

August 7, 2008 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 THURSDAY, AUGUST 7, 2008, AT 7:30 PM,
EASTERN DAYLIGHT SAVINGS TIME

Submission of Petition from resident Ada Angarano

- A. REPORT FROM SUPERVISOR WALSH ON DECISIONS MADE FOLLOWING TOWN BOARD MEETING HELD ON JULY 2, 2008.
1. Authorization to extend the leave of absence of Claudia Pastore, Harrison Library Assistant until September 2, 2008.
 2. Appointment of Barbara Reames to the position of Office-Assistant Automated Systems, Grade 7, Step 5 in the Supervisor's Office.
 3. Appointment of Susan Weintraub to the position of Confidential Secretary in the Supervisor's Office, effective September 1, 2008.
 4. Appointment of Maggie Mauro to the part-time availability list at the rate of \$10 per hour.
 5. Settlement of claims (2)
 6. Authorization to raise the legal fees re: a particular litigation, to \$100,000.
 7. Authorization to raise the legal fees re: a particular litigation, to \$25,000.
 8. Authorization to create the title of Coordinator of Computer Services for the Harrison Police Department.
- B. CORRESPONDENCE AND REPORTS:
- 1a. Monthly report from the Superintendent of Recreation for June 2008.
 - 1b. Monthly report from the Town Clerk for June 2008.
 - 1c. Monthly report from the Fire Marshall for June 2008.
 - 1d. Monthly report from the Building Inspector for June 2008.
 - 1e. Quarterly report from the Director of the Harrison Library for the months of April, May and June 2008.
 - 1f. **Monthly report** from the Receiver of Taxes for June 2008.
 - 1g. Monthly report from the Harrison Police Chief for June 2008.
 - 1h. Monthly report from the DPW for May and June 2008, along with a chart of complaints and requests for services.
 2. Moved to the beginning of the Meeting. (Ada Angarano)
 3. Notification by Deputy Commissioner Angela Licata of the City of New York Department of Environmental Protection (NYDECP) for the Proposed Amendments to Chapter 16 of Title 15 of the Rules of the City of New York: "Rules for the Recreational use of Water Supply Lands and Water." The NYCDECP, as lead agency, has determined that the proposed action described below would not have a significant effect on the

environment and is herein publishing a Negative Declaration. The NYCDECP is proposing to amend Title 15, Chapter 16 of the Rules of the City of New York (RCNY), the existing rules governing the recreational use of over 112,000 acres of New York City water supply lands and waters (Existing Rules). The amended rules (Proposed Rules) were drafted with the purpose of allowing recreational uses on certain City-owned lands within the watershed in a manner that would be consistent with the recreational uses permitted on New York State-owned recreational lands managed by the NYSDEC. The regulated community would be all persons accessing City-owned water supply lands, lakes and reservoirs located in Delaware, Sullivan, Greene, Schoharie, Ulster, Orange, Putnam, Dutchess and Westchester counties, for purposes of recreation.

LATE

ITEM: 4. Notification by Westchester County Planning Board of their action adopting policies which will replace two chapters of *Patterns for Westchester: The Land and the People*, the County Planning Board's long-range land use vision for Westchester, adopted in December 1995. Those chapters are "Policies for 2000 and Beyond" and Assumptions." **(Document is available for review in the Mayor's office.)**

C. PUBLIC HEARING:

1. PUBLIC HEARING – RE: 400 Westchester Avenue, LLC (Fordham University) for an Amended Special Exception Use Permit, for an additional parking area and Bee-Line Bus Passenger Shelter in the previously disturbed locations on said property.
2. PUBLIC HEARING – Pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law, by adding Chapter 16 to the Town/Village Code entitled "Disciplinary Proceedings" as Local Law No. __ of 2008.

D. PERSONNEL:

1. Request by Superintendent of Recreation Ron Belmont for approval for the additions to the Recreation Part Time Availability List.
2. Request by Court Clerk Rosemary King for approval for Jackie Ricciardi to attend the annual conference of NYS Magistrates/Court Clerks to be held in Niagara Falls, NY, from September 21 to September 24, 2008. Further requested is reimbursement for attendance and expenses in an amount not to exceed \$1,500. Funding is available in account # 1110/406. This is a budgeted item.
3. Request by Chief of Police Dave Hall for approval for two police officers to attend the New York Highway Safety Conference to be held in Syracuse, NY, from October 19th to October 22, 2008, at a cost including travel expenses, not to exceed \$1,200.
4. Notification by Chief of Police Hall that P.O. William Duffelmeyer enrolled at Manhattanville College for the 2008 Summer Semester at a cost of, books included, \$2,411.15. Proof of satisfactory completion and submission of his attendance has been submitted for the following course:
"Instructional Planning"

Request to authorize the Comptroller to audit and pay expenses outlined as per the contract with the HPA.

5. Request by Personnel Manager Debra Scocchera for approval to hire Sean McAdam as the Coordinator of Computer Services, for the Harrison Police Department, effective August 7, 2008. Mr. McAdam has already been interviewed by the Board and has scored a 100% on the Westchester County Coordinator of Computer Services exam. The position has been posted with the CSEA, and the posting expires on August 1, 2008. The proposed salary is a Grade VIII, with a salary range of \$50,833 to \$61,125. **(Step and salary to be decided by the Board.)**

6. Notification by Superintendent of Recreation Ron Belmont that the following staff members along with Anthony Zaccagnino and himself will be attending the National Recreation and Parks Conference to be held in Baltimore, Maryland, from October 14–18, 2008: Kristen Ciafone, Barbara Fanelli, Gerry Salvo, Nick Callagy, Rick Magrino and Dot DiBuono. (Previously approved TBR 2008-287). Request for approval for the additional cost of \$1,500.

LATE

ITEM: 7. Request by Commissioner of Public Works Robert Wasp for authorization to hire one (1) part time employee in the Highway Department, at a rate of \$11 per hour, to be effective Monday, August 11, 2008. Funding is available in the Highway Department Operating Budget.

E. ACTIONS AND RESOLUTIONS:

1. Request by Court Clerk Rosemary King for authorization to apply for a Justice Court Assistance Grant. These funds may be used for updated automation, security equipment, legal materials, etc.

2. Notification by Chief of Police Dave Hall of the memo from Sgt. Vincent Musollino for the need to replace the Harrison Police Department's outdated Automatic External Defibrillator's, with new AED's that meet current medical protocol and are compatible with HVAC AEDs, at a total cost of \$17,212.20. (Refer to attached) Further requested that a funding source be determined.

3a. Request by Comptroller Maureen MacKenzie for approval for a Budget Modification for Highway in the amount of \$623.

3b. Request by the Comptroller for approval for a Budget Modification for Fire District #2 in the amount of \$42,515.

4. Request by Commissioner of Public Works Robert Wasp for authorization for the Supervisor to execute the Inter-Municipal Agreement with Westchester County for the collection of Organic Yard Waste, subject to Law Department review. The term of the agreement will run retroactively from April 1, 2008 through March 31, 2013.

5. Request by Deputy Assessor Mark Heinbockel for approval of the merger of assessed valuation of Lots 45 and 46 (46-47), Block 171 on the 2007 and 2008 Assessment Rolls (Taxes of 2008 and 2009.) Lan-Pam Realty Corp would like to have the aforementioned two (2) parcels merged into one (1) parcel as per the attached letter from the Town Planner Patrick Cleary.

6. Request by Attorney Anthony B. Gioffre, III with the law firm of Cuddy & Feder LLP, on behalf of his client MetroPCS New York, LLC, for approval to schedule a Public Hearing regarding a Special Exception Use Permit/Site Plan to install six (6) panel antennas and an associated unmanned equipment shelter on the roof of an existing building located at 4 West Red Oak Lane, which is classified in an SB-O zoning district (the "Wireless Facility".) (Planning Board approval has been granted PB2008/52,53,54)

7. Request by Attorney Frank McCullough, with the law firm of McCullough, Goldberger & Staudt, on behalf of his client, PepsiCo, Inc. for approval for a Special Events Permit, for their Family Inclusion Festival that will be held at the Purchase site on September 6, 2008, from 10 am to 5 pm. This event will be self contained.

8. Request by Chief of Police Dave Hall to retain the services of Mr. James McCabe, Assistant Professor of Criminal Justice at Sacred Heart University for the purpose of police sensitivity training. The training will take place eight hours per day over a period of nine (9) days, at a cost (which will encompass the entire department) of \$900 per day. Additional training days may be needed and the total cost will not exceed \$10,000. Chief Hall is also in the process of securing a priest, minister, rabbi and an imam for concerns religious orders may have with police policies. Further requested that a funding source be determined.

9. Request by Court Clerk Rosemary King for the Board's formal acceptance of the annual Audit of the Justice Court for the year 2007 as per Section 2019 of the Unified Justice Court Act. (See attached)

10. Request by Alicia Coash for authorization to hold a block party for the residents of Lowell Road, Purchase, on Saturday, September 13, 2008 from 2:00 pm to 7:00 pm, with a rain date of Sunday, September 14, 2008 from 2:00 pm to 7:00 pm. A Certificate of Insurance will be submitted upon approval. Further requested that the fee be waived.

11. Request by Comptroller Maureen MacKenzie for authorization to engage the firm of Harbridge Consulting Group as actuaries for the purpose of GASB 45 valuation of the Town's medical plan. Further requested that after review by the Law Department, the Supervisor be authorized to execute the contract. Further, funding is available in budget line Special Items/Special Services #001-1900-100-4407.

12. Request by Liz Manigan, Vice President for Development and University Events at Fordham University, for approval for a Special Events Permit, for the Grand Opening of Fordham University, Westchester Campus at 400 Westchester Avenue, on Tuesday,

September 9, 2008 at 10:30 am. Approximately 200 guests are expected for the festivities which involve a ribbon cutting, press conference, tours of the facility and a lunch reception under a tent on the property. Further requested that the fee be waived.

13. Withdrawn by the Engineering Department

14. Request by Village Attorney Robert Paladino for approval to set the date of Thursday, September 4, 2008 for a Public Hearing, RE: requested amendments to Section 235-26 of the Zoning Code. The Town Building Inspector Robert FitzSimmons concluded an extensive review of our existing law and has prepared the attached proposed local law which will repeal the existing Section 235-26 in total. This proposed local law has been circulated to the Planning and Zoning Boards for their review.

15. Request by Dan Rogers, Carnival Chairperson for St. Gregory the Great, for approval for a Special Events Permit to hold a Parish Carnival on Church Property located at 94 Broadway, Harrison, NY, on September 12th, 13th and 14, 2008. During the duration of this event carnival trailers, booths and amusement rides will be located on said property. Further requested that the fee be waived. (Certificate of Insurance to follow.)

16. Request by Deputy Village Attorney Jonathan Kraut for approval to set the date of September 4, 2008 for a Public Hearing RE: Chapter 35-10, Veterans' Exemption (Cold War Veterans'.)

17. Moved to Village Agenda

18. Notification by Dawn Nodarse, City Clerk of Rye, NY, that the Rye City Council passed the enclosed Resolution authorizing the City Manager to enter into an Indemnification Agreement with the Town/Village of Harrison for the use of the Town of Harrison Police Department Pistol Range. Request by the City of Rye that a similar Resolution and Indemnification Agreement be authorized and executed by the Town/Village of Harrison for the use of the City of Rye's pistol range along with a certificate of insurance naming the City of Rye as additional insured. Further requested to authorize the Supervisor to execute the Indemnification Agreement.

19. Request by Dorothe and Larry Deubler of Purchase, NY, for approval to be removed from the Mamaroneck Valley Sewer District. The property at 33 Scott Circle has never had sewer service nor is there any plan (that the Deubler's are aware of) to ever offer public sewer access. Due to a renovation project and the ensuing reassessment, our current "share" of the sewer tax is \$856.39 per year.

LATE

ITEM: 20. Notification by Deputy Village Attorney Jonathan Kraut that attached is a copy of an Amended Deed of Easement and a copy of a proposed Maintenance Bond for sewer improvements for Sarosca Farm Subdivision. Request that the Town Board accept dedication of the sewer line, accept above referenced Maintenance Bond and release the Performance Bond. Further requested that the Supervisor be authorized to execute the

Amended Deed of Easement.

F. OLD BUSINESS:

LATE

ITEM: 1. Request by Attorney & Mrs. John Voetsch that the Town accept their offer to pay the Town of Harrison \$11,000 to give up its right in writing to repurchase for public purposes a strip of land 25'x100' which they own on the corner of Calvert Street and Harrison Avenue (260 Harrison Avenue). Mr. Voetsch states that it is his understanding that the Town of Harrison is no longer interested in purchasing their entire parcel of property and that there has been no amendments to the master plan in the last year which recommended a new use of their property.

LATE

ITEM: 2. Request by Commissioner Robert Wasp to approve the increase of the Kellard Sessions Consulting contract from \$10,000 to \$15,000 Re: the Meadow Lane Alternatives Stormwater District.

G. MATTERS FOR EXECUTIVE SESSION: