

COUNCIL OF GREENBURGH CIVIC ASSOCIATIONS

Minutes of Meeting – Monday, March 2, 2026

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), Evelyne Cantave (Beaver Hill), Lorraine Cantori (Greenburgh Action Alliance – Hartsdale), Lucas Cioffi (Central Park Avenue). Paul Colten (Hilltop Farms), Lloyd Cort (Parkway Gardens), Alan Fishman (Northern Greenville), Ellen Foley (East Irvington), Alicia Ford (Parkway Homes), Major Fareed (Juniper Hill), Richard Grant (Hartsdale Park), Jason Muldoon (Hartsdale Neighborhoods), Maria Pecora and Bill Sullivan (Sprain Brook Parkway), Ella Preiser (Beaver Hill), Carol Sarcinella (Hartsdale Park), Carol Wielk (Secor Homes), and Dawn Wyse (Parkway Gardens). Also joining the meeting was Greenburgh Town Councilman Francis Sheehan.

A memorable winter. For the second time in two months, the CGCA re-scheduled its meeting date. The meeting planned for January 26, 2026 was re-scheduled to February 2, 2026 because of the 16+ inches of snow that fell on January 25-26, 2026. Tonight’s meeting is taking place because the planned February 23, 2026 meeting was re-scheduled to avoid conflict with those shoveling the nearly two feet of snow that fell on that date.

CGCA Minutes of the February 2, 2026 CGCA Meeting were approved as written. The approved Minutes will be posted on the CGCA website (cgca.info).

CGCA Treasury. Treasurer Livson reported the current balance in the CGCA checking account is \$772.48. She noted to date she has received dues (\$35 for two years) from fourteen groups and verbal commitments from four more groups. She has also paid two bills totaling \$441.00. She noted we will have roughly \$1,000 which should be enough to carry us through 2026 and 2027. She welcomed two new members to the meeting - Jason Muldoon from Hartsdale Neighborhoods Association and Dawn Wyse, President of Parkway Gardens.

AVOID DISPOSAL OF HAZARDOUS WASTE WITH GARBAGE

Madelon O’Shea mentioned the letter that DPW Commissioner Rich Fon mailed to residents about hazardous waste. She asked Councilman Francis Sheehan why this has only come to the fore now. Mr. Sheehan responded that radioactive material the Sanitation Department recently picked up with regular garbage has caused problems. Sensors at the Westchester County disposal site can now detect such material in a truck. The whole truck is then considered contaminated, not just the little bag containing the radioactive material, and the truck must be put out of service for an extended period of time. Commissioner Fon’s letter noted an inability to use three trucks and concern for sanitation personnel. Mr. Sheehan said fortunately it was a relatively short period (based on the ten half-lives of the radioactive material) but it really messed things up. He noted the Town is taking steps to make sure it doesn’t happen again. He said the Town knows the route the trucks took and is narrowing it down to the house. He noted at some point, it may be necessary to impose fines.

Dorrine Livson asked for more information and questioned if this involved people on chemotherapy. Mr. Sheehan responded that if one gets an infusion, certain drugs are considered radioactive and certain materials must be separated from regular waste. If in doubt, residents are encouraged to call DPW. Paul Colten

mentioned that a while ago his wife received oral radiation and they were instructed by the hospital that certain things had to be isolated for a given period of time. He noted they put the items in a container and left them in the back yard for that given period of time. He suggested that the Town might want to get in touch with medical facilities. Mr. Sheehan noted some medical facilities state that certain things are not hazardous because of their short half-lives, but that doesn't mean they can go into a municipal garbage truck. He indicated if this continues and a number of trucks are put out of service and employees are concerned about their well-being, it can cause serious problems. Lorraine Cantori noted that some people have pets that receive radiation treatment. She expressed concern because she has witnessed people with pets walking by who drop things into other people's garbage containers.

Mrs. O'Shea asked again why this has come to the forefront now – is it something new? Mr. Sheehan said he doesn't know whether the detectors at the County waste facility are more sensitive now and can better detect the problem, but he noted this situation is novel to Greenburgh. Maria Pecora asked if the Town could use a sensor to discover if a garbage can contains a prohibited material before it is dumped into the truck. Mr. Sheehan said another possibility, once the Town knows the neighborhood, is to have someone walk down the block with a sensor to isolate the problem.

TAP GRANT FOR CENTRAL AVENUE SIDEWALKS

CGCA SUPPORTS BUT HAS CONCERNS ABOUT RESPONSIBILITY FOR SIDEWALKS

Dorrine Livson mentioned the letter from CD&C Commissioner Garrett Duquesne seeking CGCA support for a Transportation Alternative Program (TAP) grant that the Town is applying for to make improvements along Central Park Avenue, including sidewalks, crosswalks, ADA curb ramps, pavement markings, etc. Mrs. Livson said she forwarded the letter to all on the CGCA email list.

Madelon O'Shea said she felt that the CGCA should support this application but she also wanted all the adjacent businesses and homeowners to be informed about their responsibilities regarding a sidewalk. She said she received a lot of feedback from residents and she understands that DPW did the best they could do, but the recent snowstorms caused serious problems. It appears the only way to get snow off the street was to plow it on to the sidewalks, which created huge mounds that one needed a front-end loader to move, causing problems for school children and commuters getting to bus stops. Mrs. O'Shea said her new neighbors on Old Army Road only bought their house a few months ago and wouldn't know about Greenburgh codes. She noted there are also new neighbors in other areas and civic groups can't reach everyone. She suggested perhaps the Town could put information in water bills.

Lucas Cioffi said he would definitely support the grant application because it will affect his neighborhood, but he wished that the Town had consulted with local civic groups earlier in the process. He said he would like to hear more information from CD&C Commissioner Garrett Duquesne about the plans. He noted in 2020 when he led the Town's Traffic Safety Committee that Supervisor Paul Feiner commissioned, there was discussion and support for the \$5 million grant for a sidewalk on West Hartsdale Avenue, but concerns were expressed that the community was not brought into the process earlier. He thinks public engagement earlier would result in huge public support.

Lorraine Cantori said everything looks beautiful on paper and some people say sidewalks are a convenience, but she is concerned about liability and the cost for extra property insurance. If snow is plowed on the sidewalk and

someone slips and falls, she doesn't want to be told that it is her responsibility. She said she was at the Four Corners on Friday and it was a total disaster. She saw an elderly woman trying to navigate around the snow mounds. Drivers did not yield to the woman in the crosswalk and she was lucky she didn't fall and get hit. Paul Colten said he emailed DPW about huge snow mounds at the Four Corners and near the Hartsdale Train Station and was told the areas would be cleaned up by Friday evening. He said he was in the Four Corners area this morning and nothing had been done except a small cut-out. He said he understands Central Avenue is a state road and a DOT problem and he's not looking to criticize, but something should have been done. It's been a week and one can't safely cross the street because of the ice mounds. He noted it remains hazardous for people who have to use the bus stops. Mrs. O'Shea said the problem is not unique to Central Avenue. She said she heard that problems exist on other major roads. For example, she heard the sidewalks on Route 9A in front of Sam's Club and the Skating Academy haven't been shoveled all week.

Carol Wielk noted resources are limited. She thinks DPW did a superb job with this nearly two-feet of snow.

Alicia Ford said some people want sidewalks but some people complain. She noted in the early 1990s there was talk of putting sidewalks in Parkway Homes, but the neighbors voted against the plan because they knew it would take away part of their property and they would have to maintain the sidewalks.

Madelon O'Shea commented that some of the sidewalks on Central Avenue have telephone poles in the middle of the sidewalks, making it impossible to navigate for those pushing a baby carriage or stroller or those in a wheel chair. Lloyd Cort noted it is also necessary to go around telephone poles on Old Tarrytown Road. It was noted the cost is prohibitive to move those poles. Mr. Sheehan said there was a carve-around the poles for the sidewalk on Dobbs Ferry Road near Route 9A. Mr. Burdi noted there is also a carve-around the poles on the sidewalk on Dobbs Ferry Road near Brightview.

After a lengthy discussion, those present voted to send a letter in support of the Town application for this TAP grant. Lloyd Cort said he thinks the CGCA should also write a note to Commissioner Duquesne about our concerns. It was agreed that Town officials should be informed of the concerns discussed and DPW Commissioner Rich Fon should be included on communication regarding these matters. Alicia Ford said the note should be sent to the State since Central Avenue is a state road.

ZBA PERMITS TACO BELL TO WITHDRAW APPLICATION

As previously reported, based on the discussion during the deliberation portion of the January 15, 2026 ZBA meeting, it appeared likely the ZBA would vote to deny the numerous variances sought by Taco Bell to create a fast-food establishment on Central Avenue at the former Honey Ham site. The case was closed "for decision only" to the February 19, 2026 ZBA meeting. Ella Preiser reported that at the February meeting, it was announced that the applicant had emailed a request to withdraw the application the day before. Under ZBA rules such requests are supposed to be filed at least five days in advance. Nevertheless, the ZBA voted to allow Taco Bell to withdraw this application. Comments made by ZBA members indicated they had also prepared a denial letter for this application and would provide a copy of that decision to the applicant.

ZBA PROCESS - LACK OF TRANSPARENCY

Ella Preiser said she has a major concern with ZBA procedures, and especially the lack of transparency regarding ZBA decisions. She noted the driveway variances required by three houses on Primrose Lane are just

some of the latest examples. She said some ZBA members made a big “to do” when discussing these cases during the Public Hearings and deliberation portion of the meeting (12/18/25). However, when it came time to vote, it was three simple little unanimous “aye” votes on these three cases. No findings were presented and unless the public FOILs the decisions, there is no way to understand why these variances were even needed.

Mrs. Preiser said it is possible to follow ZBA cases by watching the Public Hearings and the deliberation portion of a ZBA meeting following the Hearings. But she noted, unlike Town Board and Planning Board agendas, no documents regarding the listed cases are attached to ZBA agendas. It is necessary to visit the “Active Applications” site on the CD&C department page on the Town’s website to find any supporting information about a ZBA case. When a decision is finally reached on a case, a member of the ZBA usually reads only the “boilerplate” portion of the decision into the record at the meeting. A vote is then taken and the ZBA member announces that the “findings” will be made available later. Mrs. Preiser noted this decision to not read the findings into the record happens whether the meeting is running late or whether everything is completed and the entire meeting lasts only one hour. She said she cannot find the complete decisions (including factual findings and legal conclusions) anywhere on the Town’s website. She noted a few days after a ZBA meeting, the “Agenda” page on the website usually provides access to the “Minutes” and the transcript of the meeting, but neither of these documents contains the “findings.” Also, all the submitted materials previously found on the “Active Applications” page are quickly removed once a case is decided. It appears the only access to a complete ZBA “Certification of Decision” containing the findings, is to file a FOIL request.

Madelon O’Shea noted that the ZBA “findings” are often more important than the decision itself because they may have an impact on other cases. Councilman Francis Sheehan said he has discussed this issue with the Town Attorney and will have more discussions. He noted the date that a decision is signed is very important because that is what starts the clock for its review. Dorrine Livson recalled the Shelbourne lawsuit. She noted the CGCA knew that under NYS law, ZBA decisions must be filed in the Town Clerk’s office within five business days and a lawsuit challenging a decision must be filed within 30 days. The CGCA requested the decision on “day 5” but was informed that the official signed decision containing the findings had not been filed in the Town Clerk’s office, only the “draft minutes” of the ZBA meeting. It was three weeks before the official decision was filed. The CGCA finally obtained the decision and filed a lawsuit appealing the decision, but the Court ruled the CGCA appeal was not “timely,” because it was not filed within 30 days of the date when the ZBA filed its “draft minutes” with the Town Clerk. Mrs. Preiser noted the CGCA could not possibly state a legal reason to appeal the decision until it had access to the complete “findings.”

Mrs. Livson said this process is not fair to the public. A vote was taken and it was unanimously agreed to voice concerns to Greenburgh officials about making the ZBA process more transparent.

FORENSIC REVIEW – STILL UNANSWERED QUESTIONS

Madelon O’Shea said she doesn’t understand why this forensic “review” still is referred to as an “audit” since the two terms are not interchangeable. Ellen Foley mentioned that in the beginning of the report it is referred to as a “review.” Mrs. O’Shea said the recent newspaper article continually called it an “audit.”

Lorraine Cantori said she has read the review over and over again. She said she has questioned some news reporters and wonders whether there is enough fact-checking in the two articles she read. She thinks the community is jumping to conclusions. She does agree the review is educational and there are issues with

unpaid water bills, unpaid tickets, etc. But she thinks too many people have knee jerk reactions when they post some things on “Next Door.” Carol Wielk said David McKay Wilson, who used to be with *lohud*, is a very reliable reporter and she felt his article was very fair. Ms. Cantori disagreed and noted people are upset, misinformed and angry. She said she doesn’t want an opinion, she just wants the facts.

Maria Pecora mentioned the main difference between an audit and a review. In an “audit” an opinion must be given of what was reviewed. In a “review” just the findings are listed. She stated that an opinion would cost a lot more money. Councilman Francis Sheehan acknowledged that the approved resolution requested an “audit,” but when the Town sent out the RFP, no firm replied because they were not willing to provide an opinion. They were just willing to report on what they found – the facts. He noted the Town had to change the RFP.

Mr. Sheehan noted that the hired firm (EFPR Group) wasn’t prepared for the fact there were no “Minutes” of Town Board meetings for the years prior to the new Town Clerk. The firm had to use AI to create Minutes to determine whether money transferred was done so subject to resolutions voted on by the Town Board. He noted they did quite a bit of digging through lots of records. He mentioned that he spoke with David McKay Wilson about the issues and so did the other Town Council members, and they think the newspaper article was fair and correct. It was noted Supervisor Paul Feiner wants to move forward. Mr. Sheehan said we have to look back to make sure this doesn’t happen again. He noted the current Comptroller has found about \$100 million in discrepancies that should have been collected that weren’t, and much of this money may not be collectible.

Carol Sarcinella suggested if there are not new procedures in place, it will happen again. She recommended that as we move forward, at the beginning of each Town Board meeting, a vote should be taken to adopt “Minutes” of the previous Town Board meeting. That way any problems noted can be addressed immediately. Mr. Sheehan mentioned that the previous Town Clerk relied on a New York State opinion that said you don’t have to keep “Minutes” if you have a visual recording of the meeting. He noted the Town Clerk is an elected official who is the officer in charge of records, and she doesn’t work for the Town Board.

Dorrine Livson asked if the Town Board had discussed where to make some cuts. Mr. Sheehan indicated the Town is working on addressing some internal controls and restructuring of departments, but he noted it will be a multi-year process to undo the problems. He said that many of the things listed in the review were brought to light by the current Comptroller. He noted she was going to quit and he “talked her off the ledge” because we need people like her. He said the Town Council members’ transmittal letter in the 2026 budget tells what she went through, and likely what the former Comptroller went through. For example, the current Comptroller was told by the Town Supervisor to sit at her desk until she could bring the tax rate increase to under 3%. Since the Supervisor is the Town’s Chief Financial Officer, she did what she was told to do, by using \$18 million of fund balance, but Mr. Sheehan said she informed him it cannot continue. As the Council members’ letter in the 2026 budget indicates, the projected cumulative tax rate for the next five years could be 40-50%. Mr. Sheehan said that the Town has to do something about that or no one will be able to afford to live here. [Mrs. Livson stated that she sent the Town Council’s transmittal letter and the Supervisor’s letter to all on the CGCA email list.]

Mr. Sheehan said the current Comptroller is very talented, well versed in budgets and takes a no-nonsense approach in her full-time job running her department. He explained the difference between a regular annual audit and a forensic audit. During a regular audit the firm looks for certain lines to see if those lines are inflated. However, they are not looking at how the money got there, simply what is on the books at the time. A forensic audit looks at how the money got there and where it came from. Mr. Sheehan noted not a penny of the

projected 40-50% tax increases will rebuild the \$32 million missing for replacing the Court house. Mrs. Livson asked how to find the annual report from the auditors. He said he believes it can be found on the Comptroller Department's page on the Town website.

Ms. Cantori and Alicia Ford asked how it was possible that former employees are still listed on the payroll. Mr. Sheehan said they weren't receiving a paycheck but just listed where they shouldn't be. He doubted that any former employees knew they still had access to the system. He said that issue was identified by the Comptroller, and it has been addressed. He noted the Comptroller also identified a problem with prior presumably "paid" taxes where the checks bounced, but they were still listed in the system as paid. He said this issue has not been fixed.

PEDESTRIAN SAFETY SOUGHT IN SHOPPING CENTERS

Madelon O'Shea recalled that about ten years ago she and her late husband Rod served on a committee, chaired by former Town Councilwoman Diana Juettner, along with Dorrine Livson, Ella Preiser and representatives of the Police and Planning departments. One of the goals was to improve safe access to and from stores for pedestrians in shopping center parking lots, especially the handicapped and mothers with strollers or young children. Mrs. O'Shea said one of the things the committee asked for was that each shopping center seeking a "favor" from the Town (approval for a change of plans) be required to put up signage requiring vehicles to yield to pedestrians in crosswalks. She said that nothing has been done, and she would like something to happen before a tragedy occurs. She said she is no longer able to run across a parking lot. Alicia Ford mentioned that shopping centers are on private property. Mrs. O'Shea noted that New York State law allows towns to require safety regulations in parking lots on private property. She said this is also true in Florida and other states.

Mrs. Livson recalled that it was former CGCA Vice Chair, the late Cleo Oliver, who brought the issue of safety to the CGCA's attention after the Greenburgh Shopping Center on Knollwood Road (where Acme is located) repaved the parking lot and changed the position of parking spaces without seeking Town approval. The new arrangement meant vehicles parked in the designated handicapped parking spaces had to open their car doors into traffic lanes. Mrs. Livson mentioned that one of the things the committee called attention to was the fact that the crosswalk painted in front of the Acme store did not provide pedestrian access to the store but instead ended at a metal bar that held back the shopping carts. The committee also pointed out the need to change the Stadium Road entrance/exit into and out of the parking lot to address illegal left-hand turns. Mrs. Livson said the committee visited about six different shopping centers and recalled Councilman Francis Sheehan was present during one of those visits. Mr. Sheehan also recalled the visit and noted the handicapped parking spaces were located in a position that required one to walk across traffic for access to store entrances.

Paul Colten mentioned the huge seldom-used parking lot at the north end off of Stadium Road that needs repaving to get to the Acme and other stores. He said he almost got run over by a driver in front of the Acme. He noted it is like a highway with three lanes of traffic in front of the stores – one lane being a fire lane where cars park.

It was noted there are "yield to pedestrians" signs located in front of the BJs store in the Crossroads Shopping Center and in the Stop & Shop parking lot on Route 119 near the Marriott. Mr. Sheehan commented that pedestrians don't always protect themselves. He noted he has seen people in the BJs parking lot walking various ways - between cars, at diagonals, etc. – instead of using the crosswalk to get to and from the stores. He said he finds it disturbing that the Town paid to construct a sidewalk on Hillside Avenue but he has seen

people walking in the street instead of on that sidewalk. Alicia Ford noted there are a number of people from Parkway Homes who do regularly walk along the sidewalk on Hillside Avenue.

Mrs. O'Shea noted there are a couple of shopping centers currently before various town boards seeking approvals for changes. She asked for support from the CGCA to write a letter about this issue. Those present voted for the CGCA to write to various Town officials about the need for such signage.

QUESTIONS RE BUILDING INSPECTOR/DEPUTY DPW COMMISSIONER POSITIONS

Mike Burdi expressed concern about Frank Morabito wearing several hats – as Town Building Inspector, DPW Deputy Commissioner and Fire Marshall – and asked if it was legal to draw two or three salaries. Councilman Francis Sheehan mentioned the job of Fire Marshall is part of being the Building Inspector and there is no additional salary for that position. He noted that when the former DPW Deputy Commissioner left, the job was paying about \$160,000. The Town had trouble hiring a replacement, and Mr. Morabito stepped in to fill the position for a stipend of \$40,000. Alicia Ford asked how one can fill two positions at the same time. Mr. Sheehan responded that they are not merging jobs and that Mr. Morabito works 70-80 hours a week. Mr. Sheehan said Mr. Morabito is very talented and is very fair in dealing with issues.

During last week's storm Mr. Sheehan said he wanted to see if cars were off the road and he went out with Mr. Morabito. They came across one parked vehicle whose owner said it had a blown transmission and couldn't be moved. Mr. Morabito informed him it would be towed if it was still on the road at 1:00 AM. The car was moved. Mr. Sheehan said he made a visit with Mr. Morabito and Deputy Building Inspector Liz Gerrity to the home of an elderly man who had made a whole bunch of changes to the house without obtaining necessary building permits. The man's daughter was taking charge. Even though a number of things had to be corrected, she thanked them for providing information on what she had to do in order to sell the house.

Mr. Sheehan provided other information about Mr. Morabito. He said he was shown a truck that wasn't working and he opened the hood and fixed the problem. He noted he issued a stop work order to Coca Cola which installed undersized pipes. He said while Mr. Morabito was doing an inspection of a lab at Regeneron, a number of contractors with clipboards and hard hats were present. He passed an open door with a view into a sprinkler valve room. He commented that the next time he was there, if things aren't properly tagged, they will receive a violation. On another occasion, Mr. Morabito was doing an inspection at Regeneron, when he noticed a truck backing up to pour cement into an opening for footings for a new lab building. He pointed out there was five feet of water in the hole because it had rained the previous evening. Any cement poured into that water would likely have broken apart and failed, perhaps years after the building was constructed. Mr. Sheehan said Regeneron management actually thanked Mr. Morabito for his action.

SNOW EMERGENCIES - OVERNIGHT PARKING

Mike Burdi suggested that residents must be educated that they can't park overnight on Town roads during snow storms so they should make arrangements with other property owners – e.g., shopping center parking lots - to park there during these hours. He noted it might be difficult. They might be charged a fee or required to sign documents to not hold the property owner liable for damage during an accident. Councilman Francis Sheehan said the law Mr. Burdi mentioned regarding no parking during snow storms was unique to East Hartsdale Avenue and the metered parking spaces on Columbia Avenue. He said it is easy to enforce this law

because the Town puts up a digital board on each end of the street so no one can say they didn't know about the law.

Mr. Sheehan said the law that applies to most of the rest of the Town is different. He noted there are exceptions for Fieldstone Drive, Pinewood Road, Rockledge Road and Springwood Avenue, which allow parking on one side of the streets. However, in the rest of the Town parking is prohibited on all Town roads from 1:00 AM to 6:00 AM between December 1 and March 15. He said the problem is we have too many cars. Maria Pecora agreed and noted most people use their garage for storage, not parking. She also noted that store parking lots need to be plowed, and it is unlikely the owners would allow anyone to park in these lots overnight.

Dorrine Livson asked why do we have to wait for a snow emergency before we start towing vehicles when the code specifically states parking is prohibited on public roads from 1:00 AM to 6:00 AM between December 1 and March 15. She suggested the Town should enforce the law - giving out warnings the first week, issuing tickets the second week, and then towing vehicles.

Councilman Francis Sheehan noted it makes no sense that a car can be parked on the road all day while the snow is falling and then at 1:00 AM, one must dig it out and move it. He said the Town lost two trucks, which blew out tires when they swerved to avoid hitting parked vehicles while they were pushing the huge volumes of snow off the streets. He noted another truck spreading salt overturned and a driver was injured. He said the Town had given out hundreds of tickets but people were ignoring these \$50 tickets. Once the tickets cost rose to \$250 and the Town required the towing of parked vehicles, the message got out quickly and vehicles were moved.

It was noted the two recent major snowstorms were advertised days in advance. Mrs. Livson reiterated, if the Town started enforcing the law on Day One (December 1st), people would get the message. Mr. Sheehan said: "You're preaching to the converted and I'm talking for the whole Town Board." He noted the most recent snow started in earnest about 8:00 PM that night, but the Town couldn't ticket or tow the vehicles until 1:00 AM. He stated the Town needs to modify the ordinance to prohibit parking on the streets not only between 1:00 AM and 6:00 AM, but also during all hours of the day and night when a snow emergency is declared.

COURT OVERTURNS "LIVSON" DECISION

Town Councilman Francis Sheehan mentioned that the lawsuit that Dorrine Livson won (in 2016) regarding FOIL access to the Town's gblast has been overturned by the Court of Appeals, New York State's highest court. He noted on February 19, 2026, the court found it was an unwarranted invasion of personal privacy to release the names and email addresses of those who supplied that information to the Town of Mt. Pleasant just to obtain updates on what was happening in the Town. As a result, residents and civic group throughout New York State will no longer have access to any Town's email list.

[A Brief History: In 2008, the NYS Committee on Open Government issued an opinion indicating it was not an unwarranted invasion of personal privacy for a Town to release its email address list. As President of the Worthington-Woodlands Civic Association, Dorrine Livson filed a FOIL request seeking the gblast on March 19, 2014. The Town denied the request saying the gblast wasn't in a format that could be released. She checked with the firm controlling the gblast which said it could be made available. When the Town denied her FOIL request again, a lawsuit was filed. On November 5, 2014, the NYS Supreme Court issued a decision supporting

release of the list. The Town appealed that decision. On July 20, 2016, the Appellate Division, 2nd Department upheld the lower court decision. The Town decided not to appeal the decision. Mrs. Livson again requested and received access to the gblast after signing a statement agreeing that she would not reproduce or circulate the list or use its contents for fund-raising or other commercial uses. Several others FOILED and received a copy of the gblast.]

Mrs. Livson said that much of the information that Greenburgh provided during the appeal process was totally incorrect and that probably was why the Town lost the appeal. Bob Bernstein was successful in arguing the case. Mrs. Livson noted that the copy of the gblast that the Town provided her was not in a format that she could use. She would have to set up separate email accounts for everyone on the list.

Paul Colten noted that recently the Greenburgh gblast was sent out as an attachment to an email. He said he still has it in his computer and thinks it came from the Supervisor's office. Mr. Sheehan said he thinks the Supervisor maintains a separate list.

A BIT OF HISTORY - THE U.S. SUPREME COURT RULED AGAINST THE CGCA

Councilman Francis Sheehan reminded that the Council of Greenburgh Civic Associations also lost a lawsuit.

That story began in June 1976 when the White Plains Postmaster threatened the Saw Mill Civic Association (SMCA) with \$300 fines if they continued to put "mailable matter" in local residential mail boxes. The SMCA was a member of the CGCA. Because of limited resources, at that time most, if not all, civic groups hand delivered newsletters, notices of meetings, etc. to neighborhood mail boxes. The CGCA filed a lawsuit with the District Court of the Southern District of New York. The case was dismissed for failure to state a claim. The CGCA appealed the decision to the U.S. Court of Appeals which remanded the case back. The District Court decided in favor of the CGCA that distribution of information placed in mailboxes was a First Amendment right. The U. S. Postal Service then appealed the decision to the United States Supreme Court, the highest court in America. The case was argued before the Supreme Court on April 21, 1981 by Greenburgh civic leader (from Secor Homes) Jon Hammer, an attorney along with Payson Clark, also a civic leader and attorney. On June 25, 1981 in a 7-2 ruling, the Supreme Court agreed with the Postal Service. The CGCA lost and this decision applies nation-wide.

Hearing Postponed on ADU Legislation. Madelon O'Shea reported that the Town Board has adjourned the Public Hearing on the proposed Accessory Dwelling Units (ADU) legislation to its meeting on March 25, 2026. She said the document posted on the Town's website is difficult to read because it has lines crossed out, some underlined, and some in different colors. Dorrine Livson agreed and noted it would be easier to read if a clean copy was made available prior to the Public Hearing.

Again, "Thank You" Dora & Shelly for maintaining the CGCA website and arranging these Zoom meetings.

Next CGCA Meeting. The next meeting is scheduled for Monday, March 30, 2026 at 7:30 PM via Zoom.