

**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.**

**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  
WEDNESDAY, APRIL 11, 2012, 7:30 PM  
AGENDA**

This meeting can be viewed live on our Web site, [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, April 25, 2012, 7:30 PM  
Wednesday, May 9, 2012, 7:30 PM

Wednesday, May 23, 2012, 7:30 PM  
Wednesday, June 13, 2012, 7:30 PM

**REVISED DATE & TIME**

***The New Resident's Reception will be held on Tuesday, May 15, 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

**CONGRESSWOMAN NITA LOWEY**

Presentation of an American Flag flown at the U.S. Capital to the Town of Greenburgh

**PRESENTATION**

Student News Network – Videos of student public service announcements  
Video: Mulching

**CERTIFICATE OF APPRECIATION**

Linda Garfunkel, Chair Angel, for the generous donation of conference room chairs

**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 BOARD**

The Town Board accepts, with regret, the resignation of Allegra Dengler, Energy Coordinator, effective May 30, 2012

## **TOWN CLERK COMMENTS**

## **BOARDS & COMMISSIONS**

Appointment of Sonia Martinez to the Greenburgh Public Library Board of Trustees, for a term to expire December 31, 2016

Re-appointment of Lloyd Cort, Nicholas DeCicco, Ross Fishman, Howard Hirsch, Lola Hunter, Nettie Jackson, Rita Jones, Frank Merriweather, Napoleon Mitchell, Ruth Mitchell, Cleo Oliver and Helene Orce to the Police Community Advisory Commission, all for terms to expire December 31, 2013

## **DECISION**

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 **(Held over to 4/25/12 Town Board Meeting)**

## **PUBLIC DISCUSSION**

To consider a request by the Town Board to the New York State legislature to amend Chapter 891 of the Laws of 1982 ("the Finneran Law") to allow receipt of state and county grant funding as well as to permit both residents and nonresidents of the Town to use tennis facilities at Anthony F. Veteran Park in the discretion of the Town Board

## **PUBLIC HEARING**

To consider 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 property owners, or their agents, place leaves for pick-up and collection in bags

## **PUBLIC COMMENT**

Advance sign-up 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 – 4/11/12** Resolution accepting a donation by Solar Express Energy, LLD of a CT 2001 Electric Vehicle Charging Station, and related software **(Held over to 4/25/12 Town Board Meeting)**

**TB 2 – 4/11/12** Resolution authorizing the Town Supervisor to enter into a fifteen year lease with Game On, LLC ("GO") for use of the old Frank's Nursery site on Dobbs Ferry Road as an indoor recreational facility commencing September 1, 2012 **(Held over to 4/25/12 Town Board Meeting)**

## **ATTORNEY – 993-1547**

**AT 1 – 4/11/12** Resolution authorizing tax certiorari settlement with petitioner Astoria Federal Savings & Loan Assoc. for property located at 729 & 731 Saw Mill River Road. The Town's share of the refund is \$2,472±; the Ardsley Union Free School District's share is \$179,404±; the County's share is \$31,969±; the Saw Mill Valley Sewer District's share is \$4,986±. Refunds from all sources total \$218,832±

**AT 2 – 4/11/12** Resolution authorizing tax certiorari settlement with petitioner 280 DFR, LLC for property located at 280 Dobbs Ferry Road. The Town's share of the refund is \$10,471±; the Greenburgh Central School District No. 7's share is \$25,961±; the County's share is \$6,792±; the Bronx Valley Sewer District's share is \$987±; the Fairview Fire District's share is \$7,860±; the Consolidated Sewer Mtc. District's share is \$243±. Refunds from all sources total \$52,314±

**AT 3 – 4/11/12** Resolution authorizing tax certiorari settlement with petitioner Emanuel Hatjygeorge for property located at 27 North Broadway. The Town's share of the refund is \$193±; the Tarrytown Union Free School District's share is \$17,787±; the County's share is \$3,168±; the Saw Mill Valley Sewer District's share is \$498±. Refunds from all sources total \$21,646±

**AT 4 – 4/11/12** Resolution authorizing tax certiorari settlement with petitioner Alperson Party Rentals for property located at 107 Fairview Park Drive. The Town's share of the refund is \$15,367±; the Pocantico Hills School District's share is \$23,579±; the County's share is \$9,748±; the Saw Mill Valley Sewer District's share is \$1,509±; the No. Elmsford Fire Protection District's share is \$1,843±; the Consolidated Sewer Mtc. District's share is \$354±. Refunds from all sources total \$52,401±

**AT 5 – 4/11/12** Resolution authorizing tax certiorari settlement with petitioner Wal-Mart Stores, Inc. for property located at 333 Saw Mill River Rd. The Town's share of the refund is \$28,054±; the Pocantico Hills Central School District's share is \$42,413±; the County's share is \$17,827±; the Saw Mill Valley Sewer District's share is \$2,713±; the No. Elmsford Fire Protection District's share is \$3,348±. Refunds from all sources total \$94,354±

## **ATTORNEY (CON.T.)**

**AT 6 – 4/11/12** Resolution authorizing tax certiorari settlement with petitioner the Salvi Family Ltd Partnership for property located at 490 Broadway, Dobbs Ferry. The Town's share of the refund is \$109±; the Dobbs Ferry Union Free School District's share is \$9,239±; the County's share is \$1,453±; the North Yonkers Sewer District's share is \$223±. Refunds from all sources total \$11,024±

**AT 7 – 4/11/12** Resolution authorizing Valuation Plus, Inc. be retained as Real Estate Appraiser for various properties, at a total cost not to exceed \$5,200

**AT 8 – 4/11/12** Resolution authorizing settlement of a claim, Claim, File No.: 1/11C Kenneth Beazule v. Town of Greenburgh and related lawsuit, Kenneth Beausile v. Zech, et al., for an amount not to exceed \$13,800.00

**AT 9 – 4/11/12** Resolution authorizing settlement of a claim, Claim File No.: 893/10C, Consolidated Edison Company of New York v. the Town of Greenburgh, for an amount not to exceed \$13,000.00

**AT 10 – 4/11/12** Resolution authorizing settlement of property damage related Claim, File No.: 1076/11C, by John Lavigna, for an amount not to exceed \$1,871.76

## **CLERK – 993-1500**

**CL 1 – 4/11/12** Resolution scheduling a public hearing for April 25, 2012, at 7:30 p.m., to consider two one-year agreements between the Town of Greenburgh and the Village of Ardsley for fire protection services to Unincorporated Greenburgh residents of the South Ardsley and Chauncey Fire Protection Districts for the year 2011.

**CL 2 – 4/11/12** Resolution scheduling a public hearing for April 25, 2012, at 7:30 p.m., to consider two one-year agreements between the Town of Greenburgh and the Village of Ardsley for fire protection services to Unincorporated Greenburgh residents of the South Ardsley and Chauncey Fire Protection Districts for the year 2012.

**CL 3 – 4/11/12** Resolution scheduling a public hearing for April 25, 2012, at 7:30 p.m., to consider agreements between the Town of Greenburgh and the Village of Elmsford to provide fire protection services to Unincorporated Greenburgh residents of the North Elmsford and West Elmsford Fire Protection Districts for the year 2012.

**CL 4 – 4/11/12** Resolution scheduling a public hearing for April 25, 2012, at 7:30 p.m., to consider agreements between the Town of Greenburgh and the Village of Hastings-on-Hudson to provide fire protection services to Unincorporated Greenburgh residents of the Donald Park Fire Protection District for the year 2012.

**CL 5 – 4/11/12** Resolution scheduling a public hearing for April 25, 2012, at 7:30 p.m., to consider an agreement between the Town of Greenburgh and the Village of Irvington to provide fire protection services to Unincorporated Greenburgh residents of the East Irvington Fire Protection District for the year 2012.

**CL 6 – 4/11/12** Resolution scheduling a public hearing for April 25, 2012, at 7:30 p.m., to consider an agreement between the Town of Greenburgh and the Village of Tarrytown to provide fire protection services to Unincorporated Greenburgh residents of the Glenville Fire Protection District for the year 2012.

**CL 7 – 4/11/12** Resolution scheduling a public hearing for May 9, 2012, at 7:30 p.m., to consider changing fines issued for parking and related violations

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

**CD 1 – 4/11/12** Resolution issuing a Negative Declaration for the SEQRA Determination of Significance by the Town Board of the Town of Greenburgh with respect to amending the Zoning Ordinance of the Town of Greenburgh to allow Gasoline Service Stations meeting certain conditions as a Special Permit Use subject to Town Board jurisdiction in the Central Avenue Mixed-Use Impact District

**CD 2 – 4/11/12** Resolution amending Section 285-29.1 of the Zoning Ordinance of the Town of Greenburgh, pursuant to New York Municipal Home Rule Law, Section 10, and New York State Town Law, to allow Gasoline Service Stations meeting certain conditions as a Special Permit Use subject to Town Board jurisdiction in the CA Central Avenue Mixed Use Impact District (**Held over to Town Board Meeting of 4/25/12**)

## **COMPTROLLER – 993-1528**

**CO 1 – 4/11/12** Resolution to approve a budget amendment to the Town Outside Village Fund for fiscal year 2012 to increase the appropriation of fund balance and increase the appropriation for program activities – youth development, at no cost to the Town and supported by the Young Achievers—Lanza donation

## **PARKS & RECREATION – 693-8985**

**PR 1 – 4/11/12** Resolution authorizing the Town Supervisor to renew a contract with Xtra Effort Training Inc. to provide Youth Summer Baseball/Lacrosse Camps

## **PUBLIC WORKS – 993-1573**

**PW 1 – 4/11/12** Resolution to renew the contract for the Reconstruction of Stone and Concrete Curbing at various locations in the Town of Greenburgh to Vernon Hills Contracting for a second year, at the same terms and conditions as bid