

JUSTIN K. AREST
MAYOR

ROBERT A. COLE
VILLAGE MANAGER

SAMEER AHUJA
KAREN L. BREW
JEREMY A. GANS
DARA B. GRUENBERG
KENNETH L. MAZER
RANDALL B. WHITESTONE
TRUSTEES



OFFICE OF THE
VILLAGE MANAGER
VILLAGE HALL
1001 POST ROAD
SCARSDALE, NY 10583
914.722.1110
WWW.SCARSDALE.COM

July 25, 2023

Village Board Limited Agenda Meeting – 8:30 AM

The Village Board will meet in Rutherford Hall at 8:30 AM to conduct the Village Board Limited Agenda meeting. All interested members of the public have the option to attend in-person or virtually through Zoom. To participate via Zoom, attend online at <https://zoom.us/j/93183703358>, or call into the meeting by dialing 1-929-436-2866 and entering the Meeting ID 931 8370 3358. To participate in public comment online, click “Raise Hand,” or dial *9 if commenting by telephone.

For a brief tutorial or to troubleshoot a problem, see here: <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>. For other user questions, please visit the Zoom Help Center: <https://support.zoom.us/hc/en-us>.

Roll Call

Minutes

- Village Board Meeting of July 11, 2023

Bills

- Trustee Brew

Motion to Adjourn

Future Meeting Schedule

August 01, 2023

- 5:30 PM Village Board Work Session

August 08, 2023

- 7:30 PM Agenda Committee

- 8:00 PM Village Board Meeting

THREE THOUSAND FOUR HUNDRED TWENTY-SIXTH**REGULAR MEETING**

Rutherford Hall &
Video Conference
Via Zoom
July 11, 2023

A Regular Meeting of the Board of Trustees of the Village of Scarsdale was held on Tuesday, July 11, 2023, at Rutherford Hall and via video conference at 8:04 p.m.

Present in person were Mayor Arest, and Trustees Brew, Gans, Mazer, and Whitestone. Trustees Ahuja and Gruenberg were absent. Also present were Deputy Village Manager Marshall, Village Treasurer Scaglione, Village Counsel Ward-Willis, and Village Clerk Emanuel.

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Mayors Comments

Mayor Arest reported that he will start with July celebrations, as he has been every month. He thanks the Human Relations Council for ensuring that we recognize important events each and every month and for putting together the announcement. It is on our village website as well. July is a month filled with several holidays and celebrations. Here are some of the notable ones:

- July 3rd was Dharma Day
- July 4th was Independence Day
- July is National Ice Cream Month
- July 10th, yesterday, was Martyrdom of the Báb
- July 14th is Bastille Day
- July 19th to August 16th is the month of Muharram
- July 24th is Pioneer Day
- July 26th Americans with Disabilities Act Day – the 33rd anniversary of the day the Americans with Disabilities Act (ADA) was signed into law (July 26, 1990)
- July 27th is Tisha B'Av
- July 28th is Ashura
- July 28th is also Parents Day
- National Hot Dog Day varies, but this year it is July 19, 2023

On a more serious note, unfortunately, many in the northeast are still dealing with the impacts of Sunday's storm. All of our thoughts and prayers go to everyone who has been impacted, whether close by in Westchester County, or further up to Vermont. Of course, there

have been a loss of lives and people who have been severely impacted., so we just want to recognize them. In terms of storm flooding, this isn't getting better, clearly. We have systems that were set up for hundred-year storms at best, and we're now dealing with what we consider thousand-year storms. I hope residents are aware our village staff is always looking at new possible improvements to make our system better, and speaking with our partners at the county level and the state level to see what they can do to help us and help other municipalities which indirectly helps us. We also have started with the Deputy Manager, and we'll of course talk to our great leadership in DPW and Engineering, about other tips that perhaps we can give to residents that they can do on their own to also improve the potential impacts that they may see if we do see another rain event like this. We were very fortunate that this didn't hit us. Hopefully, we continue to see that fortune.

Regarding police activities, this is nothing necessarily new, but I think it's worth repeating: Please lock your cars, please lock your house, and please turn your alarms on. If you have cameras, please use them. Consider installing cameras if you don't. This is really serious, and it may come off as a little flippant, but it's not meant that way at all. We need to do everything that we can as a community, and it also helps our neighbors because the more hardened we can make ourselves as potential targets, and the more we can deter people from coming to Scarsdale the better off we all are collectively, so please be vigilant. Please don't leave your keys out. Lock everything, alarm everything, lock your cars. We live in a very safe community and we're very fortunate. We have a police department that does an outstanding job, and will continue to do whatever they can, but we need to do our part as well.

Last note is the Farmers Market. 9 am to 1 pm every Sunday through November, but we have to participate. We have to shop and support them if we want it to continue. We are looking at other ways, including signs and other things, that we can to broadcast it and raise awareness and we will continue to try to do our part, but please go on Sunday. Every Sunday, 9 to 1, please go and just buy something. There are great bagels, great seafood, great meat, great olive oil, coffee, produce, etc., so give it a try and bicycle Sunday is again this Sunday. Thank you.

Manager's Comments

Deputy Village Manager Marshall provided the following comment in Village Manager Cole's absence:

“First, I wanted to remind our residents with dogs that New York State requires that all dogs older than four months be licensed. You can apply for a dog license in person or by mail to the Village Clerk's Office, Monday - Friday, 9:00 am to 4:00 pm. All dogs four months or older must have proof of a rabies vaccination signed by a licensed veterinarian, or a certificate stating why the life of the dog would be endangered by the vaccine. If the dog is spayed/neutered, a certificate from a licensed veterinarian or an affidavit from the owner is required. For waiver of the license fee for guide dogs, police work dogs, or service dogs, satisfactory proof is required, such as a training certificate. Once registration is completed, your pup will be given a very stylish silver license tag, shaped like a bone. For more information about dog licensing, go to

scarsdale.com and check out the highlight story at the bottom of the homepage, or visit the Village Clerk's department webpage.

I also wanted to mention that last Thursday, the Department of Parks, Recreation, and Conservation kicked off their summer concert series in Chase Park, which will continue on Thursday nights through August 10, starting at 8:00 PM. The family friendly program features the Westchester Band playing genres such as rock, classics, marches, and more. Concert goers are welcome to bring lawn chairs, blankets, and picnic dinners. In the event of rain, concerts will relocate to the Scarsdale Middle School, and the Department of Parks, Recreation and Conservation will determine if the location change is necessary on the day of the concert. For more information about the concerts, please call the Recreation Office at 914-722-1160.”

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Public Comment

Jeffrey Singer; 9 Hazelton Drive, mentions that he made earlier noise complaints about Fenway Golf Club. He states that he was directed to call the police by Village Management and there was little the police could do to control the noise. He was then advised to call Fenway and later received a cease and desist from the golf club's lawyer in which he was accused of using the police to harass and harangue Fenway, their patrons, and ultimately negatively affecting their revenue. Mr. Singer is disheartened that after taking the advice of village and police personnel, he suffered consequences, and the Village turned their back on him. Mr. Singer further clarifies that the issue with noise coming from the golf club only became problematic when parties moved outdoors post-pandemic and that it is not an issue of decibels because the noise carries.

Lisa Singer; 9 Hazelton Drive, echoes her husband's previous comments and considers the cease and desist to be bullying. Ms. Singer expressed that she is disappointed in the Village's response or lack thereof. Ms. Singer indicates that they've lived harmoniously with Fenway until parties moved outdoors and that her household is not the only household in their neighborhood to have called the police or complained of the noise.

Bob Harrison; 65 Fox Meadow Road, is the director of summer youth tennis league for the 39th annual summer for children ages 6 to 18. Over the past 39 years the program has served over 2500 youth and some current participants are children of past participants of the program around 20 to 30 years ago. The program starts at the middle school tennis courts tomorrow night, July 12, 2023, at 6 pm. The program will be held Monday-Thursday from 6-8 pm and costs \$60.00. Mr. Harrison thanks The Fresh Market on White Plains Road in Eastchester donated cases of water to the program. Regarding tennis permits, as of last Friday 689 adult permits, 241 youth permits, and 81 senior permits, a total of 1011 permits sold to date for village courts. Mr. Harrison hopes the Board plans to keep all 26 courts as tennis courts.

John Schwarz; 2 Norma Lane, comments on the proposed noise ordinance. He mentions that the noise administrators for the Village are the police and Village Manager so the only way to address noise issues is by notifying personnel in those departments so that they may determine when noise in question violates code and enforce code when necessary. Mr. Schwarz remarks

that the proposed revised noise ordinance appropriately addresses recent noise related problems and concerns, and he is in favor of tonight's vote.

Madelaine Eppenstein; 18 Autenrieth Road, expresses gratitude to the Board, Mayor, and Superintendent of Public Works Jeff Coleman who understand the need to expedite corrections to long standing public safety hazards in the Popham Road corridor. Ms. Eppenstein questions if anything can be done in the interim to prevent tragedy given that the data collection estimate will likely not be complete until the first quarter of 2024.

Robin Stettmisch; 540 Yorkhill Road, Yorktown Heights, is a former Village librarian who has been picketing for roughly the last two years. Ms. Stettmisch wants to inform residents that she recently did a half hour interview that can be accessed online about why she is doing what she is doing. In the comments underneath the video viewers can find answers to questions about some of her signage and the meaning of the words on the signs. Ms. Stettmisch states that the former Village Board and Mayor issued a statement saying she never worked for village in any capacity, but her paystubs have the Village seal and come from the Village of Scarsdale. Her w2 also identifies the Village of Scarsdale as her employer and lists the address to Village Hall. Her union contract was also negotiated by the Village.

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Trustee Liaison Reports

Deputy Mayor Whitestone

Deputy Mayor Whitestone reported that he will be providing his annual public service announcement on pedestrian safety, which builds nicely on the work session held earlier this evening about some envisioned or thought about changes in the Popham corridor, and as we've also heard in public comment. He briefly read a few tips that seem like common sense, but folks should be reminded of from time to time. These tips come from the New York State Department of Health, the Governor's Traffic Safety Commission Committee, and the Department of Transportation.

Tips for drivers:

1. Yield for pedestrians in crosswalks and at intersections – it is the law.
2. Do not block crosswalks when stopping at intersections.
3. Slow down and obey posted speed limits.
4. Take extra care around schools, playgrounds, and neighborhoods.
5. Always look out for pedestrians, especially before turning at a green light or making a "right turn on red."
6. Never run red lights.
7. Be careful when passing stopped vehicles. They might be stopping for pedestrians.
8. Pay attention! Do not text and drive!
9. Share the road. IT's your responsibility to look for others.

Tips for pedestrians:

1. Cross in marked crosswalks and at intersections.
2. Use pedestrian pushbutton and wait for signal to cross.
3. Before crossing, look left, right, then left again, and over your shoulder for turning vehicles.
4. Use sidewalk. If there are none, walk facing traffic so you see vehicles, and drivers see you.
5. Pay attention! Don't text while crossing.
6. Make eye contact with drivers so they see you.
7. Stay visible after dark and in bad weather with light-colored or reflective clothing.
8. Don't step suddenly in front of traffic. Buses and trucks take even longer to stop than other vehicles.
9. Watch out for trucks and buses backing out of parking spaces and driveways.

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Trustee Brew

In Trustee Ahuja's absence, Trustee Brew provided a report regarding the Village Public Library. There are a couple of upcoming programs: this Thursday, July 13th, the library is hosting a "Nostalgia Night", with a 'Back to 1985' party. There will be prizes, giveaways, fun, snacks, and a showing of the film *Pee-wee's Big Adventure (1985)*. On Wednesday, July 19th, the library will be hosting a blood drive from noon to 6 pm. Registration is requested, but certainly walk ins are welcome as space allows. Finally, there's summer reading for all ages, and it's in full swing. Participants can read books, complete bingo, write reviews, and enter to win prizes. There is registration on the library website and registrants can stop by the library for a prize just for signing up.

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Trustee Mazer

Trustee Mazer reported that he would like to inform the senior community of Scarsdale that a program sponsored by the Scarsdale Edgemont Family Counseling Service this Thursday, July 12th, at 11 am at the Girl Scout House. As part of their Aging in Place Facts and Snacks programming. This one is about organizing to benefit your home and your soul. Having a home that looks and feels organized enough, is an act of self-care. Learn fundamental techniques for achieving a level of organization that provides serene surroundings and inner peace. There will be snacks and prizes.

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Bills

Trustee Mazer reported that he had audited the Abstract of Claims dated July 11, 2023, in the amount of \$1,439,280.93 which included \$22,607.64 in Library Claims previously audited by a Trustee of the Library Board.

Upon motion duly made Trustee Mazer and seconded by Deputy Mayor Whitestone, the following resolution was adopted unanimously:

RESOLVED, that the Abstract of Claims dated July 11, 2023, in the amount of \$1,439,280.93 is hereby approved.

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Minutes

Upon motion entered by Trustee Gans, and seconded by Trustee Brew, the minutes of the Board of Trustees Regular Meeting of Tuesday, June 27, 2023; were approved unanimously.

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Deputy Mayor Whitestone

Upon motion entered by Deputy Mayor Whitestone, and seconded by Trustee Brew, the following resolution Adopting a Proposed Local Law to Repeal and Replace Chapter 205 of the Scarsdale Village Code Concerning Noise; was approved by the vote indicated below:

WHEREAS, the Village Board has considered a proposed local law to repeal and replace Chapter 205 of the Village Code concerning noise; and

WHEREAS, a duly noticed public hearing was held on this proposed local law on June 27, 2023; now, therefore, be it

RESOLVED, that the Village Board hereby adopts the proposed local law to repeal and replace Chapter 205 of the Village Code concerning noise; and be it further

RESOLVED, that the Board requests the Village Manager coordinate with the Police Department to keep a log of additional data when responding to noise complaints for the purpose of gathering information for further consideration by the Board for potential future revisions to the noise

ordinance. Such additional data might include the nature of the alleged source, the date and time of the measurement, the instrument used to collect the measurement, the approximate location of the measurement (in relation to the property line, source and complainant’s home or business structure) and the noise measurement reading. This additional data should be collected for a period agreed upon by the Board, Manager, and Police Department, but shall not be less than three months.

AYES

Trustee Brew
Trustee Gans
Trustee Mazer
Deputy Mayor Whitestone
Mayor Arest

NAYS

none.

ABSENT

Trustee Ahuja
Trustee Gruenberg

Future Meeting Schedule

- Tuesday, July 25, 2023 – 8:30 AM – Village Board Limited Agenda Meeting

Upon motion entered by Deputy Mayor Whitestone, and seconded by Trustee Gans, and approved unanimously, the Board adjourned to enter the Town Board Meeting at 8:42 pm.

Upon adjournment of the Town Board meeting at 8:52 pm, the Board unanimously voted to enter into executive session to discuss current litigation and legal advice from counsel, on a motion entered by Trustee Gans, and seconded by Trustee Brew.

There being no further business to come before the Board, the executive session was closed and the public portion of the meeting was immediately adjourned at 9:38 p.m. on a motion entered by Trustee Gans, seconded by Deputy Mayor Whitestone, and carried unanimously.

Respectfully submitted,

Taylor C. Emanuel
Village Clerk