

February 8, 2007

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 8th day of February 2007, at 7:30PM. Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen MalfitanoSupervisor

Pat Vetere)Councilmen
Joseph Cannella)
Robert Paladino)

MEMBERS ABSENT:

Thomas ScappaticciCouncilman

ALSO ATTENDING

Frank AllegrettiTown Attorney
Fred CastigliaVillage Attorney
Jonathan KrautDeputy Village Attorney
Joseph LatwinDeputy Village Attorney
Robert WaspCommissioner of Public Works
Judith D'AgostinisDirector of Purchasing
Maureen MacKenzieComptroller
David HallChief of Police
Robert FitzsimonsBuilding Inspector

February 8, 2007

2007 -- 055

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to accept the following correspondence and reports:

- 1a. Monthly report from the Town Clerk – January 2007
- 1b. Annual report from the Recreation Department – 2006
- 1c. Monthly report from the Fire Marshall – January 2007
- 1d. Monthly report from the Building Department – January 2007
- 1e. Monthly report from the Receiver of Taxes – January 2007

2. Notification by the NYS Department of Transportation that certain highways in Harrison have been designated Restricted Highways, due to construction on those roadways.

Accepted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 056

AUTHORIZATION FOR THE COUNCIL FOR THE ARTS TO HOLD A RECEPTION FOR
YOUTH ART MONTH IN THE MUNICIPAL BUILDING ON MARCH 4, 2007

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Doreen Grozinger of the Youth Art Council and authorize the group to hold the opening reception for Youth Art Month on Sunday, March 4th, from 1:00 to 3:00 PM, in the Lobby and Courtroom of the Municipal Building.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Director of the Library, and Ms. Grozinger of the Youth Council.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 057

APPROVAL OF THE ELECTION OF THE OFFICERS
IN THE WEST HARRISON FIRE DEPARTMENT FOR THE YEAR 2007

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the election of the following officers in the West Harrison Fire Department for the year 2007:

FIREMATIC

Chief	Pat Galluzzo
Assistant Chief	Sal Gentile
Captain	Steven Mancini
1 st Lieutenant	Mike Pelligrino
2 nd Lieutenant	Billy Griffin

ADMINISTRATIVE

President	Nick Renna
Board of Director	Carlo Riccabono
Secretary	Vito Ciriono
Treasurer	Fred Riguzzi, Jr.

FURTHER RESOLVED to forward a copy of this Resolution to Fire Chief Galluzzo.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 058

AUTHORIZATION FOR THE THREE (3) K-9 OFFICERS IN THE POLICE DEPARTMENT
TO ATTEND THE ANNUAL K-9 TRAINING COURSE IN COLUMBUS, OHIO.
COST: \$7,500

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Chief of Police Hall and authorize the three K-9 Police officers to attend the annual K-9 Training course in Columbus, Ohio, from March 25th to March 30th, 2007, at a cost of \$7,500 for the three officers and dogs.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 059

ACCEPTANCE, WITH REGRET, OF THE RETIREMENT OF MARY ANN GUTHRIE,
OFFICE ASSISTANT IN THE BUILDING DEPARTMENT, EFFECTIVE MARCH 24, 2007

Supervisor Malfitano thanked Mrs. Guthrie for her years of service to the Town, and wished her well in her retirement.

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to accept, with regret, the retirement of Mary Ann Guthrie, Office Assistant in the Building Department, after twenty (20) years of service to the Town, effective March 24, 2007.

FURTHER RESOLVED to forward a copy of this Resolution to Personnel Director, the Comptroller and Mrs. Guthrie.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

NOTE: The request of the Town Clerk for authorization to hire an additional person for the Archive Grant program was referred to Executive Session.

February 8, 2007

2007 -- 060

ACCEPTANCE, WITH REGRET, OF THE RETIREMENT OF
POLICE DETECTIVE SCOTT FORREST

Police Chief Hall spoke of his regret regarding the retirement of Detective Forrest, stating that he was sorry to see him retire as he has been a dedicated officer. Chief Hall added that Detective Forrest was going to seek warm weather in Florida. He wished him good health and the best of luck.

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to accept, with regret, the retirement of Police Detective Scott Forrest, after 17 years of service to the Town of Harrison, effective February 24, 2007.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Personnel Director, the Chief of Police and Detective Forrest.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 061

AUTHORIZATION FOR THE SUPERINTENDENT OF RECREATION TO OBTAIN
PERMITS FROM THE WESTCHESTER COUNTY BOARD OF HEALTH
TO OPERATE THE SWIMMING AND WADING POOLS
IN PASSDIOMO PARK AND IN BRENTWOOD GUAGNINI PARK

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Superintendent of Recreation Ron Belmont for authorization to apply to the Westchester County Board of Health for permits to operate swimming and wading pools in Passidomo Park and Brentwood Guagnini Park.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 062

AUTHORIZATION TO RAISE THE SENIOR CITIZEN EXEMPTION LIMIT,
BASED ON INCOME, FOR REDUCTIONS IN PROPERTY TAXES,
AS ADOPTED BY WESTCHESTER COUNTY

Assessor James Calandrucchio explained that the maximum income limits would be increased by \$1,000 for the taxable years 2006, 2007 and 2008. The reduction ranges from 50% down to 5%, based on the income tax returns filed by the Senior.

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Assessor James Calandrucchio and raise the income limits for reductions in property taxes for Senior Citizens who meet the guidelines, as follows:

For the period expiring June 30, 2007:

<u>Annual Income</u>	<u>Percentage of Assessed Value Exempt From Taxation</u>
<u>\$0 to \$26,000.00</u>	<u>50%</u>
<u>\$26,000.01 to \$26,999.99</u>	<u>45%</u>
<u>\$27,000.00 to \$27,999.99</u>	<u>40%</u>
<u>\$28,000.00 to \$28,999.99</u>	<u>35%</u>
<u>\$29,000.00 to \$29,899.99</u>	<u>30%</u>
<u>\$29,900.00 to \$30,799.99</u>	<u>25%</u>
<u>\$30,800.00 to \$31,699.99</u>	<u>20%</u>
<u>\$31,700.00 to \$32,599.99</u>	<u>15%</u>
<u>\$32,600.00 to \$33,499.99</u>	<u>10%</u>
<u>\$33,500.00 to \$34,399.99</u>	<u>5%</u>

For the period commencing July 1, 2007 and expiring on June 30, 2008:

<u>\$0 to \$27,000.00</u>	<u>50%</u>
<u>\$27,000.01 to \$27,999.99</u>	<u>45%</u>
<u>\$28,000.00 to \$28,999.99</u>	<u>40%</u>
<u>\$29,000.00 to \$29,999.99</u>	<u>35%</u>
<u>\$30,000.00 to \$30,899.99</u>	<u>30%</u>
<u>\$30,900.00 to \$31,799.99</u>	<u>25%</u>
<u>\$31,800.00 to \$32,699.99</u>	<u>20%</u>
<u>\$32,700.00 to \$33,599.99</u>	<u>15%</u>
<u>\$33,600.00 to \$34,499.99</u>	<u>10%</u>
<u>\$34,500.00 to \$35,399.99</u>	<u>5%</u>

For the period commencing July 1, 2008 and expiring on June 30, 2009:

<u>Annual Income</u>	<u>Percentage of Assessed Value Exempt From Taxation</u>
<u>\$0 to \$28,000.00</u>	<u>50%</u>
<u>\$28,000.01 to \$28,999.99</u>	<u>45%</u>
<u>\$29,000.00 to \$29,999.99</u>	<u>40%</u>
<u>\$30,000.00 to \$30,999.99</u>	<u>35%</u>
<u>\$31,000.00 to \$31,899.99</u>	<u>30%</u>
<u>\$31,900.00 to \$32,799.99</u>	<u>25%</u>
<u>\$32,800.00 to \$33,699.99</u>	<u>20%</u>
<u>\$33,700.00 to \$34,599.99</u>	<u>15%</u>
<u>\$34,600.00 to \$35,499.99</u>	<u>10%</u>
<u>\$35,500.00 to \$36,399.99</u>	<u>5%</u>

For the period commencing July 1, 2009:

<u>\$0 to \$29,000.00</u>	<u>50%</u>
<u>\$29,000.01 to \$29,999.99</u>	<u>45%</u>
<u>\$30,000.00 to \$30,999.99</u>	<u>40%</u>
<u>\$31,000.00 to \$31,999.99</u>	<u>35%</u>
<u>\$32,000.00 to \$32,899.99</u>	<u>30%</u>
<u>\$32,900.00 to \$33,799.99</u>	<u>25%</u>
<u>\$30,800.00 to \$34,699.99</u>	<u>20%</u>
<u>\$34,700.00 to \$35,599.99</u>	<u>15%</u>
<u>\$35,600.00 to \$36,499.99</u>	<u>10%</u>
<u>\$36,500.00 to \$37,399.99</u>	<u>5%</u>

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 063

APPROVAL OF THE AGREEMENT BETWEEN THE COUNTY OF WESTCHESTER AND
THE TOWN OF HARRISON FOR THE EMPLOYEE ASSISTANCE PROGRAM FOR
THE YEAR 2007. COST: \$11,480

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Town Attorney Frank Allegretti and approve the Agreement between the Town and the County of Westchester for the Employee Assistance Program for the period of January 1, 2007 through December 31, 2007, at a cost of \$11,480, based on the calculation of 328 employees @ \$35 each.

FUTHER RESOLVED that this Agreement will have an option for two (2) additional one (1) year terms, through 2009.

FURTHER RESOLVED that the Supervisor is authorized to execute the Agreement and, upon receipt of a fully executed copy of the Agreement and an invoice from Westchester County, the Comptroller is authorized to pay same.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 064

APPROVAL OF THE INTER-AGENCY AGREEMENT BETWEEN
THE SOUTHEAST CONSORTIUM AND THE TOWN OF HARRISON
FOR RECREATION SERVICES: COST: \$19,170

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Town Attorney Frank Allegretti and approve the Inter-Agency Agreement between the Town of Harrison and the Southeast Consortium for recreation services, at a cost of \$19,170.

FURTHER RESOLVED that the Supervisor is authorized to execute the Agreement.

FURTHER RESOLVED that the Comptroller be authorized to pay same.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 065

APPROVAL OF THE CONTRACT BETWEEN THE TOWN OF HARRISON AND
ACE TRAPPING AND EXTERMINATING COMPANY COST: \$9,975

On motion of Councilman Cannella, seconded by Councilman Paladino

it was

RESOLVED to approve the request of Deputy Village Attorney Joseph Latwin for approval of the Contract for Services between the Town of Harrison and the firm of Ace Trapping and Exterminating at a cost of \$9,975 per year.

FURTHER RESOLVED that the Supervisor is authorized to execute a two (2) year contract: November 1, 2006 through October 31, 2008.

FURTHER RESOLVED that the Comptroller be authorized to pay same.

FURTHER RESOLVED to forward a copy of this Resolution to Town Attorney, the Chief of Police, the Commissioner of Public Works and the Comptroller.

Adopted by the following vote:

AYES: Councilman Cannella, Vetere and Paladino
Mayor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 066 (corrected)

AUTHORIZATION TO APPROVE THE INVOICE FROM
THE CHAMBER OF COMMERCE
IN THE AMOUNT OF \$1,500 FOR THE PURPOSE OF FUNDING
THE TOWN'S PORTION OF THEIR OPERATION.

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request by the Harrison Chamber of Commerce for the first half of the payment for the sum of \$1,500 for the purposes of providing publicity services for the Town of Harrison pursuant to section 64 (14) (a) of the Town Law of the State of New York. This is a budgeted item.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 067

APPROVAL TO SET THE DATE OF FEBRUARY 21, 2007
FOR A PUBLIC HEARING TO AMEND VARIOUS CHAPTERS OF THE TOWN CODE IN
RELATION TO FEES CHARGED FOR VARIOUS SERVICES,
TO ALLOW SUCH FEES TO BE SET BY RESOLUTION RATHER THAN
BY LOCAL LAW, AND TO AMEND THE SCHEDULE OF FEES
FOR THE BUILDING DEPARTMENT

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Deputy Village Attorney Joseph Latwin and schedule a Public Hearing for February 21, 2007, to amend various chapters in the town code in order to allow various fees now set by Local Law to be set and amended by Town Board Resolution.

FURTHER RESOLVED that this Hearing also consider a new fee schedule for the Building Department.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 068 (corrected)

AUTHORIZATION TO TRANSFER THE SUM OF \$5,000
INTO THE OVERTIME BUDGET LINE IN THE TOWN ATTORNEY'S OFFICE.

Attorney Allegretti explained that this sum is needed to cover anticipated overtime costs that have been and will be incurred by one of the Office Assistants in that office. The Board members at the last Town Board meeting had appointed the person who was in that office on a part-time basis to a full time position in the Purchasing Department so there will be a need for overtime.

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Town Attorney Frank Allegretti for an additional \$5,000 to be placed in their overtime budget to cover anticipated costs that will be incurred by one of the Office Assistants in that office.

FURTHER RESOLVED that funds are to come from the Town Contingency Fund.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 069

MATTERS FOR EXECUTIVE SESSION:

Personnel History	10
Settlement of Claim:	1
Litigation update:	1
Contract negotiations:	1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed for
Executive Session at 7:45 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was re-convened
at 9:20 PM.

February 8, 2007

2007 -- 070

APPROVAL TO APPOINT CAROL SARACCO
TO THE POSITION OF SENIOR CLERK

Ms. Saracco has been working in that Department for some years, but with a lower title. At the last Town Board meeting, the Board established this title in the Building Department, and Ms. Saracco was the only one to apply for it.

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to appoint Carol Saracco, having successfully passed the Civil Service exam for this title, to the position of Senior Clerk in the Building Department, effective February 9, 2007, Grade V, Step 5, at the annual salary of \$46,799.

FURTHER RESOLVED to forward a copy of this Resolution to Benefits Officer, the Building Inspector, the Comptroller, the President of the CSEA and Ms. Saracco.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 071

APPROVAL TO APPOINT SUZANNE FULLER
TO THE POSITION OF SENIOR OFFICE ASSISTANT – BUILDING DEPARTMENT

Mrs. Fuller has been working in the Building Department for the past 18 months, under a lesser title.

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to appoint Suzanne Fuller, on a provisional basis, to the position of Senior Office Assistant – Building Department, effective February 9, 2007, at Grade 9, Step 1, with the annual salary of \$51,364.

FURTHER RESOLVED to forward a copy of this Resolution to the Benefits Officer, the Building Inspector, the Comptroller, the President of the CSEA and Mrs. Fuller.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 072

AUTHORIZATION TO MODIFY THE CONTRACT WITH ENGINEER JOSEPH LaVIGNA
TO CHANGE THE CAP ON THAT CONTRACT TO \$25,000,
AND TO INCREASE HIS HOURLY RATE TO \$50.00 PER HOUR

Acting Town Engineer Bob Wasp stated that Mr. LaVigna would be used this year not only for inspection of outside contractor's work, but also to inspect in-house projects. He estimated that Mr. LaVigna had billed about \$23,000 in 2006.

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Town Attorney Frank Allegretti to modify the contract with Consulting Engineer Joseph LaVigna by establishing a new cap of \$25,000 for his fees, and to increase his hourly rate of pay to \$50.00 per hour, effective January 1, 2007.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 073

AUTHORIZATION TO ADD TWO ADDITIONAL PART-TIME EMPLOYEES IN THE
HIGHWAY DIVISION OF THE DEPARTMENT OF PUBLIC WORKS.

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of the Commissioner of Public Works, Bob Wasp, and authorize the addition of two part-time employees in the Department of Public Works.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 074

APPOINTMENT OF SHERRI MICULCY
TO THE PART-TIME AVAILABILITY LIST

Comptroller MacKenzie told the Board that one person in her office would soon begin a Maternity Leave and another would be away for an indefinite period for personal reasons.

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie and appoint Sherri Miculcy to the Part-time Availability List, at the hourly rate of \$12.00 per hour, effective February 14, 2007, to be assigned to the Comptroller's office.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 075

APPOINTMENT OF ANNA GIANNETTI
TO THE PART-TIME AVAILABILITY LIST

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Town Clerk Joan Walsh, and appoint Anna Giannetti to the Part-time Availability List, at the hourly rate of \$15.00, to be assigned to the Archive project, effective February 13, 2007.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

February 8, 2007

2007 -- 076

SETTLEMENT OF CLAIM: NORMAN vs TOWN OF HARRISON, FOR
DAMAGE TO A CAR, IN THE AMOUNT OF \$390.23

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to settle the claim of Norman vs the Town of Harrison, for damage to a fence, in the amount of \$390.23.

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

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Scappaticci

There being no further matters to come before this Board,
the Meeting was, on motion duly made and seconded,
with all members voting in favor, declared closed at 9:25 PM.

Respectfully submitted,

Joan B. Walsh
Town Clerk