

THREE THOUSAND THREE HUNDRED ELEVENTH**REGULAR MEETING**

Rutherford Hall
Village Hall
September 25, 2018

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held in the Trustees' Room in Village Hall on Tuesday, September 25, 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, Village Attorney Martin, Assistant Village Manager Richards, Deputy Village Attorney Garrison, Village Treasurer McClure, and Village Clerk Conkling.

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Mayor Hochvert stated that a very sad event occurred over the weekend; one of the Village's long time and very valuable volunteers passed from us. Beverly Sved is no longer with us. He asked that everyone share a moment of silence.

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The minutes of the Board of Trustees Regular Meeting of Wednesday, September 12, 2018 were approved on a motion entered by Trustee Crandall, seconded by Trustee Finger and carried unanimously.

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Before reported on the bills, Trustee Veron stated that she would like to speak about Beverley Sved:

"We lost an incredible public servant and wonderful woman just days ago. Bev Sved devoted her life to making Scarsdale a better place. Fifteen years ago, I admired Mayor Sved from afar as she skillfully navigated community differences. Like magic, she redirected bitter debate and channeled the collective energy into a shared vision - under her leadership Scarsdale succeeded in converting a parking lot into the beautiful Christie Place - her lasting legacy. Later, Bev and I would become friends as Planning Board colleagues. I drove us from site to site, and she would regale me with stories of her days at IBM and passion for gardening. We shared a fondness for data and delighted in the details. Always, Bev would cut through the immaterial to find the heart of the matter. I feel grateful that we had the chance to work together for nearly the rest of her life, in a variety of community

organizations including the League of Women Voters and Scarsdale Foundation. When the Scarsdale Bowl Committee announced their selection last year, I knew there was no one more deserving. I am grateful we celebrated Bev in April and honor her memory today.”

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Bills & Payroll

Trustee Veron reported that she had audited the Abstract of Claims dated September 25, 2018 in the amount of \$1,243,790.76 which includes \$66,542.33 in Library Claims previously audited by a Trustee of the Library Board which were found to be in order and she moved that such payment be ratified.

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

RESOLVED, that the Abstract of Claims dated September 25, 2018 in the amount of \$1,243,790.76 is hereby approved.

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Mayor's Comments

Mayor Hochvert stated that on September 13th, a Finance Committee meeting was held, which Trustee Ross will elaborate on during his report. On September 14th, there was a meeting with some of the residents on Fenimore Road; as people may recall, there was one fatality and one serious injury due to car accidents at this location. The Village will be monitoring the traffic to determine speed and to observe stopping cars at pedestrian crossings on Fenimore Road. After the data is collected over a two week span, the Village will install a control button that lights up the pedestrian crossing sign with flashing lights for better motorist visibility. A speed sign will also be erected which will indicate the speed of passing cars. It is hoped that this will slow traffic down to the 30mph speed limit.

Mayor Hochvert further reported that on September 17th, Assemblywoman Amy Paulin invited representatives from Westchester municipalities to speak with Assemblyman David Buchwald who is cosponsoring her effort to oppose the proposed IRS elimination of the charity deduction. Mayor Hochvert stated that he sat next to the President of the School Board, who is also very interested in the proposal that Ms. Paulin has put forth. The law firm she has been working with has found some flaws in the logic of the IRS so there will be comments filed on October 11th in opposition to the effort of the IRS.

On September 17th a SNAP meeting was held and it was very different from the normal meeting that is held on the 3rd floor meeting room of Village Hall. The new

president of SNAP, Sarah Bell Wechsler, held the meeting in the basement of her home and instead of a very stiff relationship, the atmosphere leant to a feeling of friends thinking about what they can do for their neighborhoods and make Scarsdale a better place to live.

On September 20th, a meeting was called by County Executive George Latimer and Assemblyman David Buchwald regarding the storms that were encountered at the beginning of March. The Public Service Commission representatives stated that they would ensure that all of the utilities in the area in the future talk to other utilities in terms of their weather forecasting regarding oncoming storm situations. The PSC also stressed that joint drills should be held with the local officials so that in the event there is a storm so that there is a better working relationship. They also discussed mutual aid internal crews versus out-of-towners and having extra trucks parked somewhere in each of the areas so that they could call on worker familiar with the area and fly in crews rather than having them drive their trucks from distant areas. Mayor Hochvert stated that he thought that there will be improvements; however, it is hard to know until there is another test.

On September 21st, there was a gathering at Memorial Gardens to reflect together those people who are still missing in action from previous wars. There were some sad stories told by families who thought that someday their missing loved one would return to them.

Mayor Hochvert stated that yesterday evening, he and Trustee Finger went over to Edgewood School, which is the 3rd school beginning its 100th year anniversary. Greenacres and Fox Meadow Schools have already had their 100th anniversary. He noted that Trustee Finger had been a student at Edgewood School.

Mayor Hochvert also noted that he received a note from Senator Chuck Schumer regarding a grant opportunity offered by the U.S. Department of Agriculture under the Farm to School Grant Program. He stated that he immediately sent this communication to Scott Silberfein, School Board President, to work through the school for a possible grant.

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Manager's Comments:

Acting Village Manager Cole reported that the amount of rain the area had today has overwhelmed the local and regional systems and many road closures were experienced. There has been some flooding of basements and private property. He suggested that if a resident has a neighbor that has been impacted by flooding, to check on them or request the Police Department to check on them using the non-emergency number, 914-722-1200.

Mr. Cole noted that this is National Preparedness Month and if you have not visited the Ready.gov website, you should take a look at what they recommend for family

preparedness and communication plans. Today's events serve as a reminder that we need to be cognizant of these types of events and plan for emergencies.

On Sunday, October 7th, at 1:00 P.M., Mr. Cole encouraged the community to attend the Fall Festival and Scarecrow Making Festival at the Scarsdale Pool. The event is always well attended and it is a lot of fun.

Pursuant to the flooding that occurred today, the Superintendent of Public Works Benny Salanitro is here this evening and he will provide a brief update concerning the status of the flooding in the community and what his department is doing in addition to the work that the Public Safety personnel is doing today.

Superintendent of Public Works Benny Salanitro stated that the rain from early this morning until this evening inundated our area as well as many other parts of Westchester County. He has received rainfall estimates of approximately 5" of rain, which is a substantial amount of rain. Every part of the community has experienced some sort of flooding and road closures. He stated that he is happy to report that the waters are receding now and most of the roads are open. In a few hours they should all be open. A lot of the rivers have breached, a lot of homes have had flooding throughout the community but more so in Edgewood and the Cayuga section and the south Fox Meadow Brook section, and the Cambridge area. The Fire Department is still out working hard with the volunteers on emergency calls for flooded basements and they are executing safety precautions as well regarding electrical power and gas. The DPW staff is still out there assisting where they can. At this point in time, everyone is safe. DPW did have two water rescues today in the Hutchinson valley area – individuals were trapped in their vehicles and removed and brought to safety. In his tenure here, Mr. Salanitro stated that this rainfall ranks in the top ten or even top five. He stated that Mamaroneck is currently under water at the lowest reaches. There is a substantial amount of home damage in the area; however, the road system is fine.

Acting Village Manager Cole thanked Mr. Salanitro for the update and extended the Village's appreciation for the work that he and his team is doing tonight.

Trustee Committee and Liaison Reports

Trustee Arest made the following statement: "I think at some point all elected officials and perhaps anyone that works or volunteers in local government learns the frustration that there are issues that might directly affect us but might also be to whatever extent outside of our control. One example is the regulation of Distributed Antenna Systems or DAS. Our constituents expect us to act in their best interests and protect them

from potential harm whether it be from impact on property values from aesthetics or the impact such devices may have on our health and that of our children. While the federal government has intervened and limited the influence we as a local governing body can have on the placement of such devices, sophisticated planning can ensure that our laws and procedures are not only compliant but also effective. We as a community are fortunate that previous boards and staff have done such work and we have a code that does well to protect us and we continue to monitor and do what we can to improve such protections. Health is a completely different issue. As some in the community have learned recently, federal law precludes any decisions based on the environmental effects of radio frequency, so long as the devices are compliant with FCC rules.

So why do I mention any of this? On September 5th, the FCC issued a Draft Declaratory Ruling and Order that would only serve to further tie our hands on matters that have a direct impact on all of us. This is a true challenge to local rule. Now is not the time for thoughtful planning but rather for action. The item is expected to be adopted at a hearing on September 26th, yes tomorrow, and only 21 days after they were proposed. I am appreciative of the Mayor, Board and staff that with very limited time we have ensured that our community will be heard. So what did we do? We distributed a letter to our elected federal officials. If you will indulge me I will read that now into the record so that the public may hear. It went to Congressmen Engel and Senators Schumer and Gillibrand. A copy was also sent to Congresswoman Nita Lowey.”

Trustee Arest then read the letter addressed to Senator Gillibrand, and signed by Mayor Hochvert regarding the strong objection the Village has to the two FCC draft orders and the impacts these orders would have on the Village and other local governments.

Trustee Arest stated that “under normal times a letter like this might be the best that we can do and hope that our electeds act on our behalf to protect our rights. But we did not stop there. The law firm representing us in cable franchise matters, Best, Best and Krieger, organized a group called the Smart Communities and Special Districts Coalition. Along with our friends in Rye and their Mayor Josh Cohn we joined this coalition that collectively represents 31 million residents in 11 states and the District of Columbia. For a small fixed fee, Best and Krieger has filed a brief on the matter, will represent us at the hearing and will also file an appeal should it be necessary. I appreciate the time to share this with the community and I hope you know that we do not take these specific issues lightly nor do we accept such an overreach by a federal administrative body on our right to govern as a community. Thank you.”

Trustee Veron reported that at the last Village Board meeting, she gave an update on the progress concerning the Freightway site. She stated that she will continue to do so and added that information would be forthcoming in October.

Trustee Veron then gave an update on the Library project, noting that the groundbreaking was held on August 14th; the abatement and demolition is nearly complete. The Building Committee continues to work with the architect on interior design. There is a construction meeting held every two weeks. She noted that the Library Board, Project Manager Paul Zaicek and others are hard at work trying to bring this vision to reality.

Trustee Veron stated that the Scarsdale Business Alliance continues to meet to identify ways to stimulate foot traffic in the Village Center. It is a new consortium of businesses and other stakeholders who are working on putting together events in the Village Center. She stated that she will continue to report on what they have in store for the community to continue to bring vitality to the Village.

Trustee Veron next reported on an effort that the Village is working in partnership with the School and that is in respect to public safety. In her capacity as Police Commissioner, she and the Mayor are hosting a meeting at the Public Safety Building with the Police Chief and the School Security Officer, the Board of Education President and a representative from the District Office, as well as Jay Genova from Scarsdale Edgemont Family Counseling Services. The goal is to establish communication between the Village and the School with respect to the issues surrounding school safety and to insure that we have an open dialogue and best practices to bear on the conversation. She felt the community should be aware of the goal of both entities to have a strong partnership.

Trustee Veron then encouraged everyone to mark their calendar for the "Light the Dale" ceremony to be held on November 30th. She also reminded everyone of the upcoming meeting on October 9th at 6:00 P.M. regarding the Road Resurfacing Program. She noted that the resurfacing of Post Road has been a great development in improving the condition of that road. At that meeting, Superintendent of Public Works Benny Salanitro will explain how the Village goes through the process of identifying and resurfacing the Village roads.

Trustee Callaghan reported as liaison to the Advisory Council on Senior Citizens, stating that they will be having Village Department Heads attend a monthly meeting to explain what they do and how they do it. The first Department Head to present to the Council will be Superintendent of Public Works Benny Salanitro this Friday.

Trustee Callaghan next reported as Fire Commissioner, stating that he presided at the swearing in ceremony along with Fire Chief Seymour of a new firefighter, Nicholas Konikoff. He stated that Nicholas has 10 years of experience as a volunteer fireman in Stony Point. He is also a graduate of Penn State University and has a degree in Civil Engineering. He is also an officer in the National Guard, and an EMT. He next commented on Fire Chief Seymour's ability to choose such outstanding young candidates to join the Fire Department. The Scarsdale Fire Department is probably unmatched in

educational and experienced background in Westchester County. This also includes officers in the Police Department.

Trustee Callaghan stated that he would report later on about the Awards Ceremony held for ten of the firefighters who responded to a very serious accident on Fenimore and Brite Roads not too long ago.

Trustee Crandall reported that “on September 14th I attended a Board of Directors meeting of the Scarsdale Drug and Alcohol Task Force.” Police Chief Maturro was also present. October is Substance Abuse Prevention Month. Scarsdale Middle School students have started a “Students Against Destructive Decision Making” group, also known as “SAD”. In the high school, efforts are underway to raise awareness about driving under the influence of marijuana. Chief Maturro informed the group that technology is being developed to detect marijuana use. We also learned that there is a national group called “SAM” which stands for “Smart Approaches to Marijuana”. Jay Genova, Director of Scarsdale Edgemont Family Counseling explained that as the perception of safety with legalization efforts goes up, the use by teens of marijuana also goes up. The group decided to work on better educating the community. A recent report by Smart Approaches to Marijuana entitled “Separating Marijuana Fact from Fiction in New York” was distributed. If anyone in the community would like a copy of this report, you can email me at LenaCrandall.ScarsdaleTrustee@gmail.com.”

Trustee Ross stated that the Finance Committee began its discussions of the 2019/2020 Village Budget on September 13th. As he explained at that meeting, this is quite early to begin these discussions in light of the fact the budget is to be adopted in late April of 2019. The September 13th meeting was the first of many relating to the adoption of the coming year’s budget, all of which will be open to the public. Recognizing the financial restraints affecting both our Village and many of our residents, the Board expects that the budget process will be very challenging. The process involves extensive discussion, and the residents are an important part of the process. The Board hopes that the community will follow the progress of those discussions and make their voices heard.

Trustee Finger stated that it was a pleasure to attend the kickoff for the Edgewood 100th anniversary year. He stated that he attended a Conservation Advisory Council meeting last week and one of the items discussed was community solar, which is a potential opportunity for members of the community to participate in solar energy, even they cannot construct anything on their own homes. There is still a long way to go in this regard, but hopefully this is something everyone can look forward to in the future.

Trustee Finger stated that he also attended a meeting regarding the traffic safety measures that the Village is implementing on Fenimore Road. He reiterated that traffic safety is extremely important to the community and to the Board. The Board is reviewing everything to make Scarsdale a safer place. The Board is cognizant of the impact traffic

devices may have on neighbors and others in the area, but the Board is trying to be responsive to what it sees as important safety and traffic issues. There are more of the lighted speeding signs which will be deployed, as well as enforcement measures. The Board will keep looking at other things they can do to improve safety in the Village.

Trustee Finger noted that earlier today a Law Committee meeting was held to discuss proposed changes to the Scarsdale Zoning Code which would limit the availability of vape products. That has been approved by the Law Committee to come to the full Board. As required, the Board will determine to send this proposed legislation to the Planning Board for its recommendation. Once a report is received from the Planning Board, hopefully a public hearing will then be held. He encouraged residents to attend the public hearing; if anyone thinks it is a good idea to limit the availability of vape products, they should attend and speak favorably for enactment of the legislation at the public hearing.

Trustee Finger stated that there will be a resolution on the Board's next agenda in two weeks regarding action that is being taken to oppose the proposed IRS regulations regarding charitable funds for State and Local tax credit. The Board had enacted legislation which enabled residents to pay their taxes into a charitable fund and get a credit for that payment on their Village taxes. He stated that this is a way to handle the Federal Government's removal of the deduction for taxes. The IRS has proposed regulations which would impugn our ability to take advantage of the local law that was adopted. The Board will be attempting to take some action in this regard and will be looking for support on that as well. He stated that the Board wants the community to know that it is very well aware of the impact that the law has had and that it is continuing to redouble their efforts to protect the community as best we can.

Public Hearings

Trustee Veron opened the Public Hearing to determine the number of taxicabs to be licensed in Scarsdale in 2019 pursuant to Section 272-3 of the Village Code. She opened the public hearing to public comment at this time.

Trustee Finger explained that the proposal is to keep the number of taxicab licenses the same as in the past.

Trustee Veron noted that for background purposes, 25 taxicab licenses have been approved for at least the past ten years, and it has been recommended to move forward with what has been approved historically. As no public comment was offered, Trustee Veron closed the public hearing at this time, seconded by Trustee Finger and approved unanimously.

As no resolution was available for the Board's approval, this matter will be adjourned to the next meeting at which time a resolution will be before the Board for adoption.

Trustee Veron stated for the edification of those interested, the number of taxicab licenses have been tracked for the past ten years and the number of approved taxicab licenses has remained at 25. The presence of Uber and Lyft has been considered, as well as metro north boardings. All taxicabs have been inspected by the Police Department. Vote is deferred to the next regular meeting of the Board of Trustees to be held on October 9th.

Trustee Finger opened the next Public Hearing to consider a proposed local law to amend Chapter 290 of the Scarsdale Village Code, entitled Vehicles and Traffic. He stated that this is an amendment to create a new category of parking spaces for electric vehicles which is going to allow the Village to limit the parking of electric vehicles in spaces with electric charging spaces. Trustee Finger also noted that the Village staff was able to procure a grant for approximately \$7,400 to install the electric vehicle chargers. To take advantage of this grant, this is a step the Board has to take. The grant amount will cover approximately half of the expense. He opened the public hearing to public comment at this time. As no public comment was offered, Trustee Finger closed the public hearing, seconded by Trustee Veron and carried unanimously.

Upon motion entered by Trustee Finger, and seconded by Trustee Crandall, the following Local Law to Amend Chapter 290 of the Scarsdale Village Code, entitled Vehicles and Traffic, was adopted by the vote indicated below:

INTRODUCTORY LOCAL LAW # 5 OF 2018
A LOCAL LAW AMENDING CHAPTER 290 OF THE SCARSDALE VILLAGE
CODE
ENTITLED VEHICLES AND TRAFFIC

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

ARTICLE I
General Provisions

§ 290-1. Definitions

- A. The words and phrases used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them by Article 1 of the Vehicle and Traffic Law of the State of New York.

- B. The following words and phrases, which are not defined by Article 1 of the Vehicle and Traffic Law of the State of New York, shall have the meanings respectively ascribed to them in this section for the purposes of this chapter:

BATTERY CHARGING STATION – An electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.

BATTERY ELECTRIC VEHICLE (BEV) – Any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's battery or batteries, and produces zero tailpipe emissions or pollution when stationary or operating.

CURBLINE – The prolongation of the lateral line of a curb, or in the absence of a curb, the lateral boundary line of the roadway

ELECTRIC CHARGING STATION – A public or private parking space that is served by battery charging station equipment for the primary purpose of transferring electric energy, by conductive or inductive means, to a battery or other energy storage device in an electric vehicle.

ELECTRIC VEHICLE – Any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purposes, including battery electric vehicles and plug-in hybrid vehicles.

ELECTRIC VEHICLE PARKING SPACE – Any marked parking space identified for use exclusively by electric vehicles.

HOLIDAYS – New Year's Day, Martin Luther King Day, Presidents' Day, ~~Lincoln's Birthday~~, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veterans' Day, Thanksgiving Day and Christmas Day.

NON-ELECTRIC VEHICLE – Any vehicle that does not meet the definition of “electric vehicle”.

OFFICIAL TIME STANDARD – Whenever certain hours are named herein or on traffic control devices, they shall mean the time standard which is in current use in this state.

PLUG-IN HYBRID ELECTRIC VEHICLE (PHEV) – An electric vehicle that: Contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor;

- (1) Charges its battery primarily by connecting to the grid or other off-board electrical source;
- (2) May additionally be able to sustain battery charge using an on-board internal combustion driven generator; and
- (3) Has the ability to travel powered by electricity

TRAFFIC SAFETY COMMITTEE – A committee established by the Village Manager to review and advise on village-wide traffic safety matters. This Committee shall consist of representatives of the Village Manager's Office, Police Department, Public Works Department and other employees from time to time as determined by the Village Manager.

ARTICLE V
~~Handicapped Parking~~ Other Parking

§ 290-42. ~~Use of handicapped parking spaces.~~ Other Parking

A. Use of Handicapped Parking Spaces

- ~~A.~~ 1. Where parking spaces have been designated as handicapped parking and where such spaces have been posted with handicapped parking signs, only those vehicles displaying a legally issued, currently valid New York State handicapped parking permit shall be permitted in such parking spaces.
- ~~B.~~ 2. Where parking spaces regulated by a Village parking permit have been designated as handicapped parking spaces by the Village Manager and where such spaces have been duly posted with handicapped parking signs, only those vehicles displaying a properly issued New York State handicapped parking permit along with the proper village issued parking permit shall be permitted in such spaces.
- ~~C.~~ 3. Use of any parking space designated in Schedule XXXVI (§ 290-87), Handicapped Parking Spaces, shall require conformity to the requirements of § 290-42 of this article and § 1203-a(1)(ii) of the Vehicle and Traffic Law of the State of New York.

B. Use of Electric Vehicle Parking Spaces

1. The Village Manager or his/her designee is hereby authorized to designate the

location of electric vehicle charging stations and electric vehicle parking spaces within each public parking area and structure. The Village Manger or his/her designee is further authorized to designate entire public parking areas or a portion or portions of public parking areas and structures for the exclusive use of electric vehicles. Said areas or portions of public parking areas and structures so designated shall be identified through signage and/or appropriate pavement markings.

2. Any electric vehicle or non-electric vehicle parked in a designated electric vehicle charging station space and not electrically charging, or parked beyond the days and hours designated on regulatory signs posted at or near the space, shall be subject to a fine. For purposes of this subsection, "charging" means an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station.
3. Electric vehicle charging stations are reserved for parking and charging electric vehicles only when parked in an electric parking space.
4. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions applicable to said parking space.
5. Non-electric vehicles parked in an electric vehicle parking space shall be subject to a fine pursuant to § 90-6 of the Scarsdale Village Code.

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		

Public Comments:

Andrew Sereysky, Walworth Avenue, urged the Board to pass the resolution with regard to the Dog Park. He stated that this has been a long time coming. He and Bob Berg have been trying to move this along. He read an excerpt from comments by Jan Drago who was a Seattle councilwoman addressing the dog park issue in the city. In her comments she noted that it is not a dog issue but a people issue and recognizing off leash activity as a valuable recreation activity. The dog park would really be for the Scarsdale residents, not just for the dogs. He again urged the Board to adopt the resolution before them this evening.

Robert Berg, 32 Tisdale Road, stated that he was surprised and delighted on Friday evening when he saw the Village Board agenda and the resolution regarding a dog park on the agenda. He stated that the time has come; this has been studied at SNAP – a project undertaken two years ago. This was the first project that SNAP decided to do for the public good in its history; this is something we are all behind. He noted that he often takes his dog to play with other neighborhood dogs on Crane Berkley Field which is a private field. The dogs have a great time off leash and it's a wonderful social activity for the residents. It is a terrific community building experience. He stated that a dog park would be a wonderful amenity for the community and he is delighted that it is on the agenda so it can be discussed openly and in public and feedback can be garnered.

Mike Lilly, 103 Brown Road, stated he would like to follow up on comments from Andrew and Bob. He felt there was a definite need for a dog park. He stated he and his wife have a lot of fun socializing with other dog owners. He hoped that the proposed dog park would be completed.

Frederick Green, 459 Mamaroneck Road, stated that he is a lifetime Scarsdale resident. For the last 20 years he has raised his family in his house is adjacent to the Weinberg Nature Center. He stated that he bought the house in part because of the serenity, the quiet, and the wildlife that this location offers. He stated that he is also a lifetime dog lover – he is a big supporter of the Guiding Eyes for the Blind – two of his children work there and he always has at least one of their release dogs. He stated that he has managed to enjoy his dogs throughout his lifetime in the Village without a dog park. He stated that he doesn't have anything in particular about dog parks but that is based on a presumption that they don't pose material harm to residents in the Village. He stated that those in favor of a dog park might feel differently about it if it were proposed to be close to their property line, as this proposal is to his. He is concerned about noise – it is quite serene; there are deer, turkeys, fox, rabbits in addition to the usual animals that are constantly wandering the neighborhood all year round. That cannot exist with dogs barking. He is concerned about the noise and the ability to enjoy his own property. He is very concerned about the traffic. The traffic on Mamaroneck Road has changed markedly in the last years. The Hutchinson River parkway is nearby, both north and south; Saxon Woods Golf Course;

the Scarsdale Pool complex; the fields at Crossways – massive amount of traffic. A dog park would completely change the complexion of the Weinberg Nature Center, change the traffic patterns, change the ability of the neighborhood around it to enjoy their homes is to him completely inappropriate for this Board to be authorizing funds for it. Therefore, he very respectfully and forcefully suggested that the Board not consider putting a dog park at the Weinberg Nature Center. If the Board feels a dog park is an important use of Village money, they should look for other locations where there are not residents surrounding the area.

Steve Bochner, 1 Barker Lane, noted that the Weinberg Nature Center is deeded to be a wildlife refuge. The deed of the Weinberg Trustees did point out that they wanted the legacy of center to be for the recreation of the citizens Scarsdale. Dogs inhabit Scarsdale, but they are not citizens. Scarsdale is a community of homes, not apartments, as city dwellers do find they need a dog playground. Most importantly, it is his understanding that the resolution is going to be voted on today and the resolution stated that although other sites were considered for a dog park, the Weinberg Nature Center is the only location it could be cited. Mr. Bochner stated that other municipalities with dog parks made certain that the facility not within a reasonable distance from homes. All of the examples in the resolution are places that in remote places with farmland surrounding the dog park.

Trustee Arest informed Mr. Bochner that the Board received his email earlier and his comment that it is his birthday, and he wished Mr. Bochner a Happy Birthday.

Sabine Bochner, 1 Barker Lane, noted that even though the study states that the location of the proposed dog park is undecided, the title of the resolution states clearly ‘at the Weinberg Nature Center’. She stated that she opposes the suggestion that the site should be in proximity to residential property. She distributed a print out of Westchester Magazine’s guide to dog parks and added a google map for each dog park. She noted that almost all of them are not near any residences. She stated that Mr. Berg mentioned on the Scarsdale Moms Facebook page that it seems to be decided that it will be the Weinberg Nature Center. She stated that she would like to understand why this is the location to have a dog park. She also stated that as an Urban Planner, it is clear to her that no considerations was made to choose the site – no traffic evaluation, no parking, no impacts on the neighborhood, the Nature Center itself, impacts on the wildlife. None of this was mentioned in the study. This is being done in a very unprofessional manner.

Ms. Bochner stated that she is concerned about the value of her property with the proximity of a dog park. When the Nature Center parking lot is full, people will park on the street. She did not see anything in the study that indicated any consideration on the impact of the dog park on the adjacent residents. She stated that it is clear that other towns consider the impacts on residential homes and asked why the Village is not considering this. If there is no location in this Village that does not affect the neighboring properties then perhaps there shouldn’t be a dog park.

Mayor Hochvert stated that to clarify, contrary to the interpretation of the resolution, the purpose of the resolution is to determine the physical feasibility of that property. It is not a decision to choose that property. There are questions about various issues on that property that the Board has to determine whether or not it could be used for a dog park.

Tereza Mrijaj, 11 Hutchinson Avenue, stated that her parents live right across the street on 408 Mamaroneck Road. She stated that her dad has Parkinson's and he can't have a lot of noise going on. It's very dangerous in that area also; her mother-in-law was walking to visit her parents from Colonial Road and she almost got hit by a car. Cars move very fast right off the parkway; it's a big concern for the dogs and the people that would be walking to the dog park. She stated that they are not opposed to having a dog park; however, they are opposed to having a dog park in that area. They do not feel it is an appropriate location for it. Her parents pay a lot of tax dollars and have lived there for a long time; they moved to Scarsdale in the 1980's. She values the fact that the Board appreciates the people that live in the Village and that they take the time out to listen to them. It is important that the Board listen to her parents as well and take into consideration that we don't feel it is an appropriate use at that location. She stated that she loves dogs, Sabine has a dog – it's just the location is inappropriate.

Julie Stonberg, 96 Brookby Road, stated that she has lived in the Village for 17 years and stated that she was very excited about the prospect of a dog park in Scarsdale. She stated that she has noticed that no one here ever wants anything near their property. She noted the failed attempt to locate a community center in the Village, objections to lights at the high school if they live near the high school, etc. She stated that one of the problems with the New Rochelle dog park is that you have to go the New Rochelle City offices and get a dog park pass. If you don't have the pass and the police arrive, you receive a \$300 ticket. The New Rochelle dog park is great; it is across from a school and no one complains. For anyone who spends time in dog parks, it's really social for the dogs and for neighbors too. She thinks that there are a lot of people who would want a dog park in Scarsdale.

Anuradha Ramachandran, 3 Barker Lane, stated that her house is on the market right now and they are having a difficult time selling it. She stated that they pay high taxes. If the dog park is approved for the location in the Weinberg Nature Center, it will hurt all of the neighboring properties. She stated that she is opposed to the dog park; this is a small Village and the residents have big properties. There are renovations occurring in the school, and the library is being renovated – why add on a dog park? She did not think that this is something the residents need to have. She stated that the Village could use a better baseball field before putting in a dog park. The Village should finish the projects they are working on now before moving on to a brand new project. To take a nature center, which is an educational green space, flatten it down and put in a dog park – she doesn't understand this.

It doesn't hurt to bring the dog to the dog park in New Rochelle and meet people from neighboring places such as White Plains, New Rochelle or Mamaroneck.

Stuart Katchis, 2 Barker Lane, stated that he has been a resident of Scarsdale since 1968; a graduate of Scarsdale High School. He has lived at Barker Lane for over 20 years. He stated that he was concerned that the first he heard about this was yesterday. He would have thought that if the site selection for the dog park had gotten this far along, that there would have been a notice to the neighbors who border this property. He reiterated previous comments about Mamaroneck Road. The Weinberg Nature Center is located on that road, the Scarsdale Pool, the school, the fields, the highway – it is a crowded place. The Nature Center's parking lot is wholly inadequate and he invited anyone to come by on Halloween and watch where all of the cars are poured over into his street. He didn't think another facility needs to be added to this area. He suggested that with all the talk about shared services with other governmental agencies, the Village could enter a partnership with another locality that has a 3 acre park that's already there, do some improvements to that park and have it for Scarsdale residents as well. There is no reason to be spending money right now, put in another new facility, just so we can call it our own. It doesn't make any sense. The Board should be careful how they spend the resident's money and also should be careful about overloading one side on the Village.

Jeff Watiker, 8 Wynmor Road, stated that he would like to speak with two hats this evening, the first being as a member of the Weinberg Nature Center. He stated that he is a frequent visitor. The Center has two parts; an indoor part which is a mini-zoo, and outside there is a 7 acre nature preserve. His last time there he saw four deer, two turkeys, a muskrat, and other various wildlife. He is very nervous that bringing dogs onto the property will significantly undermine the outdoor part of the Nature Center. He couldn't imagine that the four deer or two turkeys would be on the property if there was a dog park there. In a prior iteration there was a lot of weight put on the Nature Center as safe place for geese when there was a move to get rid of the geese in the Village.

As President of the East Heathcote Neighborhood Association, Mr. Watiker stated that the neighborhood association has specifically has never discussed the dog park, and in particular at this location. However, he was party to the SNAP discussions over the course of the last two years. The resolution that SNAP adopted is very carefully crafted to not recommend a particular site. The reason for that was that there were a lot of people with internal disagreement in SNAP particularly about whether the Weinberg Nature Center was appropriate. As a way of being able to move the resolution forward, any discussion on the location was removed. He stated that he brings this up because he wants there to be clarity that at the SNAP meetings he attended, although discussions were in support of the dog park, it was without having an appropriate location for it. There was no uniformity that the location at Weinberg Nature Center was a good one.

Mr. Watiker stated that he thought that the idea of a dog park was a good one if a good place to put it can be found.

Barbara Carlton, 173 Nelson Road, stated that she and her husband have been residents for over 15 years and have two dogs. They have used the other dog park. She stated that she would really like to stay in the neighborhood. At the dog park in New Rochelle, she feels like she speaks to the same people, which is great, but she would rather talk to Scarsdale residents than talk to New Rochelle residents. This would be more to get to know the community. She feels that it is much more of a younger generational quest and will attract younger generations to Scarsdale.

David Cohan, 60 Crane Road, spoke in favor of the resolution before the Board this evening to study the location of the dog park. He stated that they have three children in the Scarsdale schools and two dogs. They feel it would benefit the community to have a dog park.

Laura Halligan, 335 Heathcote Road, expressed her support for a dog park in Scarsdale. She stated that currently, she spends a lot of time at Ward Acres in New Rochelle. She stated that it costs \$100 per year to join. Homes are approximately a block away from Ward Acres. During the three times per week she goes there, she doesn't hear dogs until she gets to the gate. It is a great opportunity for the dogs to get exercise and for the dog owners to communicate with people. There are individuals that go to the dog park just for socialization; they don't even have dogs. Senior citizens come and bring treats for the dogs. When she lived in Pound Ridge, she had a 5 acre property next to the Town park. She had many wild animals living in her back yard and she had barking dogs right next to her, baseball games going on, and they never had a problem. She thought it was a good idea to look the Weinberg Nature Center and other locations, but you have to measure the positive and the negative, and she thought there were a lot of positives.

Michelle Kaplan, stated that she was in support of having a dog park in the area. It has been one of her favorite activities in any city she has lived in. She stated that she would be grateful if the Board could research and find an area that would be acceptable to everyone.

Finance Committee

Trustee Ross reported on the statements of expense and revenue for the various funds of the Village for the first quarter of fiscal year 2018-2019.

General fund appropriations were 23.82% spent as of August 2018 as compared to 22.28% in 2017-2018.

General Fund Revenues other than property taxes are \$5,399,931 through August 2018. After adjusting for the sale of 32 Ferncliff (\$956,300) in the first quarter of last year, the resulting total represents an increase of \$59,259 from the 2017-2018 figure of \$5,340,672. The 2018-2019 tax penalty revenue is down over \$20,000 from 2017-2018. Building Permit revenue (included in License and Permit revenue) is down \$66,000, offset by an increase in sales tax revenue of \$62,000. Parking revenue and departmental fees are each up \$33,000. The Recreation Department revenue drop of \$93,000 partly reflects the inability to run some programs over the summer due to the loss of use of the Teen Center facility and is partially offset by lower expenses. The increase in investment earnings of \$74,000 and in court fines of \$97,000 offset this and the drop in Licenses and Permits of \$36,000. Cable TV and gross receipts taxes increased \$10,000. Mortgage tax receipts declined \$28,000.

The actual collection of Village taxes through August 31, 2018 is at 98.76%. This is an increase of 57 basis points from last year's collection rate.

Upon motion entered by Trustee Ross, and seconded by Trustee Finger, the following resolution regarding Fiscal Year 2017-2018 Closeout Balancing Budget Transfers was approved by the vote indicated below:

WHEREAS, Pursuant to the provisions of Section 5-520 of the New York State Village Law, the Board of Trustees, by resolution, may transfer funds from existing and unexpended balances; from a contingent account; from available cash surplus or unanticipated revenues within a fund; or by borrowing; and

WHEREAS, at the end of the Village Fiscal Year 2017-2018 it is necessary to make balancing modifications to and from various accounts of already existing appropriations in the budget based on actual results of operations; and

WHEREAS, the final 2017-2018 audit has been completed and in all cases, there are sufficient unexpended balances in various accounts, excess revenues, or fund balances available to cover the transfers; now, therefore, be it

RESOLVED, that pursuant to Village Law 5-520, the Board of Trustees hereby authorizes and directs the proper Village officers to modify the 2017-2018 Budget by making the transfers detailed in the attached summary.

<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		

Mayor Hochvert stated that there seemed to be some confusion regarding GASB – Government Accounting Standards Board guidelines. Village Treasurer McClure would like to clarify some of the misunderstandings so that the community can hear how the Village operates in Scarsdale vis-à-vis the GASB requirements.

Village Treasurer McClure stated that “this is in part a response to some information that was put up on a website identified as a ‘Truth in Accounting. Org’.

The above referenced report basically says that Scarsdale isn’t solvent. The referenced report is based on the Village’s 2017 Audited Financial Statements but is not factually correct. Two of the Village’s long term liabilities are the pension benefits (\$10,989,000) and the retiree health care or Other Post-Employment Benefits (OPEB) (\$91,165,000). These liabilities appear to be presented in this report as current liabilities instead of long term obligations. I would like to point out that both these items are disclosed in the footnotes to the financial statements, consistent with the Government Accounting Standards Board (GASB) guidelines.

The Village remains current in its annual payments to the pension system and to its health care providers and already reflects the pension liability and \$32,400,000 in OPEB liabilities in its Statement of Net Position at May 31, 2017. [Please note, currently there is no legal authority in the State of New York to allow funding for the OPEB obligations.] It should also be noted that, consistent with the requirements of GASB #75, the Village will include the remainder of its Other Post-Employment Benefits (OPEB) in the GASB 34 Statement of Net Position with the financial statements for the period ending May 31, 2019.

The long term liability disclosed in the footnotes also presents bonds as being immediately due. Current Village bond maturities extend out to the 2038-2039 fiscal year, consistent with the probable useful life for the asset financed. Not only does this long term debt allow for the Village to invest in the community infrastructure through timely and manageable annual debt payments, it also equitably spreads the payments out so that all

residents benefitting from the assets (Fire Station #1, Reeves Newsom Pump Station, Ardsley Road Water Tank, Supply Field Building Rehab, Public Safety Building) bear a share of the cost over the life of the assets.

I also note that \$5,400,000 of the outstanding bonds at May 31, 2017 reflected in the Truth in Auditing evaluation are revenue supported through the Water Enterprise Fund which, by law, is self-sufficient receiving no tax revenue.”

Village Treasurer McClure stated that she would welcome any questions on this; however the presentation of the Village’s long term obligations as immediately due or treated as a current liability is incorrect.

Trustee Finger asked Ms. McClure what the lasting rating was that was provided to the Village by a rating agency. Ms. McClure responded that Moody’s rated the Village as Triple A. The Village will be requesting another rating from Moody’s when they go to market in the very near future for the Library Capital Campaign bond issue and for the bond issue adding bonds relating to the replacement of the tank roof for the Ardsley Road water tank which is crucial piece of the Village infrastructure.

Fire Commissioner

Trustee Callaghan stated that the Unit Citation ceremony on September 19th honored several firefighters who responded to a severe traffic accident on Brite Avenue and Fenimore Road where a car ran into a school bus. There were 7 patients who required immediate triage and transportation to the hospital. The firefighters involved did the triage themselves with the assistance of the ambulance corps and they also maintained safety of the two vehicles.

Upon motion entered by Trustee Callaghan, and seconded by Trustee Finger, the following resolution regarding Unit Citation – Captain Christopher DiMichele and Firefighters Stephen Collins, Max Von Dietsch, Justin Matthew, David Yolinsky, Rory Tully, John Nannariello, Matthew DeTone. and Michael Johnston was approved by a unanimous vote:

WHEREAS, Scarsdale Fire Department members are relied upon to protect the safety of Scarsdale residents; and

WHEREAS, when a member of the fire department performs his or her duties in an especially professional and outstanding manner, their actions should be commended; and

WHEREAS, on July 6, 2018, the Scarsdale Fire Department was dispatched to the intersection of Brite Avenue and Fenimore Road for a motor vehicle accident with injuries involving a school bus and another vehicle; and

WHEREAS, under the command of Captain Christopher DiMichele, the crew working that day quickly assessed the situation and determined that seven individuals had sustained injuries; and

WHEREAS, Captain Christopher DiMichele and Firefighters Stephen Collins, Max Von Dietsch, Justin Mathew, David Yolinsky, Rory Tully, John Nannariello, Matthew DeTone, and Michael Johnston performed exceptionally in supporting triage and providing for the immediate medical attention and preparation for transport of the seven patients, all the while maintaining scene safety and mitigating the hazards created by the collision of two motor vehicles; and

WHEREAS, pursuant to recommendation of the Fire Department Awards Committee, Chief James Seymour has conveyed the Unit Citation to Captain DiMichele, and Firefighters Collins, Von Dietsch, Mathew, Yolinsky, Tully, Nannariello, DeTone, and Johnston for their outstanding performance; now, therefore, be it

RESOLVED, the Village Board of Trustees hereby recognizes these Scarsdale Fire Department members who, on July 06, 2018, performed with distinction in responding to the motor vehicle accident involving a school bus and extends its appreciation for their dedication and professionalism.

Law Committee

Upon motion entered by Trustee Finger, as amended, and seconded by Trustee Crandall, the following resolution regarding Authorization to Execute a License Agreement – 138A Fox Meadow Road – Right-of-Way Encroachment was approved by the vote indicated below:

WHEREAS, 138 Fox Meadow Road LLC, as represented by Bobby Ben Simon, (hereinafter “Licensee”) is the owner of a certain property known as 138A Fox Meadow Road, identified on the Village of Scarsdale Tax Map as Section 04, Block 03, Lot 917A; and

- WHEREAS,** in accordance with the requisite land use board approvals, the Building Department issued demolition and building permits for a new home construction, realizing upon the post construction review of the as-built survey, that a flagstone walkway was installed by Licensee within the Village right-of-way in front of 138A Fox Meadow Road, for which Licensee is desirous of maintaining said encroachment through a license agreement with the Village, and
- WHEREAS,** the Village Engineer has inspected these encroachments and reports via memorandum dated August 28, 2018 (attached) that the flagstone walkway does not present any visual obstructions or unsafe conditions; and
- WHEREAS,** the Village may accommodate the Licensee by granting a revocable license agreement to permit the Licensee to maintain and legalize the walkway within the Village right-of-way, in accordance with the as-built survey, prepared by Ward Carpenter Engineers Inc, dated August 25, 2016, 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 of the encroachments and 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 Manger is herein authorized to execute a revocable non-transferable license agreement, in substantially the same form as attached hereto, with 138 Fox Meadow Road, LLC, as represented by Bobby Ben Simon, 138A Fox Meadow Road, Scarsdale N.Y. 10583, to maintain a flagstone walkway located within the Village right-of-way in accordance with the August 25, 2016 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 and maintenance of said encroachments; and be it further

RESOLVED, that the 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, as well as pay an annual agreement maintenance fee of \$150.00 pursuant to the Fiscal Year 2017/18 Village-Wide Fees and Charges schedule.

<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 Finger, as amended, and seconded by Trustee Crandall, the following resolution regarding Authorization to Execute a License Agreement – 138B Fox Meadow Road – Right-of-Way Encroachment was approved by the vote indicated below:

WHEREAS, 138 Fox Meadow Road LLC, as represented by Bobby Ben Simon, (hereinafter “Licensee”) is the owner of a certain property known as 138B Fox Meadow Road, identified on the Village of Scarsdale Tax Map as Section 04, Block 03, Lot 917B; and

WHEREAS, in accordance with the requisite land use board approvals, the Building Department issued demolition and building permits for a new home construction, realizing upon the post construction review of the as-built survey, that a flagstone walkway was installed by Licensee within the Village right-of-way in front of 138B Fox Meadow Road, for which Licensee is desirous of maintaining said encroachment through a license agreement with the Village, and

- WHEREAS,** the Village Engineer has inspected these encroachments and reports via memorandum dated August 28, 2018 (attached) that the flagstone walkway does not present any visual obstructions or unsafe conditions; and
- WHEREAS,** the Village may accommodate the Licensee by granting a revocable license agreement to permit the Licensee to maintain and legalize the walkway within the Village right-of-way, in accordance with the as-built survey, prepared by Ward Carpenter Engineers Inc, dated August 25, 2016, 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 of the encroachments and 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 Manger is herein authorized to execute a revocable non-transferable license agreement, in substantially the same form as attached hereto, with 138 Fox Meadow Road, LLC, as represented by Bobby Ben Simon, 138B Fox Meadow Road, Scarsdale N.Y. 10583, to maintain a flagstone walkway located within the Village right-of-way in accordance with the August 25, 2016 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 and maintenance of said encroachments; and be it further

RESOLVED, that the 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, as well as pay an annual agreement maintenance fee of \$150.00 pursuant to the Fiscal Year 2017/18 Village-Wide Fees and Charges schedule.

<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		

Personnel Committee

Upon motion entered by Trustee Arest and seconded by Trustee Veron, the following resolution regarding an Appointment to the Library Board was approved by the vote indicated below:

WHEREAS, Trustees of the Scarsdale Public Library are appointed to a five- year term by the Village Board of Trustees; and

WHEREAS, Steven Kessler was appointed by the Village Board of Trustees to serve as Library Trustee for a five-year term ending April 05, 2021, but has submitted a letter of resignation effective September 18, 2018; and

WHEREAS, Alan I. Bey, of 27 Vanderbilt Road, has submitted an application expressing interest in a Library Board appointment; and

WHEREAS, the Village Board’s Personnel Committee met on September 13, 2018, to discuss potential candidates to fill the Library Board vacancy and herein recommends to the Full Board that Mr. Bey be appointed to the Library Board to serve the unexpired term of Steven Kessler; now, therefore, be it

RESOLVED, that the Village Board of Trustees hereby appoints Alan I. Bey, of 27 Vanderbilt Road, Scarsdale, to the Library Board to fill the unexpired term of Mr. Kessler, ending April 05, 2021, or until such time as a successor is appointed.

<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		

Trustee Veron thanked Mr. Kessler for his incredible service. He was instrumental in so many aspects of getting the library to this point and very involved in fundraising, as well his activities on the Library Board. His service is greatly appreciated.

Recreation Committee

Trustee Callaghan stated that the Village Manager asked the Board to authorize him to look into a company or companies that can assist in the development of a plan for a dog park. The Village is not going into a contract that is going to be signed; there are no dollar amounts. This is simply a search.

Upon motion entered by Trustee Callaghan and seconded, as amended by Trustee Finger, the following resolution regarding the Authorizing the Engagement of a Qualified Firm to Develop Plans and Specifications for Creation of a Dog Park at the Weinberg Nature Center was approved by the vote indicated below:

WHEREAS, the Scarsdale Neighborhood Association Presidents (SNAP) and Scarsdale Forum have completed independent reports, copies of which are attached, documenting the public benefits of dog parks and supporting further evaluation of the legal, fiscal, operational, and environmental implications of such a recreational amenity in order to determine its overall feasibility; and

WHEREAS, site selection criteria for a dog park include such factors as availability of at least one acre of space, proximity to residential property, water

availability, site terrain, and parking availability, which together suggest very limited local options, with the Weinberg Nature Center being a site identified as potentially capable of meeting the minimum site requirements; and

WHEREAS, the benefits associated with dog parks include positive social outcomes for dog owners, exercise and play opportunities for their dogs, and the prospect of increased compliance with local dog licensing requirements which is a potential outcome with meaningful benefit to the general public health and welfare; and

WHEREAS, although staff is able to access a variety of information to develop plans and specifications for a prospective dog park at the Weinberg Nature Center, elements such as potential tree removal, landscaping, drainage, and evaluation of the project’s environmental implications require specialized training and skills, thus necessitating contractual support to supplement staff knowledge and expertise, cost for said contracted professional services subject to a corresponding budget transfer; now, therefore, be it

RESOLVED, that the Village Board recognizes the potential recreational value and benefits of a local dog park and is supportive of further evaluation of the feasibility and prospective costs, both capital and ongoing maintenance and operations; and be it further

RESOLVED, that the Village Manager is hereby authorized and directed to identify a qualified vendor for the development of dog park plans and specifications, as well as to complete any necessary environmental review, with such proposal for services to be presented to the Village Board at a future Recreation Committee meeting where consideration of park feasibility will continue.

AYES

NAYS

ABSENT

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

None

None

Before the vote was taken on the above resolution, the language was clarified. Trustee Veron stated that the Village is looking for a list of potential vendors, not to engage anyone. This is very preliminary. The mention of the Weinberg Nature Center being the only site identified should be modified because they know other sites have been examined by other organizations – we do not know what the potential vendors will ultimately identify as a possible site for the dog park.

Trustee Finger stated that the words that were struck from the resolution were those that said that the Village Manager is authorized to enter into a professional services agreement. The Board has not taken the step of authorizing entry into an agreement, all the Board has done is authorize the Village Manager by this resolution to go out and get proposals. For clarification, the train has not left the station that this is happening, nor has it left the station that it is happening at the Weinberg Nature Center. The Board has determined that they think it is a good idea to have a dog park and want to get a sense about the Weinberg Nature Center. The Board will take into account all the comments that they have here today, and that is as far as it goes right now.

Trustee Callaghan stated that the Board is giving the ‘green light’ to the concept of a dog park and part of that green light is a very complicated process and procedure. The Board has just begun.

Mayor Hochvert stated that the work the Board is looking at is in the Weinberg Nature Center. It doesn’t preclude other sites, but the Board needs to understand whether it is physically feasible. Some of the other sites are much more direct; for example, one of the other sites was Davis Park, which is flat and even. There was some recommendation for Crossway Park – another flat, even site. The Board is asking for an engineer to look at this site because it is more complex than other sites that have been considered. This resolution is specifically for Weinberg Nature Center.

Trustee Arest stated that the second line of the second Resolved of the resolution, ‘and enter into a professional services agreement’ is being stricken. Therefore, it is just about another step that the Village Board is recognizing the potential recreational value and prospective benefits of a dog park. The Board looks forward to having more conversations, being better informed to guide this process and hearing more from the public.

Trustee Ross stated that one of the true pillars of this actual resolution is to complete any necessary environmental review which seems to address some concerns.

Trustee Finger stressed that the Board is not contracting via this resolution with anyone to even do a study. All the staff will be doing is getting proposals for what it would cost to study that area. The proposals could come back and be extremely expensive. All they are doing right now is attempting to get a sense of what the cost would be to do a study if we authorized it.

Trustee Callaghan noted that the gentleman that has made this gift has done this four times every year – his name is Sam Blakley. He has put up 12 lights so far, and is doing the maintenance on the lights as well.

Upon motion entered by Trustee Callaghan and seconded by Trustee Finger, the following resolution regarding Acceptance of a Gift – Portable Lights at Supply Field for Youth Tackle Football Program was approved by a unanimous vote:

- WHEREAS,** the Parks, Recreation and Conservation Department conducts a Youth Football Program for children in grades 3 through 8, which includes both tackle and flag football, with approximately 75 to 100 children anticipated to enroll; and
- WHEREAS,** limited daylight during the months of October and November make it challenging for volunteer parents and coaches to conduct tackle football practices and games; and
- WHEREAS,** since 2011, the Village Board of Trustees has authorized the temporary seasonal use of two portable lights at Supply Field from mid-October through mid-November, three days per week until 7:30PM, without incident or complaint from abutting neighbors; and
- WHEREAS,** use of these two temporary portable lights, valued in excess of \$500 for the season, has historically been donated to the Village of Scarsdale by resident Sam Blakley, who has again offered to donate the units for the 2018 program; and
- WHEREAS,** pursuant to Policy #106: “*Gifts to the Village of Scarsdale*” of the Village of Scarsdale Administrative Policies and 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,** pursuant to the Village of Scarsdale Policy #106, the Village Board of Trustees hereby accepts the gift donation of two portable lights for temporary seasonal use at Supply Field in conjunction with the Scarsdale Youth Recreation Football Program for the 2018 season, to be operated no later than 7:30PM for three days per week from October 15, 2018, through November 20, 2018; and be it further

RESOLVED, that the Village Board extend its thanks and appreciation to Mr. Sam Blakley, as donor of the lights, as well as to the parents and volunteers that support the Scarsdale Youth Recreation Football Program.

Written Communications

The Village Clerk reported no written communications were received since the last regular Board of Trustees meeting.

Future Meeting Schedule

- *Tuesday, October 9, 2018* – Municipal Services Committee Meeting – 6:00 P.M. – Trustees' Room
- *Tuesday, October 9, 2018* – Law Committee Meeting – 7:00 P.M. – Trustees' Room
- *Tuesday, October 9, 2018* – Agenda Committee Meeting – 7:30 P.M. – Trustees' Room
- *Tuesday, October 9, 2018* – Village Board Meeting– 8:00 P.M. – Rutherford Hall
- *Tuesday, October 23, 2018* – Land Use Committee Meeting – 6:00 P.M. – 3rd Floor Meeting Room
- *Tuesday, October 23, 2018* – Agenda Committee Meeting – 7:30 P.M. – Trustees' Rm.
- *Tuesday, October 23, 2018* – Village Board Meeting– 8:00 P.M. – Rutherford Hall

Village Hall Schedule

- *Monday, October 8, 2018* – Columbus Day – Village Hall Closed

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 9:59 P.M.

Donna M. Conkling
Village Clerk