

September 15, 2005

A regular meeting of the Town Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 15th day of September 2005, at 7:30PM. Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen MalfitanoSupervisor

Thomas Scappaticci)Councilmen
Joseph Cannella)
Robert Paladino)
Patrick Vetere)

ALSO ATTENDING

Frank AllegrettiTown Attorney
Fred CastigliaVillage Attorney
Jonathan KrautDeputy Village Attorney
Joseph LatwinDeputy Village Attorney
Maureen MacKenzieComptroller
Robert WaspCommissioner of Public Works
David HallChief of Police
Judith D'AgostinisDirector of Purchasing
Hugh GreechanTown Engineer
Arun AnkolaIT Director
Pat ClearyTown Planner

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ANNOUNCEMENTS

Supervisor Malfitano stated that the special flag hanging on the wall behind the dais was sent to the Town by Police Officer Steven Cochrane. He said the flag was sent to the Town as an honor to Officer Cochrane for his service and patriotism. The flag was flown over the U.S. Military Hospital, Camp Buehring, Udari, Kuwait on June 14, 2005, during Operation Iraqi Freedom.

Supervisor Malfitano stated that Certificates of Appreciation had been prepared for Peter and Sam Navarra, landscapers, and for Guy Morrano, for their contributions to the Town in planting and maintaining flower beds at intersections in the Town.

SHORT PRESENTATION BY DENNIS NARDONE AND ADA ANGARANO

Chamber of Commerce President Ada Angarano, and former Chamber President Dennis Nardone gave a short presentation regarding the next Chamber event. It will be an evening of music and dance entitled "Club Dennis" to be held on October 1st, at the Veterans' Memorial Building. The funds raised will be split between the victims in the New Orleans area of Hurricane Katrina and breast cancer research.

Supervisor Malfitano thanked Mr. Nardone for his service to the Town during his five years as President of the Chamber.

**ANNOUNCEMENT BY THE SUPERINTENDENT OF RECREATION
RON BELMONT OF THE SELECTION BY THE NOMINATING COMMITTEE OF
ANTHONY FAZIO AS THE CITIZEN OF THE YEAR.**

Mr. Belmont stated that the presentation to Mr. Fazio will be made at the It's Great to Live in Harrison Celebration/Columbus Day Observance on Monday, October 10, 2005.

**INVITATION TO THE SUPERVISOR, TOWN BOARD MEMBERS
AND HARRISON RESIDENTS**

Superintendent of Recreation Ron Belmont extended an invitation to Supervisor/Mayor Malfitano, the Town Board members and all Harrison residents to participate in "It's Great to Live in Harrison / Columbus Day Observance" week-end festivities:

Saturday,	October 8th	Open House at Police Station
Sunday,	October 9 th	Fireworks, West Harrison
Monday,	October 10 th	Parade 10am (line-up 9:30am)

Festival in Riis Park immediately following the parade.

September 15, 2005

ACCEPTANCE OF CORRESPONDENCE AND REPORTS:

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the following reports:

- 1a. Monthly report from the Westchester Humane Society for July 2005.
- 1b. Monthly report from the Recreation Department for July 2005.
- 1c. Monthly report from the Recreation Department for August 2005.
- 1d. Monthly report from the Fire Marshall for August 2005.
- 1e. Monthly report from the Town Clerk for August 2005.
- 1f. Monthly report from the Building Inspector for August 2005.
- 1g. Monthly report from the Receiver of Taxes for August 2005.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

ADOPTION OF RESOLUTION DECLARING THE TOWN BOARD AS LEAD AGENCY UNDER
SEQRA REGARDING THIS AMENDMENT RE: SECTION 235-37 - SCHEDULE OF OFF-
STREET PARKING SPACE REQUIREMENTS FOR NONRESIDENTIAL USES.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to declare the Town Board as Lead Agency under SEQRA with reference to the amendment of the parking space requirements not nonresidential uses.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Building inspector and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 355-b

ADOPTION OF A NEGATIVE DECLARATION UNDER SEQRA REGARDING THIS

AMENDMENT TO PARKING SPACE REQUIREMENTS RE: SECTION 235-37 - SCHEDULE
OF OFF-STREET PARKING SPACE REQUIREMENTS FOR NONRESIDENTIAL USES.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to adopt a Negative Declaration under SEQRA regarding this amendment to parking space requirements.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Building Inspector and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 355-c

CONTINUATION OF THE PUBLIC HEARING TO AMEND THE PARKING REQUIREMENTS
FOR CERTAIN USES AND LOCATIONS RE: SECTION 235-37 - SCHEDULE OF OFF-

STREET PARKING SPACE REQUIREMENTS FOR NONRESIDENTIAL USES.

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor, the Hearing was opened.

Board members again discussed the differences between the parking requirements for a deli, a fast food place, and a restaurant. Councilman Paladino was concerned that the Board would not be creating a "loophole" for fast food places which provided places to sit.

Supervisor Malfitano requested that language be added to the proposal to identify types of businesses.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to continue the Hearing until the October 13th Town Board meeting.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Building Inspector and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 356 - a

ADOPTION OF RESOLUTION DECLARING THE TOWN BOARD AS LEAD AGENCY
UNDER SEQRA REGARDING MODIFICATION IN LOT COVERAGE IN THE "B" ZONE
RESIDENTIAL DISTRICT, TABLE OF DIMENSIONAL REQUIREMENTS IN THE "B"
RESIDENCE ZONE REDUCING THE LOT COVERAGE FROM [35%] TO "30%"

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to declare the Town Board as Lead Agency under SEQRA with reference to the proposed modification of lot coverage in the "B" Residential District, which would reduce the coverage from [35%] to 30%.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Building inspector and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 356 - b

ADOPTION OF A NEGATIVE DECLARATION UNDER SEQRA REGARDING PROPOSAL TO REDUCE THE LOT COVERAGE IN THE "B" RESIDENTIAL DISTRICT FROM [35%] TO 30%.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to adopt a Negative Declaration under SEQRA regarding this proposal to reduce lot coverage in the "B" Residential District from [35%] to 30%.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Building inspector and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 356 - c

CONTINUATION OF THE PUBLIC HEARING TO CONSIDER THE MODIFICATION OF THE "B" ZONE RESIDENTIAL DISTRICT, REDUCING LOT COVERAGE FROM 35% TO 30%.

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor, the Hearing was opened.

Kevin Miller, a homeowner in West Harrison, spoke against the proposal. He stated that the reduction served no purpose but to reduce the value of property, and also reduce the rental income, and reduce the resale value. He added that keeping up the rental income is important to the owners for retirement plans, adding that people are not buying these houses for exterior space but for the quality of the interior.

Assessor James Calandruccio stated that he had an opinion, which was that on a 1680 square foot house, as that owned by one of the Councilmen, cutting five feet (5) off the back of the house might work, he wasn't sure, but it would affect the current residents now and also affect them when they sell the house. He added that he thought this reduction in size was an attempt to solve the parking problem, and that it would not do so.

Councilman Cannella stated that the parking is incidental, that this proposal is really focusing on the size of the house.

Supervisor Malfitano pointed out that part of the issue is the change in the character of the town -- that not too many of the two family houses are now owner-occupied with a rental unit. He added that builders or owners could apply for variances, if needed.

Resident and builder Joe Bilotta said that this change would eliminate a bedroom in each unit, and that it is difficult to rent or sell a two-bedroom unit.

Resident Anna Barry spoke in favor of the change as she is concerned about the size of the homes. She stated that her house was at the intersection of Woodside Avenue and Hancock Street and that a subdivision is being proposed for an adjoining site on Park Avenue, with three houses being "squished in" on the site. She added that the homeowners do not allow the tenants to park in the driveways.

Ms. Barry praised the Board for looking at the problem from the community viewpoint.

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor, the Hearing was closed.

September 15, 2005

2005 -- 356 - d

ADOPTION OF LOCAL LAW #1 OF 2005:

MODIFICATION OF THE TABLE OF DIMENSIONAL REQUIREMENTS IN THE 'B' ZONE,
REDUCING THE LOT COVERAGE FROM [35%] TO 30%.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to adopt Local Law #1 of 2005 for the modification to the Table of Dimensional Requirements in the "B" Zone Residence District, reducing the lot coverage from [35%], to 30%, in the Town of Harrison Zoning Ordinance.

FURTHER RESOLVED that this Law will take effect immediately upon filing with the Secretary of State of New York State.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Building Inspector, the Planning Board, the Zoning Board of Appeals and the Town Engineer.

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 357

CONTINUATION OF PUBLIC HEARING RE: ADDING CHAPTER 199
ENTITLED "STEEP SLOPE PROTECTION"
TO THE CODE OF THE TOWN OF HARRISON

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in

favor, the Hearing was opened.

Supervisor Malfitano stated that this proposed Local Law had been submitted to the Planning Board, the Zoning Board of Appeals as well as the Building Inspector and the Town Planner, but the Town Board had not received any response to date.

Councilman Cannella asked for a flow chart which would state "who" is affected by "what," and further asked that it be available at future meetings.

Deputy Attorney Latwin will prepare the chart.

In response to a question from former Supervisor Ron Bianchi, Councilman Cannella asked that residents give their comments about this proposed law to the Planning Board before that Board's public meeting, that this should be discussed at the Planning Board level.

The Hearing was adjourned until the November Town Board meeting.

September 15, 2005

2005 -- 358

PUBLIC HEARING: Continuation of Public Hearing pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law, amending Chapter 235 to the Code of the Town of Harrison Zoning Ordinance to add Definitions and amend the parking requirements for certain uses and locations as Local Law No. ___ of 2005. **Resolution will be distributed on October 4th.**

September 15, 2005
2005 -- 359

PUBLIC HEARING: Public Hearing pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law, for the purpose of adding Chapter 200 entitled "Signs" to the Code of the Town of Harrison, Sections 200-1 through 200-10, as Local Law No. _____ of 2005 of the Town of Harrison.
Resolution will be distributed on October 4th.

September 15, 2005
2005 -- 360

Exception PUBLIC HEARING: Public Hearing Re: Request by the Westchester Water Works, as per Court Decision, for a Special Exception Use Permit pursuant to Sections 235-14, 235-16 and 235-17 of the Zoning Ordinance for the construction of the Rye Lake Water Filtration Plant, Block 961, Lot 1. This Special Use Permit received a Negative Declaration for the purposes of the State Environmental Quality Review Act. (**PB2005/66 attached.**)
Granted. Resolution will be distributed on October 4th.

September 15, 2005

2005 -- 361a

APPOINTMENT OF MICHAEL CRUZ AS A CROSSING GUARD

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Chief of Police Dave Hall for the appointment of Michael Cruz to the position of School Crossing Guard, at a rate of \$15.50 per hour, effective September 6, 2005.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Chief of Police

and the Benefits Officer.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 361b

APPOINTMENT OF DANIELLE SANTIAGO AS A CROSSING GUARD

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Chief of Police Dave Hall for the appointment of Danielle Santiago to the position of School Crossing Guard, at a rate of \$15.50 per hour, effective September 6, 2005.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Benefits Officer

and the Chief of Police.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 362

ACCEPTANCE, WITH REGRET, OF THE RETIREMENT OF
SCHOOL CROSSING GUARD MARIAN JOHNSON

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the recommendation of Chief of Police Dave Hall to accept, with regret, the retirement of School Crossing Guard Marian Johnson, effective September 6, 2005.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Benefits Officer and the Chief of Police.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 363

AUTHORIZATION OF POLICE CHIEF DAVID HALL TO ATTEND THE NEW YORK
HIGHWAY SAFETY ANNUAL FALL CONFERENCE COST: NOT TO EXCEED \$700

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Chief of Police Dave Hall to attend the New York Highway Safety Annual Fall Conference, from October 16-19, 2005, in Lake Placid, New York at a total cost, including travel expenses, not to exceed \$700. This is a budgeted item.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Chief of Police.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 364

APPROVAL FOR FOUR MEMBERS OF THE BUILDING DEPARTMENT TO ATTEND
IN-SERVICE TRAINING COURSES IN WHITE PLAINS

Building Inspector FitzSimmons explained that these courses are part of the continuing education requirements for members of a Building Department.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Building Inspector Bob FitzSimmons for himself, Deputy Building Inspector William Gerety, Assistant Building Inspector Paul Senitta and Code Enforcement Officer Edward DiBuono to attend the three (3) half day in-service training course being given by the New York State Department of State in White Plains, NY on Wednesday, September 21, 2005 for two (2) courses and the third (3rd) on Wednesday, October 26, 2005. The only cost will be miscellaneous

expenses associated with parking. This is a budgeted item.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Building Inspector.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 365

AUTHORIZATION FOR FOUR MEMBERS OF THE BUILDING DEPARTMENT TO ATTEND
THE CAPITAL DISTRICT BUILDING OFFICIALS EDUCATION CONFERENCE
IN ALBANY, NY, COST: NOT TO EXCEED \$2,600.

Building Inspector FitzSimmons explained that the purpose of the Conference is to fulfill the continuing education requirements for members of a Building Department, and to stay updated on NYS Building Code revisions.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Building Inspector Bob FitzSimmons for himself, William Gerety, Paul Senitta and Edward DiBuono to attend the Capital District Building Officials Education Conference in Albany, NY, from October 17th to October 19, 2005, at a cost not to exceed \$2,600., which includes the expense of the conference, tolls, gas and miscellaneous expenses. This is a

budgeted item.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Building Inspector.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 366

APPOINTMENT OF JOSEPH TINERVIA TO THE PART-TIME AVAILABILITY LIST

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of IT Director, Arun Ankola, to add Joseph Tinervia to the part-time availability list, at the rate of \$15.00 per hour, effective September 19, 2005.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the IT Director.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 367

AUTHORIZATION FOR THE TRANSFER OF FUNDS IN THE SUPERVISOR'S OFFICE

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of the Director of Purchasing for authorization for the transfer of funds in the amount of \$1,515.00 from Account #001-1220-4-30, Supervisor Printing, to Account #001-1220-02-10, Furniture.

FURTHER REQUESTED to forward a copy of this Resolution to the Comptroller and the Director of Purchasing.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 368

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR
THE RENTAL OF 20 & 30 YARD CONTAINERS

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization to advertise and receive bids for the Rental of 20 & 30 Yard Containers for the Department of Public Works.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Commissioner of Public Works and the Director of Purchasing.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 369

AUTHORIZATION FOR THE FOURTH AND FINAL INSTALLMENT OF THE
2005 FUNDING FOR THE HARRISON VOLUNTEER AMBULANCE CORPS

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of the Chairman of Harrison Volunteer Ambulance Corps, Albert Mignone, for authorization for the Comptroller to issue the fourth and final 2005 equal installment of their funding, due October 1, 2005, in the amount of \$100,000.

FURTHER REQUESTED to forward a copy of this Resolution to the Comptroller and Chief Mignone.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 370

AUTHORIZATION FOR THE SUPERVISOR TO SIGN THE
CERTIFICATE OF AUTHORIZATION FOR THE "IT'S GREAT TO LIVE IN HARRISON "
ON OCTOBER 8-9-10, 2005

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of the Superintendent of Recreation, Ron Belmont, for authorization for the Supervisor to sign the Certificate of Authorization for the "It's Great to Live in Harrison Celebration."

FURTHER RESOLVED to forward a copy of this Resolution to the Superintendent of Recreation and the Law Department.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 371

AUTHORIZATION TO RETAIN THE FIRM OF HARBRIDGE CONSULTING GROUP
TO REVIEW THE PRESCRIPTION DRUG PLAN OFFERED BY THE TOWN, AND
COMPARE IT TO THE PROPOSED FEDERAL DRUG PLAN, AND
TO CERTIFY THAT THE TOWN PLAN IS EQUAL OR BETTER.

Ms. MacKenzie stated that POMCO, the Town's health insurance provider, recommend the firm of Harbridge Consulting Group to perform the comparison of the two plans.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for authorization to retain Harbridge Consulting Group, an actuarial firm, to attest to the federal government that the Town's prescription drug plan is equal to or better than the one being offered by the federal government, at a cost of \$4,000.00 with funds available in budget line 001-1900-100-4407, Special Items, Special Services.

FURTHER RESOLVED that the Supervisor is authorized to sign the engagement letter.

FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, the

Comptroller,
and the Benefits Officer.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 372

AUTHORIZATION FOR INVOICES FROM MILLER & VAN EATON P.L.L.C. FOR
PROFESSIONAL SERVICES AUDITING CABLEVISION, IN THE AMOUNT OF \$405.07

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Deputy Village Attorney Joseph Latwin for authorization to pay for the attached invoices from the firm of Miller & Van Eaton P.L.L.C., in the amount of \$405.07, for professional services relating to the audit of the cable television services offered by the Cablevision Company.

FURTHER RESOLVED that the Comptroller is authorized to pay same.

FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, and the Comptroller.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 373

NOTIFICATION BY TOWN CLERK JOAN WALSH OF THE AWARD BY NEW YORK STATE ARCHIVES ADMINISTRATION OF TWO ADDITIONAL GRANTS FOR THE PRESERVATION OF TOWN RECORDS, IN THE AMOUNT TO \$31,691

Town Clerk Joan Walsh notified the Board that the New York State Archives Administration has awarded her office two more Grants totaling \$31,691 for the preservation of Town records. Mrs. Walsh added that, with all the Grants that have been received to date, the Town has a basic disaster recovery program in place, something that assumes added importance following the floods created by Hurricane Katrina in New Orleans. She added that the present grants will be used to do the following:

1. Scan into a database all the drawings in the Engineering Department, and then copy them onto compact disks as work copies.
2. Review for clarity and then enter into the Comptroller's computer data base all personnel files that are not currently in that data base. The Town is required by law to keep these files.

RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Clerk.

September 15, 2005

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AUTHORIZATION TO FUND THE WESTCHESTER COUNTY CRIME STOPPERS FUND
IN THE AMOUNT OF \$4,000

Dennis Nardone, Chairman of the Westchester County Crime Stoppers organization, requested a donation from Harrison in the amount of \$3,000. The Board, at the request of Mayor Malfitano, voted to raise that amount to \$4,000.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Dennis Nardone, Chairman of the Westchester County Crime Stoppers organization to once again support Crime Stoppers.

FURTHER RESOLVED to increase that support from \$3,000 approved in 2004, to \$4,000.

FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, the Comptroller and Mr. Nardone.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino

Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

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BID AWARD TO WHP TRAININGTOWERS OF OVERLAND PARK, KANSAS FOR THE
CONSTRUCTION OF THE FIRE DEPARTMENT TRAINING BUILDING AT THE
HARRISON MUNICIPAL FACILITY ON PARK LANE IN WEST HARRISON,
IN THE AMOUNT OF \$270,833.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of the Director of Purchasing, Judy D'Agostinis, for a Bid Award to WHP Trainingtowers, 9121 Bond St, Overland Park, Kansas 66214, having met all the requirements of the specifications and being the lowest bidder for the construction of the Fire Department Training Building at the Harrison Municipal Facility on Park Lane, in the amount of \$270,833.00

FURTHER RESOLVED that funding is available in Capital Improvement Project #05F105.

FURTHER RESOLVED that the Town Attorney is authorized to prepare the contract, and the Supervisor is authorized to execute it.

FURTHER RESOLVED that the Comptroller, is authorized, upon receipt of claims, to audit and upon audit the Supervisor to pay same.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Director of Purchasing, the Commissioner of Public Works and Fire Chief Forgione.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 376

AUTHORIZATION FOR BUDGET MODIFICATIONS

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for approval for a Budget Modification for the year 2005 as follows:

INCREASE:

001-8010-100-0120

ZONING BOARD OF APPEALS \$ 7,000

INCREASE:

001-0000-059-5999

APPROPRIATED FUND BALANCE \$ 7,000

To appropriate Town Fund Balance and transfer to the Zoning Board of Appeals overtime line to cover the cost of overtime through year end.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Chair of the Zoning Board.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino

Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

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AUTHORIZATION FOR THE SUPERVISOR TO SIGN THE MEMORANDUM OF AGREEMENT
ESTABLISHING THE BRONX RIVER WATERSHED COALITION

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the Memorandum of Agreement establishing the Bronx River Watershed Coalition.

FURTHER RESOLVED to authorize the Supervisor to sign the Agreement.

FURTHER RESOLVED to forward a copy of this Resolution to the Law Department.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 378

APPROVAL OF PURCHASE ORDER #252933 FOR EQUIPMENT
FOR THE NEW SEAGRAVE PUMPER IN FIRE DISTRICT #2,
IN THE AMOUNT OF \$11,978.10

On motion of Councilman Cannella, seconded by Supervisor Malfitano,

it was

RESOLVED to approve the request of the Director of Purchasing, Judy D'Agostinis, for approval of Purchase Order #252933, in the amount of \$11,978.10 to AAA Emergency Supply Company, 635 North Broadway, White Plains, NY 10603, for an Imaging Camera, Mount Charger and a Retractor Cord for the new Seagrave Pumper truck in Fire District #2.

FURTHER RESOLVED that funding is available in Account #006-3411-100-98-95.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Director of Purchasing and the Chief of FD#2.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 379

AUTHORIZATION TO DECLARE CERTAIN POLICE VEHICLES TO BE SURPLUS, AND
FURTHER AUTHORIZATION TO DONATE THESE VEHICLES TO MUNICIPALITIES
IMPACTED BY HURRICANE KATRINA

Chief of Police David Hall stated that his Department had planned to auction certain police vehicles as they no longer fit his Department's needs due to excessive mileage. He requested that the Board declare the vehicles to be surplus, and authorize him to then send these surplus vehicles to devastated communities in Louisiana which were impacted by Hurricane Katrina.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to declare certain vehicles in the Police Department to be surplus:

<u>PLATE</u>	<u>MAKE</u>	<u>MODEL</u>	<u>YEAR</u>	<u>V.I.N.</u>
L963YA	Ford	Crown Victoria	1996	2FALP71W9TXJ67392
CSH1778	Ford	Crown Victoria	1999	2FAP71WXXX152287
CCX1371	Ford	Crown Victoria	1997	2FALP71W4VX178450
SRO	Ford	Crown Victoria	2001	2FAFP71W11X180860
None	Ford	Crown Victoria	1998	2FAFP71WiWX184586
K9	Ford	Crown Victoria	1998	2FAFP71W8WX184587

FURTHER RESOLVED to authorize Police Chief Hall to join with Police Departments in other communities and with them, arrange to send these vehicles to Louisiana.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller , the Chief of Police and the Director of Purchasing.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 380

DISCUSSIONS AND COMMENTS

PIZZA DELIVERY TO NEW ORLEANS , LOUISIANA

Chief Hall mentioned to the Board that Sal's Pizzeria in Mamaroneck, prepared, froze and boxed a total of fifty (50) pizza's, ten (10) of which Sal's donated and forty (40) pizza's paid for by an anonymous donor. Sal's Pizza had them picked up by FEDEX for next day delivery to a police department in Louisiana. FEDEX delivered them free of charge.

CHAMBER OF COMMERCE REQUESTS FUNDS

Supervisor Malfitano stated that the President of the Chamber of Commerce, Ada Angarano, has requested some funds from the Town to create a database of business owners within the town, listing the type of business. The intent would be to foster the business climate within Harrison. No decision was made.

USE OF TOWN CARS

Town resident Roy Porto addressed the Board, questioning the use of Town cars by various town employees. He stated that he objects to the town employees having the use of these cars on a 24-hour basis, as they then use them for private uses, adding that the Town supplies the gas for these cars, which is an added expense. Mr. Porto then asked if there was a policy regarding the use of the cars. Mr. Porto also requested a list of the employees with cars, including their title.

Deputy Village Attorney Jonathan Kraut stated that there is a policy regarding use. He added that he will provide the Town Board with copies of the policy.

Supervisor Malfitano stated that only management and department foremen get cars, for business use as well as other incidental uses, that it is a "perk."

REPAIRS FOR THE SOLLAZZO CENTER

This discussion was again postponed, and will be on the Agenda for the October 13, 2005 meeting.

September 15, 2005

2005 -- 380

MATTERS FOR EXECUTIVE SESSION:

Litigation	5
Certiorari	1
Personnel	3
Labor Negotiations	1

On motion duly made and seconded,
the Meeting was recessed for
Executive Session at 10:45 PM.

The Meeting was reconvened at 12:15 AM
on September 16, 2005.

September 15, 2005

2005 -- 381

APPOINTMENT OF ROBERT VISCOME AS AN ARBORIST ON A PART-TIME BASIS

Commissioner of Public Work Bob Wasp explained that he felt that it was important to have a trained person on staff to inspect the many trees in Town and develop a schedule for their pruning or removal. He added that the town has a budget for tree work, but no one on staff who can determine what needs to be done to which trees.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint Robert Viscome as a consultant for the multi-year tree removal and tree trimming program, effective September 16, 2005.

FURTHER RESOLVED that Mr. Viscome's hourly rate of pay will be \$40 per hour, for an estimated cost of \$24,000 for year 2005.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Commissioner of Public Works and Mr. Visome.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 382

AUTHORIZATION FOR THE SUPERVISOR TO SETTLE A CONTRACT WITH THE
TEAMSTERS AS DISCUSSED IN EXECUTIVE SESSION

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the Supervisor to settle the contract with the Teamsters as discussed in Executive Session.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Town Attorneys, and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilmen Scappaticci and Cannella
Supervisor Malfitano

NAYS: Councilman Vetere and Paladino

ABSENT: None

September 15, 2005

2005 -- 383

SETTLEMENT OF CLAIM: BUONSANTE vs TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Buonsante vs Town of Harrison, for damage from a fallen tree, as discussed in Executive Session.

FURTHER RESOLVED that the settlement is subject to the claimant signing a General Release.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Town Attorneys, and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilmen Paladino, Vetere, Scappaticci and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

September 15, 2005

2005 -- 384

SETTLEMENT OF CLAIM: O'BRIEN vs TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Kevin and Winifred O'Brien, for damage from a blocked sewer, for \$844.44.

FURTHER RESOLVED that the settlement is subject to the claimant signing a General Release.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Town Attorneys, and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilmen Paladino, Scappaticci and Cannella
Supervisor Malfitano

NAYS: Councilman Vetere

ABSENT: None

September 15, 2005

2005 - - 385

SETTLEMENT OF CERTIORARI OF 83 CALVERT STREET FOR 2001, 2002, 2003 AND 2004,
WITH A REFUND OF \$5,400

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to settle the Certiorari filed by 83 Calvert Street Realty LLC, Block 121, Lot 8 as follows:

<u>YEAR</u>	<u>FROM</u>	<u>TO</u>	<u>REDUCTION</u>	<u>MARKET VALUE</u>
2001/2002	30,900	23,500	7,400	\$857,664
2002/2003	27,960	22,800	5,160	\$978,540
2003/2004	27,960	22,500	5,460	\$1,027,397
2004/2005	27,960	20,000	7,960	\$1,117,318
2005/2006	19,500	19,500	0	
			<u>REFUND</u>	

	<u>GENERAL TOWN</u>	<u>FIRE PROTECTION #2</u>
2002	\$1,132.32	\$ 248.23
2003	\$ 841.76	\$ 189.50
2004	\$ 934.13	\$ 226.67
2005	\$1,451.49	\$ 372.81
TOTAL:	\$4,359.70	TOTAL: \$1,037.21
		TOTAL: \$5,396.91

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Town Attorneys, and the Assessor.

Adopted by the following vote:

AYES: Councilmen Paladino, Vetere, Scappaticci and Cannella
Supervisor Malfitano
NAYS: None
ABSENT: None

There being no further matters to come before the Board,

the Meeting was, on motion duly made and seconded,
declared closed at 12:17 AM on September 16, 2005.

Respectfully submitted,

Joan B. Walsh
Town Clerk