

COUNCIL OF GREENBURGH CIVIC ASSOCIATIONS

Minutes of Meeting – January 23, 2023

A special thank you was extended to Carmela Greco-Acevedo who arranged this Zoom-enabled meeting which began at 7:30 PM. The meeting was chaired by CGCA Chair Madelon O'Shea (Old Edgemont). In attendance were CGCA Treasurer Dorrine Livson (Worthington-Woodlands), Mike Burdi (Suburban Manor), Paul Colten (Hilltop Farms), Lloyd Cort (Parkway Gardens), Alan Fishman (Northern Greenville), Alicia Ford (Parkway Homes), Ella Preiser (Beaver Hill), Dylan Pyne (ECC President), Ken Stahn (Sprain Road).

Treasurer Dorrine Livson stated the CGCA bank account balance as of December 31, 2022 was \$1,299.12. She thanked her very able Administrative Assistant Sheldon Livson for preparing the 2022 annual CGCA Financial Statement which she emailed to all CGCA representatives earlier today. The statement indicates revenues were from dues received and expenses included payments to "GoDaddy" for renewal of the CGCA domain and website, the Zoom video contract, and charitable donations made in memory of those lost.

COMPROMISE ON SMOKE SHOP & SALE OF WEAPONS LAWS

Dylan Pyne commended the Town for working with the Edgemont Community Council regarding the two new Town laws adopted on December 14, 2022 regulating smoke shops and the sale of weapons. He noted the ECC did not get everything it wanted and the Town compromised in some areas, but the new laws are proof that the Town can work with civic groups in a rational and pragmatic way to do what is right for the community. He found it a productive experience and hopes it is a sign of change and a model to get other things done.

"TIF" DISTRICT & ROUTE 9A BYPASS EXPLAINED

Madelon O'Shea mentioned there has been talk about using TIF funds to construct a Route 9A Bypass and calls from some to abolish the TIF district. She asked for clarification. Ella Preiser responded that the Tax Increment Financing (TIF) District was created in 1987 as a means to address serious flooding, traffic and other "blighting" problems in the Route 9A corridor north of Elmsford. After careful study, TIF district legislation was adopted and called for using the increment in taxes collected from new development in the area to pay for bonds to fund necessary improvements, which were expected to cost millions of dollars. TIF funds were subsequently used to pay for bonding to acquire the "Flatiron" building at the Route 119 intersection and create a sewer line on Havens Street in the Village of Elmsford. When the Feiner administration came into power in 1992, it apparently knew little about the TIF district and no expenditures have been made except when the Village of Elmsford, whose taxes are not impacted by the TIF district, requested funding for new curbs and sidewalks along Route 9A.

Mrs. Preiser said discussion of a Route 9A Bypass began with a Westchester County feasibility study in 1990. The study found that widening 9A to five lanes from Route 119 in the Village of Elmsford to Dana Road just north of the Greenburgh border with the Town of Mount Pleasant was not practical because of the number of "takings" necessary and the cost of re-construction. A 1996 Westchester County study encouraged the New York State Department of Transportation to study an alternate Bypass Road. Numerous meetings with the DOT followed and proposed plans were distributed but there has been no movement except more discussions and studies about possible routes. The Village of Elmsford did receive approval for major improvements which were made in 1999-2000 at the Route 119/9A intersection. Additional turning lanes were also constructed at the Route I-287/9A intersections. Mr. Feiner is currently pushing to use the TIF funds to pay for a Route 9A Bypass Road.

Mrs. Preiser said when she completes some further summary information on the TIF district, a potential Route 9A Bypass, and area flooding, she will email this information to all CGCA representatives.

TOWN-WIDE FLOODING POORLY ADDRESSED

Dorrine Livson mentioned that she, Ella Preiser and Dylan Pyne attended a meeting arranged by Westchester County Board of Legislator Jewel Williams Johnson, on November 9, 2022, in the Board of Legislators

Conference room in White Plains. Mrs. Preiser said at that meeting she stated that the TIF district had more than \$6 million sitting in it and asked why that money was not being used to address the serious flooding issues along the Saw Mill River, which was the primary reason for creating the TIF district. DPW Commissioner Rich Fon who attended the meeting expressed surprise at her comments and turned to Supervisor Paul Feiner (who attended via Zoom) and asked if that was true. Mr. Feiner said he knew nothing about it but would ask the Comptroller. Mrs. Preiser said when she locates a working tape recorder (her's broke), she will prepare minutes of this meeting which she recorded.

Ms. Livson mentioned a mailing from former County Legislator MaryJane Shimsky which contained an article entitled Stormwater Management Program. The article read: "It has been almost 12 years since the County Stormwater Management Law was enacted. Among its provision is a matching fund program to help local government tackle flooding problems in our cities, villages and towns. Interest in the program from municipal government has grown with the increased threat from climate change, surging in the aftermath of Hurricane Ida in 2021 with a record number of proposed projects seeking support. This year the Board of Legislators approved funds to design two stormwater management projects in the Gould Park area of Dobbs Ferry and the county is also working with the Town of Greenburgh to alleviate chronic flooding in the neighborhoods along Manhattan Brook and Troublesome Brook."

Ms. Livson noted that she can't remember anyone ever telling us about this Stormwater Management Law. Mrs. Preiser said it is even worse. No one - not the County Legislators nor the Town Board - informed the Greenburgh public about the latest Hazard Mitigation Plan which the Town supported. Supposedly public participation was welcomed but never sought in Greenburgh. She said from what Greenburgh officials added to this Plan, it appears those in power do not really understand the magnitude of flooding issues in the Town. That may explain why little gets done until a short spurt of energy is expended after a major storm like Hurricane Ida hits.

Mrs. Preiser noted the County's Stormwater Management Law apparently was enacted following Hurricane Irene which hit in September 2011. She noted that her son, who had flood insurance, nonetheless sustained tremendous financial losses from flooding on his business property from Irene. With another person he canoed down the Saw Mill River and photographed the bridges and debris dams that exacerbated the area flooding. A disc of the photos was provided to the Town, which played it during a Town Board work session. Copies of the disc were also provided to County Legislators. The pictures resulted in the Town obtaining approval to enter the river. DPW workers from both the Town and Village of Elmsford worked to remove tons of debris. Although the County's law was created more than a decade ago, the Town applied for no matching funds to address the flooding impacting Greenburgh residents and business owners until 2022.

Madelon O'Shea said that because of the damage to the lower floor of her home that Hurricane Ida caused, every time she hears news of rain, she becomes paranoid. She was advised she is not alone. She can take some comfort in knowing that efforts were made to improve the situation in her area when the Town dredged and widened Troublesome Brook last year. In addition funding was requested for further study of the Brook.

MIDWAY SHOPPING CENTER - PEDESTRIAN SAFETY

Madelon O'Shea questioned whether there had been any mention of which new restaurants want to locate at the Midway Shopping Center. Dylan Pyne said he is not sure whether even Midway knows. He suspects the shopping center may have filed an application on "spec" and a proposed restaurant would probably be a fast, casual entity like Shake Shack. Mrs. O'Shea said her concern is pedestrian safety. She recalled the CGCA "safety committee" she served on that visited all the Town's shopping centers to address safety issues. Her late husband Rod sat in a wheelchair to demonstrate the problems handicapped people, as well as those with young children, face getting around in a shopping center parking lot. She wants signs erected that state "Stop for Pedestrians in Crosswalk." She noted these signs are mandatory in states such as Florida and California and she has seen them in other area shopping centers. Alan Fishman said because a shopping center is private property, the Town can't dictate what

signs to erect. Mrs. O’Shea expressed concern that it may take an accident or even a death before any action is taken. She was encouraged to provide the names of local places that post such signs. Mr. Fishman noted that four of the five Town Board members said they were too busy to make a site visit to the Midway Shopping Center. Supervisor Paul Feiner said they should go, but the four indicated their schedules don’t permit it.

SAFER PARKING LOT AT ACME

Dorrine Livson mentioned that years ago (February 2014) Cleo Oliver brought up the issue of safety in the Greenburgh Shopping Center on Knollwood Road (home to Acme et al.) when it reconfigured its parking lot. The new configuration made it more dangerous for those exiting the stores and meant that a handicapped person trying to exit a vehicle was opening a car door into a lane of oncoming traffic. Ms. Livson noted the CGCA “safety committee,” asked for this issue to be addressed, but nothing was done. Two weeks ago when she visited the Center, she noted the parking lot was reconfigured and there is now an extra lane that provides room to safely open a car door. It was noted the shopping center has also provided “pick-up” spaces. Apparently patience is a virtue and good things come to those who wait!

DOUBLE-PARKED VEHICLES CREATE DANGERS

Concern was expressed about the number of vehicles that are double-parking, especially along Central Avenue and East Hartsdale Avenue. Madelon O’Shea said she is uncomfortable with the options of stopping behind these vehicles or pulling out into oncoming traffic to go around them. She noted it happens at all hours but is particularly bad on evenings and weekends on East Hartsdale Avenue. Paul Colten agreed and found this true about 6:30 PM on Fridays and Saturdays with vehicles double parked on both sides of the Avenue. Mike Burdi suggested there is likely linkage to Grubhub and Uber picking up orders from restaurants. It was agreed that these double parked vehicles could create a danger and the Town could be held responsible if someone was injured or died. Mr. Burdi noted if the Police start issuing tickets for this double parking, there is likely to be pushback from the merchants because customers would be hesitant about a possible fine to pick up an order. Mr. Colten suggested a solution would be if area businesses could create parking spaces to pick up orders. It was noted most of the restaurants on one side of the street have garage entrances that could be used to pick up orders. Mrs. O’Shea said it is not just restaurants, she has even observed pet owners standing outside the veterinarian/pet grooming place talking while dropping off and/or picking up their pets. Both Mr. Colten and Lloyd Cort mentioned they have frequented businesses along East Hartsdale Avenue for years and never found it necessary to double park.

LAUNDROMAT PROPOSED ON EAST HARTSDALE AVENUE

Ken Stahn mentioned there is a lot of chatter on Next Door about a proposal to permit a laundromat on East Hartsdale Avenue next to the bank. Apparently people who live in the area want to be able to drop off their laundry in the morning on their way to the train station and pick it up on their return in the evening. Lloyd Cort questioned what the CGCA can do about it if residents of the Avenue want the facility. Paul Colten noted that most of the comments on Next Door oppose this proposed laundromat. He said the use would require a Zoning Ordinance change and present another case of “spot zoning” that could have a negative Town-wide impact. Madelon O’Shea mentioned that she knows someone who serves on the Hartsdale Contextual Review Committee and she will inquire about the committee’s response to this proposed use. It was noted if the use is approved, it could mean more double parking.

MEETING WITH POLICE CHIEF - ENFORCEMENT SOUGHT

Dorrine Livson thanked Carmela Greco-Acevedo for providing an audio recording of the CGCA meeting with Police Chief Kolbie Powell on November 28, 2022. The recording was emailed to CGCA representatives so those unable to attend the meeting could listen to the discussion. Alicia Ford said there was some audio problem and she was unable to listen to the recording on her computer. Ms. Livson will resend the recording. Anyone else experiencing a problem should let her know.

A discussion took place about some of the comments made at the November meeting. It was noted that Chief Powell is playing the role of diplomat in not wanting to offend local residents by issuing tickets for various infractions, such as speeding and double parking. Questions were raised whether the Police are even issuing warnings to offenders. Concern was expressed that a serious tragedy could result from acts of speeding or double parking and one accident could result in a multimillion dollar liability to the Town. Something should be done. There should be enforcement. If a few tickets are issued, word would get out and the situations might improve. If some residents are upset if they receive tickets, so what? It would be for the good of the majority.

Mike Burdi noted in New York City an unmarked car sitting on the side of the road addresses some problems. Ms. Livson noted residents complain about the lack of police presence and questioned whether Greenburgh Police have a sufficient number of officers. It was noted years ago Police Chief John Kapica said additional officers would be required if the population increased. The population has definitely grown but today there are fewer members of the Police Department than there were when Chief Kapica issued his warning. It was noted these are quality of life issues that negatively impact Greenburgh residents. It was suggested that it can't hurt to ask whether lack of personnel is the problem. If the answer is "yes," the CGCA could bring pressure on the Town Board to hire more officers.

Lloyd Cort said he has a meeting scheduled with Chief Powell on February 6, 2023. Mr. Cort volunteered to bring up some of the concerns of CGCA representatives during his meeting with the Chief.

POLICE SUCCESSFULLY ADDRESS SOME PARKING PROBLEMS

Alicia Ford noted that she had concerns about the number of vehicles parked overnight on the streets in Parkway Homes during the winter months. She said for two years she emailed information to her neighbors about the Town's snow ordinance and asked them to share it. When that didn't work she wrote to the Police Chief and Supervisor. She said she received an immediate response from Police Traffic and Safety Sgt. Benjamin Fontanilles who advised that he would direct overnight patrol units to ensure the snow ordinance is enforced and that she should not hesitate to contact him with any other problem. She noted she hasn't walked the street between 1 a.m. and 6 a.m. to see if any parked cars were ticketed.

Ms. Ford noted that the Parkway Homes area also had another parking problem. Drivers were pulling off the Bronx River Parkway during workdays, parking their vehicles on Edgepark Road and Stone Avenue and then walking to the train station. She said these area streets were packed solid and looked like a parking lot until the law was changed and signs were posted regarding parking. Madelon O'Shea noted a similar situation happened in Edgemont.

Alan Fishman also mentioned a similar problem happened years ago with people parking on Marion Avenue near the entrance to the shopping center. He was concerned that this created a potential for a head-on collision with people driving down the hill. He pointed out the problem to then Police Sgt. Pete Gillies who noted the parked vehicles would also impede the access of emergency vehicles. Signage was installed to prohibit parking. Mr. Fishman was advised to call the police if the signage was ignored. After a few calls and a few cars received tickets, the message got through. Mr. Fishman said the signage has worked for 15 years and he regularly thanks Greenburgh's finest for the good work they do.

GREENBURGH - A "DEVELOPER'S DELIGHT"

Madelon O'Shea mentioned that her brother-in-law was the Supervisor of a Town in upstate New York and after attending meetings with other supervisors in Albany, he related that Greenburgh had a reputation of being "a developer's delight."

There is proof!!! One need look no farther than the ShopRite supermarket being constructed on Route 9A, across from Sam's Club. You cannot see the new store from the road. First to greet the eye is the un-aesthetically-

pleasing monument created in honor of Greenburgh's approving Boards! This 24-foot high retaining wall has already been named "The Great Wall of Elmsford" and it is sure to be home to graffiti in the future. Moving along the wall, one can decide whether to chance driving, especially during wet or icy weather, the "ski slope" entrance to get to/from the store. Instead of taking a risk on this potential dangerous curve, it seems likely all delivery vehicles and most customers will choose to use the secondary Old Country Road entrance. This entrance will have an impact on the community as it is adjacent to the back yard of residents of Beaver Hill and is the main entrance to the 215-unit Westchester Hills Condominium.

CON EDISON TO REIMBURSE SALES TAX ELECTRIC SUPPLY COSTLY TO THOSE WHO DID NOT "OPT OUT"

Dorrine Livson mentioned an article in LoHud that was forwarded to her by Maria Pecora about the fact that Con Edison hadn't billed some property owners correctly to reflect the fact that Westchester County had agreed not to charge its 4% sales tax on electric and gas usage during the months of December, January and February. The article noted a correction will be made and customers will be reimbursed on next month's bills. Mike Burdi said his recent Con Ed bill was \$100 more than for the same time period last year. He noted Con Ed did say gas prices were up 27-32%. It was noted that in New York State there is a moratorium on new gas usage and any new development must be all electric. Madelon O'Shea mentioned in Florida many homes are not well insulated and the increase in fuel costs are being felt in more ways than one.

Ms. Livson noted that even with the higher fuel costs, the charge she paid for electric supply was less than ten (10) cents per kWh for the month of December. This is considerably less (more than one-third less) than the 15.2 cents per kWh that Sustainable Westchester charged users who did not "opt out" of the ESCO contract in which the Town Board enrolled them.

MISCELLANEOUS

Problem Solved. Paul Colten reported that he contacted Police Chief Kobie Powell regarding the illegal parking on Hartsdale Road next to Benjamin's Steak House. The Police Department successfully dealt with the issue by providing notice that parking is prohibited after 5 P.M. Mr. Colten said during the last couple of weeks on Friday and Saturday evenings, the street has been empty.

Wait & See. Dorrine Livson reported that the issue with the huge retaining wall that Ferncliff Cemetery erected is at a "wait and see" stage. She noted this could have all been avoided if the Town did its homework and enforced the Zoning Ordinance. She said there finally was a response from the interim Town Attorney and it is possible an application will be filed with the Zoning Board of Appeals seeking an interpretation.

Bridge Work on Hold. Ken Stahn said there is nothing new to report in his area. He noted the Ardsley Road Bridge over the Sprain Brook Parkway hasn't been worked on in 65 days and the Town's retention ponds have not been cleared of debris.

Thank You Dora. CGCA representatives extended a huge "Thank You" to Dora Ashley who maintains the CGCA website (cgca.info). Dora regularly posts notices of CGCA meetings, the minutes of those CGCA meetings and various other information the CGCA deems important. In additions, the dates of meetings and agendas for all Town Board, Planning Board, ZBA, CAC and Board of Ethics are posted. Dora's efforts are greatly appreciated.