

September 4, 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, SEPTEMBER 4, 2008, AT 7:30 PM,**  
**EASTERN DAYLIGHT SAVINGS TIME**

**DISCUSSION: HARRISON RESIDENT'S COMMITTEE RE: THE MASTER PLAN**

**DISCUSSION: RESIDENTS OF AVONDALE ROAD**  
**RE: THE DRAINAGE ISSUE**

A. **REPORT FROM SUPERVISOR WALSH ON DECISIONS MADE**  
**FOLLOWING TOWN BOARD MEETINGS HELD ON AUGUST 7, 2008**

1. Approval of the Agreement with NOKIA Corp.
2. Referred to the Real Estate Committee, the Voetsch property.
3. Settlement of claims (9)
4. Authorization to settle the Amtek litigation.
5. Authorization to settle the Article 78 proceeding in the amount of \$355.50.
6. Authorization to increase the fees for attorney Vincent Toomey as Labor Counsel.
  7. Authorization to increase the cap on legal fees to \$50,000 in a particular litigation matter.
8. Authorization to increase the cap on legal fees to \$25,000 in a particular litigation matter.
9. Authorization for out of title pay to Josephine Corso, during the vacation of the Chief's secretary.

B. **CORRESPONDENCE AND REPORTS:**

- 1a. Monthly report by the Town Clerk for July 2008.
- 1b. Monthly report by the Fire Marshal for July 2008.
- 1c. Monthly report by the Superintendent of Recreation for July 2008.
- 1d. Monthly report by the Receiver of Taxes for July 2008.
- 1e. Monthly report by the Building Inspector for July 2008.
- 1f. Monthly report by the Chief of Police for July 2008.
  
2. Notification by the Common Council of the City of White Plains that a public hearing will take place on Monday, September 8, 2008 at 7:30 PM in the Common Council Chambers at City Hall, 255 Main St, White Plains, NY, to consider the application of UCM/Onyx, 1311 Mamaroneck Owners, LLC, the owners of the property known as 1311 Mamaroneck Ave, White Plains, NY, Section 138.18, Block 1, Lot 3, which property is an environmentally sensitive site under section 4.425 of the Zoning Ordinance of the City of White Plains, for approval for a Special Permit/Site Plan to allow the placement of a "Mary Moppet's" Children's Day Care Center in an existing office building.

3a. Invitation from Superintendent of Recreation Ron Belmont to the Supervisor/Mayor Joan Walsh, Town Board Members and all the residents of Harrison to participate in our weekend of festivities of “It’s Great to Live in Harrison /Columbus Day Observance. The weekend of events are as follows:

- Saturday, October 11<sup>th</sup> Fireworks at the WH Fire Department 7:00 pm.
- Sunday, October 12<sup>h</sup> – Car Show-Sponsored by the Harrison Police Association, Harrison Train Station parking lot, 1:00 – 4:00 pm
- Monday, October 13<sup>th</sup> – Parade 10:00 am (line-up 9:30 am) Festival in Ma Riis Park immediately following parade.

3b. Invitation from Superintendent of Recreation Belmont to the Supervisor /Mayor and Town Board Members and all Harrison residents to an evening of music and song performed by The London Welsh All Male Choir on Monday, September 15, 2008, at 7:30 pm at the Harrison High School.

C. PUBLIC HEARING:

1. PUBLIC HEARING – Pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law, to repeal present Section 235-26 entitled “Fences and Walls” for revision of the Fence Code to the Town/Village Code by Local Law No \_\_\_ of 2008.

2. PUBLIC HEARING – Pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law to add a new Article III of “Chapter 35-10” to provide a New Classification of Alternative Veterans’ Exemption (Cold War Veteran), (effective June 1, 2008), Exemptions Pursuant to Real Property Tax Law Section 458-b”, to the Code of the Town of Harrison as Local Law No. \_\_\_ of 2008.

PUBLIC HEARING – Application by MetroPCS New York, LLC for a Special Exception Use Permit, pursuant to Sections 235-14, 235-16 and 235-17 of the Zoning Ordinance of the Town of Harrison, relative to the proposal to collocate a wireless telecommunications facility, consisting of antennas and associated equipment on the rooftop of the existing building at 4 West Red Oak Lane.

D. PERSONNEL:

1. Request by Chief of Police David Hall for approval for P.O. Frank Massaro to attend Iona College for the 2008 Fall Semester, at a cost of \$2,850.

“White Collar Crime”

Further requested that upon satisfactory completion and submission of P.O. Massaro’s attendance and proof of payment, the Comptroller be authorized to audit and pay for expenses outlined as per the contract with the HPA.

2. Request by Chief of Police David Hall for approval for P.O. Antony Salov to attend Westchester Community College for the 2008 Fall Semester, at a cost of \$1,171.

“Global Terrorism” and “College Algebra Functions & Models”

Further requested that upon satisfactory completion and submission of P.O. Salov's attendance and proof of payment, the Comptroller be authorized to audit and pay for expenses outlined as per the contract with the HPA.

3. Request by Deputy Assessor Mark Heinbockel for approval for himself and Assessor James Calandrucchio to attend the Annual NYS Assessors' Conference on Assessment Administration at the Hudson Valley Resort, Kerhonkson, NY, at a cost not to exceed \$1,000 per person. This is a budgeted item.

4. Request by Fire Marshal Steve Surace for approval to attend the 2008 International Code Council Annual Conference & Final Action Hearings, from September 20 – 22, 2008, in Minneapolis, Minnesota. The International Residential Code Fire Sprinkler Coalition is offering travel assistance to attend this conference and will cover the cost of his air transportation and the cost of a hotel room for the two nights of his stay.

The cost for meals and ground transportation should not exceed \$500. This is a budgeted item.

E. ACTIONS AND RESOLUTIONS:

1a. Request by Mr. Hal Kern of 18 Wolfe Lane, Block 0971, Lot 020, to have his property removed from the Municipal Sewer District. Mr. Kern's home is served by a septic system. Further requested that a refund be issued for any sewer taxes incorrectly collected.

1b–o. Request by the following residents to withdraw their homes from the Mamaroneck Valley Sewer District:

b. Judy Goldstein, Block 302, Lot 32, 6 Palma Dr, Harrison.

c. Mr. & Mrs. DiGuglielmo of 189 Old Lake St, W. Harrison.

d. Frances Vanderheof of 745 Lake St, W. Harrison.

e. William & Kelly Shopovick of 239 Old Lake St, W. Harrison.

f. Rayot & Susan DiFate of 761 Lake St, W. Harrison.

g. Ole & Jeannine Johansen of 190 Old Lake St, W. Harrison.

h. Michele & Antonio Agazzi of 260 Lake St, W. Harrison.

i. Angela & John Ader of 261 Old Lake St, W. Harrison.

j. Sal Ader of 255 Old Lake St, W. Harrison

k. Charles & Jane Russo, 251 Old Lake St, W. Harrison

l. Jean Fox, 34 Wolfe Lane, Purchase

m. Maria Seguinot, 246 Old Lake St, W. Harrison

n. Barbara Bisceglia, 795 Lake St, W. Harrison

\*\*\* o. Anne Thompson, 225 Old Lake St, W. Harrison,

\*\*\* Mrs. Thompson requests to be connected to the Sewer District.

2. Request by the downtown Harrison Fire Department to set the date of September 18, 2008 for a Public Hearing Re: a Bond for Proposed Construction Renovations of the downtown fire house.

3. Request by 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 Fiesta".

4a. Request by Joseph Hinchey of Manhattanville College for approval for a Special Events Permit for the College to host a Fireworks Display as part of the Alumni Weekend event on Saturday, September 29, 2008. There will be no rain date. Mr. Hinchey will contact the Purchase Fire Department, the HVAC and the Harrison Police Department. Further requested that the fee be waived.

4b. Request by Manhattanville College President Richard Berman for approval for the use of the Recreation Department's Sound Stage for a campus event. Upon Board approval, Mr. Berman would appreciate the stage being delivered to the campus on Friday, September 12<sup>th</sup> and picked up on Monday, September 15, 2008. There will be no rain date.

5. Request by Assessor James Calandrucchio for approval for the apportionment of assessed valuation of Lots 30(Po32&35) and 35(Po1), Block 232 on the 2007 and 2008 Assessment Rolls (Taxes of 2008 and 2009). Mr. & Mrs. Gordon Hochberg have sold a portion of their property to the adjoining owner, Ms. Bridget Clune by deed dated July 30, 2007. The property conveyed to Ms. Clune contains 4001 square feet or 0.0918 acres and the remaining two parcels comply with current zoning regulations in that district. On August 3, 2007, Ms. Clune sold Lot 35 (Po1&30) to Mr. George C. Fekete, however, the deed was not recorded until July 10, 2008 and the surveys were not received until June of this year.

6. Request by Assessor Calandrucchio for approval for the apportionment of assessed valuation of Lots 26 and 27, Block 644 on the 2007 and 2008 Assessment Rolls (Taxes of 2008 and 2009.) The Mews at Purchase LLC would like to have the aforementioned two (2) apportioned into four (4) parcels in accordance with the attached subdivision map entitled "Subdivision Map of "The Mews at Anderson Hill Road" situated at Purchase, Town of Harrison, Westchester County, New York", which was properly approved and filed in the Office of the County Clerk of Westchester County on April 18, 2008 as Map No 28128.

Lot 1 containing 1.10 Acres, will hereafter be known as Lot 26(Po26), Block 644.

Lot 2 containing 2.34 Acres, will hereafter be known as Lot 27(Po27), Block 644.

Lot 3 containing 1.92 Acres, will hereafter be known as Lot 39(Po26&27), Block 644.

Lot 4 containing 2.02 Acres, will hereafter be known as Lot 40(Po26&27), Block 644.

7. Notification by Town Attorney Frank Allegretti that the Town has already exceeded the \$2,000 amount budgeted for the supplementation and publication of local laws that were enacted in 2008. The General Code Company advised the Law Department that the cost for the first five (5) local laws could be \$2,520 and there will be several more local laws to process this year. Request that the Board identify a funding source and add \$2,520 to account #1900-4488.

8. Request by Acting Town Engineer Robert Wasp for authorization for the Law Department to approve the easement agreement related to the proposed public sanitary sewer extension from Winfield Avenue to West Street, across private property, as shown on the attached documents. This proposed sanitary sewer extension will provide sanitary sewer availability to the unsewered areas along West Street.

9. Request by Chief of Police Dave Hall for approval to implement a policy, that before a road opening permit is granted, the Police Department would review the DPW and/or Building Department's permit application to see if the site location necessitates a police officer for traffic or safety.

OLD BUSINESS:

1. 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. **(Back up was distributed at the August 7<sup>th</sup> TBM E-8)**

2. Request for authorization for Supervisor Joan Walsh to execute the PILOT Program Agreement between the Town of Harrison and NOKIA Corporation. (Agreement was approved at the August 7<sup>th</sup> TBM)

G. MATTERS FOR EXECUTIVE SESSION: