

Donna Conkling

From: Madelaine Eppenstein <meppenstein@eppenstein.com>
Sent: Tuesday, July 19, 2022 4:33 PM
To: Mayor; trusteeahuja@scarsdale.com; trusteebrew@scarsdale.com; trusteejgans@scarsdale.com; trusteejlewis@scarsdale.com; trusteekmazer@scarsdale.com; rwhitesone@scarsdale.com; Jeff Coleman; Robert Cole; Alexandra Marshall; Greg Cutler; David Goessl; Clerk's Department
Cc: Michelle Sterling; dlefranc@montefiore.org; ml@mlevine.us
Subject: M. Eppenstein Correspondence on Scarsdale Village Leaf Collection Policy , July 19, 2022 Village Work Session
Attachments: 2022 Feb, Levine, Michael Comments re Leaf Program Analysis.pdf; Scarsdale_Fiscal_Affairs_Committee_Report_on_the_2022-23_Tentative_Village_Budget.pdf; 2022-07-19 M. Eppenstein Public Comment on Village Leaf Collection.docx; DLef Village Scarsdale BOT Letter Leaf Management 2.16.22.pdf

CAUTION: External sender.

Dear Mayor Veron, Deputy Mayor Whitestone, Village Trustees, Superintendent Coleman, Village Manager Cole, et al.,

Attached are copies of items referred to in my comments here, which is also an attachment:

Comments Regarding Scarsdale Leaf Collection Policy

It is profoundly disappointing to learn as a twenty-nine year resident that the village seems intent on continuing its current fall leaf collection program that will again result in the wasteful disposal of an estimated 5,000 tons of residential leaves, as proposed in Public Works' July 7, 2022 Memorandum. The proposal advocates for continuation of the current program “for the foreseeable future” rather than actively transitioning to alternative leaf collection methods and programs that have thrived successfully in many of Scarsdale's surrounding municipalities, where residents use this valuable resource to nourish soil, plants, and the environment. The proposal effectively ignores the compelling science behind the negative environmental and public health and safety impacts of Scarsdale's current high carbon footprint leaf vacuuming program. The proposal undermines once again the village's own 2011 Resolution and exposes the contradiction in requiring mower mulching on the village's own properties and recreation fields over the last decade while relegating its public education campaign in support of on-site mulch mowing to the subpages of its website.

The demonstrably more efficient and more cost effective alternatives have been supported consistently by the village's own Conservation Advisory Council. The irony is that the same efficient, time saving, and cost effective alternatives were already being practiced by the three landscapers who were invited by Scarsdale to participate in a videotaped panel discussion at Village Hall not so long ago, video at <https://www.scarsdale.com/427/Leaf-Mulching-Video>. On that occasion, the village hosted landscape company principals David Duarte, Anthony Vulpone, and Tim Downey, with the participation of environmentalists MJ Wilson of the Irvington Green Policy Task Force, and Anne Jaffe-Holmes, representing Greenburgh Nature Center in the coordination of Scarsdale's Ad Hoc Leaf project. They all attested enthusiastically to the multiple benefits of alternative, healthier and safer leaf collection methods and leaf conservation through on-site mower mulching. See background information about these landscape professionals at <http://www.leleny.org/p/about.html>.

Written analyses of the value of adopting alternatives to the current program were presented to members of the Village Board during this spring's budget session: in correspondence from residents, notably Darlene LeFrancois, M.D. dated Feb. 16, 2022, and Michael Levine dated Feb. 15, 2022 (both attached hereto); in the Scarsdale Forum's March 28, 2022 Report of the Scarsdale Fiscal Affairs Committee on the Village of Scarsdale 2022-2023 Tentative Budget (also attached); and in the Scarsdale Forum's April 22, 2021 Report of the Municipal Services and Sustainability Committees on Gas Leaf Blowers, Leaf Vacuuming, and Leaf Mulching in the Village of Scarsdale (Attachment B to Public Works' Memorandum).

Respectfully, municipal policy should not be based on purportedly data-based assumptions of a gardener who is in business to charge for services what is believed the Scarsdale market will bear. Rather, the Village Board should gauge what Scarsdale residents might think about the potential for "a plausible five-year transition plan that can result in a permanent annual savings of \$600,000 and a 1.4% reduction in taxes" represented by sustainability benefits that "the public may very well agree [are] worth the reduction in services." (M. Levine, Feb. 15, 2022 Correspondence, p. 4).

Please reconsider. The Village Board reached an important inflection point a year ago when it decided to significantly limit the use of gas leaf blowers, the first step many residents hope will lead to a total ban of that polluting machinery. Hopefully this Board will soon reach a similar inflection point at which the entrenched policy of leaf vacuuming is seen for what it is, a noxious environmental and public health and safety hazard that needs to be discontinued.

Sincerely,

Madelaine Eppenstein

July 19, 2022

18 Autenrieth Road

COMMENTS REGARDING LEAF PROGRAM ANALYSIS

Background

Overall, I am not inclined to challenge or dispute the many details of proposed budgets. My attitude is basically *laissez-faire*. I believe the details should be within the Board and Village Management's discretion as long as there is adherence to basic constraints.¹

Having said this, I think it is important to take advantage of the *occasional* opportunities that may provide material cost reductions in return for publicly acceptable reductions in service. Although realistic opportunities along these lines are not easy to find, I believe the idea of changing the leaf program to end vacuuming has emerged as such an opportunity. It is therefore a specific plan/budget/management item that I am inclined to weigh in on.

Budget Presentation Summary

The **Comb 02.16.22 Budget.pdf** document (*i.e.*, the Agenda for the February 16, 2022 budget meeting) presents the leaf opportunity mostly on pdf pages 14-17 and 27-29. Based on my review of this material, I have some technical questions and observations, and I have forwarded them to Village Manager Rob Cole. However, I do not think they will significantly impact the big picture, so I will discuss the big picture as it appears in the document.

- Here is the summary presentation (Page 16), also showing a column for savings.

	Existing Leaf Program	Bagged Pick-up	Savings
Equipment	\$183,501	\$21,312	\$162,189
Hauling	\$93,000	\$93,000	\$0
Personnel	\$734,604	\$533,606	\$200,998
Burden Shift	\$0	\$1,000,000	-\$1,000,000
TOTAL	\$1,011,105	\$1,647,919	-\$636,813

- With all due respect, I believe this summary presentation does not fully reveal the sources and dynamics of the impact. Even if we do nothing this year, I believe this summary should be presented in a way that better exposes the issues and opportunities going forward. Thus, I would break the summary into a sequence of impacts.

¹ As examples of these basic constraints, (1) tax increases should not exceed the lesser of the cap or 3%, (2) levels of unassigned fund balance and debt service do not put our current ratings at risk, (3) maintain service levels, and (4) do not add employees, because employee costs tend to drive uncontrollable future costs.

	Existing Leaf Program	Bagged Pick-up	Savings
Equipment	\$183,501	\$21,312	\$162,189
Hauling	\$93,000	\$93,000	\$0
Personnel	\$734,604	\$293,737	\$440,867
"LEAF ONLY" IMPACT	\$1,011,105	\$408,049	\$603,056
Reassigned Personnel	\$0	\$239,869	-\$239,869
"BUDGET" IMPACT	\$1,011,105	\$647,918	\$363,187
Burden Shift	\$0	\$1,000,000	-\$1,000,000
"TOTAL" IMPACT	\$1,011,105	\$1,647,919	-\$636,813

- The “leaf only” impact excludes the reassigned personnel and the burden shift. It uses only those components of the summary that relate to the impact on the Village (and not the public) *for the specific activity of leaf collection*.
- The “budget” impact adds back the reassigned personnel. These are all Highway FTEs. This view reflects what I recognize as the reality that these employees cannot be let go or otherwise not paid – in the coming budget year – because of reduced leaf collection activity.
- The “total” impact adds back the burden shift.
- Having presented the summary as this sequence of impacts, I will next address each of these impacts.

“Leaf Only” Impact

- First, this does appear to show that the annual cost of the actual leaf collection activity can be reduced by \$600,000. This is nearly 1% of a \$65 million budget, and about 1.4% of a \$43 million property tax revenue. This reinforces my perception that leaf collection is one of the few realistic opportunities where the Village may be able to reduce taxes by providing less service in a publicly acceptable way.
- I do not have any reason to challenge the Personnel and Hauling numbers, as estimates of the annual cost of the leaf activity.
- I do have problems with the Equipment numbers, or at least those numbers have to be put into perspective. One problem is that the numbers for Village owned equipment are basically calculated as the capital cost divided by expected life.
 - For example, a Leaf Machine with a capital cost of \$30,000 and an expected life of 20 years, goes into these numbers as costing \$1,500 per year. These are not budget-type numbers. The budget in a given year is either the capital cost for the purchase of a new machine or zero if there is no new machine.

- This sort of annualized estimate makes sense if we assume steady state continuation of the present leaf collection approach – every year or two we replace a machine or two, so the actual annual cost for all the machines is close to the annualized cost as presented. So, the impact (savings) numbers make sense only if we view them as the steady state year in and year out impact after we have fully transitioned from the current method to bagging.
- What is missing is a plan and budget for the transition. What are the numbers over the next few years (say, five years) if we purchase no new leaf machines and sell most of the ones we have? The Key Assumptions (Page 17) says that leaf equipment sales would only generate \$43,000. I know nothing about the resale market for these machines, but this seems low based on the total capital cost.
- An additional challenge with the Equipment numbers is that the annualized costs of certain assets (mainly the 9 Dump Trucks) are presumed to be incurred for only the 15% of the year when they are used for leaf activity. We are not going to get rid of 15% of the Dump Truck cost in one year even if they are no longer used for leaf activity. An actual plan and budget for the transition might show that we could reduce the Dump Truck fleet from 9 to 7 or 8 over the next few years if we change the leaf collection approach. It might show that we can avoid the next \$325,000 dump truck purchase, whenever that is otherwise expected to occur.
- Similarly, under the proposed bagging proposal, the summary shows that two Garbage Trucks would be needed 15% of the time. The Key Assumptions (Page 17) says they would have a capital cost of \$534,000 for the bagging proposal. However, the overall fleet maintenance proposal (Page 55) appears to request these as high priority acquisitions even with a continuation of the current leaf collection activity.
- In sum, I recommend that a more realistic explanation of the Equipment component would be one that shows a multiple year (five year if possible) plan and budget, factoring in sales and avoided purchases. It is entirely possible that this would show less of a first year savings than what the present summary shows, but it would show a plausible path to getting to the \$600,000 reduction in the cost of actual leaf collection activity.

“Budget Only” Impact – Reassigned Personnel

- As stated, I would not expect full time employees to be let go or otherwise not paid because of reduced leaf collection activity – in the coming budget year.
- Otherwise, this situation of having more FTEs than we need for the proposed leaf bagging is comparable to having more leaf equipment than we need for the proposed leaf bagging. So, again, I believe there is a need to show some sort of plan and budget for a multiple year transition. Can we avoid hiring replacements when the next one or two FTEs retires or leaves?

- It should not be assumed that this \$240,000 cost of reassigned personnel is permanent. I have to believe it is possible to present a plausible path for reducing the staff permanently – over time – by doing some of the required non-leaf activity during the leaf season.
- (At minimum, I would also like to know what additional services will be provided for this \$240,000 of cost in the coming budget year.)

“Total” Impact – Burden Shift

- As I said up front, the whole point in examining the proposed change to leaf collection is that it may be a rare opportunity to reduce cost in return for a publicly acceptable reduction in service.
- So, it does not seem right to present a single assumed average public financial impact in a way that forecloses a more complete attempt to gauge public acceptability. Based on past discussions I was expecting a dedicated Board meeting or portion of a meeting for public comment as we have had on other topics where it was important to gauge public opinion.
- In terms of the impact, there is reason to believe the proposed change will be more acceptable to the public than the summary anticipates.
 - As a member of the public, I myself am thinking – really for the first time – that I should consider leaf mulching. Running a lawn mower over the lawn seems faster and less laborious than blowing or bagging the leaves, so I would not pay more to the gardener. Members of the public who mulch will benefit from a 1.4% reduction in future taxes from what the taxes otherwise would have been.
 - Along these lines, it simply should not be assumed that only 10% - 15% of the Village will mulch.
 - I am no expert on the sustainability benefits of the proposed change, but I have a lot of confidence in the people who know more about this. Even if I decide to have the gardener bag the leaves at a cost that exceeds the 1.4% tax reduction, I am open to the conclusion that the sustainability benefits warrant the change.

Conclusion

If the Board and Village Management can present a plausible five-year transition plan that can result in a permanent annual savings of \$600,000 and a 1.4% reduction in taxes, the public may very well agree that this is worth the reduction in services. If it is now too late to develop and consider such a plan as part of this year’s budget work, I respectfully urge Village leadership to develop a plan that can be reviewed by the public well in advance of next year’s budget work.

Michael Levine
February 15, 2022

Comments Regarding Scarsdale Leaf Collection Policy

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residents, notably Darlene LeFrancois, M.D. dated Feb. 16, 2022, and Michael Levine dated Feb. 15, 2022 (both attached hereto); in the Scarsdale Forum's March 28, 2022 Report of the Scarsdale Fiscal Affairs Committee on the Village of Scarsdale 2022-2023 Tentative Budget (also attached); and in the Scarsdale Forum's April 22, 2021 Report of the Municipal Services and Sustainability Committees on Gas Leaf Blowers, Leaf Vacuuming, and Leaf Mulching in the Village of Scarsdale (Attachment B to Public Works' Memorandum).

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Please reconsider. The Village Board reached an important inflection point a year ago when it decided to significantly limit the use of gas leaf blowers, the first step many residents hope will lead to a total ban of that polluting machinery. Hopefully this Board will soon reach a similar inflection point at which the entrenched policy of leaf vacuuming is seen for what it is, a noxious environmental and public health and safety hazard that needs to be discontinued.

Sincerely,

Madelaine Eppenstein
July 19, 2022
18 Autenrieth Road

Feb 16, 2022

Dear Mayor, Deputy Mayor, and Scarsdale Board of Trustees,

The Village capitulating on a loose leaf pile pick up and gas blower ban, based on anecdotal input from homeowners who may not yet have tried mulching themselves, and may not understand that it takes only a simple and inexpensive blade change on the lawnmower, is ill-conceived.

I respect that the Village of course wants to "involve and listen to the community," and I understand there are some community members who are not in favor of converting to more sustainable landscape practices. Some local residents may not understand the "why" and "how" of sustainable lawn care, others may simply not want it out of concern for a negative personal financial impact of maintaining a manicured lawn "status quo" aesthetic on their properties. Ironically we all know, as is well documented *even on our own Village website*, per official professional testimony and in existing archived demonstrations that include our own *local landscapers, mulching is not only feasible but saves landscapers time and money* - in comparison to blowing - *and produces a beautiful and healthy lawn and garden* (see <https://www.scarsdale.com/427/Leaf-Mulching-Video>).

I understand and respect the Village decision last spring to speak with the community, because, as a physician, I *also* listen to people. I listen to sick hospitalized patients and their family members who have not been COVID vaccinated. They ask to be "treated" with ivermectin while the patient remains on a ventilator as their lungs are turning into a tissue that has more of the compliance of cement than a normal lung. Similarly, these patients initially refuse scientifically based best practices and treatments for COVID and its complications, like remdesivir. They have even refused standard treatments like blood transfusions when anemia complicates the COVID aftermath. They believe remdesivir will cause kidney failure or that blood administered from persons who have previously received the COVID vaccine will harm them. They have grown these beliefs from local echo chambers of misinformation and disinformation, all flying in the face of scientific fact.

I hadn't realized how deeply penetrated and pervasive the parallel local echo chamber of misinformation was in Scarsdale regarding sustainable lawn care practices! I imagine there are some vocal residents who don't understand the significant quality and quantity of life and health, public safety, and social and environmental justice issues which are all deeply attached to the Village policies and practices regarding landscape management. I imagine our local residents, like many of my unvaccinated COVID patients, are not aware of, or perhaps just don't believe, the science? This is the science that demonstrates in the state of California, as per the California Air Resources Board (CARB) for example, that lawn equipment emissions currently create more ozone-contributing pollutants than do cars.

Perhaps, not understanding the benefits, community members fear for the safety and health of their own lawns and gardens, and therefore push for the Scarsdale status quo which is gas

powered leaf blowing and then vacuuming loose leaves? The science on the benefits of mulching is robust and comprehensive, demonstrating how rich a resource the leaves are in promoting a healthy topsoil with a complete microbiome and even a local habitat for much needed species that we need to keep ourselves and our planet healthy. I for one greatly appreciate skepticism, but given the robustness of the science, and the magnitude of what is at stake, I would argue that this is an ethical issue that only the Village can adequately address through a change in practice and policy.

While the principle of autonomy is integral in ethics, justice, and beneficence, above all avoidance of maleficence - otherwise known as preventing the commission of harm - is just as critical. Therefore, I CANNOT give ivermectin to patients with COVID nor CAN I ethically arrange for and have the public support - through their insurance premiums and tax dollars - treatments that are not scientifically shown to be helpful, or even potentially harmful. It's unethical, even when the individual patient is asking for it. Similarly, **it is unsound and unethical to continue to ask Village residents to fund the highly detrimental Village practice and policy of leaf vacuuming and promotion of gas blowing over mulching which negatively affects us all, especially the disadvantaged members of our community, simply because some residents and local landscapers are asking for continuation of these harmful practices.**

And to salt the wounds, all Scarsdale residents are paying for this with their tax dollars. I feel strongly that our Village officials need to base our landscape policies and code *on actual science and ethical principles that support environmental and social justice within our community*. PLEASE, let's start with the low hanging fruit - eliminate 2 stroke engine gas blowers and loose leaf pile collection.

Luckily our Village has already made some progress in the gas blower ban, and of course we have the benefit of the models from our many surrounding municipalities' transition to banning gas blowers and eliminating loose leaf pile collections. Scarsdale already provides organic yard waste containerized pick up all 12 months of the year, and with an expansion of our compacting truck fleet with two new garbage trucks it's a mathematical financial win. It's irrational to be collecting noncompacted leaves and then carting them to Goshen NY, paying the county in the process. The costs and the waste involved are mind boggling. **New Rochelle**, which converted to containerized pickup many years ago and encourages residents to mulch in place through the "Love 'em and Leave 'em" campaign is **now converting to an all-electric battery-powered landscaping program**. The City will transition all municipal operations to electric equipment, as well as provide outreach, training, equipment demos and financial incentives to residents and local landscapers, enabling them to work collaboratively with the industry and position small local landscapers' transition away from gas-powered equipment. Once their own composting/recycling facility on Beechwood Avenue is complete, leaves will be composted there.

Let's follow suit. It's been a long campaign here in Scarsdale, starting with the 2011 Village resolution on mulching, which we have continually promoted each fall, but which has not gotten the complete traction we need. We have existing "can do" panels and an actual video

demonstration of mulching in Chase park (as above) on our village website and other compelling materials (e.g. see <https://www.leaveleavesalone.org/home/for-professionals/>). The CAC and the Scarsdale Forum have produced multiple reports outlining not only the feasibility, but also the financial and environmental, quality of life, and direct health impacts and improvements inherent in eliminating gas blowers and leaf vacuuming. It's notable that, at one of the last Village Board Working Sessions he attended in May 2021 before retiring, then Village Manager Steve Pappalardo endorsed the realized truth seen in other communities that discontinuation of "curbside" loose leaf collection translates into less blowing and more mulching, compounding the win-win into a win-win-win. It's time for Scarsdale to act on the promise of this long running campaign, and "just do it."

Darlene LeFrancois, MD
255 Nelson Rd