

February 21, 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 21st day of February at 7:30 PM, Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen Malfitano Supervisor
Thomas Scappaticci) Councilmen
Patrick Vetere)
Robert Paladino)

MEMBERS ABSENT:

Joseph Cannella Councilman

ALSO ATTENDING

Frank Allegretti Town Attorney
Joseph Latwin Deputy Village Attorney
Fred Castiglia Village Attorney
Robert Wasp Commissioner of Public Works
Maureen MacKenzie Comptroller
David Hall Chief of Police
Bob Fitzsimmons Building Inspector
Pat Galuzzo Chief, West Harrison Fire Department

Supervisor Malfitano praised the staff in the Department of Public Works for the excellent work that they did during the snow storm of February 15th. He stated that it had been a very difficult storm that, although there was little accumulation, the precipitation was a mixture of ice, sleet and snow, which made for very difficult conditions.

February 21, 2007

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to accept the following Reports:

1. Monthly report from the Recreation Department for January 2007.
2. Annual Report from the HVAC for the year 2006.

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

PUBLIC HEARING RE: ADDITION OF CHAPTER 137, ENTITLED "FEE SCHEDULES"
AND OTHER SECTIONS REFERRING TO CHAPTER 137 OF THE TOWN OF HARRSION

On motion of Councilman Scappaticci, seconded by Councilman Paladino, with all members voting in favor, the Hearing was opened.

Deputy Village Attorney Joseph Latwin explained that this Local Law would allow the Board to change the fees in the listed sections of the Town Code by Resolution, rather than adopting another Local Law each time a fee was changed.

On motion of Councilman Paladino, seconded by Councilman Vetere, with all members voting in favor, the Hearing was closed.

February 21, 2007

ADOPTION OF LOCAL LAW #1 OF 2007:
ADDITION OF CHAPTER 137, ENTITLED "FEE SCHEDULES" AND OTHER SECTIONS
REFERRING TO CHAPTER 137 OF THE TOWN OF HARRISON

On motion of Councilman Palaldino, seconded by Councilman Scappaticci,

it was

RESOLVED that Chapter 137, entitled "Fee Schedules" and other sections referring to Chapter 137 of the Code of the Town of Harrison be adopted as Local Law No. 1 of 2007 of the Town of Harrison.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Comptroller, the Building Inspector, the Town Clerk, and the Fire Marshall.

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 78 -- c

ADOPTION OF THE FEE SCHEDULE AS STATED IN LOCAL LAW #1 OF 2007

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to adopt the following fee schedule, as outlined and adopted as Local Law #1 of the Town of Harrison:

A Local Law adding Chapter 137 to the Town Code of the Town of Harrison to consolidate and simplify the fee schedules.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HARRISON, as follows:

Section 1. Chapter 137-1 of the Town Code of the Town of Harrison is hereby added to read as follows:

§137-1 Fees

The Town Board and Village Board may set all fees provided for in this Code by resolution and shall set all fees annually by resolution before adoption of the budget. The most current resolution fixing any fee shall be available in the Clerk's Office and shall be posted in the office of the Town Department or official who receives applications requiring a fee.

Section 2. Conformity of current sections setting forth fees.

(A) Section 235-15 of the Town Code of the Town of Harrison is hereby amended to read as follows:

The fee for special exception use applications to the Planning Board shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(B) Section 235-17R (7)(c)(3)(e) of the Town Code of the Town of Harrison is hereby amended to read as follows:

(e) Require the owners on an annual basis to deliver to the Planning Board Secretary a report prepared by a licensed professional certifying the status of parking and/or loading supply and demand on the owners' premises together with the annual payment to the town of a fee to review such report as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(C) Section 235-25(b) of the Town Code of the Town of Harrison is hereby amended to read as follows:

(b) In addition to the required usable open space, the developer shall be required to pay a park fee to the town as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code. All such permits shall be held in a special Park and Recreation Site Acquisition and Improvement Fund, to be used either for the acquisition of sites

that are properly located for neighborhood park, playground or recreational purposes or for the physical improvement of such sites

(D) Section 235-58(k) of the Town Code of the Town of Harrison is hereby amended to read as follows:

k. At any time prior to the close of a hearing, any person may file with the Board of Appeals a written request to be furnished with a copy of the Board of Appeal's decision at such time as it is filed. A stamped self-addressed envelope and payment of a fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code shall accompany such request.

(E) Section 235-58(o) of the Town Code of the Town of Harrison is hereby amended to read as follows:

O. The fee for applications to the Board of Appeals shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(F) Section 235-70(h) of the Town Code of the Town of Harrison is hereby amended to read as follows:

H. Any applicant for a building permit who has commenced construction without a building permit as provided in Subsection G of this section shall pay a penalty fee be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code at the time the application is submitted to the Building Inspector. Such fee shall be in addition to all other fees and charges provided for in this chapter

(G) Section 235-74 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 235-74. Fees.

Building permit fees, public assembly occupancy postings fees, letter or certificate of compliance fees and certificates of occupancy fees shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(H) Section 235-77(B) of the Town Code of the Town of Harrison is hereby amended to read as follows:

B. Petitions for amendments shall be submitted, in quadruplicate, to the Municipal Clerk with an application fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(I) Section 235-78(A) of the Town Code of the Town of Harrison is hereby amended to read as follows:

A. The fee for applications to the Planning Board, including fees for subdivisions, petitions for amendments to the Zoning Map of any provision of Chapter 235, site plan approval, special

exception use permit, preliminary sketch plan review, subdivision approval, final subdivision approval, or freshwater wetlands permits shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(J) Section 204-8(A) of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 204-8. Sketch plan procedure.

A. Any owner of land shall, as a first step prior to subdividing or resubdividing land, submit to the Office of the Planning Board, at least 21 days prior to the regular meeting of the Planning Board at which the sketch plan is to be discussed, 16 copies of a sketch plan of the proposed subdivision, which shall comply with the standards set forth in Article VI, Design Standards, together with an application fee for sketch plan review for the proposed minor subdivision or major subdivision in accordance with §237 of the Town Code. Such fee shall be confirmed as appropriate pursuant to Subsection C herein.

(K) Section 204-13 of the Town Code of the Town of Harrison is hereby amended to read as follows:

204-13. Subdivision application fee.

Each application for preliminary subdivision approval shall be accompanied by an application fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code. At the time of submittal for a final subdivision approval, the applicant shall pay an application fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(L) Section 204-26 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 204-26. Fees.

An inspection fee in the amount as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code shall be paid to the municipality prior to the time that the Chairman or Vice Chairman of the Planning Board signs the final plat. If the public improvements are to be installed without the posting of a bond, the inspection fee shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(M) Section 204-26 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 204-29. Fees.

Each application for preliminary subdivision approval shall be accompanied by an application fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to

section 137-1 of the Town Code. At the time of submittal for a final subdivision approval, the applicant shall pay an application fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(N) Section 204-32(B)(4) of the Town Code of the Town of Harrison is hereby amended to read as follows:

4. In cases where the Planning Board determines that a suitable park site cannot be properly located within the plat, in whole or in part, the subdivider shall be required to pay a park fee to the municipality as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code. All such payments shall be held by the municipality in a trust fund to be used by the municipality exclusively for park, playground or other recreational purposes, including the acquisition of property.

(O) Section 106-1(A) of the Town Code of the Town of Harrison is hereby amended to read as follows:

106-1. Fees established.

A. The fee as fixed by the Town Board pursuant to section 137-1 shall be charged.

(P) Section 106-1(B)(11) of the Town Code of the Town of Harrison is hereby amended to read as follows:

11. The fee for special functions is as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code, plus any and all fees for temporary structures. (Private residential functions are exempt from the special functions fee, provided that the event is limited to noncommercial activities of a one-day maximum duration.)

(Q) Section 106-2 of the Town Code of the Town of Harrison is hereby amended to read as follows:

An administration fee shall be paid for legalization of late filing, or to lift a stop-work order where work has commenced without a valid building permit first being obtained or for work deviating from the permit and plans approved by the Building Inspector. The fee shall apply to each application separately and a charge for each trade and shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(R) Section 210-5 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 210-5. Taxicab owner's license fees.

The annual calendar year fee for a taxicab owner's license shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code. This annual calendar year fee shall be in the full amount regardless of the time of year that the taxicab owner's license is applied for.

(S) Section 210-7(B) of the Town Code of the Town of Harrison is hereby amended to read as follows:

B. When a taxicab operated under a taxicab owner's license is sold or otherwise disposed of, the taxicab owner's license issued for such vehicle(s) shall be surrendered by the holder thereof to the Town Clerk. Such license may be transferred to another taxicab operated by the holder of the taxicab owner's license upon payment of a fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(T) Section 210-13 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 210-13. Taxicab driver's license fee.

The annual calendar year fee for a taxicab driver's license shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code and shall be nonrefundable. This annual calendar year fee shall be in the full amount, regardless of the time of year that the taxicab driver's license is applied for.

(U) Section 143-11 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 143-11. Fees.

A. The fee as fixed by the Town Board pursuant to section 137-1 shall be charged for permits, licenses, approvals and certificates and other functions performed under this Fire Code and shall be payable to the Town of Harrison. Such fees shall accompany each application for a permit, license, approval, certificate or other fee -related Fire Code provisions:

(V) Section 143-11(B) of the Town Code of the Town of Harrison is hereby amended to read as follows:

B. There shall be a fee for all required fire inspections at the rate as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(W) Section 143-22 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 143-22. Fees.

Upon filing of the application for a smoke-detector system permit, the fees as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code shall be payable.

(X) Section 143-31(D)(1) of the Town Code of the Town of Harrison is hereby amended to read as follows:

D. (1) Any person shall submit an application for a variance from this chapter 143 of the Harrison Code, together with a fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code, to the Harrison Bureau of Fire Prevention. The grounds for approving such variance shall be limited to the following:

- (a) Strict application of this chapter would cause undue economic hardship; or
- (b) Strict application of this chapter is physically impossible.

(Y) Section 95-7 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 95-7. License fee.

The annual fee for an auctioneer's license or any renewal thereof shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(Z) Section 95-16 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 95-16. Permit fee.

Upon filing the application for a permit to conduct a sale at public auction, the applicant shall pay to the Town Clerk a fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code. If any application is disapproved, the fee paid shall be retained by the Town of Harrison to cover the cost of investigating the statements contained in such application.

(AA) Section 171-2 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 171-2. Fee.

A fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code for the investigation of applications for pistol permits is hereby established and shall be collected by the Police Department prior to the investigation. This fee is not refundable.

(BB) Section 93-3 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 91-3. License fees; issuance of licenses.

A. In addition to any licensing fee required to be paid by the State of New York, the owner of any dog requiring a license pursuant to Subdivision 1 of § 110 of the Agriculture and Markets Law shall pay to the Town of Harrison, at the time of issuance of such license, an additional fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code for any license pursuant to Subdivision 2 of §110 of the Agriculture and Markets Law.

(CC) Section 165-10 of the Town Code of the Town of Harrison is hereby amended to read as follows:

165-10. Fees.

The annual license fee shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code, to be paid at the time the application is made and annually thereafter in the event of renewal. In the event that the application is not

granted, the fee shall be returned to the applicant. The town, in addition to the license fee, may assess the applicant with the costs of advertising such application and such other reasonable costs incident to the hearing as are clearly attributable thereto, and issuance of the license shall be conditional upon payment of same.

(DD) Section 126-12 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 126-12. Final environmental impact statements; fee.

Except as otherwise provided herein, the Planning Board shall cause to be prepared a final environmental impact statement in accordance with the provisions of Part 617 of Title 6 of the New York Codes, Rules and Regulations, provided, further, that if the action involves an application, the Planning Board shall direct the applicant to prepare the final environmental impact statement. Such final environmental impact statement shall be prepared within 45 days after the close of any hearing or 60 days after the filing of the draft environmental impact statement, whichever last occurs; provided, however, that the Planning Board may extend this time as necessary to complete the statement adequately or where problems identified with the proposed action require material reconsideration or modification. Where the action involves an application, such final environmental impact statement shall be accompanied by the fee specified in this section to defray the expenses of the town in preparing and/or evaluating same. The fee shall be determined as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(EE) Section 183-7(B) of the Town Code of the Town of Harrison is hereby amended to read as follows:

B. Fees specified. For the privilege of peddling or soliciting in any place or places in this town, except as the same otherwise may be prohibited, limited or restricted by this chapter, the license fee shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(FF) Section 115-7 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 115-7. License fee.

The license fee shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code, and said sum is hereby determined to be the reasonable cost to the town for the investigation of the application, the issuance and recording of the license and the subsequent supervision of the premises as herein provided.

(GG) Section 201-4 (B)(6) of the Town Code of the Town of Harrison is hereby amended to read as follows:

6. The permittee agrees to pay all necessary expenses that may be incurred by the town in connection with the work to be done under the permit, which payment shall be made within 10

days after the sending of a statement of expenses as certified by the Superintendent, and, if not paid by the permittee, said expenses shall be deducted from the deposit as herein otherwise provided for. Where work of an extensive or difficult nature is involved, the permittee may be required to pay the costs of a full or part-time inspector, to be designated by the Superintendent, to inspect the work for the purpose of protecting the town's interest. In addition thereto, there shall be a permit fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(HH) Section 201-50(A)(1) of the Town Code of the Town of Harrison is hereby amended to read as follows:

(1) A payment of the sidewalk permit fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(II) Section 199-14(A) of the Town Code of the Town of Harrison is hereby amended to read as follows:

A. The application fee and inspection fee for a steep slope permit shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(JJ) Section 135-3(B) of the Town Code of the Town of Harrison is hereby amended to read as follows:

B. The applicant shall sign the permit application after acknowledging that all the information provided is true and s/he will abide by all local ordinances, federal, New York State, Institute of Mechanical Engineers (IME) and explosive industry standards regarding the safe and efficient use of explosives as well as the restrictions set forth in this chapter. The permit shall remain in effect for the specific job, and a new permit is required for each new job, as long as the blaster's license and certificate remain valid. Invalidation or expiration of either one causes this permit to be invalid also. The fee for each application shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(KK) Section 133-16 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 133-16. Fees.

The Building Inspector shall charge a fee for an excavation or regrading permit as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(LL) Section 139-1(E) of the Town Code of the Town of Harrison is hereby amended to read as follows:

E. The Building Inspector shall charge a permit fee to the owner of said site in the amount as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(MM) Section 139-2(C) of the Town Code of the Town of Harrison is hereby amended to read

as follows:

C. The Building Inspector shall charge a permit fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code for said person or entity who delivers fill, an additional fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code for each truck greater than five yards and an additional fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code for each trailer used by said person or entity. Said person or entity shall not contract out with another person or entity to deliver fill if that entity is not approved and permitted by the Building Department and the Town of Harrison.

(NN) Section 122-20 of the Town Code of the Town of Harrison is hereby amended to read as follows:

§ 122-20. Permit fees.

The fee for each permit issued shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(OO) Section 38-35 of the Code of the Village of Harrison is hereby amended to read as follows:

§ 38-35. Parking permits.

A. No vehicle shall be parked in a designated space in a parking permit zone unless it displays on the left rear side window a parking permit. Permit holders are subject to the regulations stated on the issue permit. Parking permits are to be obtained from the Village Clerk of the village upon required proof shown and payment of the fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(PP) Section 229-6(G) of the Code of the Town of Harrison is hereby amended to read as follows:

All meters are tested for accuracy before installation. If any meter is found to be defective, it will be changed by the Superintendent. In case of its ceasing to register accurately, the account will be adjusted by taking the average shown by another meter or an amount equivalent or proportional to that charged during a previous corresponding period. Consumers, on written request, may have their meters tested by the Superintendent upon the payment as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code, which shall be remitted if the meter so tested is found to register inaccurately to the extent of 3% either way.

(QQ) Section 220-5(F) of the Code of the Town of Harrison is hereby amended to read as follows:

F. The fee for a tree removal permit shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(RR) Section 149-6 of the Code of the Town of Harrison is hereby amended to read as follows:

4. The application shall be accompanied with the application fee for freshwater wetlands permits as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(SS) Section 145-3(G) of the Code of the Town of Harrison is hereby amended to read as follows:

G. Each permit application shall be accompanied by a fee as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code.

(TT) Section 88-6 of the Code of the Town of Harrison is hereby amended to read as follows:

§ 88-6. License fees.

For the privilege of conducting any of the amusements or exhibitions which are referred to in this chapter, the following license fees shall be paid to the Town Clerk:

(UU) Section 82-6 of the Code of the Town of Harrison is hereby amended to read as follows:

§ 82-6. License fees.

License fees for Business license, Alarm agent license, Owner or lessee permits shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code:

Section 3. This shall become effective upon the filing with the Secretary of State.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Comptroller, the Building Inspector, the Town Clerk, and the Fire Marshall.

Adopted by the following vote:

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

February 21, 2007

2007 -- 79

AUTHORIZATION FOR BULDING INSPECTOR ROBERT FITZSIMMONS AND ASSISTANT BULDING INSPECTOR ROCCO GERMANI TO ATTEND THE HUDSON VALLEY CODE ENFORCEMENT OFFICIALS EDUCATIONAL CONFERENCE IN POUGHKEEPSIE, NY APRIL 18-20, 2007 COST: NOT TO EXCEED \$1,600

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Building Inspector Robert FitzSimmons for authorization for himself and Assistant Building Inspector Rocco Germani to attend the Hudson Valley Code Enforcement Officials Educational Conference in Poughkeepsie, NY, from April 18th to April 20, 2007, at a cost not to exceed \$1,600.

The purpose of this conference is to fulfill eighteen hours of the continuing education requirements and to stay updated on the state code revisions. 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 Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 80

AUTHORIZATION FOR 2006 YEAR-END BUDGET TRANSFERS

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for authorization for the year-end 2006 Budget Transfers, as follows:

Increase

To:

From:

001-1345-100-0120 \$125
Purchasing-Over-Time

Decrease

001-1345-100-0403 \$125
Purchasing- Office Supplies

Total	\$125	\$125
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Increase

001-1410-100-0130 \$1,015
Town Clerk- Part time Salaries

Decrease

001-1410-100-0428 \$1,015
Town Clerk- Legal Notices

Total	\$1,015	\$1,015
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Increase

001-1420-100-130 \$2,821
Law-Part time Salaries

Decrease

001-1440-100-0120 \$2,821
Engineering-Over time

Total	\$2,821	\$2,821
	To	From

Increase

001-1450-100-0120 \$780
Board of Elections- Over Time

Decrease

001-1450-100-0402 \$780
Board of Elections-Equip Mtce and
Repairs

Total	\$780	\$780
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Increase

001-1620-100-0401 \$640
General Town Buildings-Building Maintenance and Supplies

001-1620-100-0402 \$4,079

General Town Buildings-Equipment Maintenance and Repairs

001-1620-100-0420 \$6,873
 General Town Buildings-Pasny

001-1620-100-0418 \$62
 General Town Buildings-Telephone

001-1620-100-0444 \$191
 General Town Buildings-Cable TV

001-1620-100-0472 \$2,243
 General Town Buildings-Diesel Fuel

001-1620-100-0479 \$288
 General Town Buildings-Auto Body Work

001-1620-100-0480 \$680
 General Town Buildings-Exterminating

Decrease

001-1620-100-0510 \$15,056
 General Town Buildings-Gas Mintzer Center

Total \$15,056 \$15,056

To From

Increase

001-3120-100-0840 \$36,830
 Police-Workmen's Compensation

Decrease

001-3120-100-0425 \$1,857
 Police-Dry Cleaning Uniforms

001-3120-100-0406 \$2,980
 Police-Travel and Conference

001-3120-100-0433 \$385
 Police-Membership and Dues

001-3120-100-0436 \$2,697
 Police-Insurance Premiums

001-3120-100-0451 \$2,373
 Police-Books, Serials, Periodicals

001-3120-100-0491 Police-School Resource Officer			\$2,090
001-3125-100-0403 Youth Forum-Office Supplies			\$1,197
001-3125-100-0418 Youth Forum-Telephone			\$554
001-3310-100-0240 Traffic-Other Equipment			\$1,904
001-3310-100-0402 Traffic-Equipment Mtce. & Repairs			\$1,240
001-1610-100-0102 Central Services-Salaries			\$19,553
	Total	\$36,830	\$36,830
Increase			
001-5182-100-0419 Street Lighting-Electric		\$12,417	
Decrease			
001-1610-100-0130 Central Service-Part Time Salaries			\$12,417
	Total	\$12,417	\$12,417
Increase		To	From
001-5182-100-0419 Street Lighting-Electric		\$1,135	
001-5182-100-0420 Street Lighting-Pasny		\$7,953	
Decrease			
001-1490-100-0430 Public Works-Printing and Stationary			\$1,487
001-1620-100-0120 General Town Buildings-Over Time			\$1,611
001-1440-100-0407 Engineering-Special Service			\$4,315
001-1440-100-0220			\$1,400

Engineering-Office Equipment

001-1440-100-0403 \$275
Engineering-Office Supplies

Total \$9,088 \$9,088

Increase

001-3620-100-0102 \$760
Building-Salaries

001-3620-100-0120 \$315
Building-Over Time

Decrease

001-3620-100-0415 \$1,075
Building-Schooling

Total \$1,075 \$1,075

Increase

001-6989-100-0130 \$200
Community Service-Part Time Salaries

001-6989-100-0418 \$481
Community Service-Telephone

001-6989-100-0493 \$449
Community Service-Taxi Programs for Seniors

001-7020-100-0130 \$331
Recreation-Part Time Salaries

To From

Decrease

001-7020-100-0402 \$1,461
Recreation-Equipment Mtce and Repairs

Total \$1,461 \$1,461

Increase

001-7140-100-0130 \$2,431
Parks and Playgrounds-Part Time Salaries

001-7140-100-0401 \$673
Parks and Playgrounds-Building Maintenance & Supplies

001-7140-100-0402 \$2,942

Parks and Playgrounds-Equipment Maintenance & Repairs

001-7140-100-0405 \$314
Parks and Playgrounds-Care of Grounds

001-7140-100-0410 \$569
Parks and Playgrounds-Materials and Supplies

001-7140-100-0418 \$208
Parks and Playgrounds-Telephone

001-7140-100-0421 \$3,657
Parks and Playgrounds-Water/Utility

001-8010-100-0120 \$104
Zoning-Over Time Salaries

Decrease

001-1315-100-0407 \$1,900
Comptroller-Special Services

001-1355-100-0481 \$4,643
Assessor-Mapping Program

001-1620-100-0120 \$4,355
General Town Buildings

Total \$10,898 \$10,898

To From

Increase

001-9501-100-0907 \$118,755
Town-Transfer to Debt Service

Decrease

001-9000-100-0810 \$65,771
Town-NYS Retirement

001-3120-100-0810 \$52,984
Police-NYS Retirement

Total \$118,755 \$118,755

To Decrease NYS Retirement Budget and increase Transfer out to Debt Service to properly reflect amortization payments for NYS Retirement

Increase

001-1345-100-0130
Purchasing-Part Time Salaries

\$89

Decrease

001-1345-100-0403
Purchasing-Office Supplies

\$89

Total

\$89

\$89

Increase

001-1411-100-0830
Archive Grant-Social Security

\$670

001-1411-100-0835
Archive Grant-Medicare

\$157

Decrease

001-1411-100-0130
Archive Grant-Part Time Salaries

\$827

Total

\$827

\$827

To

From

Increase

001-1420-100-0102
Law-Salaries

\$239

001-1420-100-0120
Law-Over Time

\$409

Decrease

001-1420-100-0445
Law-Law Books and Publications

\$648

Total

\$648

\$648

Increase

001-1640-100-0181
Central Garage-Longevity

\$9

Decrease

001-1640-100-0240
Central Garage-Other Equipment

\$9

Total

\$9

\$9

Increase

001-3120-100-0120 \$9,490
Police-Over Time

Decrease

001-3120-100-0416 \$3,720
Police-Rentals

001-3120-100-0418 \$4,127
Police-Telephone

001-3120-100-0425 \$1,643
Police-Dry Clean Uniforms

Total \$9,490 \$9,490

Increase

002-7410-100-130 \$2,301
Library-Part Time Salaries

002-7410-100-0182 \$7,697
Library-Salaries Vac. & Ret.

002-7410-100-0250 \$12
Library-Equipment Fixed Assets

To From

Decrease

002-7410-100-0406 \$1,657
Library-Travel and Conference

002-7410-100-0407 \$1,706
Library-Special Services

002-9000-100-0830 \$3,755
Library-Social Security

002-9000-100-0835 \$878
Library-Medicare

002-9000-100-0865 \$2,014
Library-Health Insurance Buy Out

Total \$10,010 \$10,010

Increase

003-5110-100-0102 \$13,173

Highway-Salaries

Decrease

003-5130-100-0402 \$13,173

Machinery-Equipment Maintenance and Repairs

Total \$13,173 \$13,173

To Cover Budget Line Overages in 2006

Budget Modification:

Increase

001-1620-100-0479 \$2,909

General Town Building-Auto Body Work

Increase

001-0000-020-2680 \$2,906

Town-Insurances Recoveries

To Modify Budget to reflect recovery for damaged Town Vehicle

Increase

001-3120-100-0810 \$431,799

Police-NYS Retirement

Increase

001-0000-027-2719 \$431,799

Town-NYS Retirement Loan

To Modify Budget to reflect amortized portion of NYS Retirement Bill for Police

Increase

003-5110-100-0102 \$15,845

Highway -Salaries

Increase

003-5110-100-0120 \$43,210

Highway-Over Time Salaries

Increase

003-5110-100-0131 \$3,701

Highway-Part Time Administration

Increase

003-5110-100-0181 \$2,393
Highway-Longevity

Increase

003-5110-100-0182 \$6,954
Highway-Salaries Vac. & Ret.

Increase

003-5110-100-0410 \$3,598
Highway-Material and Supplies

Increase

003-5110-100-0472 \$2,422
Highway-Diesel

Increase

003-9000-100-0810 \$2,682
Highway-NYS Retirement

Budget Modification Cont.

Increase

003-9000-100-0840 \$11,790
Highway-Workmen's Compensation

Increase

003-9000-100-0850 \$4,469
Highway Unemployment Insurance

Increase

003-5142-100-0140 \$6,686
Highway Snow-Material and Supplies

Increase

003-5142-100-0172 \$5,969
Highway Snow-Sal Leaf Pick
Up

Increase

003-5110-100-0418 \$506
Highway-Telephone

Increase

003-0000-050-5001 \$110,225
Highway Transfer In to Town

Total \$110,225 \$110,225

Increase

001-9501-100-0903 \$110,225
Town Transfer to Highway

Increase

001-0000-059-5999 \$110,225
Town-Appropriated Fund Balance

To Increase Over Budgeted Expenditures lines and Transfer in from Town to reflect monies appropriated from Town Fund balance transfer in to highway

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 81

**AUTHORIZATION FOR THE COMPTROLLER TO TRANSFER
THE FUNDS REMAINING IN ACCOUNT 00HW16, IN THE AMOUNT OF \$10,403.41,
FROM THAT CAPITAL ACCOUNT TO TOWN FUND BALANCE**

Comptroller MacKenzie explained that, per TBR 2003-519 dated October 23, 2003, authorization for additional funding in the amount of \$22,000 was approved for the cost of the purchase and installation of fencing surrounding Town/Village property adjacent to the Beaver Brook Swamp Project and placed in Account #00HW16. The total bonding amount was \$51,500

with an additional \$22,000 added to the project bringing the total to \$73,500. Only \$63,096.59 was spent leaving a balance of \$10,403.41.

On motion of Councilman Paladiono, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie and authorize her to transfer the remaining balance in Account 00HW16 in the amount of \$10,403.41 from the Capital Account to Town Fund Balance.

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, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 82 -- corrected

AUTHORIZATION TO ADVERTISE AND RECEIVE SEALED BIDS FOR THE
INSTALLION OF A SURVEILLANCE SYSTEM AND CARD ACCESS SYSTEM
FOR THE HARRISON FIRE DEPARTMENT
AND THE WEST HARRISON FIRE DEPARTMENT

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization to advertise and receive sealed bids for the following:

1. Harrison Fire Department – Labor & Material: Installation of a surveillance system and card access system.
2. West Harrison Fire Department - Labor & Material: Installation of a surveillance system.

FURTHER RESOLVED to forward a copy of this Resolution to the Director of Purchasing, the Comptroller, the Chief of the Harrison Fire Department and the Chief of the West Harrison Fire Department.

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 83

AUTHORIZATION FOR THE APAPWAMIS CLUB TO HOLD
THEIR ANNUAL FIREWORKS DISPLAY ON THEIR GOLF COURSE
ON JULY 3, 2007, WITH A RAIN DATE OF JULY 5, 2007

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Allyson Hoare, Marketing & Special Events Manager for the Apawamis Club for authorization to hold a fireworks display on their golf course, Tuesday,

July 3rd, beginning at 8:45 pm, with a rain date of Thursday, July 5, 2007.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that a Certificate of Insurance be submitted and approved.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Commissioner of Public Works, the Chief of Police, the Chief of the Purchase Fire Department and Allyson Hoare.

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 84

APPROVAL TO ADD CITIBANK AND HSBC BANK
AS DEPOSITORIES FOR TOWN FUNDS

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie to add the following banks as depositories for the Town: HSBC and Citibank.

FURTHER RESOLVED that the funds be subject to withdrawal or transfer only by check or

electronic transfer which shall be audited and signed by the Comptroller, and in the absence of the Comptroller, by the Office Assistant Financial Support, and in their absence, by the Supervisor.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 85

AUTHORIZATION TO ADVERTISE AND RECEIVE SEALED BIDS
FOR A CASCADE SYSTEM (SCBA BOTTLE CHARGING SYSTEM)
FOR THE WEST HARRISON FIRE DEPARTMENT

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize Director of Purchasing Judy D'Agostinis to advertise and receive sealed bids for the purchase of a Cascade System (SCBA Bottle Charging System) for the West Harrison Fire Department. This is a 2007 budgeted item.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Building Inspector, the Commissioner of Public Works and West Harrison Fire Chief Galluzzo.

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 86

AUTHORIZATION FOR THE PAYMENT OF TWO (2) INVOICES FROM
WESTCHESTER BUILDING AND DESIGN COMPANY, INC.
FOR ADDITIONAL WORK RE: REPLACEMENT OF THE TERRAZZO FLOOR
IN THE WEST HARRISON FIRE HOUSE COST: \$18,787.

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of West Harrison Fire Chief Pat Galluzzo for authorization for the payment of two (2) invoices for Westchester Building & Design Company, Inc., in the amount of \$18,787, for additional work completed in connection with repairs and replacement to the terrazzo floor in the fire house.

FURTHER RESOLVED that funds will come from the Department's 2007 operating budget.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Director of Purchasing and Chief Galluzzo of the West Harrison Fire Department.

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 87

TABLED: REQUEST TO SET A DATE FOR A PUBLIC HEARING
RE: EMINENT DOMAIN PROCEEDINGS RE: BLOCK 344, LOT 6 (6-7)

The Public Hearing will be set for a later date, when the dates of the next Town Board meetings have been decided.

February 21, 2007

2007 -- 88

APPROVAL FOR A SPECIAL EVENTS PERMIT FOR MANHATTANVILLE COLLEGE TO
HOST A FIREWORKS DISPLAY ON SATURDAY, APRIL 27, 2007

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Joseph Hinchey of Manhattanville College that the College be granted a Special Events Permit to host a fireworks display as part of Student Activities event on Saturday, April 27, 2007. There is no rain date.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, Chief of the Purchase Fire Department, the Commissioner of Public Works, the Chief of Police and

Mr. Hinchey.

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 89

AUTHORIZATION FOR MANHATTANVILLE COLLEGE TO USE
THE RECREATION DEPARTMENT'S SOUND STAGE
FOR A CAMPUS EVENT ON APRIL 21, 2007.

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Manhattanville College President Richard Berman for authorization for the use of the Recreation Department's Sound Stage for a campus event the weekend of April 21-22, 2007.

FURTHER RESOLVED that the stage will be delivered to the campus on Friday, April 20, 2007 and picked up on Monday, April 23, 2007. There will not be a rain date. Per Mr. Berman's conversation with Mr. Belmont, the stage is available for these dates.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 90

AUTHORIZATION FOR THE PURCHASE OF INFORMATION TECHNOLOGY ITEMS
FROM VENDORS OTHER THAN STATE CONTRACT VENDORS
WHEN THOSE PRICES ARE LOWER THAN THE STATE CONTRACT PRICES

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of MIS Director Arun Ankola for authorization to purchase items from vendors other than State contract vendors when prices are lower than the State contract price.

FURTHER RESOLVED to authorize the use of the Town's credit card for the purchase of computers using the IBM's employee (friends and family) discount program.

FURTHER RESOLVED to forward a copy of this Resolution to the Director of Purchasing and the MIS Director.

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 91

AUTHORIZATION TO FORWARD TO THE PLANNING BOARD, FOR THEIR REVIEW,
THE AMENDMENTS TO THE STEEP SLOPES LAW

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to forward to the Planning Board, for their review, the amendments to the Steep Slopes Law.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 92

APPROVAL FOR A SPECIAL EVENTS PERMIT FOR CALVARY HOSPITAL FOR
THEIR 19TH ANNUAL GOLF AND TENNIS CLASSIC AT BRAEBURN COUNTRY CLUB
ON AUGUST 6, 2007

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Grace Ferri, Calvary Hospital's Director of Annual Giving and Special Events, for a Special Events Permit for Calvary Hospital's 19th Annual Golf and Tennis Classic on Monday, August 6, 2007 at Brae Burn Country Club.

FURTHER RESOLVED that Certificates of Insurance and Indemnification be submitted.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Chief of Police, the Chief of the Purchase Fire Department and Ms. Ferri.

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 93
DISCUSSION

Mr. Rob Porto, resident of Allen Place, asked the Board for the status of, and funding for, the renovation of the Duck Pond on Nelson Avenue. He added that he had started a group called "Friends of Harrison Pond," and people interested in upgrading the Pond were joining it and donating money to the cause.

Commissioner of Public Works Bob Wasp stated that the Army Corps of Engineers had allocated \$100,000 for an evaluation, by their staff, of the Brentwood Brook, which includes the Duck Pond. He added that he had asked for an update of their plans.

Mr. Porto asked for a copy of that update, which Mr. Wasp agreed to send to him when it is received.

February 21, 2007

2007 -- 94

MATTERS FOR EXECUTIVE SESSION

Personnel	5
Relinquishment of an easement	1
Litigation matters	2
Appointments/reappointments of outside counsel	6
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 8:05 PM.

On motion duly made and seconded,
With all members voting I favor,
the Meeting was reconvened
at 9:45 PM.

February 21, 2007

2007 -- 95

APPOINTMENT OF PHILIP DeIACOVA TO THE TITLE OF GENERAL REPAIRER
IN GTB DIVISION OF THE DEPARTMENT OF PUBLIC WORKS

This is a lateral move for Mr. DeIacova.

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to appoint Philip DeIacova to the position of General Repairer, in GTB Division of the Department of Public Works effective February 9, 2007, at the annual salary of \$60,759.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 96

PROMOTION OF JOHN NAGLE TO THE POSITION OF SENIOR MECHANIC

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to appoint John Nagle to the position of Senior Mechanic in the Equipment Maintenance Division of the Department of Public Works effective February 9, 2007, at the annual salary of \$67,066.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 97

PROMOTION OF PETER TORTORICI TO THE POSITION
OF MOTOR EQUIPMENT OPERATOR I.

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to promote Peter Tortorici to the position of Motor Equipment Operator I, Parks Division, in the Department of Public Works, effective February 9, 2007, at the annual salary of \$60,759.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 98

INCREASE IN THE HOURLY RATE OF PAY OF JACK ARCARA ,
DEPARTMENT OF PUBLIC WORKS, TO \$16.00 PER HOUR

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to increase the hourly rate of pay of Jack Arcara in the Department of Public Works to \$16.00 per hour, effective February 22, 2007.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 99

APPOINTMENT OF HEARING OFFICERS IN THE MATTER OF
DeVITTORIA vs THE CHIEF OF POLICE, THE POLICE CAPTAIN
AND THE TOWN OF HARRISON

Three Hearing Officers are being appointed to insure that one will be available regardless of the date(s) chosen for the Hearing.

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to appoint the following as Hearing Officers in the matter of DiVittoria vs the Chief of Police, the Police Captain and the Town of Harrison, in accordance with Section 2-7-a of the General Municipal Laws of the State of New York:

Richard Gardella
Anthony Grant
John Callahan

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 100

INCREASE IN THE CAP ON FEES FOR OUTSIDE COUNSEL IN THE MATTER
OF DiLAURIA vs TOWN OF HARRISON TO \$50,000

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to raise the cap on fees for the outside counsel firm of Friedman, Harfenist, Langer & Kraut to \$50,000, in the matter of DiLauria vs Town of Harrison.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 101

APPROVAL TO RETAIN ATTORNEY MARK REINHARZ
OF THE LAW FIRM OF BOND, SCHOENICK AND KING
AS COUNSEL IN THE MATTER OF
DeVITTORIA vs THE CHIEF OF POLICE, THE POLICE CAPTAIN
AND THE TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to retain attorney Mark Reinharz of the law firm of Bond, Schoenick and King as counsel in the matter of DeVittoria vs the Chief of Police, the Police Captain and the Town of Harrison.

FURTHER RESOLVED that the cap on fees in this matter is set at \$25,000.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 102

RE-APPOINTMENT OF VINCENT TOOMEY FOR LABOR NEGOTIATIONS FOR 2007

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to re-appoint Vincent Toomey as Labor Negotiator for the Town and Village of Harrison for 2007.

FURTHER RESOLVED that the cap of fees for Mr. Toomey is \$40,000.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 103

RE-APPOINTMENT OF THE FIRM OF HUFF WILKES AS OUTSIDE COUNSEL
FOR CERTIORARI MATTERS

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to re-appoint the firm of Huff Wilkes as outside counsel for the Town and Village of Harrison in certiorari matters.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 104

RE- APPOINTMENT OF ATTORNEY ROBERT WEININGER AS OUTSIDE COUNSEL
FOR THE TOWN AND VILLAGE OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to re-appoint attorney Robert Weinger as outside counsel for the year 2007.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 105

APPOINTMENT OF THE FIRM OF PENINO & MOYNAHAN AS OUTSIDE COUNSEL
FOR THE TOWN AND VILLAGE OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to appoint the law firm of Penino and Moynahan as outside counsel for the Town and Village of Harrison.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

February 21, 2007

2007 -- 106

RE- APPOINTMENT OF THE LAW FIRM OF RATTAT, PASTERNAK AND GORDON AS
OUTSIDE COUNSEL FOR THE TOWN AND VILLAGE OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to re-appoint the law firm of Rattat, Pasternak & Gordon as outside counsel for the Town and Village of Harrison for the year 2007.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: Councilman Cannella

There being no further matters to come before the Board, the Meeting was, on motion duly made and seconded, declared closed at 9:50 PM.

Respectfully submitted,

Joan B. Walsh
Town Clerk