

**+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  
THURSDAY, SEPTMEBER 1, 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:**

Wednesday, September 14, 2011, 7:30 PM  
Wednesday, October 26, 2011 7:30 PM

Wednesday, October 12, 2011, 7:30 PM  
Wednesday, November 9, 2011, 7:30 PM

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Town Clerk Judith Beville

**PRESENTATIONS**

Greenburgh Swim Team – Winners of 1<sup>st</sup> Place Westchester County Competition  
Battle of the Bands Participants

**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)

The Town will sponsor a Realtors Reception at the Multipurpose Center, Anthony F. Veteran Park, 1 Olympic Lane, Ardsley, NY, on Monday, September 19, 2011, from 6:30 PM to 8:30 PM

**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.

## **BOARDS & COMMISSIONS**

Appointment of Louis L. Crichlow to the Zoning Board of Appeals

## **PUBLIC HEARINGS**

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 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" (**Adjourned to Town Board Meeting of September 14<sup>th</sup>**)

To consider a Local Law repealing and replacing Chapter 245 of the Code of the Town of Greenburgh entitled "Protection of Steep Slopes" (**Adjourned to Town Board Meeting of September 14<sup>th</sup>**)

To consider a Local Law amending Chapter 200 of the Code of the Town of Greenburgh entitled "Town of Greenburgh Environmental Quality Review Law" (**Adjourned to Town Board Meeting of September 14<sup>th</sup>**)

To consider the proposed 2011 Capital Budget and 2012-2013 Capital Plan of the Town of Greenburgh

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

To consider the extension of the FA-7 Sewer District in the Town of Greenburgh

## **TOWN BOARD – 993-1544**

**TB 1 – 9/01/11** Resolution ratifying an agreement authorizing the Town Board to accept a donation by the Port Authority of New York and New Jersey of a 15 Inch Piece of Steel from the World Trade Center Archive to be used to commemorate the events of September 11, 2001

## **ATTORNEY – 993-1547**

**AT 1 – 9/01/11** Resolution authorizing settlement of personal injury Claim, File No.: 975/08C, Harold Aronoff v. Town of Greenburgh, et Ano, for an amount not to exceed \$3,500 in total

**AT 2 – 9/01/11** Resolution authorizing settlement of property damage related Claim, File No.: 230/11C, by Paul & Jamie Vicari, for an amount not to exceed \$1,649.57

**AT 3 – 9/01/11** Resolution authorizing Capital Appraisal Services, Inc. be retained as Real Estate Appraiser for various properties, at a total cost not to exceed \$3,200

**AT 4 – 9/01/11** Resolution authorizing Valuation Plus, Inc. be retained as Real Estate Appraiser for various properties, at a total cost not to exceed \$2,250

**AT 5 – 9/01/11** 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 \$79,989±; the Pocantico Hills Union Free School District's share is \$138,236±; the County's share is \$59,001±; the Saw Mill Valley Sewer District's share is \$9,252±; the No. Elmsford Fire Protection District's share is \$9,669±. Refunds from all sources total \$296,147±.

**AT 6 – 9/01/11** Resolution authorizing tax certiorari settlement with petitioner Talleyrand Realty Associates, LLC for property located at 200 White Plains Road. The Town's share of the refund is \$11,232±; the Irvington Union Free School District's share is \$866,878±; the County's share is \$169,947±; the Saw Mill Valley Sewer District's share is \$26,681±. Refunds from all sources total \$1,074,739±.

**AT 7 – 9/01/11** Resolution authorizing tax certiorari settlement with petitioner Talleyrand Realty Associates, LLC for property located at 220 White Plains Road. The Town's share of the refund is \$11,232±; the Irvington Union Free School District's share is \$866,878±; the County's share is \$169,947±; the Saw Mill Valley Sewer District's share is \$26,681±. Refunds from all sources total \$1,074,739±.

**AT 8 – 9/01/11** Resolution authorizing tax certiorari settlement with petitioner Talleyrand Realty Associates, LLC for property located at 230 White Plains Road. The Town's share of the refund is \$6,175±; the Irvington Union Free School District's share is \$464,242±; the County's share is \$94,921±; the Saw Mill Valley Sewer District's share is \$15,009±. Refunds from all sources total \$580,345±.

**AT 9 – 9/01/11** Resolution authorizing tax certiorari settlement with petitioner Ashford Avenue Realty for property located on Ashford Avenue, Dobbs Ferry. The Town's share of the refund is \$134±; the Dobbs Ferry Union Free School District's share is \$13,321±; the County's share is \$2,384±; the Saw Mill Valley Sewer District's share is \$381±. Refunds from all sources total \$16,220±.

**AT 10 – 9/01/11** Resolution authorizing tax certiorari settlement with petitioner B & M Holding Co. for property located at 10 West Main Street, Elmsford

The Town's share of the refund is \$217±; the Elmsford Union Free School District's share is \$10,121±; the County's share is \$2,222±; the Saw Mill Valley Sewer District's share is \$342±; the Glenville Fire Protection District's share is \$435. Refunds from all sources total \$13,338±.

## **(ATTORNEY, CON'T.)**

**AT 11 – 9/01/11** Resolution authorizing the Town Supervisor to enter into an Amended License Agreement with Global Signal Acquisitions III LLC, d/b/a Crown Castle (as Attorney-In-Fact for STC Five LLC), providing for five additional five-year renewal terms to the existing Cellular Antenna License Agreement to continue Cellular Communication Services at facilities located at the Town Highway Garage on Old Sprain Road

## **CLERK – 993-1500**

**CL 1 – 9/01/11** Resolution authorizing closing Dunderave Road, from Jackson Place to Wyndover Road, on Saturday, September 24, 2011 (Rain date: Sunday, September 25, 2011), from 12:00 Noon until 9:00 PM, for the residents of Dunderave Road to hold their Annual Block Party

**CL 2 – 9/01/11** Resolution authorizing street closing of Longview Drive, from Delhi Road to Ferndale Road, on Sunday, October 2, 2011, from 3:30 PM to 6:00 PM for the Longview Civic Association to hold their Annual Pot Luck/Block Party

**CL 3 – 9/01/11** Resolution authorizing closing Evandale Road, from Sheridan Road to Glendale Road, on Sunday, September 11, 2011 (Rain date: Sunday, September 18, 2011), from 1:00 PM until 5:00 PM, for the residents of Evandale Road to hold their Annual Block Party

**CL 4 – 9/01/11** Resolution authorizing permission to close both intersections of Homewood Court with Homewood Road on Saturday, September 10, 2011, from 10:30 AM until 4:30 PM (Rain date: Saturday, September 17, 2011) for the residents Windsor Park Civic Association to hold their Annual Picnic

**CL 5 – 9/01/11** Resolution authorizing closing of Salem Road, between Normandy Road and Mayfair Way, on Saturday, October 1, 2011, (Rain date: Sunday, October 2, 2011) from 11:00 AM to 5:00 PM for the Mayfair-Knollwood Civic Association to hold their Annual Block Party

**CL 6 – 9/01/11** Resolution authorizing closing of Castle Walk, on Sunday, September 18, 2011, from 5:00 PM to 7:30 PM, (Rain date: Sunday, September 25, 2011), for the residents of Castle Walk to hold their Annual Meeting

## **COMPTROLLER – 993-1528**

**CO 1 – 9/01/11** A resolution authorizing the issuance of \$2,500,000 bonds of the Town of Greenburgh, Westchester County, New York, to pay the cost of judgments, compromised or settled claims resulting from court orders on proceedings brought pursuant to Article Seven of the Real Property Tax Law to be paid in the current fiscal year, in and for said Town

**CO 2 – 9/01/11** Resolution authorizing the Town Supervisor to hire Ann Povella, on a part time basis, as the Town's Acting Deputy Tax Receiver, for the duration of the Acting Tax Receiver's absence

**CO 3 – 9/01/11** Resolution authorizing the Town Supervisor to enter into a part-time salary agreement with Dave Dwinell to train and assist the personnel in the Tax Receiver's Office during that period of time that the Town's Acting Tax Receiver is absent

**CO 4 – 9/01/11** Resolution approving the opening of a combined bail bank account with J.P. Morgan Chase for the benefit of the Town Court, combining three existing bail accounts into one

**CO 5 – 9/01/11** Resolution approving Budget Transfer for Fiscal Year 2011

## **PARKS & RECREATION – 693-8985**

**PR 1 – 9/01/11** Resolution authorizing the execution of a \$113,459 Grant Agreement between the Town of Greenburgh and the County of Westchester, the Town of Eastchester and the Town of Mount Pleasant to provide Site Home Delivered Meals and Transportation

**PR 2 – 9/01/11** Resolution authorizing the execution of an agreement between the Town of Greenburgh and Westchester County to accept a one-time grant of \$20,000 to defray costs for overserved meals to the Town of Greenburgh Home Delivered and Congregate Site Meal Recipients

**PR 3 – 9/01/11** Resolution accepting a \$5,000 donation from Alfred J. Russack to the Town of Greenburgh Nutrition Program through the Executor of his Last Will and Testament and authorizing the execution of a "Release and Discharge of the Executor" Agreement

## **PHILANTHROPY – 993-1515**

**PH 1 – 9/01/11** Resolution authorizing the execution of a contract between the Town of Greenburgh and Xposure Foundation, Inc. to provide After-School Services for the Town of Greenburgh – Xposure Greenburgh After School Program, located at the Theodore D. Young Community Center

## **POLICE – 682-5300**

**PO 1 – 9/01/11** Resolution adopting the recommendation of the Greenburgh Police Department to add parking restrictions on Mohawk Trail between the intersections of Jackson Place and Wyndover Road, amending Chapter 460 of the Greenburgh Town Code

**PO 2 – 9/01/11** Resolution adopting the recommendation of the Greenburgh Police Department to add parking restrictions on Stone Avenue between the intersection of Fisher Lane Northerly and Southerly for 20 feet, amending Chapter 460 of the Greenburgh Town Code

**(POLICE, CON'T.)**

**PO 3 – 9/01/11** Resolution adopting the recommendation of the Greenburgh Police Department to add a No Right Turn Restriction at Jackson Avenue at the intersection of Ediths Way, amending Chapter 460 of the Code of the Town of Greenburgh

**PO 4 – 9/01/11** 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 – 9/01/11** 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

**PUBLIC WORKS – 993-1573**

**PW 1 – 9/01/11** Resolution authorizing competitive bidding for Materials and Supplies for 2012

**PW 2 – 9/01/11** Resolution authorizing the use of Auctionsinternational.com, an On-line Auction Company, at no cost to the Town, to sell 18 itemized older vehicles and equipment considered surplus or needing significant repair

**PW 3 – 9/01/11** Resolution authorizing an “Amendment to change the estimated expenditure for Snow and Ice Agreement” between the Commissioner of Transportation of the State of New York and the Town of Greenburgh for the 2010/2011 Snow Season

**PW 4 – 9/01/11** Resolution authorizing execution of Cleaning Service Contract with Westchester ARC for the period January 1, 2011 through December 31, 2011

**PW 5 – 9/01/11** Resolution approving a Professional Services Agreement with Atlantic States Legal Foundation, Inc., to perform consulting services including grant administration, project design and construction administration toward implementing the goals of the Bronx River Watershed Initiative Grant to reduce stormwater pollution in runoff from a portion of the parking area at the Greenburgh Nature Center Tributary to the Bronx River, for an amount not to exceed \$ 138,236

**PW 6 – 9/01/11** Resolution approving an increase of (\$15,899.90) to approved resolution PW5 -5/11/11 for additional services related to the Design and Rehabilitation of Roofs at Various Town facilities with Dennis Noskin Architects, P.C.

**THEODORE D. YOUNG COMMUNITY CENTER – 989-3600**

**TY 1 – 9/01/11** Resolution accepting on behalf of the Theodore D. Young Community Center a donation from African-American Men of Westchester, Inc. in the amount of \$500 to help support programs at the Theodore D. Young Community Center

**TY 2 – 9/01/11** Resolution accepting on behalf of the Theodore D. Young Community Center a donation from Jazz Elite in the amount of \$500 to help support programs at the Theodore D. Young Community Center