

May 12, 2005

A regular meeting of the Town Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 12th day of May 2005, at 7:30PM. Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen Malfitano . . . . . Supervisor

Thomas Scappaticci ) . . . . . Councilmen  
Joseph Cannella )  
Robert Paladino )  
Patrick Vetere )

ALSO ATTENDING

Frank Allegretti . . . . . Town Attorney  
Fred Castiglia . . . . . Village Attorney  
Jonathan Kraut . . . . . Deputy Village Attorney  
Joseph Latwin . . . . . Deputy Village Attorney  
Robert Wasp . . . . . Commissioner of Public Works  
David Hall . . . . . Chief of Police  
Steve Surace . . . . . Fire Marshall

Supervisor Malfitano announced that this would be the only Town Board Meeting during the month of May, as the West Harrison Fire Department Memorial Service is being held on the regular meeting night, and the Board will be attending that Memorial Service. He added that the next Town Board meeting will be on June 9, 2005.

Supervisor Malfitano also announced that former Superintendent of Recreation Bernie Guagnini will again participate in the Swim Across America being held on July 30th. Mr. Guagnini, at age 81 the oldest swimmer, will be participating in this four-mile swim across the Long Island Sound for the 5th time. Mr. Malfitano pointed out that Bernie has raised of \$15,000 through this event, and is again asking for donations for cancer research.

May 12, 2005

2005 -- 194

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the following correspondence and reports:

- 1a. Monthly report from the Town Clerk for April 2005.
- 1b. Monthly report from the Receiver of Taxes for April 2005.
- 1c. Monthly report from the Fire Marshall for April 2005.
- 1d. Monthly report from the Building Inspector for April 2005
- 1e. Report from HVAC for January 1<sup>st</sup> thru April 24, 2005
- 1f. Monthly report from the Westchester Humane Society for April 2005.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 195

AUTHORIZATION FOR BUILDING INSPECTOR ROBERT FITZSIMMONS,  
DEPUTY BUILDING INSPECTOR WILLIAM GERETY, ASSISTANT BUILDING INSPECTOR  
PAUL SENITTA AND CODE ENFORCEMENT OFFICE EDWARD DiBUONO  
TO ATTEND A ONE-DAY TRAINING COURSE IN WHITE PLAINS ON MAY 17, 2005.  
TOPIC: NYS BUILDING CODE AND CURRENT REVISIONS COST: MINIMAL

Building Inspector FitzSimmons informed the Board that this course is part of the required continuing education requirements and keep up to date on the code revisions. He also stated that funding for the miscellaneous expenses associated with parking is available in the Building Department Budget.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize Building Inspector Robert FitzSimmons, Deputy Building Inspector William Gerety, Assistant Building Inspector Paul Senitta and Code Enforcement Officer Edward DiBuono to attend a one day in-service training course being given by the NYS Department of State in White Plains, NY., on Tuesday, May 17, 2005. This is a budgeted item.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Building Inspector.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

AUTHORIZATION FOR FIRE MARSHAL STEVE SURACE TO ATTEND THE NEW YORK  
STATE FIRE CHIEFS CONVENTION/FIRE MARSHAL'S ASSOCIATION MEETING  
IN SYRACUSE, NY, JUNE 8-12, 2005 COST: NOT TO EXCEED \$1,200

Fire Marshal Surace stated that there will be a meeting of the Fire Marshal and Inspectors' Association at the same time as the Convention.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize Fire Marshal Steve Surace to attend the New York State Fire Chiefs Convention, in Syracuse, New York, from June 8 through June 12, 2005, at a cost not to exceed \$1,200.00. This is a budgeted item.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Comptroller and the Fire Marshall.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

AUTHORIZATION FOR FIRST ASSISTANT FIRE CHIEF RALPH STRAFACE AND ONE  
OTHER MEMBER OF THE HARRISON FIRE DEPARTMENT TO ATTEND  
THE FIRE SERVICE, RESCUE AND EMS CONFERENCE IN SYRACUSE, NY, JUNE 9-11.  
COST: NOT TO EXCEED \$2,000 FOR BOTH PEOPLE.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize 1<sup>st</sup> Assistant Fire Chief Ralph Straface of the Harrison Fire Department and one other member of the department to attend the Fire Service, Rescue and EMS Conference in Syracuse, New York, from June 9<sup>th</sup> through June 11<sup>th</sup> at a cost not to exceed \$2,000.00 for both people. This is a budgeted item.

FURTHER RESOLVED that the funds will be advanced prior to the Conference and that all receipts and remaining cash is to be returned to the Comptroller.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Comptroller and 1<sup>st</sup> Assistant Fire Chief Straface.

Adopted by the following vote:

AYES:	Councilmen Scappaticci, Cannella, Vetere and Paladino Supervisor Malfitano
NAYS:	None
ABSENT:	None

May 12, 2005

2005 -- 198

APPROVAL FOR THREE (3) K-9 POLICE OFFICERS TO ATTEND A TRAINING COURSE

FOR K-9 OFFICERS, JUNE 6-10, 2005, IN COLUMBUS, OHIO.  
TOTAL COST: NOT TO EXCEED \$6,000.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Chief of Police Dave Hall for authorization for three (3) K-9 Officers to attend a one-week in service training course, conducted by Gold Shield Training, from June 6<sup>th</sup> through June 10, 2005, in Columbus, Ohio, at a training fee of \$1,150. per K9 team, for a training cost of \$3,450. Total cost, including travel expenses not to exceed \$6,000. This is a budgeted item.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Comptroller and Police Chief Hall.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 199

AUTHORIZATION FOR TWO (2) POLICE OFFICERS TO ATTEND

THE ANNUAL JUVENILE OFFICERS TRAINING CONFERENCE IN ALBANY, NY,  
AUGUST 22-26, 2005 TOTAL COST: NOT TO EXCEED \$2,200.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Police Chief Hall and authorize two (2) police officers to attend the Annual Juvenile Officers Training Conference at the Desmond Hotel, in Albany, NY., from August 22<sup>nd</sup> to 26th, 2005 at a total cost, including travel expenses, not to exceed \$2,200. This is a budgeted item.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Comptroller and Police Chief Hall.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 200

AUTHORIZATION TO HOLD A BLOCK PARTY ON HARRIS LANE ON

SATURDAY, JUNE 11, 2005, FROM 6 PM TO 10 PM.

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Robin Basciano for authorization to hold a block party for the residents of Harris Lane on Saturday, June 11, 2005, from 6:00 pm to 10:00 pm, with the street to be blocked off from #14 Harris Lane to #20 Harris Lane.

FURTHER RESOLVED that a Certificate of Insurance be submitted.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that the Police and Fire Departments be notified, as well as the Ambulance Corps.

FURTHER RESOLVED that a copy of this Resolution be forwarded to Mrs. Basciano, the Town Attorneys and the Commissioner of Public Works.

Adopted by the following vote:

AYES:	Councilmen Scappaticci, Cannella, Vetere and Paladino Supervisor Malfitano
NAYS:	None
ABSENT:	None

May 12, 2005

2005 -- 201

AUTHORIZATION FOR THE APAWAMIS CLUB TO HOLD A FIREWORK DISPLAY  
ON JULY 2, 2005, RAIN DATE: JULY 3, 2005

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Allyson Hoare, Food & Beverage Manager of the Apawamis Club for authorization to hold a firework display on their golf course, Saturday, July 2, 2005, beginning at 8:45 pm, with a rain date of Sunday, July 3, 2005.

FURTHER RESOLVED that a Certificate of Insurance and an Indemnification Certificate be submitted at least a week prior to the event.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that the Police and Fire Departments be notified, and the Ambulance Corps.

FURTHER RESOLVED that a copy of this Resolution be forwarded to Allyson Hoare and the Fire Marshall.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 202

APPROVAL TO SET THE DATE OF JUNE 9, 2005 FOR A PUBLIC HEARING ON THE  
APPLICATION OF WILLOW RIDGE COUNTRY CLUB TO CONSTRUCT A  
PRACTICE FACILITY (DRIVING RANGE)

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Bert Dickinson, on behalf of Willow Ridge Country Club, and set the date of June 9, 2005, for a Public Hearing on the application for a Special Exception Use Permit, to construct the Practice Facility (Driving Range) at Willow Ridge Country Club. **(Approval granted by the Planning Board - Calendar number PB2005/25)**

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Engineer, the Building Inspector, the Chair of the Planning Board, the Town Planner, the Commissioner of Public Works, the Town Attorneys, and Mr. Dickinson.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 203

AUTHORIZATION FOR THE CENTURY COUNTRY CLUB TO HOLD THEIR  
ANNUAL FIREWORKS DISPLAY ON JULY 2, 2005, WITH A RAIN DATE OF JULY 3, 2005.

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Burton Ward, General Manager of the Century Country Club, to hold their Annual Fireworks Display on the Club grounds, on Saturday, July 2, 2005, at 9:15pm with a rain date of Sunday, July 3rd.

FURTHER RESOLVED that a Certificate of Insurance and an Indemnification Certificate be submitted at least one week prior to the event.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Attorneys, the Purchase Fire Chief, the Ambulance Corps, the Police Department, and Mr. Ward.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 204

TABLED: REQUEST BY THE COMPTROLLER FOR APPROVAL OF BUDGET TRANSFERS  
FOR YEAR-END 2004

This matter was tabled until the June 9th meeting, as the board members had some questions.

May 12, 2005

2005 -- 205

AUTHORIZATION FOR THE POLICE DEPARTMENT TO PURCHASE A  
MOTORCYCLE TRAILER, WITH \$6,000 OF THE COST TO BE DONATED BY  
THE POLICE ASSOCIATION AND THE TOWN'S COST TO BE \$1,788.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Police Chief Dave Hall for the purchase of a motorcycle trailer at a cost of \$7,788.00, with the Police Association to donate \$6,000.00 towards this purchase and the remaining \$1,788.00 to be taken from the Department's Traffic Capital Budget.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Comptroller, the Commissioner of Public Works, the Director of Purchasing and the Chief of Police.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 206

APPROVAL TO REFER TO THE PLANNING BOARD A PROPOSED AMENDMENT TO  
LOCAL LAW 235-37 CONCERNING PARKING REQUIREMENTS IN BUSINESS DISTRICTS.

It was explained that the reasoning behind this change in the law is to reflect the different parking needs of various retail establishments. Attorney Joe Latwin pointed out that there are different types of retail use and the parking requirements should reflect that. He added that some stores, IE: barber shops and nail salons, have one type of parking need, while a restaurant requires parking for a longer period of time, while the customers of other stores are basically just in and out.

Councilman Paladino asked that the Town Planner, Pat Cleary, address the Town Board as well as the Planning Board on this issue.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Supervisor Malfitano and the Law Department and refer this proposed amendment to Local Law 235-37 to the Planning Board for their review.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Attorneys, the Town Planner, the Chair of the Planning Board, the Chair of the Zoning Board of Appeals and the Building Inspector.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 207

TABLED: REQUEST FOR APPROVAL OF A BUILDING PERMIT

Attorney Philip Grimaldi, on behalf of his client, JJA Builders Ltd., requested approval for a building permit to construct a two-family dwelling on Block 266, Lot 4, at 41-43 Holland Street. Back-up for this request had been distributed to the Board members at the April 27<sup>th</sup> meeting.

Councilman Vetere stated that he was opposed to this application as the house was too big for the lot.

The Board tabled the request, asking for more information.

May 12, 2005

2005 -- 208 - a

ACCEPTANCE OF THE DEDICATION OF STONELEIGH MANOR LANE

Town Engineer Hugh Greechan advised the Board that all the outstanding items for this road have been satisfactorily addressed by the developer. He recommended that this subdivision be approved for dedication by the Planning Board and the Town Board.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the dedication to the Town of Harrison of Stoneleigh Manor Lane.

FURTHER RESOLVED that a single two-year Maintenance Bond for the road and the infrastructure of the subdivision be established in the amount of forty-five thousand dollars (\$45,000.)

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Attorneys, the Comptroller, the Town Planner, the Town Engineer, the Commissioner of Public Works, the Chair of the Planning Board, and the Building Inspector.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 208- b

ACCEPTANCE OF THE INFRASTRUCTURE OF THE STONELEIGH MANOR SUBDIVISION

Town Engineer Hugh Greechan advised the Board that all the outstanding items for this subdivision have been satisfactorily addressed by the developer. He recommended that this subdivision be approved for dedication by the Planning Board and the Town Board.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the dedication to the Town of Harrison of the infrastructure of the Stoneleigh

Manor subdivision.

FURTHER RESOLVED that a single two-year Maintenance Bond for the road and the infrastructure of the subdivision be established in the amount of forty-five thousand dollars (\$45,000.)

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Attorneys, the Comptroller, the Town Planner, the Town Engineer, the Commissioner of Public Works, the Chair of the Planning Board, and the Building Inspector.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 209

APPROVAL TO REFER TO THE PLANNING BOARD SUGGESTED CHANGES  
IN THE LOT COVERAGE IN "B" RESIDENTIAL ZONES

Deputy Village Attorney Joseph Latwin advised the Board members that the Chairmen of the Planning Board and the Zoning Board of Appeals have suggested that the Town Board change two items in the Zoning Code to prevent changes in the character of the neighborhoods caused by overbuilding:

(1) Decrease the maximum lot coverage in the "B" zone from 35% to 30%.

Mr. Latwin stated that currently all "R" Zones have lot coverage's ranging from 10% to 25%. and the "B" Zone has a generous 35% lot coverage that is causing the builders to put large houses on very small properties, changing the character of the neighborhoods.

(2) Increase side yard requirements in the "B" and "R-50" Zones for those side yards abutting a street side on a corner lot as follows:

"R-50" Zone from 15 feet to 20 feet;

"B" Zones from 10 feet to 20 feet.

Mr. Latwin stated that the Chairmen are seeing developers subdividing corner lots in the "B"

and "R-50" Zones and putting the buildings too close to the side street. They are able to do this since the builder may choose which yard is the front yard, and the side yard requirements on corner lots are less when abutting the street than is the front yard requirement. The result is a corner lot with its' side yard on the "main" street, closer to the street than the other properties on that "main" street, and out of character with the existing configuration.

Councilman Cannella stated that there are also other issues, such as grading and steep slopes.

Supervisor Malfitano pointed out that the measurement of the height of a building is a complex issue due to changes in grade when building, and that perhaps there might be a ratio between the old elevation and that planned for the new building.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to refer to the Planning Board the suggestion that there be changes in the lot coverage in the "B" and "R-50" Zones.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Attorneys, the Town Planner, the Chair of the Planning Board, the Chair of the Zoning Board of Appeals and the Building Inspector.

Adopted by the following vote:

AYES:	Councilmen Scappaticci, Cannella, Vetere and Paladino Supervisor Malfitano
NAYS:	None
ABSENT:	None

May 12, 2005

2005 -- 210  
DISCUSSION

RE: ENCROACHMENT ONTO TOWN PROPERTY

Resident Lucille Held again addressed the Board on the matter of the encroachment onto Town-owned property by current Town Justice John Voetsch. Mr. Voetsch owns the property that adjoins the Sollazzo Recreation Center on Harrison Avenue. He uses the house as an office. Mrs. Held provided the Board members with copies of several survey's of the land and building owned by Mr. Voetsch made during different years which seemed to show that there was a use of Town property by Mr. Voetsch. Mrs. Held asked the Board to act on this matter.

Attorney Jonathan Kraut stated that the surveys provided by Mrs. Held seemed to show encroachments of several feet. He added that inches do not matter, but feet do.

Councilman Paladino made a motion to retain a surveyor to survey the Town's property. There was not a second, so the motion failed.

Councilman Cannella stated that the property is before the Zoning Board of Appeals at this time, and suggested that those issues be cleared up first.

Supervisor Malfitano suggested that the Law Department members hold conversations with Mr. Voetsch and determine if there is an encroachment.

The matter was then referred to Executive Session.

### ENFORCEMENT OF THE FIRE SPRINKLER LAW

Fire Marshall Steve Surace asked the Board for a discussion of the Fire Sprinkler Law, stating that the Building Inspector was not enforcing the current law.

Supervisor Malfitano stated that there could be legal issues involved in such a discussion, and invited Mr. Surace and Albert Mignone of the Purchase Fire Department to attend the Executive Session that would follow this Town Board meeting.

May 12, 2005

2005 -- 211

### MATTERS FOR EXECUTIVE SESSION:

Personnel	3
Security	1
Outside Counsel fees	2
Litigation	4

On motion duly made and seconded,  
the Meeting was recessed  
for Executive Session at 8:30 PM.

On motion duly made and seconded,  
the Meeting was reconvened at 11PM.

May 12, 2005

2005 -- 212

AUTHORIZATION TO HIRE TWO PART-TIME EMPLOYEES  
IN THE POLICE DEPARTMENT TRAFFIC DIVISION FOR THE SUMMER.

Chief Hall will provide the names of the two individuals to the Comptroller and the Town Clerk as soon as possible.

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the Police Chief to hire two part-time employees in the Traffic Division for summer work, effective immediately, through Labor Day, at the rate of \$11.00 per hour.

FURTHER RESOLVED that a copy of this Resolution be forwarded to Comptroller and the Chief of Police.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 213 (corrected)

APPOINTMENT OF VICTORIA LaRUSSO TO THE PART-TIME AVAILABILITY LIST

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis and appoint Victoria LaRusso to the Part-time Availability List at the rate of \$11 per hour, effective May 16, 2005, to work in the Purchasing Department.

FURTHER RESOLVED that a copy of this Resolution be forwarded to Comptroller and the Director of Purchasing.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

\*\* Ms. Russo's name was incorrect. Her name is Ms. LaRusso.

May 12, 2005

2005 -- 214

SETTLEMENT OF CLAIM: FAXON vs. TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to settle the claim of Susan and Kevin Faxon for damage to a basketball hoop, in the amount of \$750.

FURTHER RESOLVED that this settlement is subject to the claimants signing a general release.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Attorneys and the Comptroller.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino

Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 215

AUTHORIZATION FOR THE REPAIRS FOR TWO POLICE VEHICLES

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to authorize the repairs to two police vehicles, Plates #CYC7551 and #CYC7552 at a total cost of \$3,880.55

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Chief of Police, the Commissioner of Public Works and the Comptroller.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 216

AUTHORIZATION FOR THE REPAIR OF A POLICE VEHICLE

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to authorize the repair of a police vehicle, Plate #109, at a total cost of \$9,672.64.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Chief of Police, the Commissioner of Public Works and the Comptroller.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 217

AUTHORIZATION TO INCREASE OUTSIDE COUNSEL FEES  
IN THE MATTER OF BAKSH vs TOWN OF HARRISON, TO \$20,000

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to increase the outside counsel fees to Attorney Robert Weininger in the matter of Baksh vs Town of Harrison to a new limit of \$20,000 for legal fees and miscellaneous expenses.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Attorneys and the Comptroller.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 218

AUTHORIZATION TO INCREASE OUTSIDE COUNSEL FEES IN THE MATTER  
OF COWARD vs TOWN OF HARRISON, TO \$25,000

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to increase the outside counsel fees to the law firm of Friedman, Harfenist, Langer and Kraut, LLP, to \$25,000, in the matter of Coward vs the Town of Harrison, for legal fees and miscellaneous expenses.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Attorneys and the Comptroller.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

May 12, 2005

2005 -- 219

AUTHORIZATION TO RETAIN A SURVEYOR TO SURVEY  
A CERTAIN PARCEL OF TOWN-OWNED PROPERTY

On motion of Councilman Paladino, seconded by Councilman Vetere,

it was

RESOLVED to retain a surveyor to survey a certain parcel of Town-owned property to determine the property line and the correct location of the fence on one side of the property, up to a cost of \$1,000.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Town Attorneys, the Assessor and the Comptroller.

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella, Vetere and Paladino  
Supervisor Malfitano

NAYS: None

ABSENT: None

There being no further matters to come before the Board,  
the Meeting was, on motion duly made and seconded,  
declared closed at 11:05 PM.

Respectfully submitted,

Joan Walsh  
Town Clerk