

October 18, 2006 am version

TOWN BOARD AGENDA
MEETING OF THE TOWN BOARD OF THE TOWN OF HARRISON,
TO BE HELD AT THE MUNICIPAL BUILDING,
1 HEINEMAN PLACE, HARRISON, NY., IN WESTCHESTER COUNTY,
ON **OCTOBER 18**, 2006 AT 7:30 PM, EASTERN DAYLIGHT SAVINGS TIME

Moment of Silence
to mark the passing of
former Supervisor/Mayor Charles Balancia
on September 26, 2006.

Mr. Balancia served on the Planning Board from 1970 to 1979,
and was its Chair when the Town's Master Plan was first updated.
He was first elected to the Town Board in 1980, and again elected in 1984 and 1988.
Charlie was elected Supervisor/Mayor in 1990, and served two terms.
Charlie loved Harrison, and all its people. He will be missed.

PRESENTATION BY SUPERVISOR MALFITANO OF CERTIFICATES
OF ACHIEVEMENT FOR THE FOLLOWING 11 YEAR OLD BOYS
DISTRICT 20 CHAMPIONS

Nick Pipitone, Stephen Stark, Tim Broderick, Anthony Brown, Max Bruckner,
Mike D'Annibale, Michael Forgione, Jeff Grasso, B.J. Jacobson, Ryan Lynch,
Rafaele Macchia, Bob Scatenato and Jake Zuckman
Manager: John Pipitone **Coaches:** Paul Broderick and Miles Stark

- A. **REPORT FROM SUPERVISOR MALFITANO ON DECISIONS MADE**
FOLLOWING TOWN BOARD MEETINGS HELD IN AUGUST 2006.
1. Acquisition of a certain road from the County of Westchester.
Re: Underhill Avenue, Boulevard and Lake Street: 3.67 miles.
 2. Change in title and pay grade for Frank Balbi, Jr. in the Engineering Department.
 3. Settlement of claims (3)
 4. Appointment of Steven Lowenthal to the Board of Zoning Appeals.
 5. Authorization for the purchase of certain equipment for the Police Department.
 6. Authorization to appropriate \$12,522 from the Town's Contingency Fund and transfer that sum to the line in the Police Budget for Special Services.
- B. **CORRESPONDENCE AND REPORTS:**
- 1a. Monthly report from the Police Department for August 2006.
 - 1b. Monthly report from the Police Department for September 2006.
 - 1c. Monthly report from the Recreation Department for September 2006.
 - 1d. Monthly report from the Building Inspector for September 2006.
 - 1e. Monthly report from the Fire Marshall for September 2006.

- 1f. Monthly report from the Town Clerk for September 2006.
- 1g. Monthly report from the Receiver of Taxes for September 2006.
- 1h. Monthly report from the Town Clerk for August 2006.
- 1i. Quarterly report from the Library Director for July, August and September 2006.

2. Letter from the Superintendent of Recreation Ron Belmont announcing that Mr. Richard Salerno was the recipient of this year's Citizen of the Year Award. The official presentation was made at the Great to Live in Harrison/Columbus Day Observance held on October 9, 2006.

C. PUBLIC HEARING:

1. PUBLIC HEARING – RE: CONSIDERATION OF THE CREATION OF A “TOWNHOUSE ZONE” IN THE TOWN CODE, AND TO APPLY THAT NEW ZONE TO CERTAIN PARCELS OF LAND WITHIN THE TOWN.

a. Letter from Katherine Frankel with copies of two protest petitions filed under Town Law section 265 regarding the creation of a Townhouse District, expressing opposition to the proposal to build Townhouses on the Riverbend property.

b. Letter from Cary Frankel citing problems that another community had with the Treco Developers as outlined in the attached newspaper article discussing changes Treco had made to an approved plan, but made without city official approval.

c. Letter from Steven Silverberg pointing out, with a citation of Wolff v. Town/Village of Harrison, 30 AD3d 432 (2d Dept. 2006) that the Town Board has an absolute right to reject a petition for rezoning without even considering it. Mr. Silverberg also stated numerous other issues that he asked the Board to consider.

d. Letters of protests and substantial petition signatures (273) demonstrating opposition to the Town House Zoning and the Riverbend subdivision. **(Town Clerk has the petitions)**

e. Letter from Ted Demirjian Re: “Floating Zoning” law.

2. PUBLIC HEARING - RE: AMENDING THE TOWN CODE RE: MINIMUM FIRST-FLOOR ELEVATIONS ADDING Section C to 235-32.

To amend a certain section of Chapter 235-32 of the Town Code of Harrison entitled “Minimum First-Floor Elevations” by adding “C” to this section of the Town/Village Code entitled Local Law No. ___ of 2006.

3. PUBLIC HEARING – RE: RE: AMENDING THE TOWN CODE RE: “MINIMUM FIRST-FLOOR ELEVATIONS”: RE: PRE-EXISTING GRADE AND HEIGHT OF BUILDING: ADDING “Definitions

To amend certain sections of Chapter 235-4 of the Code of the Town Code of Harrison entitled: Definitions, by adding the Definition: “Pre-existing Grade” and to amend “Height of Building or Structure” of the Town/Village Code entitled by Local Law No. ___ of 2006.

Deputy Village Attorney Joe Latwin has filed sketches in the Town Clerk's office which are available to the public so that the meaning of this amendment is clear.

D. PERSONNEL:

1. Request by Police Chief Dave Hall for approval for a leave of absence for Josephine Corso, in addition to her Family Leave Act that expires on October 29, 2006, in order to care for her newborn child. Mrs. Corso understands that this leave of absence will be an unpaid leave and that she is responsible to pay her medical insurance for the additional time. She plans to return to work in January 2007.

2. Request by IT Director Arun Ankola for approval for Bharat Pandya to attend an one day seminar at a cost not to exceed \$225. This is a budgeted item.

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ITEM 3. Letter of retirement from School Crossing Guard, Dolores Basso, effective October 20, 2006.

E. ACTIONS AND RESOLUTIONS:

1a. Request by Comptroller Maureen MacKenzie for approval for a Budget Modification in the amount of \$102,000.

1b. Request by the Comptroller for approval for a Budget Transfer in the amount of \$15,385.

1c. Request by the Comptroller for approval for Budget Transfers for several departments.

2. Request by Director of Purchasing Judy D’Agostinis for approval for PO #263390 in the amount of \$195 FOR Computer Training.

3. Request by the French American School Book Fair Coordinator, Gail Martin, to post a sign at the corners of North Street and Pleasant Ridge Road approximately three weeks before, and to be removed the day after, the Book Fair. It will advertise the details of the School’s Annual Book Fair. The sign will be approximately 4’ x 4’.

4. Request by Deputy Village Attorney Joseph Latwin for approval for the IMA Agreement for Disposal of Recyclable Materials between the County of Westchester and Town of Harrison regarding a price increase of \$25 per ton, commencing on January 1, 2007, for the Tipping Fee. Further Requested that upon Town Board approval the Supervisor be authorized to execute same.

5. Request by Bob Wasp, Acting Town Engineer, for approval that the owner of 41-43 Holland Street be permitted to cover a portion of the Brentwood Brook which contains the pre-cast concrete “U” section. It is further requested that the three recommendations of the Engineering Department be incorporated into this approval.

6. Request by Neil Alexander of Cuddy & Feder, on behalf of his client Century Country Club, for approval to set a date for a Public Hearing for an Amended Special Exception Use Permit in order to modernize, improve and maintain several aspects of the country club.

F. OLD BUSINESS:

None

G. MATTERS FOR EXECUTIVE SESSION: