

January 7, 2010 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, JANUARY 7, 2010, AT 7:30 PM,
EASTERN STANDARD TIME

- A. **REPORT FROM SUPERVISOR WALSH ON DECISIONS MADE**
FOLLOWING TOWN BOARD MEETINGS HELD ON DECEMBER 17, 2009.
1. On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all member voting in favor, it was RESOLVED to approve the Retirement Incentive Acceptance for seventeen (17) employees.
 2. On motion of Councilman Sciliano, seconded by Councilman Scappaticci, with all members voting in favor, it was RESOLVED to settle the claim in the matter of Strozza v. Town of Harrison, in the amount of \$829.50.
 3. On motion of Councilman Sciliano, seconded by Councilman Scappaticci, with four members voting in favor, and Councilman Vetere voting against, it was RESOLVED to adopt the report and recommendation of Hearing Officer Robert Ponzini, dated December 10, 2009 in all respects, Police Officer Ralph Tancredi's employment is terminated effective immediately.
 4. On motion of Councilman Cannella, seconded by Councilman Sciliano, with all members voting in favor, it was RESOLVED to raise the cap on legal fees in the matter of Summa v. Town of Harrison to \$55,000.
 5. On motion of Councilman Cannella, seconded by Councilman Sciliano, with all members voting in favor, it was RESOLVED to raise the cap on legal fees in the matter of Valeri v. Town of Harrison to \$35,000.
 6. On motion of Councilman Cannella, seconded by Councilman Sciliano, with four members voting in favor, and Councilman Vetere voting against, it was RESOLVED to raise the cap on legal fees in the matter of Atlantic Development v. Town of Harrison to \$125,000.
 7. On motion of Councilman Cannella, seconded by Councilman Sciliano, with four members voting in favor, and Councilman Vetere voting against, it was RESOLVED to raise the cap on legal fees in the matter of Porto v. Town of Harrison to \$35,000.
 8. On motion of Councilman Scappaticci, seconded by Councilman Sciliano, with four members voting in favor, it was RESOLVED to raise the cap on legal fees in the matter of Saenz v. Town of Harrison to \$75,000.
 9. On motion of Councilman Cannella, seconded by Councilman Sciliano, with four members voting in favor, and Councilman Vetere voting against, it was RESOLVED to raise the cap on legal fees in the matter of Duffelmeyer v. Hall to \$100,000.
 10. On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor, it was RESOLVED to approve the Letter of Credit Reduction in the amount of \$135,000 for the Rockledge Road Sewer Extension, from \$175,000 to \$40,000.
 11. On motion of Councilman Cannella, seconded by Councilman Scappaticci,

with all members voting in favor, it was RESOLVED to accept dedication by Bill of Sale of the approximately 1,000 l.f. for newly upgraded pre-existing sewer appurtenances that were originally constructed for The School of the Holy Child.

FIRST OF THE YEAR RESOLUTIONS

- 1a. State of the Town/Village of Harrison by Supervisor Walsh.
- 1b. Appointment of Councilman Vetere as Deputy Supervisor for 2009.
- 1c. Designation of Joan B. Walsh as Treasurer of the Harrison Public Library.
- 1d. Re-Appointment of Frank Allegretti as Town Attorney.
- 1e. Re-Appointment of Fred Castiglia as Deputy Town Attorney.
- 1f. Re-Appointment of Maureen MacKenzie as Comptroller.
- 1g. Re-Appointment of Robert FitzSimmons as Building Inspector.
- 1h. Re-Appointment of Town Clerk Joseph Acocella as Registrar of Vital Statistics.
- 1i. Re-Appointment of Angela Tamucci as Deputy Town Clerk.
- 1j. Re-Appointment of Deputy Town Clerk Angela Tamucci as Deputy Registrar of Vital Statistics.
- 1k. Re-Appointment of Diana Minishi as Deputy Registrar of Vital Statistics.
- 1l. Re-Appointment of Joseph Acocella as a Marriage Officer in the Town of Harrison.
- 1m. Re-Appointment of Angela Tamucci as a Marriage Officer in the Town of Harrison.
- 1n. Appointment of Jacqueline Ricciardi as Court Clerk.
- 1o. Appointment of Palma Rizzaro as Confidential Secretary to the Supervisor/Mayor.
- 1p. Affirmation of the Powers and Duties of the Comptroller.
- 1q. Re-statement that all employees are assigned to Various Departments for budget purposes only.
- 1r. Affirmation that the regular meetings of the Town Board shall be held the first and third Thursday of the month, in the Municipal Building or other public buildings with access for the handicapped, in the downtown, West Harrison or Purchase areas of the Town.
- 1s. Rules for proper conduct at Town Board Meetings.
- 1t. Re-affirming the rules of proper conduct at Public Hearings.
- 1u. Re-affirmation of the procedures for transcription of the Town Board Meetings.
- 1v. Re-affirmation of the procedure for authorized signatures.
- 1w. Re-affirmation of the procedures for signatures of payroll checks by facsimile as produced by a "checksigner" machine.
- 1x. Designation of certain banks as depositories of the Town of Harrison.
- 1y. Designation of the Journal News and the Harrison Report as the official newspapers of the Town of Harrison,
- 1z. Re-affirmation of the depositories for the office of the Receiver of Taxes.
- 1z1. Re-affirmation of the duties of the Receiver of Taxes.
- 1z2. Re-affirming the regulation that the Receiver of Taxes must deposit any and all payments within twenty-four hours of receiving same.

- 1z3. Appointment of Police Fund Officers: Supervisor Walsh, Councilmen Cannella and Sciliano.
- 1z4. Re-affirmation of the procedures for preparation of Agendas for the Town Board Meetings.
- 1z5. Affirmation that any issue raised at a Town Board Meeting can be adjourned to the next Town Board Meeting at the request of any Town Board Member.
- 1z6. Re-affirmation of the requirements for public liability insurance from all independent contractors.
- 1z7. Re-affirming the duties of Department Heads who receive monies.
- 1z8. Re-affirmation of the responsibility of the Commissioner of Public Works to remove snow from all public parking areas controlled by the Town.
- 1z9. Re-affirmation of the required procedures for funding of Public Works projects.
- 1z10. Re-affirming the required procedures for the purchase of commodities, equipment or goods, with adjusted parameters.

END OF FIRST OF YEAR RESOLUTIONS

B. CORRESPONDENCE AND REPORTS:

- 1. Monthly report by the Chief of Police for November 2009.

LATE

- ITEM:** 1b. Monthly report by the Town Clerk for December 2009.

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- ITEM:** 1c. Monthly report by the Receiver of Taxes for December 2009.

- 2. Notification by the Association of Towns of the State of New York that the 2010 Training School and Annual meeting will be held at the Hilton New York & Towers, New York City, February 14-17, 2010 for the following:

Town Board Members, Fiscal Officers, Building Officials, Assessor's
 Planning & Zoning Officials, Public Works & Highway, Town Justices Generally,
 Town Clerks, Town Justice (Advanced Accredited)* Town Court Clerks
 Tax Collecting Officers and Town Attorneys

LATE

- ITEM:** 3. Notification by Chief of the West Harrison Fire Department Pat Galluzzo of the newly elected Department Officers for 2010.

Firematic:

Pat Galluzzo Chief
 Steve Mancini Assistant Chief
 Mike Pelligrino Captain
 Frank Forgione 1st Lieutenant
 Frank Devito 2nd Lieutenant

Administrative:

Tony Scavone President
 Board of Director
 Carlo Riccabono Secretary
 Joe DiBiasi Treasurer

LATE

- ITEM:** 4. Notification by Agostino Fusco, Clerk/Treasurer for the Village of Mamaroneck, that a Public Hearing will take place on Thursday, January 14, 2010 at 7PM, in the

Courtroom at Village Hall, 169 Mt. Pleasant Ave, Mamaroneck, NY, for the proposed installation of a wireless telecommunications facility on top of the roof of an existing building at 1600 Harrison Avenue, designated as Section 4, Block 65, Lots 9B and 9C. A copy of the application is available at the office of the Village Manager, 123 Mamaroneck Ave, and at the Building Department at 169 Mt. Pleasant Ave, in the Village of Mamaroneck.

LATE

ITEM: 5. Notification by Clerk/Treasurer for the Village of Mamaroneck, Agostino Fusco, that a continuation of the Public Hearing will be held by the Planning Board of the Village of Mamaroneck on Thursday, January 14, 2010 at 7PM in the Courtroom at Village Hall, 169 Mt. Pleasant Ave, Mamaroneck, NY, for the subdivision/wetlands permit application of Albert Noletti, 800 Fenimore Rd, designated as Section 8, Block 63, Lot 1. A copy of the application to create six (6) building lots and one conservation lot with improvements is available at the office of the Village Manager, 123 Mamaroneck Ave., and at the Building Department at 169 Mt. Pleasant Ave, in the Village of Mamaroneck.

C. PUBLIC HEARING:

1. PUBLIC HEARING – Public Hearing Re: A Special Exception Use Permit submitted by New Cingular Wireless PCS, LLC (AT&T), to collocate a wireless Telecommunications Facility on the property of Manhattanville College, 2900 Purchase Street. **(Back up was distributed at the December 3, 2009 Meeting)**

2. PUBLIC HEARING – Public Hearing Re: To consider a petition made by JRA Properties, LLC and Briga Enterprises, Inc., for an amendment to the Zoning Ordinance of the Town of Harrison in relation to the height requirement for lots in the B Zoning Districts within a flood zone.

D. PERSONNEL:

1. Request by Superintendent of Recreation Ron Belmont for approval for the addition to the Recreation Part time Availability List.

2. Request by Commissioner of Public Works Robert Wasp for authorization to fill one (1) seasonal laborer position in the Highway Division, at the hourly rate of \$19 per hour, effective Friday, January 8, 2010. The position will be assigned to the Organic Yard Waste Transfer Station located at the NYSDOT yard.

E. ACTIONS AND RESOLUTIONS:

1. Request by Supervisor Joan Walsh for a Resolution to petition the State Legislature to grant Harrison the right to impose a hotel tax on hotels within the town limit.

2. Request by Deputy Village Attorney Jonathan Kraut for approval to set the date of January 21, 2010 for a Public Hearing pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law to amend Chapter 155 of the Town/Village Code entitled “Garbage, Rubbish and Refuse” by Local Law No. ___ of 2010. This

relates to the imposition of a fee for garbage collection for non-residential properties. It is planned that the fee will be set well below similar charges by private carters and will be billed to the property owner.

3a. Request by Comptroller Maureen MacKenzie for approval to accept donations for the Dog Park Project. **(Back up to follow)**

3b. Request by the Comptroller for approval to accept donations for the Emilio Scatenato plaque. **(Back up to follow)**

4. Request by Village Attorney Robert Paladino for authorization for the Supervisor to execute a one-year contract retaining the Westchester Brassmen to perform at three (3) parades during 2010 for an annual amount of \$2,000.

5. Request by the Village Attorney for authorization for the Supervisor to execute a two-year contract retaining Patrick Cleary as Town Planner for an amount of \$50,000 per year.

6. Request by Supervisor Joan Walsh that the Director of Purchasing position be abolished, effective December 31, 2009. **(No back up)**

7. The following appointments are being made due to the recent retirement of the previous appointees: **(No back up)**

Anthony Robinson as Acting Commissioner of Public Works.

Michael Amodeo as Acting Town Engineer.

Anthony Marraccini as Acting Chief of Police.

Mark Heinbockel as Acting Assessor.

8. Request by Director of Community Services Nina Marraccini for authorization to accept a donation from Peter A. Navarra, Jr. Landscaping Co., in the amount of \$500 for the Harrison Food Pantry.

9. Request by Superintendent of Recreation Ron Belmont for approval for the 2010 Recreation Fee Schedule.

LATE

ITEM: 10. Request by Joseph Bilotto, Chief Operating Officer for the Harrison EMS, for approval for their first (1st) installment payment, in the amount of \$125,000.

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ITEM: 11. Request by Town Attorney Frank Allegretti for approval for the following Service Agreements for the year 2010:

Friends of the Opera	\$ 2,500.00
Harrison Children's Center	\$ 20,000.00*
Harrison Council for the Arts	\$ 3,000.00
Harrison Youth Council	\$ 57,000.00*
Purchase Free Library	\$245,977.00
Water Dist. #1, Fire Protection #5	\$ 35,355.00
Water Dist. #3, Fire Protection with	

the City of Rye	\$ 25,685.00*
Harrison Volunteer Ambulance Corp.	\$500,000.00*

*subject to receipt of Certificate of Insurance

Further requested upon approval to authorize the Town Attorney's office to prepare the Agreements and the Supervisor to execute same.

F. OLD BUSINESS:

1. Notice of Public Auction RE: One Family Residence Zone on Woodland Road in West Harrison, on January 21, 2010 at 6:30 PM, at the Alfred F. Sulla, Jr., Municipal Building, 1 Heineman Place, Harrison, NY.

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ITEM: 2. Recommendation by Acting Commissioner of Public Works Anthony Robinson to postpone implementation of the proposed changes to the Sanitation Department pick-ups from Monday, January 11, 2010 to Monday, January 25, 2010. This will enable the Department to more thoroughly disseminate the information regarding the changes to the public and avoid any unnecessary confusion.

G. MATTERS FOR EXECUTIVE SESSION: