

**THREE THOUSAND THREE HUNDRED FOURTH**  
**REGULAR MEETING**

Rutherford Hall  
Village Hall  
June 12, 2018

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held in Rutherford Hall in Village Hall on Tuesday, June 12, 2018 at 8:00 P.M.

Present were Mayor Hochvert, Trustees Arest, Callaghan, Crandall, Finger, Ross, and Veron. Also present were Acting Village Manager Cole, Assistant Village Manager Richards, Village Attorney Esannason, Deputy Village Attorney Garrison, Village Treasurer McClure, and Village Clerk Conkling.

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The minutes of the Board of Trustees Regular Meeting of Tuesday, May 22, 2018 were approved on a motion entered by Trustee Finger, seconded by Trustee Ross and carried unanimously.

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**Bills & Payroll**

Trustee Ross reported that he had audited the Abstract of Claims dated June 12, 2018 in the amount of \$891,900.25 which includes \$8,530.72 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 Ross and seconded by Trustee Finger, the following resolution was adopted unanimously:

**RESOLVED**, that the Abstract of Claims dated June 12, 2018 in the amount of \$891,900.25 is hereby approved.

Trustee Ross further reported that he had examined the payment of bills made in advance of a Board of Trustees audit totaling \$81,238.31 which were found to be in order and she moved that such payments be ratified.

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

**RESOLVED**, that payment of claims made in advance of a Board of Trustees audit totaling \$81,238.31 is hereby ratified.

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### Mayor's Comments

Mayor Hochvert reported that on May 30<sup>th</sup> he and the Village Manager had a meeting with the School Superintendent and President of the Board of Education; the Vice President of the School Board was also present. They discussed many things, but in particular mentioned that they discussed the comfort station at the Middle School and the Village will be providing the School a drawing of the proposed structure for which they will get approval from the Department of Education. He brought this issue to the attention of Robert Harrison, present this evening in the audience, who has been a longtime proponent of a comfort station at the Middle School tennis courts.

On May 31<sup>st</sup>, Mayor Hochvert stated that he attended the opening of a new business on Christie Place, which was the last vacant space on that street. The name of the business is Nordic Edge. He noted how the vacant storefronts have been filling up since last year and thanked the efforts of some of those in the Forum and on the Board. There are only a couple of available spaces in the Village downtown.

On Sunday, June 3<sup>rd</sup>, Mayor Hochvert stated that the PBA held a family event in Chase Park. There was free food and games for the children. On June 4<sup>th</sup>, there was a meeting at the recycling center which Trustee Crandall will discuss during her liaison report. That same evening, there was a SNAP meeting where a number of topics were discussed, including the neighborhood associations interest in a dog park, that is underway based on some work done by the Forum's Municipal Services Committee. A suitable place needs to be found and the budget money to establish such a park.

Mayor Hochvert stated that on June 5<sup>th</sup>, the Board heard an appeal on 6 Fenimore Road for a Certificate of Appropriateness. There is some additional data the Board expects to be shared which is due on June 26<sup>th</sup>. On June 7<sup>th</sup>, he stated that he had the pleasure of performing a wedding at the Scarsdale Library. The most generous contribution to the tree fund was made and two delightful families were present. Mayor Hochvert stated that he then stopped to see the new fire engine; Trustee Callaghan will share his additional comments on this acquisition.

Mayor Hochvert and Trustees Arest and Veron attended a Westchester Municipal Planning Federation Celebration where Scarsdale received a commendation award for the planning work that was done for Freightway. He also mentioned the start of the preparation of an RFEI which will lead to an RFP for the Freightway project.

On June 8<sup>th</sup>, County Executive Latimer called a County Council of Governments meeting and he is urging more interaction between all of the municipalities in the County as partners with the County. The main topic of this meeting was regarding the Charitable Contributions to deal with the SALT that the Federal government passed regarding property taxes no longer being deductible from the tax calculations. There was a lot of detail that some of the municipalities asked about. We will hear more on that topic from the Village Treasurer.

On Monday, June 11<sup>th</sup>, there was a wonderful turnout at the Woman's Club County Fair. There were many children running on the lawn; everything from face painting to storytelling was available. That type of community activity is delightful. Later there was a Gold Award Ceremony at the Girl Scout House. Six of Scarsdale's Girl Scouts won that award which is the highest award in Girl Scouting – equivalent to the Eagle Scout Award given to the Boy Scouts.

Mayor Hochvert next offered a few words on the use of the public comment period. He stated that two of the primary reasons the public comment is used for are statements that someone would like to share with the public or questions that the person believes should be of interest to the public. If you have prepared questions or statements as most people do, usually that will fit into the time limit. What is not a part of the normal use of public comment is conversation with the Board. However, as Mr. Harrison would attest to, if he calls him on the phone, there is no time limit. Mayor Hochvert stated that he did some research on this topic, and there is a Citizen's Advocacy Center which has some information regarding the use of public comment. This is a national organization, and they call this section 'Public Comment Best Practices' and they suggest the time limit be three minutes at the microphone. What was more surprising for him is that this group states that the total period of all comments should be limited to 30 minutes. This Board gives 5 minutes for public comment, and no limit on the number of minutes that the entire audience might want to use. He stated that it is important that the Board go back to the long established practice which is part of the material that a new Board member receives for the time at the microphone of 5 minutes. If people prepare their statements ahead of time, usually that will fit in the 5 minute time frame. What the Board won't do is interrupt and try to answer questions while the person is at the microphone because that will feed into the 5 minute interval. At the end of public comment, if there are answers from the Board that they can offer, or staff can answer, they will certainly do that. If the answer is not known or more information is needed, then they will make sure that the person making the inquiry will receive the answers they require. It is important to get back to anyone if the Board does not have an answer at that time and certainly makes that commitment. He noted that he receives emails at [mayor@scarsdale.com](mailto:mayor@scarsdale.com) from people asking him to contact them, which he does.

Mayor Hochvert continued, stating that there is a slightly different pattern at the School Board meetings. The School Board has a 3 minute limit and a clock that faces the microphone so that the speaker can see how much time they have left. There is also an additional 3 minute time period allowed later in the meeting, but it is not used very often because sometimes those meetings run very late and most of the audience has left by that time.

Mayor Hochvert stated that he believed this Board's practice is a good one and has benefits for the people who volunteer as Trustees and people in the audience so that they can hear how the resolutions are subsequently passed. Certainly if there was a difficulty such as there were with the revaluations in 2014 and 2016, he understands that the Board was more lenient in the time limits for public comments. However, he would like people to fit their comments into a 5 minute interval.

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#### Village Manager's Comments

Deputy Village Manager Cole reported for the Village Manager, announcing that the New York State Department of Environmental Conservation (NYSDEC) has awarded the Village of Scarsdale a grant to support installation of an electric charging station at the Freightway garage. That grant was for \$7,500 and the valet service that provides parking at Freightway is going to supply the equipment while the Village will support the installation costs. He noted that the grant was received due to the outstanding efforts of Assistant to the Village Manager Josh Ringel, who is currently on his honeymoon and congratulated him on his marriage and thanked him for obtaining the grant for the Village.

Deputy Village Manager Cole then recognized Mary Lou McClure, the Village Treasurer, who will give her comments regarding an item on the agenda this evening concerning the proposed law to create a Charitable Gift Reserve Tax Fund Credit.

Village Treasurer McClure stated that the Village is proceeding with the practical aspects of implementing the Charitable Gift Reserve Fund which involves a software update which should not incur additional costs because this is going to be a state-wide and customer wide requirement for the software companies. However, Scarsdale is leading the charge because we are a Village and our collection precedes that of the Towns and School Districts. She mentioned that there is a memo accompanying the backup materials for the public hearing. She clarified the computation of the potential a credit against taxes. It is stated as whatever the contribution amount is 105% of the tax amount. That is not quite right. If you wanted to make a contribution where the credit would offset your taxes you would take the tax amount and divide by .95 to get the proper figure. So it is a little bit more than 105% because the State presents this as 105% of the amount. The computation is just a little bit different.

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### Trustee Committee and Liaison Reports

Trustee Crandall gave the following liaison reports:

“On May 28<sup>th</sup> Scarsdale's annual Memorial Day Parade took place. The Village Board and Village Manager Steve Pappalardo were honored to participate in remembering those who gave their lives in service to our country

On Thursday, May 31<sup>st</sup>, Scarsdale lost one of its most dedicated volunteers: Jane Bedichek. Jane passed away peacefully just shy of her 100<sup>th</sup> birthday. She was the recipient of the Scarsdale Bowl in 2004, the highest honor bestowed upon a volunteer.

Indeed, Jane didn't waste any time. As soon as she moved here in 1949 she sought out ways to engage with others. Jane started with the League of Women Voters and the Wellesley Club. She went on to serve on the boards of the Westchester Society of the Archaeological Institute of American, Scarsdale-Edgemont Family Counseling Service, the United Way, the Greenacres Neighborhood Association, the Scarsdale Audubon Society, and the Friends of the Scarsdale Parks. Together with the Friends, Jane stopped the construction of a parking lot where we now enjoy our Chase Park in the Village Center. She was instrumental in guiding improvements to the Library Pond, which was infested with *Polygonum cuspidatum*, more commonly known as knotweed. The beauty of this project, however, was more than aesthetic: Jane included young people, as well as members of Scarsdale's growing Japanese community in cutting back the knotweed and planting. She is quoted in 2004 as saying "When people who love something invite others to join, the program is carried on." Indeed, the Friends and the Village Recreation Department have continued Jane's tradition of "community planting days" along the Brewster Road watercourse.

Wherever there was open space, Jane made a positive difference. She was cleanup coordinator and organizer of the Bronx River Parkway Reservation Conservancy, a member of the Friends of Weinberg Nature Center, the Village Conservation Advisory Council, the Town & Village Civic Club (now known as the Scarsdale Forum) and The Scarsdale Woman's Club. According to Village Manager, Steve Pappalardo, Jane "...was a dedicated naturalist and civic volunteer with conviction of mind, a "can-do" attitude and a love for Scarsdale parks that was unmatched... She made a difference in improving the quality of life for Scarsdale residents."

Of course, there's much more to say about the life of Jane Bedichek. We've only mentioned a few of her civic contributions, but we wanted to pay some tribute to this amazing volunteer. Our hope is those of you listening in will be inspired to jump into all that

Scarsdale has to offer. You will be rewarded with new friendships, a sense of community and maybe even a Scarsdale Bowl Award. A celebration of Jane's life will be held at Hitchcock Presbyterian Church, 6 Greenacres Avenue, Scarsdale, on Sunday, July 22<sup>nd</sup> at 2:00 pm.

Turning now to another topic: Food Scrap Composting. Thanks to the passionate volunteer efforts of Michelle Sterling, Ron Schulhof and the Village Conservation Advisory Council, and the hard work of Superintendent of Public Works, Benny Salanitro and the Sanitation crew, we are proud to be the first community in Westchester County with weekly curbside pickup of food scraps. Members of the Village Board, County Executive George Latimer, Deputy County Executive Ken Jenkins, Chairman of the County Board of Legislators and our representative Ben Boykin, plus other supporters tossed the first compostable bags into the truck at 7:00 a.m. on June 4<sup>th</sup>. Ron Schulhof, Chair of the Conservation Advisory Council, will be speaking more about how you can participate during public comments this evening.

Food composting was one of the topics covered by the Westchester County Board of Legislators during their committee meetings on June 4<sup>th</sup>. They authorized a \$200,000 study to determine the best way for the County to utilize foods scraps. The possibilities include making topsoil and different technologies to generate renewable energy. I also learned that our recycling efforts are literally paying off: as you know, we separate our glass, aluminum, plastics and paper. This is known as "dual stream recycling." We can still sell our recycling to manufacturers of recycled products. The municipalities with 'single stream,' however can't get rid of their waste. Apparently, China is no longer purchasing contaminated recycling. So, please, take the time to rinse your bottles and cans, remove packing materials from boxes and collect your food scraps. Reduce, reuse, recycling as much as you can.

The Scarsdale Drug & Alcohol Task Force held its end of year meeting on June 8<sup>th</sup>. DATF is a community anti-drug coalition dedicated to reducing the underage use of nicotine, alcohol, marijuana and all other illegal drugs. They aim to promote a substance-free culture by educating and empowering youth, their families and our community to make safe and healthy decisions. Scarsdale Edgemont Family Counseling is the Lead Agency and Fiscal Agent for DATF.

Aging in Place is a joint endeavor of Scarsdale Village and Family Counseling to address the evolving challenges of our older residents who wish to remain in their homes and within the community. The program provides an array of services including outreach, emotional support, in-home assessment, referral services, advocacy, education, friendly visiting and future planning assistance. Village Manager Steven Pappalardo, Superintendent of Recreation Brian Gray and I attended the contract renewal meeting with Family Counseling Director Jay Genova and program director Maryellen Saenger on May 25<sup>th</sup>. We

learned about the changing needs of Scarsdale seniors and evolving efforts to enrich and improve their situations.

You can learn more about Aging in Place at the Scarsdale Edgemont Family Counseling Service Annual Meeting, tomorrow night, June 13<sup>th</sup>, 7:00 p.m. at Shaarei Tikvah, 46 Fox Meadow Road. There will be a presentation on "Living Strong – Aging Well" presented by Maryellen Saenger and Tatiana Nitis. The event is free and there will be refreshments. Hope to see you there.”

Trustee Finger reported on two items. First, he noted that the Greenacres Movie night has been rescheduled due to weather; it will now be held on June 29<sup>th</sup>. The other item he wanted to report on was to thank Jordan Copeland who led an historical walk around Arthur Manor. It was really interesting and Mr. Copeland gave a history of Arthur Manor from the original firehouse to the Hyatt House, among others. It was a great time for those that made the walk.

Trustee Callaghan first reported on the delivery of Engine 54, a new pumper that was delivered last Thursday. It is a state of the art vehicle; pumping is all done digitally. This new engine can also respond more speedily to the scene. In addition, it has several new devices that upgraded, such as the Jaws of Life. The equipment is positioned on this vehicle very similar to other vehicles – this is the model on which other vehicles and their equipment will be based. When a firefighter moves from vehicle to vehicle, he will find the same equipment in the same place. This will speed the response at the scene and fire safety of the Village.

Trustee Callaghan next reported on a meeting of the Advisory Council on Senior Citizens. They discussed what they had done during the last year including several trips. They also had several guest speakers from the Board and the Village. They hope to continue with this agenda.

Trustee Veron stated that she and the Mayor had the honor of attending the Police Award and Recognition Ceremony on June 4<sup>th</sup> and acknowledge individual men and women who received awards. She also noted that the Police Department received the CALEA Award which is no small feat – this is a set of best practices that the Police Department was able to achieve for the 9<sup>th</sup>. They are only one of six departments in New York State and throughout the nation, only 6% of similar police forces are able to qualify for this award.

Trustee Veron next reported that the Communications Committee is gathering the survey results from the Boards and Councils so they can provide clear information to prospective volunteers on the requirements and commitments for the variety of Boards and Councils. She noted that they are also beginning the process of filming Village staff to talk about different areas in the Village. They will start on that over the summer so that residents can view video clips to learn about different departments. She stated that she had the

pleasure of meeting DPW and Water Superintendents today who are very enthusiastic about being televised. To that end, she stated that there is a lot more to report regarding Municipal Services, but will leave that for Trustee Crandall and Ron Schulhof to report about food scrap recycling. However, she stated that from the perspective of DPW Superintendent Salanitra, it is going extremely well.

In terms of Village Center activity, Trustee Veron stated that Bango Bowls has now moved in and will serve delicious healthy food and is open Sunday. She stated that the Village Center is hopping on Sunday. There will also be a pop up that is coming mid-June through end of July, Candy Rox, a very well established store in Bronxville. It will be located in the Card and Candy space. For bikers, there are new bike racks and a repair station adjacent to the Merchant lot. A lot continues to happen in the Village Center.

Trustee Veron stated that there was a very detailed Library Board meeting last night, and commended President Diane Greenwald, present this evening, for all of the work done by their Board. She acknowledged Dara Gruenberg, also present this evening, who has done astounding work on the Capital Campaign. There is a resolution on this evening's agenda packet about the next step in regard to the Library.

Trustee Veron stated that a Land Use Committee meeting was held this evening where follow up was done on the recommendations made to the Village Board by the Land Use Boards. Staff took all the feedback from those Boards and have identified priorities and next step with regard to a variety of Land Use issues. It is very exciting about the developments the Village has been able to make in order to respond to the needs of the community in terms of the Land Use Board meetings.

Trustee Arest stated that instead of turning a project over to a consultant, the idea of bringing in some of the really talented Land Use Board volunteers to look at issues such as bulk, which has been a concern for many in the community and looking at all the tools available to us – just to name a few, FAR, lot coverage, setbacks, etc. They are the line of first defense and the process should start there for many of the applications that people are concerned about. He hoped to have more to report on in the near future.

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### Public Hearing

Trustee Ross opened the Public Hearing to consider a proposed local law to create a new article under Chapter 269 of the Scarsdale Village Code entitle Charitable Gifts Reserve Fund Tax Credit. He highlighted that the Village is working under a time pressure with respect to this proposed new law. Because the 2018/2019 Village tax billing comes through in July, a decision on the proposed local law must be rendered in June in order for the

potential benefit to be available to property owners. As a result of the short time line, staff has already begun planning pending the Board's decision on this local law.

Secondly, Trustee Ross stated that there is a possibility that the Internal Revenue Service will challenge this deduction. The IRS may rule that the contributions are not permissible deductions for income tax purposes and recent reports in the media suggest that the IRS is perhaps considering moving in that direction. In that regard, it is recommended for a number of reasons that taxpayers seek the advice of tax professionals before making any decision relating to their tax payments, including the possibility of paying into a charitable gift fund. Trustee Ross then solicited any comments that the other Trustees may have.

Trustee Arest stated that he wanted to make four points on this topic and one unrelated issue:

“Firstly, we are not tax experts. You may hear some ideas from the dais and comments that might sound like suggestions. We are not telling anyone how to file their taxes nor how to pay them. Governor Cuomo signed legislation creating the idea of charitable funds as a way to potentially restore deductibility for certain local taxes. Our action today does not necessarily endorse that policy, nor does it provide any assurances that it will be successful. We are merely working hard to ensure that for a nominal cost to the Village any resident that believes this scheme might be advantageous for him or her and is aware of and willing to accept the associated risks involved, may opt in. For anyone who chooses that the charitable fund strategy is not for them, regardless of the reason, he or she may continue to pay taxes in the same manner as they always have.

Secondly, this is not a sure thing for residents. I have read numerous works by tax experts on this matter and am unable to gain confidence in any outcome. Opinions range from this being a foolish attempt that will not succeed mainly because it was created with the sole intent to avoid taxes, to, it has to work because disallowing this program would jeopardize similar programs that currently exist and are allowed in 22 states, set up in response to the Tax Reform Act of 1986 and are heavily relied on. The bottom line is that we would be doing this to benefit those residents that want to use it and hope to benefit from it.

Thirdly, fiscal prudence when it comes to our budget and setting up this option for our residents are not competing interests. I know that our residents know this but because I have read some critique of the state in regard to the possibility that passing this law is somehow a substitute for tightening its belt I feel the need to just mention it. We all take our fiduciary duty very seriously and are sensitive to the economic pressures that our decisions can have. Aside from this tax option, should it pass, we will continue to work hard to provide the services that our residents expect in the most cost-effective manner possible.

Please do not misunderstand our desire to help our residents tonight, with an idea that we have less to worry about when it comes to optimizing our budget.

Lastly, speak to a tax expert! Please speak to an advisor and importantly, someone that understands your specific situation and can discuss the potential risks and benefits with you.

One final comment- In the interest of time, we will be voting on this tonight. That does not mean we will ignore your comments and also does not necessarily mean we will be voting yes. I believe we continue to have the intent and desire for voting not to follow public hearings but there will always be matters where a sensitivity to time is essential, and this is one of them.”

Trustee Ross then asked for any further comments from the Trustees or staff; there being none, he requested any member of the public present to approach the microphone at this time and identify themselves before speaking.

**Robert Harrison**, 65 Fox Meadow Road, stated that he appreciated the comments made, particularly from Trustee Arest. He stated that he has been in touch with several accountants and have received comments that the IRS has issued a bulletin that they would not honor this type of charitable gift reserve fund tax credit. He stated that residents should be in touch with their own tax advisors. He questioned whether the taxpayer would be paying a premium should they utilize the charitable gift reserve fund tax credit over just paying their taxes in a normal manner. He pointed out that there was a typo under Section 269-38., Severability at the end of the second sentence – ‘of’ should be changed to ‘or’.

Mr. Harrison’s comment was so noted and that change will be made to the proposed local law.

**Robert Berg**, 32 Tisdale Road, urged residents to be very cautious in taking advantage of this law. It will be challenged by the IRS and is not going to pass. This is a tax scam and political ploy by the Governor and is really a dangerous thing. He understands why the Board is going to pass it due to the very slight chance that it will be upheld. However, he stated that it is very dangerous for taxpayers. They should speak to their tax advisors.

Village Treasurer McClure responded to Mr. Harrison’s question, stating that it is a matter of arithmetic, only 95% of the contribution would be eligible for what the State calls the ‘Credit Claim’. You have to work backwards from the tax amount due. If the tax amount due is 95% of the total, the arithmetic is such that you take the tax amount due, divide by .95 and its more than just 105%. The theory is that this is replacing a deductible item on your income tax, but to make it appealing to the municipalities, she believed they created a situation so that you could apply a maximum of 95% of the contribution as a credit

against taxes. When you go through the arithmetic, it's just a fraction more than 95%. It doesn't require that one make a contribution that would have a total credit against their taxes – it can be anything up to that amount. Yes, there is a premium. Only 95% of that charitable contribution can be applied under New York State Law and under Local Law as a credit claim against the tax liability.

Mayor Hochvert stated that if that additional money is less than you would save, your accountant would help you make that decision. It is not something the Board is involved in.

Trustee Arest stated that the Village Treasurer has given the illustration that if you have a \$100 tax bill, you have to pay \$105.26 because only 95% can be credited towards your taxes. If you wanted to pay half of it, hypothetically, and you wanted pay \$50 to the charitable fund, you then would be responsible for \$52.63 and then subsequently pay \$50.00 in the normal way you would pay your taxes. The total there would be \$102.63 but you would only be able to deduct the \$50.00.

Mayor Hochvert again urged residents to speak to their tax advisors regarding this proposed local law.

There being no further comments, Trustee Ross closed the public hearing.

Upon motion entered by Trustee Ross, seconded by Trustee Finger, the following Local Law was adopted by the vote indicated below:

INTRODUCTORY LOCAL LAW # 4 OF 2018  
A LOCAL LAW CREATING A NEW ARTICLE UNDER CHAPTER 269 ENTITLED  
CHARITABLE GIFTS RESERVE FUND TAX CREDIT PURSUANT TO REAL  
PROPERTY TAX LAW § 980-a.

**BE IT ENACTED** by the Board of Trustees of the Village of Scarsdale a new article under Chapter 269 as follows:

ARTICLE XIII  
**Charitable gifts reserve fund tax credit**

**§ 269-35. Legislative intent**

The Village of Scarsdale having previously established, by resolution dated May 8, 2018, a charitable gifts reserve fund to receive unrestricted charitable monetary contributions pursuant to general municipal law § 6-u, it is the intent of this local law to allow donors to the charitable gifts reserve fund to receive a credit for taxes levied against their real property.

**§ 269-36. Authority**

This local law is adopted pursuant to real property tax law § 980-a, which authorizes municipal corporations to adopt a real property tax credit if it has established a charitable gifts reserve fund.

**§ 269-37. The charitable gifts reserve fund tax credit**

- A. Having previously established a charitable gifts reserve fund, the Board of Trustees of the Village of Scarsdale, County of Westchester, hereby establishes a charitable gifts reserve fund tax credit for the Village of Scarsdale.
  
- B. Any owner of real property located within the Village who makes an unrestricted charitable monetary contribution to the Village’s charitable gifts reserve fund shall be issued a written acknowledgment of such contribution and may claim a credit against their Village property tax equal to 95 percent of the charitable gifts reserve fund donation.
  
- C. In no event shall a property owner’s credit based upon his or her contribution to the charitable gifts reserve fund exceed his or her current year village tax.

**§ 269-38. Severability.**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**EFFECTIVE DATE**

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

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	None	None
Trustee Callaghan		
Trustee Crandall		
Trustee Finger		
Trustee Ross		
Trustee Veron		
Mayor Hochvert		

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Public Comment

**Ron Schulhof**, Springdale Road, Chair of the Conservation Advisory Council and stated that he would like to speak about the food scrap recycling program which just launched its curbside pickup on June 4<sup>th</sup>. He stated that he would also like to speak about the furniture donation bin that was just delivered and you can donate furniture at the recycling center. On June 4<sup>th</sup>, the Village launched the first Westchester curbside pickup of food scraps. There was a great launch ceremony and thanked the Mayor and Board for being there at 7:00 a.m. to toss in the inaugural food scraps. They are in the second week of pickup – it is always the first day of your first trash of the week. It has been going very well for the residents and for the Village. In the first two weeks they picked up almost 8 tons of food scraps. Those 8 tons are out of the trash that would normally be burned. You must register to get pick up to be added to the route, but there is no fee to receive the service. You can register online, [www.scarsdale.com/foodscraps](http://www.scarsdale.com/foodscraps), email [composting@scarsdale.com](mailto:composting@scarsdale.com), or in person Monday through Saturday at the recycling center from 8 a.m. to 3 p.m. On the last two Saturdays, a number of members of the Conservation Advisory Council will be there to answer any questions and give demos of the food scrap bin. The Village offers a starter kit that you can purchase at cost, a medium size bin or a large bin on wheels. One of the bins will go to the curb for pickup of the food scraps by the Sanitation Department.

Mr. Schulhof stated that the furniture donation bin has arrived at the recycling center. Any small furniture or household items are acceptable. There are guidelines that will be posted on the website. He thanked the Board of Trustees, both the current and past Boards, our County and State representatives, Village staff – Public Works Department, Sanitation Department for their willingness to lead on this initiative, to be the first. He gave the biggest thank you to the residents for participating in the program.

**Diane Greenwald**, 2 Oak Lane, speaking on behalf of the Scarsdale Library, stated that the library will soon be moving to temporary space at Library Loft at Supply Field. The Olmsted Road building will close for renovations. First, the Children's Room will close for packing starting on Monday, June 18<sup>th</sup> and then the entire Olmsted Road building will close to patrons beginning Sunday, June 24<sup>th</sup>. Library Loft at Supply Field is at 244 Heathcote Road and will open on Thursday, July 5<sup>th</sup>. Library users should check the Library website periodically and sign up for newsletter alerts. Registration for the alerts can be found at the bottom of the website home page. On the website and on today's library E-blast that went out, residents should view a terrific video about the temporary library space. This video was produced by a local 10<sup>th</sup> grade filmmaker and his name is Sam Friedman. He did a fabulous job. The Library Loft will have the following services: children's room, a reference section, Wi-Fi, three public computers, and a copy machine; a new book section, audio books and dvds, magazines and newspapers. Seating will be limited; hours are reduced to accommodate shared parking with field users. Some popular programs will be held at other sites, so everyone should check the website frequently. Cardholders can use other libraries in the Westchester Library System, including to return books borrowed from the Library Loft, books can be reserved on line, over the phone and in person from other libraries and picked up at the Library Loft. A list and location map of the nearest libraries are available on

their website. Library Director Beth Bermel has met with the other Library Directors and they are ready to welcome Scarsdale residents.

Ms. Greenwald stated that the Friends of the Library intends to expand the homebound delivery service to bring materials to residents who have difficulty getting to the library. The website is being redesigned to become more of a virtual library with many online resources readily available.

Ms. Greenwald stated that they cannot thank their campaign committee and donors for their generosity and time and resources. Campaign co-chair Dara Gruenberg is present this evening and informed her that they have reached nearly \$8 million in donations which is extraordinary. The Library Loft donations were supported by a \$500,000 State grant secured by Assemblywoman Amy Paulin. The facility will be available for use by the Village after the Library Loft goes back to the library. There are several materials available that offer information regarding the library hours, etc.

**Wendy Lee**, Boulevard, stated that she sent an email regarding health and safety questions she had in connection with the installation of the DAS antennas throughout the Village of Scarsdale. She stated that she received a response to her questions and thanked the Village for those – the responses are very technical so she is still trying to better understand them. Based on the articles that she has read, it appears that the safety of DAS system is still very controversial. She did not believe that this should receive automatic approval because the application complies with FCC regulations. These DAS nodes have not been tested for long term safety. She did not think you could just say that it is a harmless technology and should consider alternatives. In regard to the placement of the nodes, she was opposed to the installation of them in front of someone's home – she suggested a minimal distance from a residence or park. She urged the Village to publish the Q&A on the website so that we can get public input on this issue.

**Zoe Berg**, 32 Tisdale Road, stated that she was happy to hear of other resident's concerns over the DAS technology. She stated that she has been studying wireless radiation for the past four years and discussed her concerns regarding the installation of DAS systems. She noted that there has been research on a myriad of adverse biological effects from wireless radiation including reproductive dysfunction, single and double stranded DNA breaks, immune dysfunction, stress protein synthesis in the brain, altered brain development, sleep and memory disturbances and increased brain tumors. As of 2011, wireless radiation has been classified as a Group 2B carcinogen by the World Health Organization. Even manufacturers of wireless devices have begun warning consumers to keep these devices away from their bodies. She urged the Board to consider this information if and when this technology is deployed. DAS antennas must be placed very far from residences and schools.

**Jonathan Gruen**, Brewster Road, stated that he attended the last Board meeting to offer public comment and noted that it gave him an opportunity to promote young people

getting involved in civic affairs. He felt that Robert Harrison was not treated with respect by the Board during his public comment period and thought that he should receive a public apology. He suggested creating a survey for all residents to be taken yearly, asking residents their opinion on issues. Residents should also be asked to rank their priorities on how the Board spends their time and tax dollars.

**Robert Berg**, 32 Tisdale Road, stated that he has learned of Village Attorney Esannason's retirement effective June 30, 2018. He congratulated Mr. Esannason on his retirement. He made the following statement in this regard: "As has become abundantly clear over the past several years, our Village's legal issues are increasingly complex and controversial. Moreover, the Village Attorney must interface directly with the public, including residents, on a daily basis. The Village Board, Village Manager, and Staff rely extensively on the Village Attorney's legal advice, and that advice often has long-lasting and costly ramifications for the Village and its residents.

As you know, I personally have completely disagreed with Village Attorney Esannason's legal analysis on key Village and Town issues over the past several years -- the legality of the Ryan town wide revaluation, Trustee Finger's refusal to recuse himself from the Village Board's decision regarding the Homestead Tax Option in connection with the Ryan revaluation, the propriety of the Assessor's participation in the deliberations of the Board of Assessment Review, the constitutionality of the Village Code regarding political lawn signs in the Village right of way in front of residences, and the interpretation of acceptable uses of the land gifted to the Village by the Executors of the Estate of Wilhelm Weinberg, just for starters.

Because the Village has relied on the Village Attorney's erroneous or misguided legal advice, the result has been extremely costly, disruptive, and disturbing to many residents.

I certainly hope and expect that the Village has not yet chosen a permanent replacement for the Village Attorney. A permanent replacement Village Attorney should not be selected by the Village Manager and/or the Village Board alone. This position is too critical to be filled without the informed input by Village residents. I, for one, do not have any confidence that the Village Manager and the Village Board are capable of selecting an appropriate Village Attorney without informed input from Village residents.

I respectfully insist that you solicit and then select a group of qualified residents, including practicing attorneys, to advise you in choosing the next Scarsdale Village Attorney. Of course, I will not offer my services for that task presently given that I have a pending lawsuit in federal court against the Village and its Police Department. However, this Village is blessed to count among its residents hundreds of the finest and most talented attorneys in the country. Surely, you will find a surfeit of knowledgeable residents to help you in this important job of finding our next Village Attorney."

He asked if there was a replacement plan, and if so what is it? Also, during the last Village Board meeting, he was in Miami and was livestreaming the Village Board meeting. He stated that he was very upset by how the public comment section of the meeting was handled. Firstly, it was pushed back well after 9:00 p.m. after the Mayor, Manager and Trustees spoke. He stated that the public comment section of the meeting should be held right after the Village Manager report, as had been done for many years. He urged the Board to move back to the original format. He also stated that he was appalled by the Mayor's interruption of Robert Harrison's public comments.

**Robert Harrison**, 65 Fox Meadow Road, spoke as the volunteer director for 34 years for the Scarsdale Summer Youth Tennis League. He thanked the Mayor for his comments on the comfort station and the update on the Middle School field and tennis courts. He stated that the 34<sup>th</sup> season of the Scarsdale Summer Youth Tennis League will begin on Tuesday, July 10<sup>th</sup> at the Middle School tennis courts. Scarsdale youth from age 6 through 18 may join. Round robin matches are played on four weekday evenings, Monday through Thursday from 6:00 p.m. to 8:00 p.m. All skill levels are welcome. The players can come every night or pick nights of their choosing. They can play for one or two hours. A maximum of 32 hours of play can be attained over the four weeks for a total sum of \$50.00, which includes players also getting a participation trophy, a tennis league t-shirt, and the program is concluded with a fun tennis tournament and have a pizza and ice cream party. The Mayor joined the fun last year at that event. He urged youth and parents to sign up for the Summer Youth Tennis League now – he can be contacted at 914-646-4054 or by email at [proscars@aol.com](mailto:proscars@aol.com). Applications can be picked up at the Recreation Department and at all the tennis courts. At [Scarsdale.com/recreation](http://Scarsdale.com/recreation), an application can be downloaded.

**Lika Levi**, Lockwood Road, thanked the Board for the tough job that they do voluntarily. She also thanked the staff, stating that they are always very helpful and cordial. She stated that she had asked Assessor Albanese to give her some numbers regarding taxes collected in 2013 and it was \$154 million and all of this is on her website, [savescarsdale.org](http://savescarsdale.org). With the Tyler revaluation in 2014, it was about 10 times more, \$10 billion. In 2016 with the Ryan revaluation, again \$9.9 billion. She wanted to know where all of this is going. There is a tenfold increase; however, perhaps the Board can point her in the right direction.

Ms. Levi also noted the water rate increases, and stated that the excess water user got a reduction which doesn't make any sense to her.

In regard to the tree law, Ms. Levi stated that the Board did better, but according to her figures, she stated that Scarsdale is losing 80% of its trees.

Ms. Levi next addressed the Historic Preservation law. She attended the meeting regarding 6 Fenimore Road; she stated that the law needs to be stronger.

Ms. Levi stated that she hoped that there would be a reserve fund as approved at the public hearing earlier. She stated that she hoped it would be reserved for preserving some of the old houses and/or parkland.

In regard to Mr. Gruen's earlier public comments, she agreed that there should be a survey sent to all residents. There should be one question – how do you feel about building – more buildings or less buildings?

Mayor Hochvert stated that there are currently DAS transmitters in Scarsdale; they are on State roads and they are almost invisible. The Village does not have the authority to regulate this based on the RF energy that is transmitted but we had questioned whether pole would be placed such that it was at a distance from the nearest house. The answer to that question was yes, it would. The poles that currently have power on them cannot be used for the DAS antennas. They put them as far between houses as they can. There is some attention paid to this.

Regarding Ms. Levi's comment regarding the increase of taxes, Mayor Hochvert stated that he believed that in one case she is talking about taxes, and in the other case she is talking about total assessment. The billions is the total assessment; the taxes were the millions. Subsequently, it was agreed that she had looked at 2013 non-equalized value and in 2014 the value was 100%.

Back to the DAS issue, the Village is still working with the applicants and that decision has not been made. In regard to the retirement of the Village Attorney, there has been no vote on that position at this point.

Trustee Ross addressed one of Ms. Levi's remarks regarding the trees. He believed she was mistaken as to the loss of 80% of the trees. What is happening is that 80% of the trees that are removed are not replaced and that may very well be too many, but it is certainly not 80% of the trees in the Village that are being removed.

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

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#### Finance Committee

Upon motion entered by Trustee Ross, and seconded by Trustee Finger, the following resolution regarding Amending Interim FY 2018-19 Village Tax Levy and Warrant was approved by the vote indicated below:

**WHEREAS,** Pursuant to the provisions of Section 17-1722 of the New York State Village Law, the Board of Trustees must levy Village taxes for the current fiscal year not later than the twenty-fifth day of June; and

**WHEREAS,** in accordance with the Interim Levy and Warrant for FY 2018/19 Village Property Taxes approved by resolution of the Village Board on December 28, 2017, a copy of which is attached, the Village/Town Board is authorized by New York State Law to reconcile and amend the Interim Levy and Warrant, adjusting for the adopted FY 2018-19 budget and for property owners that have pre-paid all or a portion of their 2018 real property taxes pursuant to Governor Andrew Cuomo's Executive Order No. 172; and

**WHEREAS,** in order to allow sufficient time to process the tax bills, it is necessary that this resolution be adopted at the June 12, 2018, Board of Trustees meeting; now, therefore, be it

**RESOLVED,** the Village Treasurer is hereby authorized and directed pursuant to New York State Law to reconcile and amend the Interim Levy and Warrant, adjusting for the adopted FY 2018-19 budget and for property owners that have pre-paid all or a portion of their 2018 real property taxes pursuant to Governor Andrew Cuomo's Executive Order No. 172; and be it further

**RESOLVED,** that the Interim Budget and Warrant adopted December 28, 2017, is amended to reflect the reduction in budget from \$57,218,756 to \$56,574,713, and the levy from \$40,083,432 to \$40,052,403, as shown in the Tentative Budget filed on March 19, 2018, for the fiscal year from June 01, 2018, through May 31, 2019; and be it further

**RESOLVED,** that pursuant to Village Law Section 17-1722 there be levied and assessed against the taxable property in the Village of Scarsdale, as contained on the last completed single Village/Town assessment roll, the sum of \$40,052,403, being the net amount to be assessed and collected in accordance with the 2018-2019 Budget adopted April 24, 2018, which sum together with the other revenues estimated in said budget shall be applied to the purposes set forth in said budget, as described in the attached Tax Warrant summary; and be it further

**RESOLVED,** that pursuant to Real Property Tax Law Section 1432 (1), the Village Treasurer is hereby authorized and directed to collect said amount; and be it further

**RESOLVED**, that pursuant to Real Property Tax Law Section 1432 (2), the Board of Trustees hereby determines that on all such taxes remaining unpaid after August 1, 2018, a two percent (2%) penalty will be added for the first month and an additional one percent (1%) for each month or fraction thereof until paid; and be it further

**RESOLVED**, that the Village Clerk shall cause to be published in the Scarsdale Inquirer notice of collection of the taxes levied herein.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	None	None
Trustee Callaghan		
Trustee Crandall		
Trustee Finger		
Trustee Ross		
Trustee Veron		
Mayor Hochvert		

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

**WHEREAS**, the Scarsdale Library 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,** on December 13, 2016, the Village Board of Trustees authorized a \$9,900,000 bond to pay part of the \$17,900,000 addition and renovation of the existing Scarsdale Public Library Building, with the remainder of the \$17,900,000 to be paid by private donations and grants; and

**WHEREAS,** on January 09, 2017, and with thanks to Assemblywoman Amy Paulin, the New York State Dormitory Authority awarded the Village of Scarsdale a \$500,000 State and Municipal Facilities Program grant in support of the project, with the execution of a grant agreement pending upon completion of various program review requirements; and

**WHEREAS,** on February 13, 2018, the Village Board amended the December 2016 Bond Resolution (attached) to provide for an increased total library addition and renovation construction cost of \$18,400,000, to be funded by a \$9,900,000 bond combined with \$500,000 from funds previously appropriated from the Village and the Library unassigned fund balances for the Supply Field temporary library and professional service contracts, respectively, and \$7,500,000 to be paid from private donations and grants, including the aforementioned \$500,000 State and Municipal Facilities Program grant; and

**WHEREAS,** the following donations have been offered to the Scarsdale Public Library Addition and Renovation Capital Improvement Project: Friends of the Scarsdale Library - \$129,330.10; and Brian and Jeannie Rosenthal - \$500.

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

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

**RESOLVED,** that the Village Board hereby accepts the following gifts toward the Scarsdale Public Library Master Plan Improvement Project: \$129,330.10 from the Friends of the Scarsdale Library, and \$500 from the Brian and Jeannie Rosenthal; and be it further

**RESOLVED,** that the Village Treasurer take the necessary steps to complete the transaction and accept these financial gifts totaling \$129,830.10 and deposit said funds into the Library Capital Campaign Account; and be it further

**RESOLVED,** that the Board of Trustees hereby extends their heartfelt thanks and great appreciation to the Friends of the Scarsdale Library and Brian and Jeannie Rosenthal for their generosity and commitment to the Scarsdale Public Library and the community it serves.

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Upon motion entered by Trustee Ross, and seconded by Trustee Finger, the following resolution Establishing Chapter 281: Trees, Grass, Brush and Weeds Fees and Charges was approved by the vote indicated below:

**WHEREAS,** the Land Use Committee and Municipal Services Committee of the Board of Trustees convened on June 14, 2016 and requested that a working group comprised of representatives from the Village Staff, FOSP and CAC be formed to further review proposed changes to the Village Code Chapter 281: Trees, Grass, Brush and Weeds, and jointly agree on amendments to the law before presenting to the Board of Trustees for its consideration; and

**WHEREAS,** subsequent to the creation of the working group, meetings were held on November 17, 2016 and January 12, March 2, May 3 and June 22 of 2017 to discuss potential amendments to Chapter 281; and

**WHEREAS,** the working group's proposed amendments were finalized and forwarded to the Sustainability and Law Committees of the Board of Trustees that convened four public meetings: September 12 and November 28, 2017 and January 23 and February 7, 2018 where additional modifications were made in an effort to assuage the public's concerns of increased tree regulations on private property; and

**WHEREAS,** on March 13, 2018 and on April 24, 2018 the Board of Trustees held public hearings on the proposed amendments to Chapter 281 and made additional modifications that clarified the “as- of- right” tree removal provision which, once clarified, the Board of Trustees approved the amendments to Chapter 281 and adopted the local law on April 24, 2018; and

**WHEREAS,** in accordance with Chapter 281, certain fees associated with tree permitting activity are established by resolution of the Village Board and identified in the Village-wide Fees and Charges schedule, now therefore be it,

**RESOLVED,** that the FY 2018/19 Village - wide Fees and Charges Schedule is herein amended to include the following fees relative to the recently amended Village Code Chapter 281 Trees, Grass, Brush and Weeds:

ITEM		FEE		
281-4F	Tree Removal Permit Application	\$50/Tree	1 or 2 Trees (Trees #3 & #4)	3-9
		\$60/Tree	3 - 15 Trees (Trees #5-#17)	3-9
		\$75/Tree	16 or more Trees (Trees #18-)	
281-4E	Tree Removal Permit Application	\$50/Tree	1 - 4 Trees **	6'18
		\$60/Tree	5 - 17 Trees	6'18
		\$75/Tree	18 or more	6'18
	** Two "As of Right" trees as per Village Code 281-3D do not require a fee			
	Duration Tree Preservation Fund in lieu of replacement trees			
		\$250.00	1 Tree	6'18
		\$300.00/Tree	2 to 4 Trees	6'18
		\$400.00/Tree	5 to 10 Trees	6'18
		\$500.00/Tree	Greater than 10 Trees	6'18
	General Site Restoration Deposit for Crane or Heavy Equipment	\$1,000.00	Refund upon stump removal and final site restoration	6'18
	Replacement Tree Deposit	\$250.00/ Tree	1 - 4 Trees	6'18
		\$225.00/Tree	5 - 10 Trees	6'18
		\$200.00/Tree	10 or more	6'18

AYES

Trustee Arest  
 Trustee Callaghan  
 Trustee Crandall  
 Trustee Finger  
 Trustee Ross  
 Trustee Veron  
 Mayor Hochvert

NAYS

None

ABSENT

None

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Fire Commissioner

Upon motion entered by Trustee Callaghan, and seconded by Trustee Veron, the following resolution regarding a Uniformed Firefighters Association Fundraiser for the Muscular Dystrophy Association was approved by a unanimous vote:

**WHEREAS,** Through a combination of volunteerism and philanthropy, both directly and through the organizations to which they belong, Village employees demonstrate support for Scarsdale community values, including participating in a variety of local and non-local activities and fundraisers benefitting worthwhile causes near and far; and

**WHEREAS,** the Scarsdale Uniformed Firefighters Association (UFFA) has requested that the Village of Scarsdale authorize a “Fill the Boot” fundraising effort in support of the Muscular Dystrophy Association, to be held in the public areas on Depot Place and near the Scarsdale Train Station on East Parkway from 6:00 AM to 9:00 AM on Wednesday, June 20, 2018, and Friday, September 14, 2018; now, therefore, be it

**RESOLVED,** that the Village Board herein approves and supports the UFFA’s “Fill the Boot” Muscular Dystrophy Association fundraiser to be held in the public areas on Depot Place and near the Scarsdale Train Station on East Parkway from 6:00 AM to 9:00 AM on Wednesday, June 20, 2018, and Friday, September 14, 2018.

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Land Use Committee

Deputy Village Manager Cole read a brief statement regarding the following resolution. He stated that the subdivision recreation fees were last updated in 2007 and have since become outdated. The Village Board tabled a prior update in January 2017 in favor of additional work to arrive at a fair fee schedule. The Assessor analyzed two years of sales records and an independent review was conducted by an outside consultant and the results of the two efforts were reconciled to arrive the present proposed schedule that the Village Board is considering this evening.

Upon motion entered by Trustee Veron, and seconded by Trustee Finger, the following resolution regarding Approval of a New Schedule for Subdivision Recreation Fees was approved by the vote indicated below:

- WHEREAS,** Section 7-730-4 of New York State Village Law authorizes planning boards to reserve land in a subdivision for park, playground or other recreational purposes, and substitute money in lieu of land in cases where suitable park lands of adequate size cannot be properly located on a subdivision plat, the amount of said money to be established by the Village Board of Trustees; and
- WHEREAS,** in accordance with the State law, the Scarsdale Village Board of Trustees, by resolution dated February 4, 2007, approved a Subdivision Recreation Fee Schedule informed by vacant property value estimates of November 20, 2006, as determined by the Village Assessor (attached); and
- WHEREAS,** the 2007 Village Board resolution approving the Subdivision Recreation Fee Schedule included a clause that the schedule be reviewed at a minimum of every five years to assure its continued suitability, however, as the Village Board was considering conducting a village-wide reassessment in 2012, this timetable was adjusted; and
- WHEREAS,** the Village Assessor completed a review of the current Subdivision Recreation Fee Schedule by analyzing recent property sales in each of the seven zoning districts and updating the influence of these updated values to the current fee schedule, with staff having also surveyed other Westchester County municipalities to compare fees and calculation methodologies; and
- WHEREAS,** a resolution with a proposed fee schedule was submitted to the Village Board for consideration at its January 20, 2017 meeting, at which, the board tabled the item for further review and consolidation; and
- WHEREAS,** in furtherance of the Board's action, staff retained an outside real estate appraisal firm to perform an independent analysis based on the available comparable vacant sales data, and develop a schedule of the base value of building lots by Village zoning district; and
- WHEREAS,** the results of this independent analysis were closely aligned with the Assessor's schedule which was amended to incorporate certain outcomes of the independent study; and

**WHEREAS,** based on the additional study and further review, it is recommended that the Village Board approve a new Subdivision Recreation Fee Schedule to incorporate the influence of current property values; now, therefore, be it

**RESOLVED,** that in accordance with Section 7-730-4 of New York State Village Law, the Subdivision Recreation Fee Schedule dated May 29, 2018, attached hereto and made a part hereof, is herein adopted and shall be used to determine payments in lieu of the reservation of land for park, playground or other recreational purposes whenever property located within the Village is subdivided; and be it further

**RESOLVED,** that this Schedule be reexamined by the Village Board at a minimum of every five years to maintain its continued suitability; and be it further

**RESOLVED,** that this Schedule shall become effective for any new subdivision applications decided by the Planning Board after June 12, 2018.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	None	None
Trustee Callaghan		
Trustee Crandall		
Trustee Finger		
Trustee Ross		
Trustee Veron		
Mayor Hochvert		

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Law Committee

Upon motion entered by Trustee Finger, and seconded by Trustee Ross, the following resolution regarding a License Agreement – 858 Scarsdale Avenue – Right-of-Way Encroachment was approved by the vote indicated below:

**WHEREAS,** 858 Scarsdale Avenue Associates, LLC, (hereinafter “Licensee”) is the current owner of certain real property known as 858 Scarsdale Avenue, identified on the official tax map of the Village of Scarsdale as Section 01, Block 03, Lot 25 (hereinafter “Property”); and

- WHEREAS,** in accordance with the Planning Board site approval for renovation of a non-residential building at 858 Scarsdale Avenue, and to protect pedestrians on the public sidewalk from vehicular traffic in the parking lot, the Licensee has constructed in the Village right-of-way a 35 foot long, 2 foot, 4 inch wide planting bed between site parking and the public sidewalk, inclusive of a six inch concrete curb to protect the required plantings; and
- WHEREAS,** the Village Engineer has visually inspected the right-of-way area where the planting bed and protective curbing have been installed and reports via memorandum dated April 27, 2018, (attached) that the site enhancements do not present a visual obstruction or other unsafe condition; and
- WHEREAS,** the Village may accommodate the Licensee by granting a revocable license agreement to properly authorize installation of the landscape bed, plantings, and curbing within the Village right-of-way in accordance with the attached survey prepared by Stonefield Engineering & Design, dated December 14, 2017, and attached as Exhibit "A" of the License Agreement, attached hereto and made a part hereof, said survey reviewed and approved by the Village Engineer; and
- WHEREAS,** the Licensee is responsible for all maintenance and repairs of said encroachment in the Village right-of-way and the payment of all fees associated with any construction and inspection of work; and
- WHEREAS,** Licensee will indemnify and hold harmless the Village in all actions, claims, judgments, costs or expenses arising from said maintenance and use of the encroachments, in addition, Licensee shall provide the Village with a certificate of liability insurance naming the Village as an additional insured, at limits approved by the Village Attorney; and
- WHEREAS,** the granting of said revocable license agreement will not interfere with the Village's present and future use and maintenance of said Village right-of-way; now, therefore, be it
- RESOLVED,** that the Village Manager is herein authorized to execute a revocable non-transferable license agreement, in substantially the same form as attached hereto, with 858 Scarsdale Avenue Associates, LLC, as represented by Steven Lichtman, 12864 Biscayne Boulevard, Unit 357, North Miami, Florida, 33181, to install a landscape bed, plantings, and curbing located within the Village right-of-way in

accordance with the December 14, 2017, plans and specifications reviewed and approved by the Village Engineer and attached to the license agreement as Exhibit “A,” said authorization conditioned on Licensee’s submission to the Village of a certificate of liability insurance naming the Village of Scarsdale as an additional insured, at limits approved by the Village Attorney; and be it further

**RESOLVED,** that Licensee herein agrees to indemnify and hold the Village of Scarsdale harmless in all actions, claims, judgments, costs or expenses arising from said installation, maintenance of said encroachments; and be it further

**RESOLVED,** that pursuant to the Fiscal Year 2018/19 Village-Wide Fees and Charges Schedule, Licensee shall pay the Village the sum of \$1,250.00 as an administrative fee associated with the preparation and execution of said license agreement, and the annual maintenance fee of \$150.00 moving forward.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	None	None
Trustee Callaghan		
Trustee Crandall		
Trustee Finger		
Trustee Ross		
Trustee Veron		
Mayor Hochvert		

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Upon motion entered by Trustee Finger, and seconded by Trustee Ross, the following resolution regarding Authorization of a Public Sanitary Sewer Easement Agreement – 858 Scarsdale Avenue was approved by the vote indicated below:

**WHEREAS,** 858 Scarsdale Avenue Associates, LLC, is the owner (hereinafter “Owner”) of certain real property located at 858 Scarsdale Avenue (hereinafter “Property”), as shown on the official tax map of the Village of Scarsdale as Section 01, Block 03, 25; and

**WHEREAS,** during the site plan review for a proposed non-residential building renovation at 858 Scarsdale Avenue, it was discovered that ten feet of public sewer line traverses the property, as described in “Exhibit A” and “Exhibit B” of the proposed Easement Agreement (attached); and

**WHEREAS,** upon a search of both Village and County of Westchester records, no easement for the sanitary sewer line had previously been dedicated to the Village of Scarsdale; and

**WHEREAS,** the Village Engineer has inspected the sanitary sewer line and has concluded that it is structurally sound and that the sanitary sewer line conforms with the accompanying easement, as well as with the aforementioned "Exhibit A" and "Exhibit B;" now, therefore, be it

**RESOLVED,** that pursuant to the New York State Village Law §4-412(3)(1), the Board of Trustees of the Village of Scarsdale hereby accepts the dedication of the public sanitary sewer line, as described in "Exhibit A" and "Exhibit B," attached hereto and made part hereof; and be it further

**RESOLVED,** that the Village Manager is herein authorized to execute any and all necessary documents, accepting the sanitary sewer line and the accompanying easement over said sanitary sewer line, as described in "Exhibit A" and depicted in "Exhibit B;" and be it further

**RESOLVED,** that the Owner, 858 Scarsdale Avenue Associates, LLC, or their representative, shall record the Easement Agreement in the Office of the Clerk of the County of Westchester, Division of Land Records.

AYES

NAYS

ABSENT

Trustee Arest

None

None

Trustee Callaghan

Trustee Crandall

Trustee Finger

Trustee Ross

Trustee Veron

Mayor Hochvert

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Municipal Services Committee

Upon motion entered by Trustee Veron, and seconded by Trustee Callaghan, the following resolution regarding the Scarsdale Concours Car Show was approved by a unanimous vote:

**WHEREAS,** Scarsdale Concours has requested permission to hold the 15<sup>th</sup> Annual Scarsdale Concours Car Show in the Village Center on Sunday, October 7, 2018; 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 has traditionally had a band play in Boniface Circle throughout the day, but requests that this year the bands be permitted to perform in Chase Park; 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 fourteen years; and

**WHEREAS,** the event draws hundreds of attendees to view a wide variety of antique automobile and show-cars, with recommended event donations helping to fund local service organizations, such as 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 15<sup>th</sup> Annual Scarsdale Concours in the Village Center on Sunday, October 7, 2018, 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.

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Upon motion entered by Trustee Veron, and seconded by Trustee Arest, the following resolution regarding the Appointment of the Village of Scarsdale Community Development Advisory Group (CDAG) Representative was approved by a unanimous vote:

**WHEREAS,** The Westchester County Urban Consortium (“Consortium”) provides participating Westchester County municipalities with the

ability to obtain funding from the Community Development Block Grant (CDBG) program, CDBG is a federal grant program of the Department of Housing and Urban Development (HUD) that provides funds to communities for neighborhood revitalization and improvement; and

**WHEREAS,** the Board of Trustees deemed it to be in the public interest for the Village of Scarsdale to join the Consortium, and as such, authorized the Village Manager via resolution on May 22, 2018 (attached), to enter into a Cooperation Agreement with the County of Westchester for the purposes of undertaking a Community Development Program; and

**WHEREAS,** the Village of Scarsdale is required to select a resident to serve as Scarsdale's Community Development Advisory Group (CDAG) representative who will sign off on prospective grant applications and ensure sufficient community engagement prior to submittal; and

**WHEREAS,** the duties of the CDAG representative include:

- attending CDAG meetings;
- advising and informing local officials about the programs;
- approving the submission of local proposals for activities to the (Community Development Block Grant) CDBG, the HOME Investment Partnership and Emergency Shelter Grant (ESG) programs;
- forming subcommittees, if necessary, for the purpose of discussing specific concerns such as housing, etc; and
- assisting citizens and groups in preparing proposals for activities to be undertaken, including assuring that all local citizen participation requirements are met; and

**WHEREAS,** Ms. Deborah Pekarek of Greenacres Avenue, has been identified as a resident able to convey the needs and concerns of the Village of Scarsdale to CDAG and the Westchester County Planning Department staff; now, therefore, be it

**RESOLVED,** Ms. Deborah Pekarek of Greenacres Avenue, Scarsdale, NY, is hereby appointed the Village of Scarsdale's Community Development Advisory Group Representative pursuant to the Westchester County Urban Consortium Program.

\* \* \* \* \*

Upon motion entered by Trustee Veron, and seconded by Trustee Finger, the following resolution to Award VM Contract #1241 – Scarsdale Public Library Moving Services was approved by the vote indicated below:

- WHEREAS,** construction of the Scarsdale Public Library Renovation and Expansion project, which includes a complete renovation of the existing library and additions to the east and west sides of the building, is anticipated to commence August 1, 2018; and
- WHEREAS,** the construction work requires all library items and library personnel to be removed from the building prior to commencing construction, with some items having been relocated by staff to the temporary, limited services “Library Loft” space located at the Supply Field Building, 244 Heathcote Road, and other items requiring professional moving and off-site storage services during the 18-month construction period; and
- WHEREAS,** on March 30, 2018, the Village advertised for the receipt of bids under VM Contract #1241 – Scarsdale Public Library Moving Services in the Scarsdale Inquirer, Construction Data News, Dodge Reports, the online NYS Bidnet website, and the Hudson Valley Purchasing Group, as well as directly distributed to several moving and storage firms; and
- WHEREAS,** on April 10, 2018, the Village held a pre-bid meeting to explain the scope of work and answer all questions pertaining to the contract; and
- WHEREAS,** on Tuesday, April 24, 2018, the date of the bid opening, four sealed bids were received, with the lowest responsive bid received from Santiago Worldwide Moving & Storage Inc., 614 Corporate Way, Valley Cottage, NY 10989, in the amount of \$108,000; and
- WHEREAS,** Village staff and Savin Engineers interviewed Santiago Worldwide Moving & Storage to confirm their understanding of the scope of work and ability to execute the required scope of work, checked their references, and toured their facility, having jointly concluded that the firm is capable of performing the necessary scope of work successfully; and
- WHEREAS,** Village staff, in conjunction with Robert Firneis, Vice President, Savin Engineers, recommends that VM Contract VM# 1241 – Scarsdale Public Library Moving Services, be awarded to the lowest responsive bidder, Santiago Worldwide Moving and Storage Inc., 614 Corporate Way,

Valley Cottage, NY 10989, for the base bid of \$108,000; now, therefore, be it

**RESOLVED**, that VM Contract #1241 – Scarsdale Public Library Moving Services be awarded to Santiago Worldwide Moving & Storage Inc., 614 Corporate Way, Valley Cottage, NY 10989, at the base bid amount of \$108,000; and be it further

**RESOLVED**, that all costs associated with this work be funded utilizing available balances in the Library Capital Campaign Fund charged to Capital Budget Account #HL-7497-964-2018-GF; 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.

<u>AYES</u>	<u>NAYS</u>	<u>RECUSED</u>	<u>ABSENT</u>
Trustee Arest	None	Trustee Ross	None
Trustee Callaghan			
Trustee Crandall			
Trustee Finger			
Trustee Veron			
Mayor Hochvert			

\*\*\*\*\*

Upon motion entered by Trustee Veron, and seconded by Trustee Arest, the following resolution Calling for a Public Hearing on an Application by the Village of Scarsdale for a Westchester County Community Development Block Grant for Renovations to the Interior and Exterior of 2 Drake Road was approved by the vote indicated below:

**RESOLVED**, that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Scarsdale to be held in Rutherford Hall in Village Hall on Tuesday, June 26, 2018, at 8:00 p.m. to consider the submission of an application for a Westchester County Community Development Block Grant for renovations to the interior and exterior of 2 Drake Road, and be it further

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

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	None	None

Trustee Callaghan  
Trustee Crandall  
Trustee Finger  
Trustee Ross  
Trustee Veron  
Mayor Hochvert

\*\*\*\*\*

Upon motion entered by Trustee Veron, and seconded by Trustee Arest, the following resolution Calling for a Public Hearing on an Application by the Village of Scarsdale for a Westchester County Community Development Block Grant for Interior Improvements and Restoration of Wayside Cottage, 1039 Post Road was approved by the vote indicated below:

**RESOLVED,** that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Scarsdale to be held in Rutherford Hall in Village Hall on Tuesday, June 26, 2018, at 8:00 p.m. to consider the submission of an application for a Westchester County Community Development Block Grant for interior improvements and restoration of the Wayside Cottage, located at 1039 Post Road; and be it further

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

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Trustee Arest	None	None
Trustee Callaghan		
Trustee Crandall		
Trustee Finger		
Trustee Ross		
Trustee Veron		
Mayor Hochvert		

\*\*\*\*\*

Police Commissioner

Upon motion entered by Trustee Veron, and seconded by Trustee Crandall, the following resolution regarding an Administrative Recognition Award for Police Officer Eric Logiudice and Conveying Village Board Recognition to Mr. David Raizen of the Scarsdale Volunteer Ambulance Corps was approved by a unanimous vote:

- WHEREAS,** the members of the Scarsdale Police Department are relied upon to protect and assure safety and welfare of the citizens of the Village of Scarsdale; and
- WHEREAS,** when a police officer performs his/her duties in an especially professional and outstanding manner, such conduct should be commended; and
- WHEREAS,** on January 10, 2016, Police Officer Eric LoGiudice responded to a Scarsdale residence on a report of a child having a seizure; and
- WHEREAS,** Officer LoGiudice quickly arrived on scene along with Mr. David Raizen of the Scarsdale Volunteer Ambulance Corps (SVAC) and observed a woman holding an unresponsive child in need of immediate transportation to the hospital; and
- WHEREAS,** recognizing the urgency of the situation, the child was transported to White Plains Hospital in a police cruiser driven in emergency mode by Officer LoGiudice while Mr. Raizen administered medical attention; and
- WHEREAS,** the child began to regain consciousness during transport, and subsequently White Plains Hospital staff reported their belief that the actions of Officer LoGiudice and Mr. Raizen saved the child's life; and
- WHEREAS,** the Police Department Awards Committee has recommended that Police Officer LoGiudice receive Administrative Recognition of the Village Board and that the SVAC president, David Raizen, receive Village Board Recognition; now, therefore, be it
- RESOLVED,** that the Village Board hereby endorses Chief Maturro's recommendation to convey the Administrative Recognition Award upon Police Officer Eric LoGiudice and offers Village Board Recognition to SVAC member Mr. David Raizen, accompanied by thanks to both parties for their professionalism and service to the community.

\* \* \* \* \*

Upon motion entered by Trustee Veron, and seconded by Trustee Arest, the following resolution regarding an Administrative Recognition Award for Police Officer Eric Logiudice was approved by a unanimous vote:

- WHEREAS,** the members of the Scarsdale Police Department are relied upon to protect and assure safety and welfare of the citizens of the Village of Scarsdale; and
- WHEREAS,** when a police officer performs his/her duties in an especially professional and outstanding manner, such conduct should be commended; and
- WHEREAS,** on January 12, 2016, at approximately 12:45AM, a report was received of a suspicious person peeking into multiple unoccupied vehicles near the intersection of Walworth Ave and Greenacres Avenue; and
- WHEREAS,** Officer LoGiudice quickly responded to the reported location to canvass the area and was able to locate an individual fitting the reported description; and
- WHEREAS,** also having previous knowledge from Scarsdale Police Department Investigation Flyers of an individual suspected of committing larcenies from vehicles in the area, Police Officer LoGiudice immediately followed up with Detective Serio; and
- WHEREAS,** Officer LoGiudice confirmed that the individual encountered was the same person who had used a stolen credit card from Scarsdale at a nearby gas station in the City of White Plains; and
- WHEREAS,** the individual was placed under arrest and identified as one David McRae, a suspect wanted for Grand Larceny, as being the same individual wanted in the Investigation Flyers; and
- WHEREAS,** the Police Department Awards Committee has recommended that Police Officer LoGiudice receive Administrative Recognition of the Village Board; now, therefore, be it
- RESOLVED,** that the Village Board hereby endorses Chief Maturro's recommendation to convey the Administrative Recognition Award upon Police Officer Eric LoGiudice and thanks Officer LoGiudice for his professionalism and service to the community.

\* \* \* \* \*

Upon motion entered by Trustee Veron, and seconded by Trustee Arest, the following resolution regarding an Honorable Service Medal for Sergeant Ronnie Arefieg was approved by a unanimous vote:

- WHEREAS,** the members of the Scarsdale Police Department are relied upon to protect and assure safety and welfare of the citizens of the Village of Scarsdale; and
- WHEREAS,** when a police officer performs his/her duties in an especially professional and outstanding manner, such conduct should be commended; and
- WHEREAS,** on August 16, 2016, at approximately 2:30PM, officers responded to the Village Center on a report that a burglary suspect was fleeing toward Chase Road from the Trinity Lutheran Church at 25 Crane Road; and
- WHEREAS,** the suspect was described as a male wearing blue shorts, a blue shirt, and carrying a black backpack; and
- WHEREAS,** Sergeant Arefieg observed a male fitting the description of the suspect attempting to hide behind several trash cans on the Metro North platform; and
- WHEREAS,** as a safety precaution, Sergeant Arefieg, now with back-up from Police Officer Anthony Gaudio and Sergeant Craig Carroll, directed the suspect to walk away from the train platform to the street at Depot Place; and
- WHEREAS,** the individual made a spontaneous statement admitting to the crime; and
- WHEREAS,** Officer Gaudio took the suspect into custody and transported him to the police headquarters; and
- WHEREAS,** Sergeant Carroll, after mirandizing the individual, interviewed him further and the suspect confessed to burglarizing the church on this date, as well as to burglarizing the church on a previous date; and
- WHEREAS,** the Police Department Awards Committee has recommended that Sergeant Ronnie Arefieg receive the Honorable Service Medal; now,

therefore, be it

**RESOLVED,** that the Village Board hereby endorses Chief Matturro's recommendation to convey the Honorable Service Medal upon Sergeant Ronnie Arefieg and thanks him for his professionalism and service to the community.

\* \* \* \* \*

Upon motion entered by Trustee Veron, and seconded by Trustee Ross, the following resolution regarding a Life Saving Medal for Police Officer Nicholas Kringas was approved by a unanimous vote:

**WHEREAS,** the members of the Scarsdale Police Department are relied upon to protect and assure safety and welfare of the citizens of the Village of Scarsdale; and

**WHEREAS,** when a police officer performs his/her duties in an especially professional and outstanding manner, such conduct should be commended; and

**WHEREAS,** on December 26, 2016, at approximately 11:37AM, the Department received an E911 call requesting immediate response to the front sidewalk of 51 East Parkway, Starbucks, on a report of an unresponsive male; and

**WHEREAS,** Officers Kringas, Nava, and Gaudio, along with Scarsdale Volunteer Ambulance Corps (SVAC) personnel, arrived on scene in less than two minutes, where a male was encountered lying on the ground in physical distress, exhibiting signs of a potential drug overdose; and

**WHEREAS,** Officer Kringas ran to his vehicle to retrieve his Department-issued Naloxone Kit and administered one vial of Naloxone to the aided with a positive physiological response within minutes; and

**WHEREAS,** in the professional opinion of Paramedic Maher of SVAC, the actions of the Department and the Scarsdale Volunteer Ambulance personnel saved the aided's life, with Police Officer Kringas' quick evaluation and action having prevented severe injury or death; and

**WHEREAS,** the Police Department Awards Committee has recommended that Police Officer Nicholas Kringas receive the department's Life Saving Medal; now, therefore, be it

**RESOLVED,** that the Village Board hereby endorses Chief Maturro's recommendation to convey the Life Saving Medal upon Police Officer Nicholas Kringas and thanks him for his professionalism and service to the community.

\* \* \* \* \*

Upon motion entered by Trustee Veron, and seconded by Trustee Arest, the following resolution regarding an Administrative Recognition Award for Detective Patricia Arcesi was approved by a unanimous vote:

**WHEREAS,** the members of the Scarsdale Police Department are relied upon to protect and assure the safety and welfare of the citizens of the Village of Scarsdale; and

**WHEREAS,** when a police officer performs his/her duties in an especially professional and outstanding manner, such conduct should be commended; and

**WHEREAS,** on January 6, 2017, Detective Patricia Arcesi met with a male who arrived at police headquarters, asking to speak with a detective about a crime that occurred in the State of Georgia; and

**WHEREAS,** the male advised Detective Arcesi that he was involved in a shooting and homicide which had occurred in Roswell, Georgia; and

**WHEREAS,** Detective Arcesi mirandized the male and recorded the interview; and

**WHEREAS,** upon analyzing the information provided by the male, contacted Roswell Georgia Police Investigators, who provided Detective Arcesi with information about the homicide that only a party involved in the crime would be aware of; and

**WHEREAS,** Detective Arcesi elicited further information from the male, which then allowed the Roswell Georgia Police to obtain an arrest warrant for the homicide in question; and

**WHEREAS,** based upon this warrant, Detective Arcesi arrested the male on the charge of homicide; and

**WHEREAS,** the Police Department Awards Committee has recommended that Detective Arcesi receive Administrative Recognition of the Village Board; now, therefore, be it

**RESOLVED,** that the Village Board hereby endorses Chief Maturro's recommendation to convey the Administrative Recognition Award upon Detective Patricia Arcesi and thanks Detective Arcesi for her professionalism and service to the community.

\* \* \* \* \*

Upon motion entered by Trustee Veron, and seconded by Trustee Crandall, the following resolution regarding an Administrative Recognition Award for Police Officer Brett Purpura was approved by a unanimous vote:

**WHEREAS,** the members of the Scarsdale Police Department are relied upon to protect and assure the safety and welfare of the citizens of the Village of Scarsdale; and

**WHEREAS,** when a police officer performs his/her duties in an especially professional and outstanding manner, such conduct should be commended; and

**WHEREAS,** on February 10, 2017, at approximately 6:00PM, Police Officer Purpura was conducting directed burglary patrol in the Greenacres section of the Village and observed a male running from the front porch of a private residence, having then entered an awaiting vehicle; and

**WHEREAS,** given this suspicious conduct, past larceny and burglary incidents in the area, and his own heightened state of awareness, Officer Purpura effected a traffic stop of said vehicle; and

**WHEREAS,** the investigation initiated by Officer Purpura determined that the suspect was attempting a larceny of packages from the private residence, but was interrupted; and

**WHEREAS,** Officer Purpura's apprehension of these suspects, coupled with the Investigation Section's follow-up, closed additional larceny complaints within the Village and led to charges being filed against these individuals by neighboring jurisdictions; and

**WHEREAS,** the Police Department Awards Committee has recommended that Police Officer Purpura receive Administrative Recognition of the Village Board; now, therefore, be it

**RESOLVED,** that the Village Board hereby endorses Chief Maturro's recommendation to convey the Administrative Recognition Award upon Police Officer Brett Purpura and thanks him for his professionalism and service to the community.

\* \* \* \* \*

Upon motion entered by Trustee Veron, and seconded by Trustee Arest, the following resolution regarding an Honorable Service Medal for Detective Joseph Serio and Administrative Recognition for Senior Investigator Michael Occhicone, Investigator Roger Bock, and Investigator Patrick Coughlin was approved by a unanimous vote:

**WHEREAS,** the members of the Scarsdale Police Department are relied upon to protect and assure safety and welfare of the citizens of the Village of Scarsdale; and

**WHEREAS,** when a police officer performs his/her duties in an especially professional and outstanding manner, such conduct should be commended; and

**WHEREAS,** on April 19, 2017, at approximately 2:29AM, Patrol Units responded to a home in the Fox Meadow section of the Village on a report of an occupied burglary where three suspects had entered the home, where they were physically confronted by the property owner and then fled; and

**WHEREAS,** Detective Joseph Serio was assigned the case and immediately began coordinating with Westchester District Attorney personnel, including Senior Investigator Michael Occhicone, Investigator Roger Bock, and Investigator Patrick Coughlin; and

**WHEREAS,** Detective Serio promptly identified the three suspects responsible for this occupied burglary and determined that they were also suspects in another burglary in the Village where a vehicle was stolen; and

**WHEREAS,** Detective Serio and Investigators Bock and Coughlin were able to arrest two of the three suspects over the next several months, while the third suspect fled to North Carolina; and

**WHEREAS,** Detective Serio and Investigators Bock and Coughlin traveled to Goldsboro, NC, and with the assistance of the Goldsboro Police Department, arrested the third suspect and returned him to New York, where he admitted to his participation in the crime in Scarsdale, as well as other jurisdictions throughout Westchester County; and

**WHEREAS,** due to the extent of this investigation and subsequent arrest of the individuals involved, numerous felonies committed throughout Westchester County were solved and related cases successfully closed; and

**RESOLVED,** that the Village Board hereby endorses Chief Maturro's recommendation to convey the department's Honorable Service Medal upon Detective Joseph Serio and thanks him for his professionalism and service to the community; and be it further

**RESOLVED,** that the Village Board hereby endorses Chief Maturro's recommendation to convey Administrative Recognition upon Westchester District Attorney Senior Investigator Michael Occhicone, Investigator Roger Bock, and Investigator Patrick Coughlin, and thanks them for their collaboration with Scarsdale to enhance public safety, as well as for their dedicated service to Westchester County and each of the communities therein.

\* \* \* \* \*

#### Personnel Committee

Upon motion entered by Trustee Arest, and seconded by Trustee Ross, the following resolution regarding Appointments to the Board of Architectural Review was approved by a unanimous vote:

**WHEREAS,** the Board of Architectural Review consists of seven (7) members appointed by the Village Board for three year terms; and

**WHEREAS,** there is currently one (1) vacancy existing on the Board; and

**WHEREAS,** the Village Board's Personnel Committee met on June 5, 2018 to discuss potential candidates and reviewed and discussed the application of Mera Faddoul, currently serving as an alternate member, to fill said vacancy and herein recommends to the Full

Board that Ms. Faddoul be appointed as a full member for a term effective immediately and ending on April 5, 2021; and

**WHEREAS,** the Personnel Committee also discussed potential candidates to fill the unexpired alternate member term of Ms. Faddoul and reviewed and discussed the application of Lisa Roman Ephrat, 56 Brite Avenue, to fill said vacancy and herein recommends to the Full Board that Ms. Roman Ephrat be appointed to serve the unexpired term of Ms. Faddoul on the Board of Architectural Review; now therefore be it

**RESOLVED,** that Mera Faddoul, 39 Kingston Road, is herein appointed as a full member of the Board of Architectural Review effective immediately for a term ending April 5, 2021, or until such time a successor is appointed; and be it further

**RESOLVED,** that Lisa Roman Ephrat, 56 Brite Avenue, is herein appointed as an alternate member of the Board of Architectural Review to fill the unexpired term of Mera Faddoul ending April 6, 2020, or until such time a successor is appointed.

\* \* \* \* \*

Upon motion entered by Trustee Arest, and seconded by Trustee Veron, the following resolution regarding an Appointment to the Board of Ethics was approved by a unanimous vote:

**WHEREAS,** in accordance with the Chapter 37 of the Village Code, Ethics, Article II, Section 37-7, the Village Board may appoint no fewer than five (5) or more than seven (7) members to serve on the Board of Ethics for five year terms; and

**WHEREAS,** currently there are six (6) members on said Board, providing an opportunity for one (1) additional interested and qualified resident to serve; and

**WHEREAS,** the Village Board's Personnel Committee met on June 5, 2018 to review applications to fill the vacancy and subsequently recommended to the Full Board that Larry Dobosh, 37 Franklin Road, be appointed to fill said vacancy; now therefore be it

**RESOLVED,** that Larry Dobosh, 37 Franklin Road, Scarsdale is hereby appointed to serve on the Board of Ethics for a term ending on April 3, 2023.

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Upon motion entered by Trustee Arest, and seconded by Trustee Finger, the following resolution as amended regarding an Appointment to the Committee for Historic Preservation was approved by a unanimous vote:

**WHEREAS,** in accordance with Section 182-3 B of the Scarsdale Village Code, the Committee for Historic Preservation shall consist of seven (7) members and one (1) alternate member appointed by the Village Board for three-year terms; and

**WHEREAS,** Section 182-3 of the Scarsdale Village Code also states that the Village Board may appoint a non-resident who has special interest in historic preservation and is a New York State registered architect; and

**WHEREAS,** a member vacancy currently exists on the Committee; and

**WHEREAS,** the Village Board's Personnel Committee, at their June 5, 2018 meeting, reviewed and discussed the application of Mark Behr to fill said vacancy and herein recommends to the Full Board that Mark Behr be appointed as a member of the Committee for Historic Preservation; now, therefore, be it

**RESOLVED,** that Mark Behr, 38 Moss Glen Lane, South Burlington, Vermont, is herein appointed as a full member of the Committee for Historic Preservation for a term effective immediately and ending on April 05, 2021, or until such time as a successor is appointed.

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Upon motion entered by Trustee Arest, and seconded by Trustee Veron, the following resolution regarding Appointments to the Advisory Council on Parks and Recreation was approved by a unanimous vote:

**WHEREAS,** in accordance with the Constitution of the Advisory Council on Parks and Recreation, the Council shall consist of nine members appointed by the Village Board for two-year terms; and

**WHEREAS,** two (2) vacancies exist on the Council and the Village Board's Personnel Committee, at their June 5, 2018 meeting, reviewed and discussed the applications of Jennifer Glantz and Rachel Lemberg as candidates to fill said vacancies and herein recommends to the Full

Board that Ms. Glantz and Ms. Lemberg be appointed to the Council for terms effective immediately and ending April 6, 2020; now, therefore, be it

**RESOLVED**, that Jennifer Glantz, 1 Claremont Road, and Rachel Lemberg, 39 Cambridge Road, are herein appointed to the Advisory Council on Parks and Recreation for terms expiring April 6, 2020, or until such time as successors are appointed.

\* \* \* \* \*

Upon motion entered by Trustee Arest, and seconded by Trustee Ross, the following resolution regarding an Appointment to the Advisory Council on Scarsdale Senior Citizens was approved by a unanimous vote:

**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 June 5, 2018, and discussed the application of Carole Henry, 50 Popham Road, for a position on the Advisory Council on Scarsdale Senior Citizens; and

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

**RESOLVED**, that Carole Henry, 50 Popham Road, is hereby appointed to the Advisory Council on Scarsdale Senior Citizens for a term effective immediately and ending April 6, 2020, or until such time as a successor is appointed.

\* \* \* \* \*

#### Written Communications

The Village Clerk reported that six (6) communications have been received since the last regular Board of Trustees meeting:

- Two (2) emails from Lika Levi regarding 6 Fenimore Road/a response from the Mayor is attached.
- An email from Mayra Kirkendall Rodriguez regarding the need for a Long Term Financial Plan.
- An email from Robert Neidig regarding road conditions; a response from the Village Manager is attached.
- An email from Wendy Lee regarding DAS antennas; a response from the Mayor is attached.
- A letter from the Friends of the Scarsdale Parks concerning the development of a Library Pond Management Plan.

\* \* \* \* \*

There being no further business to come before the Board, on a motion entered by Trustee Finger, seconded by Trustee Ross and carried unanimously, the meeting adjourned at 10:15 P.M.

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Donna M. Conkling  
Village Clerk