

COUNCIL OF GREENBURGH CIVIC ASSOCIATIONS

Minutes of Meeting – Monday, June 17, 2024

This Zoom-enabled meeting 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), Alex Anzer (Hunter Lane), Mike Burdi (Suburban Manor), Paul Colten (Hilltop Farms), Major Fareed (Juniper Hill), Maria Gomez (Fulton Park), Richard Grant (Hartsdale Park), Ella Preiser (Beaver Hill), Carol Sarcinella (Hartsdale Park), and Carol Wielk (Secor Homes).

Treasurer Livson reported that the CGCA bank account as of May 31, 2024 was \$1,015.57. She said the Juniper Hills Association has joined the CGCA and she is still awaiting dues from another organization. Madelon O'Shea called for a vote on the Minutes. Ella Preiser pointed out two errors in the May 20, 2024 Minutes. She thanked Dylan Pyne who called to her attention that Ken Jenkins' correct title is Deputy County Executive (see top of page 4 in the section on Fulton Park flooding). Also note on top of page 5, Stephanie Kavourias' name was misspelled in the topic about Traffic Enforcement. The Minutes were approved with these two corrections.

A LOSS - ERIC ZINGER & FAMILY ARE MOVING OUT OF GREENBURGH

Dorrine Livson reported that Eric Zinger has announced that he is moving to Pleasantville. Mrs. Livson said she has been in touch with Mr. Zinger and asked him to provide the name(s) of people from the Hartsdale Neighbors Association who may be interested in attending CGCA meetings. All those present at the meeting agreed that the Zinger family's decision to move to Pleasantville is a great loss to the Town of Greenburgh. Eric has been a very articulate spokesperson, who has been involved in a number of important topics, during the past several years.

CHICK-FIL-A SEEKS MORE VARIANCES

Madelon O'Shea expressed concern about the Tarrytown Road Chick-fil-A (CFA) application before the ZBA that will be heard again this Thursday (6/20/24) and suggested the neighbors should attend. Maria Gomez said she has spoken to Fulton Park Neighborhood Association President Tom Bock about this, but he indicated the neighbors are far more concerned about the flooding in the area. Dorrine Livson said she attended a meeting the neighbors had at the Mohawk Day Camp with County officials about flooding and urged them to attend the ZBA meeting but they expressed their primary concern was about flooding.

Ms. Gomez stated that the rear of the property on County Center Road is the lowest elevation. A retaining wall from one foot to six feet high will be constructed near the drive-thru, which separates the Greenburgh property from the White Plains property. Fill will be brought in to level the property. Mrs. O'Shea questioned whether this would increase area flooding. Ms. Gomez said water would flow under the property to the small stream between the County Center parking lot and the Verizon building parking lot.

Ella Preiser noted originally the applicant asked for twelve (12) variances. In May another variance was sought because Ms. Gomez pointed out accessory structures are not permitted in the front yard. In June variance number fourteen (14) will also be sought because the CGCA pointed out last month that fast food establishments must be "fully enclosed" and CFA wants 20 outdoor seats. This really is a Use Variance since it is not dimensional but rather use of the land for a non-permitted use. However, the Building Department claimed it is an Area Variance, since zero (0) is permitted and twenty seats are sought.

Ms. Gomez said she contacted CD&C Commissioner Garrett Duquesne and asked to see the plans of the proposed widening of Old Kensico Road. He could not produce them. Ms. Gomez also mentioned a news article she found on the internet about a site in Florida where CFA had promised to widen a road but had not done so. The article noted CFA was denied a temporary Certificate of Occupancy to open until CFA presented proof they had applied for the necessary permits.

Mrs. O'Shea said CFA will also need to get permission from DPW and the state DOT to widen the road. Mrs. Preiser noted both the Town and the State DOT should have been included as Involved Agencies under SEQRA. Ms. Gomez said the DOT was sent the plans, but the Town never received them. She noted that three to four feet will be taken from the right-of-way and the sidewalk will have to be moved. The Town Board generally approves resolutions concerning sidewalks. Those present at the meeting voted to ask Mrs. Preiser to send another letter to the ZBA expressing the CGCA's concerns. Mrs. O'Shea said she will not be able to read the letter because she will be on a train heading north.

PATIO.COM VARIANCE REQUEST TO BE HEARD BY ZBA

As noted last month, the Patio.com store (at the intersection of Central Avenue and Old Army Road) application to the ZBA seeking an interpretation of the Building Inspector's determination that the outdoor storage and display of merchandise was not a permitted use was adjourned because ZBA members had a number of questions. The application will be heard again at this Thursday's meeting. Madelon O'Shea said she has the regular honor - or misfortune - to have to drive by that site on her way to and from her home. She noted the site had been kept in an unsightly condition for years. Those present at the CGCA meeting had a number of concerns and it was agreed to send another letter to the ZBA asking them to deny this application as it would open the door to other stores seeking permission to store and display merchandise outside.

ELMWOOD DAY CAMP MEETING RE PICK-UP SOLUTION

Dorrine Livson reported that CD&C Commissioner Garrett Duquesne sent out an email regarding a meeting with Elmwood Day Camp scheduled for this Thursday, June 20, 2024, at 1:00 PM. The meeting will be held via Zoom, hosted by the Town. Mrs. Livson said 1:00 PM is not a convenient time since many of her neighbors work, and she has a doctor's appointment and will not be able to attend. She reminded that last year the neighborhood was inundated with vehicles waiting to pick up individual campers at dismissal time in the afternoon. Cars were backed up all along Dobbs Ferry Road and on adjacent streets, blocking driveways and even pulling into the Fire Department property and driveways of some homeowners. Councilmembers Gina Jackson and Francis Sheehen actually observed the problem last year and tried to set up a meeting, but the director always replied he was "too busy." Madelon O'Shea said a solution to this issue must be reached before camp starts. Mrs. Livson agreed and said the only apparent solution is to find a different place to pick up the campers, so individual vehicles would not have to pull into the camp property. She noted Dobbs Ferry Road is a busy road and a bus route.

FERNCLIFF CEMETERY LAWSUIT TOSSED

Dorrine Livson reported that the Judge threw out the lawsuit filed by neighbors and wouldn't consider any of the arguments presented in the lawsuit filed by Bob Bernstein against Ferncliff Cemetery which constructed a huge wall near their back yards, closer than permitted by the Zoning Ordinance. The neighbors paid for a survey to prove the location was wrong. The court decision said the neighbors should have filed with the ZBA. In fact they tried to, but ZBA Secretary Carol Walker died during that time and the application was not found. Mrs. Livson said she understands the neighbors have already filed papers to appeal, but she is concerned that it is a lost cause and they may just wind up wasting \$25-30 thousand more.

Madelon O'Shea said that Ferncliff seems to get away with doing whatever they want and she recalls lawsuits going back to the 1970s. Carol Wielk noted she has had an ongoing problem with water running over the Ferncliff property and flooding her backyard. She noted finally, before the pandemic, there was an agreement to do something which included installing a sanitary pipe under her neighbor's house. Richard Grant noted it could not be a sanitary pipe, but a storm drain.

RAIN - FLOODING NEEDS ADDRESSING

Ella Preiser mentioned the torrential downpour that happened around 6-6:30 PM last Friday, June 14, 2024. She noted the water flowing down her driveway and down Orchard Lane in front of her house looked like a tidal wave or tsunami, even jumping the curb stones. Fortunately, the rain stopped rather quickly and businesses in the area

were not flooded. However, she noted her son stopped by a few minutes after the rain stopped and told her the two southbound lanes of Route 9A near Warehouse Lane were impassable. Mrs. Preiser said ever since the ShopRite store with its “ski slope” entrance was constructed, water seems to accumulate on Route 9A during even minor brief storms. Carol Wielk noted flooding resulted in her yard and her neighbor’s yard from the Ferncliff property during this storm.

Paul Colten mentioned that during a previous storm a couple of weeks ago, when he left his house in the morning, it was just drizzling. Shortly thereafter, when he was at the McDonald’s, Central Avenue began flooding. He made it back to Washington Avenue and then West Hartsdale Avenue, and while driving home became aware of the topography with water running downhill from both sides of the road. Storm drains were overwhelmed with water, shooting it out into the air. He wondered whether storm drains were too small and needed to be increased in size to handle the water created by climate change. Richard Grant mentioned that CD&C Commissioner Garrett Duquesne put together a pretty decisive solution to the problems at the Four Corners and pointed out that it would cost multi millions of dollars and take many years to address moving the water from Central Avenue to the Bronx River. Mr. Grant noted many of the pipes needing widening are inaccessible and run under the multifamily buildings on East Hartsdale Avenue. Mr. Colten questioned whether modern engineering techniques could overcome the problems.

Carol Sarcinella questioned whether it would be possible to create a holding area for flood waters on the vacant Riverso property on Central Avenue, similar to something done on Post Road in Scarsdale. She noted that water would eventually need to go to the Bronx River, but perhaps a different route could be employed.

Madelon O’Shea said she has lived in the area for decades and remembers flooding at the Four Corners and Route 9A in the Elmsford area during all that time. After the Father’s Day flood in 2001, she recalled reading an article in the front page of *The Reporter Dispatch* that stated flooding will get worse unless the infrastructure was addressed. Even more buildings have been constructed over the years and less land is available to absorb the water from all the rain.

Alex Anzer agreed topography is the problem. He noted during the recent storms a huge hole in his yard was filled with water and water was rushing down the street at his house. He said for years his neighbor has had problems with flooding undermining the foundation of his house. The Town has finally approved funds to fix the problem. Mrs. Preiser noted that this problem was caused by the construction of the adjacent Cross Westchester industrial park, built starting in the 1960s, without proper flood mitigation measures in place.

Major Fareed noted that in the Juniper Hill area, near the Greenburgh Central School, water drains down Fair Street to Prospect Avenue anytime there is a torrential storm for 15 or 20 minutes. He said neighbors get flooded out and start working sump pumps or putting sand bags in place. He noted conditions have gotten worse in recent years.

Mrs. Preiser noted that Maria Pecora emailed her a June 14 news article that stated Westchester County has hired Dean Tarulli, as “Director of Flood Mitigation and Resiliency,” to help address flooding issues in Westchester. Mr. Tarulli formerly worked with the New York State Office of Storm Recovery and with the Federal Emergency Management Agency (FEMA). He will help develop and manage flood prevention and mitigation projects and look at ways to maximize state and federal funding. As the County’s “Floodplain Coordinator,” he will be working with local municipalities and collaborating with other County departments. Dorrine Livson suggested that the CGCA contact Mr. Tarulli and perhaps invite him to a meeting. Mrs. O’Shea suggested reaching out to MaryJane Shimsky, Jewell Williams Johnson and others in Albany and at Westchester County. Mrs. Livson said every time Supervisor Paul Feiner sends out an eblast about sidewalks, she responds that he should “stop with the sidewalks” and start addressing flooding. She receives no response.

POLICE NEED MORE OFFICERS TO ENFORCE TRAFFIC LAWS

Madelon O'Shea said she received an email from Lloyd Cort who is in London with a terminally ill brother-in-law, but he wanted the CGCA to know that he is very distressed with vehicles speeding through Parkway Gardens and Parkway Homes and totally ignoring stop signs. He said he brought this matter up with Police Chief Kobie Powell, who indicated he does not have enough police officers to address the problem. Carol Wielk noted it is a town-wide issue. She said that a neighbor worked to get the speed limit reduced to 25 miles per hour on Jean, Jennifer and Barbara Lanes, which has helped, but there is still a lot of speeding in the area, especially on Secor Road.

Ella Preiser noted out of curiosity she reviewed the Town Board agendas for this year and found that since February, the Town has hired 11 new police officers who are transfers from other areas. She noted at the last meeting a potential four new officers who will have to attend police academy were listed. She noted academy takes six months, and all new officers with the Town ride with a training officer for three months. She said since efforts are underway to increase staffing, there is some hope enforcement will take place. However, Mike Burdi noted that for every new officer hired, someone is likely to retire. That is true. Mrs. Preiser also noted her son was put back into a traffic position, so with some tickets issued, speeders might get the message to slow down. Paul Colten noted that the Town has received approval to install two red light cameras. This will help too, as Carol Sarcinella noted, since violation notices can be issued based on what is captured on the camera lens.

Dorrine Livson suggested that when Mr. Cort returns, the CGCA should consider requesting a work session meeting with the Town Board and seek enforcement of the V&T laws.

ESCO CONTINUES TO BE COSTLY TO THOSE TOWN ENROLLED

Ella Preiser reported that for the 19th month in a row [of this 24-month contract], the thousands of residents and small business owners that the Town Board enrolled in the ESCO Constellation for their electricity supply have received costly bills. The average default cost that Con Edison charged for the month of May was 8.32¢ per kWh. She noted her cost and that paid by Dorrine Livson was even lower - 7.22¢ per kWh. The cost for Ken Stahn was 7.35¢ per kWh. These costs were less than half of what the unlucky ESCO customers were charged of 15.449¢ per kWh. [Note in January of 2024, a transmission charge of 0.321¢ per kWh increased the cost from 15.128¢ for the green supply to 15.449¢ and from 13.364¢ to 13.685¢ per kWh for those signed up for the standard supply.] Since the current contract expires with the meter-read dates in October, it is likely Sustainable Westchester will soon be asking municipalities to approve another contract.

Carol Wielk recalled that Supervisor Paul Feiner said we were going to save hundreds of dollars each month as part of joining the ESCO. That never happened. Ms. Wielk thanked the CGCA for continuing to shine a light on what the costs actually were. She said she was part of the ESCO for a while but then started looking carefully at her bills and finally "opted out." Mrs. Livson said the real thanks goes to Ken Stahn who constantly pointed out how costly it was. She noted even today people don't really look at their Con Edison bills, they just pay them because they need the electricity for heat, hot water, air conditioning, stoves, etc. Mike Burdi noted a lot of people use "auto pay" and never look at their bills.

FAIRVIEW FIRE DEPARTMENT PROVIDES HEALTH INFORMATION CARDS

Paul Colten noted that at a recent Hilltop Farms Association meeting, Chief Howard Reiss of the Fairview Fire Department attended and discussed a health information card that the Fire Department is handing out to residents that could be used to provide important health information to emergency responders responding to a call. The card should be filled out with information about health issues, prescription drugs, allergies, personal contact numbers, advanced directives, etc. and placed on the back of the front door or on the refrigerator. Dorrine Livson suggested that we contact Chief Reiss and perhaps invite him to a CGCA meeting to find out if other departments are also issuing these cards, and whether the information could be computerized and stored at the Fire Department.

or Police Department. Madelon O'Shea mentioned that she provided information to the Police Department and Greenville Fire Department when her husband Rod was diagnosed with myasthenia gravis.

MISCELLANEOUS

How Does the Water Taste? Paul Colten asked if anyone had noticed a difference in the taste of water since the Water department installed new fluoridation tanks on Knollwood Road. He said he noticed an unpleasant taste which cleared up after a few days. No one else mentioned a problem. Mike Burdi noted his dog Rusty walks away from water unless he lets the water run for a few minutes before adding it to the bowl. Carol Wielk pointed out we should let the water run every morning because of lead in the pipes.

Two New Fast Food Eateries Seek Approval. Ella Preiser noted that it appears the Town will soon be welcoming two more fast food establishments. Taco Bell plans to build a new building at 57 Central Avenue, just north of the West Hartsdale Avenue intersection. Pizza One is planning to locate at 365 Central Avenue, south of the Healy Road intersection. Both applications are currently before the Planning Board.

Many Thanks to Carmela and Dora. Each month Carmela Greco-Acevedo makes arrangements for the CGCA Zoom meetings and provides copies of the meetings so the Minutes can be prepared. Dora Ashley then posts the Minutes and other information and maintains the website (cgca.info). Their efforts are greatly appreciated.