

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 12th day of April 2007, at 7:30 PM Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Stephen MalfitanoSupervisor (arrived late)

ALSO ATTENDING

Frank Allegretti Town Attorney
Fred Castiglia Village Attorney
Jonathan Kraut Deputy Village Attorney
Joseph LatwinDeputy Village Attorney
Robert WaspCommissioner of Public Works
Judith D'Agostinis Director of Purchasing
Maureen MacKenzieComptroller
David Hall Chief of Police
Arun Ankola Director of Information Technology
Ron Belmont Superintendent of Recreation

April 12, 2007

2007 -- 126

ACCEPTANCE OF CORRESPONDENCE AND REPORTS:

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to accept the following reports and correspondence:

- 1a. Monthly report from the Building Department for February 2007.
 - 1b. Monthly report from the Police Department for January 2007.
 - 1c. Monthly report from the Police Department for February 2007.
 - 1d. Monthly report from the Fire Marshall for March 2007.
 - 1e. Monthly report from the Town Clerk for March 2007.
 - 1f. Monthly report from the Receiver of Taxes for March 2007.
 - 1g. Monthly report from the Recreation Department for March 2007.
 - 1h. Monthly report from the Building Department for March 2007.
 - 1i. Quarterly report from the Harrison Libraries
for January, February and March 2007.
 - 1j. Monthly report from the Department of Public Works for February and March
2007, with a chart of complaints/requests for service.
2. Letter from Police Officer Gary Oliver praising Chief Joe Bilotto and EMT Cindy Velasquez for their rapid response, transportation and professionalism. Their actions played a vital part in getting Mr. Oliver the urgent care he needed and assisted him in a rapid and full recovery. Chief Bilotto and EMT Velasquez reflect the words "EMS professionals."

Adopted by the following vote:

AYES: Councilmen Scappaticci, Vetere, Paladino and Cannella

NAYS: None

ABSENT: Supervisor Malfitano (Mr. Malfitano arrived later)

April 12, 2007

2007 -- 127

PUBLIC HEARING RE: EMINENT DOMAIN PROCEEDING -- BLOCK 344, LOT 6 (6-7)
LOCATED ON SIDNEY PLACE, WITHIN VETERANS' PARK

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

Councilman Cannella announced that the property owners had requested that the Hearing be adjourned until the first Town Board meeting in May, on May 10, 2007.

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to keep the Public Hearing open, and to adjourn it until the first Town Board meeting in May, on May 10, 2007.

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

Adopted by the following vote:

AYES: Councilmen Scappaticci, Vetere, Paladino and Cannella

NAYS: None

ABSENT: Supervisor Malfitano (Mr. Malfitano arrived later)

April 12, 2007

2007 -- 128

AUTHORIZATION FOR POLICE CHIEF DAVID HALL TO ATTEND THE EMPIRE STATE
LAW ENFORCEMENT TRAFFIC SAFETY CONFERENCE IN SARATOGA SPRINGS, NY,
APRIL 18 & 19, 2007 COST: NOT TO EXCEED \$350

On motion of Councilman Paladino, seconded by Councilman Vetere,

it was

RESOLVED to authorize Police Chief David Hall to attend the Empire State Law Enforcement Traffic Safety Conference in Saratoga Springs, NY, on April 18th and 19, 2007, at a cost not to exceed \$350. 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 Scappaticci, Vetere, Paladino and Cannella

NAYS: None

ABSENT: Supervisor Malfitano (Mr. Malfitano arrived later)

April 12, 2007

2007 -- 129

AUTHORIZATION FOR ONE POLICE OFFICER TO ATTEND THE
TASER INSTRUCTOR TRAINING SESSION IN RYE BROOK APRIL 2&3, 2007,
AT A COST NOT TO EXCEED \$225.

On motion of Councilman Paladino, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Police Chief Hall for authorization for one police officer to attend the Taser Instructor Training Session, at the Rye Brook Police Department, on April 2nd and 3, 2007, at a cost of \$225. 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 Scappaticci, Vetere, Paladino and Cannella

NAYS: None

ABSENT: Supervisor Malfitano (Mr. Malfitano arrived later)

April 12, 2007

2007 -- 130

AUTHORIZATION FOR TWO POLICE OFFICERS TO ATTEND THE 14TH ANNUAL
ADVANCED HOMICIDE INVESTIGATION CONFERENCE, JUNE 25-28, 2007,
IN PRINCETON, NJ., AT A COST NOT TO EXCEED \$1,400 FOR BOTH OFFICERS

On motion of Councilman Paladino, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Police Chief Hall for two police officers to attend the 14th Annual Advanced Homicide Investigation Conference, June 25-28, 2007, in Princeton, NJ, at a cost not to exceed \$1,400 for both officers. 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 Scappaticci, Vetere, Paladino and Cannella

NAYS: None

ABSENT: Supervisor Malfitano (Mr. Malfitano arrived later)

April 12, 2007

2007 -- 131

AUTHORIZATION FOR FIRE MARSHAL STEVE SURACE TO ATTEND
THE ICC CODES COUNCIL FORUM IN ROCHESTER, NY, MAY 22-26, 2007,
AT A COST NOT TO EXCEED \$1,000

On motion of Councilman Paladino, seconded by Councilman Vetere

it was

RESOLVED to approve the request of Fire Marshal Steve Surace for authorization to attend the ICC Codes Council Forum in Rochester, NY, from May 22 – 26, 2007, at a cost not to exceed \$1,000. This is a budgeted item.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Fire Marshall.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Vetere, Paladino and Cannella

NAYS: None

ABSENT: Supervisor Malfitano (Mr. Malfitano arrived later)

April 12, 2007

2007 -- 132

ACCEPTANCE, WITH GREAT REGRET, OF THE RETIREMENT
OF DETECTIVE DAVID MARINELLI, III

Councilman Scappaticci stated that he had ridden (a tour) in a patrol car with Officer Marinelli and he was the consummate police officer. He expressed his regret that Officer Marinelli was retiring.

Chief of Police David Hall also expressed his regrets at this retirement. He explained that Officer Marinelli had severely injured his right arm in a motor vehicle accident, and could no longer perform his duties as a police officer. Chief Hall continued that Officer Marinelli had made hundreds of arrests, that one of the best narcotics officer in the County, and that he was very sorry to see him retire.

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to accept, with great regret, the letter of retirement from Detective David Marinelli, III, effective April 13, 2007.

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

Adopted by the following vote:

AYES: Councilmen Scappaticci, Vetere, Paladino and Cannella

NAYS: None

ABSENT: Supervisor Malfitano (Mr. Malfitano arrived later)

April 12, 2007

2007 -- 133

ACCEPTANCE WITH REGRET OF THE RETIREMENT
OF POLICE OFFICER RAYMOND LAYTON

Chief of Police David Hall explained that Officer Layton has undergone two back surgeries and has now been told by his doctors that he must retire. Chief Hall added that he was very sorry to see him leave the Department.

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to accept with regret the retirement of Police Officer Raymond Layton, effective April 21, 2007.

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

Adopted by the following vote:

AYES: Councilmen Scappaticci, Vetere, Paladino and Cannella

NAYS: None

ABSENT: Supervisor Malfitano (Mr. Malfitano arrived later)

NOTE:

Supervisor Malfitano arrived at this time. He had been the guest speaker at the Dinner of the Interfaith Congregational Laymen's Committee.(ICLC)

April 12, 2007

2007 -- 134

ACCEPTANCE, WITH GREAT REGRET, THE RETIREMENT OF
MANAGER MICHAEL BISCEGLIA, DEPARTMENT OF PUBLIC WORKS
AFTER THIRTY-THREE YEARS OF SERVICE TO HARRISON

Commissioner of Public Works Bob Wasp stated that Mike had served the Town of Harrison for 33 years, and served it well. He said Mike's retirement was a sad day for him, and for the Department, although he was happy for Mike.

Supervisor Malfitano stated that he had grown up with Mike Bisceglia that Mike was always there for you, always caring and giving. He too expressed his regrets at Mike's retirement.

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to accept, with great regret, the retirement of Michael Bisceglia, Manager in the Department of Public Works, effective May 11, 2007.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 135

AUTHORIZATION FOR THE PAYMENT OF \$112,500
TO THE HARRISON VOLUNTEER AMBULANCE CORPS
AS THE SECOND INSTALLMENT OF THEIR 2007 FUNDING

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to authorize the payment of \$112,500 to the Harrison Volunteer Ambulance Corps (HVAC) as the second installment of their 2007 funding.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Board of Trustees of the Volunteer Ambulance Corps.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 136

APPROVAL OF THE INTERMUNICIPAL AGREEMENT BETWEEN THE
TOWN AND THE COUNTY OF WESTCHESTER TO EXTEND THE
"STOP-DWI" PATROL PROJECT FOR ANOTHER FIVE YEARS.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the Intermunicipal Agreement between the Town and the County of Westchester to extend the STOP-DWI Patrol Project for another five years, with the Town to be eligible for reimbursement of up to \$8,400 each year, to a maximum of \$42,000.

FURTHER RESOLVED that the Supervisor be authorized to execute the Agreement.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 137

APPROVAL OF THE AGREEMENT BETWEEN THE COUNTY OF WESTCHESTER
AND THE HARRISON POLICE DEPARTMENT
RE: THE WESTCHESTER COUNTY REPOSITORY
FOR INTEGRATED CRIMINALISTIC INFORMATION (RICI SYSTEM)

Councilman Scappaticci asked Police Chief Hall if the information being transmitted was encrypted, and he was assured that it was.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Town Attorney Frank Allegretti for approval of the Agreement between the County of Westchester and the Harrison Police Department RE: RICI system – the Westchester County Repository for Integrated Criminalistic Information, which system allows the electronic transmission and storage of criminal records and police blotter information.

FURTHER RESOLVED that the Supervisor be authorized to execute the Agreement.

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

Adopted by the following vote:

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

April 12, 2007

2007 -- 138

AUTHORIZATION TO ACCEPT A DONATION TO THE POLICE DEPARTMENT
IN THE AMOUNT OF \$100 FROM MR. SALVATORE P. LEONE

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Police Chief David Hall for authorization to accept a donation of \$100 from Salvatore P. Leone.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 139

BID AWARD TO AIR & GAS TECHNOLOGIES, INC. OF CLIFFWOOD BEACH, N.J.
FOR THE PURCHASE AND INSTALLATION
OF A SCBA CYLINDER RECHARGING SYSTEM
FOR THE WEST HARRISON FIRE DEPARTMENT COST: \$44,200

On motion of Councilman Paladino, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for a Bid Award to Air & Gas Technologies, Inc, 42 Industrial Drive, Cliffwood Beach, NJ, having met all the requirements of the specifications and being the lowest bidder for the Purchase and Installation of a SCBA Cylinder Recharging System for the West Harrison Fire Department, for a Total Bid Price of \$44,200.00.

FURTHER RESOLVED that funding will come from Fire District #1 Account #010-3410-100-02-50 (Fixed Assets.)

FURTHER RESOLVED to authorize the Town Attorney to prepare the contract, which the Supervisor is authorized to execute, and the Comptroller, 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 and the Chief of the West Harrison Fire Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 140

APPROVAL FOR A SPECIAL EVENTS PERMIT FOR THE CHURCH OF ST. ANTHONY OF
PADUA TO HOLD THEIR FESTA ON JUNE 1ST, 2ND, AND 3RD, WITH FURTHER
AUTHORIZATION TO HOLD A PROCESSION THROUGH THE STREETS OF
WEST HARRISON ON JUNE 3RD IN THE MORNING

On motion of Supervisor Malfitano, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Rev. Msgr. Rudolph Eisler of the Church of St. Anthony of Padua for a Special Events Permit to hold their Festa on June 1st, 2nd and 3rd, 2007 including authorization to hold their procession through the streets of West Harrison, beginning at 11:15 AM, starting at the Church. (A copy of the route is attached.)

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that, as in the past, a sanitation truck be stationed on the Festa grounds during the three days of the event.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Chief of Police, the Chief of the West Harrison Fire Department, the Director of the Volunteer Ambulance Corps and Msgr. Eisler.

Adopted by the following vote:

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

April 12, 2007

2007 -- 141

AUTHORIZATION FOR THE FIRM OF OPTICAL ARCHIVES TO DO A
DEMONSTRATION PROJECT: SCANNING SOME ARCHIVAL DOCUMENTS AND
COMPTROLLER'S RECORDS.

Mrs. Walsh explained that Mr. Singer is a town resident. His firm, located at 550 Mamaroneck Ave, has been in business since 1991. Mrs. Walsh added that this demonstration project, which will include some Comptroller's records and documents from the Town's Archives, will be a gift to the Town, and not billable. Mr. Singer was in the audience, and Mrs. Walsh introduced him to the Board.

On motion of Councilman Vetere, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Town Clerk Joan Walsh for authorization for Mr. Gene Singer of Optical Archives to do a demonstration project, scanning some of the Comptroller's records and material from the Town's Archives, to show how his firm would be able to scan these records and produce a product for use by the Town's Departments.

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

Adopted by the following vote:

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

April 12, 2007

2007 -- 142

APPROVAL OF A SPECIAL EVENTS PERMIT TO THE OLD OAKS COUNTRY CLUB TO HOLD A FIREWORKS DISPLAY ON MONDAY, JULY 3, 2007, ON THE CLUB GROUNDS.

On motion of Councilman Vetere, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Rene Balin, General Manager of Old Oaks Country Club for a Special Events Permit to hold a fireworks display on Monday, July 3, 2007, with a rain date of Saturday, July 7th, on the Club grounds.

FURTHER RESOLVED that a Certificate of Insurance and an Indemnification Agreement be submitted to the Law Department.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Building Inspector, the Police Department, the Chief of the Purchase Fire Department and Rene Balin of Old Oaks Country Club.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 143

AUTHORIZATION TO SCHEDULE A PUBLIC HEARING RE: GRANTING OF
A SPECIAL EXCEPTION USE PERMIT TO THE OLD OAKS COUNTRY CLUB
FOR THE INSTALLATION OF THREE (3) BACK-UP GENERATORS
TO BE INSTALLED ON THE CLUB GROUNDS.

Ms. Dickson stated that no alteration of any building is proposed and that Planning Board approval has been given. (PB2007/12)

On motion of Councilman Vetere, seconded by Councilman Paladino,

it was

RESOLVED to schedule a Public Hearing for the Town Board meeting of May 10, 2007, to consider the request of attorney Lori Dickson, with the law firm of McCullough, Goldberger & Staudt, on behalf of her client Old Oaks Country Club, for approval for a Special Exception Use Permit for the placement of three (3) back-up generators (to be powered by natural gas) as follows:

1. Near the Clubhouse in an existing enclosure containing the trash compactor, to be used as a source of power for lighting, etc;
2. Near the Pump House on the West Course to be placed near an existing generator in a new privacy enclosure, to be used as a source of power for the water at the Clubhouse;
3. Near the Halfway House to be placed in a new enclosure with an existing transformer, to be used as a source of power for the sprinkler and irrigation system on the course.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Inspector, the Assessor, the Town Attorneys, Ms. Dickson.

Adopted by the following vote:

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

April 12, 2007

2007 -- 144

AUTHORIZATION FOR A LICENSE AGREEMENT BETWEEN LAUREN STEERS OF
15 HILLTOP PLACE AND THE TOWN OF HARRISON TO ALLOW THE STEERS HOME
TO BE CONNECTED TO THE PUBLIC SEWER.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Attorney Linda Whitehead of the law firm McCullough, Goldberger & Staudt, on behalf of her client, Lauren Steers of 15 Hilltop Place, and authorize a license agreement to connect the Steers home to the public sewer on Highland Road.

FURTHER RESOLVED to allow Ms. Steers to abandon the existing septic system.

FURTHER RESOLVED that this authorization is subject to comments by the Town Engineer and review by the Law Department.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 145

AUTHORIZATION FOR 2006 YEAR-END BUDGET TRANSFERS AND MODIFICATIONS

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie and authorize the following 2006 year-end Budget Transfers and Modifications:

	Increase	Decrease
10-1900-100-4461 Fire District #1 Special Items-Judgment and Claims		\$964
10-3410-100-0130 Fire District #1 Part-Time Salaries	\$964	
Total	\$964	\$964
11-3411-100-0240 Fire District #2 Other Equipment		\$27,485
11-1900-100-4461 Fire District #2 Special Items-Judgment and Claims	\$9,787	
11-3411-100-0120 Fire District #2 Over-Time Salaries	\$17,698	
Total	\$27,485	\$27,485
Budget Modifications:		
Increase:	\$460,960	
001-0000-059-5999 Town- Appropriated Fund Balance		
Increase:		
001-3120-100-0860 Police-Major Medical		\$93,955

001-3120-100-0810	\$105,073
Police-New York State Retirement	

Budget Modifications Cont.

001-9000-100-0810	
Town-New York State Retirement	\$13,047

001-9000-100-0840	\$63,098
Town-Workers Compensation	

001-9000-100-0860	\$185,787
Town-Major Medical	

Total	\$460,960	\$460,960
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To Appropriated Town Fund Balance to cover over expended line items

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 146

AUTHORIZATION TO ACCEPT A DONATION FROM MR. ROY ALETTI
IN THE AMOUNT OF \$3,750 TO BE USED FOR THE FIREWORKS DISPLAY PLANNED
FOR JULY 4TH WEEKEND, 2007

Mr. Aletti had provided to the Town's residents a wonderful fireworks display during the July 4th 2006 weekend. It has now been agreed that the Town will take over the program in 2007, to allay any safety concerns and establish the event as an annual event in downtown Harrison on Oakland Avenue, in the vicinity of Project Home Run. Mr. Aletti's donation of \$3,750 will be added to funds provided by the Town for a total sum of \$7,500.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Superintendent of Recreation Ron Belmont to accept a donation from Mr. Roy Aletti of the Harrison Paint Supply store, in the amount of \$3,750, as his contribution to the Fourth of July fireworks celebration to be held adjacent to Oakland Avenue in downtown Harrison.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

APPROVAL TO PROHIBIT FISHING IN ST. MARY'S LAKE (Silver Lake)
AS GRASS CARP ARE TO BE INTRODUCED INTO THE LAKE TO CONTROL
THE GROWTH OF WEEDS AND ALGAE

At a previous Town Board meeting, the Board had agreed to purchase grass carp to control the growth of weeds and algae in the Lake. Mr. Belmont stated that in order not to lose these fish to anglers, it would be necessary to prohibit fishing in those waters, adding that the Town is trying to improve the water quality of the Lake. He further stated that residents had not been able to use the paddle boats for the past year or two due to the amount of weeds in the Lake.

Councilmen Scappaticci and Cannella requested that, since the Lake will not be stocked until Fall, such a prohibition be put off until a time closer to the actual stocking.

Councilman Vetere asked if it had been finally determined who actually owns the Lake bed: Harrison, the City of White Plains or the County of Westchester. He further asked why White Plains or the County could not be asked to contribute to the cost of the fish, which are priced at \$10-\$13 dollars each.

Supervisor Malfitano replied that there is still a debate as to who owns the Lake, but the matter is being investigated. He added that in 1924, the Westchester Joint Water Works had transferred title to the lakebed to the Town. Attorney Kraut stated that the Town has a deed showing ownership.

Councilman Vetere stated that he had spoken to the County Commissioner of Recreation Mulligan who had given him a map held by the County, which seemed to show that the County owned it. He added that he would vote "No" on this Resolution until the question of the City or White Plains or the County of Westchester agree to share the cost of the fish.

Supervisor Malfitano repeated that the question of ownership is being investigated.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to erect "No Fishing" signs around St. Mary's Lake about two weeks before the Grass Carp are introduced into the Lake.

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

Adopted by the following vote:

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

April 12, 2007

2007 -- 148

BID AWARD TO PRINTWEAR, INC OF MAMARONECK, NY,
MR. NOVELTEE OF NEW ROCHELLE, NY,
M.A.T. PREMIUMS OF WHITE PLAINS, NY AND
FRANK'S SPORT SHOP OF BRONX, NY
FOR MISCELLANEOUS SPORTSWEAR AND DUFFLE BAGS
FOR THE RECREATION DEPARTMENT

On motion of Councilman Cannella, seconded by Councilman Scapaticci,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for approval of a Bid Award for the Purchase of Miscellaneous Sportswear & Duffle Bags for the Recreation Department to the following:

Printwear, Inc., 151 E. Prospect Ave, Mamaroneck, NY
Mr. Noveltee, 11 Church St, New Rochelle, NY
M.A.T. Premiums, 151 East Post Rd, White Plains, NY
Frank's Sport Shop, 430 E. Tremont Ave, Bronx, NY

FURTHER RESOLVED to authorize the Comptroller, 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 and the Superintendent of Recreation.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 149 -- a

APPOINTMENT OF CHRISTINE SCULTI TO THE BOARD OF ASSESSMENT REVIEW

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to appoint Christine Sculti to the Board of Assessment Review, in the place and stead of former member Anthony Zanazzi, with her term to expire on September 30, 2012.

FURTHER RESOLVED that this appointment shall take effect immediately.

FURTHER RESOLVED that Ms. Sculti attend the Westchester County Seminar for Assessment Review officials to be held in White Plains, NY, on April 17, 2007, from 6:00 pm to 9:00 pm.

FURTHER RESOLVED to forward a copy of this Resolution to the Assessor.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 149 -- b

APPOINTMENT OF LIA LAURINO TO THE BOARD OF ASSESSMENT REVIEW

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to appoint Lia Laurino to the Board of Assessment Review, in place and stead of former member Anthony Scala, with her term to expire on September 30, 2008.

FURTHER RESOLVED that this appointment shall take effect immediately.

FURTHER RESOLVED that Ms. Laurino attend the Westchester County Seminar for Assessment Review officials in White Plains, NY, on April 17, 2007, from 6:00 pm to 9:00 pm.

FURTHER RESOLVED to forward a copy of this Resolution to the Assessor.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 149 -- c

APPOINTMENT OF ALEX VALERI TO THE BOARD OF ASSESSMENT REVIEW

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to appoint Alex Valeri to the Board of Assessment Review, in place and stead of former member Frank Salandra, with his term to expire on September 30, 2012.

FURTHER RESOLVED that this appointment shall take effect immediately.

FURTHER RESOLVED that Mr. Valeri attend the Westchester County Seminar for Assessment Review officials to be held in White Plains, NY, on April 17, 2007, from 6:00 pm to 9:00 pm.

FURTHER RESOLVED to forward a copy of this Resolution to the Assessor.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 150 -- a

REJECTION OF BIDS FOR REFUSE CONTAINERS FOR
THE DEPARTMENT OF PUBLIC WORKS

Commissioner Wasp stated that only one bid had been received, that it was higher than the current price, and asked that this Bid be rejected and the matter be re-bid.

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to reject the Bid for refuse containers for the Department of Public Works.

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

Adopted by the following vote:

AYES: Councilmen

NAYS:

ABSENT: None

April 12, 2007

2007 -- 150 -- b

AUTHORIZATION FOR THE DIRECTOR OF PURCHASING TO ADVERTISE
AND ACCEPT RE-BIDS FOR CONTAINERS FOR
THE DEPARTMENT OF PUBLIC WORKS

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to authorize the Director of Purchasing to advertise and accept new bids for refuse containers for the Department of Public Works.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 151

IT WAS AGREED THAT THE BOARD WOULD NOT ADDRESS
THE REQUEST BY THE TOWN OF RYE REGARDING VOTER REGISTRATION

Request by the Town Board of the Town of Rye that the Harrison Town Board adopt a Resolution regarding Registration of Voters, which would require that at registration time the person sign an affidavit of eligibility and furnish proof of citizenship.

April 12, 2007

2007 -- 152 -- a

AUTHORIZATION TO INVITE THE CITY OF RYE AND THE VILLAGE OF
MAMARONECK TO PARTICIPATE IN A JOINT VENTURE TO
REMEDiate FLOODING ISSUES ALONG THE BEAVER SWAMP BROOK CORRIDOR
FOR THE BENEFIT OF THESE COMMUNITIES.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to consider the following:

WHEREAS, flooding has existed along the Beaver Swamp Brook corridor for many years, and

WHEREAS, residents of the City of Rye and Town and Village of Harrison along the Beaver Swamp Brook were and continue to be concerned with the issue of flooding; and

WHEREAS, the Town and Village of Harrison and the City of Rye employed the engineering firm of Montgomery Harza to study the Beaver Swamp Brook corridor and to make specific recommendations to remediate flooding conditions in the Beaver Swamp Brook area from Osborn Road south to Short Street in Mamaroneck; and

WHEREAS, Montgomery Harza made specific recommendations that would have the effect of reducing and/or eliminating flooding from the area; and

WHEREAS, the Town and Village of Harrison made representations to the New York State Department of Environmental Conservation during the DEC's review of the Beaver Swamp Brook Brownfield remediation project, and

WHEREAS, the DEC incorporated language in its findings in the PRAP at comment 16 and elsewhere concerning the communities considering remediation of flooding in this corridor,

NOW,

BE IT RESOLVED that the Town Board of the Town of Harrison directs the Town Supervisor, and the Village Board directs the Mayor, to invite the City of Rye to participate in a joint venture to remediate flooding issues along the Beaver Swamp Brook for the benefit of both communities and, upon the City of Rye entering of such a joint venture, to direct the Town Supervisor and Village Mayor, in conjunction with the representatives of the City of Rye, to explore the feasibility of and commence the design of a flood mitigation project as identified by the firm of Montgomery Harza for the Beaver Swamp Brook corridor.

BE IT FURTHER RESOLVED that the Town Board of the Town of Harrison directs the Town Supervisor, and the Village Board directs the Mayor, to solicit the cooperation, assistance and involvement of the Village of Mamaroneck in the same effort.

BE IT FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Director of Purchasing, the Commissioner of Public Works/Town Engineer and the Town Attorneys.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 152 -- b

DISCUSSION

ANNOUNCEMENT BY COMMISSIONER OF PUBLIC WORKS /TOWN ENGINEER
BOB WASP THAT THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
HAS ADOPTED NEW, REVISED, FLOOD MAPS FOR THE TOWN OF HARRISON

Mr. Wasp stated that FEMA has conducted new studies, and has re-mapped areas that they classify as flood areas, and that in Harrison, in most areas, the flood designation areas have been enlarged. He added that his office will be sending letters to the 890 property owners who are in the flood plain area, and that this letter will contain information that will show a homeowner how to question the inclusion of their property in this designation. Mr. Wasp further stated that this number of 890 property owners is an increase from the previous total of 812 parcels.

April 12, 2007

2007 -- 153

MATTERS FOR EXECUTIVE SESSION:

Personnel:	12
Settlement of Claims:	3
Advice of Counsel:	3
Contract negotiations:	3
Litigation update:	7
Litigation – new:	1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed for Executive Session at 9:15 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was re-convened 11:50 PM.

April 12, 2007

2007 - - 154

AUTHORIZATION TO HIRE SIX PART-TIMERS
IN THE DEPARTMENT OF PUBLIC WORKS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the Commissioner of Public Works to hire six part-timers in the Department of Public Works, effective April 12, 2007, at an hourly rate of \$11.00 per hour.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007- - 155

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR PRE-CAST STRUCTURAL COMPONENTS FOR THE PARKING STRUCTURE FOR THE NEW COURTHOUSE

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the Director of Purchasing Judy D'Agostinis to advertise and receive bids for pre-cast structural components related to the parking structure for the New Courthouse.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 - - 156 (corrected)

AUTHORIZATION TO INCREASE THE CAP ON LEGAL FEES TO \$25,000 IN
THE MATTER OF DILEO vs THE TOWN OF HARRISON

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to increase the cap of legal fees to Penino & Moynihan, LLP to \$25,000, in the matter of DiLeo vs the Town of Harrison.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 - - 157

SETTLEMENT OF CLAIM: D'ANTONA vs TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of D'Antona vs the Town of Harrison, in the amount of \$69.18.

FURTHER RESOLVED that this settlement is subject to the claimant signing a general release.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 - - 158

SETTLEMENT OF CLAIM: GRANT vs TOWN OF HARRISON

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to settle the claim of Grant vs the Town of Harrison for an automobile accident involving a Town vehicle, in the amount of \$1,465.09.

FURTHER RESOLVED that this settlement is subject to the claimant signing a general release.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 - - 159

AUTHORIZATION FOR THE LAW DEPARTMENT TO PROCEED
WITH COUNTER CLAIMS IN THE MATTER OF BAKSH vs TOWN OF HARRISON

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the Law Department to proceed with counter claims in the matter of Baksh vs the Town of Harrison, at an amount as discussed in executive session.

FURTHER RESOLVED that funding is to come from the Town Contingency Fund.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 - - 160

AUTHORIZATION TO RETAIN AN APPRAISER FOR TWO CERTIORARI

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to retain an appraiser for certiorari by two Country Clubs, at a cost up to \$10,000 for each Club.

FURTHER RESOLVED that funding is to come from the Town Contingency Fund.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 - - 161

AUTHORIZATION TO RETAIN AN APPRAISER FOR AN AMOUNT UP TO \$1,000
FOR A RESIDENTIAL DWELLING

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to retain an appraiser for 14 Meadow Lane, at a cost up to \$1,000.

FURTHER RESOLVED that funding is to come from the Town Contingency Fund.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 - - 162

AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES IN THE MATTER OF
ATLANTIC DEVELOPMENT vs TOWN OF HARRISON TO \$100,000.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to raise the cap on legal fees in the matter of Atlantic Development vs the Town of Harrison, to \$100,000.

FURTHER RESOLVED that funding is to come from the Town Contingency Fund.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Paladino and Scappaticci
Supervisor Malfitano

NAYS: Councilman Vetere

ABSENT: None

April 12, 2007

2007 - - 163

AUTHORIZATION TO RETAIN THE FIRM OF MILLER & VAN EATON
RE: THE FRANCHISE WITH VERIZON

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to retain the firm of Miller & VanEaton in the matter of the Franchise Agreement with Verizon.

FURTHER RESOLVED that funding is to come from the Town Contingency Fund.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 - - 164

AUTHORIZATION TO RETAIN AN APPRAISER RE: RZ REALTY

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to retain an appraiser in the matter of RZ Realty, in an amount up to \$10,000.

FURTHER RESOLVED that funding is to come from the Town Contingency Fund.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 12, 2007

2007 -- 165

AUTHORIZATION FOR FUNDING FOR A JOINT VENTURE WITH THE CITY OF RYE

RE: BEAVER SWAMP BROOK CORRIDOR STUDY

RE: FLOODING IN THAT AREA COST: UP TO \$100,000

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to fund a study of the Beaver Swamp Brook Corridor, at a cost up to \$100,000 of \$100,000, in conjunction with the City of Rye and the Village of Mamaroneck regarding flooding in the area.

FURTHER RESOLVED that this funding is contingent on the City of Rye matching the dollar amount committed by Harrison to the Study.

FURTHER RESOLVED that funds for this Study will come from the Town Contingency Fund.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Commissioner of Public Works/Town Engineer, the Town Attorney's and the Director of Purchasing.

Adopted by the following vote:

AYES: Councilmen Vetere, Cannella and Scappaticci
 Supervisor Malfitano

NAYS: Councilman Paladino

ABSENT: None

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
with all members voting in favor, declared closed at 10:55 PM.

Respectfully submitted,

Joan B. Walsh
Town Clerk

