

**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 6, 2009, AT 7:30 PM,  
EASTERN DAYLIGHT SAVINGS TIME

A. REPORT FROM SUPERVISOR WALSH ON DECISIONS MADE FOLLOWING TOWN BOARD MEETINGS HELD ON July 8, 2009.

1. On motion of Councilman Scappaticci, seconded by Councilman Cannella, it was RESOLVED to settle the claim of Sohanchyk v. Town of Harrison, in the amount of \$26.83.
2. On motion of Councilman Scappaticci, seconded by Councilman Sciliano, it was RESOLVED to approve the reduction in rent for Westchester Food Service for 2009, in the amount of \$1,850, due to the delay in the West Harrison Pool completion.
3. On motion of Supervisor Walsh, seconded by Councilman Sciliano, it was RESOLVED to change the suspension of P.O. Ralph Tancredi from suspension with pay to suspension without pay.
4. On motion of Councilman Sciliano, seconded by Councilman Vetere, it was RESOLVED to raise the cap on legal fees in the matter of Doe v. Marraccini, up to the amount of \$50,000.
5. On motion of Councilman Sciliano, seconded by Councilman Scappaticci, it was RESOLVED to raise the cap on legal fees in the matter of DeVittorio v. Dave Hall, up to the amount of \$125,000.
6. On motion of Councilman Scappaticci, seconded by Councilman Sciliano, it was RESOLVED to raise the cap on legal fees in the matter of Lombardo v. Town of Harrison, up to the amount of \$50,000.
7. On motion of Councilman Scappaticci, seconded by Councilman Sciliano, it was RESOLVED to raise the cap on legal fees for Outside Counsel Vincent Toomey, up to the amount of \$200,000.
8. On motion of Councilman Sciliano, seconded by Councilman Vetere, it was RESOLVED to settle four (4) certiorari's.
9. On motion of Councilman Scappaticci, seconded by Councilman Sciliano, it was RESOLVED to appoint Ram Pandya, to the position of IT Intern, effectively immediately, at no cost to the Town.

B. CORRESPONDENCE AND REPORTS:

- 1a. Monthly report by the Building Inspector for June 2009.
- 1b. Monthly report by the Chief of Police for June 2009.
- 1c. Monthly report by the Commissioner of Public Works for June 2009, with a chart of complaints and requests for service.
- 1d. Monthly report by the Superintendent of Recreation for June 2009.

2. Notification by Michael Anderson, Project Director, NYS Department of Transportation that a copy of the Scoping Summary Report and Scoping Comments Report, as well as finalized versions of the Alternatives Analysis for Rehabilitation and Replacement of the Tappan Zee Bridge and the Transit Mode Selection Report, is available for viewing in the Town Clerk's office.

C. PUBLIC HEARING:

1. PUBLIC HEARING – Amended Special Exception Use Permit pursuant to Sections 235-14, 235-16 and 235-17 of the Zoning Ordinance of the Town of Harrison, proposing an overall baseline master plan for Manhattanville College, Block 631, Lot 5 (and p/o Lot 11). This has received a Negative Declaration for the purposes of the State Environmental Quality Review Act.

2. PUBLIC HEARING – RE: Pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law by adding “Chapter 227” to the Town/Village Code entitled “Vehicle Towing” as Local Law No. 2 of 2009.

D. PERSONNEL:

1. Request by Chief of Police David Hall for approval for P.O. William Duffelmeyer to attend Manhattanville College for the 2009 Fall Semester, at a cost for tuition and books of \$2,815, for the following course:

“Educational Content & Disciplinary Concepts”

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

2. Request by the Chief of Police for approval for P.O. Frank Morabito and P.O. Derka Cannon to attend a two (2) day NYSPIN Advisory Committee Meeting, in Albany NY, on November 12 and 13, 2009. The cost for registration is \$50 per officer. The total cost, including travel expenses should not exceed \$800. Attendance at this meeting is mandatory for these two officers who are the Department's Terminal Agency Coordinators. The meeting will cover portal integration changing over to E Justice and doing away with NYSPIN.

3. Request by the Chief of Police for approval to transfer \$3,000 from the Traffic Budget (3310.410) to the Traffic Part Time Salary Line to cover the salary of Paul Marcone until the end of the summer. Mr. Marcone is assisting Jim Monteiro with line painting and sign replacement.

4. Request by the Chief of Police for approval for the appointment of Arlene LaDore to the part time availability list for School Crossing Guards, effective immediately, so that she can be utilized when needed at the start of the school year.

**LATE**

**ITEM: 5.** Request by Superintendent of Recreation Ron Belmont for approval for the addition to the Recreation Summer Part Time Availability List.

**E. ACTIONS AND RESOLUTIONS:**

1. Request by Court Clerk Rosemary King for authorization to transfer \$2,000 from Account #001-1110-100-02-50 (Fixed Assets) to Account #001-1110-100-04-06 (Travel and Conference). This transfer is necessary for Mrs. King and her deputy to keep apprised of the new legislation coming from the State this year and mandatory for court clerks.

2. Request by Supervisor Joan Walsh for approval for the adoption for a resolution in support of the Collateral Source Litigation currently before the State Senate S6004 and State Assembly A-7504-B.

3. Request by Village Attorney Robert Paladino for approval to set the date of September 3, 2009 for a Public Hearing RE: Proposed Local Law No. 3 of 2009, Chapter 54 entitled "Residency Requirements for Town/Village of Harrison Police Department Aide/Court Attendant".

4. Request by Commissioner of Public Works Robert Wasp for authorization for Amendment B to the NYS Snow and Ice Agreement for the 2008/2009 Snow Season. This amendment, in the amount of \$27,173.92 will increase the amount of reimbursement received from New York State for the removal of snow on State-owned roadways from \$31,742 to \$58,915.92. Further requested to authorize the Supervisor to execute this amendment.

5. Request by Comptroller Maureen MacKenzie for approval for budget transfers from various budget lines to be transferred to Contingency.

6a. Request by Director of Community Services Nina Marraccini for approval to accept the HPNAP Food Grant Award in the amount of \$2,100 for the Harrison Food Pantry.

6b. Request by the Director of Community Services for approval to accept a FEMA ARRA grant, in the amount of \$500, to be used as a line of credit at Food Bank for Westchester for the Harrison Food Pantry.

7. Notification by Town Attorney Frank Allegretti that the New York State DEC is requiring a revision to §146-3.2 to include reference to the attached Letter of Map Revision (LOMR) that was approved by FEMA. Request for approval to set the date of September 3, 2009 for a Public Hearing for the adoption of the Amendment to Chapter 146 of the Town Code.

8. Notification by Stephanie Russo, Associate Executive Director for Cerebral Palsy that Cerebral Palsy of Westchester will be coordinating The Designer Showhouse of Westchester, at 11 Sarocosa Farm Lane, in Purchase, NY, from October 1, 2009 through November 8, 2009. Request for approval to place a banner (4'X20') at the intersection of Purchase Street and Anderson Hill Road, Purchase, NY.

9. Request by Assessor James Calandrucchio for approval for the apportionment of assessed valuation of Lot 28 (28-29-30), Block 825 on the 2009 Assessment Roll (Taxes of 2010). A&R Agovino Enterprises, Inc., would like to have the aforementioned parcel apportioned into two (2) parcels in accordance with the attached map entitled "Site Plan/Unit Floor Plan of Elmwood Condominiums, 11 Elmwood Avenue, West Harrison, NY, Town of Harrison, Westchester County, New York" which was filed in the County Clerk's Office of Westchester County on June 16, 2009 as Map Number 28239.

**NOTE:** This is for TAX PURPOSES ONLY. The Building will still be assessed as a two (2) family home. The owner has received Condominium approval from the State Attorney's Office; therefore the Assessors office is required to separately assess each unit, along with the land portion.

10. Request by Mark Miller, Attorney with the firm of Veneziano & Associates on behalf of their client, the School of the Holy Child, for approval to set the date of September 3, 2009 for a Public Hearing RE: Application for an Amended Special Exception Use Permit to construct spectator bleachers and associated paths at its combination soccer, field hockey and lacrosse on its existing campus land. **(Planning Board Resolution PB2009/51 attached)**

11. Request by Commissioner of Public Works Robert Wasp for authorization for Change Order #1 to the contract with Vernon Hills Contracting for additional work to the Meadow Lane Stormwater District in an amount not to exceed \$32,920, for the following:

1. The removal and disposal of an additional 540 cubic yards of excess soils from the pond located on the Garfield property.
2. The removal and disposal of an additional 250 cubic yards of material from Meadow Lane.

Further requested to authorize the Law Department to prepare the amendment and to increase the upset limit for this contract from \$303,375 to \$336,295. This cost will be paid by the Meadow Lane Stormwater District. Further resolved that funding is available in Capital Account #09DR01.

12. Request by Acting Town Engineer Robert Wasp for authorization for Amendment #3 to the contract with John Meyer Consulting for work related to the preparation and submission of the Old Orchard Street Subdivision Application, at a cost not to exceed \$93,350. Upon approval of the preliminary plat, a fee will be determined for the Final Subdivision Plat Drawings. Further requested to authorize the Law Department to increase the upset limit of this contract from \$38,000 to \$131,350. Further a funding source must be identified for this amendment.

**LATE**

**ITEM: 13.** Notification by Director of Community Services Nina Marraccini that the check, in the amount of \$2,025.32, that was received from the Food Bank for Westchester to purchase carts did not include the additional shipping charge of \$106.60. Request for approval to authorize the Comptroller to pay the attached invoice in the amount of \$106.60.

**LATE**

**ITEM: 14.** Request by Anthony DelFino, owner of Al Dente Restaurant, for approval himself and Powell's Clam Bar to create a series event called "Dining Underneath the Stars with Music". This event will be held over a period of Thursday evenings during the month of August and September 2009. The event would require the closure of Thatcher Avenue (located in between Al Dente Restaurant and Powell's Clam Bar) in order to provide outdoor dining as well as entertainment. **(attached are a few signed petitions)**  
**(Certificate of Insurance to follow)**

F. OLD BUSINESS:

1. Request by Attorney Linda Whitehead on behalf of her client Stephen Carnavalle, for approval for a Special Exception Use Permit for construction of a new building to include residential uses at Seville Plaza, 55-33 Calvert Street. (PB2008/66 attached)
2. **Withdrawn by Mr. Suhre.** RE: Dog Park in Harrison.
3. Report by John Callahan RE: Harrison Police Department

G. MATTERS FOR EXECUTIVE SESSION: