

**MONEY MAGAZINE: GREENBURGH– A BEST PLACE TO LIVE IN AMERICA WINNER (2008)**  
**(One of four in New York State)**

**Since 1987, the Town of Greenburgh has annually been granted the “The Certificate of Achievement for Excellence in Financial Reporting” by the National Government Financial Officers Association**

**Please Note: If the Board has completed the agenda before 11:00 PM, a second opportunity for Public Comment, up to five minutes per speaker, will be provided until 11:00 PM. Speakers will be called in the order of receipt of a Public Comment Request Form for this second Public Comment period.**

**TOWN OF GREENBURGH TOWN BOARD MEETING  
WEDNESDAY, FEBRUARY 9, 2011 – 7:30 PM  
AGENDA**

This meeting can be viewed live on our Website, [www.GreenburghNY.com](http://www.GreenburghNY.com), as well as viewed archived, generally within 24 hours. Please be reminded that Town Board meetings held at the Greenburgh Town Hall may also be viewed live on the Town’s government cable channels, Cablevision Channel 76 and Verizon Channel 35

THE TOWN BOARD RESERVES THE RIGHT TO MODIFY THE TOWN BOARD AGENDA AT ANY TIME

Minutes of Town Board Meetings are posted on our Web site  
(Click the link for Meeting Schedules, and then scroll down to Recent Meetings and Minutes)

To e-mail the Town Board (Supervisor Paul Feiner, Councilwoman Sonja Brown, Councilwoman Diana Juettner, Councilman Kevin Morgan, and Councilman Francis Sheehan), e-mail: [TownBoard@GreenburghNY.com](mailto:TownBoard@GreenburghNY.com)

PLEASE NOTE: TOWN BOARD MEETING AGENDAS ARE POSTED ON THE TOWN WEB SITE AND ONLY MAILED UPON A WRITTEN REQUEST TO THE TOWN CLERK, [TownClerk@GreenburghNY.com](mailto:TownClerk@GreenburghNY.com)

**EVERYONE IS ENCOURAGED TO SPEAK BEFORE THE TOWN BOARD ON ANY SUBJECT; HOWEVER, PERSONAL ATTACKS, OF ANY KIND, TOWARD ANYONE, WILL NOT BE PERMITTED**

John Tomlin, a representative from the office of State Senator Andrea Stewart-Cousins, will be present at a Town Board meeting each month from 6:30 PM to 7:30 PM to respond to constituent concerns

Mary Jackson, a representative from the office of County Legislator Alfreda Williams, will be present at the 2<sup>nd</sup> Town Board meeting each month from 6:30 PM to 7:30 PM to respond to constituent concerns

**UPCOMING TOWN BOARD MEETINGS:**

Wednesday, Mar. 9, 2011, 7:30 PM  
Wednesday, Apr.13, 2011, 7:30 PM

Wednesday, Mar. 23, 2011, 7:30 PM  
Wednesday, Apr. 27, 2011, 7:30 PM

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Town Clerk Judith Beville

**MOMENT OF SILENCE**

In memory of Riley Rushia, Granddaughter of Angelo Nanna, Deputy Commissioner of Public Works

**ACKNOWLEDGEMENT**

Visiting local elected officials and administrative officers from Russia, as part of the Open World Leadership Program. The officials are hosted by Rotary International District 7230.

Pavel Aleksandrovich Voronichev, Councilman of Lyudinovo, Kaluga Region

Mikhail Borisovich Galakhov, City Mayor of Valday

Andrey Ivanovich Golikov, Administration Head of Sukhinichi City

Pavel Mikhaylovich Stetsko, Chief Lawyer of Khakassia Republic Legislature,  
Committee on Local Governance, NGO’s & Interethnic Relations

Yevgeniy Yuryevich Yumashev, Mayor of Bodaybo City & Provincial District  
Administration

Yelena Sergeyevna Potapova, Interpreter

**PRESENTATIONS**

Certificates of Appreciation presented by the Town Board to Dannon Volunteers:

Dan Spallino, Sylvie Loretto, Rodrigo Gutierrez, Julien Bertrand, Sandra Siegeltuch, Neil Bryce, Donna Calisi, Ann Marie Buckley, Hope Koenig, Debbie Klein

Comments by: Danny Gold, President of East Irvington Civic Association, Saverio DeGiorgio and John Kennedy

Reassessment Impact Survey – Peter Derby

Proclamation – Congenital Heart Awareness Week (February 14<sup>th</sup> – 19<sup>th</sup>)

Model Citizen and Community Role Model – Cleveland Brown

Allegra Dengler/Greenburgh Energy Conservation & Nina Orville/Blue Springs Energy

## **SUPERVISOR & TOWN COUNCIL REPORTS**

GOOD NEWS...The Town has the highest possible bond rating from both Standard & Poors (AAA) and Moodys (AAA). Only 3% of communities in nation have this rating.

Presentation by Real Estate Community on the state of real estate (commercial & residential) in the Town of Greenburgh, at Wednesday, March 9, 2011 Town Board meeting, 7:30PM. Topics to include how properties are selling, comparisons with previous years, suggestions for the future, etc.

Any individual or group interested in a visit from the Town Board should email the Board at [TownBoard@GreenburghNY.com](mailto:TownBoard@GreenburghNY.com)

## **TOWN CLERK COMMENTS**

The Mobile Shredder will be returning to Town Hall on February 26, 2011 from 10:00 AM to 2:00 PM. All residents are welcome to bring their unbound personal documents for shredding

The proposed agreement between Cablevision Southern Westchester Inc. and the Town of Greenburgh has been posted on the Town's website for review by the public in preparation for the March 9, 2011 Public Hearing

## **DECISIONS**

To consider an application by White Hickory Associates, LLC, for an Amended Site Plan and Special Permit Application, for the property located at 600 & 670 White Plains Road, Tarrytown located along New York State Route 119 (White Plains/Tarrytown Road) and designated on the Tax Map of the Town of Greenburgh as Parcel ID 7.230-100-1 (600 White Plains Road) & 7.420-102-1 P/O (670 White Plains Road) (Held over to Special Town Board 2/15/11)

To consider a Local Law amending the Zoning Ordinance of the Town of Greenburgh, Section 285-28A(3) to allow in the Designed Shopping (DS) District a New Accessory Use that includes "detached canopies over bank drive-throughs, which may be located in the rear yard," based on a petition of TD Bank, N.A. and OCR Properties involving property located at 300 Saw Mill River Road (Held over to Special Town Board Meeting of 2/15/11)

To consider an agreement between the Town of Greenburgh and Village of Ardsley to provide Fire Protection Services to unincorporated area residents of the Chauncey Fire Protection District for the year 2010

To consider an agreement between the Town of Greenburgh and Village of Ardsley to provide Fire Protection Services to unincorporated area residents of the South Ardsley Fire Protection District for the year 2010

To consider an agreement between the Town of Greenburgh and the Village of Tarrytown to provide Fire Protection Services to unincorporated area residents of the Glenville Fire Protection District for the year 2010

## **PUBLIC HEARING**

To consider a Local Law amending Chapter 240 of the Code of the Town of Greenburgh entitled "Sign and Illumination Law"(withdrawn)

## **PUBLIC COMMENT**

Advance signup is preferred. Speakers will be called in the order of receipt of a Public Comment Request Form. The forms are available on the Town Web site, in the Town Clerk's Office (until 7:00 PM on the day of the meeting), and on the dais next to the Town Clerk during the meeting. A three minute limit per speaker will be strictly enforced. No interruptions by the members of the Town Board or public will be permitted. Any questions on agenda items should be asked at this time. Department Heads have the option of leaving the meeting following Public Comment. Therefore, if anyone has questions that are related to resolutions/items on the agenda that she/he would like to direct to a specific Department Head, those questions should be raised at this time.

## **TOWN BOARD – 993-1544**

**TB 1 – 2/09/11** Resolution authorizing the Town Supervisor to amend the 2010 Glenville Fire Protection District contract with the Village of Tarrytown

**TB 2 – 2/09/11** Resolution authorizing the Town Supervisor to enter into two one-year contracts commencing January 1, 2010 through December 31, 2010 with the Village of Ardsley for fire protection services to the South Ardsley and Chauncey Fire Protection Districts

**TB 3 – 2/09/11** Resolution authorizing the Town Supervisor to enter into a contract with Allegra Dengler to provide Energy Conservation Coordination Services, at a cost not to exceed \$28,093 (Held over to Town Board Meeting of 3/09/11)

**TB 4 – 2/09/11** Resolution reaffirming, as originally proposed, the request of the Town of Greenburgh Town Board to execute a NYS legislature Home Rule request seeking amendment of Section 1202 of the NYS Tax Law to permit the villages and the unincorporated area of the Town of Greenburgh to adopt separate local laws, if they choose, imposing a hotel and/or motel "occupancy tax" on owners of rooms for hire in the Town (Held over to Special Town Board Meeting of 3/09/11)

**TB 5 – 2/09/11** Resolution authorizing the submittal of comments to the New York State Public Service Commission (PSC) on Case 10-E-0155, Electric Utility Transmission Right-of-Way Management Practices Draft Guidelines, circulated on 12/31/2010 by the PSC (Held over to Special Town Board Meeting of 3/09/11)

## **(TOWN BOARD, CON'T.)**

**TB 6 – 2/09/11** Resolution authorizing the Town Supervisor to enter into a contract with Bennett Kielson Storch Desantis to conduct an audit of the Town Court for the calendar year 2010, at a cost not to exceed \$10,000

**TB 7 – 2/09/11** Resolution declaring the intent of the Town Board of the Town of Greenburgh to select a preferred developer at its March 9, 2011 Town Board Meeting to develop a six acre parcel of land located at the Knollwood Gate Entrance to Westchester Community College in the Town and commonly referred to as the “WestHelp” property, for a period of 30 years

**TB 8 – 2/09/11** Resolution authorizing the Town Supervisor to enter into an Inter-Municipal/Developer Agreement with Westchester County and the Fairview Housing Development Fund Company, Inc., D/B/A Greenburgh Housing, to facilitate the construction of public infrastructure improvements with grant funding from the County’s Housing Implementation Fund (“HIF”) on 90 and 100 Manhattan Avenue and 33 Oak Street

## **ATTORNEY – 993-1547**

**AT 1 – 2/09/11** Resolution authorizing settlement of motor vehicle damage related claim, File No.: 938/10c, by Loretta Dalena, for an amount not to exceed \$632.15

**AT 2 – 2/09/11** Resolution authorizing settlement of motor vehicle damage related claim, File No.: 38/11c, by Frank Dellaccio, for an amount not to exceed \$572.31

**AT 3 – 2/09/11** Resolution authorizing settlement of motor vehicle damage related claim, File No.: 931/10c, by Nuala O’Kelly for an amount not to exceed \$675.99

**AT 4 – 2/09/11** Resolution authorizing the RG Agency be retained to perform updated title reports for properties to be included in an In Rem proceeding initiated by the Town of Greenburgh at a total cost of \$1,650.00.

**AT 5 – 2/09/11** Resolution authorizing Valuation Plus, Inc. be retained as a Real Estate Appraiser for property known as Hillside Park Condominium I and Hillside Park Condominium II, at a total cost not to exceed \$3,225.00

**AT 6 – 2/09/11** Resolution authorizing tax certiorari settlement with petitioner AVR-Elmsford, LLC, for property located at 290 Tarrytown Road, Elmsford. The Town’s share of the refund is \$1,654±; the Greenburgh Central School District No. 7’s share is \$89,898±; the County’s share is \$24,682±; the Bronx Valley Sewer District’s share is \$3,532±. Refunds from all sources total \$119,766±.

**AT 7 – 2/09/11** Resolution authorizing tax certiorari settlement with petitioner Homestead Owners Corp. for property located at 80 East Hartsdale Avenue The Town’s share of the refund is \$83,336±; the Greenburgh Central School District No. 7’s share is \$219,680±; the County’s share is \$61,205±; the Hartsdale Fire District’s share is \$69,623±; the Bronx Valley Sewer District’s share is \$8,108±; the Consolidated Sewer Mtc. District’s share is \$1,634±. Refunds from all sources total \$443,586±.

**AT 8 – 2/09/2011** Resolution authorizing the execution of a contract for Arts & Culture Service with Sarah Bracey White, an independent contractor, at a cost not to exceed \$52,402 (Held over to Town Board Meeting of 3/09/11)

## **CLERK – 993-1500**

**CL 1 – 2/09/11** Resolution authorizing Sidewalk Sale dates for 2011: May 20, 21, 22, 2011 (Rain dates: May 27, 28, 29, 2011), June 17, 18, 19, 2011 (Rain dates: June 24, 25, 26, 2011), September 2, 3, 4, 2011 (Rain dates: September 9, 10, 11, 2011), November 4, 5, 6, 2011 (Rain dates: November 11, 12, 13, 2011)

**CL 2 – 2/09/11** Resolution authorizing a Public Hearing to be held on Wednesday, March 9, 2011 to consider approval of the proposed franchise agreement between Cablevision of Southern Westchester, Inc. and the Town of Greenburgh

**CL 3 – 2/09/11** Resolution authorizing a modification to the specifications for audio-visual equipment for Town Hall

## **COMPTROLLER – 993-1528**

**CO 1 – 2/09/11** Resolution authorizing the Town Supervisor to enter into an Inter-Municipal Agreement with the Hartsdale Public Parking District (HPPD) to reimburse HPPD the costs of personnel and benefit expenses for a Full-time Parking Enforcement Officer and a Part-time Parking Enforcement Officer for January 1, 2011 to December 31, 2011, in an amount not to exceed \$76,000.00 (Held over to Special Town Board Meeting of 2/15/11)

## **COMMUNITY DEVELOPMENT – 993-1505**

**CD 1 – 2/09/11** Resolution referring the application by Bosphourous Restaurant Inc. (d/b/a Bosphorus Medisterrian Cuisine) for a restaurant located at 213-215 East Hartsdale Avenue in the Hartsdale Center District Zone to the Planning Board for a report and recommendation pursuant to Section 285-29.2e(1)(a) of the Zoning Ordinance

**CD 2 – 2/09/11** Resolution approving, with conditions, the amended Site Plan and Special Permit Application submitted by the White Hickory Associates, LLC, for the property located at 600 & 670 White Plains Road, Tarrytown located along New York State Route 119 (White Plains/Tarrytown Road) and designated on the tax map of the Town of Greenburgh as Parcel ID 7.230-100-1 (600 White Plains Road) & 7.420-102-1 p/o (670 White Plains Road) (Held over to Special Town Board Meeting of 2/15/11)

**(COMMUNITY DEVELOPMENT, CON'T.)**

**CD 3 – 2/09/11** Resolution amending the Zoning Ordinance of the Town of Greenburgh, Section 285-28a(3), pursuant to New York Municipal Home Rule Law, Section 10, and New York Town Law, Section 271, for the petition by TD Bank, N.A. and OCR Properties involving property at 300 Saw Mill River Road, for an amendment to the Town's Zoning Ordinance to allow a new accessory use in the resigned Shopping (DS) District that includes "detached canopies over bank drive-throughs, which may be located in the rear yard" (Held over to Special Town Board Meeting of 2/15/11)

**ENERGY CONSERVATION – 993-1549**

**EC 1 – 2/09/11** Resolution authorizing RFP's for energy efficiency and sustainability consulting services to the Town of Greenburgh to fulfill the requirements of the EECBG grant awarded to the Town on 9/29/09

**PARKS & RECREATION – 693-8985**

**PR 1 – 2/09/11** Resolution authorizing the release of Trust and Agency Parklands Funds for the development of a Natures Discovery Playground at the Greenburgh Nature Center (Held over to Town Board Meeting of 3/09/11)

**PR 2 – 2/09/11** Resolution authorizing the Department of Parks and Recreation to go to bid for the purchase and installation of a playground at the Greenburgh Nature Center (Held over to Town Board Meeting of 3/09/11)

**POLICE – 682-5300**

**PO 1 – 2/09/11** Resolution entering into a cooperative agreement with the Office of the New York City Medical Examiner for the identification of decedents or missing persons

ANYONE INTERESTED IN SERVING ON A BOARD OR COMMISSION SHOULD SEND A RESUME TO  
JUDITH A. BEVILLE, TOWN CLERK, 177 HILLSIDE AVENUE, GREENBURGH, NY 10607