

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, JULY 25, 2012, 6:30 PM
TENTATIVE AGENDA**

This meeting can be viewed live on our Web site, 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

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

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 2nd Town Board meeting each month from 6:30 PM to 7:30 PM to respond to constituent concerns

UPCOMING TOWN BOARD MEETINGS:

Wednesday, August 29, 2012, 7:30 PM
Wednesday, October 10, 2012, 7:30 PM

Wednesday, September 12, 7:30 PM
Wednesday, October 24, 2012, 7:30 PM

PLEDGE OF ALLEGIANCE

ROLL CALL: Town Clerk Judith Beville

MOMENT OF SILENCE

In memory of Donald M. Berretta, Greenburgh Police Dispatcher from 1986 to present. Among his many affiliations, Donald was a life member of the Ossining Volunteer Fire Department, member of Rescue 14 and Washington Hook & Ladder Company

In memory of Michael Ryan, father of Greenburgh Police Lieutenant Brian Ryan.

In memory of Gloria Mitchell, a Greenburgh resident since 1977 who was a mentor at the Lee F. Jackson School for 20 years, a member the Theodore D. Young Community Center Senior Exercise Class for 25 years and a member and then deacon at Chatterton Hill Church for 30 years. Gloria is survived by her husband of 49 years, Napoleon Mitchell, and son, Guy.

In memory of Terrie Kaplan, long time Greenburgh resident and Hartsdale Realtor. Terrie was an Associate Broker at Coldwell Banker and previously managed Prudential Treefrog Realty in Dobbs Ferry and Member of the Westchester County Board of Realtors.

POLICE DEPARTMENT CEREMONY

Promotion of Sgt. Michael D'Alessio to Lieutenant and Detective Daniel Massett to Sergeant
Appointing of Ryan Lobo, Anthony DeLaurentis and Peter Schmidt as Entry-Level Police Officers

PRESENTATIONS

Honoring Sebastian Din and Gianna Caralyus for their heroic actions taken during the fire at 22 Woodson Avenue, Elmsford on Friday, June 15, 2012

Salute two outstanding lawmakers – NYS Assemblyman Tom Abinanti and NYS Senator Andrea Stewart Cousins

SUPERVISOR & TOWN COUNCIL REPORTS/ANNOUNCEMENTS

GOOD NEWS...The Town continues to have 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

TOWN CLERK COMMENTS

BOARDS & COMMISSIONS

Appointment of Marcia Brewster to the Water District Advisory Board, for a term to expire 2012
Appointment of Victor Carosi to the Water District Advisory Board, for a term to expire 2013
Appointment of Richard Edelson to the Water District Advisory Board, for a term to expire 2012
Appointment of Alvin Fenichel to the Water District Advisory Board, for a term to expire 2013
Appointment of Patricia Tagle to the Water District Advisory Board, for a term to expire 2012

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 Local Law amending Chapter 305 of the Code of the Town of Greenburgh entitled "Alcohol Control" as it relates to the public consumption of alcohol on Town property at the Greenburgh Nature Center (See Resolution TB-1)

To consider the proposed Draft Scope for the Draft Environmental Impact Statement to be prepared for the application by Eastview Holdings, LLC for (1) amendments to the Zoning Ordinance creating a new Planned Economic Development (PED) District and (2) the proposed re-zoning of real property located at 777 Old Saw Mill River Road (Parcel ID: 7.71-6-2) to the new Planned Economic Development (PED) District and approval of required actions related thereto (See Resolution CD-1)

PUBLIC HEARINGS

To consider the proposed designation of previously Federal, State and County Designated Historical Landmarks as Local Historic Landmarks pursuant to Section 285-5 of the Code of the Town of Greenburgh

To consider a Local Law amending Chapter 285, Section 7, Paragraph A of the Code of the Town of Greenburgh entitled "Zoning Map"

To consider a Local Law amending the Town's Zoning Map

To consider a Local Law amending Chapter 570 of the Code of Ethics to make various amendments to provisions of the Town's Code of Ethics to ensure that Town public officers, employees and agency members continue to exercise independent and impartial judgment in the discharge of their duties

TOWN BOARD – 993-1544

TB 1 – 7/25/12 Resolution acknowledging adoption of a Local Law amending Chapter 305 of the Code of the Town of Greenburgh entitled "Alcohol Control" as it relates to the public consumption of alcohol on Town property at the Greenburgh Nature Center

TB 2 – 7/25/12 Resolution accepting donations for the 2012 Annual New Residents, New Businesses, and Volunteers Reception

ATTORNEY – 993-1546

AT 1 – 7/25/12 Resolution extending the existing Grant Agreement (No. 2000-W-37) with the Greenway Conservancy for the Hudson River Valley, Inc. and the Hudson River Valley Greenway Communities Council for the Hudson River Valley National Heritage Area until January 12, 2014

AT 2 – 7/25/12 Resolution authorizing Valuation Plus, Inc. be retained as Real Estate Appraiser for various properties, at a total cost not to exceed \$2,950

AT 3 – 7/25/12 Resolution authorizing tax certiorari settlement with petitioner Gagliardi Enterprises 530, LLC, for property located at 530 Tarrytown Road. The Town's share of the refund is \$34,258±; the Greenburgh Central School District No. 7's share is \$85,268±; the County's share is \$22,488±; the Bronx Valley Sewer District's share is \$3,225±; the Fairview Fire District's share is \$26,130; the Consolidated Sewer Mtc. District's share is \$755±. Refunds from all sources total \$172,124±

AT 4 – 7/25/12 Resolution authorizing tax certiorari settlement with petitioner Gagliardi Enterprises 27/37, LLC, for property located at 27 Fulton Avenue. The Town's share of the refund is \$6,701±; the Greenburgh Central School District No. 7's share is \$17,668±; the County's share is \$4,861±; the Bronx Valley Sewer District's share is \$635±; the Consolidated Sewer Mtc. District's share is \$134±; the Fairview Fire District's share is \$5,334±. Refunds from all sources total \$35,333±

AT 5 – 7/25/12 Resolution authorizing tax certiorari settlement with petitioner Iris Walshin/Estate of Iris Walshin/Martin Walshin Inc. for property located at 70 Saw Mill River Road. The Town's share of the refund is \$31,997±; Hastings-on-Hudson Union Free School District's share is \$151,722±; the County's share is \$23,630±; the Saw Mill Valley Sewer District's share is \$3,708±; the Donald Park Fire Protection District's share is \$7,474±. Refunds from all sources total \$218,532±

ATTORNEY, CON'T.

AT 6 – 7/25/12 Resolution authorizing tax certiorari settlement with petitioner RBT Company, LLC for property located at 380 Saw Mill River Road. The Town's share of the refund is \$60,755±; Pocantico Hills Central School District's share is \$101,267±; the County's share is \$40,992±; the Saw Mill Valley Sewer District's share is \$6,371±; the N. Elmsford Fire Protection District's share is \$7,525±. Refunds from all sources total \$216,909±.

AT 7 – 7/25/12 Resolution authorizing tax certiorari settlement with petitioner WBRC Corp. for property located on Kathwood Road. The Town's share of the refund is \$30,884±; the Greenburgh Central School District No. 7's share is \$ 78,526±; the Elmsford Union Free School District's share is \$5,888±; the County's share is \$23,730±; the Consolidated Sewer Mtc. District's share is \$594±; the Bronx Valley Sewer District's share is \$2,877±; the Fairview Fire District's share is \$24,887±. Refunds from all sources total \$167,386±.

CLERK – 993-1500

CL 1 – 7/25/12 Resolution designating \$15,000 from the \$100,000 grant received from the Lanza Family Foundation (PH1 - 6/13/12) for the purchase of AgendaQuick, a Web-based agenda management system

CL 2 – 7/25/12 Resolution approving the purchase of equipment from Technisphere Corporation to upgrade Cable TV-related streaming, posting and archiving of video content capability in Greenburgh Town Hall's Auditorium, Training Room and Conference Room

CL 3 – 7/25/12 Resolution authorizing closing the block of 344-368 Old Tarrytown Road intersecting at Hillside Avenue on Saturday, August 11, 2012 from 8:00 AM until 8:00 PM (Rain date: Sunday, August 12, 2012), for the residents to hold a "Block Tag Sale"

CL 4 – 7/25/12 Resolution authorizing closing of Saratoga Road, intersecting with Alan Place, on Saturday, August 4, 2011, from 12:00 Noon to 6:00 PM (Rain Date: Sunday, August 5, 2012), for the members of the Juniper Hill Civic Association to host a Barbeque

CL 5 – 7/25/12 Resolution authorizing permission to close the Northeast Section of Yale Road, from the Yale/Amherst Intersection to the Yale/Princeton Intersection, on Saturday, September 8, 2012, from 4:30 PM until 8:30 PM, with a rain date of Sunday, September 9, 2012, from 4:30 PM until 8:30 PM, for the residents of College Corners to hold their Annual Block Party

COMPTROLLER – 993-1528

CO 1 – 7/25/12 Resolution authorizing disposal of miscellaneous equipment by Building Department deemed to be obsolete and unusable

CO 2 – 7/25/12 Resolution amending the 2012 operating budgets of the Town Entire Fund, the Town Outside Fund, the Special Assessment Fund and the Debt Service Fund

CO 3 – 7/25/12 Resolution approving a budget amendment to the Town Outside Village Fund for fiscal year 2012 to increase the appropriation for Stormwater Inspections

COMMUNITY DEVELOPMENT – 993-1505

CD 1 – 7/25/12 Resolution adopting the Final Scope for the Draft Environmental impact Statement to be prepared for the Application by Eastview Holdings, LLC for (1) amendments to the Zoning Ordinance creating a new Planned Economic Development (PED) District and (2) the proposed re-zoning of real property located at 777 Old Saw Mill River Road (Parcel ID: 7.71-6-2) to the new Planned Economic Development (PED) District and approval of required actions related thereto

CD 2 – 7/25/12 Resolution issuing a Negative Declaration for the SEQRA Determination of Significance by the Town Board of the Town of Greenburgh with respect to the Town Board of the Town of Greenburgh entering into a lease with Game On 365, LLC for the development of a sports dome on a 6.89 acre parcel of Town-owned property in the Town of Greenburgh, located at 715 Dobbs Ferry Road (formerly Frank's Nursery & Crafts, Inc.), designated on the Town's Tax Map as Parcel ID 8.50-28-9

CD 3 – 7/25/12 Resolution (1) declaring the intention of the Town Board of the Town of Greenburgh to Declare Lead Agency for the amendments to Zoning Ordinance of the Town of Greenburgh: (1) to increase the maximum residential building height in the R-5, R-10, R-15, R-20, R-30 and R-40 Zoning Districts from 25 feet to 30 feet, (2) increase the height above the average elevation of the finished grade for basements and parking levels below a building or parking structure to be counted as a story, to six feet, to be consistent with New York State Building Code, (3) increase the maximum residential building height in the R-20, R-30 and R-40 Zoning Districts (i.e. lots 20,000 square feet or greater) from 25 feet to 35 feet, provided that minimum setbacks are met, (4) for all lots in the R-5, R-10, R-15, R-20, R-30 and R-40 Zoning Districts containing gross square footage in excess of 80,000 square feet, and provided that minimum setbacks are met in a subdivision containing at least 10 such lots, a) the finished grade of a building shall be measured as the first floor elevation, and building height shall be defined as: the vertical distance to the mean height between the eaves and the ridges, measured across the entire roofline from the finished grade, and b) garages, half stories, basements and cellars shall be excluded from gross floor area, and only any interior space with a floor-to-ceiling height in excess of 20 feet shall be counted twice and refer the proposed Zoning Ordinance Amendments to the Planning Board for a report and recommendation in accordance with the requirements of Section 285-9 of the Zoning Ordinance of the Town of Greenburgh

(COMMUNITY DEVELOPMENT, CON'T.)

CD 4 – 7/25/12 Resolution (1) declaring the intention of the Town Board of the Town of Greenburgh to be SEQRA Lead Agency for the petition by River Towns Estates LLC for amendments to the Zoning Ordinance of the Town of Greenburgh; (2) determining the proposed action is a “Type 1” action under SEQRA; and (3) referring the petition to the Planning Board in accordance with the requirements of Section 285-64 of the Town’s Zoning Ordinance

PARKS & RECREATION – 693-8985

PR 1 – 7/25/12 Resolution authorizing the Commissioner of Parks and Recreation to attend the 2012 National Recreation and Park Association Annual Congress & Exposition, at a total cost not to exceed \$419.00

PR 2 – 7/25/12 Resolution authorizing permission for the Department of Parks and Recreation to go to bid for Shade Structure at Anthony F. Veteran Park

PHILANTHROPY – 993-1515

PH 1 – 7/25/12 Resolution requesting permission to accept a grant in the amount of \$5,000 from George and Rachel Gumina, Rockefeller Philanthropic Advisors designated for general support of programs in the Town of Greenburgh

POLICE – 682-5340

PO 1 – 7/25/12 Resolution promoting Sgt. Michael D’Alessio to Lieutenant and Detective Daniel Massett to Sergeant

PO 2 – 7/25/12 Resolution appointing Anthony DeLaurentis, Ryan Lobo and Peter Schmidt as Entry-Level Police Officers

PUBLIC WORKS – 993-1573

PW 1 – 7/25/12 Resolution approving Change Order #1 to Dennis Noskin Architects, P.C. in the amount of \$11,528.75 for additional Professional Design Services related to Asbestos Abatement with the Roof Repair/Replacement Project at various Town facilities

PW 2 – 7/25/12 Resolution approving a Professional Services Agreement for Professional Design Services related to the design and contract preparation to Upgrade Telephone and Internet Communications Wiring at Various Town Facilities with Lynstaar Engineering, P.C., for an amount not to exceed \$16,500

PW 3 – 7/25/12 Resolution appointing Kenneth V. Cioce, P.E. as Town Engineer

PW 4 – 7/25/12 Resolution approving a Professional Services Agreement for Professional Design Services related to investigation of current conditions at the Fariview Park Drive Bridge to BSG Engineering, Surveying & Landscape Architecture, LLC, for an amount not to exceed \$5,250

TOWN HISTORIAN – 993-1541

TH 1 – 7/25/12 Resolution extending the existing agreement with consultant Robert A. Selig, PhD until January 12, 2014, at a cost not to exceed \$10,000, a cost to be reimbursed by New York State Hudson River Valley Greenway through Grant #2000-W-37, to do an in-depth survey of the Philipsburg Encampment Area of American and French forces in 1781 conducted for the Hudson River Valley National Heritage Area as part of Grant #2000-W-37 Washington-Rochambeau Headquarters and Heritage Trail/Contract Extension