During that time, since Herkimer Road is a private road, I have helped collect dues and the over $65,000.00 needed to repave our road. Peter Savignano has owned 36 Herkimer Road for 11 years and built 2 other new homes on our street.

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MANAGER'S OFFICE
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He has never contributed time or money to maintain our road. His only interest is to build, leave damage to the street in his wake, and never become a responsible party. The rest of us had to subsidize his portion of the paving and other maintenance projects.

I mention this since this pool will negatively affect my husband and my life. We side Hutchinson River Parkway. Our home was angled away from the parkway and toward 36 and the Golf Course. We dealt with the new 'oversized' home at 36 thinking our view would remain intact.

Third: The proposed location of the pool is in our direct view and will negatively affect our quality of life. With a proposed 5' fence around the perimeter of the property I will have no view since I am 4' 9" tall. We are 71 and 72 respectively, and our home is our 'haven, our sanctuary' and we hope you will honor and respect our needs.

As for the fence, it is our opinion that one around the pool is a perfect compromise if this pool is approved, and the type of fence be changed to a Jerith not a Chain link with foliage on the outer part of the fence.

My question to the board, why disrupt the wetland buffer and permit this pool? We feel as contributing Scarsdale citizens, we and the wetlands deserve this consideration. The builder is just that, with no ties to the community, no willingness to maintain its beauty and accepting no financial betterment of Herkimer Road and Scarsdale.

We are sending copies of this letter:

Cc:The Board of Architectural Review
Cc:The Board of Trustees
Cc: Planning Board Members: James Blum, John Clapp, Linda Doucette-Ashman, Thomas Longman, Dan Steinberg, Timothy Foley, Harold Porosoff

Submitted: Susan and Stephen Samtur
40 Herkimer Rd.