

**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, JULY 27, 2011, 7:30 PM  
TENTATIVE 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:**

Thursday, September 1, 2011, 7:30 PM	Wednesday, September 14, 2011, 7:30 PM
Wednesday, October 12, 2011 7:30 PM	Wednesday, October 26, 2011, 7:30 PM

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Town Clerk Judith Beville

**POLICE DEPARTMENT CEREMONY**

Promotion of Police Officer Angela Rashad to the position of Detective, effective July 21, 2011

**PRESENTATION**

Jonathan Rood – Student Intern who was instrumental in organizing the “Battle of the Bands”  
Allegra Dengler & Seth Segall – Town Energy Use

**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.

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**

East Hartsdale Music Series

**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.

**DECISIONS**

To consider a Petition from PDJ 2260 Saw Mill River Road, LLC and Frem 2240, LLC, for amendments to Zoning Map of the Town of Greenburgh to rezone two adjoining parcels, 2240 and 2260 Saw Mill River Road, currently zoned as Office Building (OB-1), to Light Industrial (LI) Zoning District (Parcel ID: 7.390-198-19 & 7.390-198-18) (See Resolutions CD-1 and CD-2)

To consider whether it is in the public interest for the Town Board to exempt the Town from Chapter 240 of the Code of the Town of Greenburgh (“Sign and Illumination Law”) to permit additional signage at the Town Library (See Resolution CD-3)

To consider whether it is in the public interest for the Town Board to temporarily exempt the Town from Zoning and Local Land Use Regulations, with respect to the former Frank’s Nursery site on Dobbs Ferry Road (See Resolution CD-4)

**PUBLIC HEARINGS**

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 2011

To consider a Local Law amending various provisions of Section 100 of the Code of the Town of Greenburgh entitled “Building, Fire and Plumbing”

To consider a Local Law amending Section 140 of the Code of the Town of Greenburgh entitled “Explosives and Blasting” to establish Minimum Safeguards and Regulations governing Rock Chipping

To consider a Special Permit Application from Cumberland Farms Inc., for operation of a Gas Station Convenience Store in excess of 800 S.F. (1,697 S.F. proposed) to be located at 628 Central Park Avenue (Parcel ID: 8.410-299-5)

To consider a Local Law repealing and replacing Chapter 248 of the Code of the Town of Greenburgh entitled “Stormwater Management Law”

To consider a Local Law repealing and replacing Chapter 280 of the Code of the Town of Greenburgh entitled “Wetlands and Watercourse Law” (This hearing will be held over to the Town Board Meeting of September 14, 2011)

To consider a Local Law repealing and replacing Chapter 245 of the Code of the Town of Greenburgh entitled “Protection of Steep Slopes”

To consider a Local Law amending Chapter 200 of the Code of the Town of Greenburgh entitled “Town of Greenburgh Environmental Quality Review Law”

**TOWN BOARD – 993-1544**

**TB 1 – 7/27/11** Resolution eliminating health insurance benefits to same sex domestic partners

**TB 2 – 7/27/11** Resolution referring proposed Code of Ethics amendments to the Board of Ethics for review and comment

**ARTS & CULTURE**

**AC 1 – 7/27/11** Resolution accepting, on behalf of the Arts Council of the Town of Greenburgh, a donation from Delta Sigma Theta Sorority, Inc., Westchester Alumnae Chapter, in the amount of \$100, to be used for arts and culture programming

**ATTORNEY – 993-1547**

**AT 1 – 7/27/11** Resolution authorizing settlement of property damage related Claim, File No.: 231/11C, by Carol and Steven Kornbluth, for an amount not to exceed \$3,040.27

**AT 2 – 7/27/11** Resolution authorizing the continued retention of Brian Murphy, Esq., as Outside Trial Counsel in flood related cases, for an amount not to exceed \$25,000.00

**AT 3 – 7/27/11** Resolution authorizing the continued retention of Thomas J. Troetti, Esq., as Outside Trial Counsel in litigation involving Greenburgh Police, for an amount not to exceed an additional 25,000.00 (Alexander Washington-Herrera v. TOG, et al.)

**AT 4 – 7/27/11** Resolution authorizing Valuation Plus, Inc.be retained as Real Estate Appraiser for various properties, at a total cost not to exceed \$6,405

**AT 5 – 7/27/11** Resolution authorizing tax certiorari settlement with petitioner Landmark Condominium for property located at 18 North Tarrytown Road. The Town’s share of the refund is \$1,378±; the Tarrytown Union Free School District’s share is \$60,074±; the County’s share is \$10,668±; the Saw Mill Valley Sewer District’s share is \$1,679±. Refunds from all sources total \$73,799±.

**AT 6 – 7/27/11** Resolution authorizing tax certiorari settlement with petitioner Stanley Rubenzahl for property located at 76 North Broadway. The Town’s share of the refund is \$581±; the Irvington Union Free School District’s share is \$54,543±; the County’s share is \$10,705±; the No. Yonkers Sewer District’s share is \$1,485±. Refunds from all sources total \$67,314±.

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**AT 7 – 7/27/11** Resolution authorizing tax certiorari settlement with petitioner Classic Condominium for property located at 50 East Hartsdale Avenue. The Town's share of the refund is \$354,914±; the Greenburgh Central School District No. 7's share is \$882,999±; the County's share is \$241,365±; the Bronx Valley Sewer District's share is \$33,668±; the Hartsdale Fire District's share is \$287,038±; the Consolidated Sewer Mtc. District's share is \$7,353±. Refunds from all sources total \$1,807,337±.

**AT 8 – 7/27/11** Resolution authorizing tax certiorari settlement with petitioner Spear Circle Properties, Inc. for property located at 68 Virginia Avenue. The Town's share of the refund is \$20±; the Dobbs Ferry Union Free School District's share is \$1,874±; the County's share is \$302±; the No. Yonkers Sewer District's share is \$48±. Refunds from all sources total \$2,244±.

**AT 9 – 7/27/11** Resolution authorizing tax certiorari settlement with petitioner Ardsley Partners II, L.P., for property located on Saw Mill River Road. The Town's share of the refund is \$522±; the Ardsley Union Free School District's share is \$30,270±; The Hastings Union Free School District's share is \$4,120±; the County's share is \$7,273±; the Saw Mill Valley Sewer District's share is \$1,131±. Refunds from all sources total \$43,316±.

**AT 10 – 7/27/11** Resolution authorizing tax certiorari settlement with petitioner WU/LH 199 Ridgewood LLC for property located at 199 Ridgewood Drive. The Town's share of the refund is \$23,484±; the Pocantico Hills Union Free School District's share is \$40,384±; the County's share is \$17,276±; the Saw Mill Valley Sewer District's share is \$2,708±; the No. Elmsford Fire Protection District's share is \$2,835±. Refunds from all sources total \$86,687±.

**AT 11 – 7/27/11** Resolution authorizing tax certiorari settlement with petitioner Vasilis Doupis for properties located at 24 and 27 Cedar Street. The Town's share of the refund is \$1,158±; the Dobbs Ferry Union Free School District's share is \$109,737±; the County's share is \$17,786±; the No. Yonkers Sewer District's share is \$2,553±. Refunds from all sources total \$131,233±.

**AT 12 – 7/27/11** Resolution ratifying the submission of a Motion to Stay Arbitration filed by the Town Attorney's office on July 18, 2011, in response to a demand for arbitration related to employee retirement contribution requirements under Article 22 of New York State Retirement and Social Security Law ("RSSL"), the new Tier 5 Retirement Plan

#### **CLERK – 993-1500**

**CL 1 – 7/27/11** Resolution scheduling a Public Hearing at 8:30 PM, September 1, 2011, to consider the proposed 2011 Capital Budget and 2012-2013 Capital Plan of the Town of Greenburgh

**CL 2 – 7/27/11** Resolution authorizing permission to close Carlton Street, from Longdale Avenue to McLean Avenue, on Saturday, August 13, 2011 (Rain date: Sunday, August 14, 2011), from 11:00 AM until 6:00 PM, for the residents of Carlton Street to hold a Block Party

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

**CD 1 – 7/27/11** Resolution issuing a Negative Declaration for the SEQRA Determination of Significance by the Town Board of the Town of Greenburgh with respect to a petition submitted by PDJ 2260 Saw Mill River Road, LLC and Frem 2240, LLC for amendments to the Zoning Map of the Town of Greenburgh to rezone two adjoining parcels, 2240 and 2260 Saw Mill River Road, currently zoned as Office Building (OB-1), to Light Industrial (LI) Zoning District, such parcels designated on the Tax Map of the Town of Greenburgh as Parcel ID: 7.390-198-19 & 7.390-198-18

**CD 2 – 7/27/11** Resolution amending the Zoning Map of the Town of Greenburgh, Section 285-7, by New York Municipal Home Rule Law, Section 10, and New York Town Law, Section 271, with respect to a petition submitted by PDJ 2260 Saw Mill River Road, LLC and Frem 2240, LLC for amendments to the Zoning Map of the Town of Greenburgh to rezone two adjoining parcels, 2240 and 2260 Saw Mill River Road, currently zoned as Office Building (OB-1), to Light Industrial (LI) Zoning District, such parcels designated on the Tax Map of the Town of Greenburgh as Parcel ID: 7.390-198-19 & 7.390-198-18

**CD 3 – 7/27/11** Resolution issuing a determination by the Town Board of the Town of Greenburgh with respect whether it is in the public interest for the Town Board to exempt the Town from Chapter 240 ("Sign and Illumination Law") of the Code of the Town of Greenburgh to permit additional signage at the Town Library, designated on the Tax Map of the Town of Greenburgh as Parcel ID: 7.400-213-31 and 7.400-213-35

**CD 4 – 7/27/11** Resolution issuing a determination by the Town Board of the Town of Greenburgh with respect to whether it is in the public interest for the Town Board to temporarily exempt the Town from zoning and local land use regulations, with respect to the property located at 715 Dobbs Ferry Road (formerly Frank's Nursery & Crafts, Inc.), designated on the Tax Map of the Town of Greenburgh as Parcel ID: 8.50-28-9

**CD 5 – 7/27/11** Resolution issuing a Negative Declaration for the SEQRA Determination of Significance by the Town Board of the Town of Greenburgh with respect to the amended site plan application and all related actions by Biomed Realty, LP affecting real property located at 420 Saw Mill River Road designated on the Tax Map of the Town of Greenburgh as Parcel ID: 8.430.305-7.1, 8.430.305-7.2 and 8.430.305-6

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**CD 6 – 7/27/11** Resolution scheduling a Public Hearing for Wednesday, September 1, 2011, at 8:30 PM, to consider the amended site plan application and all related actions by Biomed Realty, LP affecting real property located at 420 Saw Mill River Road designated on the Tax Map of the Town of Greenburgh as Parcel ID: 8.430.305-7.2 and 8.430.305-6

**COMPTROLLER – 993-1527**

**CO 1 – 7/27/11** Resolution approving an amendment to the Town Wide budget for the JCAP Grant awarded to the Town Court

**CO 2 – 7/27/11** Resolution approving Budget Transfers for Fiscal Year 2011

**CO-3 – 7/27/11** Resolution authorizing a combined bail bank account with J.P. Morgan Chase for the benefit of the town court, combining three existing bail accounts into one

**ENERGY CONSERVATION – 993-1649**

**EC 1 – 7/27/11** Resolution establishing a Town of Greenburgh Greenhouse Gas Emissions Goal to reduce emissions 15% below 2008 levels by 2015, with a 20% reduction in total Greenhouse Gas Emissions by 2020

**PARKS & RECREATION – 693-8985**

**PR 1 – 7/27/11** Resolution authorizing the Commissioner of Parks and Recreation to attend the 2011 National Recreation and Park Association Annual Congress & Exposition, November 1-3, 2011, in Baltimore, Maryland, with a conference budget not to exceed \$378, the amount of the early registration fee

**PHILANTHROPY – 993-1515**

**PH 1– 7/27/11** Resolution requesting authorization to go out to bid for the installation of a Solar Hot Water System at the Theodore D. Young Community Center

**PH 2 – 7/27/11** Resolution authorizing the submission of an application for the New York State Office of Parks and Recreation and Historic Preservation State Fiscal Year 2011 – 2012 Grant Program under the Environmental Protection Act of 1993, in the amount of \$100,000 for Phase II of the Reconstruction of the Hart's Brook Park and Preserve Barn and Greenhouse

**POLICE – 682-5340**

**PO 1 – 7/27/11** Resolution promoting Police Officer Angela Rashad to the position of Detective, effective July 21, 2011

**PO 2 – 7/27/11** Resolution adopting the recommendations of the Greenburgh Police Department to add a stop restriction on Westward Place at the Intersection of Beaver Hill Road amending Chapter 460 of the Code of the Town of Greenburgh

**PO 3 – 7/27/11** Resolution adopting the recommendations of the Greenburgh Police Department to add a no right turn restriction at Jackson Avenue at the intersection of Edith's Way amending Chapter 460 of the Code of the Town of Greenburgh

**PO 4 – 7/27/11** Resolution adopting the recommendations of the Greenburgh Police Department to add a no right turn restriction at Jackson Avenue at the intersection of Mendham Avenue amending Chapter 460 of the Code of the Town of Greenburgh

**PO 5 – 7/27/11** Resolution adopting the recommendations of the Greenburgh Police Department to add a no left turn restriction at the exit of the Goddard Daycare at the intersection of Jackson Avenue amending Chapter 460 of the Code of the Town of Greenburgh

**PO 6 – 7/27/11** Resolution authorizing the Police Department to Dispose of unserviceable equipment

**PUBLIC WORKS – 993-1573**

**PW 1 – 7/27/11** Resolution approving Professional Services Agreement with Birdsall Services Group for the Land Surveying Services for the Saw Mill River Road Sidewalk Rehabilitation Project, for an amount not to exceed \$17,400

**PW 2 – 7/27/11** Resolution approving Professional Services Agreement with Birdsall Services Group for Professional Land Surveying Services for the Manhattan Avenue Sidewalk Rehabilitation Project, for an amount not to exceed \$8,450

**PW 3 – 7/27/11** Resolution awarding the contract for the Automatic Entrance Door Installation at the Anthony F. Veteran Park Multi-purpose Center, in an amount not to exceed \$87,710

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