

August 17, 2006

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 17th day of August at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen Malfitano Supervisor

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

ALSO ATTENDING

Frank Allegretti Town Attorney
Jonathan Kraut Deputy Village Attorney
Joseph Latwin Deputy Village Attorney
Robert Wasp Commissioner of Public Works
Maureen MacKenzie Comptroller
Hugh Greechan Town Engineer
Judy D'Agostinis Director of Purchasing
David Hall Chief of Police

PRESENTATION BY THE BEAUTIFICATION COMMITTEE

RE: NEW GATEWAY SIGNS

Supervisor Malfitano said that this presentation would be postponed until September as it is not quite ready yet.

August 17, 2006

2006 -- 339

APPROVAL OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the following correspondence and reports:

- 1a. Mid year (2006) report from the Historian Barbara Specht.
- 1b. Monthly report from the Fire Marshal for July 2006.
- 1c. Monthly report from the Town Clerk for July 2006.
- 1d. Monthly report from the Receiver of Taxes for July 2006.
- 1e. Monthly report from Recreation Department for July 2006.
- 1f. Monthly report from the Building Department for July 2006
- 1g. Monthly report from the New Rochelle Humane Soc. for July 2006
- 1h. Monthly report from the Police Department for June 2006
- 1i. Monthly report from the Police Department for July 2006

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 340

CONTINUATION OF THE PUBLIC HEARING AMENDING THE TOWN CODE
RE: "MINIMUM FIRST-FLOOR ELEVATIONS"

Supervisor Malfitano stated that this Hearing would be continued until the September 14th, Town Board meeting so as to give various interested parties the opportunity to be heard at that time.

Public Hearing: Re: To amend a certain section of Chapter 235-32 of the Town Code of Harrison entitled "Minimum First-Floor Elevations" by adding "C" to this section of the of the Town/Village Code entitled Local Law No. ____ of 2006.

August 17, 2006

2006 – 341 (corrected)

CONTINUATION OF THE PUBLIC HEARING AMENDING THE TOWN CODE
RE: “DEFINITIONS, BY ADDING THE DEFINITION: PRE-EXISTING GRADE”
AND TO AMEND “HEIGHT OF BUILDING OR STRUCTURE”

Supervisor Malfitano stated that this Hearing would be continued until the September 14th, Town Board meeting so as to give various interested parties the opportunity to be heard at that time.

Public Hearing: To amend certain sections of Chapter 235-4 of the Code of the Town Code of Harrison entitled: Definitions, by adding the Definition: “Pre-existing Grade” and to amend “Height of Building or Structure” of the Town/Village Code entitled by Local Law No. __ of 2006.

It was agreed that Deputy Village Attorney Joe Latwin would make available to the public copies of the amendment, with sketches so that the meaning is clear.

August 17, 2006

2006 -- 342

ACCEPTANCE, WITH REGRET, OF THE RETIREMENT
OF POLICE OFFICER JOHN DREW

Chief of Police David Hall spoke of his regret at the retirement of Officer Drew, mentioning their long association on the police force and the experiences that they had shared. He wished him well in his future activities. He reminded everyone that Neil Marino had been the first D.A.R.E officer in the schools for this drug education program, that Paul Spicarnadi had been the first canine officer, and that John Drew had been an excellent detective for the past five years. He added that this was a bittersweet moment for him, as he has known and worked on many levels with the three officers whose retirements are being accepted at the meeting, and he would miss them.

On motion of Councilman Paladino, seconded by Councilman Vetere,

it was

RESOLVED to accept, with regret, the retirement of Police Officer John Drew, effective July 29, 2006.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 343

ACCEPTANCE, WITH REGRET, OF THE RETIREMENT OF DETECTIVE NEIL
MARINO

Chief of Police David Hall spoke of his regret at the retirement of Detective Marino, mentioning their long association on the police force and the experiences that they had shared. He wished him well in his future activities. He reminded everyone that Neil Marino had been the first D.A.R.E officer in the schools for this drug education program, that Paul Spiconardi had been the first canine officer, and that John Drew had been an excellent detective for the past five years. He added that this was a bittersweet moment for him, as he has known and worked on many levels with the three officers whose retirements are being accepted at the meeting, and he would miss them.

Supervisor Malfitano spoke of a letter from town resident Loretta Cappello speaking of the influence that Detective Marino has had on her daughter Kristina during her school years as a result of the D.A.R.E. Program, as well as on her choice of career. Kristina is now a police officer in the Washington D.C. Police Department.

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to accept, with regret, the retirement of Detective Neil Marino, effective August 31, 2006.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 344

ACCEPTANCE, WITH REGRET, OF THE RETIREMENT
OF POLICE OFFICER PAUL SPICONARDI

Chief of Police David Hall spoke of his regret at the retirement of Officer Spiconardi, mentioning their long association on the police force and the experiences that they had shared. He wished him well in his future activities. He reminded everyone that Neil Marino had been the first D.A.R.E officer in the schools for this drug education program, that Paul Spiconardi had been the first canine officer, and that John Drew had been an excellent detective for the past five years. He added that this was a bittersweet moment for him, as he has known and worked on many levels with the three officers whose retirements are being accepted at the meeting, and he would miss them.

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to accept, with regret, the retirement of Police Officer Paul Spiconardi, as of August 31st, 2006

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 345

AUTHORIZATION FOR AN INCREASE IN THE HOURLY RATE OF PAY
OF MATTHEW WALSH, GRANT CLERK

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Town Clerk Joan Walsh for a change in the hourly salary of Matthew Walsh to \$18 per hour, in accordance with the Grant approved by NYS, effective August 1, 2006.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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August 17, 2006

2006 -- 346

AUTHORIZATION FOR TWO POLICE OFFICERS TO ATTEND
A "TASER" TRAINING CLASS SEPTEMBER 18 -19, 2006.
COST NOT TO EXCEED \$305

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Police Chief Hall for authorization for two police officers to attend a "Taser"* Training class on September 18-19, 2006, at a cost not to exceed \$305. This is a budgeted item.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

*A "Taser" is a special type of weapon.

August 17, 2006

2006 -- 347

AUTHORIZATION FOR ASSESSOR JAMES CALANDRUCCIO
AND DEPUTY ASSESSOR MARK HEINBOCKEL
TO ATTEND THE NYS ASSESSORS' ASSOCIATION CONFERENCE
IN LAKE PLACID, NY, SEPTEMBER 17-20, 2006
AT A COST NOT TO EXCEED \$1,000 PER PERSON

Mr. Calandruccio stated that the conference seminars will cover such topics as updated assessment practices as well as all the latest changes in state legislation affecting Real Property and exemptions.

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Assessor James Calandruccio for authorization for himself and Deputy Assessor Mark Heinbockel to attend the New York State Assessors' Association conference in Lake Placid, New York, from September 17th thru the 20th, 2006, at a cost not to exceed \$1,000 per person. This is a budgeted item.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 348

APPROVAL TO ADD SEMYON SOKOLSKI TO THE RECREATION
DEPARTMENT
PART-TIME AVAILABILITY LIST

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Superintendent of Recreation Ron Belmont that the following person be added to the part-time availability list for Recreation:

Semyon Sokolski at the hourly rate of \$9.50,
effective August 12, 2006.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Superintendent of Recreation.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 349

AUTHORIZATION FOR PLANNING BOARD CHAIRMAN TOM HEASLIP TO
ATTEND THE NYS PLANNING FEDERATION CONFERENCE IN SARATOGA
SPRINGS, NY
OCTOBER 8-10, 2006, AT A COST NOT TO EXCEED \$700

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Planning Board Chair Tom Heaslip for authorization to attend the NYS Planning Federation conference in Saratoga Springs, NY, from October 8th to 10th, 2006. at a cost not to exceed \$700. This is a budgeted item.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Planning Board secretary.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 350

APPROVAL TO REIMBURSE SGT. MARK TAMUCCI FOR THE COSTS OF A
COURSE AT MANHATTANVILLE COLLEGE, SUMMER SEMESTER, COST:
\$2,119.09

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Chief of Police David Hall and reimburse Sgt.
Mark
Tamucci for the costs of a college course that he took at Manhattanville College during
the
2006 summer session: Literacy in the Content Area. Cost: \$2119.09
This is a budgeted item.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the
Chief of Police.

Adopted by the following vote:

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

August 17, 2006

2006 -- 351

APPROVAL OF A BUDGET MODIFICATION FOR THE TOWN JUSTICE
DEPARTMENT
IN THE AMOUNT OF \$1,430

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for approval for a Budget Modification in the amount of \$1,430 for a paper shredder for the Town Justice Department.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Court Clerk.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 352

AUTHORIZATION TO EXTEND THE SNOW AND ICE AGREEMENT WITH NEW YORK STATE FOR THE PERIOD OF JULY 31, 2008 THROUGH JUNE 30, 2009

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Town Attorney Frank Allegretti for authorization for the New York State Snow and Ice Agreement Extensions, extending the Agreement with the State for the period of July 1, 2008 to June 30, 2009 for an annual expenditure by the State of \$30,680 for snow and ice removal by the Town from State roads.

FURTHER RESOLVED that the Supervisor is authorized to sign the Agreement and the Commissioner of Public Works is authorized to sign the maps.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the
Town
Attorneys and the Commissioner of Public Works

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 353

APPROVAL OF THE WESTCHESTER COUNTY DEPARTMENT OF HEALTH
CERTIFICATE OF AUTHORIZATION FOR
THE "GREAT TO LIVE IN HARRISON CELEBRATION FIESTA"

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the Westchester County Health Department Certificate of Authorization for the "It's Great to Live in Harrison Celebration Fiesta".

FURTHER RESOLVED that the Supervisor be authorized to sign the certificate.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Superintendent of Recreation.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 354

AUTHORIZATION FOR A SPECIAL EVENTS PERMIT FOR MANHATTANVILLE
COLLEGE TO HOST A FIREWORKS DISPLAY ON THE COLLEGE GROUNDS ON
SATURDAY, SEPTEMBER 30, 2006

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Joseph Hinchey of Manhattanville College for a Special Events Permit for the College to host a fireworks display as part of Alumni Weekend on Saturday, September 30, 2006. There is no rain date.

FURTHER RESOLVED that a Certificate of Insurance and the Special Event Indemnification Agreement be approved by the Law Department.

FURTHER RESOLVED that the fee be waived.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 355

AUTHORIZATION OF A SPECIAL EVENTS PERMIT FOR MANHATTANVILLE COLLEGE TO HOST A FIREWORKS DISPLAY AT THE COLLEGE ON SEPTEMBER 15, 2006, AND THAT THE RECREATION SOUND STAGE BE DELIVERED TO THE COLLEGE FOR USE DURING THE WEEKEND EVENTS.

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Manhattanville College President Richard Berman for authorization for:

- a) the use of the Recreation Department's Sound Stage for a campus event, with the stage to be delivered to the campus on Friday, September 15, 2006 and picked up on Monday, September 18, 2006.
- b) a Special Events Permit for a fireworks display on Saturday, September 15th, for approximately 20-30 minutes, as part of this Student Activities event.

FURTHER RESOLVED that all insurance certificates be submitted to the Law Department and that the vendor for the fireworks be a licensed professional.

FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, the Police Department, the Ambulance Corps, the Superintendent of Recreation, and the Purchase Fire Department.

Adopted by the following vote:

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

August 17, 2006

2006 -- 356

AUTHORIZATION FOR A \$700 ALLOWANCE TO POLICE OFFICER FRANK
MORABITO TOWARDS THE PURCHASE OF A NEW VEST

Police Chief Hall stated that the bullet-proof vest that Officer Morabito purchased in 2004 contained the material Zylon which has been delisted as a proper vest. Officer Morabito states he was never notified of a voluntary exchange program with the deadline of 12/22/05.

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to accept the request of Chief of Police Dave Hall for approval for a \$700 allowance towards the purchase of a new bullet-proof vest for Officer Frank Morabito.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the
Chief
of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17,
2006

2006 -- 357

APPROVAL TO SCHEDULE A PUBLIC HEARING FOR SEPTEMBER 14, 2006
FOR A SPECIAL EXCEPTION USE PERMIT FOR THE FIRM OF MALCOLM
PIRNIE
FOR THE INSTALLATION OF A 150KW DIESEL GENERATOR
AT 104 CORPORATE PARK DRIVE

Planning Board approval for both the Special Exception Use Permit and the Site Plan has been granted and will be distributed at the Public Hearing.

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Robert Tully of Tully Electric Co, LLC, on behalf of the firm of Malcolm Pirnie, for a Public Hearing to be scheduled for the first meeting in September, for a Special Exception Use Permit for the installation of a 150KW Diesel Generator at 104 Corporate Park Drive, for the Malcolm Pirnie office building.

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

Adopted by the following vote:

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

August 17, 2006

2006 -- 358

AUTHORIZATION FOR COMPTROLLER MAUREEN MACKENZIE TO TRANSFER
CERTAIN FUNDS NOT USED IN AN AUTHORIZED PROJECT
BACK INTO THE RECREATION SUBDIVISION ACCOUNT: \$6,640

Ms. MacKenzie stated that the Board had previously authorized the expenditure of up to \$50,000 for an evaluation of the pool in Passidomo Park. The amount of \$6,640 remains in the account after the final invoice from the consultant was paid, and should be transferred back into the Recreation Subdivision Account.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for authorization to transfer back into the Recreation Subdivision Account the sum of \$6,640, which had not been expended for the authorized project:

<u>Capital Project</u>	<u>Capital Project Name</u>	<u>Amount</u>
01RP20	Passidomo Pool Evaluation	\$6,640.00

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 359

APPROVAL OF APPORTIONMENT OF ASSESSED VALUATION OF
LOT 17 (16 THRU 19) IN BLOCK 891, CREATING TWO LOTS OF 50'x100'

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Assessor James Calandrucchio for the apportionment of assessed valuation of Lot 17 (16 through 19) in block 891, creating two (2) 50'x100' lots.

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

Adopted by the following vote:

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

August 17, 2006

2006 -- 360

APPROVAL OF A SPECIAL EVENTS PERMIT
FOR THE HARRISON PRESBYTERIAN CHURCH
TO HOLD A "FAMILY FUN AND SAFETY DAY"
ON SATURDAY, SEPTEMBER 16, 2006

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Reverend Unkenholz of the Harrison Presbyterian Church for a Special Events Permit to hold a **Family Fun and Safety Day** on Saturday, September 16, 2006 from 10 AM until 3 PM.

FURTHER RESOLVED that Meadow Street be closed during the event as there will be Police and Fire Department demonstrations.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of the downtown Fire Department, the Ambulance Corps, the Commissioner of Public Works and Rev. Unkenholz.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 361

APPROVAL FOR ASPECIAL EVENTS PERMIT FOR THE FIRM OF MORGAN
STANLEY FOR AN OUTDOOR "FAIR" TO BE HELD
DURING THE WEEKEND OF OCTOBER 14/15, 2006

Officials from Morgan Stanley stated that this event will be an outdoor "Fair," with approximately 3,000 people expected in each of two sessions to be held between the hours of 9AM and 6 PM. There will be booths and games as well as a petting zoo and other amusements. It is also contemplated that there might be mechanical rides such as a small ferris wheel.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of the firm of Morgan Stanley for a Special Events Permit for an employee event to be held on the front and back lawns of their site during the weekend of October 14 and 15, 2006.

FURTHER RESOLVED that an insurance certificate naming the Town and the Village as co-insured, and an indemnification certificate, be provided and approved by the Town Attorneys.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Chief of the Purchase Fire Department, the Ambulance Corps, and the Law Department.

Adopted by the following vote:

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

August 17, 2006

2006 -- 362

REQUEST FOR A RATE INCREASE FOR CUSTOMERS
OF WESTCHESTER JOINT WATER WORKS

This request was tabled until a September Town Board meeting.

Request by Supervisor Malfitano for a rate increase for the customers of the Westchester Joint Water Works to defray the estimated increase in interest expense next year. An analysis of the proposed increase is attached, with two alternatives to be considered.

August 17, 2006

2006 -- 363

REQUEST BY THE WESTCHESTER JOINT WATER WORKS
FOR AN EXTENSION OF THE SPECIAL USE PERMIT
FOR THE CONSTRUCTION OF A WATER FILTRATION PLANT

This request was tabled until a September Town Board meeting.

Request by the Manager of the Westchester Joint Water Works for an extension of the Special Exception Use Permit for the construction of the Rye Lake Water Filter plant.

August 17, 2006

2006 -- 364

APPROVAL TO SCHEDULE A PUBLIC HEARING FOR SEPTEMBER 14, 2006
TO CONSIDER CREATING A "TOWNHOUSE ZONE" IN THE TOWN CODE,
AND TO APPLY THAT NEW ZONE TO CERTAIN PARCELS OF LAND

Resident Michelle Geller requested that the Hearing be delayed for eight weeks to give time to the residents of the Mamaroneck area immediately adjacent to one of the proposed parcels (the Riverbend subdivision) time to meet with their Town and Village officials regarding the proposed Riverbend townhouse subdivision.

Supervisor Malfitano stated that he had discussed the proposal with officials of the Town and Village of Mamaroneck and there did not seem to be any objections from them.

Councilman Vetere stated that he too favored delaying this Hearing as the Town had hired the firm of Buckhurst Fish to update the Town's Master Plan, and that project is almost finished. He added that the Board should wait to see what Buckhurst Fish proposes as suitable areas for townhouses.

Councilman Paladino also said that he wanted to wait for the Master Plan results.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to schedule the Public Hearing for September 14, 2006, to consider that a TownHouse Zoning in the Town and Village of Harrison be created and, further, that the new Zone be applied to certain parcels of land as described in the official Resolution of the Planning Board as adopted at the Planning Board meeting of June 20, 2006.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Commissioner of Public Works, the Building Inspector and the Planning Board.

Adopted by the following vote:

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

August 17, 2006

2006 -- 365

APPROVAL OF THE QUARRY HEIGHTS INTERMUNICIPAL AGREEMENT
BETWEEN THE TOWN OF HARRISON AND THE COUNTY OF WESTCHESTER
RE: CONSTRUCTION OF A PUBLIC SANITARY SEWER SYSTEMS
IN THE QUARRY HEIGHTS AREA.

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Deputy Village Attorney Jonathan Kraut and authorize the Quarry Heights InterMunicipal Agreement between the Town of Harrison and the County of Westchester with reference to the construction of public sanitary sewer system in the Quarry Heights area.

FURTHER RESOLVED that the Supervisor be authorized to sign the Agreement.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the
Town
Attorneys, the Assessor, the Town Engineer and the Commissioner of Public Works.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 366

APPROVAL TO AUTHORIZE AND DEPUTIZE THE WESTCHESTER ROCKLAND
ELECTRICAL INSPECTION SERVICE TO PERFORM ELECTRICAL
INSPECTIONS
ON BEHALF OF THE TOWN AND VILLAGE

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Building Inspector Robert FitzSimmons that the Town Board authorize and deputize the Westchester Rockland Electrical Inspection Service to perform electrical inspections on behalf of the Town and Village.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 367

ACCEPTANCE, WITH REGRET, OF THE RESIGNATION OF TEDD CRAVEN,
MEMBER OF THE ZONING BOARD OF APPEALS.

Mr. Craven stated that it was with deep regret that he had to resign as a member of the Zoning Board of Appeals. He added that he and his wife were relocating to a warmer climate for health reasons.

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to accept, with regret, the resignation of Tedd Craven from the Zoning Board of Appeals.

FURTHER RESOLVED to forward a copy of this Resolution to the Chair of the Zoning Board of Appeals.

Adopted by the following vote:

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

August 17, 2006

2006 -- 368

AUTHORIZATION TO RETAIN THE "LOSAP GROUP" OF THE FIRM OF
RBC (Royal bank of Canada) DAIN RAUSCHER AS THE INVESTMENT ADVISOR
FOR FIRE DISTRICT #1'S FIREFIGHTERS LENGTH OF SERVICE AWARDS
PROGRAM.

Comptroller stated that the Resolution is needed to open an account with the LOSAP Group. She added that the Department is working with the firm of Pennalex but the LOSAP Group will be the investment advisors for the funds that will be the basis for this Awards program.

Councilman Paladino asked who is/are the Trustees of the Fund for this program?

Supervisor Malfitano stated that he wanted the Board members to determine the parameters of how to invest.

Councilman Cannella suggested that the account be opened now, and the Board come back to the issue of Trustees at a later date.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for authorization to retain the LOSAP Group of the firm of RBS Dain Rauscher as the investment advisor for Fire District #1's Firefighter length of Service Award.

FURTHER RESOLVED that the Comptroller open an account at that firm for the Firefighters with an initial funding of \$30,000.

FURTHER RESOLVED that the Comptroller verify the eligibility of those Firefighters who file for awards for the years 2004 and 2005.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Chief of Fire District #1.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 369

MATTERS FOR EXECUTIVE SESSION:

Personal histories	8
Tax Certiorari	1
Potential Litigation	1
Litigation update	1
Advice of counsel	2

On motion duly made and seconded,
the Meeting was recessed for Executive Session
at 9:20 PM.

On motion duly made and seconded,
the Meeting was reconvened at 11:25 PM

August 17, 2006

2006 -- 370

APPROVAL OF THE PROMOTION OF FRANK BALBI TO THE POSITION OF
ASSISTANT ENGINEER, ON A PROVISIONAL BASIS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the promotion of Frank Balbi, Junior Engineer in the Engineering Department, to Assistant Engineer, Grade 11, Step 4, with a salary of \$72,973, effective August 19, 2006.

FURTHER RESOLVED that this is a provisional appointment.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the
Town
Engineer, and Mr. Balbi.

Adopted by the following vote:

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

August 17, 2006

2006 -- 371

APPROVAL TO GRANT A LEAVE OF ABSENCE TO TOWN ENGINEER HUGH
GREECHAN UNTIL THE SOONER OF: ONE YEAR OR HIS PERMANENT
APPOINTMENT AS MANAGER OF THE WESTCHESTER JOINT WATER WORKS

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to grant a leave of absence to Town Engineer Hugh Greechan until the sooner of : one year or his permanent appointment as Manager of the Westchester Joint Water Works.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Commissioner of Public Works, the Benefits Officer and Mr. Greechan.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 372

AUTHORIZATION FOR FAMILY MEDICAL LEAVE OF TWELVE WEEKS
FOR JOSEPHINE CORSO, OFFICE ASSISTANT -- AUTOMATED SYSTEMS,
IN THE POLICE DEPARTMENT

On motion of Councilman Scappaticci, seconded by Councilman Canella,

it was

RESOLVED to approve for Josephine Corso, Office Assistant – Automated Systems in the Police Department, a Disability Leave of eight (8) weeks for a pregnancy from June 19, 2006 to August 14, 2006, to be followed by a Family Medical Leave of twelve (12) weeks, with her return date to be November 6, 2006.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Chief of Police and Ms. Corso.

Adopted by the following vote:

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

August 17, 2006

2006 -- 373

AUTHORIZATION OF A STIPEND FOR ROBERT DAY, FOREMAN IN THE
DEPARTMENT OF PUBLIC WORKS, THROUGH DECEMBER 31, 2006,
IN THE AMOUNT OF \$4,200

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve a stipend for Robert Day, Foreman in the Department of Public Works, Highway Division, in the absence of the Manager of that Division, in the amount of \$4200, to be paid in equal installments during the ten pay periods remaining until December 31, 2006.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Commissioner of Public Works, and Mr. Day.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 374

INCREASE N THE HOURLY PAY OF DAVID VARBERRA
IN THE DEPARTMENT OF PUBLIC WORKS TO \$19.00 PER HOUR,
EFFECTIVE AUGUST 21, 2006

Commissioner of Public works Bob Wasp stated that David Varberra has excellent auto mechanic skills, and he would like to use him in that capacity, at the higher rate of pay to reflect the skills that will be utilized.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve an increase in the hourly rate of pay of David Varberra, part-time employee I the Department of Public Works, effective August 19, 2006.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Commissioner of Public Works.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 375

APPOINTMENT OF ROBERT WASP, COMMISSIONER OF PUBLIC WORKS,
AS ACTING TOWN ENGINEER, AT AN ADDITIONAL STIPEND OF \$5,000
THROUGH DECEMBER 31, 2006

Town Engineer Hugh Greechan has accepted the position of Manager of the Westchester Joint Water Works, effective this month. Mr. Wasp has agreed to be the Acting Town Engineer.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint Robert Wasp, the Commissioner of Public Works, to the added position of Acting Town Engineer, at the additional stipend of \$5,000, to be paid in equal installments in the ten pay periods through the end of December 31.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and Mr. Wasp.

Adopted by the following vote:

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

August 17, 2006

2006 -- 376

AUTHORIZATION TO RETAIN C.B. RICHARD ELLIS FOR AN APPRAISAL
OF THE PROPERTY AT 149 HALSTEAD AVENUE

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to retain C. B. Richard Ellis to for an appraisal of the property at 149 Halstead Avenue, at a fee of \$10,500 as part of the matter of JJ Properties vs the Town of Harrison.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 377

PERMANENT APPOINTMENT OF ANTHONY ROBINSON
AS DEPUTY COMMISSIONER OF PUBLIC WORKS

Mr. Robinson has held a provisional appointment for some time. He has now passed the appropriate Civil Service test, and his appointment can be made permanent.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to appoint Anthony Robinson to the permanent position of Deputy Commissioner of Public Works, having passed the appropriate Civil Service exam, at the annual salary of \$100,000.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Benefits Officer, the Commissioner of Public Works and Mr. Robinson.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 378

(The original TBR of Oct. 2006 has been amended to show these corrections)

APPROVAL TO AMEND TOWN BOARD RESOLUTION 2005 -- 437

RE: CERTIORARI FOR THE BUILDINGS AT 1 & 4 West Red Oak Lane

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to amend TBR # 2005-437 re: settlement of the Tax Certiorari brought by Pirri Enterprises LLC, et al., for 1 & 4 West Red Oak Lane. The correct amounts are as follows:

<u>Assessment/ Tax Years</u>	<u>Current Assessment</u>	<u>Proposed Assessment</u>	<u>EQ Rate</u>	<u>Market Value</u>
2002 2003	\$554,000	\$400,000	2.19%	
	\$18,264,840.00			
2003 2004	\$554,000	\$420,000	2.10%	
	\$20,476,190.00			
2004 2005	\$554,000	\$400,000	1.95%	
	\$22,051,282.00			
2005 2006	\$454,000	\$400,000	1.79%	
	\$22,346,368.00			

<u>Year</u>	<u>Reduction Total</u>	<u>General Town</u>	<u>Refund</u>	<u>F. P. #4</u>	<u>Refund</u>
2002/2003 \$28,386.80	\$154,000	\$163.132323	\$25,122.38	\$21.197561	\$3,264.42
2003/2004 \$25,385.06	\$134,000	\$171.08649	\$22,925.59	\$18.354254	\$2,459.47
					\$53,771.86
2004/2005 \$31,173.87	\$154,000	\$182.347964	\$28,081.59	\$20.079739	\$3,092.28
2005/2006 \$11,515.82	\$ 54,000 **	\$193.062	\$10,425.25	\$20.795738	\$1,092.57
					\$42,689.69
			Total: \$38,506.84		\$4,182.85

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Assessor and the Town Attorney.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

* This Resolution has been corrected and amended twice, the original was TBR 2005-437 in

October 2005.

** 2005/2006 the original amount of \$54,000, is the correct amount.

August 17, 2006

2006 -- 379 -- corrected

SETTLEMENT OF CLAIM: MASCALI vs TOWN OF HARRISON

IN THE AMOUNT OF \$1,780.25

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Mascali vs the Town of Harrison, for automobile damage, in the amount of \$1,780.25.

FURTHER RESOLVED this settlement is subject to the claimant signing a General Release.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

August 17, 2006

2006 -- 380 -- corrected

AUTHORIZATON FOR A SPECIAL EVENTS PERMIT
FOR DOMINIC RANERI TO HOLD A KARIOKE CONCERT

IN MA RIIS PARK ON AUGUST 24TH 2006,
OR ANOTHER DATE OF HIS CHOICE

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve a Special Events Permit for Dominick Raneri to hold a Karioke Concert in Ma Riis Park on Thursday, August 24, 2006, or another date of his choice, subject to his receiving a permit to hold such a concert from the Commissioner of Public Works.

FURTHER RESOLVED that an Insurance Certificate and Indemnification Certificate be provided.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works and Mr. Raneri.

Adopted by the following vote:

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

August 17, 2006

SYSTEM FOR THE MUNICIPAL BUILDING

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to authorize the Director of Purchasing to advertise and receive bids for the security system for the Municipal Building.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Village Engineer, the Director of Purchasing and the Comptroller..

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Cannella 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 11:25 PM.

Respectfully submitted,

Joan B. Walsh, Town Clerk