

September 20, 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 20th day of September 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  
Joseph Latwin . . . . . Deputy Village Attorney  
Robert Wasp . . . . . Commissioner of Public Works  
David Hall . . . . . Chief of Police  
James Calandrucchio . . . . . Assessor

September 20, 2007

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the following correspondence and reports:

- 1a. Monthly report by the Fire Marshal for August 2007.
- 1b. Monthly report by the Building Inspector for July 2007.
- 1c. Monthly report by the Building Inspector for August 2007.
- 1d. Monthly report by the Receiver of Taxes for August 2007.
- 1e. Monthly report by the Recreation Department for August 2007.
- 1f. Monthly report by the Commissioner of Public Works for July 2007, along with a chart of complaints and services.

2. Notification by Acting Town Engineer Bob Wasp as follows:

His office has been notified by SEMO that the Town/Village of Harrison has been awarded a \$100,000.00 FEMA grant (75% Federal Share, 25% non-Federal Matching Share that will be an in-kind contribution) for the planning and development of a Multi-Hazard Mitigation Plan. This comprehensive planning effort will involve a detailed assessment of past events, current resources and hazard prevention measures that will result in a plan that will help our community in times of natural disaster and increase our FEMA funding sources for mitigation projects. This planning process typically takes a year or more to get final FEMA approval. A kick-off meeting will be scheduled shortly with representatives from FEMA and SEMO, to further discuss the grant and plan development process. Mr. Wasp will keep the Board apprised of developments as they occur.

Mr. Wasp stated that the funding will come as each of the town's plans is completed. In response to a question from Councilman Vetere regarding availability of county funding, Mr. Wasp stated that he is attending meetings to discuss this, is working on the details, and the process will take another month or two.

3. Notification by Superintendent of Recreation Ron Belmont that Mildred Lemos has been chosen the 2007 Harrison Citizen of the Year. Mrs. Lemos will be the Grand Marshal of the Great to Live in Harrison /Columbus Day parade. The weekend of events

are as follows:

Saturday, October 6<sup>th</sup> from 10am to 2pm Harrison Police Station Open House  
7pm to 8pm Fireworks at the WH Fire House

**New for this Year:**

Sunday, October 7<sup>th</sup> - 6pm Ma Riis Park – A Musical Festival featuring:  
“Club Dennis”

Monday, October 8<sup>th</sup> – 10am Parade and Festival

4. Notification by David Parsons, Chief of Operations for the Harrison Volunteer

Ambulance Corps (HVAC,) that Harrison residents will soon be receiving the Reminder Mailing for the 2007 HVAC Annual Fund Drive Appeal.

5. Notification by Attorney Null that the firm of Morgan Stanley will hold its County Fair only on Saturday, October 13<sup>th</sup> and not the additional day of October 14, 2007.

6. An invitation from Manhattanville College President Richard Berman to visit the College during Family Weekend on September 28<sup>th</sup>–20<sup>th</sup>, 2007. There will be special performances, tours, information sessions and other recreational and academic activities that provide opportunities to meet members of the College community and to learn more about Manhattanville.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

PUBLIC HEARING: AMENDING THE ZONING DESIGNATION FOR FRANKLIN  
AVENUE, HARRINGTON PLACE AND HUNTER STREET  
FROM A “B” (TWO FAMILY DISTRICT)  
AND “NB” (NEIGHBORHOOD BUSINESS DISTRICT) DESIGNATION  
TO AN “R-50” DESIGNATION: ONE FAMILY RESIDENCE DISTRICT  
BLOCK 51 (LOTS 1-7). BLOCK 52 (LOTS 1-20). BLOCK 53 (LOTS 1-9  
AND BLOCK 54 (LOTS 1-14)

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

Supervisor Malfitano stated that (this Hearing concerns) a section of Town that the Board has described as bordering the Village of Mamaroneck and is bound by Halstead Avenue/West Street intersection and further is described as running along a portion of Franklin Ave behind and parallel to Halsted Avenue – with part of that area being zoned “neighborhood business-NB” zone, and the more expensive portion of the zone is bound by the Town of Mamaroneck, namely Franklin Ave, and also contains Hunter Street and Harrington Place. Mr. Malfitano continued that this area is zoned “B” which is the 2-family zone, and it is this particular section of the community that is being looked at. He added that the area basically exists in and unto itself. He then stated that the Board is addressing the request that the “NB” zone area and the “B” zone area in this area be designated as R-50, with the lot size being exactly the same size as in the “B” zone, that is: 50x100.

Homeowner/developer Marc Castaldi stated that he owned the properties at # 24, 26, 28, 30 32, 34 Franklin Avenue and asked the Board to reply to his memo of September 13, 2007, sent to the Legal Department and the Supervisor, which pointed out that there were serious deficiencies in the neighbors’ application according to Section 235 – 77 of the Town Code. He then asked the Hearing be tabled due to the inadequacies of the petition.

Deputy Village Attorney Joseph Latwin stated that there is a section in the Town Code which provides for the procedure to change the Zoning on a petition. He continued that this Board took it on itself to change the parameters of what was requested, and if this Board Acts on its own motion, and not necessarily on the petition, those rules don’t apply. He added that the Code specifically provides in the same Chapter that the Town Board can either act on its own or on petition. The original petition had a smaller area and the Board expanded that area so the Board can now act on its own.

Mr. Castaldi asked how you could make such a statement, saying that the issue was raised by the neighbors, there were several meetings before the Town Board acting on the petition of the

neighbors, it was sent to the Planning Board upon the petition of the neighbors, and the action of the Board was directed by the action of the neighbors. He added that it was not in the draft Master Plan, so was not studied by this Board nor the consultant for the Master Plan, so this Board did not enact this, it is clear that the neighbors did and, with that in mind, this petition is lacking.

Councilman Cannella replied that this Board has not taken any action with respect to the inquiry. It is the responsibility of this Board to consider any request made by any resident of the town, or others – any appropriate applicant who comes before the Board for an action which is within our area of jurisdiction of which this clearly is one. The legal issues you raised have been referred to legal counsel, and they have rendered a judgment which this Board will either follow or not, as part of the process. The question as to how this got here is a legal matter and whether or not this Board has the legal authority to do this, the question of the merits of this issue is what we should focus on. Every member of the Board is aware of the area well aware of the issues presented to the Planning Board and the Planning Board determination.

To be continued ...

DECLARATION THAT THE TOWN BOARD IS LEAD AGENCY UNDER SEQRA  
ADOPTION OF A NEGATIVE DECLARATION UNDER SEQRA

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to declare the Town Board as the Lead Agency under SEQRA for the rezoning of the area of Franklin Avenue, Harrington Place and Hunter Street.

FURTHER RESOLVED that the Board adopts a Negative Declaration under SEQRA for this area.\*

LEAD AGENCY DESIGNATION AND NEGATIVE DECLARATION RESOLUTION  
CONCERNING LOCAL LAW No. 4 of 2007

WHEREAS, the Town Board of the Town of Harrison has before it a proposed Local Law No. 4 of 2007 which law would amend the zoning map of the Town of Harrison to rezone Block 51, Lots 1-7, Block 52, Lots 1-20, and Block 53, Lots 1-14 from a “B” zoning district” to an “R-50” zoning District, and

WHEREAS, a copy of the proposed law, an Environmental Assessment Form and a draft Negative Declaration were presented to the Town Board,

NOW THEREFORE, BE IT RESOLVED, that pursuant to 6 N.Y.C.R.R. Part 617, the regulations implementing the provisions of the State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law, the Town Board hereby designates the Town Board of the Town of Harrison as the lead agency pursuant to 6 N.Y.C.R.R. §617.6(b), and be it further

RESOLVED, that the Town Board hereby determines that the proposed action is an Unlisted action that will have no adverse environmental impacts or that the identified adverse environmental impacts will not be significant for the reasons set forth in the accompanying Environmental Assessment Form and Negative Declaration Form, and be it further

RESOLVED, that the Town Board issues a Negative Declaration of environmental significance in conformity with SEQRA concerning a law that would amend the zoning map of the Town of Harrison to rezone Block 51, Lots 1-7, Block 52, Lots 1-20, and Block 53, Lots 1-14 from a “B” zoning district” to an “R-50” zoning District, and be it further

RESOLVED, that the Supervisor is authorized to take such further steps as might be necessary to discharge the Town Board’s responsibility as lead agency for this action

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Building Inspector and the Chairs of the Planning and Zoning Boards.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

\* The motion to adopt the Negative Declaration under SEQRA was made at the end of the Public Hearing but is made part of this Resolution for purposes of sequencing and clarity.

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ADOPTION OF LOCAL LAW NO. 4 OF 2007  
AMENDING THE CODE OF THE TOWN OF HARRISON

AND CHANGING THE ZONING DESIGNATION FOR FRANKLIN AVENUE,  
HARRINGTON PLACE AND HUNTER STREET  
FROM A "B" (TWO FAMILY DISTRICT)  
AND "NB" (NEIGHBORHOOD BUSINESS DISTRICT) DESIGNATION  
TO AN "R-50" DESIGNATION: ONE FAMILY RESIDENCE DISTRICT  
BLOCK 51 (LOTS 1-7). BLOCK 52 (LOTS 1-20). BLOCK 53 (LOTS 1-9)  
AND BLOCK 54 (LOTS 1-14)

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to adopt Local Law #4 of the Town of Harrison, amending the Town Code and changing the designation of Block 51 (Lots 1-7), Block 52 (Lots 1-20), Block 53 (Lots 1-9), Block 54 (Lots 1-14), from existing B-Two Family and NB-Neighborhood Business Zoning Districts to a R-50 (One Family Residence District,) those properties fronting on Franklin Avenue, Harrington Place and Hunter Street.

FURTHER RESOLVED that this Local Law will take effect upon filing with the Secretary of State of New York State.

FURTHER RESOLVED to forward a copy of this Resolution to the Assessor, the Chairs of the Planning and Zoning Boards, the Town Attorneys and the Building Inspector.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

On motion duly made and seconded,  
with all members in favor,  
the Board recessed for a short break  
at 10:25 PM.

On motion duly made and seconded,  
with all members voting in favor,  
the Board reconvened at 11:00 PM.

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CONTINUATION OF THE PUBLIC HEARING RE: FLOOD DAMAGE PREVENTION

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

Resident Rob Porto addressed the Board, commenting that, in the proposed school bond issue for \$153 million, an additional 392 parking spaces are being planned adjacent to the Harrison Avenue School off Nelson Avenue, and this will have a sizeable effect on flooding in that area.

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

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ADOPTION OF LOCAL LAW NO. 3 OF 2007,  
REPEALING THE EXISTING CHAPTER 146

ENTITLED "FLOOD DAMAGE PREVENTION"  
AND **ADDING A NEW CHAPTER 146,**  
ENTITLED "FLOOD DAMAGE PREVENTION"  
TO THE TOWN OF HARRISON CODE

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED, pursuant to Article 2, Section 10, and Article 3, Section 20 of the Municipal Home Rule Law to amend Chapter 146 of the Code of the Town of Harrison for Flood Prevention as authorized by the New York Constitution, Article IX, Section 2, and Environmental Conservation Law Article 36, by **repealing the existing Chapter 146** entitled "Flood Damage Prevention" and **adding a new Chapter 146**, entitled "Flood Damage Prevention" of the Town of Harrison Code, by Local Law No. 3 of 2007.

FURTHER RESOLVED that this Local Law will take effect when it is filed with the New York Department of State.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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PUBLIC HEARING: RE: 400 WESTCHESTER AVENUE

PETITION FOR AMENDMENT §235-17.U - SB-O EDUCATIONAL SCHOOLS,  
OF THE ZONING ORDINANCE

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

Councilman Paldino objected to the re-zoning of this property on the basis that the tenant to benefit from this new zoning would be Fordham University, a tax-exempt organization. Mr. Paladino continued that, while the property now has a taxable status and pays considerable taxes, once the zoning is changed, there is nothing to prevent Fordham University from purchasing the property which would make it tax-exempt.

Councilman Vetere agreed with Mr. Paladino.

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ADOPTION OF THE AMENDMENT TO  
§235-17.U – SB-O - EDUCATIONAL SCHOOLS,  
IN THE ZONING ORDINANCE OF THE CODE OF THE TOWN OF HARRISON,  
TO PERMIT UNDERGRADUATE AND GRADUATE SCHOOLS IN THE ZONE

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to adopt §235-17.U – Educational Schools, in the Zoning Ordinance, to permit undergraduate and graduate schools in the building at 400 Westchester Avenue as follows:

- Amend the definition of “SB-O EDUCATIONAL SCHOOL” set forth in §235-4 of the Zoning Ordinance to read as follows:  
“A school for students from K-12, as well as those seeking undergraduate and graduate degrees, which school's prime purpose is for general education in the arts and sciences, as well as professional training in business, education, social services and similar areas, chartered by the Board of Regents of the State of New York, which is located in the SB-0 Zoning District and complies with the provisions of § 235-17U.”
- Amend §235-17.U to read as follows:  
U. SB-0 educational schools.
  - (1 SB-0 educational schools shall be located on a lot of not less than thirty acres or more  
) than thirty-nine acres.
  - (2 Such schools shall be located within 1,800 feet of the Cross Westchester Expressway  
) and west of Interstate 684.
  - (3 Such schools shall have access to and frontage on Westchester Avenue.  
)
  - (4 The dimensional requirements of any additions to such schools shall conform to those in  
) the SB-0 District and the parking requirements of a school set forth in § 235-17 of the Zoning Ordinance.
  - (5 Outdoor playing fields at such schools shall be screened from public view by trees,  
) hedges or other suitable shrubbery.
  - (6 Adequate roads for ingress and egress shall be provided at such schools, which roads  
) shall create no unusual traffic hazard or traffic congestion.
  - (7 A student circulation plan shall be submitted with each site plan for such schools, which  
) shows student movement between buildings on such properties.
  - (8 A teacher training institute, although deemed a trade school, may be incorporated in the  
) campus of such schools.
  - (9 No more than 10 members of the faculty of such SB-0 educational schools may be  
) boarded on the property.

FURTHER RESOLVED that the number of parcels that this change would affect is to be limited and that there be a focus on protecting the taxable status of the property.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Attorney for the applicant: Frank McCullough, the Building Inspector, and the Chairs of the Zoning and Planning Boards.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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AUTHORIZATION FOR FIRE MARSHAL SURACE AND DEPUTY FIRE MARSHAL  
ALBERT MIGNONE TO ATTEND THE FIRE MARSHAL/FIRE INSPECTOR SEMINAR  
AT THE NYS FIRE ACADEMY IN MONTOUR FALLS, NY,  
ON OCTOBER 16<sup>TH</sup> THROUGH 18<sup>TH</sup>, 2007, COST: \$600

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Fire Marshal Steve Surace and Deputy Fire Marshall Albert Mignone to attend the Fire Marshal/Fire Inspector's Seminar, October 16<sup>th</sup> – 18, 2007, at the NYS Fire Academy in Montour Falls, NY, at a cost not to exceed \$600. This is a budgeted item.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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AUTHORIZATION FOR FIRE MARSHAL SURACE TO ATTEND  
THE NYS FIRE INVESTIGATOR'S SEMINAR AT THE NYS FIRE ACADEMY  
IN MONTOUR FALLS, NY, NOVEMBER 6<sup>TH</sup> THROUGH 9<sup>TH</sup>, 2007 COST: \$600.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Fire Marshal Steve Surace for authorization to attend the NYS Fire Investigator's Seminar on November 6<sup>th</sup> – 9, 2007, at a cost not to exceed \$600. This is a budgeted item.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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AUTHORIZATION FOR POLICE OFFICER DAVID TOLVE  
TO ATTEND THE NYS HIGHWAY SAFETY CONFERENCE IN LAKE PLACID, NY,  
OCTOBER 14<sup>TH</sup> THROUGH 17<sup>TH</sup>, 2007. COST: NOT TO EXCEED \$500.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Chief of Police Dave Hall for authorization for P.O. David Tolve to attend the NYS Highway Safety Conference, in Lake Placid, NY., from October 14<sup>th</sup> – 17, 2007, at a cost of \$125 per officer. The total cost, including travel expenses, should not exceed \$500. 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 Scappaticci, Paladino, Cannella and Vetere  
Supervisor Malfitano

NAYS: None

ABSENT: None

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AUTHORIZATION FOR P.O. CHRISTOPHER DiGIACOMO TO ATTEND THE NYS  
HIGHWAY SAFETY CONFERENCE IN LAKE PLACID, NY,  
OCTOBER 14<sup>TH</sup> THROUGH 17<sup>TH</sup>, 2007. COST: NOT TO EXCEED \$500.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Chief of Police Dave Hall for authorization for P.O.

Christopher DiGiacomo to attend the NYS Highway Safety Conference, in Lake Placid, NY., from October 14<sup>th</sup> – 17, 2007, at a cost of \$125 per officer. The total cost, including travel expenses, should not exceed \$500. 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 Scappaticci, Paladino, Cannella and Vetere  
Supervisor Malfitano

NAYS: None

ABSENT: None

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AUTHORIZATION FOR REIMBURSEMENT TO FRANK BALBI, JR.  
ASSISTANT ENGINEER, FOR COLLEGE COURSES TO BE TAKEN AT  
MANHATTAN COLLEGE COST: \$4,200

Mr. Balbi is working towards his Masters Degree in Civil Engineering/Construction Management.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Acting Town Engineer Bob Wasp for authorization to reimburse Assistant Engineer Frank Balbi for the costs of college courses in which he is enrolled at Manhattan College, Fall Semester, at a total cost of \$4,200.

“COMG 605 – Construction Planning and Scheduling”

“COMG 611 – Environmental Impact for Construction Projects”

FURTHER RESOLVED that upon satisfactory completion and submission of attendance, and upon proof of payment, the Comptroller is authorized to audit and pay expenses as outlined in the CSEA contract.

FURTHER RESOLVED that funding is available in the Engineering Operating Budget.

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

Adopted by the following vote:

AYES: Councilmen Scappaticci, Cannella and Paladino  
Supervisor Malfitano

NAYS: Councilman Vetere

ABSENT: None

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APPROVAL FOR AN ADDITION TO THE  
RECREATION PART TIME AVAILABILITY LIST

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Superintendent of Recreation Ron Belmont for an addition to the Recreation Part-time Availability List, as follows:

**NAME**

Wallace, Nicholas

**HOURLY RATE OF PAY**

\$5.50

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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**ACCEPTANCE, WITH REGRET, OF THE RETIREMENT OF  
POLICE LT. ROBERT COLLINS, EFFECTIVE OCTOBER 4, 2007**

Chief of Police Dave Hall remarked that Police Lt. Collins has been a valuable member of the Harrison Police Department for almost twenty two (22) years and thanked him for his many years of dedicated service to the community. He added that Lt. Collins will be sadly missed.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept, with regret, the letter of retirement from Police Lt. Robert Collins, effective

October 4, 2007.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Personnel Manager, the Chief of Police and Lt. Collins.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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AUTHORIZATION FOR THE RE-APPOINTMENT OF  
ASSESSOR JAMES CALANDRUCCIO

The Assessor is appointed for a six-year term. Mr. Calandrucchio stated that his current term will end on September 30, 2007, and that he has served in this position for the past twenty-eight (28) years.

On motion of Councilman Vetere, seconded by Councilman Paladino,

it was

RESOLVED to approve the re-appointment of Assessor James Calandrucchio to a new six year term, effective October 1, 2007.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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AUTHORIZATION FOR AN INCREASE IN THE TOWN CLERK'S  
PART-TIME SALARY BUDGET LINE AND IN THE ARCHIVE BUDGET

Town Clerk Joan Walsh explained that an increase in her part-time salary budget line, in an amount of \$5,000, was needed to cover the part-time clerk in that office, adding that, due to illnesses in that office, the part-time clerk had to work extra hours. Mrs. Walsh also asked for an increase in the Archive Budget line, in the amount of \$6,000. as she did not receive a Grant from New York State this year.

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to authorize the request by Town Clerk Joan Walsh for approval for an increase in her part-time salary budget line, in the amount of \$5,000.

FURTHER RESOLVED to approve the request for an increase in the Archive Budget line, in the amount of \$6,000.

FURTHER RESOLVED that funding is to come from the General Fund.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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APPROVAL OF THE TRANSACTION BETWEEN CSC ACQUISITION – MA, INC.  
(CABLEVISION) AND CENTRAL PARK HOLDINGS, LLC

**WHEREAS**, CSC Acquisition-MA, Inc. is the holder, by assignment, of a franchise to operate a cable television system to provide cable service within the Town/Village of Harrison pursuant to that certain “Cable Television Franchise Agreement Between the Town of Harrison and Westchester Cable Television, Inc.” dated June 16, 1982, as amended by Order of the New York Public Service Commission, as further modified and amended by agreement dated February 15, 1995 and the documents incorporated therein, and in effect pursuant to Temporary Operating Authority granted by the New York Public Service Commission (the “NYPSC”); and

**WHEREAS**, CSC Acquisition-MA, Inc. is an indirectly wholly-owned subsidiary of Cablevision Systems Corporation (“Cablevision”); and

**WHEREAS**, Cablevision is controlled by the Dolan Family, which founded Cablevision, through a 71% voting control of Cablevision stock; and

**WHEREAS**, on May 22, 2007, Cablevision announced it had reached a definitive merger agreement with Central Park Holdings, LLC, a new entity created by the Dolan Family, through which the Dolan Family will acquire 100% ownership of Cablevision (the “Transaction”); and

**WHEREAS**, the Franchise provides for approval of the Town/Village for the Transaction; and

**WHEREAS**, CSC Acquisition-MA, Inc. filed a FCC Form 394 providing full information regarding the Transaction and seeking approval of the Transaction; and

**WHEREAS**, the Transaction will not result in any change to the control, operations or management of the cable system or the Franchise and the Franchise will continue to be held by CSC Acquisition-MA, Inc. and CSC Acquisition-MA has agreed to comply therewith in accordance with an Agreement dated September 15, 2007; and

**WHEREAS**, subject to the foregoing, it is in the public interest to approve the Transaction.

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED that the Agreement is ratified, and that

1. The Transaction described herein is approved.
2. This Resolution is effective immediately.
  
3. The Town/Village Clerk will serve an executed copy of this resolution on CSC Acquisition – MA, Inc. and on the New York State Public Service Commission.
4. The Supervisor is authorized to negotiate and execute an Agreement with Cablevision.

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

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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AUTHORIZATION FOR THE APPORTIONMENT OF  
BLOCK 52, LOTS 8(8-9-10) AND 11(11-12-13)

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the request of Assessor James Calandruccio for approval of the apportionment of assessed valuation of Lots 8(8-9-10) and 11(11-12-13), Block 52 on the 2006 and 2007 Assessment Rolls (Taxes of 2007 and 2008.) The owner of the aforementioned parcels would like to have the parcels apportioned into three (3) lots in accordance with the attached Subdivision Map entitled “Subdivision Map prepared for Franklin Ave, R.E. Corp, in the Town of Harrison” which was properly approved and filed in the Westchester County Clerk’s Office on August 14, 2007 as Map No 28004.

Lot 1 containing 50X100 will hereafter be known as Lot 8(8-9), Block 52.

Lot 2 containing 50X100 will hereafter be known as Lot 10(10-11), Block 52.  
Lot 3 containing 50X100 will hereafter be known as Lot 12(12-13), Block 52.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 -- 394 -- b

AUTHORIZATION FOR THE APPORTIONMENT  
OF BLOCK 472, LOTS 30(Po10) AND 34(Po7)

Mr. Mike Grbic, owner of Block 472, Lot 30(Po10) has asked to have the aforementioned one (1) parcel apportioned into two (2) parcels in accordance with the attached subdivision map entitled "Subdivision Plat prepared for Mike Grbic in the Village/Town of Harrison, Westchester County, NY", which was properly approved and filed in the Office of the County Clerk of Westchester County on May 30, 2007 as Map #27956. Mr. and Mrs. Falciglia, owners of the adjoining property (Lot 34 (Po7, Block 472) have conveyed a portion of their property containing 4,296.41 square feet or 0.09863 acre to Mr. Grbic. This conveyance was necessary in order to comply with the present zoning requirements for the R-1 District, which is a minimum lot size of 1.00 acre.

Parcel A containing 1.0031 acres will hereafter be known as Lot 30(Po10&34), Block 472.

Parcel B containing 1.0020 acres, will hereafter be known as Lot 47(Po30&34), Block 472.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the request of Assessor Calandruccio for approval for the apportionment of assessed valuation of Block 472, Lots 30(Po10) and 34(Po7) on the Assessment Roll (Taxes of 2008):

Parcel A containing 1.0031 acres will hereafter be known as Lot 30(Po10&34), Block 472.

Parcel B containing 1.0020 acres, will hereafter be known as Lot 47(Po30&34), Block 472

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 - - 395

NOTIFICATION OF THE EVENTS OF THE "IT'S GREAT TO LIVE IN HARRISON"  
FESITVITIES THE FIRST WEEKEND IN OCTOBER AND AN INVITATION TO ATTEND

Superintendent of Recreation Ron Belmont invited all Town officials and community members to attend the Annual 'It's Great to Live in Harrison/Columbus Day' Observance festivities on October 6<sup>th</sup> and 8<sup>th</sup>, 2007, and listed them as follows:

Saturday: October 6<sup>th</sup> .....Fireworks, West Harrison, at dusk

Sunday: October 5<sup>th</sup> ... Concert in the Park with Club Dennis  
7 PM

Monday: October 8<sup>th</sup> .....Parade – 10AM, (line up at 9:30 AM)  
Festival in Ma Riis Park following parade

September 20, 2007

2007 - - 396

AUTHORIZATION FOR A SPECIAL EVENTS PERMIT FOR  
HARRISON HIGH SCHOOL FOR THE PEP RALLY  
PRIOR TO THE RYE-HARRISON FOOTBALL GAME

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Rosa Acocella, cheerleading coach for the Harrison High School football team, for a Special Events Permit for the Football Rally and Bonfire prior to the traditional Rye Game Pep, to be held on Friday, September 28, 2007

FURTHER RESOLVED that a Certificate of Insurance be provided.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Building Inspector, the Chief of Fire District #2, the Fire Marshal, the Chief of Police, Ms. Acocella and the HVAC.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 - - 397 - - a

AUTHORIZATION FOR A BUDGET TRANSFER  
FOR THE DEPARTMENT OF PUBLIC WORKS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the request by Comptroller Maureen MacKenzie for approval for a budget transfer, in the amount of \$5,741.

**DECREASE** \$5,741  
001-1440-100-0102  
Engineering-Salaries

**INCREASE** \$5,741  
001-1490-100-0407  
Public Works-Special Services

To cover expenses for a temp service in the Public Works Dept.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 - - 397 - - b

AUTHORIZATION FOR A BUDGET MODIFICATION  
FOR THE TOWN'S ARCHIVES ACCOUNT

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the request by Comptroller MacKenzie for approval for a budget modification in the amount of \$14,489.

**INCREASE:** \$14,489

001-0000-030-3089  
Town-Archive Grant

**Total: \$14,489**

**INCREASE:** \$13,272

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

**INCREASE:** \$ 997

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

**INCREASE:** \$ 220

001-1411-100-0835  
Archive Grant-Medicare

**Total: \$14,489**

To modify Archive expense lines and revenue line to reflect Archive Grant monies received and expended.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 - - 398

AUTHORIZATION FOR THE HARRISON VOLUNTEER AMBULANCE CORPS (HVAC)  
TO RECEIVE THEIR FOURTH INSTALLMENT PAYMENT -- 2007

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the request by David Parsons, Chief of Operations for the HVAC, for approval for their fourth (4<sup>th</sup>) Installment Payment, in the amount of \$82,500, (\$112,500 less \$30,000) due and payable on October 1, 2007.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Chief of Operations for HVAC.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 - - 399

AUTHORIZATION TO ACCEPT THE OFFER BY WESTCHESTER COUNTY FOR THE  
USE OF THE COUNTY'S MOBILE PAPER SHREDDER ON OCTOBER 4, 2007 TO BE  
STATIONED AT THE MINTZER, 251 UNDERHILL AVENUE

Bob Wasp, Commissioner of Public Works stated that Thomas Lauro, Acting Commissioner of Environmental Facilities for Westchester County is offering to provide the use of and staff necessary to operate the County's Mobile Paper Shredder. All Harrison residents will be invited to come to the site on October 4<sup>th</sup> with boxes of paper to be shredded by this large mobile equipment.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Bob Wasp, Commissioner of Public Works to accept the offer of Thomas Lauro, Acting Commissioner of Environmental Facilities for Westchester County, to provide the use of and staff necessary to operate the County's Mobile Paper Shredder on October 4<sup>th</sup> at 251 Underhill Ave, from Noon till 2PM.

FURTHER RESOLVED that two or three Department of Public Works employees will be made available to help the County that day.

FURTHER RESOLVED that an Agreement be prepared by the Law Department agreeing to the stated conditions and sponsorship.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 - - 400

AUTHORIZATION FOR THE SUPERVISOR TO SIGN THE CERTIFICATE OF  
AUTHORIZATION FOR THE 'IT'S GREAT TO LIVE IN HARRISON' CELEBRATION

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the request by Superintendent of Recreation for authorization for the Supervisor to sign the Certificate of Authorization for the "It's Great to Live in Harrison" Celebration Fiesta.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 - - 401

AUTHORIZATION FOR AN INSTALLEMNT PAYMENT TO CHARLES BOTHUR  
OF THE CHARLES DAWSON HISTORY CENTER FOR INVENTORY WORK  
AT THE CENTER, IN THE AMOUNT OF \$750.

Charles Bothur notified the Board that at this time he is undertaking the Inventory Project for the Charles Dawson History Center. He is progressing with Phase I of the project, at which a careful inventory of historical items is taken. He was able to list several items and determine categories which may be used for the collection:

- Indian Artifacts,
- Graphics (which includes Maps, Diagrams, Illustrations, Surveys,  
Site Designs and Aerial Photographs),
- Books, Publications, Documents,
- Artwork,
- Period Clothing,
- Photographs,
- Textiles,
- Implements and
- Memorabilia.

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to authorize payment to Mr. Charles Bothur in the amount of \$750 for Phase I of

the Inventory of the contents of the Charles Dawson History Center.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Mr. Bothur and the President of the Historical Society.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 - - 402

TABLED: PROPOSAL FROM THE FIRM OF BFJ PLANNING  
TO PREPARE A DRAFT ENVIRONMENTAL IMPACT STATEMENT  
OF THE TOWN'S COMPREHENSIVE PLAN.

TABLED: Letter from Harlan Sexton of BFJ Planning outlining their proposal; for the preparation of a GEIS on the draft of the Comprehensive Plan. Including a scoping session, draft GEIS, the final GEIS, plan revisions and Findings at a not-to-exceed fee of \$25,000.

Councilman Bob Paladino suggested that this request be tabled as there well might be changes in the final version of the Plan that comes before the Board, and

September 20, 2007

2007 -- 403

AUTHORIZATION TO ISSUE A BUILDING PERMIT IN THE FLOOD PLAIN ZONE  
FOR 8 SHAWNEE TRAIL,  
CONDITIONAL ON ACCEPTANCE OF THE RECOMMENDATIONS  
OF THE TOWN ENGINEER

Councilman Paladino asked if it were possible that a “Hold Harmless Agreement” be part of the conditions. Assessor Jim Calandruccio stated that anything now built in the Flood Zone must be two feet above the flood elevation. The question was referred to the Law Department.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Acting Town Engineer Bob Wasp that a building permit be issued for construction at 8 Shawnee Trail, for premises located within the flood plain, conditional on the acceptance of the recommendations of the Engineer as follows:

1. No grade change is permitted. A note reflecting this restriction must be placed on the site plan.
2. Site plan, construction drawings, and building plans should all include the following:
  - The property 2007 FEMA Base Flood Elevation (BFE = 67')
  - Limit of 2007 FEMA 100 year Flood Plain
  - Limit of 2007 FEMA Floodway
  - Proposed floor elevations related to 2007 Flood Plain
3. All elevations should be related to the 2007 FEMA Flood Profiles and Maps (NAVD 88)
4. The construction of the new structure shall conform to Chapter 146, Section 17 (Flood

Damage Prevention) of the Town Code.

FURTHER RESOLVED that, in addition, the owners sign an Indemnification Agreement.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 - - 404

AUTHORIZATION FOR EMERGENCY REPAIRS TO THE BASEMENT  
OF THE FIRE DISTRICT #2 FIREHOUSE AT AN ESTIMATED COST OF \$9,966

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the request by Fire Chief Ralph Straface for emergency repairs to the basement of Fire District #2 fire house as there are problems with seepage and hydrostatic pressure, at an estimated cost of \$9,966.

FURTHER RESOLVED that funding is to come from the Department's Building Maintenance Fund.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 - - 405

AUTHORIZATION FOR AN INCREASE IN THE BUDGET OF THE TOWN CLERK FOR  
THE PRINTING OF SUPPLEMENTS TO THE TOWN CODE,  
IN THE AMOUNT OF \$3,000.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the request by Town Clerk Joan Walsh for an increase in the printing budget of her office in the amount of \$3,000 to cover the costs of the Town Code Supplements as ordered by the Law Department, as well as the anticipated costs of the three proposed local laws.

FURTHER RESOLVED that funding is to come from the General Fund.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 - - 406

TABLED: TOWN POLICY RE: THE USE OF TOWN-OWNED VEHICLES

TABLED: The Town Policy Re: the use of Town Owned vehicles.

Resident Roy Porto said he had been waiting for this Policy for more than a year, so another couple of weeks wouldn't matter. However, he questioned the amount of money that is deducted from a person's pay check to pay for the use of that car. He also said that all vehicles should have emblems on the door of the car, at least eight inches in diameter. Mr. Porto further stated that it should be clearly stated who can ride in the car, that family members should not be driven to school or elsewhere in these cars.

Councilman Paladino stated that the Town needs to create categories ie: Department Head, emergency personnel, etc.

September 20, 2007

2007 - - 407

AUTHORIZATION FOR WESTCHESTER COUNTY TO INSTALL  
WATER FLOW METERS IN ALL SEWER LINES IN HARRISON THAT FEED  
INTO THE SOUND SHORE WASTE WATER TREATMENT PLANTS

The County of Westchester is requesting authorization to install water flow meters along all sewer lines that feed into the four Sound Shore Waste Water Treatment Plants. These meters will measure water flow during dry and wet days. There will not be any cost to the Town, but the consent of the Town Board is needed as the meters will be installed in municipally owned sewer lines.

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of the County to install water flow meters along all sewer lines that feed into the four Sound Shore Waste Water Treatment Plants.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 - - 408 -a

AUTHORIZATION TO SET THE DATE OF OCTOBER 17, 2007  
(LATER CHANGED TO OCTOBER 15, 2007)  
FOR A PUBLIC HEARING ON  
THE STORM WATER MANAGEMENT BOARD PROPOSAL

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to set the date of October 17, 2007, later changed to October 15<sup>th</sup>, 2007, for a Public Hearing on the proposal of the Storm Water Management Board.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 -- 408 -- b

APPROVAL TO RATIFY THE AGREEMENT WITH CABLEVISION  
AND AUTHORIZATION FOR THE SUPERVISOR  
TO SIGN THE MEMORANDUM OF AGREEMENT FOR THE EXTENSION OF THE  
CONTRACT WITH CABLEVISION

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to ratify the Agreement for a contract extension with Cablevision as embodied in the Memorandum of Understanding.

FURTHER RESOLVED to authorize the Supervisor to sign the Agreement.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 -- 408 -- c

APPROVAL TO SCHEDULE A PUBLIC HEARING ON OCTOBER 17, 2007  
(LATER CHANGED TO OCTOBER 15, 2007,)  
FOR A LOCAL LAW NO. RE: PISTOL PERMIT APPLICATIONS,  
TO DELETE SUB-SECTIONS 1,2 AND 3,OF SECTION 171 OF THE TOWN CODE

Deputy Village Attorney Joe Latwin stated that earlier in the year, the Board had asked him to prepare a Local Law to change provisions of Section 171 of the Town Code referring to the approval of Pistol Permits, which stated that the Police Chief approved such permits. He added that the Chief no longer approves the permits, and therefore sub-sections 1, 2 and 3 must be deleted.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to set the date of October 15<sup>th</sup>, 2007, for a Public Hearing on a Local Law to change the provisions of Section 171 of the Town Code, deleting sub-sections 1, 2, and 3 of Section 171, regarding Pistol Permits.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 -- 409

MATTERS FOR EXECUTIVE SESSION

Personnel	9
Advice of Counsel	1
Settlements of claim	1
Certiorari	4

On motion duly made and seconded,  
with all members voting in favor,  
the Meeting was recessed at 11:30 PM.

On motion duly made and seconded,  
with all members voting in favor,  
the meeting was re-convened at 1:20 AM on September 21, 2007

September 20, 2007

2007 -- 410

SETTLEMENT OF CLAIM: COURTNEY vs THE TOWN OF HARRISON  
AMOUNT: \$17,736.04

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Courtney vs the Town of Harrison, for damage to a LEXUS automobile, in the amount of \$17,736.04.

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

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 -- 411

AUTHORIZATION TO RETAIN GUSTO GROUP LLC,  
FOR INVESTIGATIVE SERVICES RENDERED  
COST: NOT TO EXCEED \$16,875.00

On motion of Councilman Scappaticci, seconded by Supervisor Malfitano,

it was

RESOLVED to retain the services of the firm of Gusto Group, LLC, for investigative services rendered, at a cost of \$16,875.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 -- 412

APPOINTMENT OF CLAIRE SOLLAZZO TO THE PART-TIME AVAILABILITY LIST

On motion of Councilman Scappaticci, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint Claire Sollazzo to the Part-time Availability List, effective September 21, 2007, at the hourly rate of \$13 per hour.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 -- 413

SETTLEMENT OF CERTIORARI: BLOCK 482, LOT 72  
RICHARD HARMONAY et al. 550 MAMARONECK AVENUE

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to settle the Certiorari brought by Richard Harmonay et. al.,  
550 Mamaroneck Avenue, Block 482, Lot 72, as follows:

<u>ASSESSMENT OF</u> <u>TAX YEAR RATE</u>	<u>CURRENT</u> <u>ASSESSMENT</u>	<u>PROPOSED</u> <u>ASSESSMENT</u>	<u>REDUCTION</u>
2006	\$404,570	\$315,000	\$89,570
2007	\$305,000	-0-	-0-

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 -- 414

SETTLEMENT OF CERTIORARI: BLOCK 482, LOT 27  
RICHARD HARMONAY et al. 600 MAMARONECK AVENUE

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to settle the Certiorari brought by Richard Harmonay et. al., 600 Mamaroneck Avenue, Block 482, Lot 27, as follows:

<u>ASSESSMENT OF TAX YEAR RATE</u>	<u>CURRENT ASSESSMENT</u>	<u>PROPOSED ASSESSMENT</u>	<u>REDUCTION</u>
2006	\$382,220	\$315,000	\$67,220
2007	\$300,000	-0-	-0-

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 -- 415

SETTLEMENT OF CERTIORARI: BLOCK 522, LOT 7 (6-7)  
WILLOW RIDGE COUNTRY CLUB, 123 NORTH STREET

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to settle the Certiorari brought by the Willow Ridge Country Club, 123 North Street, Harrison, Block 522, Lot 7 (6-7), as follows:

<u>ASSESSMENT OF TAX YEAR RATE</u>	<u>CURRENT ASSESSMENT</u>	<u>PROPOSED ASSESSMENT</u>	<u>REDUCTION</u>
2003	\$366,000	\$231,000 Land: \$161,000 Bldg: \$ 70,000	\$135,000
2004	\$366,000	\$196,900 Land: \$126,900 Bldg: \$ 70,000	\$169,100
2005	\$366,000	\$205,200 Land: \$ 135,200 Bldg: \$ 70,000	\$160,800
2006	\$366,000	\$194,400 Land: \$134,400 Bldg: 60,000	\$171,600
2007	\$366,000	\$186,000 Land: \$126,000 Bldg: \$ 60,000	\$180,000

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 -- 416

SETTLEMENT OF CERTIORARI:  
BLOCK 951, LOT 21(Po21&85), AND BLOCK 961, LOT 10  
THE GOLF CLUB AT PURCHASE, PURCHASE STREET

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to settle the Certiorari brought by The Golf Club at Purchase, Block 951, Lot 21(Po21&85) and Block 961, Lot 10 as follows:

<u>ASSESSMENT OF</u>	<u>CURRENT</u>	<u>PROPOSED</u>	
<u>TAX YEAR RATE</u>	<u>ASSESSMENT</u>	<u>ASSESSMENT</u>	<u>REDUCTION</u>

**BLOCK 951, LOT 21(Po21&85)**

2003/04	\$120,900	\$ 69,300	\$ 51,600
2004/05	\$119,810	\$ 62,880	\$ 56,930
2005/06	\$119,810	\$ 59,650	\$ 60,160
2006/07	\$119,810	\$ 56,500	\$ 63,310
2007/08	\$ 57,300	\$ 57,300	-0-

**BLOCK 961, LOT 10**

2003/04	\$446,800	\$256,200	\$190,600
2004/05	\$446,800	\$232,470	\$214,380
2005/06	\$446,800	\$222,500	\$224,300
2006/07	\$446,800	\$210,800	\$236,000
2007/08	\$213,950	\$213,950	\$ - 0 -

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 20, 2007

2007 -- 417

SETTLEMENT OF CERTIORARI: BLOCK 91, LOT 9  
WILLIAM T. MURRAY (VAIL CHEVROLET, INC.) 195 HALSTEAD AVENUE

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to settle the Certiorari brought by William T. Murray (Vail Chevrolet, Inc.),  
Block  
91, Lot 9, as follows:

<u>ASSESSMENT OF TAX YEAR RATE</u>	<u>CURRENT ASSESSMENT</u>	<u>PROPOSED ASSESSMENT</u>	<u>REDUCTION</u>
2005/06	\$ 66,500	\$ 42,500	\$ 24,000
2006/07	\$ 50,000	\$ 42,500	\$ 7,500

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

Adopted by the following:

AYES: Councilmen Paladino, Cannella, Vetere and Scappaticci  
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 1:21 AM on September 21, 2007.

Respectfully submitted,

Joan B. Walsh  
Town Clerk

