

**isMONEY 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.**

**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**

**TOWN OF GREENBURGH TOWN BOARD MEETING  
TUESDAY, MARCH 20, 2012, 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, Councilman Ken Jones, 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, March 28, 2012, 7:30 PM  
Wednesday, April 11, 2012, 7:30 PM

Wednesday, April 25, 2012, 7:30 PM  
Wednesday, May 9, 2012, 7:30 PM

***The New Resident's Reception will be held on Friday, May 18, 2012, from 6:00 PM to 8:30 PM  
at the Greenburgh Nature Center, 99 Dromore Road, Scarsdale, NY***

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Town Clerk Judith Beville

**REORGANIZATION BY THE TOWN BOARD**

**SUPERVISOR & TOWN COUNCIL REPORTS/ANNOUNCEMENTS**

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 Board will hold an outreach meeting with the Edgemont Community Council at Edgemont High School, 300 White Oak Lane, Scarsdale on Thursday, May 17, 2012, 8:00 PM

**TOWN CLERK COMMENTS**

**PRESENTAION**

Honoring Linda Garfunkel who has served as a "Chair Angel"

**BOARDS & COMMISSIONS**

Appointment of Anaiz Reynoso, (student from Woodlands High School) to the Police Community Advisory Commission

Appointment of Arun Nair, (student from Alexander Hamilton High School) to the Police Community Advisory Commission

## **(BOARDS & COMMISSIONS, CON'T.)**

Appointment of Dan Martin to the Zoning Board of Appeals as an alternate member, for a one year term to expire March 21, 2013

## **DECISIONS**

To consider a rate increase for the Consolidated Water District No. 1

### ***Motion to suspend the rules in order to hold the Public Hearings prior to the Public Comments***

## **PUBLIC HEARINGS**

To consider a Local Law amending Sections 285-5 and 285-29.1 of the Code of the Town of Greenburgh entitled "Zoning" to allow Gasoline Service Stations and Private Gas Pumping Stations as a Special Permit Use

To consider the Extension of the Southwest Woodlands Sewer District in the Town of Greenburgh

To consider the increase and improvement of the facilities of the Sheldon Brook Drainage District in the Town of Greenburgh at an estimated maximum cost of \$155,000

To consider a local law amending Chapter 220 of the Code of the Town of Greenburgh revising the flood insurance rate maps for the Town of Greenburgh

## **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.

## **SUPERVISOR FEINER**

Introduction of a Local Law amending Chapter 410 of the Code of the Town of Greenburgh entitled "Sanitation" to eliminate the piling of leaves for collection on public rights-of-way and to require that property owners, or their agents, place leaves for pick-up and collection in bags

## **TOWN BOARD – 993-1544**

**TB 1 – 3/20/12** Resolution authorizing the Town Supervisor to execute a Stormwater Facilities Access Easement Agreement with Wal-Mart Stores, Inc., granting the Town and its agents, contractors, employees and consultants an easement to enter upon the site located at 333 Saw Mill River Road, Elmsford, NY to ensure facilities are maintained in good working order and for the purposes of maintaining and/or repairing the facilities

**TB 2 – 3/20/12** Resolution authorizing the Town Supervisor to execute a Stormwater Control Facility Maintenance Agreement with Wal-Mart Stores, Inc., to provide for the maintenance and continuation of stormwater control measures for the project known as Sam's Club Store #6674 located at 333 Saw Mill River Road, Elmsford, NY

## **ATTORNEY – 993-1547**

**AT 1 – 3/20/12** Resolution authorizing valuation plus, inc. be retained as real estate appraiser for various properties, at a total cost not to exceed \$4,620.

**AT 2 – 3/20/12** Resolution authorizing tax certiorari settlement with petitioner Reckson Operating Partnership LP/RA 660 White Plains Road LLC, located at 660 White Plains Rd. The Town's share of the refund is \$793,142±; the Elmsford Union Free School District's share is \$1,949,762±; the Irvington Union Free School District's share is \$704,357±; the County's share is \$583,207±; the Saw Mill Valley Sewer District's share is \$91,571±; the West Elmsford Fire Protection District's share is \$92,538±; the Consolidated Sewer Mtc. District's share is \$15,896. Refunds from all sources total \$4,230,472±.

**AT 3 – 3/20/12** Resolution authorizing tax certiorari settlement with petitioner 636 Central Ave Corp. for property located at 640 Central Park Avenue. The Town's share of the refund is \$1,651±; the Edgemont Union Free School District's share is \$6,045±; the County's share is \$1,333±; the Bronx Valley Sewer District's share is \$139±; the Greenville Fire District's share is \$1,084±; the Consolidated Sewer Mtc. District's share is \$35±. Refunds from all sources total \$10,287±.

**AT 4 – 3/20/12** Resolution authorizing tax certiorari settlement with petitioner AMG, LLC for property located at 297 Knollwood Road. The Town's share of the refund is \$31,892±; the Greenburgh Central School District No. 7's share is \$82,949±; the County's share is \$22,719±; the Bronx Valley Sewer District's share is \$3,059±; the Consolidated Sewer Mtc. District's share is \$625±; the Fairview Fire District's share is \$25,491±. Refunds from all sources total \$166,735±.

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

**AT 5 – 3/20/12** Resolution authorizing tax certiorari settlement with petitioner John S. Porzio for property located at 234 No. Central Ave. The Town's share of the refund is \$31,726±; the Greenburgh Central School District No. 7's share is \$83,857±; the County's share is \$23,192±; the Bronx Valley Sewer District's share is \$2,991±; the Consolidated Sewer Mtc. District's share is \$641±; the Hartsdale Fire District's share is \$26,071±. Refunds from all sources total \$168,479±.

**AT 6 – 3/20/12** Resolution amending in part Resolution AT 1 – 2/28/12 as to the settlement of motor vehicle damage related Claim File No: 523/11C, by Geico a/s/o Benjamin Recio, for an amount not to exceed \$4,941.62

**CLERK – 993-1500**

**CL 1 – 3/20/12** Resolution authorizing street closing of Edgemont Road, from Round Hill Road to Crane Pond Road to the Triangle at the end of Crane's Pond, on Saturday, May 5, 2012, from 2:30 PM through 6:30 PM (Rain date: Sunday, May 6, 2012 from 2:30 PM to 6:30 Mm) for the Edgemont Association to host its "Annual Earth Day"

**CL 2 – 3/20/12** Resolution setting a Public Hearing, 7:30 PM, Wednesday, April 11, 2012, to consider a local law amending Chapter 410 of the Code of the Town of Greenburgh to eliminate the piling of leaves for pick-up and collection on public rights-of-way and to require that property owners or their agents place leaves for collection in bags

**COMMUNITY DEVELOPMENT – 993-1532**

**CD 1 – 3/20/12** Resolution proposing the consideration of designating federally, state and County designated historical landmarks as a local historic landmark pursuant to Section 235-5 of the Town Code of the town of Greenburgh

**COMPTROLLER – 993-1528**

**CO 1 – 3/20/12** Resolution to approve a budget amendment to the Town Entire Fund for Fiscal Year 2012 to reflect the award of a JCAP grant of \$2,532.11 for resources and equipment necessary to support the Justice System

**CO 2 – 3/20/12** Resolution authorizing the issuance of \$155,000 Bonds of the Town of Greenburgh, Westchester County, New York, to pay the cost of the Increase and Improvement of the Facilities of the Sheldon Brook Drainage District

**PARKS & RECREATION – 693-8985**

**PR 1 – 3/20/12** Resolution accepting a \$7,000.00 donation from Samuel Herman 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"

**PR 2 – 3/20/12** Resolution authorizing award to lowest responsible bidders for T-Shirts and Miscellaneous Supplies for 2012, at a total cost for all items bid not to exceed \$33,540.89

**PR 3 – 3/20/12** Resolution authorizing award to lowest responsible bidders to provide for the pruning and/or removal of trees deemed unsafe in various Town parks by the Department of Parks and Recreation's arborist and the Town's forester, at a cost not to exceed \$55,000.00

**PR 4 – 3/20/12** Resolution authorizing award to lowest responsible bidder or New York State Contract approved vendor, whichever is lowest cost per item meeting specification, for athletic supplies for 2012, at a total cost for all items bid not to exceed \$22,214.73

**PR 5 – 3/20/12** Resolution authorizing award to lowest responsible bidders for landscape supplies for 2012, at a total cost for all bid items not to exceed \$19,555.03

**PR 6 – 3/20/12** Resolution authorizing award to lowest responsible bidders for pool chemicals and supplies for 2012 at a total cost for all items bid not to exceed \$70,525.20

**PR 7 – 3/20/12** Resolution accepting a \$50,000.00 donation from Nunataks, LTD to offset the cost for the purchase and installation of a Nature's Discovery Playground at the Greenburgh Nature Center

**PHILANTHROPY – 993-1515**

**PH 1 – 3/20/12** Resolution authorizing the Town of Greenburgh to accept a grant in the amount of \$9,000 from the Lanza Family Foundation for a college tour for the Young Achiever's Program at the Theodore D. Young Community Center

**POLICE – 682-5300**

**PO 1 – 3/20/12** Resolution adopting the recommendation of the Greenburgh Police Department to add parking restrictions on County Center Road between the intersection of Old Tarrytown Road Southerly for 40 feet amending Chapter 460 of the Greenburgh Town Code

**PO 2 – 3/20/12** Resolution appointing Robert Ponzini, Esq. to act as the hearing officer under 207-C General Municipal Law in a matter involving Police Officer Sameer Nath

**PO 3 – 3/20/12** Resolution adopting the recommendation of the Greenburgh Police Department to add parking restrictions on the West Side of Warren Avenue between the intersection of Florence Avenue Northerly to the dead end, amending Chapter 460 of the Greenburgh Town Code

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

**PO 4 – 3/20/12** Resolution authorizing the Police Department to award bid to All Area Fire and Rescue Apparatus, the lowest responsible and only bidder, for the purchase of a 2012 Chevy G-3500 Braun Type III Ambulance and Related Equipment, for an amount not to exceed \$142,517

**PUBLIC WORKS – 993-1573**

**PW 1 – 3/20/12** Resolution authorizing an increase in water rates for the Greenburgh Consolidated Water District No. 1

**PW 2 – 3/20/12** Resolution authorizing execution of a cleaning service contract with Westchester ARC for the period January 1, 2012 through December 31, 2012, at an annual cost not to exceed \$62,588

**PW 3 – 3/20/12** Resolution approving a Professional Services Agreement with Dolph Rotfeld Engineering, P.C., for Construction Inspection Services in support of the CDBG Project for the Installation of a Sidewalk and Pedestrian Signals along NYS Route 119, Tarrytown Road, for an amount not to exceed \$15,000

**PW 4 – 3/20/12** Resolution awarding a contract for the construction of the Nature's Discovery Playground Project at the Greenburgh Nature Center for an amount not to exceed \$179,049

**PW 5 – 3/20/12** Resolution approving Change Order #2 in the amount of \$10,347 to the contract for the new steel mezzanine and modular office space at the DPW Highway garage for the installation of 62-feet of safety fencing and gates

**PW 6 – 3/20/12** Resolution appointing Kenneth V. Cioce, P.E. as acting Town Engineer with additional compensation of \$9.5049 hourly