

**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, SEPTEMBER 12, 2012, 7:30 PM  
TENTATIVE 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, October 10, 7:30 PM

Wednesday, November 14, 2012, 7:30 PM

Wednesday, October 24, 2012, 7:30 PM

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Town Clerk Judith Beville

**PRESENTATIONS**

Presentation of proclamations to Berkeley College student interns (Shaniece Bynoe and Chantay Harrison)

Presentation of a report by the Summer 2012 Student News Network (*New Interns wanted for Fall, 2012 Semester*)

**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](mailto:TownBoard@GreenburghNY.com)

**TOWN CLERK COMMENTS**

**BOARDS & COMMISSIONS**

The Town Board accepts with regret the resignation of Dan Rosenblum from the Zoning Board of Appeals

**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 285, Section 7, Paragraph A of the Code of the Town of Greenburgh entitled "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

## **PUBLIC HEARINGS**

To consider the establishment of the Gelsprain Drainage District in the Town of Greenburgh

To consider a Special Permit Application and all related actions by BP Atlantis Management affecting real property located at 74 South Central Park Avenue (also known and designated on the Tax Assessment Map of the Town as Parcel ID:8.250-195-11)

To consider a Special Permit Application and all related actions by Cumberland Farms Inc. affecting real property located at 628 South Central Park Avenue (also known and designated on the Tax Assessment Map of the Town as Parcel ID: 8.410-299-5)

## **TOWN BOARD – 993-1544**

**TB 1 – 9/12/12** Resolution accepting a donation of Prisoner of War - Missing in Action ("POW - MIA") Flags from Chapter 16 of the Disabled American Veterans Association, to be flown under all American flags on Town-owned property

**TB 2 – 9/12/12** Resolution of the Town Board authorizing Prisoner of War - Missing in Action Flags ("POW - MIA") to be flown under all American flags on Town-owned property , honoring those veterans who are or were Prisoners of War or Missing in Action, and who gave their full measure of devotion to our country

**TB 3 – 9/12/12** Resolution authorizing the Town Supervisor to execute an Agreement to participate in the Energize New York Program currently being piloted in Northern Westchester County, in order to extend the benefits of this residential energy efficiency program to the residents throughout the Town

## **ATTORNEY – 993-1546**

**AT 1 – 9/12/12** Resolution authorizing tax certiorari settlement with petitioner Runway Realty, LLC for property located at 50 Livingstone Avenue. The Town's share of the refund is \$82±; the Ardsley Union Free School District's share is \$5,786±; the County's share is \$1,310±; the Saw Mill Valley Sewer District's share is \$204±. Refunds from all sources total \$7,382±

**AT 2 – 9/12/12** Resolution authorizing the continued retention of Landman Corsi Ballaine & Ford, as counsel for insurance coverage issues related to the Fortress Bible Church matter, at a cost not to exceed an additional \$25,000

**AT 3 – 9/12/12** Resolution authorizing settlement of motor vehicle damage related Claim, File No.: 127/11C, by Geico a/s/o Eric Makolo, for an amount not to exceed \$1,025.94

## **CLERK – 993-1500**

**CL 1 – 9/12/12** Resolution authorizing permission to close both intersections of Homewood Court with Homewood Road on Saturday, September 22, 2012 (Rain date: Sunday, September 23, 2012), from 10:30 am until 4:30 pm, for the residents of Windsor Park Civic Association to hold its Annual Picnic

**CL 2 – 9/12/12** Resolution authorizing the acceptance of a donation to the Students News Network/Greenburgh Student news Internship Program at Greenburgh Town Hall from the Westchester Alumnae Chapter of Delta Sigma Theta Sorority, Inc. in the amount of \$200 to be used for activities and supplies associated with the Student News Network/Greenburgh Student News Internship Initiative

**CL 3 – 9/12/12** Resolution authorizing the acceptance of refreshments and related accoutrements to be donated by Shoprite of Scarsdale for the September 27, 2012 Town of Greenburgh Veterans' Appreciation Bar-B-Que to be held at Anthony Veteran Park, Town of Greenburgh

**CL 4 – 9/12/12** Resolution setting a Public Hearing for Wednesday, October 10, 2012, at 7:30 PM, to consider a Local Law amending the Zoning Ordinance of the Town of Greenburgh entitled "Assisted Living Facilities," by adding a definition to identify "Assisted Living Facilities," to create Special Permit criteria for such facilities and to amend the Zoning Map of the Town of Greenburgh to rezone the property shown on the Tax Assessment Map of the Town as Section 25, Sheet 3, Block 6, Lots 17, 29, 32 and Section 19, Sheet 3, Block 0000, Lots P-1, 18, 22, 23, 26, 33, 34, 35, 36 and 37 from R-7.5 Single Family Residence and Close Business (C.B.) to R- 7.5 Single Family Residence

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

**CD 1 – 9/12/12** Resolution declaring Lead Agency under the State Environmental Quality Review Act for the review of the Special Permit Application and all related actions by BP Atlantis Management affecting real property located at 74 South Central Park Avenue (also known and designated on the Tax Assessment Map of the Town as Parcel ID: 8.250-195-11)

**(COMMUNITY DEVELOPMENT, CON'T.)**

**CD 2 – 9/12/12** Resolution declaring Lead Agency under the State Environmental Quality Review Act for the review of the Special Permit Application and all related actions by Cumberland Farms Inc. affecting real property located at 628 South Central Park Avenue (also known and designated on the Tax Assessment Map of the Town as Parcel ID: 8.410-299-5)

**CD 3 – 9/12/12** Resolution issuing a Negative Declaration for the SEQRA Determination of Significance by the Town Board of the Town of Greenburgh with respect to amendments to Zoning Map of the Town of Greenburgh consistent with previous Town Board approvals since 1980 to present

**CD 4 – 9/12/12** Resolution amending the Zoning Map of the Town of Greenburgh, pursuant to § 285-64 of the Town's Zoning Ordinance, New York Municipal Home Rule Law Section 10 and New York Town Law Section 271, with respect to amendments to the Zoning Map of the Town of Greenburgh consistent with previous Town Board approvals since 1980 to present

**CD 5 – 9/12/12** 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 Chapter 285, Section 7, Paragraph A, of the Code of the Town of Greenburgh, entitled "Zoning Map"

**PHILANTHROPY – 993-1500**

**PH 1 – 9/12/12** Resolution authorizing the 2012-2013 Justice Court Assistance Program (JCAP) Grant Application for the replacement of furniture and furnishings for the Greenburgh Justice Court, in the amount of \$30,000

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

**TY 1 – 9/12/12** Resolution entering into an agreement with the Westchester County Board of Legislators to provide a Senior Assistance Service at the Department of Community resources' Senior Nutrition Program from June 14, 2012 – September 28, 2012, total cost not to exceed \$2,700.00

**TY 2 – 9/12/12** Resolution requesting authorization for the Town Board of the Town of Greenburgh to enter into a contract with the Westchester County Department of Social Services to accept \$38, 100 to operate the 2012 TANF Summer Employment Program (SYEP) for youth ages 14 to 20 at the Theodore D. Young Community Center (May 1, 2012 – September 30, 2012)