

THREE THOUSAND TWO HUNDRED FIFTY-THIRD**REGULAR MEETING**

Rutherford Hall
Village Hall
April 12, 2016

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held in the Rutherford Hall in Village Hall on Tuesday, April 12, 2016 at 8:00 P.M.

Present were Mayor Mark, Trustees Callaghan, Finger, Pekarek, Samwick, Stern, and Veron. Also present were Village Manager Pappalardo, Deputy 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, March 22, 2016 were approved as amended on a motion entered by Trustee Finger, seconded by Trustee Veron, and carried unanimously.

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Bills & Payroll

Trustee Callaghan reported that he had audited the Abstract of Claims dated April 12, 2016 in the amount of \$475,356.48 which includes \$29,563.24 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 Callaghan and seconded by Trustee Pekarek, the following resolution was adopted unanimously:

RESOLVED, that the Abstract of Claims dated April 12, 2016 in the amount of \$475,356.48 is hereby approved.

Trustee Callaghan further reported that he had examined the payment of bills made in advance of a Board of Trustees audit totaling \$168,439.21 which were found to be in order and he moved that such payments be ratified.

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

RESOLVED, that payment of claims made in advance of a Board of Trustees audit totaling \$168,439.21 is hereby ratified.

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Mayor's Comments

Mayor Mark stated that he has a few comments this evening, and the first is to welcome the new Board.

“This is the first meeting of the newly re-constituted Board. We welcome Trustee Pekarek and Trustee Samwick back as they begin their second terms. We also welcome Trustee Jane Veron as she starts her first term. We look forward to working with them and the rest of our colleagues on the Board in the year ahead.

There are a numbers of topics that we hope to address in the coming year. While this is not a definitive list, it suggests projects that this Board might choose to address along with its customary oversight of Village operations.

Solar Panels: We are interested in exploring whether we can simplify the regulatory process residents must follow if they desire to install solar panels on the roof of their home. The interest among residents in doing so seems to be increasing and this sort of sustainability initiative might be generally well received. We have asked the Village Staff to prepare for our consideration a Village Code provision, or a modification of existing Village Code provisions, which addresses this topic. Of course any code changes would have to go through a public process before being acted upon so if a proposal is advanced, the community will have an opportunity to express its views on whatever is proposed before the Board takes any action.

LED Street Lights: A three month pilot project to install 25 LED street lights on high-traffic streets is moving ahead. The Ad Hoc Committee appointed to oversee the LED street light initiative will be collecting residents' comments on the LED lights. Depending on how the pilot project is received, the next step would be to install LED street lights on all high-traffic streets and on Town & Country style post lamps. At this time there is no plan to install LED street lights on all Village streets. The thought is to see how we like the lights that are installed before taking further steps that might transform the nighttime look of the Village.

FAR Adjustments: Some of you may recall that when prior Boards were considering modifying the treatment of gravel surfaces under the Village Code, critics of the proposal—which was not adopted – commented that if there was an interest in limiting the size of houses some perceive as too large for the lots on which they were being built, a more direct means of addressing that issue should be pursued. In particular, those critics suggested that adjusting FAR provisions would seem to be the means for tackling that issue. Recognizing that the issue of house size – and what constitutes a house too large for a lot – has a

significant subjective component to it, modifications to the FAR regulations might be worth considering on this topic. Over the next year, this Board may explore what those modifications might be – again through a public process in which the community will be able to participate. Whether any action is ultimately taken will depend on many factors and no assurance can be given that any changes in the FAR regulation will or will not be made.

Increase Utilization of Scarsdale Public TV: Scarsdale Public TV seems to be an under-utilized asset. While the Cable Commission has made great strides in generating additional content and making it accessible over the internet, it seems more might be done by the Village to use SPTV to inform residents of on-going matters and processes. It is hoped that the Village Board, some of the Village Boards and Councils and Village Staff might make greater appropriate use of this facility as another way to inform residents of the workings of Village government.

Library Renovation: The Board continues to be interested in the proposed renovation of the Library and expects to convene further public meetings about what the Library Board proposes and how it might be financed. At present, the Board understands that the Library Board is working with its architect and with the Village staff to see what cost savings might be achieved through modifications of what has most recently been proposed. Once we hear that some progress has been made, we will convene a public meeting to learn what modifications, if any, have been developed. For residents who have not followed this process closely, no decision to move forward on the current plan submitted by the Library Board has been made by the Village Board. We look forward to hearing further about this project from the Library Board.

Those are just some highlights; it is not an exclusive or definitive list. We will have our usual oversight obligations to carry out, but those are some of the things that perhaps the Board might address in the coming year.”

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Manager's Comments

Village Manager Pappalardo stated that he would like to report that the New York State Section of the American Waterworks Association has awarded the Village of Scarsdale with their 2016 Project of the Year Award for the recently completed Reeves Newsome Water Supply Station upgrades. This highly competitive and prestigious award will be given to the Village at the Association's annual conference, which is being held in Saratoga Springs tomorrow evening. Water Superintendent Stephen Johnson will be on hand to accept the award on behalf of the Village.

Village Manager Pappalardo explained that the Waterworks Association, in determining the recipient for the 2016 award, recognized the community benefits of the complete overhaul of this pump station which is 82 years old. The last renovation to Reeves Newsome before this current one was done was in 1978. They recognized and appreciated

the complexities involved with this project, which nonetheless was completed on time and with the \$5.3 million budget that was set for it. The station upgrades included new pumping and metering equipment, piping and valves, a new tablet chlorination system for secondary disinfection, modern instrumentation and control systems to monitor the station as well as to receive the tank level signals for both Village water storage tanks at Ardsley Road and the one at Garden Road, which is referred to as the Boniface Water Tower. Additional upgrades include a new stand-by emergency generator and electrical feed to power the new station equipment; new water quality laboratory and a new security system for the pump station including access, controls and a closed camera television circuit system.

Additionally, the Water Work Association singled out that the pump station's green roof which helps to reduce storm water runoff and protect the building from water infiltration is in keeping with their sustainability mission. As a point of reference, Mr. Pappalardo pointed out that with membership in excess of 50,000, the American Waterworks Association is the largest non-profit scientific and educational association dedicated to managing and treating water. The New York State Chapter was established in 1914 and there will be over 700 persons attending the conference in Saratoga who will hear about Scarsdale's project. The Village is very happy to accept this award and will proudly exhibit the award at the pump station.

Village Manager Pappalardo stated that his next report is to let the Board and the community know that the Village has a new Recreation Superintendent that has been appointed. He is pleased to announce that Brian Gray was selected from a pool of qualified candidates through an extensive review process conducted by a Village selection panel. Brian will start his tenure with the Village on Monday, April 18th. Our interim Superintendent, Suzanne Busby, will continue to work part time until the end of April during the transition period and will be available to assist for any special events or projects that may come about early on in Brian's tenure. Some may remember Brian; he worked for the Village of Scarsdale from 1999 to 2007. At that time, he was the Assistant Superintendent of Parks and Recreation. He left in 2007 to accept a position as the Assistant Superintendent of Parks and Recreation in Yorktown and was promoted to Superintendent in 2012. His knowledge of Scarsdale's park and recreation facilities, the operations, the programs, and his proven ability to successfully work within the community and the neighborhood association structures were important factors in his selection. His administrative skills, leadership, coordination and supervision of Yorktown's day camp programs, management of annual special events, sports organizations, 2500 acres of Town parkland, numerous playgrounds, athletic fields and a multi-use trail system are well proven.

Village Manager Pappalardo asked the Board and community to join him in welcoming Brian back to Scarsdale.

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Trustee Pekarek stated that she wanted to advise the public present this evening that there are two LED lights in the parking lot that can be identified by a pink ribbon. She asked that they look at them and let the Board know their opinion.

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Public Hearing

Trustee Samwick stated that a Public Hearing is scheduled for this evening to receive comments on the Fiscal Year 2016-2017 Tentative Budget filed on March 18, 2016.

Trustee Samwick stated that the 2016-17 Tentative Budget is just under \$55.5 million which represents a little over a \$1 million increase from the current fiscal year. That increase in the budget equates to 1.85%. That compares to the 9 year average increase in the budget coming up to this year of 3.95%. The Village is increasing the budget by just a little bit over ½ of the rate of increase that we have seen on average relative to the last nine years. There is a lot of pressure on the budget coming from a lack of growth in non-property tax revenues, non-controllable expenses and the Governor's Tax Cap that we are aware of. As a result of that, year to year tax rate increases have become inevitable. Going into this discussion, Trustee Samwick stated that he would like to keep those thoughts in mind.

At this time, Trustee Samwick opened the public hearing.

Susan Levine, Ardmore Road, stated that she has been a resident since 1969. She noted that approximately one year ago, she wrote a letter to the Scarsdale Inquirer, suggesting that the paper should be required for every household and that the Village taxes should pay for the delivery of the paper to every family in town. She did this because she believed that a plurality of the residents do not know what is going on in the Village. They don't know what is discussed at the Board meetings, or the Library renovation proposal, or the reval. They also don't know about the tax increase.

Ms. Levine stated that there used to be a Village Report put out by the Village which all residents received every six months or so, which informed the community of various issues before the Village. She suggested that the Trustees ask their neighbors if they know what is happening in the Village. She asked the Board to keep in mind during their discussions that there is a silent majority that doesn't know what is happening in Scarsdale and they find out too late or not at all. She stated that more communication is needed.

In regard to the proposed tax increase, Ms. Levine stated that she would like the Board to consider using the reserves to mitigate the increase. She also stated that she was shocked at the proposed amount for the Library renovations and suspected that many of the residents were unaware of this issue. She asked that the Village Report be considered again for distribution to the residents.

Village Manager Pappalardo stated that the Village is trying to transition to news that is more up-to-date and in a format that most people are used to now. The website is being updated with more information and will be more user-friendly.

Mayor Mark stated that there may be a generational issue here. Some people may still prefer hard copy but others prefer to read on their ipads or smart phones. He stated that the Board does take Ms. Levine's point about residents not being informed about Village affairs as one might think they are. It is an issue that the Board wrestles with because community feedback is important and they like to know that residents are paying attention. He stated that the Village will take another look at the newsletter; it is something that he has discussed with the Village Manager but there are others in the Village who feel that the electronic communication of information would find greater acceptance.

Deb Morel, 88 Brite Avenue, as LWVS President and as a representative of the Budget Study Portfolio of the Scarsdale League of Women Voters along with Janice Starr of the LWV. Ms. Morel gave the following report on behalf of the LWV:

"The League of Women Voters of Scarsdale (the "League" or "LWVS") held a membership meeting on Tuesday, April 5, 2016 to evaluate the 2016-2017 Tentative Village Budget (the "Budget"). We thank Village Manager Steve Pappalardo, Deputy Village Manager Rob Cole, Village Treasurer Mary Lou McClure and Trustee and LWVS Liaison Deb Pekarek for attending the meeting and addressing our questions relating to the budget, as well as potential issues going forward.

The League supports the 2016-2017 Budget. We commend the Village staff, Mayor Mark, the Board of Trustees (the "Board") and it's Finance Committee for conducting a well-managed, thoughtful process and proposing a budget that evidences careful planning, taking into consideration both the current and anticipated needs of the Village.

The League understands it was necessary for the Board to vote to exceed the state-mandated cap on the tax levy increase (or "tax cap") of 0.45%, or \$168,840. Adhering to the tax cap would have required a material reduction in services and likely in workforce. In addition, adherence to last year's tax cap, a prudent decision based both on the size of the tax cap and the opportunity for many residents to obtain a cumulative tax rebate of \$2.2M dollars, adversely impacted the ability to stay within the tax cap this year.

The proposed tax rate increase is 3.70%, which corresponds to a tax bill increase of approximately \$230 for a Village homeowner with an average assessed property value of \$1,515,000. This homeowner would pay roughly \$6,465 in Village taxes in 2016-2017, representing approximately 18.25% of the homeowner's total tax bill.

Budget Highlights

The League supports the Village's overall stated goals and objectives for the Budget, and values the emphasis on maintaining current levels of service and addressing as much as

possible the Village's ongoing capital needs. The League recognizes that the Budget meets its stated objectives, specifically:

- “Control the growth of expenditures” - Regardless of the tax cap calculations, this budget proposes a budget-to-budget increase in expenditures of only 1.85%, which is significantly lower than the prior year's increase in expenditures of 3.35%.
- “Replenish the fund balance after an atypically high use in 2015-2016 to stay within the tax cap” - The 2016-2017 Tentative Budget recommends the application of \$1,023,000 of General Fund balance as a tax relief measure, leaving adequate assigned and unassigned fund balance in the general fund as of May 31, 2016.
- “Investigate cost effective methods to provide services” and “Develop productivity improvements” - These cost control measures were applied across the board in every department. While the League acknowledges that these measures help control costs, we question the long-term viability of this strategy, as discussed below.
- “Obtain revenues from non-property tax sources, i.e. gifts, grants, user fees and reserves” - The Village has persistently and successfully obtained gifts and grants where available. In addition, the Village has increased potable water and sanitary sewer fees to fund critical infrastructure projects in those areas and has increased some other user fees (e.g., building permit, parking and recreation fees).
- “Judiciously address the Village's future capital needs and manage debt obligations” - The Village will address major infrastructure projects in 2016-2017 and will utilize various funding strategies to effectively manage debt obligations. They will avoid annual project deferments that would result in long-term physical harm to our infrastructure and increased costs for repair and remediation.

We will now address the details of our consensus opinions on these and other issues, including the village revaluation project and the need for community input and education.

Capital Projects

The League supports the Village's robust plan to go ahead with several new and continuing capital projects in FY 2016-2017, in order to maintain the community's infrastructure, including:

- Sheldrake River Storm drainage improvements;
- Crane Berkeley Pond improvements;
- Hutchinson River flood mitigation;
- Heathcote Road Bridge rehabilitation;
- Fire Station #1 addition and renovation;

- road/pedestrian/traffic improvements;
- LED streetlight replacement program; and
- Sanitary sewer evaluation study.

In addition, we support the Village's decision to complete the following projects over the next 5 years, and urge the Village to adhere to this timeframe:

- Freightway Garage rehabilitation;
- Fire Station #3 renovation; and
- Storm drainage improvements in flood prone areas.

There are several other capital projects that the Village has decided to defer, including:

- more extensive road resurfacing and curb replacement;
- Village Hall third floor renovation; and
- Additional highway equipment and vehicles purchase.

The League urges the Village to consider the long-term consequences of continuing to defer these projects and the potential for even greater cost once these projects can no longer be deferred.

The League commends the Village on its effective use of available sources to fund the capital plan. The Village has persistently and successfully obtained gifts and grants where available, having received \$22 million in grants over the last ten years. The League also commends the Village for completing several studies on Village systems, including a stormwater mitigation study that contributed significantly to Scarsdale winning several project-related grants. In addition, the League supports the Board's decision to increase potable water and sanitary sewer fees to fund critical infrastructure projects in those areas and to increase some other user fees (e.g., building permit, parking and recreation fees) to add revenue to specific departments or the General Fund. Finally, the League acknowledges that the Village has effectively funded additional capital projects contingent on the transfer of additional cash from the General Fund balance, when available and prudent, after the final closeout of each fiscal year."

Janice Starr, 65 Church Lane, continued with the LWV's report:

"General Fund Balance

The League commends the Village for their prudent and strategic use of some surplus as a tax relief measure, while leaving fund balance at appropriate levels. The League understands that the proposed application of \$1,023,000 is deliberately somewhat lower than

in the past. Last year's budget increased the use of fund balance in order to stay under the tax cap and then be eligible to obtain a one-time \$2.2M tax rebate to many homeowners from the Governor's Tax Freeze Program. This fund balance, restored to historical levels, should be adequate to maintain the Village's Aaa bond rating and to address any unplanned or emergency situations arising from storms, infrastructure failures, etc. The League recommends that the Village continue to employ this responsible strategy and to regularly communicate this information with the community-at-large.

Personnel Issues

The League commends the Village for management of personnel costs in the 2016-2017 budget. We recognize the need for tight control of these costs because they account for 73.2% of total expenditures and are therefore the most significant driver of the budget. We also recognize that in the current year, much of the personnel cost, particularly union personnel costs, representing 56% of the budget increase of \$1,007,253, is subject to contracts and not within the Village's immediate control. The League does recommend, however, that in future budgets, the Village closely examine personnel compensation and staffing practices. Over the last 30 years, the Village staff has been reduced by 10 full-time employees, while compliance and communication needs have grown tremendously, increasing employee workload considerably. In addition, the 2016-2017 Tentative Budget provides for very modest increases in salaries and other benefits for non-union employees. The Village has lost several key staff in the last year and has continued to delay filling vacant positions. As a result, the League is concerned that in the Board's continuing efforts to keep costs low, it is becoming more difficult to recruit and retain quality employees to non-union department management positions. If this trend is allowed to continue, the League worries that the quality of services and programs Scarsdale residents currently enjoy could suffer.

Village Property Revaluation

The League commends the Village for handling the laborious and costly disposition of most of the assessment grievance filings and appeals from the 2014 revaluation roll that represented a more than three-fold increase in filings over 2013. More importantly, the League commends the Village on its commitment to conduct assessments on a regular basis, beginning with the review of all properties again for the June 1, 2016 revaluation, due to the substantial changes in market conditions since the posting of the 2014 revaluation and the need to adjust certain other assessments needing further review. This practice will continue to reduce the inequities among property owners. The League recognizes the cost of this undertaking but urges the Village to continue to review properties on a regular basis, using the originally proposed five-year cycle as a guideline, to maintain an accurate inventory of property assessments in order to preserve the fairness resulting from the recent revaluations. The League encourages the Village to communicate information to the residents regarding property revaluations on a timely and comprehensive basis.

Community Input and Education

The League commends the Village, as it has for the past several years, for continuing to provide services to the community at a level consistent with prior years while minimizing spending and keeping tax rate increases relatively low. The League recognizes that striking this balance has become difficult in the face of the tax cap laws, ever-increasing unfunded state-mandated costs and pressure from the governor on municipalities to share services and/or consolidate. The League commends the Village for recognizing that the tax cap could not be met this year, and that in the future, it is likely that adherence to the tax cap may not be practical. However, the complexities of the budget need to be communicated to the community, in order to engage them in the budget process.

The League recommends that the Village make a greater effort at the outset of the budget process, utilizing the website, Scarsdale Public TV, village meetings, neighborhood association meetings, and other forums to:

- proactively solicit input from the community regarding the relative values residents attach to Village-provided services and programs, both those funded through the operating budget and those funded as capital projects;
- educate the community about the impact on the Budget, and resulting tax implications, of these services and projects;
- provide a general overview of the budget process, including a discussion of the tax cap, surplus allocation, and other funding sources, to the community on the website and through the relevant community organizations;
- educate the community about the challenges posed by the Village's aging infrastructure needs, both those visible to the community, including roads, buildings and parks, and those not visible, including storm drains and sanitary sewers

In conclusion, we thank you for the invaluable assistance and cooperation that was extended to us in our study of the proposed budget. We commend the Board and Village Management on the timeliness and quality of the data and analysis provided during the budget process and applaud the professionalism and dedication with which the Village Manager, Deputy Village Manager, Village Treasurer, Mayor Mark and the Trustees developed the 2016-2017 Tentative Budget. Thank you for considering our comments.”

Robert Berg, 32 Tisdale Road, stated that he has reviewed the Tentative Village Budget for the FY 2016/17 and had several concerns he wanted to comment on. Although he recognizes that the Village faces a considerable challenge in providing the services residents want while keeping property tax increases as low as possible, he did not believe that the Village has met that challenge this year. The proposed tax increase of 3.7% is too high. This year the School Board has come up with a proposed budget that increases the tax levy by only .63%, an amount just below the .81% tax cap limit. He noted that he had recommended additional, substantial cuts to the School Board and Administration that might have even lead to a decrease in the School tax levy. The proposed Village Tax levy

increase of 3.7% blows through the Tax Cap of .45%, not even coming close. The School Board and Administration have learned the hard lesson that most residents of this Town do not support budgets that exceed the tax cap. The Village Board is not under the same pressure as the School Board when it comes to the budget because 60% of the Trustees must vote in favor of the Tentative Budget and the residents do not vote on it as they do on the School Budget.

Mr. Berg continued, stating that Appendix A-8 of the Tentative Budget compares the increase in the Village tax rate to the CPI for the past eleven years. In ten out of the eleven years, the Village tax rate increase exceeded the CPI and in most years by a wide margin. The Tentative Budget for 2016/17 does so again by a very wide margin of 3.7% compared to the tiny rise in the CPI of just .15%. The rate of the increase of the Village tax levy is unsustainable and must be reduced.

As President of the Crane-Berkley Neighborhood Association, Mr. Berg stated that most of his neighbors are putting their homes on the market within a year or two of their children graduating from the high school. Others are moving out before their children graduate. The primary reason they always give him is the incredibly high property tax burden in Scarsdale.

Mr. Berg stated that the Tentative Budget contains one item that should be reduced and will allow the Village to lower this year's proposed tax levy increase to a more palatable level. That item is the unassigned fund balance. The Village has a policy of maintaining the fund balance at 10-15% of general expenditures to keep their good rating to preserve the Aaa Bond rating. Over the past few years, the Village has exceeded that range. Over the past ten years, the percentage has ranged from 12.2% to 16.08% with the last three consecutive years surpassing the 15% range. The Village had an audited fund balance of \$8.7 million as of May 31, 2015. That amounted to 16.08% of the total budget. The Tentative Budget calls for applying \$1,023,000 of the fund balance in 2016/17 as a tax relief measure. There is no reason to maintain an excessive fund balance. This takes monies out of the pockets of taxpayers now to maintain a bloated rainy day fund. By reducing the unnecessarily large fund balance, the tax rate can be substantially reduced and he urged the Board to do so.

While studying the Tentative Budget, Mr. Berg stated that he noticed that it calls for the bonds being issued to finance the Crane-Berkley dredging project to be repaid over a five year maximum term. That is not the deal that Crane-Berkley residents signed on to. As President of Crane-Berkley, last year he gathered petitions establishing Crane-Berkley homeowner approval of the project. Seventy-nine out of 100 property owners signed the petition, supporting the cost sharing agreement with the Village. That agreement was for the residents to pay their share of the project with a special assessment on their Village property tax bill to be paid over a ten year period. The first he had heard of a potential 5 year payback period was in a meeting with the Village Manager on March 3rd, at which time he informed the Village Manager that the bond had to be a 10 year bond. When he reported to the Board of Directors about the Village's suggestion of a 5 year payback period, they were

very upset as the residents had been told it would be a 10 year bond. Given the project's anticipated lifespan, which is about 20-25 years, a 10 year repayment period is more appropriate and will allow future residents of Crane-Berkley to shoulder some of the cost of this project. Present Crane-Berkley residents shouldn't have to bear all of the costs on the front end.

Trustee Finger commented on the comparison made to the CPI, stating that the CPI generally is a measure of a 'basket of consumer goods or services'. He did not find this to be an applicable comparison to the Village because the average consumer does not have roads, staff, union contracts, parks and recreation, assessor and building departments, and all of the services that the Village provides. Those numbers being mentioned, in his estimation are difficult to reconcile.

Marcia Jamil, 35 Saxon Woods Road, is a 50 year resident of Scarsdale and stated that she paid \$100 per month in taxes in the beginning, although they went up every year a little more. She now pays \$60,000 per year in taxes. She urged the Board to find a solution to reduce the proposed tax increase. She has paid millions of dollars over the years in taxes and is now on a fixed income. She feels that Scarsdale owes her – she has been doing her fair share. She understood that there is a fund balance that could be used to lower the tax rate and she encouraged the Board to seriously consider that.

Bernice Galef, 15 Roosevelt Place, has been a resident for 35 years or more. This is her home and she wants to stay in Scarsdale. The tax is too high; she realizes that the taxes have to be increased but there must be some way to get the funds the Village needs from other sources or cut down on some things that are not necessary. She appealed to the Board to lower the tax rate. There are a lot of older residents who are not able to keep up with constant tax increases.

Robert Harrison, 65 Fox Meadow Road, Scarsdale Taxpayer Alert Chair, complimented the League of Women Voters on their report and he agreed with the bulk of it except for the comments on the fund balance. He stated that he has no problems with the excellent job the Village staff and the Board did over a number of months on the expenditure side of the Budget. We should have substantial savings from snow removal and overtime costs due to the mild winter, which will add to the closeout surplus for this year when the auditors look at the books later in the summer.

Mr. Harrison stated that the Nation's economy is in a very slow growth mode. Inflation indexes are important. There are many senior residents in the Village who are on a fixed income. The CPI for the State of New York is .15%. The proposed tax increase for the Village residents in this budget of 3.69% is substantially above the inflation rate and it is substantially above our neighboring communities. The Village Eastchester has a 2.63% tax increase; Mt. Vernon is at 2.13%; New Rochelle 2.08% - why is Scarsdale almost double those numbers? Large homes over \$3 million in Scarsdale are having problems selling. A water bill on the average home is going to go up 21.95% for the coming year. These are heavy burdens on our residents. The Village should not be concerned about the Aaa rating

by increasing the fund balance use – other factors are considered in the rating such as capacity (ability of residents to pay taxes); financial condition; management ability – Scarsdale is an Aaa community and the Village would not be downgraded by Moody's.

The Village can get the 3.69% tax increase reduced by dipping into the fund balance. He stated that he would like to sit down with the Finance Committee and go over the numbers and felt that not scheduling a Finance Committee meeting before the next Village Board meeting is wrong. He noted that he submitted a FOIL request to the Village Treasurer for information which he received – he stated that if you go through the Tentative Budget book it is interesting to see that the projected fund balance will be \$7,526,611 as of May 31, 2016. That is an estimate – you won't know what that number is until the auditors come in. The Village has consistently had closeout surpluses of over \$1 million each year.

Mr. Harrison stated that his research today revealed that for 2014/15, May 31, 2015 – the Tentative Budget showed a fund balance of \$7,264,154. After the audit the amount was \$8.7 million. In the previous year the Tentative Budget showed a fund balance of \$7,491,000 – the audited number was \$8,486,000. For 2012/13 – the Tentative Budget fund balance was \$6,674,875 and the audited number was \$7,477,000. He stated that the Board can't tell the taxpayers that the fund balance is \$7.5 million because it is not; it is an unaudited number. The Board has to consider giving more of that fund balance back to the taxpayers. Another \$380,000 reduces the tax rate increase by 1%.

Mr. Harrison urged the Mayor to hold a Finance Committee meeting and discuss this issue of the fund balance. He would like to sit down with the Board and go over these numbers.

Mayor Mark then offered the following comment:

“Mr. Harrison's comments this evening that the proposed budget be modified to utilize additional general fund balance to reduce the tax rate is the third or fourth time he has presented his views to the Village Board this budget season. We have also received emails from a handful of residents on this topic and heard from others this evening. Including his two letters to the editor of the *Inquirer* on this subject, we have become familiar with his position and have responded to him on a least two occasions in prior Board meetings. We have listened to his comments as well as those of other residents. However, this is a matter on which we simply disagree with him and on which we have made a judgment that is different from the one he would have us make.

This Board recognizes that no one is happy about a tax increase. I understand that some have observed that each taxing entity – the Village and the School District – must stand on its own and be analyzed separately in terms of their respective budgets. That is certainly true and in addition, it follows the legal framework in which they operate and prepare their budgets. However, regardless of which taxing entity is being paid, the aggregate tax bill is what we all focus on when we write out our payment checks. In that light, using rounded numbers and as has been observed this evening, Village taxes account

for approximately 18% or one-sixth of residents' annual tax bill. The other significant components are County tax which represents about 18% or a bit less than one-sixth; and school tax which represents approximately 63%, or almost two-thirds. A County Solid Waste Tax and a Mamaroneck Sewer tax make up the balance of the annual bill. Thus, if annual taxes are considered as whole, the increase in Village taxes as a percentage of total taxes expected for 2016-2017 is 0.67%, a relatively small percentage increase.

However, there is another important point that deserves consideration in this analysis. Specifically, as stated in the budget message that introduces the 2016-2017 budget (posted on the Village web site) the point is this: The combination of lack of growth in non-property tax revenues and the failure of the New York State legislature to provide options for local governments to increase them has forced an overreliance on the property tax. This overreliance on the property tax, in conjunction with State mandates and "non-controllable" expenses, such as debt service, property value updates, assessment appeals, health care, workers' compensation, other insurance and pension costs, are factors that make it extremely difficult to operate the government and manage revenues and control expenditures. Thus, year-to-year tax rate increases are virtually inevitable.

This state of affairs is in large part attributable to the strategy formulated in Albany in its effort to control property taxes. The principal strategy that Albany has taken to reduce local property taxes is the imposition of the so called "tax cap". So called because it is not a cap at all. It is simply a device to pressure local governments to make the hard choice of either adopting a local law to exceed the cap, or reducing services to residents in order to stay within the cap. Other than last year, Village Boards have opted to exceed the cap in order to maintain services at the levels residents expect. And even with that, residents are unhappy with the state of our roads to pick a topic that comes up with great frequency.

The objective of Albany's strategy is to reduce the number of local government taxing jurisdictions by forcing them to consolidate. This may be appropriate in some cases, but not necessarily in all. For example, while maintaining our independence, the Village has for many years had in place a variety of agreements with neighboring municipalities under which mutual assistance is provided by fire and police departments when circumstances require it. Many items routinely purchased to keep the Village operations and equipment going are purchased under state purchasing plans that afford the Village economies of scale in buying supplies for police, fire and Department of Public Works vehicles and equipment. These arrangements give rise to a number of economic efficiencies that consolidation would accomplish, without the Village having to surrender its ability to govern itself.

The strategy of pressuring local government taxing jurisdictions to consolidate has achieved some savings statewide and has the added attraction of providing a popular political position for those involved in partisan politics. If politics could be put aside, there are steps Albany could take other than, or in conjunction with, the tax "cap" strategy to mitigate the heavy reliance on property taxes. Namely, that is to supply municipalities with additional revenue streams from available state resources and thus lighten the burden on generating property tax revenues.

One example: the enacted New York State budget for 2016-2017 provides \$438 million in aid to the local street and highway improvement program known as the Consolidated Local Street and Highway Improvement Program, or CHIPS. Additionally, the Pave NY/Bridge NY program will receive \$800 million over the next four years for local roads and bridges. This funding includes \$400 million (\$100 million per year) for local projects distributed based on the CHIPS formula and \$400 million for local bridge improvement projects. While these are big numbers, as a percentage of a state multi-year plan that contemplates expenditures of over \$27 billion, they are relatively small amounts. In addition the CHIPS funding provided to municipalities has remained at the same level for years despite increased need.

Last week I wrote to New York State Senator Joseph Robach and New York State Assemblyman David Gantt in their capacities as chairmen of the State Senate Transportation Committee and State Assembly Transportation Committee, respectively. The letter (posted on *Scarsdale 10583.com* and *Scarsdale Hamlet Hub*) urged them to use their Committees to appropriate additional state funds in support of local roadway resurfacing and rehabilitation. Other communities have sent similar letters to these legislators.

Another potential revenue source is additional gross receipt tax revenues from telecommunications companies (cable, landline and wireless) which are regulated by the State but in many cases operate from municipal rights of way. While the State receives 3% of gross revenues from the utilities, including revenues derived from cellular services, municipalities are only legally allowed to receive 1% of gross revenues derived from services rendered within their boundaries, excluding cellular revenues. Amending the existing law to provide municipalities with the same benefits derived by the State would be a way of increasing another non-property tax revenue source which in turn could take some pressure off property taxes.

There are other legislative steps the State could take that would not impact revenues but could reduce the expense to municipalities of completing capital projects. To date, the State has rejected or ignored requests of local governments and organizations that represent them to make such changes.

In short, Mr. Harrison, we have heard you and the other residents who have spoken here tonight and would like to suggest that perhaps you, and the other residents who have contacted us, might take your considerable energy, tenacity and concerns to Albany. Let our representatives in Albany hear from you as well. Perhaps by adding your voices to what they are hearing from us and others, we might together have some impact in urging our State representatives to take the sort of steps that could meaningfully reduce the heavy reliance we must place on property taxes.”

Trustee Samwick added that when the Village Board has looked at the General Fund, they have seen a projection of an \$800,000 decrease in the General Fund Balance between now and the end of the fiscal year. The methodology used is taking the audited General

Fund Balance as of the beginning of the fiscal year and apply it to the approved budget for the coming fiscal year as the way to measure the appropriate percentage of General Fund relative to the budget. When we do that, our expectation is that number will be about 14.25% for the proposed 2016/17 Budget. So we do not see it in excess of the levels that we typically see and that we look for. With that, Trustee Samwick closed the Public Hearing on the 2016/17 Tentative Budget.

* * * * *

Public Comment

Robert Harrison, 65 Fox Meadow Road, stated that the Mayor writes beautiful speeches and he endorsed the second half of the speech. He stated that he would be happy to go to Albany with the Mayor and the Board of Trustees and meet with the legislators to discuss these issues with them. Mr. Harrison further stated that he was troubled that there was a public hearing this evening to hear from residents and the Mayor and Board have already made up their minds. Why should anyone come to a public hearing if the Board is not going to hear them and a speech is already made up? The Mayor uses his name many times and it's not right.

Mayor Mark stated that the Board informed Mr. Harrison in the agenda meeting earlier this evening, when he asked the same question, that the public hearing was being held and if the Board heard something in addition to what they have heard at prior public hearings, perhaps there would be a sentiment among the Board to have further discussion.

Mr. Harrison stated that he gave the Board new information that he put together after spending a half hour in the Treasurer's Department going through four Tentative Budget books and looking at these numbers that he pointed out to the Board earlier.

Mr. Harrison stated that the projected \$800,000 decrease in the General Fund balance that Trustee Samwick mentioned is not an accurate number – it is not an audited number. He entreated each of the Board members to reconsider the proposed tax increase and utilize more of the fund balance.

Trustee Stern spoke to Mr. Harrison, stating that he was missing the mark – the real villain is the State government. The State government mandates a tremendous health policy, an overfunded pension fund, and they collect money for roads and don't give it back to the municipalities, among other things. If they would just peel off a little of the money that they collect and take better management of the pension fund and health fund, which are also mandated by various union contracts, you would find a much better tax rate in this Village. And that is a fact. The mark is not the Mayor, it is Mr. Cuomo and his government.

Mr. Harrison again asked the Board to schedule a Finance Committee meeting and discuss the fund balance.

Lena Crandall, 227 Fox Meadow Road, for the record she stated that she is not authorized to speak on behalf of any of the groups she is about to mention, but hopefully it is not anything too controversial. She thanked Assistant Village Manager Robert Cole for working with the Scarsdale Community Support Council and the Scarsdale Forum on a program regarding Emergency Preparedness that they are having this Thursday at the Scarsdale Library, 7:30 P.M., free admission and open to the public. They are honoring former Trustee David Lee and also, all members of the Scarsdale Neighborhood Associations for making Scarsdale a wonderful place to live and for keeping everyone connected. She stated that they are hoping that people will join their neighborhood association so they can hear about what is going on in the Village but also what to do in the event of another superstorm Sandy or the like.

Ms. Crandall stated that she noticed that the Scarsdale Forum does not have a liaison from the Village Board. She respectfully requested that the Personnel Committee take a look and consider assigning a Trustee liaison to the Scarsdale Forum.

Village Manager Pappalardo stated that he wanted to make a point of clarification concerning Mr. Harrison's comments surrounding municipalities and their proposed tax increases for 2016/17. He mentioned the Town of Eastchester and the City of New Rochelle. Mr. Pappalardo wanted to let everyone know that in the Town of Eastchester they have a separate fire district and that is a separate tax levy for them. Scarsdale's Fire Department, which is approximately a \$6 million budget is funded through the General Fund. In the City of New Rochelle, they have an independent library so that is a separate tax directly from the library to fund the library operations and that is levied on the City's residents. Scarsdale's library is dependent upon the General Fund transfer to operate. To operate this year, that transfer to the Library is roughly \$3.8 million. In addition, in New Rochelle they have a sanitation fee, so the residents in New Rochelle pay for the garbage removal outside of the taxes. They have the ability in those communities to have a little lower tax rate in those municipalities; Scarsdale funds all of its operations through the General Fund.

Robert Harrison, 65 Fox Meadow Road, thanked Village Manager Pappalardo for that information; however, he did not think their lower tax increases had anything to do with the separate services.

Peter Nee, 10 Sprague Road, stated that he would like to support Mr. Harrison's comments. His property borders on the Town of Eastchester and his neighbors are getting a much lower tax increase than Scarsdale. He stated that he has lived in Scarsdale since 1980, raised his family here and is now retired. He thought that when his mortgage was paid off he would be 'home free'. His taxes in Scarsdale have become similar to a mortgage. The taxes keep going up every year. It is getting to a point where a lot of his neighbors have left because they couldn't afford to pay the taxes. It looks like that is what he will be doing also. There is always room for cutting expenses. It is tough times for the economy, so he felt that there should be some areas where the taxes can be cut. This is the first time he has attended a Board meeting; from what he has heard this evening, it appears that the Board has already

made up its mind. He stated that he appreciated the opportunity to speak to the Board and urged the Board to do something about this situation because most of his neighbors are very concerned that there are too many increases in the taxes.

There being no further comment, the Mayor closed the public comment portion of the meeting.

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Mayor Mark stated that Deputy Mayor David Lee will conduct the Board through the balance of the agenda.

* * * * *

Mayor Steves and the Board of Trustees

ANNUAL MEETING RESOLUTIONS

The Mayor hereby appoints **Trustee Marc Samwick** as **Deputy Mayor**, **Trustee William Stern** as **Police Commissioner** and **Trustee Matthew Callaghan** as **Fire Commissioner**.

The Mayor also appoints the following Board of Trustee Committee assignments:

<p>Finance Committee Trustee Samwick, CH Trustee Finger</p>	<p>Land Use Committee Trustee Samwick, CH Trustee Callaghan Trustee Veron</p>	<p>Law Committee Trustee Finger, CH Trustee Veron</p>
<p>Municipal Services Committee Trustee Pekarek, CH Trustee Stern</p>	<p>Personnel Committee Trustee Veron, CH Trustee Finger</p>	<p>Recreation Committee Trustee Callaghan, CH Trustee Pekarek</p>
<p>Sustainability Committee Trustee Stern, CH Trustee Pekarek</p>	<p>Agenda Committee Mayor Mark, CH All Trustees</p>	

The Mayor is an ex-officio member of all committees.

The Mayor announces the following liaison assignments:

Callaghan: Town Board of Assessment Review; Board of Appeals; Advisory Council on Parks and Recreation; SVAC

Finger: Board of Ethics; Judicial Qualifications Advisory Committee; Village Historian; Scarsdale Teen Center

Pekarek: Advisory Council on People with Disabilities; Conservation Advisory Council, Friends of the Scarsdale Parks; Junior League of Westchester; Scarsdale League of Women Voters

Samwick: Board of Architectural Review; Planning Board; Committee for Historic Preservation; Scarsdale Chamber of Commerce

Stern: Advisory Council on Technology, Cable Television Commission; Advisory Council on Human Relations; Library Board

Veron: Scarsdale Edgemont Family Counseling; Advisory Council on Youth; Task Force on Drugs and Alcohol; Advisory Council on Scarsdale Senior Citizens; Scarsdale Arts Council

Mark: SNAP, Scouts, Scarsdale Community Support Council

The Mayor announces the following Neighborhood Association assignments:

Callaghan: Bramlee Heights, Murray Hill/Middle Heathcote

Finger: Colonial Acres, Secor Farms, Fox Meadow

Pekarek: Arthur Manor, Drake Edgewood, Heathcote

Samwick: Sherbrook Park, Old Scarsdale, Crane-Berkley-in-Scarsdale

Stern: East Heathcote, Quaker Ridge, Scarsdale Meadows

Veron: Overhill, West Quaker Ridge, Greenacres

Mark: SNAP

RESOLVED, that pursuant to the provisions of Section 57-1 of the Village Code, Stephen M. Pappalardo is hereby appointed Village Manager for the current official year.

Upon motion duly made by Mayor Mark, and seconded by Trustee Finger, the aforementioned Resolved was approved by a unanimous vote.

* * * * *

RESOLVED, that pursuant to the provisions of Section 57-1 of the Village Code, Robert Cole is hereby appointed Assistant Village Manager, and further appointed Deputy Village Manager pursuant to the provisions of Section 57-3 of the Village Code for the current official year.

RESOLVED, that pursuant to the provisions of Section 57-1 of the Village Code, Ingrid Richards is hereby appointed Assistant Village Manager for the current official year.

Upon motion duly made by Mayor Mark, and seconded by Trustee Finger, the aforementioned Resolveds were approved by a unanimous vote.

* * * * *

Pursuant to provisions of Section 3-301 of Village Law, the Mayor hereby appoints Donna M. Conkling as Village Clerk for the statutory term of two years.

RESOLVED, that the appointment of Donna M. Conkling as Village Clerk for the statutory term of two years is hereby approved.

Upon motion duly made by Mayor Mark, and seconded by Trustee Pekarek, the aforementioned Resolved was approved by a unanimous vote.

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The Village Clerk states that pursuant to the provisions of Section 4-402 of Village Law, and the opinion of the State Comptroller 362, 1960, she hereby appoints Veronica Regazzi as Deputy Village Clerk for the current official year.

* * * * *

Pursuant to the provisions of Section 4-400 of Village Law, the Mayor hereby appoints Marie Louise McClure as Village Treasurer for the statutory term of two years.

RESOLVED, that the appointment of Marie Louise McClure as Village Treasurer for the statutory term of two years is hereby approved.

Upon motion duly made by Mayor Mark, and seconded by Trustee Stern, the aforementioned Resolved was approved by a unanimous vote.

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Pursuant to the provisions of Section 4-400 of the Village Law, the Mayor hereby appoints Maria Colotti as Deputy Village Treasurer for the current official year.

RESOLVED, that the appointment of Maria Colotti as Deputy Village Treasurer for the current official year is hereby approved.

Upon motion duly made by Mayor Mark, and seconded by Trustee Stern, the aforementioned Resolved was approved by a unanimous vote.

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Pursuant to the provisions of Section 4-400 of the Village Law, the Mayor hereby appoints Wayne Esannason as Village Attorney for the current official year.

RESOLVED, that the appointment of Wayne Esannason as Village Attorney for the current official year is hereby approved.

Upon motion duly made by Mayor Mark, and seconded by Trustee Pekarek, the aforementioned Resolved was approved by a unanimous vote.

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Pursuant to the provisions of Section 3-301 and 4-400 of the Village Law, the Mayor hereby appoints Cynthia K. Dunne as Acting Village Justice for the current official year.

RESOLVED, that the appointment of Cynthia K. Dunne as Acting Village Justice for the current official year is hereby approved.

Upon motion duly made by Mayor Mark, and seconded by Trustee Veron, the aforementioned Resolved was approved by a unanimous vote.

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Pursuant to the provisions of Section 4-400 of the Village Law, the Mayor hereby appoints Eric Rothschild to serve as Village Historian for the current official year.

RESOLVED, that the appointment of Eric Rothschild to serve as Village Historian for a term ending April 3, 2017 or until such time as a successor is appointed, is hereby approved.

Upon motion duly made by Mayor Mark, and seconded by Trustee Pekarek, the aforementioned Resolved was approved by a unanimous vote.

The Mayor hereby re-appoints Lucas Meyer to serve as Associate Village Historian for a term ending April 3, 2017, or until such time as a successor is appointed.

The Mayor hereby appoints Jonathan Lerner to serve as Associate Village Historian for a term ending April 3, 2017, or until such time as a successor is appointed.

The Mayor hereby re-appoints Edward Morgan as Chair of the Scarsdale Arts Council for a term ending April 3, 2017 or until such time as a successor is appointed.

The Mayor hereby appoints Daniel A. Gerardi as a member of the **Judicial Qualifications Advisory Committee** for a term ending April 5, 2021 and hereby re-appoints Georgann M. Callaghan as Chair of said Committee for a term ending April 3, 2017 or until such time as a successor is appointed.

Trustee Samwick:

RESOLVED, that the regular meetings of the Board of Trustees of the Village of Scarsdale for 2016-2017 be held in Rutherford Hall in Village Hall, located on Post Road, between Crane and Popham Roads, on the second and fourth Tuesdays of each month at 8:00 p.m. except during the months of July, August, and December, and that special meetings may be called by the Mayor as necessary, and be it further

RESOLVED, that the meetings for the months of July, August, October, November, December 2016, and March 2017 will be as follows:

July 12, 2016	8:00 P.M.	
July 26, 2016	8:30 A.M.	(Limited Agenda)
August 9, 2016	8:00 P.M.	
August 23, 2016	8:30 A.M.	(Limited Agenda)
* October 13, 2016	8:00 P.M.	

- ** November 9, 2016 8:00 P.M.
- December 13, 2016 8:00 P.M.
- December 27, 2016 8:30 A.M. (Limited Agenda)
- March 14, 2017 8:00 P.M.
- March 28, 2017 8:30 P.M.

* Yom Kippur begins at sundown on Tuesday, October 11, 2016.
 Village Hall is closed for Columbus Day on Monday, October 10, 2016.

** Village Hall is closed for Election Day on Tuesday, November 8, 2016.

and be it further

RESOLVED, that the Agenda Committee of the Board of Trustees shall meet 30 minutes prior to every scheduled meeting of the Board, and be it further

RESOLVED, that *The Scarsdale Inquirer* and *The Journal News* are hereby designated the official Village newspapers, and be it further

RESOLVED, that Wells Fargo Bank, JP Morgan Chase, HSBC Bank and the Cooperative Liquid Assets Security System (CLASS administered by Public Trust Advisors LLC) are hereby designated as official depositories of the funds of the Village of Scarsdale; and be it further

RESOLVED, that pursuant to Section 10 of the General Municipal Law, the maximum amount which may be kept on deposit at JP Morgan Chase, HSBC Bank and Wells Fargo Bank be set at \$70 million, and a maximum amount of \$15 million may be invested in CLASS, M&T Bank, Signature Bank, and any other financial institution subsequently specified in Section 3.11 of Policy #501, Investment of Village Monies. The maximum amount which may be invested at Hudson Valley Bank is \$2 million.

Upon motion duly made by Trustee Samwick, and seconded by Trustee Pekarek, the aforementioned Resolveds were approved by a unanimous vote.

Trustee Veron:

ADVISORY COUNCIL ON YOUTH

RESOLVED, that Justin Hamill, Lynn Marvin, Priya Taori, and Robin Schafer are hereby appointed to serve as members of the Advisory Council on Youth for terms ending April 2, 2018 or until such time as successors are appointed, and be it further

RESOLVED, that Scott Altabet is hereby re-appointed to serve as Chair of said Council for a term ending April 3, 2017 or until such time as a successor is appointed.

Upon motion duly made by Trustee Veron, and seconded by Trustee Samwick, the aforementioned Resolveds were approved by a unanimous vote.

ADVISORY COUNCIL ON SCARSDALE SENIOR CITIZENS

RESOLVED, that Barbara Baum, Joan Gips, Terry Kessler Schwarz, Marjorie Spiro and Bob Wax are hereby re-appointed to serve as members of the Advisory Council on Scarsdale Citizens for terms ending April 2, 2018, or until such time as successors are appointed, and be it further

RESOLVED, that Carol Silverman is hereby re-appointed to serve as Chair of said Council for a term ending April 3, 2017 or until such time as a successor is appointed.

Upon motion duly made by Trustee Veron, and seconded by Trustee Finger, the aforementioned Resolveds were approved by a unanimous vote.

Trustee Stern:

ADVISORY COUNCIL ON TECHNOLOGY

RESOLVED, that Carlos Ramirez is hereby appointed as a member of the Advisory Council on Technology for a term ending April 2, 2018, or until such time as a successor is appointed, and be it further

RESOLVED, that Kamal Mehta and Michael Raposa are hereby re-appointed as members of said Council for terms ending April 2, 2018, or until such time as successors are appointed, and be it further

RESOLVED, that Scott Rompala is hereby re-appointed as Chair of said Council for a term ending April 3, 2017 or until such time as a successor is appointed.

Upon motion duly made by Trustee Stern, and seconded by Trustee Samwick, the aforementioned Resolveds were approved by a unanimous vote.

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CABLE TELEVISION COMMISSION

RESOLVED, that Lorayne Fiorillo and Andrew Sereysky are hereby re-appointed to serve as members of the Cable Television Commission for terms ending April 5, 2021, or until such time as successors are appointed, and be it further

RESOLVED, that Lorayne Fiorillo is hereby re-appointed to serve as Chair of said Commission for a term ending April 3, 2017, or until such time as a successor is appointed.

Upon motion duly made by Trustee Stern, and seconded by Trustee Samwick, the aforementioned Resolveds were approved by a unanimous vote.

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ADVISORY COUNCIL ON HUMAN RELATIONS

RESOLVED, that Preeti Singh is hereby appointed as a member of the Advisory Council on Human Relations for a term ending April 2, 2018 or until such time as a successor is appointed, and be it further

RESOLVED, that Michael Duncanson, and Doris Pechman are hereby re-appointed as members of said Council for terms ending April 2, 2018 or until such time as successors are appointed, and be it further

RESOLVED, that Michael Duncanson is hereby re-appointed as Chair of said Council for a term ending April 3, 2017, or until such time as a successor is appointed.

RESOLVED, that the purpose and existence of the Advisory Council on Human Relations in accordance with its Constitution is hereby affirmed by the Village Board.

Upon motion duly made by Trustee Stern, and seconded by Trustee Samwick, the aforementioned Resolveds were approved by a unanimous vote.

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LIBRARY BOARD

RESOLVED, that Steven Kessler and Elyse Klayman are hereby appointed to serve as members of the Library Board for terms ending April 5, 2021, or until such time as successors are appointed.

Upon motion duly made by Trustee Stern, and seconded by Trustee Samwick, the aforementioned Resolved was approved by a unanimous vote.

Trustee Pekarek:

COUNCIL ON PEOPLE WITH DISABILITIES

RESOLVED, that Marian Green and Carol Kadonoff are hereby re-appointed to serve as members of the Council on People with Disabilities for terms ending April 2, 2018, or until such time as successors are appointed, and be it further

RESOLVED, that Marian Green is hereby re-appointed to serve as Chair of said Council for a term ending April 3, 2017 or until such time a successor is appointed.

Upon motion duly made by Trustee Pekarek, and seconded by Trustee Finger, the aforementioned Resolveds were approved by a unanimous vote.

CONSERVATION ADVISORY COUNCIL

RESOLVED, that John Auerbacher is hereby appointed to serve as a member of the Conservation Advisory Council for a term ending April 2, 2018, or until such time as a successor is appointed, and be it further

RESOLVED, that Bernard Kobroff and Ron Schulhof are hereby re-appointed to serve as members of said Council for terms ending April 2, 2018, or until such time as successors are appointed, and be it further

RESOLVED, that Lee Fischman is hereby re-appointed as Chair of said Council for a term ending April 3, 2017, or until such time as a successor is appointed.

Upon motion duly made by Trustee Pekarek, and seconded by Trustee Veron, the aforementioned Resolveds were approved by a unanimous vote.

Trustee Samwick:

BOARD OF ARCHITECTURAL REVIEW

RESOLVED, that Jamie Kayam is hereby appointed to serve as a member of the Board of Architectural Review for a term ending April 1, 2019 or until such time as a successor is appointed, and be it further

RESOLVED, that Barbara Feinstein is hereby appointed as an alternate member of said Board to fill the unexpired term of Jamie Kayam for a term ending April 3, 2017 or until such time as a successor is appointed, and be it further

RESOLVED, that Dan Finger and Jack Miller are hereby re-appointed as members of said Board for terms ending April 1, 2019, or until such time as successors are appointed.

RESOLVED, that Jessica Kourakos is hereby appointed to serve as Chair of said Board for a term ending April 3, 2017 or until such time as a successor is appointed.

Upon motion duly made by Trustee Samwick, and seconded by Trustee Pekarek, the aforementioned Resolveds were approved by a unanimous vote.

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PLANNING BOARD

RESOLVED, that John Clapp is hereby appointed to serve as a member of the Planning Board for a term ending April 5, 2021, or until such time as a successor is appointed, and be it further

RESOLVED, that Timothy Foley is hereby appointed to serve as an alternate member of said Board to fill the unexpired term of John Clapp for a term ending April 1, 2019, or until such time as a successor is appointed, and be it further

RESOLVED, that James Blum is hereby appointed to serve as Chair of said Board for a term ending April 3, 2017, or until such time as a successor is appointed.

Upon motion duly made by Trustee Samwick, and seconded by Trustee Veron, the aforementioned Resolveds were approved by a unanimous vote.

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COMMITTEE FOR HISTORIC PRESERVATION

RESOLVED, that David Peck is hereby appointed as a member of the Committee for Historic Preservation for a term ending April 1, 2019, or until such time as a successor is appointed, and be it further

RESOLVED, that Abigail Olsen and William Silverman are hereby reappointed to serve as members of said Committee for terms ending April 1, 2019, or until such time as successors are appointed, and be it further

RESOLVED, that William Silverman is hereby re-appointed Chair of said Committee for a term ending April 3, 2017 or until such time as a successor is appointed.

Upon motion duly made by Trustee Samwick, and seconded by Trustee Pekarek, the aforementioned Resolveds were approved by a unanimous vote.

Trustee Callaghan:

BOARD OF APPEALS

RESOLVED, that Anil Ferris is hereby appointed to serve as a member of the Board of Appeals for a term ending April 5, 2021, or until such time as a successor is appointed, and be it further

RESOLVED, that Jeremy Gans is hereby appointed as an alternate member of said Board for a term ending April 5, 2021, or until such time as a successor is appointed, and be it further

RESOLVED, that Philip Kermanshahchi is hereby appointed to serve as an alternate member of said Board to fill the unexpired term of Barbara Feinstein, ending April 1, 2019, or until such time a successor is appointed, and be it further

RESOLVED, that Jeffrey Watiker is hereby re-appointed to serve as Chair of said Board for a term ending April 3, 2017, or until such time as a successor is appointed.

Upon motion duly made by Trustee Callaghan, and seconded by Trustee Pekarek, the aforementioned Resolveds were approved by a unanimous vote.

ADVISORY COUNCIL ON PARKS AND RECREATION

RESOLVED, that Lou Vetrone, Matthew Zik and Sean Kelly are hereby re-appointed as members of the Advisory Council on Parks and Recreation for terms ending April 2, 2018 or until such time as successors are appointed, and be it further

RESOLVED, that Sean Kelly is hereby re-appointed as Chair of said Council for a term ending April 3, 2017, or until such time as a successor is appointed.

Upon motion duly made by Trustee Callaghan, and seconded by Trustee Pekarek, the aforementioned Resolveds were approved by a unanimous vote.

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Trustee Finger:

BOARD OF ETHICS

RESOLVED, that William Langford is hereby appointed to serve as a member of the Board of Ethics for a term ending April 5, 2021, or until such time as a successor is appointed, and be it further

RESOLVED, that Evelyn Stock is hereby re-appointed to serve as Chair of said Board for a term ending April 3, 2017, or until such time as a successor is appointed.

Upon motion duly made by Trustee Finger, and seconded by Trustee Pekarek, the aforementioned amended Resolveds were approved by a unanimous vote.

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Mayor

Upon motion entered by Mayor Mark, and seconded by Trustee Samwick, the following resolution regarding an Appointment to the Ad-Hoc LED Committee on LED Streetlights was approved by a unanimous vote:

WHEREAS, via resolution dated April 28, 2015 (attached), the Village Board established an Ad Hoc Committee on Light-Emitting Diode (LED) Streetlights with an overarching charge to further investigate the applicability, advancement, and installation of LED streetlights as an alternative to the conventional streetlights currently in use throughout the residential neighborhoods and business districts of Scarsdale; and

WHEREAS, pursuant to the Committee's January 26, 2016 report presenting their findings and future recommendations, the Village Board adopted a resolution dated February 09, 2016 (attached), affirming the continuance of the Ad Hoc Committee on LED Street Lights to serve in an advisory capacity to the Board of Trustees, and appointing Ronald Schulhof as Chair of the committee, replacing the then recently resigned Victor Goldberg, and reappointing as members the following residents, while also having noted a membership vacancy needing to be filled:

David Raizen, Aspen Road
 Michelle Sterling, Brayton Road
 Benedict Salanitro, DPW Superintendent – Staff Member
 Vacant position to be filled

WHEREAS, a vacancy currently exists on the Ad Hoc Committee on LED Streetlights, as created by Ronald Schulhof having accepted appointment as Committee Chair; now, therefore, be it

RESOLVED, that Farley Baker, 182 Johnson Road, is herein appointed to the Ad Hoc Committee on LED Streetlights to fill the vacancy until such time as the Committee's charge has been fulfilled, or until such time as a successor is appointed.

* * * * *

Finance Committee

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

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, the Friends of the Scarsdale Library has offered to donate the gift of \$51,000 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 \$51,000 from the Friends of the Scarsdale Library toward the Scarsdale Public Library Addition and Renovation Project; and be it further

RESOLVED, that the Village Treasurer take the necessary steps to complete the transaction and accept this financial gift of \$51,000 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.

* * * * *

Upon motion entered by Trustee Samwick, and seconded by Trustee Pekarek, the following resolution regarding the Sale of a Surplus Village Water Department Vehicle was approved by the vote indicated below:

WHEREAS, Policy #202 of the *Village of Scarsdale Administrative Policies and Procedures Manual* entitled “Disposal of Surplus Property”, attached hereto and made a part hereof, authorizes the Village Manager to declare as surplus any items of scrap metal, used equipment, motor

vehicles, and any other property having a value of not more than \$5,000.00; and

WHEREAS, said Policy requires that items of scrap metal, motor vehicles and other property declared by the Village Manager as surplus and estimated at a value greater than \$5,000.00 be disposed of after sealed bids or a public auction has occurred and the Board of Trustees has approved that sale by resolution; and

WHEREAS, the Village Manager reports that the items attached to this resolution were certified to him in writing by Village staff as having no further use or need to the Village; and

WHEREAS, on August 5, 2015 the Village Manager declared the attached items as surplus and recommended them to be sold via an online auction, publically held by Auction International of Buffalo, New York; and

WHEREAS, the on-line auction ended on March 28, 2016 with one accepted bid exceeding \$5,000; Village Vehicle # 215, 1987 Ford Utility Truck for \$7,900; and

WHEREAS, in the interest of efficiently completing all auction sales, it is recommended that the sale of Village Vehicle # 215, 1987 Ford Utility Truck be approved by the Village Board in accordance with Policy #202 and Policy #201 - Internal Control; and

WHEREAS, Village Vehicle #215, 1987 Ford Utility Truck is a Water Department truck, and as such, the proceeds will be placed in the appropriate Water Fund
EWS-1000-020 2665-0 – Sale Equip Truck & Cars; now therefore be it

RESOLVED, that the Village Board of Trustees hereby approves the final sale of Village Vehicle # 215, 1987 Ford Utility Truck, for the amount of \$7,900.

AYES

Trustee Callaghan
Trustee Finger
Trustee Pekarek
Trustee Samwick
Trustee Stern
Trustee Veron
Mayor Mark

NAYS

None

ABSENT

None

* * * * *

Municipal Services Committee

Trustee Pekarek prefaced the next resolution regarding catch basin cleaning services by stating that this cleaning is an effort by the Village to keep the storm drains flowing effectively and clean. These drains are separate from the sanitary sewer system and go directly to various waterways untreated. Neighbors conserving water, especially for lawns and gardens, which according to the EPA represents 40% of summer water usage; attempting to keep as much water on our own properties is equally beneficial to our waterways.

Upon motion entered by Trustee Pekarek, and seconded by Trustee Samwick, the following resolution regarding the Award of VM Contract #1198 – Catch Basin Cleaning Services was approved by the vote indicated below:

- WHEREAS,** in conjunction with the Village’s annual storm sewer system preventative maintenance program, the cleaning of catch basins is conducted in house by Village Staff with the use of contractual services on an as needed basis only; and
- WHEREAS,** this work consists of vacuuming and shoveling water and debris from each of the approximate 1,600 catch basins located in the Village at least once every two to three years; and
- WHEREAS,** the most recent VM Contract for this work, VM Contract # 1150, was awarded by the Board of Trustees at their April 15, 2013 meeting (attached) for a term of two (2) years, retroactive to May 26, 2012 with two (2) additional one-year renewals at the sole option of the Village; and
- WHEREAS,** both single year options were exercised, with the second year option soon to expire, necessitating the letting and award of a new contract, said contract providing for a two-year term with a Village option to renew for two additional one-year terms, with two (2) separate options, Option A, Catch Basin Cleaning and Associated Flow Lines (10’ in all directions) and Option B, Cost per linear foot (LF) of jetting flow lines beyond ten (10’) feet on an as needed basis only; and
- WHEREAS,** the Village Manager reports that he publicly advertised for the receipt of bids for VM Contract # 1198 – Catch Basin Cleaning Services on February 19, 2016 and on the bid opening date of March 22, 2016 four sealed bids were opened; and

WHEREAS, the lowest responsible bid was received from Fred A. Cook, Jr., Inc., 228 Albany Post Rd, Buchanan, NY 10511, in accordance with the Bid Tabulation Sheet (attached), at the unit bid prices as follows: Option “A” Catch Basin Cleaning and Associated Flow Line - \$48.00 per catch basin; and Option “B” Jetting of Flow Lines beyond ten (10’) feet - \$.50 per linear foot; and

WHEREAS, Fred A Cook, Jr. Inc., has satisfactorily performed similar catch basin cleaning work previously for the Village; now therefore be it

RESOLVED, that VM Contract # 1198 – Catch Basin Cleaning Services, is hereby awarded to Fred A. Cook, Jr., Inc., 228 Albany Post Rd, Buchanan, NY 10511, at the unit bid price for Option “A” – Catch Basin Cleaning and Associated Flow Lines (10’ all directions) of \$48.00 per catch basin and Option “B” – Jetting of Flow Lines beyond Ten (10’) Feet at the bid unit price of \$.50 per linear foot subject to adequate budget appropriations; and be it further

RESOLVED, that the Village Manager is hereby authorized to execute said contract on behalf of the Village of Scarsdale with Fred A. Cook, Jr., Inc., 228 Albany Post Rd, Buchanan, NY 10511; and be it further

RESOLVED, that the costs associated with VM Contract # 1198 – Catch Basin Cleaning Services be charged to General Fund Account # A-1490-HWY-STDRN-400 499, not to exceed budgeted appropriations estimated at \$30,000 annually; and be it further

RESOLVED, that the Village Manager is herein authorized to execute the two additional one-year periods subject to performing an adequate vendor performance evaluation and the provision of adequate budget appropriations.

AYES

Trustee Callaghan
Trustee Finger
Trustee Pekarek
Trustee Samwick
Trustee Stern
Trustee Veron
Mayor Mark

NAYS

None

ABSENT

None

Recreation Committee

Upon motion entered by Trustee Callaghan, and seconded by Trustee Samwick, the following resolution regarding the Scarsdale Art Association – Art Show in Chase Park was approved by a unanimous vote:

WHEREAS, the Scarsdale Art Association has held an Annual Art Show in Chase Park for over 15 years which has been well received by the community; and

WHEREAS, the event organizers recently filed a permit application and banner request form (attached) to hold the 2016 Art Show in Chase Park on Saturday, October 8, 2016 and Sunday, October 9, 2016, with rain dates for October 15th and 16th; and

WHEREAS, the Scarsdale Art Association has furnished public liability insurance in a form and amount satisfactory to the Village Attorney naming the Village of Scarsdale as an additional insured against any and all claims, damages, or causes of action resulting from the use of Village owned land; and

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

RESOLVED, that the Scarsdale Art Association is hereby authorized to utilize the Village-owned Chase Park for the purpose of holding the Art Show on Saturday, October 8, 2016 and Sunday, October 9, 2016, with rain dates for October 15th and 16th; and be it further

RESOLVED, that the Village Manager is authorized to execute the attached Village Event Permit form and banner request form.

* * * * *

Other Committee Reports

Trustee Stern reported on behalf of the Sustainability Committee, speaking about the aggregation effort and responding to a number of letters asking why Scarsdale is not joining with other participating municipalities. He stated that he wanted people to know that the full membership of the Sustainability Committee and many of the members of the Scarsdale Forum Sustainability Committee attended the meeting of Sustainable Westchester where aggregation was the main topic.

Trustee Stern stated that what was troubling was some undisclosed items that will come about as a result of going to a reduced rate aggregation. First of all, only 17 of the 40 municipalities/members of Sustainable Westchester opted into this program. The towns that opted in are in the minority of the total number of towns and villages that are members of Sustainable Westchester, Scarsdale being one of them.

Why did Scarsdale not opt in? The Mayor wrote an accurate letter about all the issues with ESCOs (Energy Service Companies). He pointed out that one thing that was troubling was that Sustainable Westchester will get a fee of 1/10 of a cent per kwh for every kwh that is purchased by the aggregate communities. For gas, Sustainable Westchester will receive 1/2 cent per therm. That may seem like very little money but it can be an enormous amount of money and there was no budget presented for the use of that money or what would happen to it. Trustee Stern stated that he felt that most of that money should be given back to the rate payers rather than put it in the budget of Sustainable Westchester which does not need that much money to operate. Sustainable Westchester did put out an RFP for a Director, which will be a paid position.

The other issue that troubled him is that this is an 'opt-out' program. For every community that decides to join this aggregation program, residents will receive a card in the mail and if they don't reply within a few days, they will be automatically placed into this program.

Additionally, the whole purpose of Sustainable Westchester is to provide renewable energy and renewable sources for energy, in his opinion. It is possible that you can opt for non-nuclear and green energy. The problem is, are you really getting green energy? And if you opt-out for that, it turns out you will be paying more for energy than if you don't belong to the ESCO and if you opt for the green energy.

Trustee Stern stated that those are just a few of the issues; they will continue to watch this. If in fact, it will save money for the average consumer and there isn't the opt-out clause which is very onerous, they will reconsider it. He added that any resident that wants to can join their own ESCO. The Village really looked into this and considered it at meetings with Sustainable Westchester; however, he stated that the aggregation program at this time is just not appropriate for the residents.

* * * * *

Liaison Reports

Trustee Veron stated that she would like to make a Liaison report and noted that she recently attended an Advisory Council on Youth meeting, as well as the Greenacres Neighborhood Association Board Meeting and the Task Force on Drugs and Alcohol.

She stated that it was clear that all organizations are doing great work with engaged discussion and committed volunteers. She noted that the Greenacres Neighborhood

Association provided very helpful commentary on the LED streetlights pilot. She encouraged residents to offer their input and they can do so by emailing the Ad Hoc Committee on LED Streetlights at LED@scarsdale.com or by emailing the Mayor or Clerk.

Trustee Veron offered her observation that across all of the aforementioned three groups, she witnessed the power of collaboration. These groups do not work in silos but pull together diverse points of view from multiple constituents. It was clear that they had access to better information, relied upon wider networks, and were able to make more thoughtful decisions with their collaborative approach. Partnerships built across the Village, Schools, community groups and other interested stakeholders will benefit the entire Village.

* * * * *

Written Communications

Village Clerk Conking reported that twenty-three (23) communications have been received since the last meeting. All communications can be viewed on the Village's website, www.scarsdale.com under the Board of Trustees or Village Clerk section.

Thirteen (13) communications were received in opposition to the proposed tax increase from the following residents:

- Robert Harrison, 65 Fox Meadow Road – (2 communications)
- Marsha Jamil, 35 Saxon Woods Road
- Miriam Vagt, 3 Ridgecrest West
- Laure Bali, 10 Ferncliff Road
- Elaine Petschek, 86 Mamaroneck Road
- Ellen Beirman
- Frank & Phyllis Finkelstein, 41 Fenimore Road
- Ilga Klavins, 5 Broadmoor Road
- G.L. Ulfelder
- Dan Pope, 1238 Post Road
- Donald Mutterperl, Taunton Road
- Bernice Galef

Additional correspondence was received as follows:

- A letter to the Editor of the Scarsdale Inquirer from John Politi Jr., Herkimer Road, regarding the Sustainable Westchester Community Choice Aggregation Program.
- A letter to the Editor of the Scarsdale Inquirer from Mayor Mark in response to Mr. Politi's letter.
- An email from John Politi in response to Mayor Mark's letter to the Editor.

- A letter to Senator Robach regarding Village infrastructure needs from Mayor Mark
- A letter to Assemblyman Gantt regarding Village infrastructure needs from Mayor Mark.
- An email from Phyllis Finkelstein, Member, Leaf Education Task Force, regarding evaluations of proposals for 2016.
- An email from Philip Au regarding an accident he witnessed on the Bronx River Parkway.
- A letter from Josh Frankel, 45 Black Birch Lane, regarding the revaluation, the proposed library renovations, the 2016/17 Budget, roadway conditions, and Monte Nido.
- An email from Jeffrey Kleinberg, regarding roadway conditions.
- A letter from Bruce Freyer, 25 Autenrieth Road regarding roadway conditions.

* * * * *

There being no further business to come before the Board, Mayor Mark moved to adjourn the meeting at 10:17 P.M. seconded by Trustee Samwick and carried by a unanimous vote.

Donna M. Conkling
Village Clerk